

**Spotlight
Initiative**
*To eliminate violence
against women and girls*



Vanuatu Survivor-Victims Charter

A national charter on the rights of survivor-victims of crimes and guidelines for accessing the criminal justice system and other support services





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SURVIVOR-VICTIMS CHARTER

1. Introduction

The purpose of the Survivor-Victims Charter is to specifically support survivors of crime, also commonly referred to as victims of crime, in their journey of accessing justice as a result of a crime. The term Survivor-Victims is used through this Charter to recognise the resiliency of the person in having survived the crime and now in seeking information, support services or justice through the criminal justice process.

This Charter sets out the rights of Survivor-Victims and the services they may access within the criminal justice system and from other service providers supporting Survivor-Victims.

This section (Section 1) defines who are Survivor-Victims and Service Providers, and what is considered a crime under the Charter. Section 2 details the rights of Survivor-Victims and Section 3 provides information on the processes involved in accessing and seeking justice, what Survivor-Victims can expect in those processes and need to do or provide.

1.1. Who is a Survivor-Victim?

Someone that has suffered because someone else has broken a criminal law in Vanuatu.

A Survivor-Victim¹ is someone or a group of people who have suffered because another person has broken a criminal law in Vanuatu. This includes sexual or gender-based violence or any other crime committed under Vanuatu's criminal laws.


Suffering can include but is not limited to:

- Physical loss, injury, disability or impairment
- Mental or emotional harm (including grief)
- Economic loss
- Considerable impairment of their fundamental rights (fundamental rights can be found in the Vanuatu constitution)

INFO BOX: Constitutional provisions relating to fundamental rights (paraphrased)

The Republic of Vanuatu recognizes fundamental rights and freedoms of individual citizens without discrimination on the grounds of race, place of origin, religious or traditional beliefs, political opinions, language or sex. This includes right to life, liberty, security of the person, protection of the law, freedom of expression and movement and equal treatment under the law.

¹ Note, the OPP and other Service Providers may refer to Survivor-Victims as a 'complainant', 'victim', 'client', 'patient' or other words found in the laws of Vanuatu or their sector. The word 'Survivor-Victim' is preferred in this Charter because it recognises and focuses on the resiliency of the person having survived the crime.



Survivor-Victims are individuals directly affected by the crime, but also family, friends, witnesses or a person that tried to help stop the crime and also suffered.

In Vanuatu, when a crime happens to a person, it affects all the members of his or her family, including his or her extended family and friends. This Charter is for Survivor-Victims directly, as well as for:

- A bereaved family member
- a Survivor-Victim's representative
- a parent on behalf of or instead of a child
- a guardian or carer on behalf of or instead of a mentally or physically impaired individual
- a witness to a crime
- a person that has intervened in a crime to assist

Throughout the criminal justice process, Survivor-Victims (including those listed above) can ask for information or assistance from Service Providers who are trained appropriately for their duties and contact with Survivor-Victims.

Additionally, this Charter applies to Survivor-Victims even if the crime has not been proven or reported, and it does not matter if the accused or offender² has been apprehended, charged, prosecuted or convicted. Some crimes associated with sexual and gender-based violence (SGBV), including domestic violence, and other violence or sexual abuse (for example against children, boys and men) happens without witnesses or other evidence to prove the crime to a standard accepted by the Court.

The rights of Survivor-Victims and services available are for everyone. These services include medical services, disability, women or childrens support services, case management, legal and Police services as detailed in Section 3.1 below. These services are to be provided without discrimination based on race (colour), place of origin, religious or traditional beliefs, political opinions, language, sex or disability as laid out in the Vanuatu Constitution (1980) and the National Disability Inclusive Development Policy (2018-2025).

1.2. Who is a Service Provider?


Service Providers have a responsibility to provide support and services to Survivor-Victims.

A description of the role of each of these services provides can found below in Annex II and referral contact details in Annex III.

Key Service Providers for Survivor-Victims in Vanuatu include:

- Vanuatu Victim Support Centre

² The words 'accused' and 'offender' are used by the OPP and other Service Providers to describe the person that committed the crime at different times in the criminal justice process. Accused is used when the person has not yet been convicted but is being investigated or prosecuted. Offender is used when the person is found guilty by a court and convicted of the crime. Some Service Providers also use the word 'perpetrator' to describe who did the crime, particularly when it is not known yet who that person is.

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- Vanuatu Women’s Centre and their network of Rural Committees Against Violence Against Women (CAVAWs members)
 - Authorized Persons
 - Child Desk
 - Disability Desk & Vanuatu Society for People with Disabilities (VSPD); Vanuatu Disability Promotion and Advocacy Association (VDPA)
 - Police and the Family Protection Unit
 - Chiefs (Community level)

Legal Services for Survivor-Victims include:

- Courts (Magistrates Court, Supreme Court and Island court)
- Office of the Public Prosecutor
- Public Solicitors Office
- Private Solicitors/lawyers
- USP Community Legal Information Centre

Specialised support is also available in Vanuatu for:

- Hospital/Medical services including the Mind Care Unit (to meet health needs and provide evidenced based medical reports related to the crime)
- Sexual and reproductive health services to respond to instances of sexual violence including through provision of emergency contraception and conducting of medical examinations post-sexual assault. The hospital can provide these services, and specialized services can be accessed through the Vanuatu Family Health Association in Port Vila town centre and Kam Pusum Hed Clinic located at Wan Smolbag Haos in Port Vila.
- Mental health services (for counselling and other psychological support and assessments)
- NGO’s & disability support groups (for the provision of sign language and interpretation for people with disabilities as well as other social support)
- Women’s organisations such as the Vanuatu Women’s Centre (legal counselling, counselling, safe houses)
- Correctional Services (for assisting Survivor-Victims when offenders are released on parole)
- Faith-based organisations and religious bodies
- Chiefs (Community level)

INFO BOX: Vanuatu Service Providers commit to taking a Survivor-Victim centered approach to providing services. This means, Survivor-Victims are to be at the center and involved in all decisions about the services that the Survivor-Victim wants to access. Survivor-Victims can expect to be served by Service Providers in a professional way with empathy in an unbiased, non-judgmental manner and not be blamed for the crime taking place. Service Providers must also uphold the rights of Survivor-Victims when accessing the criminal justice system and support

services, and inform Survivor-Victims about services available to them. The rights of Survivor-Victims are detailed in Section 2 below.

1.3. What is considered a crime?

If a crime has been committed against someone, the rights within this Charter apply to anyone that has suffered from that crime.

Table 1 below provides some examples of behaviours that can be a crime, including those of sexual and gender-based violence (SGBV), including domestic violence where the offender and Survivor victim are family members, which can take place in schools, institutions, churches, or at home. These behaviours are possible offences under either the *Family Protection Act* or *Penal Code* or both.

Table 1: Examples of behaviours and possible offences³

EXAMPLE OF BEHAVIOUR	POSSIBLE OFFENCE
Violent crimes	
Physical violence, with or without weapons (e.g. punching, slapping, pushing, kicking, headbutting, and hair pulling)	Intentional assault (no damage) Intentional assault (temporary damage) Intentional assault (permanent damage)
Neglecting, abusing, ill-treating and/or assaulting a person that has caused serious physical harm or death	Duty to provide necessities of life Abandonment of incapable persons Unintentional harm (negligence)
Violence resulting in death	Premeditated intentional homicide Intentional homicide

³ Office of the Public Prosecutor, 'Domestic Violence Prosecution Handbook', Annexure A

	Intentional assault (causing death)
Throwing things, even if they miss (e.g. stones, saucepans, leaf pawpaw)	Intentional assault Domestic violence offences (harass, intimidate, abuse) Threats to kill
Threatening with an article used as a weapon (e.g. knife, tool, telephone, chair, saucepan, wood or metal stick)	Threats to kill Domestic violence (threats) Abusive and threatening behaviour
Tying a person up (e.g. with ropes or cables)	Intentional assault Kidnapping Abduction of a person under 18 years of age
Threatening to kill someone whether verbally or physically	Threats to kill Domestic violence offence (threats) Abusive and threatening behaviour
Threatening to hurt someone whether verbally or physically	Domestic violence offence (threats) Threatening language
Damaging or destroying property, or threatening to do the same	Domestic violence offence (threats) Domestic violence offence (damage property) Malicious damage
Harming or threatening to harm a pet	Maltreatment of animals, birds or fish Malicious damage

Locking someone in a room or house or preventing him or her from leaving	False imprisonment Kidnapping Abduction of a person under 18 years of age
Forcing entry into a house	Enter a dwelling house
Sexual and gender-based violence and crimes involving children or people with disabilities	
Offensive, obscene or menacing telephone calls, text messages, letters, emails or social media/online messages	Domestic violence offence (harass, intimidate, abuse) Domestic violence offence (indecent or offensive) Domestic violence offence (stalking)
Posting of intimate images, messages, or defamatory/insulting material	Domestic violence offence (stalking) Domestic violence offence (indecent or offensive) Criminal defamation Obscene publication
Neglecting, abandoning or ill-treating a child	Duty to provide necessities of life Abandonment of incapable persons
Excessive contact (e.g numerous phone calls to check where someone is, leaving unwanted/unexpected gifts, defamation fo character to friends, family and/or employers)	Domestic violence offence (stalking)
Following an individual physically, or using online methods such as checking online media activity, or tracking an individual through GPS applications	Domestic violence offence (stalking) Online stalking (Cybercrime Act)
Using violence or threatening violence to prevent someone from wearing clothes or styles they choose	Intentional assault Domestic violence offence (harass, intimidate, abuse)

Forced financial dependence or unreasonably depriving someone of money	Domestic violence offence (harass, intimidate, abuse)
Forced sexual activity, including children and married persons (e.g. husbands against wives)	Sexual intercourse without consent Incest Act of indecency Unlawful Sexual Intercourse (with a child under 15 years) Act of Indecency with a Young Person Prostitution Procure/benefit from child prostitution Produce child pornography Sexual intercourse with a child under care and protection
Breaching conditions of a Protection Order	Breach of a Protection Order
Constant unwelcomed visits to a person's home or workplace, and constant surveillance of a person.	Domestic violence offence (stalking)
Other crimes	
Pressuring a victim/witness to 'drop the case' or not to give evidence	Interfering with a witness Obstructing the course of justice Conspiracy to defeat justice
Threatening to damage or undermine social status or reputation	Extortion

Preventing someone from visiting relatives or friends, or seeking aid (e.g. medical attention)	False imprisonment Domestic violence offence (harass, intimidate, abuse)
Secret or enforced administration of drugs	Intentional assault

This list of crimes is not exhaustive - there are many crimes that are not listed above that are still offences under Vanuatu criminal law. If it is not clear whether someone has broken a Vanuatu criminal law, contact the Public Solicitors Office, the Office of the Public Prosecutor, the Police or Family Protection Unit, the Vanuatu Women’s Centre or a private lawyer and ask.

There are other laws in Vanuatu that also provide protection and support to SGBV Survivor-Victims. Table 3 below provides a summary of the relevant laws.

Table 2: Summary of laws in Vanuatu relevant to SGBV, including domestic violence⁴

LEGISLATION	USED FOR
Family Protection Act	Family Protection Orders for many behaviours listed in Table 2, including emotional violence and other forms of controlling behaviours. Domestic violence criminal offences – punishment up to 5 years prison
Penal Code	Offences against the person (e.g assault, homicide, other behaviours in Table 1) Offences against morality (e.g. rape, sexual offences against children)
Matrimonial Causes Act	Fault divorce, child custody, alimony and child maintenance
Maintenance of Family Act	Criminal offences and punishment for up to 3 months prison or 20,000vt fine for: <ul style="list-style-type: none"> - A man that fails to provide for his wife and ‘legitimate’ children under the age of 18 years old for more than 1 month - A mother that deserts her children for more than 1 month

⁴ VWC Progress Report 4 (2015), at 47, as cited in UN Women, ‘Women and Children’s Access to the Formal Justice System in Vanuatu’, at 121



Maintenance of Children Act	<p>Unmarried women over the age of 21 years can seek an order for child maintenance for children</p> <p>Parents/guardians of unmarried women under the age of 21 years can apply on behalf of the unmarried woman</p> <p>Breach of a child maintenance order is a criminal offence</p>
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2. Rights of Survivor-Victims

Survivor-Victims have the following rights when accessing services with Service Providers:

1. Right to be treated with fairness, courtesy, compassion, respect and dignity
2. Right to have their needs considered and supported by Service Providers
3. Right to offer information
4. Right to receive information
5. Right to consent
6. Right to protection, privacy and confidentiality
7. Right to apply for reparation, including compensation and restitution
8. Right to make a complaint (if a Service Provider does not respect or protect rights)

2.1. Understanding the rights of Survivor-Victims


1. Right to be treated with fairness, courtesy, compassion, respect and dignity

Survivor-Victims have the right to be attended to in a timely manner, with fairness, courtesy, compassion, respect and dignity by all Service Providers, without discrimination. This includes being treated in a way that does not judge, victim-blame or create stigma, and does not treat a person based on their gender or sexual identity differently.

2. Right to have their needs considered and supported by Service Providers

This right expects all Service Providers to take into consideration the specific needs of each Survivor-Victim on an individual basis. This includes finding appropriate support services for Survivor-Victims of sexual and gender-based violence (SGBV), children or people with disabilities. This may include individual





assessments, translation services, female or gender specific case managers, accessibility arrangements, specially trained Service Providers (particularly for children Survivor-Victims).

3. Right to offer information

Survivor-Victims have the right to offer information during the criminal investigation, prosecution and parole hearings. Service Providers, such as the Police, Prosecutor and Correctional Services, must make sure that any contribution that a Survivor-Victim chooses to make is heard and considered when they are deciding on how to proceed with the case. For children, people with disabilities and other Survivor-Victims with caregivers or family present, Service Providers should ensure that opportunities are offered to the Survivor-Victim to share information independently without caregivers or family involvement if agreed to. However, children being interviewed without parents or caregivers present (because the parent or caregiver is the alleged perpetrator) should have another supporting adult present.

This right also includes:

- The opportunity to make a further statements to the police if the first statement was incomplete
- The opportunity to make statements to the court or give evidence on the impact of the crime to help the court decide the case of the offender or what sentence to give the offender, particularly in a child-friendly way for child survivors-victims.
- The choice to participate in criminal justice proceedings, by attending the bail hearing, the trial, sentencing proceedings and/or Parole Board hearing (where necessary and possible)
- The opportunity to write to the Parole Board hearing and write a submission for consideration of the Survivor-Victim when deciding parole conditions

4. Right to receive information

Survivor-Victims have the right to be informed of their rights, the services available to them and the steps involved in seeking justice and support. This Charter was created to support this right and includes the right to:

- information in their own language or translation services, free of charge
- be informed on criminal justice alternatives and pathways to make informed decisions
- receive information and to be informed of all relevant services available. This includes information on counselling and psychological care available to Survivor-Victims that choose not to report the crime
- be informed of what will be required from the Survivor-Victim in the process and the approximate duration of the case

- be informed of the status of the case (e.g. has the offender has been arrested, charged, granted bail, indicted, convicted or sentenced)
- request reasons for a decision to prosecute or not
- receive documents relevant to the case, entitled by law
- request to receive notification of proceedings (e.g. court dates and other events)
- request the Prosecutor to notify your employer of any proceedings that necessitate the Survivor-Victims absence from work.

5. Right to consent

Survivor-Victims have the right to consent, i.e. the right to choose, which criminal justice processes or support services, including medical services, they willingly participate in. This includes deciding for themselves whether to participate in round tables, kastom reconciliation or any other restorative justice processes. Service Providers, including Police, must make sure Survivor-Victims voluntarily agree to these processes and must not pressure the Survivor-Victims into participating. Survivor-Victims only need to participate if they themselves choose to. Medical Service Providers must also obtain consent from Survivor-Victims to carry out any assessments or medical treatment.

For violent crimes such sexual and gender-based violence, including domestic violence and sexual abuse against children, the Police and the Office of the Public Prosecutor have a strict no drop policy. This means once a report and statements have been made, they are not allowed to stop the investigation and prosecution anymore.

The right to consent may be limited in cases where the Survivor-Victim lacks capacity to consent. Having capacity to consent means that person can understand information given to them, consider that information relative to their own interests, make a decision in their own best interest and then communicate their decision.

A child Survivor-Victim under 12 years old may lack capacity, and consent will be required from the child's parents unless that is not in the child's best interests (e.g. of the parent is the perpetrator). The Child's Desk Child Protection Officers, will make decisions in the child's best interest in these cases. There may also be cases where people with disabilities do not have capacity to consent. The Disability Desk, VSPD or VPDA can support Survivor-Victims with disabilities in this situation.

6. Right protection, privacy and confidentiality

Survivor-Victims have the right to protection from violence and intimidation by a person accused of the crime and all Service Providers. This includes the right to be free from intimidation, harassment, fear, tampering, bribery, corruption and abuse from the accused and all Service Providers, and limited or not contact with the offender.

Survivor-Victims also have the right to privacy. This means they have the right to control information about themselves and be free of other people witnessing or being involved in the criminal justice process that the Survivor-Victim does not agree to, even if they are family or community members.

Survivor-Victims have the right to have their identity and facts about their experience protected and kept confidential. Services Providers should inform Survivor-Victims that their information is confidential. In situations where information needs to be shared as part of the Service Providers professional duties, to support the criminal justice process or refer the Survivor-Victims to other support, they should advise how the information will be shared and ask the Survivor-Victim whether they consent to this.

Medical examinations provide an example of how Survivor-Victims' rights to privacy, confidentiality and consent can be respected.

Medical examinations can only be done if the Survivor-Victim agrees to the examination and each step of the process. They can be stopped at any point. The process can respect the privacy of the Survivor-Victim by providing a private room for the Survivor-Victims to wait and be examined in, where they do not have to see other people unnecessarily. Medical examinations are normally confidential but if the Survivor-Victim has agreed to report the crime, the medical report will need to be shared as evidence of the crime with the Police, and after the Prosecutor as well as the lawyer of the accused/offender. It is part of the medical examiners professional duty to share the examination report in this situation.

Survivor-Victims can access support from Service Providers for the following:

- use of safe accommodation for the immediate safety of a woman or child Survivor-Victim through the Vanuatu Women's Centre or other appropriate safe accommodation accessible
- a request by the Survivor-Victim to the Prosecutor to make an application to the courts for 'special measures' on the request of the Survivor-Victim. This could be orders to prohibit publication of any information (including identity), that the trial be held behind closed doors (on camera or not open to the public) or a court setting that protects the child's privacy and is less intimidating
- a request to Correctional Services to inform the Survivor-Victim if the offender has escaped, transferred, released or applied for parole
- a request to the Public Prosecutor or Correctional Services to seek protective bail conditions or oppose bail because of the risk to the Survivor-Victims safety
- request the Victim Services Officer, Vanuatu Women's Centre or other available support person to accompany the Survivor-Victim to any criminal justice processes or other services

- make a complaint to the Professional Standard Unit to investigate any Police Officer that unlawfully shares information about a Survivor-Victim or witness, or has threatened or used violence or intimidation
- make a complaint against any person or Service Provider that is not respecting and protecting the rights of the Survivor-Victim

7. Right to apply for reparation, including compensation and restitution

Survivor-Victims have the right to reparation (i.e. making amends). This includes applying for compensation (money payment) or restitution (return or repair of property) or both, for suffering, damage or loss of property as a result of a crime. This can be important for the Survivor-Victims' recovery process.

'Compensation' refers to an amount of money that a court will order be paid to a Survivor-Victim who has suffered loss or damage to property, including money, as a result of a criminal act or omission by the person convicted of committing the crime.

'Restitution' or 'reparation' is when the court, after finding the offender guilty, orders the offender to return or repair property or goods that belong to the Survivor-Victims that have been unlawfully taken or damaged. The purpose of restitution and reparation is to return the Survivor-Victim to the position they were in before the crime happened. For example, the offender may be required to pay the Survivor-Victims expenses for medical treatment or accommodation, loss of income resulting from injuries, or funeral expenses.

Survivor-Victims can request support from Service Providers, such as the Public Solicitors Officer or private lawyers, to make these applications and put together the documentation needed.

8. Right to make a complaint

Survivor-Victims have the right to complain if their rights have not been respected and protected when accessing information and services as part of criminal justice processes. Many Service Providers will have complaint mechanisms in place, which they will inform Survivor-Victims of when providing services.

The Professional Standards Unit of the Vanuatu Police Force exists to ensure that the Police are carryout out their duties professionally and responsibly. This includes receiving complaints and investigating Police that have not respected the rights of Survivor-Victims under this Charter.

Further details for making complaints are detailed below in '**Section 4: Making complaints**'

3. Navigating criminal justice processes

This section provides a summary flowchart of the various steps within the criminal justice system, from first deciding whether to report the crime or use alternative pathways, to what happens after the trial or at parole applications.

The summary information in each of the steps within the summary are then expanded on in more detail below the flowchart in sub-sections corresponding to each step.

SUMMARY FLOWCHART OF CRIMINAL JUSTICE PROCESSES

1. Support Services

Survivor-Victims can access support services, including medical care, counselling and emergency accommodation (if required), before or after the crime is reported to the Police (if at all).

Many Survivor-Victims living in rural areas i.e. outer islands or remote villages, can seek assistance from their respective community chief as their first support service point. However, this is not mandatory and will be for the Survivor-Victim to choose whether they wish to engage with their Chief or other available Support Services or both their Chief and Support Services.

For crimes involving sexual or gender-based violence, many Survivor-Victims seek support from Vanuatu Women's Centre. The hospital or clinic may also be the first point of contact for a Survivor-Victim.

Support services should provide Survivor-Victims with information to help them make a decision on whether to report the crime or take other pathways.

More information on support services is available through the Victims Support Centre, the Vanuatu Women's Centre and other Service Providers, or on the website of the Office of the Public Prosecutor:


<https://opp.gov.vu/>



2. Making a decision to report a crime or use other pathways or both

When a crime has caused suffering, Survivor-Victims will need to decide if they will report the offender to the Police or use other pathways available. When seeking information on which pathways to take, the Survivor-Victim should be given information on timeframes around each pathway. Not only to understand what to expect, but how long to expect to be involved in whatever action is taken.

Other pathways include civil actions/claims, Family Protection Orders, resolution by community chiefs, kastom reconciliation (or other restorative justice processes) and accessing further Survivor-Victim support services (e.g. health and other social protection) are available.



In some cases, a witness to a crime, particularly a violent crime, may report the case to the police independently of the Survivor-Victim. In these cases, the police will ask the Survivor Victim to give a statement about what happened and they may choose whether or not to do so. If they choose not to give a statement, the police may continue with progression of the case if there is enough evidence to do so.

Depending on whether the Survivor-Victim chooses to report a crime or use other pathways, it is important that the Survivor-Victim is aware the certain processes chosen may take longer than others.

More information is available through the Victims Support Centre (22271) and other Service Providers.



3. Reporting a crime

If the Survivor-Victim decides to report the crime to the Police, the Police will interview the Survivor-Victim and find out more details about the crime (i.e Witness Statement) before starting investigations and collecting further evidence (Step 4). Police should be in regular contact with the Survivor-Victim to give updates and timeframe expectations. Survivor-Victims can contact the Police anytime to request updates.

Police will offer help to Survivor-Victims access support services, including medical examinations or support from the Victims Support Centre or Vanuatu Women's Centre if required (Step 1 above).

Support Services can also provide support to Survivor-Victims to report the crime to the Police if requested.


Reporting a crime to the Police is not the same as requesting a Protection Order through the Magistrates Court, whether directly through an Authorised Person in the community or with the assistance of the Family Protection Unit or the Vanuatu Womens Centre. If the Protection Order is broken, the Survivor-Victim can then report this to the Police and then the criminal justice process will then begin (but not if the Protection Order is respected).

Children may go to the Child Desk for assistance with reporting abuse to Police, or the Police directly.



4. Police investigation & collecting further evidence

The Police will investigate the crime and identify what is needed from the Survivor-Victim. This will include a statement of what happened. For violent crimes or sexual and gender-based violence (SGBV) crimes, a special medical examination and report is important.



The Survivor-Victim must give consent to giving a statement, having a medical examination or any other step in the process.

The support services have the responsibility to consistently update the victim on the status of the victim's case. Alternatively, the Survivor-Victim has the right to follow up on their case.

The Police should give regular updates and Survivor-Victims have the right to follow up with Police for updates on their case at any time.

If there is no suspect or there is not enough evidence, the investigation may be closed.



5. Will it go to court?

If the Police send a file to the Office of the Public Prosecutor (OPP), a Prosecutor will decide whether there is enough evidence to go to court. The Victim Support Officer or Prosecutor will notify the Survivor-Victim of the decision.



6. Preparing for court & documenting the impacts of the crime on the Survivor-Victim

If the case is going to court, the Victims Support Centre or Prosecutor will check what support the Survivor-Victim needs to participate in the court processes and assist the Survivor-Victim prepare a Victim Impact Statement.

The Victims Support Centre or Prosecutor will also consider the need for special measures and additional support. This may include visiting the court to have a better idea of what to expect.




7. Court proceedings & the trial

Survivor-Victims normally will not need to give evidence in court if the offender pleads guilty before the start of the trial.

If the trial goes ahead, a Survivor-Victim will only need to go to court if they receive a summons.

The Victims Support Centre or Prosecutor will update the Survivor-Victim through the process on what they need to do and again on any supported needed by the Survivor-Victim. This may include 'special measures',



such as non-publication orders, closed court or screening orders or settings for children (see Right to protection and privacy above) if requested by the Survivor-Victim and agreed to by the Judge.



8. Outcome of proceedings, sentencing decisions and appeals

The Victims Support Centre or Prosecutor will notify the Survivor-Victim of the outcome of the case including any sentences given to the offender.

The offender has the right to appeal any sentence within 14 days. Again, this will be notified to the Survivor-Victim if this happens.



9. After the Trial

After the trial, the offender will serve their sentence. At the halfway mark of an offender's sentence, they have the right to apply for parole – meaning they can serve the time left on their sentence in the community with certain conditions under the guidance of a parole officer, which may involve signing in each week.

The Survivor-Victim should be notified when the offender applies for parole and given the opportunity to have their concerns heard about the parole conditions of the offender, if granted. Survivor-Victims can access counselling support through the Vanuatu Women's Centre (women and children only) or through Mind Care at Vila Central Hospital.

3.1. Support Services

Victim Support Centre

The Victim Support Centre at the Office of the Public Prosecutor can provide support to Survivor-Victims. If the Police have referred the case to the Public Prosecutor, the Victim Support Officer will contact the Survivor-Victim shortly after the statements have been provided.

Survivor-Victims can still contact the Victim Support Centre for information on assistance available through other Support Providers, before, during or after making a statement, even if the case is not referred to the OPP.



Vanuatu Women's Centre

The Vanuatu Women's Centre (VWC) provides a safe and supportive service for women and children only, including emergency accommodation, counselling and legal support. Accessing the VWC is not dependent on the crime being reported. Counselling support is provided to help Survivor-Victims choose which pathway they prefer to take. A VWC Counsellor will go with the Survivor-Victim to the Police to report the crime and follow up on progress, if the Survivor-Victim requests this. The VWC can also help with Protection Orders.

Child Desk

The Child Desk offices provide direct support to children: listening, psychosocial support, situation assessment, referral (with **accompaniment** if needed, follow-up) to other service providers, family meeting whether relevant, interagency conference, safe-family as a temporary solution. The Child Desk offices work closely with other services to ensure a timely access to quality services to each child **Survivor-Victim** of abuse.

Child Protection Officers (CPOs) at the National Child Desk work in the best interest of the child. This means that decisions may be made for the child by the CPO if the child is unable to decide for him or herself what is best for them, particularly if the parent is the perpetrator. This includes what referral pathways may be in his or her interest. However, even when CPOs are required to make decisions on behalf of a child, the child should be involved in the decision-making process to the greatest extent possible based on the child's age and capacity.

Medical Care & Examinations

For sexual and gender-based violence (SGBV) crimes and other sexual abuse and violent crimes, the Survivor-Victims can access medical care through hospitals, clinics and private doctors. It is important for Survivor-Victims of these crimes to consider agreeing to a medical examination, firstly to receive proper medical care, but also if they decide to report the crime to the Police. A medical examiners report is important evidence in a criminal investigation.

A medical examination will normally involve the following steps:

1. **Intake interview:** The medical provider will begin by asking some questions about the Survivor-Victims medical history, any physical injuries or symptoms they are experiencing, and the details of the assault. It is important to be honest and provide as much information as possible.
2. **Physical examination:** The medical provider will then perform a physical examination, which may include a head-to-toe assessment, genital and rectal exams, and testing for sexually transmitted infections. The provider will explain each step and ask for permission before proceeding.
3. **Evidence collection:** If the Survivor-Victim is willing, the medical provider may collect evidence from the body that may be helpful in a criminal investigation. This can include swabs from the genital area or other parts of the body, as well as collecting clothing for analysis.
4. **Treatment:** If the Survivor-Victim has any physical injuries or symptoms, the medical provider may provide treatment or refer the survivor to a specialist, such as a gynecologist, for further care.
5. **Follow-up care:** The medical provider will provide instructions for follow-up care, including any medications that may be needed and referrals for counseling or support services.



Counselling and psychological care

Survivor-Victims can get mental health care support services through a range of Service Providers providing this support, including the Vanuatu Women's Centre, Childs Desk, main Government Hospitals (Mental Health Officers) around Vanuatu, including the Mind Care Unit at VPH, and other private or NGO support services such as Waomago Psychology and Counselling Services and ADRA Elang Counselling and Wellness Centre.

They can assist with crisis counselling and support, victim impact statements, mental health assessments and management, information on mental health, individual or group counselling, and can refer Survivor-Victims to other Service Providers and support services. They also work alongside other medical support services.

Other support services

Survivor-Victims can also contact a range of support services through other Service Providers directly. Details of the services they provide to Survivor-Victims and their contact details are available in Annex II. These are provided to help Survivor-Victims make the best decision about which service will best meet their needs.

INFO BOX: Support for Survivor-Victims living with an offender


If the offender lives with the Survivor-Victim, there are options for the Survivor-Victim including:

- Emergency accommodation – Available through the Vanuatu Women's Centre support for women or children or women with children
- Apply for a Family Protection Order – even if the Survivor-Victim wants to remain living with an offender, they can still obtain a family protection order that prohibits the offender from using violence. If the Survivor-Victim wants to leave the house or for the offender to be removed from the home, a Family Protection Order can prohibit unwanted contact with the offender.
- Have personal items or the offender removed from the home – the Police can assist with this, though sometimes they may only assist with this if a Family Protection Order is in place.
- Move away from the family home or village. No one (including Police, Chiefs, Churches or family members) can force a Survivor-Victim to continue living with the offender or go back to the offender after the criminal justice process is completed, even if the Survivor-Victim is married to, lives or has children with the offender.

Usually, the offender is remanded in custody while progresses to avoid issues of interference and safety of complainant. However, if offender released on bail, the offender is usually ordered to live somewhere else far from the survivor. He will be ordered to not interfere with the victim nor with other prosecution witnesses.

3.2. Making a decision to report or use alternative pathways

Deciding to report the crime to the police and/or use other pathways is a personal decision for each Survivor-Victim to make (unless the Survivor-Victim is a child, where there will be other people involved in this decision). Survivor-Victims should be supported to make informed and independent decisions about which pathways are best for their personal situation.



Survivor-Victims may decide to take other or additional pathways (to reporting a crime through the criminal legal system). These pathways may include:

- Outside court but legally supervised agreements: e.g. settlement with an external lawyer) and compensations
- Family Protection Orders (including those issued by Authorised Persons)
- Reporting to the Child Desk
- Kastom reconciliations – Survivor-Victims have the right to report the crime to the Police even if a kastom reconciliation process has been completed.

Survivor-Victims will not be judged by Service Providers on whatever pathway it is they choose to take, particularly if they choose not to report the crime.

Family Protection Orders

Survivor-Victims can choose to apply for Family Protection Orders through the Vanuatu Women’s Centre, Magistrates Court or an Authorised Person within the community. The Office of the Public Prosecutor, Victims Support Centre and Public Solicitors Office can also provide advice to Survivor-Victims on how to go to court to apply for a Family Protection Order.

Applying for a Family Protection Order is not the same as reporting a crime to the Police. Family Protection Orders (FPO) are used to protect Survivor-Victims (including children) experiencing SGBV or domestic violence. The FPO prohibits the offender from continuing with the abusive behaviour or having contact or being near the Survivor-Victim. If the offender does not follow the FPO while it is in place (FPOs can put in place for a short time or permanently), then the offender will be reported to the Police and the criminal justice process will begin.


Survivor-Victims can choose to apply for a Family Protection Order or report the crime to the Police. They can also choose both – the choice is for the Survivor-Victims to make, without pressure from the offender or Service Providers. However sometimes, if a Magistrate believes the abuse behaviour is a serious risk to the safety of the Survivor-Victim, they will initiate criminal charges even if the Survivor-Victim has chosen not to report the crime to the Police.

Similarly, a witness to a violent crime can report the case to the Police even if the Survivor-Victim does not report the matter. The Police will approach the Survivor-Victim and ask them to give a statement about the incident, and the Survivor-Victim can choose whether or not they wish to do so.

Breaking Family Protection Orders. If the offender violates the FPO, Survivor-Victims can get support from the Vanuatu Women’s Centre, CAVAWs, Authorised Persons, Magistrates Court or a lawyer to help them report the crime to the Police.

National Child Desk

Survivor-Victims can report child abuse cases to the Child Desk for early investigation ahead of making a complaint to the Police (however, this may proceed to be reported to the Police). The Child Desk can also work with parents and guardians to uphold and understand the rights of the child Survivor-Victim.



Child sexual abuse cases are serious criminal matters and cannot be withdrawn if a child seeks support. The Child Desk may still assist the child Survivor-Victim's even if his or her parents do not agree the child seeking support.

If the case is serious enough, the Child Desk may report the case to Police.

Kastom reconciliations

Survivor-Victims can choose to engage with kastom reconciliation processes conducted by chiefs. It is important to know that kastom reconciliation does not prohibit a Survivor-Victim from also making a report to the Police – Survivor-Victims can choose to do both kastom reconciliation and report the crime to the Police if they want to.

Survivor-Victims should be made aware that choosing to engage in kastom reconciliation means that their offender may have their sentence time reduced at the discretion of the judge. In other words, kastom reconciliation is in the interests of the offender because it can result in the Court reducing their punishment.

Kastom reconciliation is not recommended in all cases. If the Survivor-Victim has experienced sexual or gender-based violence, is a child or person with disabilities, kastom reconciliation will not always be in their interest and can result in secondary victimisation in some cases. Survivor-Victims can seek support from the Victims Centre, Vanuatu Women's Centre, Childs Desk and Disability Desk or VSPD in these situations.


INFO BOX: It is important to know that no one has the right or is allowed to pressure you to undertake a kastom reconciliation. You have the right to refuse a reconciliation and report those that are attempting to pressure you to do so.

Chiefs must also not lead a kastom reconciliation before the trial of the offender is complete in cases of sexual abuse against a child Survivor-Victim.

Reporting a crime once a decision is made to report, the Survivor-Victim can report the crime to the Police. If the Survivor-Victim is located in a remote area and does not have access a Police Officer or Police Post, the crime can be reported by phone.

If the Survivor-Victim is not comfortable reporting the crime directly to the Police, they can seek support from the Support Services referred to above: Authorised Persons, VWC/CAVAWs, Child's Desk, Victim Support Centre. The Office of the Public Prosecutor (OPP) cannot receive and process criminal complaints directly from Survivor-Victims, however, the OPP can advise Survivor-Victims on the processes involved. Survivor-Victims cases will be referred to the OPP by the Police.

Reporting crimes committed by Police & Police that do not assist



The *Police Professional Standards Unit* exists to receive complaints against Police and to make sure that Police are being held accountable and improving their professionalism for everyone's benefit.

Survivor-Victims can also approach the Public Prosecutor directly if their matter is serious and the Survivor-Victim is fearful of reporting criminal actions of the Police to the Police Professional Standards Unit.

Making a Witness Statement

Reporting a crime to Police involves providing information of what happened. The Police will ask the Survivor-Victim questions and they will write down the responses. The Survivor-Victim will then be asked to read it and sign their name. Before signing, the Survivor-Victim should make sure the details written down are accurate, and then ask them to be changed if not accurate. It must be a true report of what happened. Once signed, this becomes a 'Witness Statement'.

Survivor-Victims will also be asked if there were any witnesses that can also provide statements and the details of the witness, if known. However, it is not necessary for there to be a witness for a Survivor-Victim to make a complaint or statement to the Police.

Witness Statements may be used as evidence in court. If a Survivor-Victim or witness remembers something after making the original statement, they should contact the Police Officer or person helping them with the case to update (amend) the statement.

Once a statement is made to the Police, the Survivor-Victim and any witnesses are legally protected from any interference by the offender. If there is any interference in the case, or if someone is trying to pressure the Survivor-Victim or any witnesses to influence the case, they need to be reported to the Police.

Child witnesses

Children giving a statement generally need a parent or guardian's consent for the statement to be accepted. When children give a statement, parents or guardians cannot be in the same room while the statement is in progress.

The Child Desk may also be contacted to authorise a child's statement if the parents or guardians refuse or cannot sign the statement or if the child's parent or guardian is the offender.

When a child tells his or her story to a Child Protection Officer (CPO), the statement written by the CPO may be used by the Police to register the complaint and launch the investigation. This process is in place to avoid the repetition of the story, and because a trust relationship may already exist between the child and the CPO.

INFO BOX: NO DROP POLICY

It is important to know that for violent crimes such as sexual and gender-based violence, including domestic violence and sexual abuse or violence against children, the Police and the Office of the Public Prosecutor have a strict no drop policy. This means once a report and statements have been made, they are not allowed to stop the investigation and prosecution anymore.

This exists for the protection of Survivor-Victims. Survivor-Victims are often pressured to withdraw cases by the accused or their family members against their own interests in seeking justice.

Documentation Survivor-Victims should be provided

If a Survivor-Victims reports a crime to the Police, they are entitled to the following documentation on their case:


- a copy of the Survivor-Victims statement
- information about what to expect from the criminal justice system
- contact details of available support services (Survivor-Victims can choose which support services they would like to use, if any)
- a crime reference number (CRN) provided by the Police

3.3. Police investigation & collecting further evidence

Once statements have been made, an investigation will open and evidence about the case will be collected. This could involve:

- Interviewing the perpetrator and other witnesses
- Medical report for violence and/or sexual abuse. Police will provide a form and the report should be done as soon as possible after the offence has been committed – ideally in less than 24-48 hours as this is when the evidence can be collected demonstrating the full physical impacts of the crime. If this is not possible a medical examination is still needed. Emergency care and prophylactic treatment for sexually transmitted infections may also be required.
- Photos of the crime scene – the Police may need to take photos of the crime scenes where the offences occurred, usually Survivor-Victims will need to be present for this.
- Any photos, emails, videos or anything that could be considered evidence should be discussed with the Police Officer looking after the case.
- Collection of any items that could be evidence, including property, weapons etc.

The Police should keep Survivor-Victims informed of progress made in the investigation and let Survivor-Victims know when to expect updates. This may include information on any arrests, suspects charged or is summoned to appear in court (a summons means the court serves a notice for someone to appear in court, refusing to accept a summons or appear in court is a criminal offence).



The Police will also inform the Survivor-Victim if a decision is made not to continue with the investigation and the reasons for that decision.

Survivor-Victims are entitled to get back any property they own that has been taken as evidence, unless it is needed for the investigation or court proceedings or its return would be an offence.

3.4. Will it go to court?

Once a crime has been reported to the Police, the investigation may lead to a suspect being prosecuted for the crime. The Office of the Public Prosecutor will make a decision about whether or not to prosecute the accused. The decision is influenced by whether the case has a good chance of being successful (i.e. convicting the accused) based on the evidence available.

The Office of the Public Prosecutor follows the guidelines in the Domestic Violence Handbook when deciding whether prosecute crimes of domestic violence. A copy of the handbook can be found on the OPP website.

The 'Pre-trial' is when the Court decides whether to allow the defendant free on bail or detain them on remand i.e. kept in custody by the Correctional Services. Factors that will influence the decision of the Court include: the accused running away to avoid trial, seriousness of the crime, character and background of the accused, ties with his or her family, if the accused is likely to interfere with witnesses, protection of the Survivor-Victim, community or public.

Survivor-Victims can request that the Public Prosecutor ask the court to not allow the defendant to be released on bail or for specific bail conditions, such as where the offender can live or not live, curfews, no contact (directly or indirectly) between the accused and the Survivor-Victim or any witnesses, not to leave Vanuatu, and not assault, threaten, harass or intimidate the Survivor-Victim etc.

3.5. Preparing for court

When preparing for Court, the Victim Support Officer or the Prosecutor will contact the Survivor-Victim and may be asked to meeting with the Prosecutor to discuss the progress of the case and go over the witness statement together. The Victim Support Officer or Prosecutor can also inform the Survivor-Victim of what to expect in court, for instance the court procedure, what exhibits the survivor will expect the prosecutor to show.


Survivor-Victims will likely receive a summons to appear in court as a witness if the defendant decides to plead not-guilty meaning that the case will go to trial.

Victim Impact Statements

A Victim Impact Statement is a written or oral statement made by Survivor-Victims as part of the legal process. It allows the Survivor-Victim to describe how they have been impacted by the crime.

Useful information includes the details of the financial, physical, social, emotional or psychological effects of the crime on the Survivor-Victim. Sometimes this can include supporting evidence, such as:

- Psychologist report

- 
- Parent statement
 - Teachers/school report or letter of changes before and after the crime
 - Employer letter of changes before and after the crime (productivity)
 - medical report

The Prosecutor will present this statement to the court before the judge.

The Public Prosecutor, Police or Vanuatu Women’s Centre will support Survivor-Victims complete the Victim Impact Statement. However, Survivor-Victims can also ask for help from a support person, including friends or family, the Victim Support Officer, an civil society (NGO) advocate when completing the form.

INFO BOX: It is important that the Victim Impact Statement accurately reflects the impacts from the perspective of the Survivor-Victim. Service Providers must not influence or try to give different meaning to the words, content or perceptions of these impacts when supporting Survivor-Victims write victim impact statements.

The Victim Impact Statement is important as it will be taken into consideration by the Court when deciding on what or how long to sentence the offender.

Consideration of special measures and additional support

Survivor-Victims in vulnerable situations or ‘intimidated victims’⁵ can ask the Prosecutor to apply to the court for ‘special measures’. These measures should be adopted when the Survivor-Victim is a child or has experienced sexual violence. The Judge will make a decision on whether to grant one or more of the special measures, which may include:

- screens or video links or recorded statements in the courtroom to avoid contact with the defendant
- closing the court room to the public, especially if someone is trying to intimidate the Survivor-Victim or witness
- the removal of wigs and gowns by lawyers and judges involved in the case (in limited circumstances)
- the use of communication aids and translation services (Survivor-Victims have the right to give evidence in their own language if requested)
- indemnity to protect Survivor-Victims from being prosecuted for an act or offence they themselves may have committed.

⁵ A vulnerable victim, when giving evidence, is someone under 18 at the time of the offence or a person the quality of whose evidence is likely to be affected due to mental health issues, learning or communication difficulties or a physical disability. An intimidated victim, is someone the quality of whose evidence is likely to be affected because of fear or distress about testifying. Victims of sexual assault, trafficking and slavery automatically fall into this category.



3.6. Court proceedings & Trial

The case will not go to trial if the defendant pleads guilty beforehand. Often defendants will plead guilty to help reduce their sentence. This means the Survivor-Victim will not have to give evidence in court or go to court.

If the defendant pleads not guilty the case will go to trial. Trials take place in either the Magistrates Court or Supreme Court. If the trial goes ahead, Survivor-Victims and witnesses only need to go to Court if they receive a summons.

The Prosecutor or Victims Support Officer will give information to Survivor-Victims on what to expect in court and what they need to do. This includes information to assist Survivor-Victims and witnesses participate in court, including the order of proceedings and on the court room rules, such as:

- Address Judges in the Supreme Court as ‘Your Honour’, ‘Your Lordship’ or ‘My Lord’
- Address Magistrates in the Magistrates Court as ‘Your Worship’
- Remembering to face the Judge, pause and bow when entering or exiting the court room
- Remember to stand and remain standing whenever the Judge enters or exits the courtroom until the Judge has seated or left the court room
- No eating, smoking or chewing gum in the court room
- Turn off mobile phones or any other devices that could make noise during proceedings
- No unnecessary noise in the court room
- Professional dress code applies e.g. closed shoes, no bare shoulders, no short trousers, hats or sunglasses

3.7. Outcome of proceedings, sentencing decisions and appeals


After a trial there are several outcomes that can take place:

- **Acquittal/aquitted.** Acquittal is when the offender is found innocent of the crime. They will have no criminal record, be released from remand (if they were not on bail) and have no other restrictions placed on their life.
- **Guilty.** If found guilty (or if the offender pleads guilty), another court date is usually scheduled to decide on the sentencing of the offender.

The different sentencing outcomes are usually:

- Imprisonment
- Suspended sentence
- Probation
- Community work order

If an offender is released on probation, there are usually probation conditions, which the offender must follow. If these conditions are broken, the offender is usually sent directly to prison. Examples of probation conditions include:

- 
- No contact with the Survivor-Victim
 - Performing community service
 - Curfews
 - Finding work
 - Not breaking other laws
 - Being supervised by the local chief

If either the offender or the Prosecutor are unhappy with the guilty or not guilty verdict, or the sentence given, they both have the right to appeal. This means they can apply to have the Supreme Court (or Court of Appeal) review the decision. If a Survivor-Victim is unhappy with the outcome of the case, they can discuss with the Prosecutor whether an appeal is possible, the chances of success and the processes and input involved in an appeal for a Survivor-Victim.

3.9 After The Trial and carrying out of sentencing

The participation of the Survivor-Victims in the criminal justice process reduces once the trial is complete, unless they choose to participate and have their concerns heard about the parole application of the offender. Survivor-Victims can continue to access counselling support and other support services to continue with the recovery process. Details of the support services available are in **Annex II: Directory of Service Providers**.

Offender to serve their sentence

If the offender receives a sentence that requires time in prison, the offender will initially be placed in the high risk correctional facility until they can show good behavior. If they show good behaviour, they are usually transferred to a lower risk facility where they will have access to a range of rehabilitation programs aimed at reforming the behaviour that initially lead them to offend in the first place. Programs can range from counselling, spiritual religious teachings, counselling, life skills trainings etc

Application of Parole

Halfway through the offender/prisoner's sentence, the offender/prisoner will have the right to apply for parole. Being granted parole will allow the offender to serve the remaining time on their sentence in the community. Parole is a step in assisting prisoners to effectively transition into living back in community. Survivor-Victims will be contacted by the Parole Board when the offender/prisoner applies for parole. This is the opportunity for Survivor-Victims to express their concerns or other feelings about the offender being released on parole and the conditions of parole. This may be done verbally or more formally as a letter.

Parole

If the offender/prisoner is approved for parole, they will be on parole for a minimum of 12 months, with regular monitoring on whether they are following the conditions of their parole. The offender can be returned to prison if he or she does not comply with these conditions, this may include a condition to not contact the Survivor-Victim.

If a Survivor-Victim is contacted by the offender/prisoner on parole, they can report contact to the parole officer, correctional services or the Police.



4. Making complaints

Service Providers should have protocols in place and functioning to make sure the support services they provide respect and protect the rights of Survivor-Victims. If the rights of Survivor-Victims have not been respected or protected by a Service Provider and there are concerns over the way the Survivor-Victim has been treated, how they have received information or the decisions that have been made.

Under this Charter, Service Providers should have measures in place:

- Ensuring they have complaint mechanisms accessible to Survivor-Victims
- Complaint procedures that do not disclose the identity of the Survivor-Victim or complainants unless requested
- Procedures to acknowledge and respond promptly to Survivor-Victims or complainants' complaints, with fair and reasonable remedies to address the complaint
- Assurances that Survivor-Victims or complainants are not intimidated or obstructed

A National Coordinating Committee for the Survivor-Victims Charter is currently in development, and in the future may coordinate a complaints mechanism for Survivor-Victims. The information below provides contact details and complaint procedures for Service Providers with established complaint mechanisms.

The contact details for other Service Providers are available in **Annex II: Directory of Service Providers**.

Vanuatu Police and the Family Protection Unit

The **Professional Standards Unit** of the Vanuatu Police Force will support Survivor-Victims that have not had their rights respected and protection by a Police Officer, if proper processes have not been followed or if they have experienced any other Police misconduct. For example, if a Police Officer is the offender in situations of Domestic Violence or another crime, or does not perform his or her duties properly such as refusing to process a child protection case.

Survivor-Victims can contact the Professional Standards Unit (PSU) to make a complaint about the Police involved and the PSU will investigate and hold the Officer accountable through disciplinary action.

They can be contacted by phone on 23351 or 23048; by email on policecomplaint@vanuatu.gov.vu or in person in Port Vila and Luganville:

Police College Compound, Independence Park, Port Vila, Shefa
Behind Police Northern District Headquarter, Luganville, Santo, Sanma



Office of the Public Prosecutor

Anyone working at the Office of the Public Prosecutor is bound by the OPPs Code of Ethics. Complaints against prosecutors can be made directly to the Public Prosecutor, in person, by phone or by email.

Authorised Persons

Authorised persons operate under a Code of Conduct, which they are bound by. For complaints against Authorised Persons, Survivor-Victims can contact the Ministry of Justice and Community Services or the Authorised Person Helpdesk contact number 7302637/5529941

Lawyers and the Law Council

Complaints against any lawyer or judicial officer, including anyone working at Office of the Public Prosecutor, can be made to the Law Council Disciplinary Committee. The Secretariat of the Law Council Disciplinary Committee is at the Office of the Attorney-General and can be contacted on Tel: 22362

Annex I: Glossary of terms

This section provides an explanation of the key words or phrases found in the Charter and during court processes.

Acquit/Acquittal

The decision of a court that the accused person is not guilty or where the case is dismissed.

Appeal

An application to a higher court for a review of a decision (such as a conviction and/or a sentence) taken by a lower court, for example a conviction made the Supreme Court will be appealed to the Court of Appeal.

Arrest warrant

A document issued by a court authorising a person's arrest.

Bail (and bail conditions)

The temporary release of a suspect from custody, until his or her next appearance in court. The accused person will be granted bail, unless there are relevant and sufficient reasons to justify their continued detention (e.g. likely the accused will fail to surrender, will interfere with witnesses or commit other crimes while on bail).

Child

A person below 18 years of age.

Child sexual abuse

This type of sexual violence involves a child or an adolescent in sexual activity that he or she does not fully comprehend, has not or is unable to give informed consent to, and/or for which the child or adolescent is not developmentally prepared and

cannot give consent, or that violates the laws or social norms of society.

Civil cases/civil court/civil matters

Civil court cases arise where an individual or a business believes their rights have been infringed. They do not deal with criminal offences.

Community work order

A court order requiring an offender to undertake specified work activities for the benefit of the community as part of their sentence for committing a crime. This involves measures for the person to understand the impact of the crime, look at ways to prevent re-offending and, where appropriate, do practical things to make amends.

Conviction

A finding of guilt in any criminal proceedings that a person has committed an offence.


Counselling

Professional assistance and guidance or therapy with resolving personal trauma and other emotional issues.

Defence counsel

The solicitor/lawyer representing a defendant/accused/ offender/ perpetrator.

Defendant



A person who is accused in court of having committed a crime.

Domestic Violence

Is violent or aggressive behaviour by one family member against another family member. Domestic violence most often occurs within the home, typically involving the violent abuse of a spouse, partner or child.

Evidence

Written or other material which is considered by a court when reaching a decision.

Family Protection Order

A legal order demanding that an offender stop any form of family violence/sexual abuse under the *Family Protection Act*

Guardian

A person appointed to safeguard, protect and manage the interests of a person under the age of 18 or a person who is not able to look after their own affairs.

Guilty

A plea entered by the defendant that he or she has committed the offence. The court may also find the defendant guilty after hearing the evidence in the case.

Not guilty

The plea the defendant enters when they do not accept that they committed the offence. The court may also find the defendant not guilty after hearing the evidence in the case.

Offender

A person who committed a crime.

Plead

Where the defendant makes a formal response to the charge that they have committed an offence.

Pre-trial hearings

The part of the court process where people discuss elements of the case before the trial.

Probation

A court order that may be imposed by the court instead of sending someone to prison, or as well as sending the person to prison. This involves the offender being supervised by a probation officer in the community.

Prosecution

The term used when criminal legal proceedings are taken against someone. In Vanuatu, that role is performed by the Office of the Public Prosecutor, who are sometimes referred to as 'the Prosecution'.

Remand

Where an accused person is kept in custody or placed on bail pending a further court appearance.

Restorative justice

A process where those harmed by crime, and those responsible for the harm, can work together to find a positive way forward. This is usually with the help of an impartial third party and is voluntary. The Survivor-Victim can choose whether they want to participate or not.

Sentence

A punishment or penalty given to a person found guilty by a court of an offence.



Statement

A written or video account about the facts and details of a crime or an incident.

Summons

Order to appear before, or to produce evidence to, a court.

Suspended sentence

A suspended sentence is where a judge sentences a offender to time in prison, but then delays imposing the sentence in order to let the offender serve time on probation. If the probation conditions are broken, the offender is usually sent to prison.

Trial

The process in which the evidence of a case is presented in court so that a judge can decide whether or not someone who is accused of a crime is guilty.

Verdict

Where a decision is reached that a person is guilty or not guilty.

Witness

A person who is called to give evidence in court because they saw or heard something relevant to the case.

Annex II: Directory of Service Providers

This Annex provides the details Service Providers that provide services to Survivor-Victims, including their role (or purpose), the services they can provide and contact details.

TABLE 4: EMERGENCY PHONE NUMBERS

Service	Phone	Cost
Police	111	Free line
Hospital	112	Free line
Fire	113	Free line
Promedical (ambulance) Port Vila and Santo Only	115	Free line
Vanuatu Women's Centre 24hr (Violence) helpline	161	Free line
Vanuatu Women's Centre	24000	Paid line
Childs Desk Helpline	163	Free line

A. Police

The Vanuatu Police Force (Police) can support Survivor-Victims with law enforcement issues for any crime. The Police are contacted to report a crime and they then investigate the crime.

There are different Units and Departments within the Police, some specialize in SGBV/ Domestic Violence – they mostly operate in Port Vila and Luganville.

There are some Police services around the other islands and remote areas. Police Stations and Posts in these areas are required to support all Survivor-Victims of crime, no matter the type of crime.

Authorised Persons can also be found on some islands and can support Survivor-Victims with SGBV/Domestic Violence crimes

More specifics on of their fuctions and contacts details are provided below:

i. Criminal Investigations Department (incl. Morality Unit)

The Criminal Investigation Unit (CID) has the role of investigating crimes under Vanuatu's criminal laws. The Morality Unit is also responsible for investigating crimes but specialize in crimes 'against morality' i.e. sexual offences – they are only available in Luganville.

Both the CID and Morality Unit can assist Survivor-Victims when they are reporting a crime, investigations, arresting the offender, information on Survivor-Victims rights and criminal justice processes and referrals to other Service Providers. They can also assist with taking statements, serving summons, helping Survivor-Victims collect their belongings and serve court orders.

Contacts

Contact	Location	Phone
Torba CID	Contact Sola Police Station	38556
Sanma Criminal Investigation Department	Northern District Headquarters, Luganville, Santo	36723
Sanma Morality Unit	Opposite to LCM Store, Luganville, Santo	733 6418 or call 111 and ask transfer to CID Santo
Malampa CID	Contact Lakatoro Police Station	48408
Shefa CID	Contact Port Vila Police Station	22222
Tafea CID	Contact Isangel Police Station	88658

ii. Family Protection Unit

The Family Protection (FPU) Unit supports Survivor-Victims of Sexual and Gender-based Violence (SGBV), particularly Domestic Violence (DV/family violence), and related to offences covered under the *Family Protection Act* and *Penal Code* (see Table 2 above). Domestic Violence means a family member or someone in an intimate partner or family like relationship is the offender.

The FPU itself has all the powers of Police and can therefore investigate allegations of crimes, but those specific to SGBV and Domestic Violence, arrest suspects. They also carry out community awareness on SGBV and Domestic Violence, can explain court processes to Survivor-Victims and family, and make referrals to other Service Providers. They can also assist with taking statements, serving summons, helping Survivor-Victims collect their belongings and serve court orders.

Contacts

Contact	Location	Phone
Port Vila Family Protection Unit	Equity Building, Magistrate, Port Vila	7501540
Sanma Crime Prevention and Family Protection	Opposite to LCM Store, Luganville, Santo	733 6418

iii. Police Stations and Police Posts

Police Stations and at Police Posts generally respond to calls for emergency support but they can still support Survivor-Victims in many of the same ways as the specialized Units above. Most Police Officers working at outer islands Police Stations and Posts are trained to support Survivor-Victims in the same way as the Criminal Investigation Department, Family Protection Unit & Morality Unit – that is, they can assist when reporting a crime, investigations, arresting the offender, information on Survivor-Victims rights and criminal justice processes and referrals to other Service Providers. They can also assist with taking statements, serving summons, helping Survivor-Victims collect their belongings and serve court orders.

Police Station Locations & Contacts

Contact	Location	Phone
Sola Police Station	Sola, Vanua Lava, Torba	38556
Isangel Police Station	Isangel, Tanna Island, Tafea	88658
Northern District Headquarters	Luganville, Santo, Sanma	36064
Lakatoro Police Station	Lakatoro, Malekula, Malampa	48408 or 5266848 (Betty Butu)
Port Vila Police Station	Downtown, Port Vila, Shefa	22222

Police Post Locations & Contacts

Contact	Location	Phone
Analkaua Police Post – Timothy George	Analkaua, Anietym, Tafea	7743365 / 5276553
Central Pentecost Police Post	Banabas, Central Pentecost, Penama	
Maewo Police Post	Kere Bay, Maewo, Penama	
West Ambrym Police Post	Craigcove, West Ambrym, Malampa	
North Amrbym Police Post – Robson Avock	Nebul, North Ambrym, Malampa	5904092
Paama Police Post	Liro, Paama, Malampa	
Ndui Ndui Police Post – Isabella Massing	West Ambae, Penama	7114198
Sanma Police Post – Leirip Mahit	Luganville, Santo, Sanma	7360494 / 5115941
Morua Police Post	Tongoa, Shefa	
Torres Police Post	Torres, Torba	
Freswota Police Post	Freswota wan area, Port Vila, Shefa	
Nambatri Police Post	Nambatri area, Port Vila, Shefa	
Seafront Police Post	Seafront, Port Vila, Shefa	
Epi Police Post – Annie Dick	Rovo Bay, Epi, Shefa	5327054
Sola Police Post – Lynda Dingley	Sola, Vanua Lava, Banks	7695002 / 5429175

iv. **Professional Standards Unit**

The Professional Standards Unit will support Survivor-Victims that have not had their rights respected and protection by a Police Officer, if proper processes have not been followed or if they have experienced any other Police misconduct. For example, if a Police Officer is the offender in situations of Domestic Violence or another crime, or does not perform his or her duties properly such as refusing to process a child protection case.

Survivor-Victims can contact the Professional Standards Unit (PSU) to make a complaint about the Police involved and the PSU will investigate and hold the Officer accountable through disciplinary action.

Contacts

Contact	Location	Phone
Port Vila Professional Standards Unit	Police College Compound, Independence Park, Port Vila, Shefa	23351 or 23048 policecomplaint@vanuatu.gov.vu
Sanma Professional Standards Unit	Behind Police Northern District Headquarter, Luganville, Santo, Sanma	policecomplaint@vanuatu.gov.vu

B. Justice & Legal Support

i. **Victims Support Centre**

The role of the Victims Support Centre is to provide support to Survivor-Victims. Although the Victims Support Centre can assist Survivor-Victims of any crime, there is only one Victim Support Officer. In situations where the Victims Support Centre's resources are too limited to help everyone, they will give priority to cases involving children, SGBV Survivor-Victims, witnesses and family members where the offence has resulted in death, forced prostitution and marriage offences, vulnerable people with a disability, elderly and/or mental health issues and other victims of serious violent offences.⁶

The Victims Support Centre provides support to Survivor-Victims throughout the criminal justice processes and with information or referrals to support services. Additionally, they can explain anything within this Charter to Survivor-Victims.

⁶ Office of the Public Prosecutor, 'Victim Support Service: Providing Assistance and Support to Victims and Witnesses of Crime' (2021), at 14

Contact

Contact	Location	Phone
Victims Support Centre	Office of the Public Prosecutor Compound, Joint Court, Port Vila	33656

ii. Office of the Public Prosecutor

The Office of the Public Prosecutor (OPP) supports Survivor-Victims by prosecuting their cases. It is their duty to ensure the right person is prosecuted for the right offence and justice is served, where possible. They can prosecute any crime under Vanuatu's laws.

The Prosecutors (lawyers working at the OPP) check whether there is enough evidence to take the accused to court, and if so they then show the evidence to the Court. The Court decides whether the accused is guilty based on that evidence (unless the offender admits guilt first).

The OPP has an important role in supporting Survivor-Victims seek justice for the crime against them. However, how much they can help a Survivor-Victim in court is often dependent on whether the Survivor-Victim gives evidence and the how much evidence is collected by the Police.

The Victims Support Centre is located in the same compound as the Office of the Public Prosecutor, and Prosecutors work together with the Victims Support Officer and Survivor-Victims throughout the criminal justice process. Sometimes, in cases where the Victims Support Officer is not available, the Prosecutor will assist the Survivor-Victim directly, this includes referring the Survivor-Victim to other Service Providers and support services when needed.

Contacts

Contact	Location	Phone
Office of the Public Prosecutor – Port Vila	Office of the Public Prosecutor Compound, Joint Court, Port Vila	22271 / 33655 oppvila@vanuatu.gov.vu
Office of the Public Prosecutor – Luganville Santo	NISCOL Wharf, Terminal Building Top Floor	36456

iii. Courts

The Courts support Survivor-Victims by issuing legal orders and deciding on cases in accordance with the law. Survivor-Victims can get information on what to expect when going to court from the Victim Support Centre or the OPP.

The Magistrate's Court is the court used for criminal matters if the penalty (sentence) for the crime is less than 2 years prison. It is also the court for civil matters (non-criminal matter), such as divorce, family and child maintenance claims and child custody. For SGBV and Domestic Violence, it is the Magistrate's Court is will issue Family Protection Orders, after being requested by the Police, Family Protection Unit or Authorised Persons. However, Survivor-Victims can also go directly to the Magistrates Court if preferred.

The Supreme Court is generally used for serious criminal cases where the penalty (sentence) for the crime is over 2 years in prison and civil matters such as claims for money over VT1,000,000. Sometimes the Magistrates Court will refer cases to the Supreme Court.

Island Courts are located in most of the larger islands around Vanuatu and can make decisions on how to resolve small criminal and civil disputes. The judges are people living in the community that have received training to work in the Island Courts and can apply both the law and customary law (but only if custom law also follows the law). Survivor-Victims can go directly to Island Courts (no lawyers are allowed to work in or represent people in Island Courts).

Magistrate Court Contacts

Contact	Location	Phone
Magistrates Court Administration - Port Vila	Equity Building Level 4, Port Vila	22420

Supreme Court Contacts

Contact	Location	Phone
Supreme Court Secretary– Port Vila	Equity Building - Port Vila	26715

Island Court Contacts

Contact	Location	Phone
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Efate Island Court	Joint Court Area, Port Vila, Shefa	26715
Tongoa/Shepards Island Court	Morua, Tongoa, Shefa	764 3625 / 560 9808
Epi Island Court	Rovo Bay, Epi, Shefa	774 4054 / 526 3349
Ambrym Island Court	Craigcove, West Ambrym, Malampa	540 3875
Malekula Island Court	Lakatoro, Malampa Provincial Centre, Malekula, Malampa	48423 / 542 8810
Pentecost Island Court	Loltong, Pentecost, Penama	593 0122
Ambae Island Court	Saratamata Provincial Centre	540 0509 / 736 9379
Santo/Malo Island Court	Luganville, Santo	36457 / 777 6105 / 542 5550 / 503 4557
Banks/Torres Island Court	Sola Provincial Centre, Vanua Lava, Torba	734 8299 / 536 5463
Tanna Island Court	Isangel, Tafea Provincial Centre, Tanna Island, Tafea	

iv. Authorised Persons

There are Authorised Persons in some communities that also assist Survivor-Victims. Authorised Persons are people trained in the community to assist with arranging Family Protection Orders (ordering the offender to stop the abusive behaviour).

Authorised Person Contacts

Contact	Location	Phone
Willie Tangis	Fanafo, Santo	7343395 / 5372442
Lulu Baia	Sarede, South Santo	7344801 / 5909926

Serah Vula	Sarede, South Santo	5275372
Yvon Tom	Ipayato, South Santo	7384373
Michael Laban	Malau, Big Bay, Santo	5033831
Fred Naran	Palon, Fanafo, Santo	7659558
Juline Majamaja	Malau, Big Bay, Santo	5161463
Julie Robinson	Matantas, Big Bay, Santo	7645426
John Vanua	Wailapa, South Santo	5444595
Jennifer Navok	Nambaouk, Fanafo, Santo	5464087
August Tavui	Fanafo Central, Santo	5296793
Serge Vuro	Bodmas, Santo	Can be reached through AP Willie Tangis
Linkot John	Mataloi, inland big bay, Santo	Can be reached through William Fangorave
William Fangorave	Mataloi, inland big bay, Santo	5370639
Andron Karae	Fanafo Central, Santo	7663160
Frank Paul	West Malo	5740475
Aglet Rongo	West Malo	5563063
Jessica Kares	East Malo	5385565
Samson Moli	South Malo	5237478/7315245

Leitamat Benua	Brenwei, North West B, Malekula	5127214
Kensly Joe	Malua Bay, North West A, Malekula	7302850
Peter Erite	Pinalum, North East, Malekula	5321448
Dalina Kali	Unmet, North West B, Malekula	5049621 / 7733126
Sam Api	Atchin - North East, Malekula	7733644
Peter Aunpel	Unmet, North West B, Malekula	5213417
Jean-Luc Mulani	Walarano, North East, Malekula	7105193 / 5424569
Gina Malisa	Lakatoro, Uripiv, Malekula	7367717

v. Other Legal Information Service Providers

Survivor-Victims can seek legal information from a range of other Service Providers.

The Vanuatu Women's Centre focus is on supporting women and children Survivor-Victims' of sexual and gender-based violence (SGBV), including Domestic Violence.

The USP Community Law and Information Centre is operated by the University of the South Pacific. It provides free legal information (not legal advice) on any area of law. The Centre is supported by USP Law Students and supervised by an experienced qualified lawyer.

The Public Solicitor's Office (PSO) provides free legal assistance to people that cannot afford private legal representation. They can support Survivor-Victims with civil claims such as compensation and restitution (see Section 2.6 above), divorce, child custody and maintenance (child support), unless the offender is or has used the services of the PSO. The PSO also provides legal support and representation to people accused of crimes (perpetrators) and cannot represent people on opposite sides of the same case.

Vanuatu Women's Centre Contact

Contact	Location	Phone
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Vanuatu Women's Centre	Nambatu Area (next to Sun Production on Rue d'Anjou), Port Vila	25764 / 24000
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USP Community Law and Information Centre Contact

Contact	Location	Phone
USP Community Law and Information Centre	USP Emalus Campus, inside the Moot Court Building Available onsite and online using email	22748 Cathy Sakumalefo Hite: hite_c@usp.ac.fj cathyhite2@gmail.com (cc both)

Public Solicitor's Office Contact

Contact	Location	Phone
Port Vila Public Solicitor's Office	Emile Mercet Street (opposite Port Vila Municipality), Port Vila	33825 or 33160 or 23450 PSO-Admin@vanuatu.gov.vu
Malampa Public Solicitor's Office	Lakatoro, Malampa Provincial Centre, Malekula	48442 or 33872
Luganville Public Solicitor's Office	Vunamele Area, Luganville, Santo	33823
Tafea Public Solicitor's Office	Isangel, Tafea Provincial Centre, Tanna Island	33915

C. Women's Support Services

i. Vanuatu Women's Centre & CAVAWs

Vanuatu Women's Centre (VWC) is a women's rights organisation in Vanuatu, which provides services and support for women who are Survivor-Victims of SGBV, including Domestic Violence. The Vanuatu Women's Centre is located in every province and also operates remotely through Committees Against Violence Against Women (CAVAWs).

Survivor-Victims can receive support from the VWC and CAVAWs for short-term accommodation and clothing for women and children, legal counselling and advise, assistance reporting a crime (or not), crisis counselling and support, legal representation in court, Family Protection Orders, information and referrals to Service Providers and support services.

Vanuatu Women's Centre & CAVAWs Contacts

Contact	Location	Phone
Vanuatu Women's Centre	Nambatu Area (next to Sun Production on Rue d'Anjou), Port Vila	25764 / 24000
Tafea Counselling Centre	Lenakal Town opposite Billy Iapson (called Tafea counselling centre (TCC))	88660 / 7101869
Shefa Counselling Centre	Nambatu Port Vila	161 Crisis line Toll free 24000 / 25764
Penama Counselling Centre	North Pentecost close to Sara Airport	7313952 / 5986327
Malampa Counselling Centre	Lakatoro area of Lakatoro Trading Centre (LTC) close to NBV	7799165 / 5920850
Sanma Counselling Centre	Luganville next to Dr Vakour shop	36157 / 7771128
Torba Counselling Centre	Sola opposite market house (notice board on road)	7617058 / 5493357
Efate Island Court	Joint Court, Port Vila	26715/ 22420
Magistrate Court	In Front of VBTC Port Vila	(+678) 22420

Supreme Court	Next to Central School, Port Vila	(+678)26715
Tanna Courts	Isangel	7312109

ii. Foyer Nambanga de Cathedral

Survivor-Victims can seek support from Foyer Nambanga de Cathedral for accommodation. The accommodation is only for single girls and women only and for the safety of the women living there, there are strict rules, security and curfew. It is a service that women Survivor-Victims must pay for.

Contact

Contact	Location	Phone
Foyer Nambanga de Cathedral	Cathédrale du Sacré Coeur Sacré Coeur, George Pompidou, Port Vila	+678 22619

D. Child Protection

i. Child Desk

The Child Protection Desk supports children and their families that are Survivor-Victims of all forms of child abuse. They work in partnership with the Family Protection Unit and the Vanuatu Women's Centre.

A Survivor-Victims can get support from the Child Protection Desk for reporting crimes of child abuse, investigations of child abuse, care placement for children (temporary care of children away from the abuse is happening), crisis counselling and support, and referrals to other Service Providers and support services.

Child Desk Contacts

Contact	Location	Phone
National Child protection Office (child Desk)	The Ministry of Justice and Community Services building, Port Vila	33615 Trisetelle Karae: karaet@vanuatu.gov.vu

SHEFA Child Desk	Office is located at the SHEFA Provincial Headquarter-	James Anga: 7350406 Wesley Borugu : 7380214
TORBA Child Desk	Officer is located inside the Torba NDMO office shared with Youth and Sports office, Sola, Torba	Farrel Gaetan : 7658280
SANMA Child Desk	Department of Women's Affair at La Plus, World War 2 museum, Luganville, Santo	Edward John: 7356893 Esther Samson: 5275810
PENAMA Child Desk	Saratamata Headquarter, Saratamata, East Ambae	Barenda Gloria Hinge : 7356812
MALAMPA Child Desk	Department of Women's Affair's Building	Shem Jack: 5134821 /7730573 Jerethy NicholSEN: 7100475/5649404
TAFEA Child Desk	Sport Stadium sitting in with Youth and Sport Office, Lenakel, Tanna	Sonia Rungu: 5353700/7758131 Jack Kiriman Nato: 7356854

E. Disability Support

i. Disability Desk

The Government Disability Desk is mainly focused on government policy and stakeholder collaboration relating to the rights of and services available to people with disabilities. Survivor-Victims can seek support from the Disability Desks for support letters to present in Court. The Disability Desk can also refer Survivor-Victims to other Service Providers, including the Vanuatu Society for People with Disabilities (VSPD).

Disability Desk Contacts

Contact	Location	Phone
National Disability Desk	The Ministry of Justice and Community Services), Port Vila	Ginnette Morris: mginette@vanuatu.gov.vu 36615
SHEFA Disability Desk	Shefa Provincial Head quarter, Port Vila	John Patas: jkpatas@vanuatu.gov.vu 7336151
TORBA Disability Desk	Located at the TVET office, Sola	Job Oliver : 7649016 ojbollen@vanuatu.gov.vu
MALAMPA Disability Desk	TVET office, Malekula	Vijay Lele: 7108542 lelemolivijay07june@gmail.com
TAFEA Disability Desk	Tafea Skills Centre, Tanna	Maxwell Nasak mnasak@vanuatu.gov.vu 7766272
SANMA Disability Desk	Sanma Skills Centre, Santo	Daisy Atuary

		Marklatuaru12@gmail.com
		7750760

ii. Vanuatu Society for People with Disabilities (VSPD)

The Vanuatu Society for People with Disabilities (VSPD) is a nationwide NGO which assists people with disabilities to participate as fully as possible in community life in Vanuatu.

Survivor-Victims with a disability can get support from VSPD for crisis counselling and support, court support such as acting as a professional witness (letter of disability recognition and details etc), provide information about services and process for Survivor-Victims, referrals to other Service Providers and support services, accessible transport, mediation services (e.g. round tables with family if requested) and support with disability language interpretation.

Vanuatu Society for People with Disabilities (VSPD) Contact

Contact	Location	Phone
VSPD - Port Vila	Colardeau Area (across the road from Ecole Colardeau), Port Vila	28100

iii. Vanuatu Disability Promotion and Advocacy Association (VDPA)

Vanuatu Disability Promotion and Advocacy Association (VDPA) represents people with disabilities and is led by people with disabilities. It is the only national Disabled People's Organization in Vanuatu, and aims to empower and remove the barriers experienced by people with disabilities.

Survivor-Victims with disabilities can get support from VDPA and its network of DPO representatives in communities across Vanuatu with advocacy, referrals to other Support Services and information on rights and resources for people with disabilities. They can also assist with connecting Survivor-Victims with disabilities and the Sanma Counselling Centre or Family Protection Unit, provide advice and information on criminal justice processes, assist with hearing impairments and emotional support.

Vanuatu Disability Promotion and Advocacy Association (VDPA) Contact

Contact	Location	Phone
VDPA - Sanma	Sanma Rural Womens Resource Centre - VDPA Office (inside the Sanma Provincial Compound)	37997

F. Health Services

All government health services are set up to serve the health and medical needs of people in Vanuatu. Government health services support Survivor-Victims with health needs, making referrals, conducting forensic medicals, and acting as professional witnesses in court.

i. Referral Hospitals


Referral hospitals are the major tertiary care hospitals in Vanuatu, located in Port Vila and Luganville. They can support Survivor-Victims across a range of services, health specialisations including emergency care, antenatal, surgical, pediatrics, mental health, medical care, physiotherapy, dentistry. They also have morgues located on site and provide autopsies and mortuary services.

Referral Hospitals Contacts

Contact	Location	Phone
Vila Central Hospital (VCH)	Seaside, Port Vila	22100 / 22070 / 33070 / 24012
Northern Provincial Hospital (NPH)	Luganville, Santo	36015

ii. Provincial Hospitals, Health Clinics & Community Health Posts

Provincial hospitals provide secondary care services to Survivor-Victims and are important in providing health care and medical checks and reports to Survivor-Victims and the Courts. They will provide emergency care and response, forensic medical reports, act as expert witnesses and referrals to other support services.



Government Health Clinics / Centres are located on outer islands around Vanuatu and are an important contact point for Survivor-Victims of sexual and violent crimes in rural areas. They can provide medical examinations for the court if necessary.

Community Health Posts can support Survivor-Victims with access to emergency first aid level care. They can also make referrals to clinics and hospitals for further care and medical examinations, and referrals to Police for reporting a crime.

It is important to note that for cases of sexual violence, particularly rape cases, a gynecologist needs to do the forensic medical assessment. However, not all Provincial Hospitals or Clinics have a gynecologist working there. If so, a doctor, midwife or nurse will contact a gynecologist and under the gynecologist's supervision, they will carry out the examination and complete the medical form.

Provincial Hospitals Contacts

Contact	Location	Phone
Lenakel Hospital	Lenakel Hospital, Hospital Hill Road, Lenakel, Tanna Island, Tafea	88659 / 33910
Norsup Hospital	Norsup Hospital (close to Norsup School), Malekula, Malampa	33875 / 48410
Lolowai Hospital	Lolowai Hospital, East Ambae, Penama	772 8074
Torba Mini Hospital	Torba Mini Hospital, Sola, Vanua Lava, Torba	544 1482

iii. Private & NGO Medical Clinics

There are a range of private and NGO operated health centers around Vanuatu. The cost of accessing these services vary and Survivor-Victims should ask about fees before they seek their services to establish financial expectations.

Private and NGO medical clinics offer a range of services. Survivor-Victims can generally seek medical assistance with private medical clinics for immediate medical needs, make medical referrals, and provide STI treatment and prophylactics, education & information.

Survivor-Victims should be aware that many of these medical clinics are unable to undertake court medical assessments.

Private & NGO Medical Clinic Contacts

Contact	Location	Phone
Marine Reach Family Care Centre	Teouma Valley, Port Vila, Vanuatu	545 4984 medical@familycarecentre.org
Novo Medical Port Vila	Ground Floor, Anchor House, Kumul Highway, Port Vila, Vanuatu	26698
Vila Private Hospital	Nambatu (opposite Saralana Park)	22255
Port Vila Medical Centre	Nambatu	22826 / 23065
Santo Medical Centre	Hagginson Boulevard (behind Northern District Police Headquarters), Luganville	36400
Vanuatu Family Health Association (VFHA) Port Vila	Downtown Vila (next to Downtown Police Station), Port Vila	22140
Vanuatu Family House Association (VFHA) Freswota	Freswota Field (opposite Freswota school), Port Vila	No land-line
Vanuatu Family Health Association (VFHA) Santo	Luganville (close to court house), Santo	36129
Vanuatu Family Health Association (VFHA) Tanna	Launarke, North Tanna	5469591 Susan Kissel Niere: 5759970
Wan Smol Bag - Psum hed klinik Port Vila	Tagabe behind Tusker	27119 (Ask for clinic ext 3400)

Wan Smol Bag clinic Santo	Luganville Across the road from Promedical and USP	35497
World Vision	Saralana Park, next to Vanuatu Cultural Centre (VKS)	22161

G. Mental Health Care

i. Government Mental Health Care Services

Mental health care is often an important part of the recovery process for Survivor-Victims. Mental health care services can be accessed by Survivor-Victims through various government and non-government service providers around Vanuatu. Their role is to provide responsive and evidence-based treatment and support of mental health needs to all ni-Vanuatu.

The Mind Care Unit at Vila Central Hospital provides mental health care in the form of mental health assessments, psychiatric support, psychological support, support letters for Victim Impact Statements, and referrals to other Service Providers and support services.

Government Mental Health Care Contacts

Contact	Location	Phone
Mind Care Clinic	Vila Central Hospital, Seaside, Port Vila	22100 (extension 1081)
Lenakel Hospital	Lenakel Hospital, Hospital Hill Road, Lenakel, Tanna Island, Tafea	88659 / 33910
Norsup Hospital	Norsup Hospital (close to Norsup School), Malekula, Malampa	33875 / 48410
Lolowai Hospital	Lolowai Hospital, East Ambae, Penama	772 8074
Torba Mini Hospital	Torba Mini Hospital, Sola, Vanua Lava, Torba	544 1482

ii. NGO Mental Health Care Services

Survivor-Victims can get mental health care support services through a range of NGOs providing this support. Some of these services are fee-based. They can assist with crisis counselling and support, victim

impact statements, mental health assessments and management, information on mental health, individual or group counselling, and can refer Survivor-Victims to other Service Providers and support services. They also work alongside other medical support services.

NGO Counselling & Mental Health Care Contacts

Contact	Location	Phone
Waomago psychology and counselling services	Roaming between Port Vila medical Centre and Private Hospital (Port Vila) - Residential sessions also provided on case-by-case basis.	7766444 vanuatu counselling@hotmail.com
ADRA Elang Counselling and wellness centre	Etas, Etas SDA Church compound, Port Vila	25500 / 25501 (ADRA Office)

H. Department of Correctional Services

The Department of Correctional Services are responsible for people accused of a crime being held on remand and all offenders sentenced to time in prison, on probation or parole.

Survivor-Victims will have contact with the Department of Correctional Services if the offender that committed an offence against them has applied for parole (i.e. the offender is in prison and is asking to serve the rest of his or her sentence in the community). The Department of Correctional Services will contact the Survivor-Victim to give them the opportunity to share their concerns or perspectives on whether the offender should be released early and if so, any conditions of his or her parole.

The Department of Correctional Services can also contact the Survivor-Victim with information on whether the offender has been transferred, released, or escaped.

Department of Correction Services Contact

Contact	Location	Phone
Correctional Department, Head Office	Rue De Pasteur , Port Vila	23236 / 23275



Men's Remand & High-Risk Centre	Dumbea, Port Vila	28141 Trevor 7789089
Men's Low Risk	Stade, Port Vila	26805
Women's Correctional Centre	Collardeau, Port Vila	22891
Correction Department	Luganville, Santo	37402

