

# HOW TO REPORT A DOMESTIC VIOLENCE INCIDENT



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## Who can report a domestic violence incident?

If you are a victim of domestic violence or have information of a domestic violence incident, you should report the matter to the police. Especially if you witness it firsthand. However, in situations where you suspect domestic violence, suspicion itself is sufficient grounds to report the matter. Reports made in good faith will have legal immunity.

## How do I report a domestic violence incident?

The report can be filed orally or in writing with your local Police Department. You may also call the hotline or landline (please refer to page XX for further details).

## What role does the Police play in a domestic violence situation?

The Police will initiate the process of investigation and take all necessary action as soon as they receive a report of an act of domestic violence. Information that will be noted of includes:

- suspicions that an act of domestic violence is taking place or has taken place;
- given the circumstances, its highly likely that an act of domestic violence will take place;
- statement that determines in situations where there was a protection order, anything that would lead the police to believe that the order has been or will be breached;
- statement that may lead to the conclusion that an act of domestic violence has taken place in that location

Once a formal report is filed, the Police will do the following:

- inform the Family Protection Authority ('Authority') of the domestic violence incident;
- request the Authority or a social service centre to send a social service provider to the place where the incident of domestic violence occurred;

- go to the place of the reported domestic violence incident (there is no warrant required) to clarify and assess the situation;
- in situations where there is physical or psychological abuse and medical attention is required, bring the victim to the nearest health facility to ensure that they are attended to accordingly. When escorting the victim, the Police will also ensure that there is no loss of evidence and may prohibit certain acts as a result of this;
- to investigate the case thoroughly, including meeting all persons related to the case, obtaining witness statements. If there are grounds for prosecution, to send that matter to the Prosecutor General;
- when obtaining witness statements from children, it is done in an appropriate environment and in the presence of a social service provider;
- compile true and complete details of the act which constitutes an act of domestic violence;
- advise the victim of the domestic violence of their rights and remedies:
  - (a) protection order;
  - (b) custody order;
  - (c) order relating to place of residence;
  - (d) monetary compensation order;
  - (e) the right to press charges where prosecution for a criminal offence is possible;
- prepare relevant report and submit it to the Authority and the court;
- if required, take the victim of domestic violence to a protective shelter (this is at the cost of the Police);
- provide Police protection to the persons who report incidents of domestic violence;
- if needed, arrest the abuser;
- share information on the abuser and the offence he committed to media source;
- to assess whether the abuser may also be prosecuted under the Penal Code or any criminal laws, such as assault and

battery, grievous bodily harm, rape, other sexual offences and murder. This will then be forwarded to the Prosecutor General.

As a victim, you have the right to request the following from the Police:

- receive a formal document that evidence that a report has been registered with the Police;
- details of the investigating Police officer;
- if you require medical assistance as a result of the act of domestic violence that the Police transfer you to a healthcare provider as their cost;
- that the Police arrange your transfer to protective shelter at the cost of the Authority where services of such a shelter is available;
- may make an application for an order of court to restrain the abuser from contacting you;
- that such an order will prohibit the following:
  - (a) cause any physical, sexual or psychological injury to the protected person;
  - (b) threaten to cause any physical, sexual or psychological injury to the protected person;
  - (c) cause or threaten to cause damage to the property of the protected person;
  - (d) commit or threaten to commit any act to intimidate, humiliate or cause psychological trauma on the protected person;
  - (e) the respondent of the order committing any of the prohibited acts against the protected person through an intermediary;

Note: it is not a requirement to engage an attorney to obtain an order of court and you have the right to seek assistance from the Police or relevant ministry to obtain the order;

- advice of the temporary remedies that the Police can provide in the event the domestic violence has occurred at a time during the night, over the weekend or on a public holiday.