

Integrating Gender into Internal Police Oversight



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Acknowledgements: DCAF, OSCE/ODIHR and the OSCE Gender Section are grateful to members of the Advisory Council who supported the development of this guidance note, including Pierre Aepli, Lena Andersson, Bojana Balon, Paulo Costa, Cecil Griffiths, Heather Huhtanen, Marco Kubny, Nicolas Long, Ruth Montgomery, Timothy Prenzler, Yasmin Rehman and Ivan Zverzhanovski, as well as to other participants in our November 2013 expert workshop on gender and oversight.

The author would like to extend thanks to Andreea Vesa of OSCE/ODIHR and Hanna Sands of the OSCE Gender Section for their comments on draft versions of this guidance note, and for being the best of partners throughout the project. The author would also like to thank Veerle Triquet and Caroline Pradier for their research assistance, and colleagues within the DCAF gender and security team – Karin Grimm, Kathrin Quesada and Kristin Valasek – for their contributions.

DCAF, OSCE/ODIHR and the OSCE Gender Section gratefully acknowledge the support of the Swiss Agency for Development and Cooperation (SDC) in the development of this guidance note. OSCE/ODIHR would also like to thank the United States government for supporting additional printing of the guidance note.



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Cover image: Police officers from Uzbekistan. (Credit: UNDP in Europe and Central Asia, 2012).

Graphic design by Alice Lake-Hammond (www.alicelakehammond.com)

ISBN: 978-92-9222-309-0

Cite as: Bastick, Megan, *Integrating Gender into Internal Police Oversight* (Geneva: DCAF, OSCE, OSCE/ODIHR, 2014).

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1

INTRODUCTION

Police play a crucial role in society and provide a wide range of services to the community. They are responsible for maintaining order, preventing and investigating crime and protecting individuals and communities from harm. The special powers, duties and responsibilities with which police are entrusted require that they act with a high degree of integrity and within a framework of effective oversight.

For the police to perform their duties effectively, they need to recognize and address the different needs of women, men, girls and boys in the communities they serve. Likewise, it is important that policing as a profession is equally open to women and men, and that women and men are treated fairly as police officers. This is known as gender-responsive policing (see Box 1). National and international laws and policies, including the UN Security Council resolutions on women, peace and security, call for gender-responsive policing.¹ Moreover, gender-responsive policing is part of a broader agenda of enhancing equitable policing with regard to all aspects of diversity within communities.

Members of the Serbian Police during a presentation of the draft National Action Plan on UN Security Council Resolution 1325 on Women, Peace and Security in Belgrade, Serbia.
Photo: OSCE, Milan Obradović, 2010.

Many police services have taken steps to be more gender responsive. Examples can be found in the *Police Reform and Gender Tool* published jointly by DCAF, OSCE/ODIHR, and UN-INSTRAW, as well as in other resources listed at the end of this guidance note. Systems of internal monitoring and control form a key component of gender-responsive policing, as they ensure the effective delivery of police services and fair human resources processes while preventing and addressing police misconduct. It is these systems of internal oversight that are the focus of this guidance note.

BOX 1 : EXAMPLES OF GENDER ISSUES IN THE POLICE

- How women and men are differently affected by crime.
- How women and men are differently perpetrators of crime.
- Equal opportunities for women and men in the police service.
- Sexual harassment and other types of sexual misconduct committed by police.

This guidance note has been developed in partnership with the Organization for Security and Co-operation in Europe (OSCE) and the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR). It was developed through desk research and expert input, and was reviewed and discussed extensively at a meeting of experts and practitioners held in November 2013.

The guidance note is designed to assist those working at the strategic or management level in police services and in bodies that manage and oversee the police, as well as those supporting police reform and/or gender mainstreaming strategies, including OSCE staff. It is intended to serve as reference material for good policing practice, presenting strategies that might be adapted to the different contexts, needs and resources of different police services.

This guidance note includes:

- » An overview of police oversight;
- » Discussion of why gender is important to police oversight;
- » Guidance as to how gender can be integrated into police oversight in a number of key areas;
- » A self-assessment tool for police services; and
- » A list of additional resources.

This guidance note forms part of a series that takes an in-depth look at oversight issues within gender and security sector reform that were introduced in the *Gender and Security Sector Reform Toolkit* published jointly by DCAF, OSCE/ODIHR and UN-INSTRAW. The other guidance notes in the series are *Integrating a Gender Perspective into Internal Oversight within Armed Forces* and *Integrating Gender into Oversight of the Security Sector by Ombuds Institutions & National Human Rights Institutions*.





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AFRICA
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TRANSPORTUL
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2

WHAT IS POLICE OVERSIGHT?

In this guidance note, “police” is the generic word used for all publicly authorized and/or controlled services that are granted the responsibility by a state to maintain law and public order, and are empowered by the state to use force and/or special powers for those purposes. Policing services often include, but are not limited to:

- Maintaining law and public order in society;
- Protecting and respecting the individual’s fundamental rights and freedoms;
- Preventing, detecting and combating crime; and
- Providing assistance and other services to the public.

Some states have specialist police services, such as border police. Many of the recommendations provided in this guidance note can also apply to *gendarmerie* (military or paramilitary forces charged with police duties among civilian populations, in some countries named *guardia civil*, *carabinieri*, etc.).



In order to carry out their functions, the police are granted special powers, including the power to arrest and detain and the power to use force. This places the police in a sensitive position, as they are required to balance the right to privacy, access to liberty and the presumption of innocence until proven guilty, among other individual rights, with their duty to maintain law and order in a society. The leadership within a police service enjoys substantial operational independence, and individual police officers are invested with discretionary powers (for example, in whether they arrest or caution someone for a minor offence).² This independence and discretionary power must be balanced by control and oversight mechanisms to ensure that police use their powers to enforce the law in a fair and just manner, and to protect civil liberties against police abuse. However, oversight or supervision of the police is not confined to limiting the exercise of police power; the police should also be held accountable for how effectively they use their powers and resources to achieve crime reduction, increase public safety and serve the community.

Police accountability requires oversight and control structures and systems to operate both internally (within the police) and externally (from outside the police). These oversight structures and systems vary greatly between countries, but the following mechanisms can each play an important role.

External oversight

The police should be subject to oversight by external civilian authorities, including, at a minimum, the minister of the interior³ and/or mayors (who often have command of the police where municipal and county police departments are concerned), the judiciary (with whose verdicts and other orders the police have to comply) and the parliament (which drafts laws and usually approves the police budget). The office of the auditor general may exercise financial oversight over the police. Oversight bodies that are independent from the government, such as a national human rights institution, ombuds institution and/or police complaints commission/body, also often play a role (see the guidance note on *Integrating Gender into Oversight of the Security Sector by Ombuds Institutions & National Human Rights Institutions*). In addition, in some countries the police are required to report to and co-operate with community policing forums, local security committees or civilian oversight boards. Informal civilian oversight is exercised by advocacy organizations, women's groups, research organizations and the media, as these actors are able to highlight shortcomings and drive change. On an international level, oversight can be exercised by the United Nations (including through human rights treaty bodies, special mechanisms and the Universal Periodic Review), as well as by regional human rights treaty bodies.⁴

Internal oversight

Although external supervision is of great importance, police managers have the primary responsibility to ensure that policing within communities is effective and that active measures are taken to prevent police abuses. It is they who are involved in the day-to-day challenges of policing and who have the greatest impact on the performance and conduct of their subordinates.⁵ Police are accountable through the chain of command within the police service. In addition, there is ongoing supervision and proactive monitoring of staff, their training and professional development, as well as oversight of operational practices and processes.

There is a great deal of variety in the different internal structures and systems used to control, assess, supervise and monitor police services. Structures can include inspectorates and internal audit units, while systems often involve performance indicators, quality management systems and early warning systems. At a minimum, supervision and monitoring require data collection and analysis, as well as corrective mechanisms when problems are identified. At an individual level, human resources processes, such as background checks, retention or dismissal, promotion, performance review and evaluation, also constitute forms of oversight.

An important element of oversight is the complaints, investigation and disciplinary process. Many police organizations create independent units to investigate alleged misconduct by officers, staffed by specially trained police (e.g., an “internal affairs” or “professional standards” division).⁶ Others use investigators from a different branch or region to ensure independence from those being investigated.

These mechanisms of internal oversight, and how they can be made more responsive to gender, are the subject of this guidance note.

The effectiveness of internal oversight mechanisms greatly depends on the commitment of police managers to tackle misconduct and be accountable for providing good services. At times, police may be reluctant to expose their institution to criticism. Internal oversight mechanisms may lack public credibility owing to the belief that police managers shield their staff from accountability. In addition, internal mechanisms are often limited in scope and tend to concentrate only on reactive (punitive) measures, as opposed to proactive (preventive) measures.⁷ For these reasons, it is important that internal oversight mechanisms are complemented by external ones. Moreover, supervision and monitoring by external oversight bodies can reinforce and sustain police managers in their efforts to make police services more gender-responsive.





3

WHY IS GENDER IMPORTANT TO INTERNAL POLICE OVERSIGHT?

Gender roles – together with other factors such as age, disability, gender, ethnicity and class – are central to our experiences of crime and violence. Gender is not just “about women” – it is about men and women and the different roles, characteristics and behaviour expected or assumed of them in a society. From a police services perspective, gender plays a critical role in determining the types of crimes that women, girls, men and boys tend to commit, and to be victims of. Therefore, taking into consideration gender issues within society and within the police service is crucial to effective policing. Box 2 contains some of the gender terms used in this guidance note.

Each internal oversight process should consider how the structures, systems, policies, processes or practices being monitored have a differential impact on women and men, whether as staff, users or beneficiaries of police services. Some key benefits of integrating gender in this way are as follows.

To achieve effective service provision

In many countries, women and men who are victims of domestic abuse (also known as domestic violence, family violence or intimate partner violence), sexual violence and human trafficking find that police are unwilling to investigate and prosecute the crimes against them adequately. Indeed, data from 57 countries suggest that on average only 11 per cent of women who experience sexual assault report it.⁸ This equates to a massive gap in the provision of police services to victims of domestic and sexual abuse. Oversight processes can help to improve police services by focusing on these crimes, as well as more generally on the different experiences of women and men, girls and boys as victims of crime.

To build a representative police service

Ensuring the balanced representation of female and male personnel is essential for police services to be able to prevent, detect and investigate crimes against women and men effectively. Moreover, studies indicate that women can often bring different, useful skills and strengths to increase the effectiveness of police work.⁹ Nevertheless, in some



countries recruitment processes discriminate against women. Once recruited, women are often disproportionately overrepresented in low-ranking positions, and often end up leaving as a result of the underutilization of their skills and owing to discriminatory attitudes and policies, sexual harassment and difficulties combining police work with family responsibilities.¹⁰ Monitoring human resources processes, paying particular attention to the different experiences of women and men, can help a police service to address these problems, and to increase the recruitment, retention and advancement of talented female staff.

To prevent and address sexual harassment and discrimination within the police

Sexual discrimination and sexual harassment within police services not only violate the rights of the victims, but also inflict large costs on police organizations through increased staff turnover, lower productivity, ill health and, in some countries, litigation costs. Research in Australia, for example, found that 63 per cent of female officers and 14 per cent of male officers had been exposed to sexual harassment.¹¹ Internal oversight mechanisms play a key role in building a respectful work culture where discrimination and harassment are rare, and where any incidents are dealt with effectively.

To prevent and address police misconduct towards the public

It is necessary to prevent and respond actively to gender-related violence or discrimination committed by police officers against detainees, victims of crime and other members of the community. Such abuse can be directed against men and boys as well as women and girls. In some countries, police have been complicit in sex-related organized crime, such as prostitution and human trafficking. Domestic abuse in the homes of police officers may also be disproportionately prevalent.¹² The barriers that victims face when reporting gender-based violence, as well as the shortcomings in police responses, are usually even higher when the perpetrator is a police officer. However, police services can implement effective measures to guard against such abuses, and to ensure they are dealt with in a manner that reinforces public trust in the police.

Officer from the London Metropolitan Police Department. The Metropolitan Police are part of a project to help reduce sexual assault and unwanted sexual behaviour on public transport. Photo: Angel Xavier Viera, 2013.



BOX 2 – GENDER TERMINOLOGY

A police service will usually draw the definitions used in its policies from national laws or policies that follow internationally agreed upon terms. The following are some examples.

Gender “refers to the social attributes and opportunities associated with being male and female and the relationships between women, girls, men and boys. These attributes, opportunities and relationships are socially constructed and are learned through socialization processes. They are context/time-specific and changeable. Gender determines what is expected, allowed and valued in a woman or a man in a given context. In most societies there are differences and inequalities between women and men in responsibilities assigned, activities undertaken, access to and control over resources, as well as decision-making opportunities... Other important criteria for socio-cultural analysis include class, race, poverty level, ethnic group and age.” (UN Office of the Special Adviser on Gender Issues and Advancement of Women, *Gender Mainstreaming: Strategy for Promoting Gender Equality*, rev. August 2001.)

Gender mainstreaming is “the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women’s as well as men’s concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality.” (*Official Records of the General Assembly A/52/3/Rev.1*, chapter IV, paragraph 4, 18 September 1997.)

Sexual discrimination is unfair treatment or arbitrary distinction based on a person’s sex, gender, sexual orientation or gender identity. (Adapted from Committee on Economic, Social and Cultural Rights, *General Comment No. 20*, Article 2, paragraph 2, E/C.12/GC/20, 2 July 2009.)

Sexual harassment “is any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment”. (*United Nations Secretary-General’s Bulletin on Prohibition of Discrimination, Harassment, Including Sexual Harassment, and Abuse of Authority*, ST/SGB/2008/5, 11 February 2008.)

Sexual misconduct includes criminal offences of sexual violence (stalking, rape and other forms of sexual assault), as well as non-criminal sexual conduct that is inappropriate, unprofessional or damaging to the public confidence in the police, such as:

- Extorting sexual favours in exchange for not fining or arresting a person;
- Inappropriate physical contact with suspects;
- Sexual behaviour while on duty (e.g., viewing pornography, engaging in sexual activity, use of prostitutes); and
- Unnecessary actions taken for personally and/or sexually motivated reasons (e.g., unnecessarily stopping female drivers). (Adapted from International Association of Chiefs of Police, *Addressing Sexual Offenses and Misconduct by Law Enforcement* (Alexandria, VA: 2011) pp. 3–4.)



4

HOW CAN GENDER BE INTEGRATED INTO INTERNAL POLICE OVERSIGHT?

The following are practical strategies for integrating gender issues into police oversight structures, processes and practices. In implementing any of these strategies two things should be kept in mind. First, any gender reform process needs to include a focus on organizational culture and values. In particular, the behaviour of police supervisors has a strong impact on the organizational culture and, in turn, on police behaviour. Second, strong leadership is needed to reinforce and demonstrate constantly that meeting gender-responsiveness objectives is good for both women and men in the service, for the service itself and for the communities the police serve. As always, the good practices described below need to be adapted to fit the needs and resources of each police service. Box 3 shows that these actions need not be expensive.



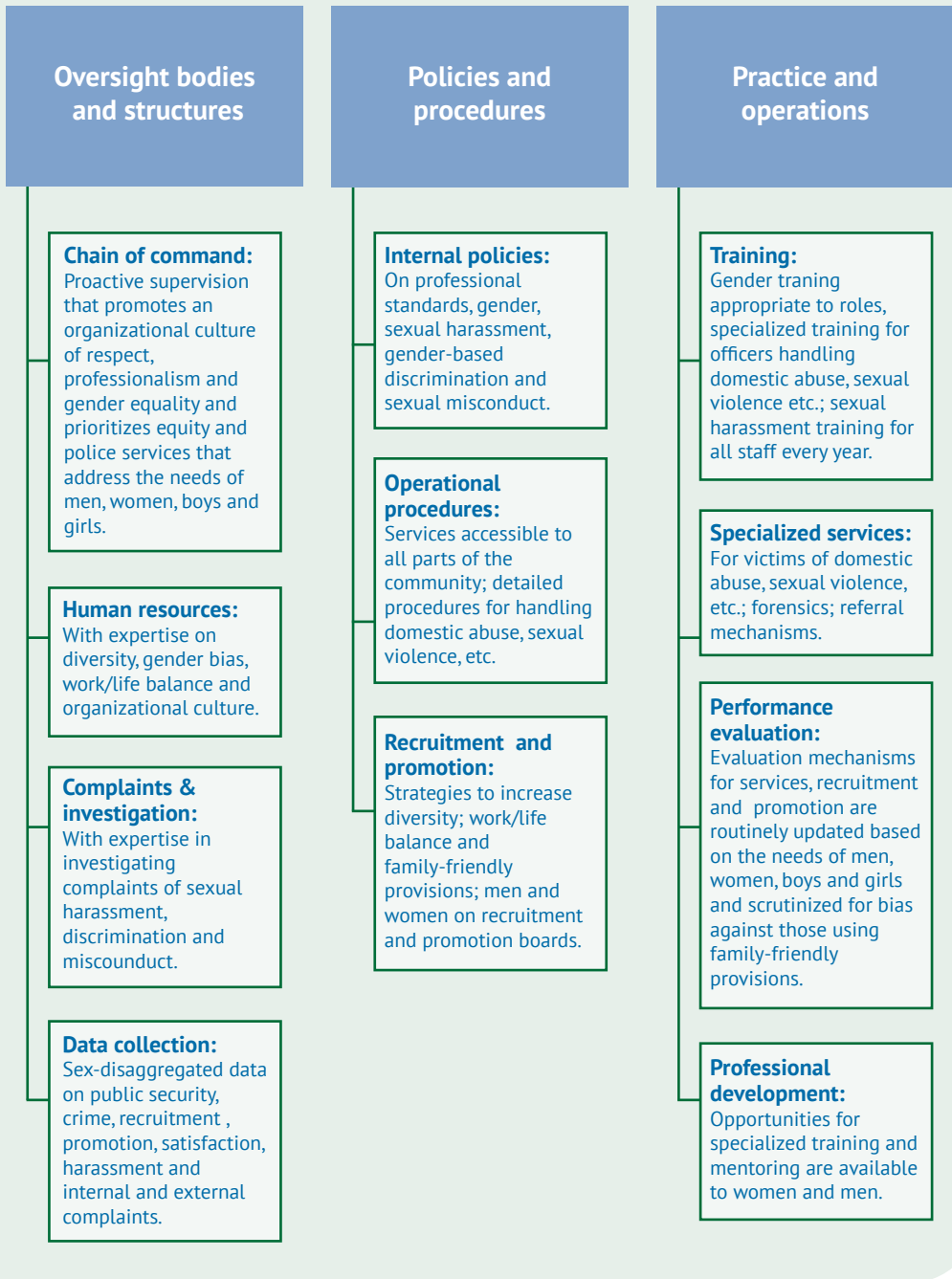
BOX 3 – EIGHT INEXPENSIVE STEPS TOWARD GENDER-RESPONSIVE POLICING

These inexpensive steps and the many good practices included in this guidance note demonstrate that addressing gender issues often requires new thinking rather than significant resources.

- ✓ Gather statistics on the percentage of female applicants and compare these with the percentage of female recruits. Academics and postgraduate students can be approached to analyse the raw data.
- ✓ Conduct focus groups and online surveys with female and male personnel.
- ✓ Integrate gender objectives into existing strategic planning processes.
- ✓ Change job descriptions and promotion criteria to include gender knowledge and skills.
- ✓ Change policies that penalize personnel for taking parental leave, including the requirement for continuous service periods as a prerequisite for promotion.
- ✓ Implement training on gender, diversity and sexual harassment.
- ✓ Build alliances with women's organizations and ministries.
- ✓ Engage with the media to reach out to all parts of the community and strengthen trust.

This guidance note highlights areas that require special attention, including policies, procedures, training, data collection, monitoring and reporting. It is important that an integrated approach is taken, incorporating all of these areas. For example, if a police service has a policy on sexual harassment but there is neither the training in place to inform employees about the policy nor structures to lodge and investigate complaints, then the policy is completely ineffective. Therefore, effective internal oversight requires not only policies but dedicated resources for their operational and practical implementation, as well as the existence of structural mechanisms. Figure 1 demonstrates how these elements interact when integrating gender into internal police oversight. You may wish to refer back to this diagram as you read through the guidance note.

FIGURE 1 – THE INTERPLAY BETWEEN STRUCTURES, POLICIES AND PRACTICES IN INTEGRATING GENDER INTO INTERNAL POLICE OVERSIGHT



4.1 Building the capacity and representativeness of internal oversight actors within the police service

Gender is a new topic for many police services and there is often the misconception that it relates only to women. As such, gender training is likely to be needed at every level, but it is perhaps most relevant for those responsible for the management and oversight of police services. Because women are often absent from existing oversight structures within the police, including more women's representatives in oversight structures can be an effective way to strengthen police services' capacity to address gender issues.

Training

All individuals and bodies that play a role in the monitoring and oversight of police performance may require training on gender issues that is appropriate to their specific role. Such training might address the following:

- National and international laws concerning gender and equality applicable to the police service;
- Institutional policies and directives concerning gender and equality, as well as how to implement those policies through a gender mainstreaming strategy;
- How crime and insecurity have a differential impact on women, men, girls and boys in different parts of the community;
- How to handle specific gender-related crimes, such as domestic abuse, sexual violence and trafficking in human beings;
- Gender issues in the workplace, such as family-friendly policies and sexual harassment;
- Collecting and analysing sex-disaggregated and other gender-related data (see Box 4); and
- Involving women and men in the community in oversight processes.

Training can be developed or supported by the department within the police responsible for equality issues, a designated gender focal point or a gender champion, and might also draw upon the expertise of women's groups in the community.

Gender balance

For oversight structures to be able to identify effectively and deal fairly with concerns relating to both female and male staff, as well as women, men, girls and boys in the community, they should be composed of both women and men in equal measure. This will also help to increase the community's trust in the oversight structure's ability to address their issues. To increase women's representation and participation, it may be useful to involve one or more of the following:

BOX 4 – SEX-DISAGGREGATED DATA

What is it? Sex-disaggregated data are data that are collected and presented separately on women and men.

How to collect it?

- Ensure that all forms and computer records require that the sex of the subject is recorded.
- Require that data are always collected evenly from among women and men, or in proportion to the representation of women and men in the service or group concerned.
- Consider special measures to ensure that women and men participate in the data collection process, e.g., organize separate focus groups for women and men or collaborate with community organizations.
- Always compare data on women and men and analyze differences.

- A representative of an association of female officers/staff – if no such association exists, a women’s representative can be appointed or elected;
- A person responsible for issues affecting women in a police trade union; and
- Women’s representatives from the local community, e.g., representatives from women’s networks and organizations that provide services to female victims of crime.

4.2 Monitoring the implementation of gender-responsive policy within police services

Good policies are key building blocks for achieving gender-responsive policing. Every policy should take into account the different needs of women, men, girls and boys, whether as victims of crime, perpetrators, detainees or police staff, and there should be policies to address specific gender-related issues. Internal oversight systems are responsible for monitoring the implementation of policy, including how it impacts different groups within the community. Specialized bodies can help to ensure that gender issues are afforded the necessary attention.

Gender self-assessment or gender audit

Conducting a gender self-assessment or a gender audit can be an excellent first step in identifying which policies and actions are in place and which are needed. A gender audit is an assessment process that an organization uses to identify how gender issues are addressed in its internal organizational processes and activities. A gender audit gathers information from a range of sources, and can examine a specific gender issue or can look at all aspects of the organization. A number of police organizations have found gender audits useful.¹³

This guidance note contains a self-assessment table on page 45. DCAF has developed a longer *Gender Self-Assessment Guide for the Police, Armed Forces and Justice Sector* that can also be used to develop and guide such an audit process (see *Additional resources* on page 51). The DCAF, OSCE/ODIHR, UN-INSTRAW tool on *Security Sector Reform Assessment, Monitoring & Evaluation and Gender* also gives advice on gender audits of security sector institutions.

Policy review

For oversight structures and systems to monitor gender issues effectively, appropriate policies need to be in place to set out the standards that the police have committed to. A police service can undertake a policy review as follows.

- Review all standard operational procedures, protocols, policies, processes and practices to ensure they are non-discriminatory, are worded to include women and men, and address the different needs of women, men, girls and boys.
- Ensure that the appropriate operational procedures, protocols, policies, processes and practices concerning gender-related crimes, such as domestic abuse and sexual violence, are in place.
- Ensure that existing procedures and protocols reflect a clear understanding that the police are there to serve and protect the community as a whole, including women and underrepresented groups.
- Discuss protocols and procedures with community groups, including women's organizations, victims' groups and providers of health, education and legal services.

To facilitate the monitoring of gender issues, each policy should set out what sex-disaggregated data are to be collected and how they are to be reported, and should identify relevant indicators.¹⁴ Internal oversight bodies then use these data to monitor if and how the policy has a differential impact on women, men, girls and boys, as well as progress towards reaching any specific gender-related targets. Gender-responsive monitoring is discussed further in section 4.3 *Oversight of police services for women, men, girls and boys* (page 24) and section 4.4 *Oversight of human resources within the police services* (page 26).

Gender policies

Many police services have benefited from developing and implementing a specific gender policy, strategy and/or action plan. A gender policy defines the police's goals and commitments in ensuring that gender is an integral part of every aspect of police policies and practices, while a gender action plan sets out the activities, timelines and responsibilities to achieve this.

As well as any institutional gender policies, there are likely to be national gender policies that assign particular responsibilities to the police, in some cases linked to international commitments. These might take the form of a national action plan to implement UN Security Council Resolution 1325, or national policies on gender equality or violence against women. Police services need to monitor and report on the performance of their roles under such national policy frameworks (see Example 1).

EXAMPLE 1 – THE POLICE DIRECTORATE OF MONTENEGRO’S GENDER EQUALITY COORDINATOR

A gender equality co-ordinator was appointed in the Police Directorate of Montenegro after the adoption of the Gender Equality Law in 2007. The co-ordinator is responsible for guiding the implementation of commitments and regular reporting under Montenegro’s National Action Plan for Gender Equality, as well as for reporting on commitments under the UN Convention on Elimination of All Forms of Discrimination against Women. Each year the Police Directorate takes an active part in the global “16 Days of Activism Against Gender-Based Violence” campaign. In 2011 the co-ordinator helped to develop a standard operating procedure in cases of gender-based violence, which defines how relevant institutions should deal with cases of gender-based violence and how they co-ordinate among themselves.

Sources: Women Police Officers Network in South East Europe, Guidelines for Gender Sensitive Policing: With an Emphasis on Recruitment, Selection and Professional Development of Women in Police Services (Belgrade: UNDP/SEESAC, 2012), p. 27; private communication with Bojana Balon, UNDP/SEESAC, 28 June 2013.

Specialized roles and bodies

One question that many police services consider in implementing gender initiatives is whether to establish specialized bodies (such as the Gender Affairs Section described in Example 2), or whether to give existing bodies increased responsibilities on gender matters. Table 1 sets out some of the advantages and disadvantages of these different approaches. Of course, even where there are specialized bodies, existing bodies can still be expected to address gender in their work.

Many police services also have individuals, such as a “gender focal point”, who are specifically tasked to support the integration of gender in police policy and operations.

TABLE 1 – ADVANTAGES AND DISADVANTAGES OF USING SPECIALIZED BODIES TO IMPLEMENT AND MONITOR GENDER COMMITMENTS WITHIN THE POLICE SERVICE

Advantages	Disadvantages
Creates a pool of gender experts and trainers.	May lack seniority and credibility.
Increases the strategic focus on gender and maintains momentum.	Can lead to the attitude in other parts of the organization that “someone else” is responsible for gender mainstreaming.
Promotes co-ordination and engagement across different divisions.	Risk that mandate is unclear with regard to, or duplicates, other existing bodies.
May attract dedicated funding for integrating gender.	Often underresourced compared to other units.
Can help reinforce collaboration with external gender/oversight actors.	



Where there is a specialized body or unit tasked to oversee gender issues, it will be most effective when:

- It has the support of senior management and is placed high enough within the institutional hierarchy to authorize and implement changes as needed;
- It is clearly integrated within the police structure, and has access to decision-makers at strategic levels as well as to all relevant data;
- It has the capacity for research and policy analysis;
- Its work is linked to or co-ordinated with existing oversight structures;
- Its staff receive gender training; and
- It has a balance of female and male staff.

EXAMPLE 2 – THE LIBERIA NATIONAL POLICE GENDER AFFAIRS SECTION

The Liberia National Police (LNP) adopted its Gender Policy in 2005, and in 2008 established the Gender Affairs Section to support, monitor, advise and report on implementation of the Gender Policy. With seven staff members, the Gender Affairs Section promotes the recruitment of women, supports capacity building for female staff and the incorporation of gender training in the police academy, raises awareness both within the police and among the general public on the Gender Policy and violence against women and children, and broadly monitors the integration of gender into LNP policies, guidelines and programs. The Gender Affairs Section also responds to complaints against police personnel of sexual harassment, domestic violence and persistent non-payment of mandatory child support.

Source: Miranda Gaanderse and Kristin Valasek (eds.), The Security Sector and Gender in West Africa: A Survey of Police, Defence, Justice and Penal Services in ECOWAS States (Geneva: DCAF, 2011), p. 146.

Female staff associations

A number of police services have established committees or networks to represent female sworn and civilian personnel, as well as committees representing lesbian, gay, bisexual and transgender (LGBT) personnel. While not formally tasked with policy implementation, they often monitor issues of concern to female or LGBT personnel, communicate them to leadership and advise leadership in addressing problems. As such, they can be a useful internal oversight mechanism for gender issues.¹⁵

Colonel Lola Otaboeva (in uniform) is the Senior Advisor for International Cooperation and Gender Coordinator in Tajikistan's Ministry of Internal Affairs. She has lobbied for and supported the development of specialized police units on domestic violence. Tajikistan's armed forces employ more than 1.5 million women, including 9 colonels and 71 lieutenant colonels. Photo: OSCE Office in Tajikistan, no date.

4.3 Oversight of police services for women, men, girls and boys

It is important for police to have access to reliable information about the results of their work, in order to establish whether they are carrying out their functions properly, and to assist them in designing appropriate responses to the needs of women, men, girls and boys in the communities they serve. Oversight of how police provide services should involve collecting and analysing gender-related data across all police activities, and special attention should be paid to how police deal with cases of domestic and sexual abuse.

Collecting and analysing gender-related data

Police data should include measurements of:

- Crime reporting, which should generally include the victim and alleged offender's sex and age group, and should be recorded in such a manner that any gendered characteristics are apparent (for example, recording an act of assault within the family as domestic abuse rather than as assault);
- Trends in victimization;
- Case clear-up or case resolution;
- Public satisfaction after police involvement;
- Public confidence in police; and
- Public sense of security.¹⁶

Case clear-up or case resolution data indicate how the police complete or close a criminal report, including whether a prosecution is initiated and whether the case is removed from the active investigative rolls. These data are particularly important in monitoring how police are responding to public calls for assistance, as well as crimes that might tend to be underinvestigated. For instance, if it were found that a large proportion of calls from the public concerning domestic abuse were not investigated (e.g., recorded merely as “informational reports” rather than crime reports, deemed not to meet the elements of a crime or recorded as false), this would suggest that there was a significant difference between what community members identify as domestic abuse and police response.¹⁷

Crimes that are often not reported to the police, like domestic and sexual abuse, will consequently be underrepresented in police crime data. Police must therefore proactively include data collected by other agencies (such as victimization surveys and information collected by providers of victim services) within their crime analysis. In the United Kingdom, the British Crime Survey includes both face-to-face interviews and a separate self-completion module on domestic abuse, sexual assault and stalking to try to counter its underreporting. These are combined with police-recorded crime data to get an overall picture of crime levels.¹⁸ Police agencies should explore ways in which

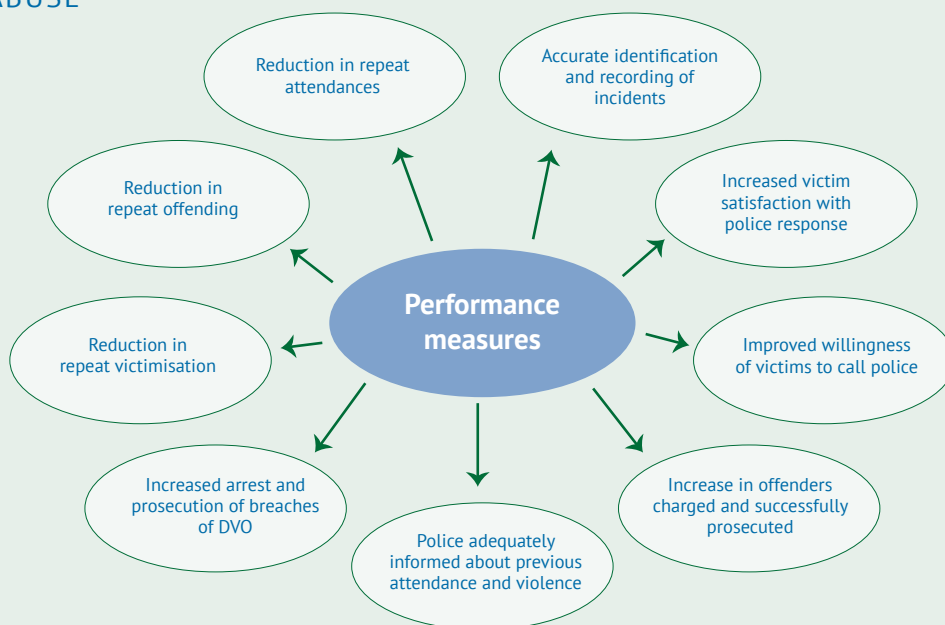
women's organizations and other stakeholders within the community can be involved in this monitoring and reporting of police performance. For example, a women's crisis centre could be consulted on police performance in handling victims of domestic abuse or rape.

Police services should compile and publish operational statistics each year, and make these open to public scrutiny and comment. Where quality management methodologies are used, these should be able to produce sex-disaggregated data and track progress towards achieving institutional targets or national or international benchmarks linked to gender.

Monitoring and evaluation of the handling of cases of domestic and sexual violence

A number of police services have established mechanisms for measuring their effectiveness in preventing and handling cases of domestic or sexual abuse (which are, of course, just two examples of gender-related crime). Figure 2 demonstrates a number of ways in which police can measure their handling of domestic abuse.

FIGURE 2 – PERFORMANCE MEASURES IN POLICING DOMESTIC ABUSE



Source: Kiah Rollings and Natalie Taylor, "Measuring police performance in domestic and family violence", *Trends & Issues in Crime and Criminal Justice*, No. 367, Australian Institute of Criminology, 2008, p. 3..

Measurement systems should look at both:

- Impact measures – for example, the number of incidents, the number of calls involving repeat victims and the number of repeat offenders; and
- Process measures – for example, adherence to procedures/protocols concerning the recording of incidents, investigation, evidence collection and case management; the percentage of victims using referral services; the percentage of arrests resulting in a conviction; co-ordination with other actors and referral mechanisms; and how satisfied the victim was with the police response.¹⁹

Organizations that provide support to victims, health services, prosecution services and local authorities can assist police services in monitoring their performance and improve practice.

Data can be collected through the following:

- Analysis of calls requesting police services and the type of report taken;
- Analysis of case clear-up or case resolution records;
- Auditing of police investigation files;
- Auditing of police stations and/or special units tasked to deal with domestic or sexual violence; and
- Victim satisfaction surveys – however, any contact with victims must be sensitively handled, and in some countries specially trained researchers carry out such surveys.

Where this monitoring identifies shortcomings in police performance, there should be a review of operational procedures and training, and new measures should be introduced. Monitoring and evaluation should be repeated periodically so that the impact of new measures can be evaluated.

Data on domestic abuse and sexual crimes should be clearly identifiable in police operational statistics, while ensuring that the victims' identities are protected.

4.4 Oversight of human resources within the police service

Human resources processes are at the heart of creating a police service that is representative of the community it serves, including a balance of female and male personnel. There should be strong oversight of recruitment and promotional practices, as well as proactive monitoring of retention, advancement and pay equity, to ensure equal opportunities for women and men. The National Center for Women and Policing's *Recruiting and Retaining Women: A Self-Assessment Guide for Law Enforcement* provides more detailed information on these issues. Vetting plays a role in preventing police misconduct, which is discussed further in sections 4.5 and 4.6.

Gender-responsive vetting

Background checks, or vetting, occur as part of the selection process in any police service. Vetting should screen for the following:

- Any history of perpetrating family or sexual violence, child abuse, sexual harassment or violent or discriminatory behaviour (see Example 5 on page 39); and
- Negative attitudes towards women as law enforcement officers or women who are victims of domestic abuse, sexual assault or other crimes.

Gender-responsive vetting processes should include the following:

- Detailed personal interviews with an applicant, including questions relating to the above;
- Interviews with people who know the applicant, including his/her spouse or partner;
- Psychological testing;
- A review of the applicant's social networking activity and membership of social and political organizations;
- Checks on the applicant's address to identify possible emergency calls regarding domestic or other violent incidents; and
- Where the applicant is transferring between police forces or from another public sector job (e.g., armed forces), a review of her/his conduct history.²⁰

Enhanced internal vetting procedures should be implemented for staff applying for specified sensitive or vulnerable posts, such as child and adult protection, domestic abuse, missing persons, prostitution and sex offender management.²¹

Monitoring recruitment and selection

Every police service should design and implement a recruitment strategy tailored to increase representativeness, including that of women, ethnic or religious minorities and others. The *Police Reform and Gender Tool*, developed jointly by DCAF, the OSCE/ODIHR and UN-INSTRAW, contains guidance on this, including a checklist for developing job descriptions and advice on family-friendly policies. Basic good practice in recruitment and selection includes the following measures.

- Train recruiters to be aware of discrimination in hiring – including that based on marital status, children or possible pregnancy – and the possibility of conscious or unconscious biases against particular groups.
- Ensure that selection panels include a balance of women and men and represent a range of perspectives. In Serbia, for example, at least one of the four members of a selection committee must be a woman.²² Consider placing outsiders, such as human resources professionals, on selection panels.

Oversight systems must then be in place to monitor and evaluate recruitment and to determine effective practices and potential changes to be implemented. Monitoring should include the following measures.

- Monitor the imagery used in recruitment materials and where recruitment activities occur to ensure that women are equally represented and targeted.
- Use targets for women's representation as a performance measure, with special targets for minority ethnic women. Targets might be set according to national demographics, including women's representation in the adult population (e.g., 49 per cent) or the labour force (e.g., 40 per cent), or according to targets in national gender policy.
- Collect data on the sex and ethnicity of candidates at every stage of the recruitment process, and compare the percentages of males and females who make it through each stage. If possible, look back at the records over recent years. If women are being screened out in greater numbers by a particular assessment, ask:
 - Is the skill or ability being assessed actually needed and at the appropriate standard for the position being applied for?
 - Has the adverse impact on women been minimized as much as possible?
- Clarify the criteria for recruitment, and require written and specific evaluations of candidates according to each criterion to be provided. These evaluations can then be reviewed to identify which criteria might be having a disproportionately negative impact on women.
- Check for any indications of gender bias by particular recruitment personnel. If an interviewer or background checker is consistently ranking women lower than men, he or she should be removed.
- Regularly (every six months) review the recruitment programme against its targets, and investigate reasons why any targets are not being met.

Monitoring retention, promotion and work/life balance

Oversight systems should also be in place to monitor and evaluate staff retention and promotion, including placement in specialized positions. All police agencies should collect and analyse basic statistics for female and male personnel at all stages of their careers on a routine basis, including:

- The percentage of women and men of every rank;
- The units that women and men are serving in, with a focus on the percentage of women in specialized functions;
- Participation by women and men in specialist training;
- Uptake by women and men of provisions for family-friendly work, such as parental leave;
- The availability of mentoring;

- The retention rates of women and men;
- Reasons given by women and men for dropping out of training or leaving the service; and
- Experiences of sexual discrimination and harassment (discussed in more detail in section 4.6 on page 35).

The Albania State Police, for example, collects and analyses sex-disaggregated data on why women and men leave the service. It was found that key motivators for women dropping out of the Police Academy were the male-dominated environment and a wish to find a better-paid job. After ten years of service, women's main reason for leaving the police is that they cannot balance their professional life and family obligations, while men leave at this stage to find a better-paid job.²³

Monitoring data should be complemented by regular surveys of (or focus groups with) female and male personnel on workplace issues and overall satisfaction (see Example 3). It is important to examine the experiences of those using family-friendly provisions, as well as those who do not. The *Police Reform and Gender Tool* includes a template for a "workplace environmental assessment". The results of this data collection should be regularly analysed to evaluate any barriers to women's and men's career progression, including sexual harassment and discrimination, and on this basis to develop interventions, test them and modify practices and policies.

It can be useful to appoint a committee or working group tasked with the strategic oversight of working conditions for women.

EXAMPLE 3 – MADISON POLICE DEPARTMENT, WISCONSIN, USA

The Chief of the Madison Police Department has publicly committed to building a service that is reflective of the community. The Chief's willingness to listen and implement policies and practices based on what personnel tell him is credited for the Police Department's consistently high number of female staff (34 per cent).

The Department conducts regular surveys of its personnel, looking at issues such as leadership and building trust. Gender differences in responses are analysed. If gender differences are identified, a follow-up survey is conducted to determine the cause of the differences. The Chief then creates a "listening session" to gather face-to-face feedback from his personnel on how the problem can be corrected. Based on findings from these discussions, changes to policies and practices are introduced. The Department also conducts ongoing policy reviews, with a view to determining if the policy has negative impacts and implications for women and men in the organization. Again, if "yes", listening sessions are held to identify strategies to resolve the issue.

Source: Ruth Montgomery, Gender Audits in Policing Organizations (Ottawa: Status of Women Canada, 2012), p. 23.

Monitoring pay equity

Female and male officers should be paid the same amount for the same work or work of equal value. Statistics from 2005 in the United Kingdom show that female police staff, in addition to being segregated in the bottom half of the pay structure, earned on average 8 per cent less than their male counterparts.²⁴ Police departments can undertake an equal pay review (sometimes called an equal pay audit). This is an analysis of the organization's pay structure to identify and eliminate any gaps that cannot satisfactorily be explained on grounds other than sex. The England and Wales' Police Staff Council's *Guidance for Carrying Out Equal Pay Reviews* in the Police Service can be used as a tool.²⁵

Performance evaluation

A fair and unbiased performance evaluation system is absolutely essential to a police service, as it is the basis for making decisions on special assignments and promotions. Box 5 contains a checklist to verify whether a performance evaluation scheme is non-discriminatory. Patterns of difference in scores awarded to women and men should be examined.

BOX 5 – PERFORMANCE EVALUATION CHECKLIST

- Performance evaluations have been reviewed by lawyers and personnel experts to eliminate areas of potential bias or discrimination.
- Evaluators are trained on how to prevent bias and discrimination in ratings.
- Performance goals and how they are to be measured are determined at the beginning of the evaluation period.
- Performance evaluation ratings are based on observed behaviour.
- Every employee is evaluated on compliance with policies concerning discrimination and harassment.
- The performance evaluations of employees who have filed complaints of discrimination or harassment are carefully reviewed for possible signs of retaliation.
- Periodic reviews of both the performance evaluation system and individual evaluators are conducted to identify and correct any bias.

Source: National Center for Women and Policing, *Recruiting and Retaining Women: A Self-Assessment Guide for Law Enforcement* (Los Angeles, CA: NCWP, 2001).

Performance evaluations also play a crucial role in shaping a gender-responsive police service when they measure each officer's performance of gender-responsive policing. Every officer should be evaluated on, for example:

- Their service to women, men, girls and boys in the community;
- Their response to cases of domestic or sexual abuse;
- Their compliance with policies addressing discrimination and harassment; and
- Achieving diversity in project design inputs and diverse participation in projects or community initiatives.

Those with supervisory responsibilities should also be evaluated on, for example:

- How they manage women and men in their team;
- How they develop or support an institutional culture of equality and non-discrimination; and
- How they monitor for sexual and other forms of misconduct.

Example 4 demonstrates this approach in England and Wales.



EXAMPLE 4 – POLICE EQUALITY AND DIVERSITY PERFORMANCE ASSESSMENT IN ENGLAND AND WALES

Police in England and Wales are trained to national occupational standards that include promoting equality and valuing diversity. Trainees are assessed against the following diversity performance criteria.

- Act in accordance with relevant legislation, employment regulations and policies, as well as codes of practice related to promoting equality and diversity.
- Act in ways that:
 - Acknowledge and recognize individuals' backgrounds and beliefs;
 - Respect diversity;
 - Value people as individuals; and
 - Do not discriminate against people.
- Take account of how your behaviour affects individuals and their experience of your organization's culture and approach.
- Challenge people when they are not promoting equality and valuing diversity.
- Actively help others to promote equality and value diversity.
- Seek support from appropriate sources when you are having difficulty understanding how to promote equality and value diversity.

Managers are evaluated against a separate set of performance criteria for how they develop a culture and systems within the organization to promote equality and value diversity. These criteria include review and evaluation of the organization's systems, policies, processes, procedures and guidelines in promoting equality and valuing diversity, as well as in addressing unfair and discriminatory practices.

Source: Skills for Justice, Common Standards AA1 and AA2 (Sheffield: Skills for Justice, 2006), pp. 2–4.

4.5 Preventing and addressing sexual harassment and discrimination within the police

Unfortunately, a major challenge to retaining female staff for some police services is incidents of sexual harassment or discrimination, or even a working environment where such behaviour is widespread. Strong internal oversight of prevention mechanisms, complaints processes and disciplinary action is essential to stamping out this misconduct.

Policies and prevention

Because of its prevalence and distinct characteristics, each police service should have a sexual harassment policy, as well as ongoing training and monitoring measures to support it. Policy implementation should include training for supervisors and managers on their roles and responsibilities in maintaining a workplace free of discrimination and harassment, how to respond if an incident occurs and how to prevent retaliation against a complainant. These responsibilities should be included in individual performance evaluations.

For more detailed resources see the *Police Reform and Gender Tool*, which includes a checklist for sexual harassment policies and outlines key steps for implementation. Chapter 12 of the National Center for Women and Policing's *Recruiting and Retaining Women: A Self-Assessment Guide for Law Enforcement* contains more detailed guidance on preventing and investigating sexual harassment.

Complaints

The system for a member of a police service to make a complaint of sexual harassment or discrimination by a colleague should include multiple ways to lodge a complaint, with the possibility of bypassing the chain of command and/or reporting to an independent oversight body.

The relevant policy should clearly set out:

- The ways in which a complaint can be made (for example, whether it has to be in writing) and what details should be included in the complaint;
- How the complaint will be acknowledged;
- The rights of the accused person(s);
- The investigation process, including timeframes; and
- How and at what points in the process the complainant and accused will receive information about the investigation.

Investigations

Investigations of complaints by members of the police against fellow police officers should be:

- Fair and transparent, as well as quick and thorough;
- Led by investigators with special training on discrimination and harassment law, the dynamics of sexual harassment and why women and men are often reluctant to report this behaviour, as well as how to interview victims and prevent retaliation against the victim;
- Conducted by an investigation team with, wherever possible, a balance of women and men; and
- In accordance with uniform standards for documenting and investigating all harassment and discrimination complaints – these should cover confidentiality of the complaint, investigation timelines, measures to prevent retaliation against the victim and mechanisms for regular communication with the victim.

Some police services have a dedicated unit to investigate claims of discrimination or harassment (which might be based on sex, race, national origin, age, sexual orientation, disability or some other status protected by law). This unit might be part of the personnel division, or contained within the unit responsible for investigating other types of employee misconduct. While acts of sexual harassment and discrimination will usually be dealt with as “administrative” infringements, at times the incident may be sufficiently serious as to constitute a crime. Depending on the seriousness of the incident, different investigative procedures and standards of proof and sanctions will apply, so investigators must be knowledgeable about which types of acts of sexual misconduct, harassment, discrimination and violence constitute crimes.

Disciplining for non-criminal acts can take several forms, including mandatory training or counselling, demotion, reassignment, a fine, suspension without pay or dismissal. Accountability mechanisms should not only ensure that perpetrators are punished, but should hold supervisors responsible for ensuring that harassment and discrimination are not tolerated. This can include disciplining any supervisor or manager who fails to take reasonable care to identify and stop harassment.

Some organizations have also developed a way for a person who has been found not to have committed an alleged act of harassment or discrimination to have his/her name publicly “cleared” within the organization.

Monitoring of complaints

Complaints of sexual harassment or discrimination within the police, and how they are resolved, must be actively monitored and evaluated. Police services should undertake the following steps.

- ✓ Standardize the definitions of various types of misconduct (e.g., sexual harassment, sexual abuse) and of the available resolutions for different cases (e.g., substantiated or unsubstantiated) to ensure comparability of data.
- ✓ Keep records of all complaints of sexual discrimination and harassment, as well as records of investigations, findings and their resolution. In doing so, the names of complainants and perpetrators who have not (or not yet) been proven guilty should be kept confidential to the extent possible.
- ✓ Check for any retaliation against individuals who have lodged a complaint.
- ✓ Regularly analyse records of complaints of sexual discrimination and harassment to identify trends and check the consistency, transparency and equity of procedures and sanctions. If there is any disproportionate abandonment of complaints, failure to investigate or failure to uphold complaints, then the reasons behind this should be investigated. Look for the underlying causes of these types of misconduct, including a lack of proper supervision, leadership failures or lack of training.
- ✓ Have an explicit strategy to learn from sexual discrimination and harassment complaints, and incorporate lessons learned from reviewing complaints into changes to training and policy.²⁶
- ✓ Publish statistics about the number of sexual harassment or discrimination complaints received, the nature of the complaints and their consequences. Do not disclose any details that could identify victims at any point in the process.
- ✓ Where possible, analyse complaints data alongside data collected from workplace surveys, focus groups and exit interviews or surveys (see the subsection on *Monitoring retention, promotion and work/life balance* on page 28 for more information).
- ✓ Periodically report on efforts and results of efforts being made to reduce and eliminate sexual harassment and discrimination to external oversight and/or management bodies.

4.6 Preventing and addressing police misconduct against members of the public

Most countries will have external oversight mechanisms that handle complaints about police behaviour. These oversight mechanisms may have primary responsibility for investigating particularly serious complaints, such as complaints of sexual assault by a police officer, as is the case in South Africa and in England and Wales.²⁷ Making external oversight mechanisms responsive to gender is addressed in the accompanying guidance note in this series, *Integrating Gender into Oversight of the Security Sector by Ombuds Institutions & National Human Rights Institutions*.

However, in many countries and in many instances of police misconduct, citizens must first take their complaint to the police service itself. Being open to complaints from the public and having efficient and effective procedures to respond to complaints are

crucial to a police service's professionalism and integrity. Police complaints processes should be scrutinized to ensure they robustly address gender-related misconduct and are accessible to women, men, girls and boys.

Codes of conduct, policies and prevention

Each police service should have clear policies (or internal guidelines, directives, standards or codes of conduct) prohibiting any form of sexual discrimination, misconduct, violence or homophobic abuse or discrimination by police officers. For example, the code of conduct of the Essex Police Authority (United Kingdom) states that “members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability”. Detailed policies should set out relevant complaint, investigation and reporting procedures.

Training should be implemented to ensure that all police personnel understand and act in accordance with these policies, while supervisors and managers should be responsible for monitoring compliance by their personnel.

Active monitoring of police behaviour

In addition to vetting (discussed on page 27), frontline supervision and the use of intelligence are essential to preventing and detecting police misconduct. To identify warning signs of gender bias or sexual misconduct, individual police officers should be subject to periodic and random checks of the following:

- ✓ Their computer and mobile phone use;
- ✓ Their incident and case records;
- ✓ Their stop and check records (to identify disproportionate stopping of women, sex workers or other groups²⁸); and
- ✓ Their social networking activity.

Some police services use an “early warning system” for systematic collection, review and analysis of data on individual officer performance. To be gender responsive, any such early warning system should collect and analyse data in a gender-disaggregated manner.

The United Kingdom's Independent Police Complaints Commission has developed a checklist of questions and recommendations for police services, designed to prevent or quickly detect the abuse of police powers to perpetrate sexual violence. Box 6 is an example of the Commission's questions on supervision. The checklist is complemented by templates for case review and the review of management (including vetting, intelligence, supervision and patterns of performance, etc.) that include an action plan template for follow-up.

BOX 6 – CHECKLIST OF QUESTIONS ON PREVENTION AND PREDICTION OF SEXUAL VIOLENCE BY POLICE

- ✓ Is there a consistent and robust handover process in place in your police force where there is a change of supervising officer?
- ✓ Do supervising officers receive training in standards and values as part of their training for that role?
- ✓ Are you content that your supervising officers can account for the way in which their officers spend their time? Is there adequate monitoring of attendance management, sickness, etc.?
- ✓ Would supervising officers be able to identify (bearing in mind the nature of their role) excessive amounts of time, or disproportionate interest in women, or vulnerable groups, including sex workers?
- ✓ Is there a framework in place to assist them, should a prominent interest in vulnerable groups be suspected? For example, by monitoring arrests, stop checks, fixed penalties [issued] to such groups, and attendance at particular incidents such as domestic violence, absences from care, or missing from homes.

Source: Extracts from Independent Police Complaints Commission, “Appendix: Checklist of questions to the police service”, in *The Abuse of Police Powers to Perpetrate Sexual Violence* (London: IPCC, 2012), p. 13-14.

Complaints

In most countries a person can file a complaint directly with the police, usually with the station commander or a district chief of police. However, there should also be the possibility of filing a complaint with an independent body, such as an ombuds institution or complaints commission, or the prosecutor.

To ensure that a complaints procedure is gender responsive, the following provisions should be in place:

- Multiple ways to lodge complaints, including at any police station, at locations separate from police facilities, using a toll-free number or a free postal address, or by e-mail;
- Ideally, at any police station a female officer should be available to take a complaint from a woman or girl;
- A requirement stipulating that no police officer may refuse a complaint or attempt to dissuade a person from filing a complaint;
- A records system that identifies whether the complainant has any relationship with a police officer (for example, to identify domestic abuse);
- The possibility of making a complaint in one’s own language and/or without having to write it down;

- Procedures to allow a complainant to lodge an anonymous complaint;²⁹
- The possibility of a complaint being made by a victim's partner, family member, friend or other representative; and
- A system whereby traceable and confidential records are kept of all complaints made.

Information explaining the complaints procedure should be clearly displayed in police stations and other community areas, and should be provided to women's legal aid and welfare organizations. This information should be available in all languages appropriate to the local community, and should be illustrated in a form that people who cannot read can understand.

Investigations

It is important to remember that police commit abuses where they think they will get away with it. Complaints against the police may well come from individuals within a community who are generally perceived as lacking in credibility, including individuals who engage in some level of criminal behaviour, those who are homeless or drug/alcohol abusers, or people with mental illness or cognitive impairments. Complaints from all individuals must be investigated with an equally high level of rigour and professionalism.

As with investigations of internal complaints (discussed on page 34 above), investigations of complaints from the public of incidents of sexual discrimination, misconduct or discrimination committed by police should be undertaken by specially trained investigators. Victims should be able to choose to be interviewed by a person of their own sex.

Protocols should be in place to guide the handling of a complaint of sexual violence. These should include protocols governing the interviewing of victims, referrals for social support and the collection of forensic evidence. Where a police officer is the alleged perpetrator, special attention should be paid to whether physical protection is necessary for the victim and witnesses (see Example 5).

EXAMPLE 5 – INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE’S MODEL POLICY ON DOMESTIC VIOLENCE BY POLICE OFFICERS

The International Association of Chiefs of Police’s Model Policy on Domestic Violence by Police Officers emphasizes a position of “zero tolerance” by the police department and a proactive approach to victim safety.

The primary elements are as follows.

1) Prevention through hiring and training practices

- ✓ Conduct background checks and psychological screening to rule out candidates with a history of perpetrating domestic violence.
- ✓ Provide regular training on domestic violence, ideally through collaboration with local domestic violence victim advocates.
- ✓ Perform periodic outreach to officers’ intimate partners/family members with information on the domestic violence policy, the point of contact within the department and local support services.

2) Direction to supervisors to intervene when there are warning signs of domestic violence

- ✓ Establish a system for detecting the warning signs that an officer may be engaging in domestic violence or other forms of abuse (e.g., aggressiveness, excessive monitoring or disparagement of an intimate partner).
- ✓ Provide training for supervisors to intervene.

3) Structured response to reported incidents of domestic violence involving officers

- ✓ Encourage officers to report to their supervisor if they become the subject of a criminal investigation or protective order proceeding.
- ✓ Document all actions and forward these to the chief through the chain of command.
- ✓ Departments should periodically check the protective order databases for names of officers.

4) Ensuring victim safety and protection

- ✓ Use a danger assessment tool, together with interviews with the victim, witnesses and family members, to determine the potential for further violence.
- ✓ Seize firearms and use administrative orders of protection.
- ✓ Departments should assign a member of the command staff as the victim’s principal contact point.
- ✓ Assist the victim to draft a danger assessment and construct a safety plan.

5) Investigation and consequences

- ✓ Both criminal and administrative investigations should be conducted.
- ✓ Employment of any officer determined through an administrative investigation or criminal proceeding to have committed domestic violence must be terminated.

Sources: International Association of Chiefs of Police, *Domestic Violence by Police Officers and Discussion Paper on IACP’s Policy on Domestic Violence by Police Officers* (Alexandria, VA: IACP, 2003); Kim Lonsway and Penny Harrington, *Responding to Police Officer Domestic Violence: The IACP Model Policy*, undated, http://www.abuseofpower.info/Lonsway_IACP_Policy.pdf.

More general good practice on complaints procedures, investigation and follow-up can be found in the UN Office on Drugs and Crime's *Handbook on Police Accountability, Oversight and Integrity* and the National Center for Women and Policing's *Recruiting and Retaining Women: A Self-Assessment Guide for Law Enforcement*.

A police officer checking the papers of a driver, Bosnia and Herzegovina. Photo: UNDP in Europe and Central Asia, 2012.



Monitoring of complaints

Monitoring of systems to prevent and address police misconduct against members of the public should include the same steps as those set out under monitoring of sexual harassment and discrimination within the police, as described on page 36 above. Reporting should present analysis of the circumstances, contributing factors, outcomes and corrective measures implemented. Sex-disaggregated data on complaints should be shared with external oversight bodies.

An absence of complaints, or an absence of complaints by women, must not be interpreted as a sign that police performance is generating overall satisfaction among the general public. On the contrary, it may indicate a lack of faith in the effective handling of complaints by the police. As such, wherever possible complaints data should be combined with data collected both internally from police personnel and from the public to evaluate police performance.





5

CONCLUSION

Police services in many countries recognize that crime and violence affect women, men, girls and boys differently, and continually challenge themselves to provide better services to all. Similarly, the full integration of women throughout the police is widely understood as a prerequisite to co-operating with and meeting the needs of all sectors of society. However, these goals are not easy to attain. Responsiveness to gender needs to be deeply embedded in the structures, processes and individual attitudes and behaviours within a police service.

Internal oversight within a police service plays a crucial role in monitoring whether standards concerning human resources, service delivery and professionalism are being met, as well as in highlighting problem areas and in recognizing success. This guidance note calls on police services to integrate gender into all internal oversight and monitoring mechanisms, while providing them with the tools to do so.

6

SELF-ASSESSMENT TABLE

Having read this guidance note, what is your reaction? Has the note provided you with new information that could be used to improve your country's police service, or could be shared with a police service with which you work?

Please find below a basic self-assessment tool that will help you to assess what systems are in place and how they are operating, to focus on key areas that require attention and to identify next steps. This tool complements a number of existing gender assessment tools for police services that are listed below.

Police in Bishkek, Kyrgyzstan, do a practical exercise on identifying police needs in order to better respond to domestic violence as part of an OSCE/ODIHR gender training. Photo: OSCE/ODIHR, Andreea Vesa, 2012.



Questions	Sex-disaggregated data to be collected and analysed	What to do to improve on weaknesses	How to do it?
<p>Do individuals and bodies within the police that monitor and oversee performance have appropriate knowledge of gender issues?</p>	<ul style="list-style-type: none"> • % of those who have completed gender training (or otherwise demonstrated gender expertise) • % of women and men in oversight roles 	<ul style="list-style-type: none"> • Provide training on gender • Update terms of reference for monitoring bodies 	<ul style="list-style-type: none"> • Involve women's groups from the community • Seek support from the ministry responsible for gender and/or international organizations
<p>Are all oversight and monitoring processes collecting and analysing data on the different needs and experiences of women and men regarding police services?</p>	<ul style="list-style-type: none"> • Confidence and trust in police of women and men • Sense of safety and security of women, men, girls and boys • % of female and male victims and suspected perpetrators of each category of crime, over time • % of each category of crime where a prosecution is initiated • % of arrests resulting in a conviction • Satisfaction of women and men following contact with police 	<ul style="list-style-type: none"> • Systematically monitor how police service delivery of policies, processes and practices impacts women and men • Develop an institutional gender policy 	<ul style="list-style-type: none"> • Establish a working group and/or specialized unit • Involve representatives of victims' groups and community services
<p>Is there special oversight of how police deal with cases of gender-related crime (e.g., domestic abuse, sexual assault, stalking, human trafficking, etc.)?</p>	<ul style="list-style-type: none"> • Number of incidents • % of calls involving repeat victims • % of repeat offenders • % adherence to procedures/protocols in recording incidents, investigations, evidence collection and case management • % of victims using referral services • % of cases where police activities are co-ordinated or integrated with other actors or referral mechanisms 	<ul style="list-style-type: none"> • Develop specific policies and oversight processes 	<ul style="list-style-type: none"> • Establish a working group and/or specialized unit • Involve representatives of victims' groups and community services

Questions	Sex-disaggregated data to be collected and analysed	What to do to improve on weaknesses	How to do it?
<p>Are positive steps taken to create a diverse workplace, free from direct or indirect discrimination?</p>	<ul style="list-style-type: none"> • % of recruitment campaigns targeting women and other underrepresented groups • % of female and male applicants who are received, interviewed and selected • % of women and men who apply for and are successful in achieving promotion • % of women and men on recruitment panels and promotion boards • % of women and men selected or promoted by individual recruiters/promoters • % of women and men within each rank, unit and specialization • % of women and men in specialist training • Salaries of women and men in the same or comparable roles • Uptake by women and men of provisions for family-friendly work, such as parental leave • Satisfaction levels of female and male staff • Number of years of service of women and men • Reasons given for dropping out of training or leaving the service by women and men 	<ul style="list-style-type: none"> • Set targets for recruitment and promotion of women and other underrepresented groups • Provide training • Collect and analyse information on women and men at every stage of the recruitment process • Collect and analyse information on women and men at every stage of their police careers • Develop an institutional policy for equal opportunities and diversity, including oversight processes, and adjust existing policies accordingly 	<ul style="list-style-type: none"> • Appoint an expert or working group • Update forms and computer systems to ensure that the required data are collected • Conduct regular survey and focus groups • Consult staff associations

Questions	Sex-disaggregated data to be collected and analysed	What to do to improve on weaknesses	How to do it?
<p>Regarding sexual harassment, discrimination and misconduct by police personnel, are there prevention mechanisms and complaints and disciplinary processes in place, and are they monitored on an ongoing basis?</p>	<ul style="list-style-type: none"> • % of personnel trained on harassment, discrimination and sexual misconduct • Number and % of each type of complaint made by women and men that are received, investigated, upheld or dismissed 	<ul style="list-style-type: none"> • Develop specific policies • Refine oversight processes • Provide training 	<ul style="list-style-type: none"> • Establish a working group and/or specialized unit to develop, monitor, evaluate and adjust policies and practices • Conduct ongoing surveys and focus groups • Consult staff associations

Four existing assessment tools that can help to guide a broader or deeper assessment of gender issues for the police are listed below.

- DCAF's *Gender Self-Assessment Guide for the Police, Armed Forces and Justice Sector*. This self-assessment guide poses questions to police departments to help them examine their gender responsiveness, including in terms of internal oversight and complaints structures and processes. It sets out the process for conducting assessments, creating an action plan and monitoring and evaluating the plan's implementation. It is available in Albanian, Arabic, English and French.
- The Women Police Officers Network in South East Europe's "Self-evaluation questionnaire on gender sensitive police service", part of its *Guidelines for Gender Sensitive Policing: With an Emphasis on Recruitment, Selection and Professional Development of Women in Police Services*. The questionnaire is focused on human resources issues, and is available in English and in many of the languages of Southeast Europe.
- The National Center for Women and Policing's *Recruiting and Retaining Women: A Self-Assessment Guide for Law Enforcement*. This provides detailed guidance on human resources issues and sexual harassment and discrimination within the police. Although developed for police agencies in the United States, much of its content is applicable generally. It is available only in English.
- The UN Office on Drugs and Crime's *Criminal Justice Assessment Toolkit's* section on gender includes a list of questions to assess gender-responsive service delivery and forensics, as well as short subsections on police integrity and accountability and on human resources. It is available only in English.



7

ADDITIONAL RESOURCES

Associated guidance notes

Bastick, Megan, *Integrating a Gender Perspective into Internal Oversight within Armed Forces* (Geneva: DCAF, OSCE, OSCE/ODIHR, 2014).

Bastick, Megan, *Integrating Gender into Oversight of the Security Sector by Ombuds Institutions & National Human Rights Institutions* (Geneva: DCAF, OSCE, OSCE/ODIHR, 2014).

Gender-responsive policing

Bastick, Megan, *Gender Self-Assessment Guide for the Police, Armed Forces and Justice Sector* (Geneva: DCAF, 2011).

Bastick, Megan and Valasek, Kristin (eds.), *Gender and Security Sector Reform Training Resource Package* (Geneva: DCAF, 2009), www.gssrtraining.ch.

British Association for Women in Policing, *Gender Agenda 2 – Women Making Their Full Contribution to Policing* (BAWP, 2006).

The OSCE Mission in Skopje has assisted with police training and curriculum development and promotes gender balance in the recruitment process. Photo: OSCE, 2003.

DCAF, *Annex on International and Regional Laws and Instruments Related to SSR and Gender* (Geneva: DCAF and UN-INSTRRAW, 2011).

Denham, Tara, “Police reform and gender”, in Bastick, Megan and Valasek, Kristin (eds.) *Gender and Security Sector Reform Toolkit* (Geneva: DCAF, OSCE/ODIHR, UN-INSTRRAW, 2008).

International Association of Chiefs of Police, *Addressing Sexual Offenses and Misconduct by Law Enforcement* (Alexandria, VA: IACP, 2011).

Independent Police Complaints Commission, *The Abuse of Police Powers to Perpetrate Sexual Violence* (London: IPCC, 2012).

Montgomery, Ruth, *Gender Audits in Policing Organizations* (Ottawa: Status of Women Canada, 2012).

National Center for Women and Policing, *Recruiting and Retaining Women: A Self-Assessment Guide for Law Enforcement* (Los Angeles, CA: NCWP, 2001).

Ontario Provincial Police Strategic Initiatives Office, *Destination Diversity: The Ontario Provincial Police Diversity Journey* (Ontario: Ontario Provincial Police, 2011).

Popovic, Nicola, “Security sector reform assessment, monitoring and evaluation and gender”, in Bastick, Megan and Valasek, Kristin (eds.), *Gender and Security Sector Reform Toolkit* (Geneva: DCAF, OSCE/ODIHR, UN-INSTRRAW, 2008).

UNIFEM, *Case Studies of Gender-Sensitive Police Reform in Rwanda and Timor-Leste* (New York: UNIFEM, 2009).

UNIFEM and UNDP, *Policy Briefing Paper: Gender Sensitive Police Reform in Post Conflict Societies* (New York: United Nations, 2007).

UNODC, *Gender in the Criminal Justice System Assessment Tool* (New York: United Nations, 2010).

Women Police Officers Network in South East Europe, *Guidelines for Gender Sensitive Policing: With an Emphasis on Recruitment, Selection and Professional Development of Women in Police Services* (Belgrade: UNDP/SEESAC, 2012).

Internal police oversight

DCAF, *Toolkit on Police Integrity* (Geneva: DCAF, 2012).

Leslie, Sara and Hastings, Sue, “Guidance for carrying out equal pay reviews in the Police Service”, (London: Police Staff Council, undated) http://www.local.gov.uk/c/document_library/get_file?uuid=141c75c5-e174-4b6e-9a40-2be3e2820309&groupId=10180.

Senior Police Adviser to OSCE Secretary General, *Guidebook on Democratic Policing*, 2nd edn (Vienna: OSCE, 2008).

UNODC, *Handbook on Police Accountability, Oversight and Integrity* (New York: United Nations, 2011).

Endnotes

1. See DCAF, *Annex on International and Regional Laws and Instruments Related to SSR and Gender* (Geneva: DCAF/UN-INSTRRAW, 2011); Megan Bastick and Daniel de Torres, “Implementing the women, peace and security resolutions in security sector reform”, in Megan Bastick and Kristin Valasek (eds), *Gender and Security Sector Reform Toolkit* (Geneva: DCAF, OSCE/ODIHR, UN-INSTRRAW, 2010). The UN Security Council resolutions on women, peace and security are a series of resolutions, beginning with Resolution 1325 of 2000, which address, *inter alia*, the particular experiences of women in armed conflict. They also address such matters as protection of and respect for the human rights of women and girls, assistance for victims of sexual violence, prosecution of those responsible for violence against women and girls, and vetting and the representation of women in security decision-making.
2. UNODC, *Handbook on Police Accountability, Oversight and Integrity* (New York: United Nations, 2011), pp. 5–7.
3. While the name of the ministry responsible for the police varies from country to country (for example, Home Office, Ministry of Security and Ministry of Police Affairs), the functions in relation to the police are usually similar. *Gendarmeries* usually report to the Ministry of Defence.
4. International human rights treaty bodies include the UN Human Rights Committee, the Committee against Torture and the Committee on the Elimination of All Forms of Discrimination against Women. Regional treaty bodies include the African Commission and Court on Human and Peoples’ Rights, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, the European Court of Human Rights, the Inter-American Commission and Court on Human Rights and the Parliamentary Assembly of the Council of Europe. An overview of international instruments relevant to policing is contained in Annex 1 of UNODC, note 2 above.
5. Themba Masuku, *Strengthening Democratic Policing in South Africa: Enhancing and Coordinating the Internal and External Accountability Systems of the South African Police Service* (Johannesburg: Centre for Study of Violence and Reconciliation, 2005), p. 7.
6. Best practice on setting up an internal affairs unit is discussed in DCAF, *Toolkit on Police Integrity* (Geneva: DCAF, 2012), p. 176.
7. UNODC, note 2 above, p. 14.
8. According to UN Women data taken from 57 countries and across all regions, on average 10 per cent of women say they have experienced sexual assault, but of these only 11 per cent reported it. These data can be compared to reporting rates for robbery: on average 8 per cent of women say they have experienced robbery, of whom 38 per cent reported it: UN Women, *In Pursuit of Justice: Progress of the World’s Women 2011–2012*, (New York: UN Women, 2011), p. 51. There is also growing evidence of the barriers faced by male victims of domestic abuse (see the Australian “One in Three” campaign, www.oneinthree.com.au/).
9. National Center for Women and Policing, *Recruiting and Retaining Women: A Self-Assessment Guide for Law Enforcement* (Los Angeles, CA: NCWP, 2001), pp. 22–25. See also Christiaan Bezuidenhout, “Performance of female police officers in a male dominated environment: Replacing myth with reality”, *Acta Criminologica*, Vol. 15, No. 2, 2001, pp. 110–118; Kim Lonsway, Margaret Moore, Penny Harrington, Eleanor Smeal and Katherine Spillar, *Hiring and Retaining More Women: The Advantages to Law Enforcement Agencies* (Los Angeles, CA: National Center for Women and Policing, 2003).
10. National Center for Women and Policing, *ibid.*, p. 133; Samuel Walker and Dawn Irlbeck, “‘Driving while female’: A national problem in police misconduct”, Police Professionalism Initiative, University of Nebraska at Omaha, 2002; Jennifer Brown, “Integrating women into policing: A comparative European perspective”, in *Policing in Central and Eastern Europe: Comparing Firsthand Knowledge with Experience from the West* (Ljubljana: College of Police and Security Studies, 1996).
11. Tim Prenzler, “Equal employment opportunity and policewomen in Australia”, *Australian and New Zealand Journal of Criminology*, Vol. 28, No. 3, 1995, pp. 258–277. Likewise, research in the United States demonstrates that as many as 65–68 per cent of female police officers report having experienced sexual harassment; see National Center for Women and Policing, note 9 above, p. 27. Research in Southeast Europe found that 22 per cent of female police officers and 38 per cent of female police managers were of the opinion that sexual harassment happens sometimes, while 3 per cent thought it happens often. See South East Europe Police Chiefs Association, *Establishing the Southeast Europe Women Police Officers Network – Research Findings* (Sofia: SEPCA, 2010), p. 56. Nevertheless, there have been no reported cases of sexual harassment in the police services in nine countries in Southeast Europe. See Women Police Officers Network in South East Europe, *Guidelines for Gender Sensitive Policing: With an Emphasis on Recruitment, Selection and Professional Development of Women in Police Services* (Belgrade: UNDP/SEESAC, 2012).
12. Studies from the United States have found that domestic violence is two to four times more common among police families than among American families in general. See National Center

- for Women and Policing, “Police family violence fact sheet”. In South Africa, men employed in the security industry (including the police) are four times more likely to kill their partners than other men. See Lisa Vetten, cited in “Disarm killer cops”, *timeslive.co.za*, 30 June 2010. See also “Femicide: A Case Study on Members of the South African Police Service”, Independent Complaints Directorate, 2009.
13. Ruth Montgomery, *Gender Audits in Policing Organizations* (Ottawa: Status of Women Canada, 2012).
 14. “Indicators” are quantitative or qualitative statements used to assist monitoring and evaluation:
 - To measure how much, or whether, progress is being made towards a certain objective; and
 - To translate change, achievements and impact into measurable and comparable qualitative or quantitative figures.
 15. Ruth Montgomery, *Female Staff Associations in the Security Sector: Agents of Change?* (Geneva: DCAF, 2011).
 16. UNODC, note 2 above, p. 87. For an example of crime data reporting for domestic and sexual violence see Metropolitan Police Authority, “Metropolitan Police Authority Domestic and Sexual Violence Board final report 2006–2011”, Metropolitan Police Authority, 2011.
 17. One US police department faced criticism in 1990 for routinely closing sexual assault cases without sufficient investigation. An internal audit of 203 sexual assault reports received over a period of 18 months found that over half were improperly closed. See “Unfounded rape cases to get a second look from Oakland PD”, *Law Enforcement News*, Vol. 16, No. 322, 1990.
 18. Home Office, *Crime in England and Wales, 2010/11: Findings from the British Crime Survey and Police Recorded Crime*, 2nd edn, UK Home Office, p. 61.
 19. US Department of Justice, *Problem-Oriented Guides for Police: Domestic Violence*, Office of Community Oriented Policing Services, 2007, pp. 21–22.
 20. International Association of Chiefs of Police, *Domestic Violence by Police Officers* (Alexandria, VA: IACP, 2003); Independent Police Complaints Commission, *The Abuse of Police Powers to Perpetrate Sexual Violence* (London: IPCC, 2012), p. 8.
 21. For a list of suggested vetting questions see “Appendix: Checklist of questions to the police service”, in Independent Police Complaints Commission, *ibid.*
 22. Women Police Officers Network in South East Europe, note 11 above, p. 21.
 23. *Ibid.*, p. 24.
 24. UNISON, “Submission to the independent review of police officers’ and staff remuneration and conditions”. Six senior policewomen in Wales (UK) won a legal claim for compensation for the years they were undergraded, passed over for promotion and consistently paid less than men working at a similar level. See *Local Government Chronicle*, 8 March 2005, www.lgcplus.com/policewomen-awarded-compensation-in-equal-pay-claim/555637.article.
 25. See also Australian Government Fair Work Ombudsman, “Best practice guide: Gender pay equity”, Commonwealth of Australia, 2013.
 26. For an example of this see Louise E. Porter, Tim Prenzler and Jenny Fleming, “Complaint reduction in the Tasmania Police”, *Policing and Society*, Vol. 22, No. 4, 2011.
 27. In South Africa, police impunity for rape is recognized as a serious problem. Although the police service attempted to improve internal accountability and control through evaluations, monitoring, assessments and sanctions, this was undermined by individual and institutional cover-up, delay and resistance. Now, in cases of allegations of rape committed by a police officer (whether the officer is on or off duty) or rape while in police custody (irrespective of whether a police officer is involved), the police have an obligation to report such matters to the Independent Police Investigative Directorate, which can also receive complaints directly from the public and from non-governmental organizations. See Independent Complaints Directorate and African Policing Civilian Oversight Forum, “The new legislative framework and mandate of the Independent Complaints Directorate: Rape by a police officer and rape while in police custody irrespective of whether a police officer is involved”, (Pretoria: ICD and APCOF, 2010). A similar arrangement is in place in England and Wales (UK), where complaints of acts including serious sexual assault by a person serving with the police or misconduct “aggravated by discriminatory behaviour” must be referred by the force to the Independent Police Complaints Commission.
 28. In one city in the United States a police officer was disciplined and received special training after a review of his traffic stops revealed that 89 per cent were of female drivers. See Walker and Irlbeck, note 10 above.
 29. It is important that complaints can be made anonymously. Especially when a police service is in transition, it takes time to build the community’s trust to make public reports. In the United States, one of the greatest areas for anonymous complaints against the police is sexual misconduct. However, there should be special procedures for dealing with anonymous complaints to give appropriate protection to

the rights of the alleged perpetrator. Moreover, it should be recognized that anonymous complaints can be misused to harass a member of the security services; there have been cases where female personnel have been victimized by false anonymous complaints filed by their male colleagues. Therefore, initial investigative steps should undertake enquiries that will not be known to the officer in question. Unsubstantiated anonymous complaints about a specific officer should not necessarily be included in his/her file.

Evaluation

DCAF, OSCE/ODIHR and the OSCE would value your feedback on this publication – how you used it, whether you found it useful and what you would suggest changing.

We would be interested in your responses to some or all of the following questions.

1. With what type of audience or in what type of institution did you use this publication?
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 - Civil society groups /NGOs
 - Parliamentarians
 - Other (please specify)
2. How did you use it? For example, in:
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 - b. Research
 - c. Developing new policies
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3. Did you find any parts of the publications unclear?
4. Were there any issues not included in this publication that you found to be important?
5. Were there any issues included in this publication that in your opinion should not be included?
6. What has the impact of using this publication been for your work/organization?
7. What revisions would you suggest we make to this publication?
8. What additional resources would you suggest we develop in connection with this topic, if any?

Please send comments by e-mail to gender@dcaf.ch or mail them to:

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