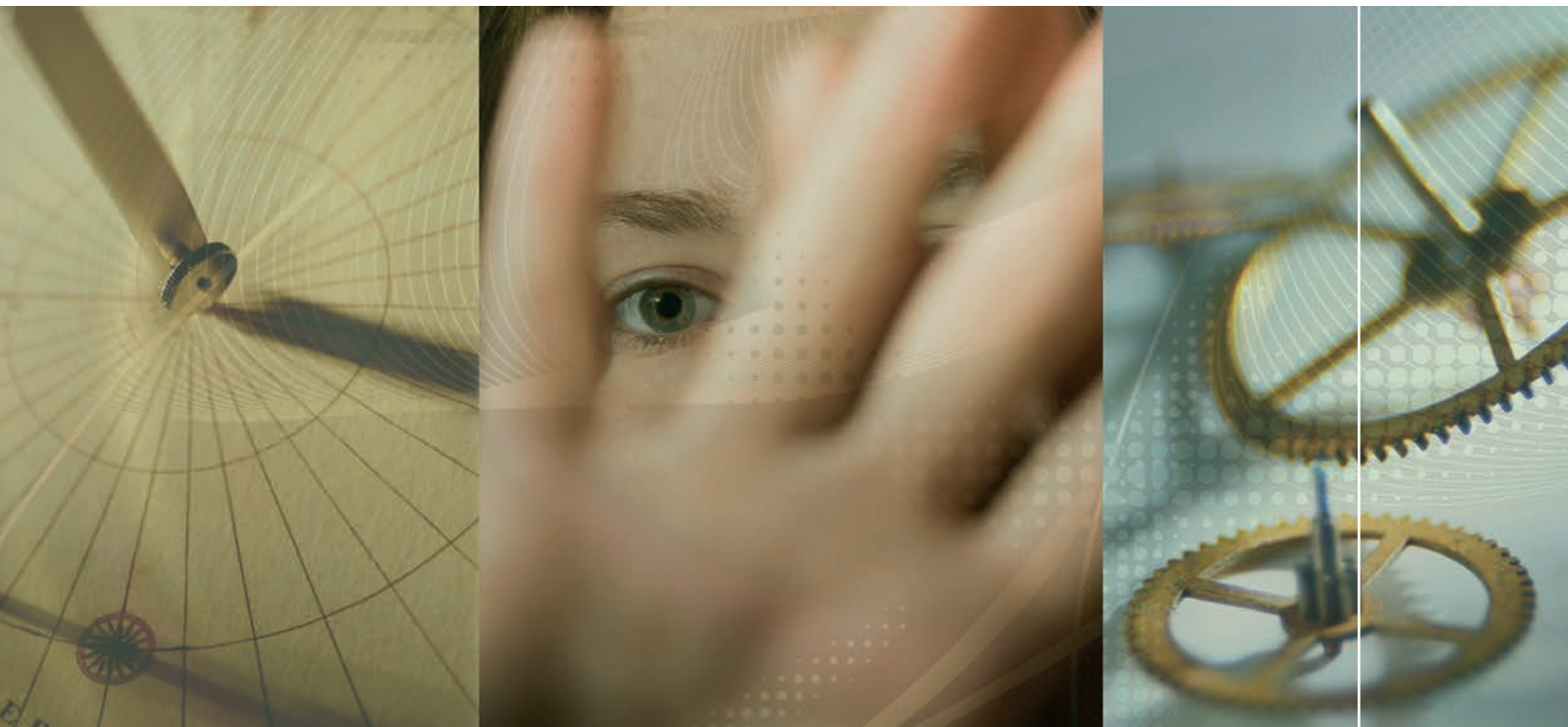




UNODC

United Nations Office on Drugs and Crime



Handbook on effective prosecution responses to violence against women and girls



This publication has been prepared in cooperation with the Thailand Institute of Justice

UNITED NATIONS OFFICE ON DRUGS AND CRIME
Vienna

HANDBOOK ON EFFECTIVE PROSECUTION RESPONSES TO VIOLENCE AGAINST WOMEN AND GIRLS

CRIMINAL JUSTICE HANDBOOK SERIES



UNITED NATIONS
New York, 2014

© United Nations, August 2014. All rights reserved worldwide.

The designations employed and the presentation of material in this publication do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area, or of its authorities, or concerning the delimitation of its frontiers or boundaries.

This publication has not been formally edited.

Publishing production: English, Publishing and Library Section, United Nations Office at Vienna.

Acknowledgements

The *Handbook on Effective Prosecution Responses to Violence against Women and Girls* has been prepared for the United Nations Office on Drugs and Crime (UNODC) by Eileen Skinnider, Associate, International Centre for Criminal Law Reform and Criminal Justice Policy.

A first draft of the *Handbook on Effective Prosecution Responses to Violence against Women and Girls* was reviewed and discussed during an expert group meeting held in Bangkok from 8 to 10 April 2013, organized in cooperation with the Thailand Institute of Justice. UNODC wishes to acknowledge the valuable suggestions and contributions of the following experts who participated in that meeting: Dr. Chatchom Akapin, Vongthep Arthakaivalvatee, Mark Charoenwong, Roberta Clarke (UN Women), Santanee Ditsayabut, Dilcy García Espinoza de los Monteros, Malak Ghazal, Vugar Guliyev, Borja Jiménez Muñoz, Dr. Nathee Jitsawang, Aaron M. Johnson, Retha Meintjes, Saroj Nakbet, Jacinta Nyamosi, Adisak Panupong, Prem Nath Prabhakaran, Dr. Phiset Sa-Ardyen, Valeria Scarance, Charlotte Triggs, Sukanya Vesvarut and Tienporn Vongkamhangharn.

UNODC gratefully acknowledges the funding provided by the Government of Thailand and the Thailand Institute of Justice for the development, printing and dissemination of the *Handbook on Effective Prosecution Responses to Violence against Women and Girls*.

Contents

Introduction	1
Part One. Current reflections on violence against women and girls and the role of the criminal justice system.....	5
A. Violence against women and girls	7
1. Defining violence against women and girls.....	7
2. Extent and nature of violence against women and girls	19
3. The international and regional human rights framework	21
B. The role of the criminal justice system in combating violence against women and girls	23
1. The international framework.....	23
2. The criminal justice response to violence against women and girls ...	26
3. Demystifying common misperceptions among criminal justice officers.....	30
Part Two. Effective responses in cases involving violence against women and girls: the role of the prosecutor	39
A. Dealing with victims	41
1. Understanding the victims of violence against women and girls.....	41
2. The role and rights of victims.....	47
3. Interviewing the victim	50
4. Protecting the victim throughout the criminal justice system.....	52
5. Supporting and assisting the victim throughout the criminal justice system.....	59
6. Preparing the victim for trial.....	60
7. Dealing with uncooperative victims or recanting victims	62
B. The role of the prosecutor in violence against women and girls: investigation processes	69
1. Prosecutor's relationship with police and investigators	69
2. Providing advice to investigators	70
3. Playing a more active role in investigations.....	72

C.	The decision to prosecute and the selection of charges	75
1.	Exercising prosecutorial discretion	75
2.	Charge assessment.	81
3.	The issue of diversion.	83
4.	Cases where victims of violence against women and girls are charged with crimes	84
5.	Resolution discussions or plea bargaining.	87
D.	Pretrial release considerations	91
1.	Urgent protective measures.	91
2.	Issues to consider at bail/pretrial hearings	92
3.	Criminal no-contact orders.	95
4.	Disclosure considerations.	98
E.	Evidentiary issues.	99
1.	Evidentiary considerations for trial.	99
2.	Forensic, scientific and medical evidence	102
3.	Using expert witnesses	111
F.	Trial considerations	115
1.	Expedited hearings	115
2.	Eliminating fact-finders' (judge/jury) bias	116
3.	Applying for special measures: creating an enabling court room environment.	118
G.	The role of the prosecutor in sentencing and post-conviction	121
1.	Differing roles played by prosecutors in different jurisdictions.	121
2.	Seeking appropriate sentences.	121
3.	Issues of restitution and reparations	126
4.	Post-conviction considerations.	127
H.	Restorative justice and violence against women and girls	129

预览已结束，完整报告链接和二维码如下：

https://www.yunbaogao.cn/report/index/report?reportId=5_22197

