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Annex 1

NATIONAL CENTRE FOR WOMEN AND CHILDREN - REVIEW

TERMS OF REFERENCE

Background

NZAID support

Established in 2000 by the Catholic Women's League (with the support of a Volunteer Service Abroad volunteer), the National Centre for Women and Children (NCWC) aims to provide assistance to victims of domestic violence in Tonga. The New Zealand Agency for International Development (NZAID) provided \$120,000 funding for an initial three year period between May 2000 and June 2003 on a pilot basis. A review at the end of this pilot phase, while identifying some organisational tensions, recommended NZAID continue funding for a further period of up to five years. NZAID consequently provided funding for the period 2003 to 2005 and then again under the current Grant Funding Arrangement (GFA) for the period November 2005 to December 2007 (TOP343,150). NZAID has most recently agreed to an extended programme of support for the 2008 calendar year (TOP 233,133), while this review takes place. The Government of Tonga (GoT) provides funding to cover the rent for the centre and the safe house, and NZAID assistance is channelled towards the operating costs of the office and safe house, including wages, office expenses, staff development and meeting costs. GOT and NZAID funding is the main source of financial support for the NCWC.

Role of NCWC

Modelled on similar centres (such as Women's Refuge) in New Zealand, the NCWC services focus on counselling for women and children affected by domestic violence, raising public awareness on this violence and the issues that affect women using the centre, provision of information and support to empower women, and training for a network of people able to support the centre's work. Male counselling, advocacy and awareness have also been areas of focus.

The NCWC is the only specialist community service, providing counselling and crisis services for women and children in Tonga and is the closest 'welfare' service currently available. It supports women and children living on the main island of Tongatapu (where 70% of population live) and is developing outreach work for outer islands communities wherever possible. All religious groups and denominations are supported and the governance and management structures include a wide range of stakeholders, including other non-government organisations (NGO) such as the Salvation Army, Lifeline and Government of Tonga departments including the police and health services. The safe house, established in 2005, provides women and children a violence-free safe space in which to stay in when they are unable to return home due to acts of violence and/or fear for personal safety.

NZAID Country Programme Strategy

NZAID's programme in Tonga has previously been guided by a five year Tonga Country Programme Strategy (TCPS) which concluded in 2007. A new TCPS to cover the period 2008 – 2018 is currently being finalised. One of three pillars of the new strategy is 'Governance and Civil Society', which is to include a redesigned programme of support to civil society. NZAID is keen to continue supporting the NCWC under this strategic pillar. The TCPS notes that NZAID

intends to provide ongoing funding stability to NCWC, while acknowledging that the organisation's policies and operations are to be reviewed.

The Government of Tonga has confirmed its support for the NCWC and its desire to see NZAID continue its direct funding support. The NCWC also receives support from the NZ Police's NZAID funded regional Pacific Prevention of Domestic Violence Programme (PPDVP).

Policy Context

While Tonga is one of the few countries that has yet to ratify the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), it is party to a number of other gender commitments, including the Revised Pacific Platform for Action on the Advancement of Women and Gender Equality (RPPA), Commonwealth Platform for Action for Gender Equality (CPoA) and Pacific Plan (which includes Gender Equality as a stand-alone Specific Objective). Tonga also has a national gender and development policy. All of these gender commitments make specific reference to the importance of addressing violence against women (VAW).

The NCWC mandate is consistent with the Pacific Islands Forum (PIF) Leaders decision in Auckland 2004 which highlighted VAW as one of four critical gender issues for the region. It is also consistent with outcomes of the 2006 and 2007 regional consultations on Women, Peace and Security - and PIF member countries obligations to implement UN Security Council Resolution 1325 (UNSCR 1325) - where the critical linkages between gender-based violence and political security have been endorsed.

NZAID recognises the crucial role organisations such as the NCWC have in achieving the third Millennium Development Goal of 'promoting gender equality and empowering women'. NZAID's Pacific Strategy notes that major challenges remain in achieving gender equality and empowerment of women in the Pacific, and prioritises elimination of violence against women.

NZAID'S Policy for Achieving Gender Equality and Women's Empowerment aims to increase overall human wellbeing by equally empowering women and men, girls and boys to realise their rights. It requires NZAID to adopt a dual strategy of combining gender mainstreaming with support for activities that specifically address gender disparities and empower women socially economically and politically. NZAID support for the NCWC relates directly to one of three policy outcomes and focus areas, being the reduction of gender-based violence and protection of women's human rights so that women and girls can live free of fear and with dignity. As such, the NCWC provides a concrete example of dedicated gender-specific programmatic support which should be maintained.

Purpose

The overall purpose of the assignment is to review the NCWC with a view to:

- a) analysing all issues affecting the performance of the NCWC, including management structures, support services, and training needs;
- b) identifying steps needed to improve the overall effectiveness of the NCWC in providing support for those affected by domestic violence.

NZAID is accountable to Parliament, the New Zealand public, and partner governments and communities to ensure that development programmes remain relevant to the priorities of partners,

are achieving the original objectives, and are likely to have sustainable results. NZAID is also concerned with learning from both past successes and challenges to improve future practice, and reviews are a key part of this process. The timing for this review is in line with recommendations from the previous review in 2002 (namely that NZAID carry out a further review following the completion of the additional five years of support) and in order to inform the next phase of assistance from NZAID.

The results of this review will be reported to NZAID as the commissioner, but will be used by both the NCWC and NZAID to guide future programming support.

Scope

The evaluation covers all activities of the NCWC funded by NZAID since the previous review was completed in 2002. The review will primarily take place on the main island of Tongatapu, with some outreach work to the outer islands in order to inform recommendations (noting the NCWC is currently planning outreach work to those areas). Where possible, the review should also draw on lessons learned information for similar organisations elsewhere in the Pacific, such as the Vanuatu Women's Centre and the Fiji Women's Crisis Centre.

Ideally, the review will take place in the second week of June 2008 to coincide with the one-week workshop being conducted by the Pacific Prevention of Domestic Violence Programme run by the NZ Police International Service Group. This workshop will focus on domestic violence investigations and techniques for interviewing and gathering evidence where 25 police staff will be trained to a train-the-trainer level. The PPDVP workshop will be based at the National Council of Churches facilities.

The review will involve up to 15 days, at least five of which will be spent in Tonga.

Overall Outcome and Objectives

Outcome: Effective and well-managed centre and safe house that provides a full range of support services for people affected by domestic violence and increased awareness throughout Tonga of the issues surrounding domestic and gender-based violence.

Objectives:

1. To analyse all issues affecting the performance of the NCWC, including the extent to which the NCWC has achieved the objectives of:
 - a) establishing effective organisational and management structures;
 - b) providing information, counselling, and other related support services (eg legal advice, medical referral) for women and children affected by domestic and other forms of gender-based violence;
 - c) raising public awareness on this violence and the issues that affect women using the centre;
 - d) training a network of people able to support the centre's work since 2002.

Methodology

In order to ensure the evaluation contributes in a meaningful way to supporting the growth and learning of the NCWC, the consultant is expected to employ participatory review techniques in undertaking this assignment (refer *NZAID Guideline on Participatory Evaluation*). This should include comprehensive involvement and consultations with Advisory Board members, staff and

other stakeholders (such as other NGOs, community groups currently providing support or involved in activities with the NCWC, police, relevant government departments, representatives of the medical profession, etc) and an end of visit workshop to feedback draft findings to key stakeholders.

Key informants for assessing the impact and effectiveness of NCWC's work include their client base of vulnerable women and children and survivors of domestic or gender-based violence, as well as men involved in awareness training. However given the close-knit nature of Tongan society and taboo associated with VAW, if this stakeholder group is to be engaged as part of this review process, the approach adopted needs to be extremely sensitive to their situation, confidential and be guided by the 'do no harm' principle. This approach could include case studies provided by NCWC staff and/or voluntary anonymous feedback forms. It is expected the consultant will discuss the detail of the methodology with the NCWC staff and be guided by them as to what is possible and appropriate in this regard.

The review process in itself represents a valuable learning opportunity for the NCWC. The consultant should therefore ensure that the participatory approach also focuses on opportunities for increasing the capacity and understanding of the NCWC on the relevance and process of reviews.

The review is expected to include consideration of the extent to which NZAID's support to NCWC has reflected NZAID's goal of poverty elimination, policies (including other mainstreamed and cross cutting policies such as human rights, environment, conflict prevention and peace building, and HIV/AIDS) and operating principles. The review is also expected to incorporate lessons-learned information available from NZAID's support to similar organisations across the Pacific, such as the Vanuatu Women's Centre and the Fiji Women's Crisis Centre (both of which receive core funding support).

Cost Effectiveness / Value for Money

While an assessment of relevance and sustainability is the primary focus of the review, NZAID also emphasises a 'value for money' approach. The review should therefore provide a brief assessment of how the money spent compares with the broad outcomes, impacts and changes brought about by the scheme.

Composition of the Review team

The review itself will be undertaken by one contracted consultant and the NZAID Gender Advisor. As the review is being commissioned by NZAID, an internal 'Steering Committee' has been established to provide a supervisory role for this review (membership outlined below). The consultant will liaise mainly with the NZAID Gender Advisor, however the NZAID Development Programme Officer (DPO) in Wellington will provide the interface between the consultant and the wider agency. While in Tonga, the DPC will be the main point of contact.

Composition of the Steering Committee:

- DPO and DPM, Wellington
- DPC, Nuku'alofa
- SAEG Gender Advisor, Wellington

Skill set required:

The reviewer will be required to have the following skills:

- Experience in monitoring and evaluation of development projects using participatory methodology;
- Experience in VAW counselling and support services or implementation of VAW-related development assistance;
- Gender equality and/or human rights expertise;
- Pacific development experience and knowledge and understanding of the social, cultural and political context of Tonga, including cross-cultural communication skills;
- Organisational development and institutional strengthening experience, including experience with small-scale, grant-funding dependant community organisations in the Pacific.
- Personal and written communication skills;

Outputs / Reports

The consultant is required to produce the following outputs:

Output 1: Preparation of a methodology framework, for discussion with NZAID, at the outset of the review;

Output 2: End-of-visit workshop in Tonga to feedback draft findings to key stakeholders;

Output 3: A verbal debrief with NZAID (both New Zealand High Commission and NZAID Wellington staff, by teleconference) following the completion of the end-of-visit workshop;

Output 4: **A draft written report** within five days on completing the in-country review;

Output 5: **A final written report** within five days of receiving feedback from NZAID.

The consultant should refer to the NZAID guideline on the structure of review and evaluation reports to ensure correct formatting and structure.

Quality Indicators

The Contractor shall ensure that the assignment is carried out with due diligence, efficiency and economy in accordance with the time specified in this Contract, observing sound management and technical practices, and complying with professional consulting standards.

Quality Indicators and Key Performance Indicators

The consultant shall ensure that the assignment is carried out with all due diligence, efficiency and economy in accordance with the time specified in the contract, observing sound management and technical practices, and complying with professional consulting standards recognised by relevant professional bodies.

Evaluation Follow-Up

Following submission of the final report, NZAID (including the Pacific Group, Strategy Advisory and Evaluation Group and the NZHC) will consider the draft report in consultation with the NCWC. The Tonga Programme will prepare a submission to NZAID's Evaluation Committee. This Committee will make recommendations regarding the distribution of the report within

NZAID and advise whether any additional external distribution steps need to be taken. NZAID will then work with the NCWC on implementing agreed recommendations.

Annex 2

Review Methodology for Tonga National Centre for Women and Children (NCWC)- June 2008

Methodology – Implementation Report July 2008

A visit to Tonga took place during 15-20th June 2008, which included:

- Desk Review of Centre documentation & NZAID Post files
- Half-day introductory workshop for all staff and board members
- Half day participatory workshops with staff and board (convened separately) during which a SWOT analysis was conducted
- In-depth one-on-one discussions with NCWC staff members, NCWC Manager and Board Members
- Interviews with key stakeholders (see list of stakeholders consulted in **Annex 3**)
- Visit to safe house and in-depth discussions with Safe House staff
- Questionnaire form developed and distributed (e.g. to board members who were out of the country and the NCWC Patron)
- Cross-reference back to key findings and recommendations of 2002 Review Report
- Development of example NCWC client case studies by NCWC staff.

The review took place on the main island of Tongatapu, although it was noted that the NCWC has been planning outreach work to outer islands for some time. Given that this outer island work has been very limited in scope to date, it was decided that an outer-island visit was not necessary as it would not add much value to the depth of the review.

Participatory review techniques were employed as much as practicable to ensure maximum mutual learning and ownership by NCWC staff and Board of the review process, findings and recommendations. NCWC were consulted and agreed on the composition of the review team, the proposed methodology and in-country schedule. This included comprehensive involvement and consultations with all NCWC staff and advisory board members (except those that were out of the country, to which a questionnaire was sent). A wide cross-section of other stakeholders was also consulted. Key initial findings and recommendations were presented to NCWC staff and board members at a feedback workshop at the end of the in-country visit, which allowed for some initial feedback and discussion.

Given the ethics surrounding research in area and the time required to develop an effective, appropriate, and safe process,, taboo associated with some forms of VAWC, the time and resourcing constraints of the review, and the importance of being guided by the 'do no harm' principle, a decision was made in line with international best-practice not to engage directly with the clientele of the Centre or Safe House as part of the review process. However NCWC staff contributed anonymous real-life case study scenarios for inclusion in the review report as an illustration of the type of client situations that they regularly respond to. Additionally a draft client feedback survey has been drafted for consideration and further development and testing.

Confidentiality was stressed throughout the process, and commitment was made by the review team not quote anyone in the report and/or repeat any comments that were shared in confidence back to the NCWC management or Board. In addition, a confidentiality agreement was drawn up and shared with all stakeholders that were met. While there was some feedback that this confidentiality agreement was not particularly appropriate in the Tongan context, the review team considered it to be good practice nevertheless. Moreover the stress on confidentiality undoubtedly proved helpful in gaining the trust of NCWC staff to openly share their experiences and views with the reviewers.

Following the in-country visit, ongoing desk research and documentation review was carried out to gather additional information. This included consulting with and drawing on lessons learned from similar organisations elsewhere in the Pacific where relevant, such as the Vanuatu Women's Centre, the Fiji Women's Crisis Centre and the Cook Islands Women's Counselling Service (Pungaga Tauturu), all of which incidentally also received NZAID funding.

The review process was managed by an NZAID internal steering committee comprised of the Tonga Development Programme Officer – Angela Wilton, Gender Advisor – Samantha Hung, and the Tonga Development Programme Manager – Kirsty Burnett (as required). This committee oversaw the review process in its entirety and is responsible for progressing the Review report within NZAID.

Review Methodology for Tonga National Centre for Women and Children (NCWC)- June 2008

Sue Finucane Consultant & Samantha Hung, NZAID Gender Advisor

1. Summary

NZAID has commissioned a review of The National Centre for Women and Children. This will be jointly undertaken by an external consultant, Sue Finucane, Australia and the NZAID Gender Advisor, Samantha Hung alongside key staff and advisory board members of the NCWC.

The review will take place between 26 May and 31 July 2008. A visit to Tonga will take place during the week of 16-20th June 2008.

This draft methodology outlines the proposed approach and canvasses options for documentation collection, participation of key stakeholders and the draft report feedback process.

In order to ensure the review contributes in a meaningful way to supporting the growth and learning of the NCWC, participatory review techniques will be employed as much as practicable (refer *NZAID Guideline on Participatory Evaluation*). This will include comprehensive involvement and consultations with advisory board members, staff and other stakeholders (such as other NGOs, community groups currently providing support or involved in activities with the NCWC, churches, police and relevant government agency representatives (e.g. Health, Attorney Generals).

2. Purpose of Review

The overall purpose of the assignment is to review the NCWC with a view to:

- c) analysing all issues affecting the performance of the NCWC, including management structures, support services, and training needs;
- d) identifying steps needed to improve the overall effectiveness of the NCWC in providing support for those affected by domestic violence.

Overall Centre Outcome and Objectives

Outcome: Effective and well-managed centre and safe house that provides a full range of support services for people affected by domestic violence and increased awareness throughout Tonga¹ of the issues surrounding domestic and gender-based violence.

Objectives:

¹ It should be noted that to date NCWC activities have largely been limited to the main island of Tongatapu, although there has been an intention to expand outreach to outer islands for some time

1. To analyse all issues affecting the performance of the NCWC, including the extent to which the NCWC has achieved the objectives of:
 - e) establishing effective organisational and management structures;
 - f) providing information, counselling, and other related support services (eg legal advice, medical referral) for women and children affected by domestic and other forms of gender-based violence;
 - g) raising public awareness on this violence and the issues that affect women using the centre;
 - h) training a network of people able to support the centre's work since 2002.

NZAID is accountable to Parliament, the New Zealand public, and partner governments and communities to ensure that development programmes remain relevant to the priorities of partners, are achieving the original objectives, and are likely to have sustainable results. NZAID is also concerned with learning from both past successes and challenges to improve future practice, and reviews are a key part of this process.

The timing for this review is in line with recommendations from the previous review in 2002 (namely that NZAID carry out a further review following the completion of the additional five years of support) and in order to inform the next phase of assistance from NZAID.²

The results of this review will be reported to NZAID as the commissioner, but will be used by both the NCWC and NZAID to guide future programming support.

3. Review Team and Team Roles

1. National Centre for Women and Children – Staff, Advisory Board, Volunteers

The participatory role of the NCWC staff, advisory board and volunteers is crucial to the success of the review, but the specifics are yet to be determined and are subject to negotiation depending on review design, personnel time and resources available to participate in the review.³ Roles may include:

- NCWC staff – prepare organisational documents prior to country visit, assist with planning and organisation of review logistics (e.g. arranging meetings with stakeholders) and participate in organisational review on Days 2, 3 & 4 of visit.
- NCWC staff, board and volunteers- present and participate in Review Workshop at commencement of review (Day 1).
- NCWC staff and board – present and co-facilitate draft findings at end of in-country review visit (Day 5)
- NCWC staff – develop and progress consumer participation survey for implementation June/July 2008 subject to discussion with NCWC.
- NCWC staff, board and volunteers – identify key external stakeholders to visit and interview and/or to participate in the workshop or parts thereof.

2. External consultant – Sue Finucane

² It would be helpful to clarify the precise process NZ AID intends to undertake regarding the outcomes of the review.

³ This depends of staff time and resources – to be advised further to discussion with NZAID and NCWC. It would be ideal for key staff to have a significant role in the review and to be able to participate in key aspects of the review and to assist with feedback on the review methodology.

The role of the external consultant is to provide specialist expertise in the area of gender and family violence; and in consultation with NZAID and NCWC, to design the review methodology, facilitate and lead the review process, analyse review findings, formulate review recommendations and write the review report.

3. NZAID Gender Advisor –Samantha Hung

The role of the NZAID Gender Advisor is to jointly oversee the review process, act as the main point of NZAID and NCWC liaison for the review, contribute to the development of the review methodology, jointly implement the review process in country, and provide feedback on the draft report. The NZAID Gender Advisor will also provide advice (and might write related sections of the report) on synergies with the NZAID policy framework and other NZAID programmes.

4. Steering Committee

The review will be managed by an NZAID internal steering committee comprised of:
Tonga Development Programme Officer – Angela Wilton
SAEG Gender Advisor – Samantha Hung
Tonga Development Programme Manager – Kirsty Burnett (as required)

This committee will oversee the review process in its entirety and be responsible for progressing the Review report within NZAID.

5. Scope

The review covers all activities of the NCWC funded by NZAID since the previous review was completed in 2002. The review will primarily take place on the main island of Tongatapu (noting the NCWC has been planning outreach work to outer islands).

The review will also aim to draw on lessons learned for similar organisations elsewhere in the Pacific where relevant, such as the Vanuatu Women’s Centre, the Fiji Women’s Crisis Centre and the Cook Islands Women’s Counselling Service (Pungaga Tauturu)⁴.

6.0 Review Process

The review will commence with a desk review by the consultant of relevant country and agency literature which will assist with providing important background and current status information.

This will be followed by 5 working days in Tonga (16-20 June) which will involve:

- Commencement workshop
- individual and group interviews where possible
- follow up documentation review
- questionnaires where possible
- Presentation and discussion of draft findings at the end of the visit to key stakeholders.

The draft report will be provided by the external consultant to NZAID and the NCWC for comment by 1 July 2008. NZAID and NCWC will provide detailed feedback on the draft report within a week and a revised final draft report will be provided by the external consultant to NZAID by 14 July 2008.

6.1 Desk review of Documentation

⁴ NZAID supports all three of these organisations through the Fiji, Vanuatu and Cook Islands bilateral programmes

The desk review will commence if possible prior to arriving in Tonga. The consultant and NZAID Gender Adviser will be provided with access to existing documentation on NZAID files in Wellington which can provide background information about the Centre.

A pro-forma will be developed and sent to the Centre outlining a request for additional documentation. If it not available to send electronically, it would be greatly appreciated if hard copies could be viewed when in country. Access to relevant NZAID files at Post when in-country would also be appreciated.

The reason for undertaking a simple documentation review is to establish a benchmark of existing agency documentation as a basis for discussion with the Centre. It is a useful basis for identifying areas of organisational status, strengths and possible future development by the Centre.

The request for documentation would cover the following broad areas as articulated in the terms of reference;

- Governance documentation and evidence of application⁵
- Management documentation and evidence of application
- Data collection and monitoring documentation and evidence of application
- Legal and Regulatory documentation and evidence of application
- Learning and Development documentation and evidence of application
- Quality service provision documentation and evidence of application
- Quality Awareness, Education and Training program documentation and evidence of application
- Quality external relationships

6.2 Review Process in Tonga

See above report

This will be used to further develop the draft report which will be provided to the Centre for comment.

There will also be a further opportunity to provide documentation and other feedback to NZAID and the consultant after the completion of this visit.

An opportunity will also be made to provide feedback on the review process from people involved in the review.

6.3 Draft Report for Feedback

The draft report will be submitted to NZAID for feedback by 1 July 2008.(revised to 14 July)

The draft report will aim to be no longer than 30 pages. Additional information will be annexed. The report will be written in accordance with NZ AID Policy.

7. Final Report to NZAID

⁵ If this approach is approved a pro-form outlining example of documentation to support each area would be provided to the Centre for their Consideration, for example, constitution, audited accounts, annual report, strategic plan, terms of reference for board, current board members, policies and procedures for board.

A final report will be provided to NZ AID by 14 July 2008.(revised to 29 July)

The final report should include;

- Key findings and outcomes of the review
- Recommendations that identify steps needed to improve the overall effectiveness of the NCWC in providing support to those affected by domestic violence
- An executive summary

Annex 3 – List of People Consulted during Review

NAME	ORGANISATION
1. 'Ofakilevuka Guttenbeil-Likiliki 2. Fatai Sili 3. Sela Tu'ipulotu 4. Leti Siliva 5. Susana 'Uhatafe 6. Pelenaise Prescott 7. Lavinia Palei 8. Vika 'Akauola 9. Leona Mokofisi 10. Foketi Kavapele 11. 'Usaia Hemaloto	NCWCC Staff
Dr. Toakase Fakakovikaetau	NCWC Advisory Board Deputy Chair
12. Betty Blake	NCWC Advisory Board Member and Legal Literacy Project
13. Lau'aitu Tupouniua	NCWC Advisory Board Member and Ministry of Police
14. 'Ainise Sevele 15. Mafi Tupou	NCWC Advisory Board Member and President of the Catholic Women's League Deputy President CWL
16. Rev. Fili Lilo	NCWC Advisory Board Member and Director of the Tonga Life Line (Li Pe Ha Maea)
17. Dr. Mapa Puloka	Head of Psychiatric Ward
18. Lilika Fusimalohi 19. Dr. Semisi Latu	Women's Affairs Unit (MEWAC) Family Practitioner / Paediatrician
20. Sr. Sela Paasi	Head of Tonga Nurses Association
21. Tomasi Fakahua	Lawyer
22. Salesi Mafi	Chief Magistrate
23. 'Alisi Taumoepau	Hon. Minister of Justice / Attorney General
24. Caroline Fusimalohi	Ex Chairperson NCWC Advisory Board
25. Tita Kara	Ex NZAID Officer
26. Lose Blake 27. Hinemoa 'Aho	Domestic Violence Unit, Ministry of Police
28. Siale 'Ilohahia	Civil Society Forum of Tonga
29. Vanessa Lolohea	Tonga National Youth Congress
30. Stanton Palu	Tonga Life Line
31. Lavinia Satini	Alonga (Disabilities)
32. Sio Tu'iono	Male Advocate
33. 'Aisea Hingano	Male Advocate
34. Edward Ablett Hampson	NZAID Manager, Nuku'alofa
35. Cam Ronald	Pacific Prevention of Domestic Violence

36. Samasoni Malaulau 37. Haley Ryan	Programme, New Zealand Police
39. Shamima Ali	Coordinator, Fiji Women's Crisis Centre
People consulted regarding development of methodology, literature, lessons learned and Pacific context	
40. Elizabeth Cox	UNIFEM Pacific Programme Director
41. Marilyn Tahu	Coordinator, Vanuatu Women's Centre
42. Nani Samuela	Cook Islands Counselling Centre
43. Juliet Hunt	Independent Gender and Development Consultant
44. Helen Rosenbaum	Independent Consultant, Community Development and Gender
45. Linda Kelly	Consultant, Development, Monitoring and Evaluation
46. Di Kilsby	Gender and Development expert.
47. Deb Chapman	IWDA Pacific
48. Nic McLellan	Author and researcher: Pacific issues
49. Professor Cathy Humphreys	Alfred Felton Chair of Child and Family Welfare
50. Leslie Heath	Operations/Finance Manager Victorian Foundation for Trauma and Torture
51. Janelle Cribb	Policy Officer, Victorian Government Homelessness and Women's Refuges

Background National and Issues Context Annex 4

The Status of Women in Tonga, including under Human Rights & National Law, Regional & National Policy

Full gender equality under the law has yet to be achieved. For example, under the *Constitution of Tonga*, women do not have the right to inherit registered/customary/family land. The Government of Tonga has proposed an amendment to the land law to allow for daughters to inherit where there is no male heir i.e. son. The Legal Literacy Project along with other organisations is working to eliminate poverty and displacement in families headed by single mothers who do not have access to family land and housing.¹

Tonga is one of the few countries that have yet to ratify the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)¹. However Tonga is party to a number of other gender equality policy commitments, including the Revised Pacific Platform for Action on the Advancement of Women and Gender Equality (RPPA), the Commonwealth Platform for Action for Gender Equality (CPoA), and Pacific Plan which includes gender equality as a stand-alone strategic objective. Tonga also has a national gender and development Policy. All of these commitments make specific reference to the importance of addressing VAWC.

The NCWC mandate is consistent with the Pacific Islands Forum (PIF – of which Tonga is currently Chair until August 2008) leaders' decision in Auckland 2004, which highlighted violence against women as one of four critical gender issues for the region. It is also consistent with the outcomes of the 2006, 2007, and 2008 Forum Regional Security Committee discussions and outcomes, which have recognized the critical linkages between gender-based violence, the involvement of women in peace-building, and the achievement and maintenance of political security.

Other international Human Rights instruments that Tonga is not a party to and have made a commitment to consider ratification include the:

- International Covenant on Civil and Political Rights (ICCPR)¹ or the International Covenant on Economic, Social and Cultural Rights (ICESCR)² which form an important part of the International Bill of Human Rights (IBOR).
- while Tonga is a state party to the Convention on the Rights of the Child (CRC 4, it is not a signatory to the Optional Protocol to the CRC on the sale of children, child prostitution and child pornography which is an important extension of measures that States Parties should undertake in order to guarantee the protection of children.

Evidence from international research indicates that with interventions focused on enhancing gender equality and respectful relationships between men and women, that VAWC, can be decreased over time. To reduce VAWC interventions need to be community wide, supported by government and non-government and send strong messages at all levels of community that violence towards women and children will not be tolerated.

Conversely factors that enable gender violence to be escalated against women include rigid gender roles and identities, prevalent culture of masculine entitlement, male dominance and control of wealth, institutional and cultural support for, or weak sanctions against gender inequality.¹

The Tongan Police Domestic Violence Unit was established in June 2007. There were 125 reported cases between August and December 2007. There were 68 reported cases between the January and March 2008.

UNIFEM – Pacific

A workshop focusing on project design and proposal writing on the elimination of violence against women was held in February this year by UNIFEM and FWCC. Two NCWC staff participated in this workshop. UNIFEM has established a help desk to provide advice and support to NGOs designing and developing proposals. Eliminating VAW is a core thematic area of programming for UNIFEM, in its last new (2008-11) Strategic Plan. Ongoing links and collaboration with UNIFEM will be a helpful for the Centre in enhancing their capacity to respond to VAWC.¹

The UNIFEM Pacific office has indicated that in their experience, both Government and NGOs working to end VAWC have problems accessing sufficient funds to do their work. The UN Trust Fund is the only dedicated fund for projects focused on Eliminating Violence against Women (EVAW). The UN Trust Fund in support of actions to eliminate VAW also addresses the link between VAW and HIV. However, in general the eligibility criteria are extremely challenging for Pacific organisations. Over the past 11 years, only 6 of a total of 263 UN Trust Fund grants have been given to organisations in the Pacific. UNIFEM offers scholarships to the FWCC Regional Training programme. Ongoing links and collaboration with UNIFEM will be helpful to the Centre. UNIFEM is offering South-South Exchanges for successful VAW models, like the branches of the FWCC and the province CAVAWs of the VWC.

Annex 5 Incidence and Prevalence and Approaches to EVAW

Below are excerpts from studies carried out by the Fiji Women's Crisis Centre and the World Health Organisation Multi Country Study on Women's Health and Domestic Violence against Women with a focus on the Samoa country study. Other prevalence studies are currently underway in both Vanuatu and Tonga.

In Fiji a national survey revealed figures consistent with the multi country study by WHO. In their study, 80% of the sample had witnessed violence within the home, 95% of victims were females, and perpetrators mostly male family members. 30% of the sample reported repeated physical assault with a small percentage of males reporting frequent abuse. There appears to be a high level of tolerance of domestic violence and the use of violence as a form of discipline in the home still prevalent. 74% of female victims did not seek help, either medical or police assistance.ⁱ Rape and indecent assault comprised 50% of cases sample from police and 13.2 % of survey respondents indicated they were victims of rape. 30% of victims were between 11-15 years old.

In Samoa, a nationwide representative sample of 1640 women aged between 15 and 49 years was interviewed. This research was carried out as part of the WHO multi site study on violence against women. The findings indicated the following;

- 41% of ever-partnered women had experienced physical violence at the hands of an intimate partner and 20% had experienced sexual violence in their lifetime.
- The combined prevalence for physical or sexual violence by a partner for ever-partnered women was 54% for those with primary education, 45% for those with secondary education, and 35% for those with higher education. Violence was also less common for women living in urban areas and for women with higher income levels.
- 30% of the women who experienced physical violence by their partners reported having been injured. Almost half of these women had been injured three or more times. The most common injuries reported included abrasions and bruising (in 74% of women who had been injured), damage to eyes and ears (30%) and cuts, punctures and bites (29%).

Overall, 65% of all respondents reported violence by someone other than a partner since the age of 15 years.

Approaches to EVAW – FWCC and VWC

“Using a combination of multiple and reinforcing strategies has proved to be a highly effective model in Fiji, Vanuatu, Tonga, Cook Islands, Samoa, Solomon Islands and in PNG. Successful strategies for challenging attitudes on violence against women and children include:

- targeted community education, including the use of a range of media for communicating community education messages
- well-resourced annual campaigns, which achieve a wide national coverage and regularly keep the issue of violence in the public arena, using themes and slogans with clear messages (eg “Violence against women: not my culture”; “Real men don’t hit women”; “We need Rainbows, not Rambos”).ⁱⁱ
- pro-active use of the media
- Active lobbying to encourage organisations, many of which are dominated by men, to receive gender violence and counsellor training from FWCC.

- active advocacy and lobbying to increase accountability of service providers to the needs of survivors of violence.
- strategic use of data, examples and research to illustrate the devastating impact of violence on women and children, the family, community and country.
- consistent portrayal of the problem of violence against women and children within a broader human rights and development perspective.
- working in coalition and collaboration with government agencies, private sector companies and NGOs to achieve and consolidate broad community support, including training and resourcing agencies and institutions who develop their own programmes to address violence within their constituencies, communities or workplaces.
- As successful community education and advocacy leads to increased awareness of the problem and increased reporting to FWCC and the Police, it is essential to provide professional counselling services in urban and rural areas, and to continue monitoring services provided to clients by other agencies. This in turn feeds back into advocacy work, along with the findings of research”.ⁱⁱⁱ

¹ National Research on Domestic Violence and Sexual Assault, Fiji Women’s Crisis Centre, www.fijiwomen.com

¹ Secretariat Of The Pacific Community, 10th Triennial Conference Of Pacific Women, (Noumea, New Caledonia, 27-31 May, 2007), *Pacific Women, Pacific Plan: Stepping Up The Pace To 2010*, Workshop 9: Violence Against Women And Crimes Against Women, Paper 1: Fiji Women’s Crisis Centre, Organising Against Violence Against Women, (Paper Prepared And Presented By Edwina Kotoisuva, Fiji Women’s Crisis Centre)

¹ Secretariat Of The Pacific Community, 10th Triennial Conference Of Pacific Women, (Noumea, New Caledonia, 27-31 May, 2007), *Pacific Women, Pacific Plan: Stepping Up The Pace To 2010*, Workshop 9: Violence Against Women And Crimes Against Women, Paper 1: Fiji Women’s Crisis Centre, Organising Against Violence Against Women, (Paper Prepared And Presented By Edwina Kotoisuva, Fiji Women’s Crisis Centre)

Annex 6 Definitions of Gender Based Violence

Definitions of Gender Based Violence and other forms of violence against women and Children (Source <http://www.irinnews.org/InDepthMain.aspx?InDepthId=20&ReportId=62847>)

Gender-based Violence

The term “gender-based violence” refers to violence that targets individuals or groups on the basis of their gender. The United Nations’ Office of the High Commissioner for Human Rights’ [Committee on the Elimination of Discrimination against Women](#) (CEDAW) defines it as “violence that is directed against a woman because she is a woman or that affects women disproportionately”, in its [General Recommendation 19](#).

This includes acts that inflict physical, mental or sexual harm or suffering, the threat of such acts, coercion and other deprivations of liberty. Together with “sexual violence” and “violence against women”, “gender-based violence” is used interchangeably.

This does not mean that all acts against a woman are gender-based violence, or that all victims of gender-based violence are female. The surrounding circumstances where men are victim of sexual violence could be a man being harassed, beaten or killed because they do not conform to view of masculinity, which are accepted by the society.

Violence against women

Violence against women is defined by the UN Declaration on the Elimination of Violence against Women, adopted by the General Assembly on 20 December 1993, as “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life”. It is a form of gender-based violence and includes sexual violence.

The Declaration states in its introduction that “[Violence against women] is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women, and that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men”.

Sexual Violence

Sexual violence includes sexual exploitation and sexual abuse. It refers to any act, attempt, or threat of a sexual nature that result, or is likely to result in, physical, psychological and emotional harm. Sexual violence is a form of gender-based violence.

Expanded Definition of Sexual and Gender-based Violence used by the UNHCR and implementing partners, Article 2 of the UN General Assembly Declaration on the Elimination of Violence Against Women (1993):

“Violence against women shall be understood to encompass, but not be limited to, the following:

- a. Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;
- b. Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;

-
- c. Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.”

Sex

Sex is defined as “biological characteristics of males and females. The characteristics are congenital and their differences are limited to physiological reproductive functions”.

Gender

Gender is the term used to denote the social characteristics assigned to men and women. These social characteristics are constructed on the basis of different factors, such as age, religion, national, ethnic and social origin. They differ both within and between cultures and define identities, status, roles, responsibilities and power relations among the members of any culture or society. Gender is learned through socialisation. It is not static or innate, but evolves to respond to changes in the social, political and cultural environment. People are born female or male (sex); they learn how to be girls and boys, and then become women and men (gender). Gender refers to what it means to be a boy or a girl, woman or man, in a particular society or culture. Society teaches expected attitudes, behaviours, roles, responsibilities, constraints, opportunities and privileges of men and women in any context. This is learned behaviour known as gender identity.

Violence

Violence is a means of control and oppression that can include emotional social or economic force, coercion or pressure, as well as physical harm. It can be overt, in the form of physical assault or threatening someone with a weapon; it can also be covert, in the form of intimidation, threats, persecution deception or other forms of psychological or social pressure. The person targeted by this kind of violence is compelled to behave as expected or to act against her will out of fear.

An incident of violence is an act or a series of harmful acts by a perpetrator or a group of perpetrators against a person or a group of individuals. It may involve multiple types of and repeated acts of violence over a period of time, with variable durations. It can take minutes, hours, days, or a lifetime.

Abuse

Abuse is the misuse of power through which the perpetrator gains control or advantage of the abused, using and causing physical or psychological harm or inflicting or inciting fear of that harm. Abuse prevents persons from making free decisions and forces them to behave against their will.

Coercion

Coercion is forcing, or attempting to force, another person to engage in behaviours against her will by using threats, verbal insistence, manipulation, deception, cultural expectations or economic power.

Power

Power is understood as the capacity to make decisions. All relationships are affected by the exercise of power. When power is used to make decision regarding one’s own life, it becomes an affirmation of self acceptance and self-respect that, in turn, fosters respect and acceptance of others as equals. When used to dominate, power imposes obligations on, restricts, prohibits and makes decisions about the lives of others.

Consent

A person consents when he or she makes an informed choice to agree freely and voluntarily to do something. There is no consent when agreement is obtained through the use of threats, force or other forms of coercion, abduction, fraud, deception, or misrepresentation.

Threatening to withhold, or promising to provide a benefit in order to obtain the agreement of a person constitutes an abuse of power. Any agreement obtained in such a way, or from a person who is below the legal (statutory) age of consent, or is defined as a child under applicable laws, is not considered to be consensual.

Perpetrator

A perpetrator is a person, group, or institution that directly inflicts supports and condones violence or other abuse against a person or a group of persons. Perpetrators are in a position of real or perceived power, decision-making and/or authority and can thus exert control over their victims.

Types of Sexual and Gender-based Violence

There are 5 types of Sexual and Gender-based violence; Sexual Violence, Physical Violence, Emotional and Psychological Violence, Harmful Traditional Practices and Socio-Economic Violence.

Sexual Violence

Rape and marital rape

The invasion of any part of the body of the victim or of the perpetrator with a sexual organ, or of the anal or genital opening of the victim with any object or any other part of the body by force, coercion, taking advantage of a coercive environment, or against a person incapable of giving genuine consent (International Criminal Court).

Child sexual abuse, defilement and incest

Any act where a child is used for sexual gratification. Any sexual relations/interaction with a child.

Attempted rape or attempted forced sodomy/anal rape

Attempted forced/coerced intercourse; no penetration.

Sexual abuse

Actual or threatened physical intrusion of a sexual nature, including inappropriate touching, by force or under unequal or coercive conditions.

Sexual exploitation

Any abuse of a position of vulnerability, differential power, or trust for sexual purposes; this includes profiting momentarily, socially or politically from the sexual exploitation of another; Sexual exploitation is one of the purposes of trafficking in persons (performing in a sexual manner, forced undressing and/or nakedness, coerced marriage, forced childbearing, engagement in pornography or prostitution, sexual extortion for the granting of goods, services, assistance benefits, sexual slavery).

Forced prostitution (also referred to as sexual exploitation)

Forced/coerced sex trade in exchange for material resources, services and assistance, usually targeting highly vulnerable women or girls unable to meet basic human needs for themselves and/or their children.

Sexual harassment

Any unwelcome, usually repeated and unreciprocated sexual advance, unsolicited sexual attention, demand for sexual access or favours, sexual innuendo or other verbal or physical conduct of a sexual nature, display or pornographic material, when it interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment.

Sexual violence as a weapon of war and torture

Crimes against humanity of a sexual nature, including rape, sexual slavery, forced abortion or sterilisation or any other forms to prevent birth, forced pregnancy, forced delivery, and forced child rearing, among others. Sexual violence as a form of torture is defined as any act or threat of a sexual nature by which severe mental or physical pain or suffering is caused to obtain information, confession of punishment from the victim or third person, intimidate her or a third person or to destroy, in whole or in part, a national, ethnic, racial or religious group.

Physical Violence

1. Physical Assault

Beating, punching, kicking, biting, burning, maiming or killing, with or without weapons; often in combinations with other forms of sexual and gender-based violence.

2. Trafficking, slavery

Selling and/or trading in human beings for forced sexual activities, forced labour or services, slavery or practices similar to slavery, servitude or removal of organs.

Emotional and Psychological Violence**Abuse/Humiliation**

Non-sexual verbal abuse that is insulting, degrading, demeaning; compelling the victim/survivor to engage in humiliating acts, whether in public or private; denying basic expenses for family survival.

Confinement

Isolating a person from friends/family, restricting movements, deprivation of liberty or obstruction/restriction of the right to free movement.

Harmful Traditional Practices**1. Female genital mutilation (FGM)**

Cutting of genital organs for non-medical reasons, usually done at a young age; ranges from partial or total cutting, removal of genitals stitching whether for cultural or non-therapeutic reasons; often undergone several times during life-time, i.e., after delivery or if a girl/woman has been victim of sexual assault.

2. Early marriage

Arranged marriage under the age of legal consent (sexual intercourse in such relationships constitutes statutory rape, as the girls are not legally competent to agree to such unions).

3. Forced marriage

Arranged marriage against the victim's/survivor's wishes, which is exposed to violent and/or abusive consequences if he/she refuses to comply.

4. Honour killing and maiming

Maiming or murdering a woman or a girl as a punishment for acts considered inappropriate with regards to her gender, and which are believed to bring shame on the family or community (e.g. pouring acid on a young woman's face as punishment for bringing shame to the family for attempting to marry someone not chosen by the family), or to preserve the honour of the family (i.e. as a redemption for an offence committed by a male member of the family).

5. Infanticide and/or neglect

Killing, withholding food from, and/or neglecting female children because they are considered to be of less value in a society than male children.

6. Denial of education for girls or women

Removing girls from school, prohibiting or obstructing access of girls and women to basic, technical, professional or scientific knowledge.

Socio-Economic Violence**1. Discrimination and/or denial of opportunities, services**

Exclusion, denial of access to education, health assistance or remunerated employment; denial of property rights.

2. Social exclusion/ostracism based on sexual orientation

Denial of access to services or social benefits, prevention of the exercise and enjoyment of civil, social, economic, cultural and political rights, imposition of criminal penalties, discriminatory practises or physical and psychological harm and tolerance of discriminatory practices, public or private hostility to homosexuals, transsexuals or transvestites.

Obstructive legislative practice

Prevention of the exercise and enjoyment of civil, social, economic, cultural and political rights by women.

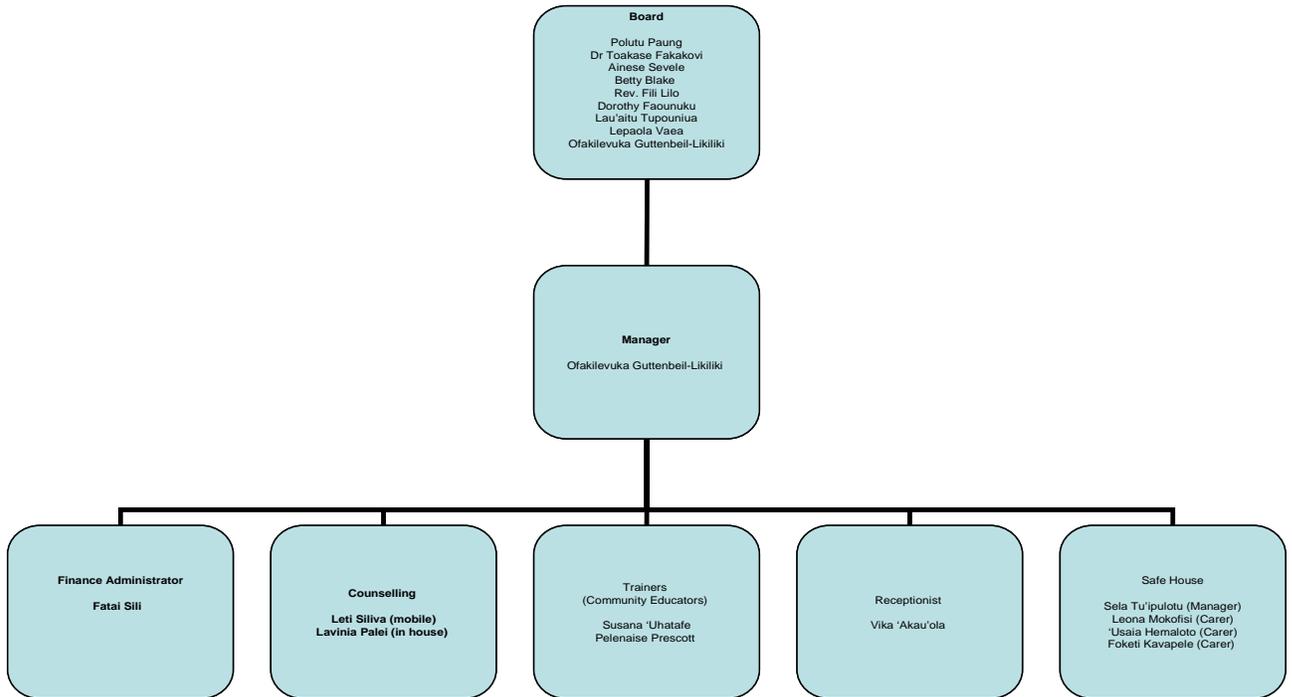
Sources:

“” UNHCR, May 2003

“”, Amnesty International publication, 2004

**Annex 7 –Organisational
Chart**

NCWC Membership



Annex 8

Constitution of the Tonga National Centre For Women and Children – draft October 2007

CONSTITUTION AND ADMINISTRATION

In this Constitution, unless the contrary intention appears definitions are as follows:

1. Definition:

1.1 Advisory Board Members:

Centre's Board whose work is to reaffirm the Centre's adherence to policy direction.

1.2 Centre Coordinator:

The person appointed to the Centre to lawfully perform management duties.

1.3 Domestic Violence

Any physical, sexual; psychological act that deprives Women's and Children's rights.

1.4 Employees

Paid and all voluntary workers at the Centre

1.5 NGOs:

Non-government organisations

1.6 Nuku'alofa:

Area comprises of Ma'ufanga, Halaleva, Kolofo'ou and Kolomotu'a.

1.7 Patron:

Patron of the Centre. Gives approval, protects and gives influential support to employees and matters related thereto in the Centre.

2. The Centre

2.1 Name

2.1a There shall continue to be a Centre established in the Kingdom called "Tonga National Centre for Women and Children" (TNCWC), hereinafter referred to as "The Centre".

2.1b The Centre shall consist of post(s) maybe provided for annually by funds available.

2.2 Location

The Centre's head office shall be located in Nuku'alofa.

2.3 Nature

The Centre is a Voluntary Organisation

2.4 Non Profit Organisation

2.4a The Centre shall operate as a non profit organisation

2.4b All members are forbidden from deriving personal material gains and profit in any form from their membership of the Centre.

2.4c All incomes, in whatever forms shall be used solely for the purpose of its being donated.

1 Functions of the Centre

The Centre shall be established throughout the Kingdom for the purpose of:

3.1 Counselling of Women and children who suffered or were victims of any forms of sexual offences and or assault.

3.2 Work in partnership with other stakeholders to promote safety of women and children and to eliminate violence.

3.3 To educate and empower women and children who are in any abusive relationships and are victims of those abusive relationship.

3.4 To work in partners with institutions and NGOs to promote awareness of violence in general.

3.5 To provide a referral service for women and children that are victims of violence.

-
- 3.6 To provide awareness program on violence to the community.
 - 3.7 To encourage and carry out research regarding rape, sexual assault, sexual harassment and domestic violence.
 - 3.8 To be proactive as an advocate and influential body in informing government through Crown Law for Law Reform in the areas of rape, sexual assaults, sexual harassment and domestic violence.
 - 3.9 To lobby the government of Tonga and all relevant organisations on existing policies which adversely affect or discriminate against women and children in order to bring about positive changes to such policies.

4 Functions of the Patron

- 4.1 The Patron of the Association shall chair the Annual General Meeting (AGM) of the Centre. In the absence of the Patron the Board may elect the person to chair the meeting.
- 4.2 Confirm annual reports of the Centre.
- 4.3 Endorse financial report from external auditor.
- 4.4 Confirmed amendments to the Constitution as recommended by the Advisory Board.
- 4.5 To declare dissolution of the Centre.
- 4.6 To make final decisions to any appeal made by any employee of the Centre if appellant is not satisfied with the Advisory Board's Decision.

5 Functions of the Advisory Board

- 5.1 To endorse:
 - 5.1a quarterly reports and budgets for the upcoming calendar year.
 - 5.1b quarterly reports from the Centre Coordinator.
- 5.2 To appoint External Auditors annually
- 5.3 To consider and endorse reports from any assigned work of sub committees/panels.
- 5.4 To confirm any recommendation for dismissal by the Coordinator.
- 5.5 To confirm terms and conditions of employment in the Centre.
- 5.6 To confirm appointment and dismissal of the Centre Coordinator
- 5.7 The quarterly and other reports from the Centre Coordinator
- 5.8 To confirm and endorse recommendations from the Centre Coordinator with regards policies, finance regulations and any management working procedures of the Centre.
- 5.9 To confirm annual audited accounts and forward to the Patron for endorsement

6 Functions of the Centre Coordinator

- 6.1 To advise and oversee the finances and activities of the Centre.
- 6.2 To make policy decisions necessary to support the Aims and Goals of the Centre.
- 6.3 To monitor and ensure the maintenance of adequate service delivery.
- 6.4 To monitor and review the implementation of the approved annual work programme and budget.
- 6.5 Supervises and approves expenditure to a maximum, provided that the expenditure is within the approved budget.
- 6.6 The Coordinator is responsible for the economical, efficient and successful conduct of all business under her/ his supervision.
- 6.7 The Coordinator of the Centre be the secretary of the Advisory Board.

7 Conditions of Advisory Board Members

-
- 7.1 Advisory Board will be made up of the Centre Coordinator, President of the Founder of the Centre (TCWL) and representatives from government and NGOs whose work is to support safety of women and children.
 - 7.2 The board shall be made up of nine members.
 - 7.3 The Advisory Board may suspend for a period of time or expel any member who acts contrary to the Goals of the Centre or for conduct which would in any way be harmful to the Centre, provided always that:
 - 7.3a The motion to suspend/expel is carried by a vote of at least a two third of the members present and entitled to vote.
 - 7.3b The member concerned is notified of the proposed action and is given fourteen (14) days to represent herself /himself in writing to the Board.

8. Advisory Board Members to select Office Bearers.

- 8.1 The Board shall elect from within the Board, the following Officers:
 - 8.1a Chairperson and Vice Chairperson.
 - 8.1b Assistant Secretary
- 8.2 The Officers (as in 8.1) shall be in office for a maximum term of three years.
- 8.3 The Board shall elect new members.

9 Functions of the Office Bearers

The functions of the Office bearers shall be as follows:

9.1 Chairperson:

- 9.1a To monitor operations of the Centre on behalf of the Advisory Board through discussions with the Centre Coordinator.
- 9.1b To provide chairmanship to the meetings of the Advisory Board (noting the patron will chair the AGM).

9.2 Secretary:

- 9.2a To take minutes of every advisory Board meetings.
- 9.2b Ensure that meeting guidelines are adhered to.
- 9.2c Ensure notices of meeting are sent to all members of the Advisory Board.
- 9.2d Ensure that a Register of Membership is maintained and kept up to date at all times.
- 9.2e Shall keep a record of members and representatives of Institutional members, and shall make this record available during the meeting for purposes of verification of voting eligibility.
- 9.2f Nomination forms will be sent to agencies for expressions of interest. The nomination form will have the responsibilities of Board members attached.
- 9.2g The Centre Coordinator will present interested nominee applications to the Board, where new Board members will be voted in (via secret ballot) by the existing Board members.
- 9.2h The identity and position of new Board members will be reported during the Annual General Meeting each year.

10. Meetings

- 10.1 The Centre shall hold each year an AGM to be convened not later than one month after the audited report of the accounts of the Centre has been received by the Board.
- 10.2 The AGM Agenda shall include:
 - 10.2a The Centre's Annual Report.
 - 10.2b Presentation of the Audited Financial Report.

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- 10.2c A report on the election of new and existing office bearers.
 - 10.2d Any other matters as deemed appropriate by the Board
 - 10.3 Office bearers shall be reported at the AGM. No office bearer shall hold office for more than three consecutive years.

10.4 Composition:

The following may attend the AGM:

- 10.4a Advisory Board members
- 10.4b Staff members
- 10.4c Centre Volunteers
- 10.4d Funding agencies
- 10.4e Representatives from Government
- 10.4f Others co-opted by the Advisory Board.
- 10.4g Representatives from the NGOs.

10.5 Notice of AGM:

- 10.5a A notice of the time and place shall be sent out one week before the meeting.
- 10.5b The Minutes of the last AGM and the Agenda shall be attached to the Notice.
- 10.5c A Meeting shall require at least 50% of the members to be present. The Board members need to vote or agree with consensus.

10.6 Minutes shall be kept of all meetings.

11. Centre's Conditions

- 11.1 The members of the Centre shall consist of:
 - 11.1a The Advisory Board members
 - 11.1b Employees contracted for specific tasks.
- 11.2 Employees shall have the right to make suggestions regarding the improvement of the Centre operations and enhancing its productivity.
- 11.3 Employees shall sign a confidentiality agreement.
- 11.4 Employees shall conform with the Mission Statement, policies, goals and guiding principles of the Centre.
- 11.5 Advisory Board Membership may be terminated for:
 - 11.5a Failure to attend three consecutive collective meetings without explanation
 - 11.5b A breach of the Confidentiality contract
 - 11.5c Any action that is upheld by the Centre to be contrary to the stated Goals of the Centre.
 - 11.6d Membership may be voluntarily terminated by submitting a written letter of resignation to the Centre.

12. Centre Staff

- 12.1 The management of the Centre will be conducted by the Coordinator
 - 12.1a The Centre shall be administered by the Coordinator in collaboration with the Advisory Board.
 - 12.1b Paid workers shall be contracted as needed and when funds become available.
 - 12.1c Staff performance appraisal shall be carried out before the first of November each year.
 - 12.1d The Centre will review salaries and wages annually in December.

13 Finances

- 13.1 Records of Accounts
 - 13.1a The Centre shall act upon the principles governing the Centres finance.
 - 13.1b All income into centre must be receipted using official receipt books secured, regularly banked, and correctly recorded in official records.

-
- 13.1c All expenditure must be properly documented and paid from funds.
- 13.1d Any payments made from The Centre's bank accounts (including petty cash) must have supporting documentation which should include where possible an invoice and receipt which must be attached to an approved Payment voucher and filed in numerical order ready for audit.

13.2 Financial Management:

- 13.2a The Centre shall manage its financial and other resources in compliance with the Terms and Conditions of source agencies.
- 13.2b All funds and other resources from any source shall be reflected in the overall Centre planning and reporting system.

13.3 Audit and Appointment of External Auditors:

- 13.3a The accounts of the Centre shall be audited annually by external auditors approved by the Advisory Board and endorsed by the Patron in accordance with the standard requirements.
- 13.3b The external Auditors shall be appointed annually by the Advisory Board. Any previously appointed qualified auditors shall be eligible for reappointment.

13.4 Standard Requirement:

- 13.4a Financial books and records. All cash books and other financial records are the property of the Centre, and must be:
- (i) Always written in ink.
 - (ii) In the custody of the person responsible for keeping them.
 - (iii) Preserved intact, and on no account may a leaf of any such book or record be removed.
 - (iv) Open at all times to the inspection of the Co-ordinator or other person Appointed Appointed for that purpose by the Board.
 - (v) Preserved for at least 5 years after completion in the care of the person responsible for keeping them.
 - (vi) Destroyed only by the Board permission, which may be sought after a lapse of five years from the time the particular books or records were in use.

14. Control and Use of Common Seal

- 14.1 A common seal shall be obtained for the execution of documents in relation to the Centre.
- 14.2 The seal of the Centre shall only be used for the Centre's correspondence and no other purpose.
- 14.3 Use of the Seal shall be approved by the Coordinator

15. Dissolution

- 15.1 The Centre will be dissolved in an Extraordinary meeting duly called for the purpose provided that the Advisory Board have agreed in favour of the dissolution and declared by the patron.

- 15.2 The Centre shall be dissolved if all the goals and purposes for which the Centre was formed have ceased to be practiced.
- 15.3 On dissolution :
- (a) All assets shall be sold or distributed and all liabilities discharged.
 - (b) Any surplus after the liabilities have been met in full shall be disposed of in such a manner shall be decided upon at the Extraordinary meeting called by the Board for the purpose of dissolving the Centre.

16. Amendments

- 16.1 Any amendment to the Constitution shall be presented to Advisory Board Member at least two weeks before discussions.
- 16.2 The motion to amendments to this Constitution is carried by a vote of at least two-third of the members present and entitled to vote.
- 16.3 Policy on amendments adhered to and carried out.

ADOPTION OF THE CONSTITUTION

- (a) The Constitution of the Tonga National Centre for Women and Children Incorporated (TNCWC), was accepted by the extraordinary meeting of the Board members on:
 “We, the several persons whose names are subscribed hereto, being members of the above mentioned society, hereby make application for the incorporation of the society under the foregoing rules, in accordance with the Incorporated Societies Act”.

NAME:	ADDRESS:	SIGNATURE:	WITNESS:
Polotu Fakafanua-Paunga (Chairperson of the Advisory Board Committee of the TNCWC)	Deputy Director Ministry of Education, Women Affairs & Culture Nuku’alofa TONGA		
Dr Toakase Fakakovikaetau (Deputy Chairperson of the Advisory Board Committee of the TNCWC)	Ministry of Health Vaiola Hospital P.O. Box 59 Nuku’alofa TONGA.		
Lau’aitu Tupouniua	Assistant Police Commander Ministry of Police Nuku’alofa TONGA.		

Dated this 16th October 2007.

Annex 9 Reviewers analysis of Case work in Safe House Case Study

1. This case study gives an example of the kind of issues the staff at the Centre and the Safe House face on a daily basis. In the future with improved, policy, procedures and training the following might be implemented in addition to the support and interventions already provided by the Centre, to try and enhance safety of the woman and her children.
2. Upon entry to the Centre/safe house carry out a comprehensive risk assessment with the woman to assess her risk and likelihood of future risk. The presence of violence towards a child with a weapon and threats to kill indicate a high level of potential lethal risk to the mother and her children.
3. Centre to develop a case plan with the woman to identify her goals over the support period. This would include the provision of counselling to the woman that is empowering and reinforces messages about the violence not being her fault. In the event of mediation and future reconciliation safety planning would form a key plank of the support plan to ensure the woman is aware of risk factors and ways she may be able to maintain her safety and that of her children.
4. Centre to work with mother to explain and offer other options available to her and to identify her goals and options for alternative accommodation in the future if this is what she wants.
5. The Centre to identify income generating opportunities and skills training that might be available at the Safe House or locally to enhance her opportunities to become economically independent.
6. The Centre to explain legal options to their client and with her consent contact the police to apprehend and arrest her husband for threats to kill, as a crime has been committed and the Centre has a duty of care to report this, due to the future risk to the client and the potential risk to the staff at the Safehouse. The police should also seize the gun from the husband on the basis of the threat to kill with the weapon.
7. The Centre to support the client to consider obtaining a restraining order (which includes the children), regardless of whether there is reconciliation in the future, to protect her and her children.
8. The Centre to try and assess what level of violence the children have been exposed to and assess any specific needs and developmental issues and special needs the children may have whilst they are at the safe house. This might include speaking with the mother about the impact this has had and will have on her children including developmental delays, risk to future victimization and perpetration, risks to their physical and mental health and so on.
9. If the Centre does expand the Male Advocacy Program into the future or develops a program to work with men who perpetrate family violence, it would be possible to have a program that works with men to change their use of violence towards family members.
10. If the Centre had a program to provide group support for women this might be a way of maintaining contact with women after they leave. The Centre has previously run some group counselling and often women's support groups can be an effective way of providing ongoing support with other women with the added benefit of reducing isolation.
11. On exiting from the safe house ensuring that the woman has a safety plan in place for her and her children. If the children were older to have a safety plan in place for them as well that they have worked through with staff from the safe house. A one week and one month follow up appointment to be made inviting the woman to attend or a home visit.

Annex 10

Good practice programs, projects, services and initiatives are of a high standard and contain the following elements:

- 1 Underpinning principles and policies which
 - (a) reflect the primacy of safety of women and children,
 - (b) define domestic violence as,
 - physical
 - sexual
 - psychological
 - social and/or
 - financial abuse, in an existing or former intimate-partner relationship causing ongoing fear and includes the experience of children who witness or are present during incidents of domestic violence,
 - (c) hold perpetrators accountable for their behaviour and aims to reduce incidents of violence committed by perpetrators,
 - (d) are based on an understanding of domestic violence which acknowledges that abuse is used to gain and maintain power and control,
 - (e) recognise that domestic violence is a gender issue, and,
 - (f) recognise that acts of violence are criminal acts, irrespective of class, culture, race, religion, age or disability or the location of the acts of violence;
- 2 A recognition of cultural diversity and other diverse needs within the community; consideration of discrimination and issues of equitable access;
- 3 Innovation or the establishment of practice benchmarks which can be adopted by other services and organisations;
- 4 Potential for adoption or development within a range of settings across the nation;
- 5 A clearly defined conceptual framework;
- 6 Clearly defined aims and objectives;
- 7 Development and implementation informed by consultative processes, where relevant;
- 8 Organisational structures which ensure appropriately skilled, supported and professionally service providers;
- 9 Planning, monitoring and appropriate evaluation processes;
- 10 The development of policies and guidelines;
- 11 Participation within networks to work towards improved levels of interagency co-operation and collaboration to address and reduce domestic violence within the community; and,
- 12 Management and leadership which provide direction towards the achievement of coordinated, integrated and consistent responses to domestic violence based on common principles.

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