

Survivor Safety in Mandatory Reporting

What are the risks for survivors in mandatory reporting?

Mandatory reporting of cases of violence against women and girls to the police can put the survivor at great risk of harm from the perpetrator, family members or community members. For example, since there is a risk of further escalation of abuse/violence when the perpetrator is aware a report has been made, family members may seek redress in the form of payment (either in cash or goods - which will not benefit the survivor but be kept by male family members) rather than formal legal justice and/or exact revenge on the woman or girl in the form of 'so-called honor' violence/killing. Community members may ostracize or blame the woman or girl for the violence she has experienced. These are just some of the ways in which mandatory reporting can carry risks to women and girl survivors.

How can risks be minimized?

- Talking with the survivor through steps, keeping her informed, talking through expectations
- Reporting the perpetrator and not survivor
- Other ideas

As we just said, there are many serious risks/consequences of mandatory reporting for VAWG survivors. This means it is of the utmost importance that every organization coming into contact with VAWG survivors decides how they are going to handle mandatory reporting when it is not in the best interest of the survivor.

And of important note is the fact that UN organizations enjoy privileges and immunities that exempt them from prosecution where mandatory reporting laws are not followed. In addition, whether you are a national or international organization may also determine the extent to which you are obligated to follow mandatory reporting practices outlined in national laws.

In all contexts where mandatory reporting of violence against women and girls (e.g. rape, sexual assault, intimate partner violence) applies it is essential for GBV service providers to explain the mandatory reporting rules and regulations in place in that setting BEFORE proceeding with the intake and assessment step of GBV case management. Additionally, it is essential that GBV service providers talk this through, explaining the possible impacts or



consequences that mandatory reporting may have on her, your organizational stance in relation to applying the mandatory reporting regulations, and to seek informed consent from the survivor before proceeding with case management.

Why is this so necessary?

Because it provides the survivor with the necessary information about local mandatory reporting regulations and allows her to make the informed choice of what to disclose and what not to share based on how your organization will specifically be adhering to the mandatory reporting regulation.

Given that mandatory reporting carries such risks for survivors, organizations should consider ways in which perpetrators can be held accountable and reported to law enforcement without engaging/disclosing the survivor's identity, whenever feasible.

