



SAFER FAMILIES

A handbook for supporting
domestic violence victims

An initiative of the Penang Safe Family Policy



PENANG
2030



Produced & Published by

Women's Centre for Change (WCC)

241 Jalan Burma,
10350 Penang.

☎ 04-228 0342

☎ 011-3108 4001

🌐 www.wccpenang.org

WCC Seberang/

Pusat Perkhidmatan Wanita (PPW)

13, Lorong Sutera 6, Taman Sutera,
13700 Seberang Jaya, Penang.

☎ 04-398 8340 ☎ 016-439 0698

📘 📷 🐦 WCC Penang

Sponsored by

Penang State Executive Council for Social Development
and Non-Islamic Religious Affairs

Written by

Prema E. Devaraj

Edited and Proofread by

Loh Cheng Kooi and Chang Mei Leng

Illustrations by

Azmi Hussin

Layout by

C-Square Sdn Bhd, Penang

Printed by

Phoenix Printers Sdn Bhd

ISBN No: 978-967-16908-1-9

Copyright © 2020, Women's Centre for Change, Penang

All Rights Reserved

Any part of this publication may be copied, reproduced or adapted to meet the individual or group's needs provided that the parts reproduced are acknowledged to Women's Centre for Change, Penang.

CONTENTS

Foreword by YAB Chow Kon Yeow, Chief Minister of Penang	2
Foreword by YB Chong Eng, EXCO for Social Development and Non-Islamic Religious Affairs	3
1.0 Introduction	4
2.0 What is Domestic Violence?	6
3.0 What Are the Types of Domestic Violence?	7
4.0 Why Does Domestic Violence Happen?	8
5.0 How Does Domestic Violence Happen?	
Cycle of Violence	10
Breaking the Cycle of Violence	12
6.0 Identifying Victims of Domestic Violence	13
7.0 Supporting Victims of Domestic Violence	
What You Can Do	14
What Not To Do	16
Talking to and Supporting a Domestic Violence Victim	18
8.0 Getting Help for Victims of Domestic Violence	
Domestic Violence Act (1994)	20
Getting Help from Agencies	21
Police	22
Social Welfare Department	25
Government Hospital	27
Islamic Department	28
Non-Governmental Organisations (NGOs)	28
Legal Aid	29
9.0 List of Agencies in Penang	30

FOREWORD

By YAB Chow Kon Yeow
Chief Minister of Penang



The Penang state government acknowledges the importance of the family unit as the basic building block of our society. Strong families nurture the next generation and consequently, produce a strong community as a whole. Unfortunately, in recent years, there have been over 5,000 cases of domestic violence reported annually in Malaysia. Many more go unreported. Family members, especially women and children, become the victims of domestic violence and oftentimes they suffer both mentally and physically.

The state government, as such, plays an important role to shed light on the issue of domestic violence and it is hoped the resultant awareness would help to eradicate its occurrences at home. The Penang state government's Safe Family Policy 2020 shares the same emphasis and goals on the family life of our people as stated in the **Penang2030** Vision.

It remains the ardent hope of the state government that all families are capable of performing their fundamental functions because it means a lot for one's wellbeing that essential emotional and physical needs are catered for. This helps to form a conducive household in which its members enjoy and build positive familial bonds through genuine love and care. Having said this, I truly believe that if things are done correctly at the family level, it will greatly benefit nation-building as well.

The renamed and restructured Social Development Portfolio in the State Executive Council will continue to perform its pivotal role to develop policies for the family to perform its fundamental functions and attain general wellbeing. The Safe Family Policy 2020 is definitely one of them. Let us all strive for a Penang that achieves her goal to be a Family-Focused Green and Smart State that Inspires the Nation.

FOREWORD

By YB Chong Eng
EXCO for Social Development and
Non-Islamic Religious Affairs



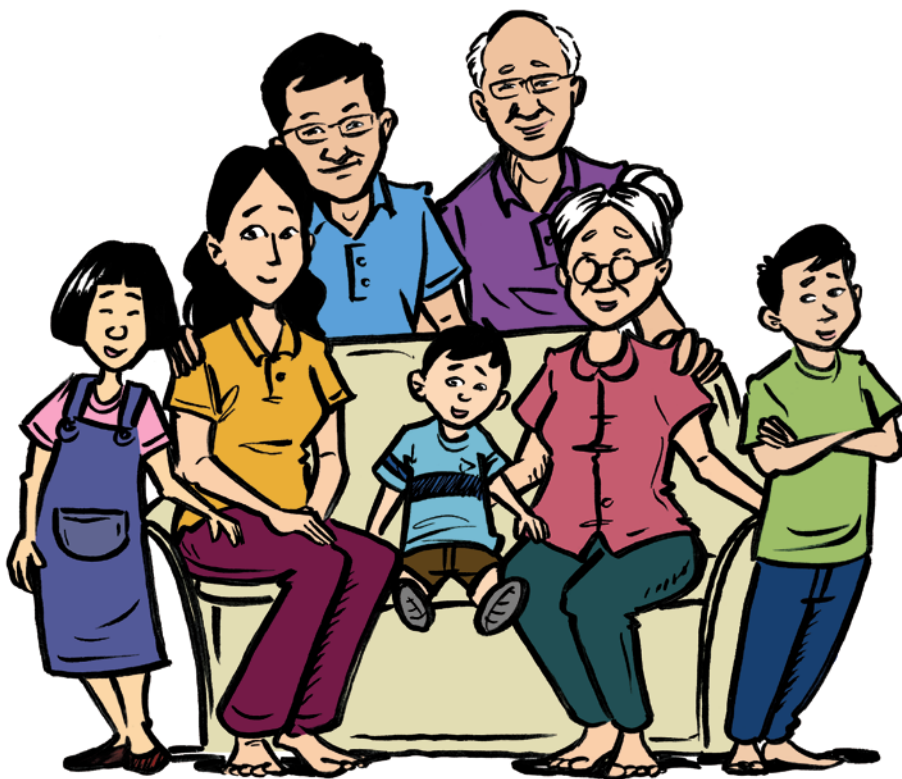
The Penang state government, in response to increased concerns on domestic violence during the Covid-19 pandemic movement control order (MCO) period, decided to increase support for the victims by setting up groups known as *First Support Points* through implementing the first ever Safe Family Policy. *First Support Points* consist of state government agencies, state representative service centres, religious organisations, community leaders, and community-based non-governmental organisations that can help ensure domestic violence victims' safety and access to shelter and protection.

We recognise the work of Women's Centre for Change (WCC) in providing support for domestic violence survivors for the past three decades, and appreciate their contribution in training men and women in providing support to the victims of domestic violence.

Curbing domestic violence requires effort from all parties of society and I believe that this handbook is a good step in that direction. It is crucial to acknowledge that handling domestic violence victims requires not only knowledge about domestic violence but also a system set up to assist the victims. Hence, this handbook provides valuable information for *First Support Points* to carry out their duties well.

The Safe Family Policy is a testament to the state government's commitment to eliminating violence and providing a safe environment for its people, in line with Vision **Penang2030**. The existence of the policy also reflects the state government's determination to establish Penang as a violence-free and safe state.

1.0 INTRODUCTION



Families are the building blocks of any community. Safe and healthy families are not only important for the wellbeing of all family members but also for the community and society at large. Thus, violence within the family endangers not only the family's wellbeing but negatively impacts the community as well.

Violence within the family is a worldwide problem affecting millions of people, mainly women and children. There is growing recognition that violence against women, especially domestic violence, is a public health issue. Domestic violence often results in physical and emotional injuries and even deaths. Over the last four years, Malaysia saw an average of 5,436 cases of domestic violence reported yearly¹. However, it is well known that for each reported case, many more go unreported.

¹ <https://wao.org.my/domestic-violence-statistics/>

The Penang state government became aware of the difficulties many victims of domestic violence faced in accessing the help and protection they needed from different agencies. This included not knowing where to go, how to request for assistance, and sometimes being too ashamed or scared to disclose the occurrence of domestic violence.

As a response, the Penang state government launched the Safe Family Policy (SFP) in July 2020 with the aim of increasing the number of support groups and individuals in the community to provide immediate assistance to domestic violence victims by helping to ensure their safety and access to shelter and protection. These groups, consisting of various state agencies as well as religious and community-based groups, are called *First Support Points* and are meant to bridge the gap between the victims of domestic violence and the agencies set up to help them.

As part of the SFP project, this handbook provides *First Support Points* with a basic understanding of domestic violence and importantly, information on how to help and refer victims of domestic violence to the agencies best situated to support the victim.

This handbook covers the following topics: What is domestic violence, the types of domestic violence, why does domestic violence happen, how does domestic violence happen, identifying victims of domestic violence, supporting victims of domestic violence, getting help for victims of domestic violence and a list of useful agencies in Penang.

This handbook is available in four languages: Malay, English, Chinese and Tamil. Printed copies are available at WCC's two offices, and the online copy is available at WCC's website at www.wccpenang.org/books/

2.0 WHAT IS DOMESTIC VIOLENCE?

Domestic violence is an act or a series of acts of abuse committed by one family member against another family member. In Malaysia, while most victims of domestic violence (75%) are women, there are also men who suffer from domestic violence². National police statistics have indicated that approximately half of domestic violence cases reported involve spousal abuse, mainly husbands abusing their wives, while the other half of the reported cases involve family members (male or female) being abused by largely male members of the family³.



For purposes of this handbook, the victim is referred to as 'she' and the abuser as 'he' given that the majority of victims are women and majority of abusers are men.

² Parliamentary Questions: Question 445: Reference 8748 (2016)

³ <https://www.nst.com.my/news/2016/03/133797/taboo-domestic-violence>

3.0

WHAT ARE THE TYPES OF DOMESTIC VIOLENCE?

Domestic violence can occur in many ways including:

Types	Examples
Physical abuse	Hitting, pushing, punching, slapping, kicking, throwing objects or strangling a person.
Emotional abuse	Using words to humiliate or make a person feel worthless, either directly or through online or social media applications.
Sexual abuse	Using sex to control or humiliate the victim, including intimidating the victim into engaging in unsafe sex or sexual practices in which she does not want to participate.
Isolation	Controlling the person's movements or preventing them from visiting, seeing or speaking to family members or friends.
Threats	Threatening to hurt, kidnap or harm a person, or the children or family pet, or even threatening to commit suicide. <div data-bbox="870 993 1161 1354" data-label="Image"> A cartoon illustration of a man in a blue shirt and brown pants, looking angry and pointing his finger at a woman in a pink shirt and blue pants. The woman has a distressed expression with a starburst above her head, indicating fear or shock. </div>
Economic abuse	Limiting a person's financial freedom or security including withholding or refusing to give sufficient money for household expenses or taking away a person's income.
Stalking	Repeatedly harassing and displaying threatening behaviour, including following or showing up at the victim's home or workplace, making harassing phone calls, leaving voicemail or sending threatening messages on social media, for example, through WhatsApp.

4.0 WHY DOES DOMESTIC VIOLENCE HAPPEN?


Domestic violence is not a random act. Domestic violence happens when one person chooses to control and dominate another person. Domestic violence is a **choice** an abuser makes. It is a **learned behaviour**. The following beliefs and attitudes are common among abusers⁴:

- They have a sense of entitlement i.e. it is his or her right to do so.
- They hold a belief that they should have power and control over their partner.
- They believe they can get away with it.
- They have learned from experience that being abusive gets them what they want.
- They believe that their lives should take priority.



⁴ <http://greenhillswomensshelter.net/blog/domestic-violence-2/what-causes-domestic-violence/>

In many instances, societal perceptions or myths instead of facts often perpetuate domestic violence. Some examples are:

Societal Perceptions/Myths	Realities/Facts
Husbands have the right to do what they want with their wives.	Being in a marriage or an intimate relationship does not give a person the right to be physically and emotionally violent towards another person.
The wife must know how to 'take care' of her husband. 	Being in a marriage and working through problems is a shared responsibility between husband and wife.
No one should interfere in the domestic affairs of a husband and wife.	Violence by one human being towards another is everyone's business.
It's the wife's fault.	The abuser is responsible for his own violence and only he can change his behaviour.
Victims can always leave.	People often stay in abusive relationships for the sake of the children and keeping the family together. Financial dependence is another major factor in making the decision to stay.
Children need both parents even if the relationship is violent.	There are severe, long term detrimental effects on children from families where violence is a frequent occurrence.
Violent abusers are violent in all their relationships.	Many violent abusers appear reasonable and respectable in public.

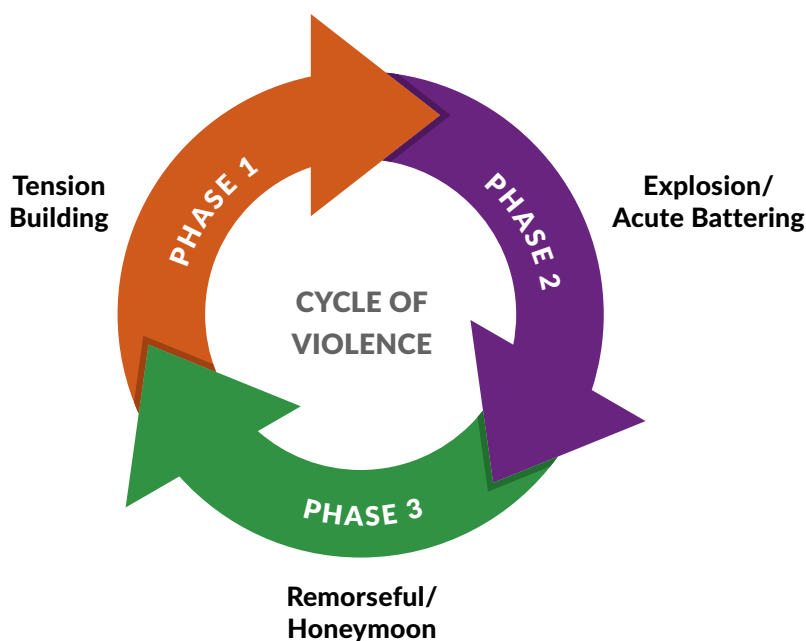
Societal attitudes and perceptions toward domestic violence need to change for domestic violence to stop.

5.0 HOW DOES DOMESTIC VIOLENCE HAPPEN?

Cycle of Violence

The cycle of violence is a model developed to explain the complexity and co-existence of abusive and loving behaviour in a relationship. It helps those who have never experienced domestic violence understand that breaking the cycle of violence is much more complicated than just “getting out” or leaving⁵.

There are three phases in the cycle of violence: (1) Tension-Building Phase, (2) Explosion/Acute Battering Phase, and (3) Remorseful/Honeymoon Phase. Without intervention, the frequency and severity of the abuse tends to increase over time.



⁵ Adapted from Lenore Walker, *The Battered Woman*, 1979 <https://www.dvac.org.au/wp-content/uploads/2015/06/Cycle-of-Violence.pdf>



Phase 1: Tension Building

During this phase, less severe forms of abuse take place. The victim senses the tension and tries to be “nice” to the abusive partner to prevent the abuse. The victim may minimise minor incidents and even take the blame or make excuses for the abuser’s behaviour. The victim may also be in denial that the tension can escalate into violence although it may have happened before.

Phase 2: Explosion/Acute Battering

The abuser’s anger escalates dramatically. Severe injuries can occur as a result of the violence. The victim often experiences shock and disbelief that the incident has taken place. Often both the victim and the abuser believe the myth that the abuser cannot control his anger.



Usually it is at this point that victims seek help or lodge formal complaints with the police or social welfare office.

Phase 3: Remorseful/Honeymoon

The abuser is remorseful and promises to change. The abuser can be loving and buys gifts as a way of apology. The abuser may rationalise the violent incident and blame the victim for causing the abuse. The abuser may elicit feelings of guilt and sympathy from the victim. The victim's desire to believe the abuser will increase and the abuser's temporarily changed behaviour reinforces the victim's desire to remain in the relationship.



It is often the case that the victim will want to withdraw her complaint or report during this phase.

It is important to note that the cycle of violence is not present in all violent relationships. Also, the three phases can vary in terms of intensity and length of time for each phase.

Breaking the Cycle of Violence

The most difficult step for a domestic violence victim is breaking the cycle of violence.

If the victim wishes to break the cycle of violence, she needs to accept that staying in a violent relationship will allow the pattern of abusive behaviour to continue, which is destructive to her and her children. She would need to believe that life without violence which will initially be difficult is better for herself and her children. She would need to have support, emotionally and financially.

If the abuser wishes to break the cycle of violence, then the abuser himself must decide to change his behaviour. This involves changing his attitude towards the victim, managing his anger well, increasing his communication skills (e.g. listening and talking) and not relying on force or violence in the relationship.

6.0 IDENTIFYING VICTIMS OF DOMESTIC VIOLENCE

Anyone can be a victim of domestic violence. However, many victims do not report domestic violence or openly discuss what is happening at home. They may even deny that they are experiencing domestic violence. It is not easy to identify a domestic violence victim if they do not disclose the violence to you.

However, there are some signs which may alert you of a victim of domestic violence.

These include:

- **Physical injuries** e.g., visible bruising on their arms, legs or face
- **Emotional signs of distress** e.g., being fearful or anxious, being depressed or having suicidal feelings, having low self-esteem, finding it hard to focus or experiencing headaches, and
- **Behavioural signs** e.g., the victim is scared of the abuser, the victim makes up excuses or is evasive when asked about injuries. The victim may blame herself for the injuries or trivialise the injuries. When seeking aid for injuries sustained, the victim is accompanied by the abuser who does not leave the victim on her own.



Some victims may ask about how people handle arguments in the home but deny that it is happening in theirs. Some may ask about how to get help and support 'for a friend' who is experiencing violence at home.

Sometimes it is the children who witness the violence in the home who may disclose domestic violence. Those working with children may need to look out for some possible behaviours which might indicate domestic violence happening at home, e.g., aggressive behaviours, anxiety, depression, or keeping to themselves.

Whatever it is, be sensitive in how you approach a possible victim of domestic violence.

7.0

SUPPORTING VICTIMS OF DOMESTIC VIOLENCE

When dealing with a victim of domestic violence, it is important to believe the victim, reassure her, and discuss her options realistically.

What You Can Do

- **Find a quiet space where the victim can talk to you privately.**

Disclosing domestic violence is a difficult thing for many victims. They may feel ashamed that others know about the matter. It is important when someone comes to you for help that she is assured of privacy and does not have to worry about other people listening to the conversation.



- **Ensure the victim's safety.**

Assess the situation. If a domestic violence victim is being harassed by someone when she comes to you for assistance, please take her directly to the police station for her own safety. A victim will not be able to talk or think clearly if she is afraid.

- **Believe the victim and be supportive. Reassure the victim that she is not at fault.**

When a victim feels she is not believed she will not disclose the abuse, and the chance to help her and possibly her children is lost. Sometimes victims may blame themselves. Remind them that no one deserves to be abused and there is no excuse for domestic violence.

- **Find out what the victim wants to do and see if you can help the victim achieve it.**

Sometimes a victim may just want someone to listen to her or sometimes a victim may want some action to be taken to stop the violence. This can range between getting someone to talk to the abuser or lodging a police report. Remember, never force a victim to do something she is not willing to do.

- **Respect the victim's need for confidentiality.**

Many victims of domestic violence feel ashamed and embarrassed about being a victim of domestic violence. Some of them feel they will be blamed for the violence. It is important to respect the trust the victim has placed in you, keep her situation confidential, and not share her story or her details with anybody else. This will also help protect her against retaliation from the abuser and public/community scrutiny.

- **Provide information on where and how the victim can access help and local services.**

There is no point telling the victim to lodge a police report if she does not know where the police station is, how to get there, or how to lodge a police report. Any information or assistance being offered must be practical.

- **Be aware of the victim's background; problems may be compounded by the victim's ethnicity, language and cultural barriers, or immigration status.**

The Domestic Violence Act (1994) applies to everyone regardless of their nationality, ethnicity or immigration status. Be sensitive about a person's background. If a person is not fluent in the language you are using, try and get an interpreter. Remember that speaking loudly does not improve the person's understanding of the language.

- **Be sensitive to the victim's needs and discuss any difficulties about approaching social service agencies.**

Find out what the victim's needs or possible fears are. For example, she may not be fluent in the language, be worried about her immigration status, ashamed to tell someone else about her situation, or embarrassed that she is returning to an agency with a similar complaint and so on. Do try and address her fears or feelings.

- **Offer to accompany the victim to the police station if necessary.**

Not many people are confident of going to a police station. A domestic violence victim may be scared to go on her own as she may not know what to do once she gets there. She also may not have her own transport. Offering to accompany the victim will provide her with direct support.

- **If the victim requires medical attention, take her directly to the Emergency and Trauma Department of any government hospital.**

If you feel the victim is injured and needs medical attention, she must be taken to the hospital for a medical check-up. Also, any physical evidence of the abuse should be documented where possible, as it will be helpful for police investigation and later, for use in court, if charges are made against the abuser.

- **Check if it is safe to contact the victim at home should it be necessary to do so.**

Sometimes you may need to follow up with the victim on issues pertaining to assistance, e.g. donation of food or information regarding temporary shelter. It is important that you have direct access to her and not accidentally pass the information to the abuser.

What Not To Do

Sometimes, despite their best intentions, the person wanting to help a domestic violence victim may say or do something which may cause the victim more distress. This is probably because the person does not understand domestic violence, the issue of control of the abuser over the victim, or what the victim is experiencing. The following are some things NOT to do.

- **Do NOT blame the victim or ask her what she did to cause the violence.**

This type of question (e.g. "What did you do?") places the blame of the violence onto the victim. Domestic violence is an abuse of power in a relationship. The perpetrator is responsible for the violence inflicted on the victim. Remember that the victim has come to you for assistance. Blaming the victim (e.g. by saying "Why did you say that? No wonder he got angry!") will turn her away and you will have lost the chance to help the victim stop the violence in her family.

- **Do NOT trivialise the violence, or suggest that the victim should forgive her abuser or be patient and try again.**

Domestic violence is a serious issue. It not only causes physical and/or emotional harm to a person, but in extreme cases can lead to fatalities. Once domestic violence begins, it will escalate over time if no action is taken. It is therefore important to recognise early signs of domestic violence and take action to put a stop to it.

- **Do NOT make any decisions for the victim or expect her to make a decision quickly.**

A victim seeking help may be in a confused, frightened or stressed out state. Make sure that you do not make any decisions on her behalf or force her into making a decision. Always provide the victims with options she can take and the consequences of her choices. Breaking the cycle of violence is a decision the victim has to make for herself. Give her time and space to make the decisions she needs to make.

- **Do NOT suggest a joint meeting with the victim and her abuser.**

Domestic violence is an abuse of power in a relationship where one person tries to control another person. Bringing the abuser and victim together may terrify the victim further. She may not be able to be open about what happened for fear of further reprisal at home.

Should the victim specifically request for a joint meeting with the abuser, refer them to a qualified counsellor.

- **If the victim has already left home, do NOT inform anyone of her new location without her permission.**

A victim will usually only leave her home for fear of her own safety. Her new location should be kept confidential to protect her from any harassment from the abuser or his friends or family. Remember, extreme cases of domestic violence have led to deaths of victims.



- **Do NOT attempt to confront the abuser as this may escalate the situation.**

There may be times when the abuser might accuse you of breaking up his family, or come looking for his wife wanting to know where she is. Remain calm and do not get into an argument with him. Sit him down and listen to his side of the story. Be careful not to divulge any information the victim may have given you. Should you feel in any way threatened, lodge a police report immediately.

- **Do NOT attempt to counsel the victim or the abuser if you are not a trained counselor.**

Your role as a *First Support Point* is to be supportive and assist the domestic violence victim access help from relevant agencies. Unless you have experience and skills in handling domestic violence cases or situations, please refer the victim or the abuser to an agency or non-governmental organisation (NGO) who have trained personnel to handle either the victim or the abuser. Giving wrong information may place the victim in greater danger of harm.

Talking To And Supporting A Domestic Violence Victim

Introducing yourself

- Hello, my name is XXXX. Please take a seat.
- How may I help you? Would you like to tell me what is troubling you?
- How shall I address you? What would you like me to call you?
- I wish to let you know that whatever you tell me is confidential.

Getting to know the case

- Perhaps you can tell me more about your situation so that I can assist you better?
- So what you are saying is that “.....”
- I understand from what you have said that “.....”

Assessing the situation

- Are you hurt in any way? Can you tell me more about how you received that injury? Have you seen a doctor?
- You seem nervous. Can you tell me what is frightening you?
- Are you afraid of going home? Can you tell me why?
- Can you tell me if you have somewhere where you can stay for a few days?
- Is your family able to help you?

Finding out what the victim wants to do

- Can you tell me what you would like to do?
- Would you like to discuss some possible actions to take?
- These are some options you may want to consider. You may want to lodge a report with And these are some possible consequences of these actions.

Reassuring and being supportive of the victim

- I can see you are very upset. It must have been very frightening for you.
- Being scolded like that is very hurtful.
- It can be very confusing to make a decision when you have to consider so many things.
- Yes, you were right in taking action to stop the violence.
- Yes, domestic violence is against the law.
- No one deserves to be beaten.
- Thank you for sharing your story with me.
I am here with you.



Making the referral to an agency

- I can see that you require assistance from XXXX. This is their contact number. Are you able to call them or go and see them? Do you require assistance getting there?
- Do you have a family member or friend who can accompany you to XXXX?
- Would you like me to accompany you to XXXX?
- With your permission, I can contact XXXX to assist you.

8.0

GETTING HELP FOR DOMESTIC VIOLENCE VICTIMS

Domestic Violence Act (1994)

In 1994, the Malaysian government finally recognised domestic violence as a serious public issue and enacted the Domestic Violence Act (1994) (DVA). Under the DVA, domestic violence victims can seek protection against further abuse by the abuser.

The DVA applies to immediate family members including spouses, ex-spouses, de facto spouses, children (including adopted children), adults with mental or physical disabilities, and other persons considered part of the family. Importantly, the DVA applies to everyone, Muslims and non-Muslims, citizens or non-citizens.

The DVA is read together with the Penal Code for charges to be made against the abuser⁶. See examples of charges in the table below, many of which have been made against domestic violence offenders.

Sections	Legal Term	Punishment
321 & 323	Voluntarily causing hurt	Max. 1 year imprisonment / RM2,000 fine or both
324	Voluntarily causing hurt by dangerous weapons or means	Max. 10 years imprisonment / Fine / Whipping / Any two of the above
322 & 325	Voluntarily causing grievous hurt	Max. 7 years imprisonment / Fine
326	Voluntarily causing grievous hurt by dangerous weapons or means	Max. 20 years imprisonment / Fine / Whipping
326A	Causing hurt to spouse, former spouse, child or other family members	Twice the maximum term of imprisonment

For more information go to <https://www.wccpenang.org/domestic-violence-laws-in-malaysia/>

⁶ Penal Code as of 2015: <http://www.agc.gov.my/agcportal/uploads/files/Publications/LOM/EN/Penal%20Code%20%5BAct%20574%5D2.pdf>

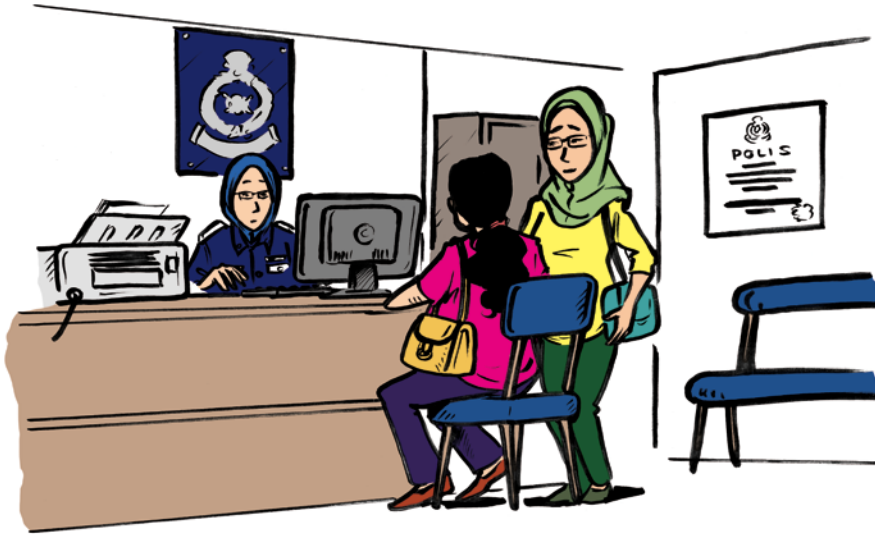
Getting Help From Agencies

Getting help and providing protection and support for a domestic violence victim requires the cooperation of several government agencies (e.g. the police, the Social Welfare Department and the hospital) and some NGOs. It is important to remember that domestic violence is not a single agency issue.



If a victim of domestic violence approaches you, you can make a difference to her life by directing her to the relevant agencies who have trained personnel to handle domestic violence cases. Importantly, when helping her, you need to be able to assess the type of assistance she requires. If you are unsure, call Women's Centre for Change (WCC) for advice.

A domestic violence victim may also go directly to any one of the agencies or NGOs for assistance. Each agency will have a protocol for dealing with domestic violence.



It is important to help stop the violence a victim is experiencing. To do this, the victim will need the help of the police and the Social Welfare Department. However, while a victim may want the violence to stop, she may not be ready to make a formal complaint to the police or want police action taken against her abuser. Nevertheless, she will need to know that if she wants some protection from the abuser, she has the choice of (1) lodging a police report and getting an interim protection order against the abuser or (2) applying for an emergency protection order from the Social Welfare Department (*Refer to page 24 & 25*).

Lodging a police report

- The victim can go to any police station to lodge a police report.
- In the police report, the victim should write down the details of how her abuser abused her. Provide details of the incident clearly such as:
 - **When:** When did it occur? Include dates and times of abuse
 - **Where:** Where did it happen – location?
 - **What:** What was the incident?
 - **Who:** Who was involved and who was the abuser?
 - **How:** How did it happen?
 - **Effect:** What's the effect on the victim after the incident? Bruises, injury, etc.
 - **Why:** Why is the report being lodged? For protection against the abuser, for police to take action, etc.

SAMPLE OF A POLICE REPORT

To save time, the victim can prepare by writing or typing and printing a detailed report before going to the police station. Only Bahasa Malaysia or English are accepted languages for police reports. If the victim cannot speak or write either language, please bring a person who can assist in translations.

- After a report is made, the front desk police will print a copy of the police report for the victim.
- The front desk Police Officer will then refer the victim to an **Investigating Officer** (IO) in the Sexual, Women, and Child Investigations (D11) Unit of the District Police Station where the victim lodged the complaint.
- The IO will interview the victim for the details of the incident. This is called a **police statement** and it will be used for investigating the case.
- The IO will also summon the abuser (the alleged suspect) for investigation and to record his statement.
- The IO will then submit the investigation papers to the State Prosecution Office which will then decide whether to charge the alleged suspect for the crime committed.
- In a situation where the victim does not want to make a police report, try to encourage her to make a cover report instead. A cover report takes the same format as a police report EXCEPT that at the end of the report, the victim should state that she is making the report for record purposes only and that she does not want action taken against the perpetrator. A cover report will document the domestic violence incident but will not lead to the investigation process.

On _____ (date and time),
when I was at _____
(address/location), my husband
_____ (name and IC)
kicked and hit me with his hand.
Because of this incident, I have
bruises on my right hand, both
legs and my head is also swollen.

The reason I make the report is
for my protection and I am scared
to go back.

Applying for an Interim Protection Order (IPO)

The Interim Protection Order (IPO) is an important provision in the DVA. An IPO offers temporary legal protection for the victim, her children and her relatives. An IPO is a court order to stop the abusive husband, parent or relative from committing further acts of violence against the victim. The IPO is temporary and valid as long as investigations are carried out by the police. The IPO is often a strong deterrent to further violence.



- If the victim fears for her safety and that of her children, or faces further violence from the abuser, she should inform the IO that she would like to obtain an IPO. She can also ask for the IPO to include her children or other family members who may also fear for their safety.
- If the IO assesses that the victim should have an IPO, the IO will give the victim a referral letter which confirms that the case is under police investigation. The victim then has to take this referral letter to the Social Welfare Department together with her identity card, children's birth certificates/identity cards, and government hospital medical report (if any). The Social Welfare Department will then assist the victim to apply for an IPO. A copy of the IPO will be given to the victim (refer to section under Social Welfare Department for further details).
- If the victim wants to retrieve her belongings but is too fearful to go back to her home, she can make a request to the IO for a police officer to accompany her to pick up her belongings.

Once the IPO is issued by the Magistrate's Court, the police will serve the IPO on the abuser within 7 days.

Applying for a Protection Order (PO)

Once the police investigation is completed, the IPO is no longer applicable. If the accused is charged in court with a domestic violence offence, the court may issue a Protection Order (PO) for protection. The victim has to make a request to her IO and the Deputy Public Prosecutor (DPP) if she requires a PO.

The PO can include additional conditions or provisions such as restraining the abuser from entering the victim's house or her workplace, or keeping a distance of at least 50 metres from the victim. The PO can provide protection for up to a year.

Should the PO be violated, the victim should lodge a report with the police immediately.

Social Welfare Department

The Social Welfare Department can assist a victim of domestic violence in a number of ways. If the victim lodges a complaint with the Social Welfare Department, they will:

- provide her with counselling,
- encourage her to lodge a police report,
- encourage her to seek medical attention from the One Stop Crisis Centre (OSCC) in government hospitals if needed,
- assist her with an application for an IPO,
- assist her with an application for a PO if the abuser is charged,
- issue an Emergency Protection Order (EPO),
- provide temporary shelter if needed,
- provide financial aid if needed, and/or
- refer her to relevant agencies for specific purposes.

Assistance with application for an Interim Protection Order

1. With the referral letter for an IPO from the police, the welfare officer will help the victim of domestic violence apply for an IPO from the Magistrate's Court.
2. The welfare officer will fix an appointment with the victim to go to the Magistrate's Court.
3. At the Magistrate's court, the magistrate will interview the victim about her case.
4. If satisfied that the victim does need an IPO, the magistrate will issue an IPO for the victim. Each agency involved (i.e. the Social Welfare Department and the police) will receive a copy of the IPO and the police will serve a copy of the IPO on the abuser.
5. If the abuser continues to harass the victim, she can lodge another police report for the IO to take further action. If the IPO is still valid, action can be taken against the abuser for violating the IPO or breaching a Court Order.

Issuance of an Emergency Protection Order (EPO)

1. If the victim needs protection urgently or is not yet ready to lodge a police report but wants protection, she should inform the nearest Social Welfare Department.
2. An authorised welfare officer will interview the victim, fill up the relevant form, and issue an EPO for the victim. A police report is not required in the application of an EPO.
3. An EPO will only be valid for 7 days and is not renewable. The victim can decide on her next course of action during the 7 days. The EPO functions in a similar manner to the IPO and PO and if violated, the abuser is liable to punishment.

For more information on the EPO refer to [http://www.wccpenang.org/01important/laws/Domestic-Violence-\(Amendment\)-Act-2017.pdf](http://www.wccpenang.org/01important/laws/Domestic-Violence-(Amendment)-Act-2017.pdf)

Government Hospital



1. If a victim is injured, she should go to the Emergency and Trauma Department of the nearest government hospital for medical treatment. The victim will be treated in a private room called One Stop Crisis Centre (OSCC)*.
2. If there is a police counter at the hospital, the victim should inform the police officer that she is a victim of domestic violence who is seeking medical treatment. The police will give the victim a form known as Form 59 on which the doctor will record the victim's injuries.
3. The hospital will prepare a medical report, which is an official document of injuries sustained. It is a document which can be used as evidence if the case goes to the court.

**OSCCs are set up in all government hospitals across the country. In Penang there are six OSCCs in the main and district hospitals. Going to the OSCC allows victims to access help from the police, the Social Welfare Department and the Women's Centre for Change (WCC) which works closely with the hospitals in Penang.*

Islamic Department

The DVA applies to everyone, including Muslims and non-Muslims.

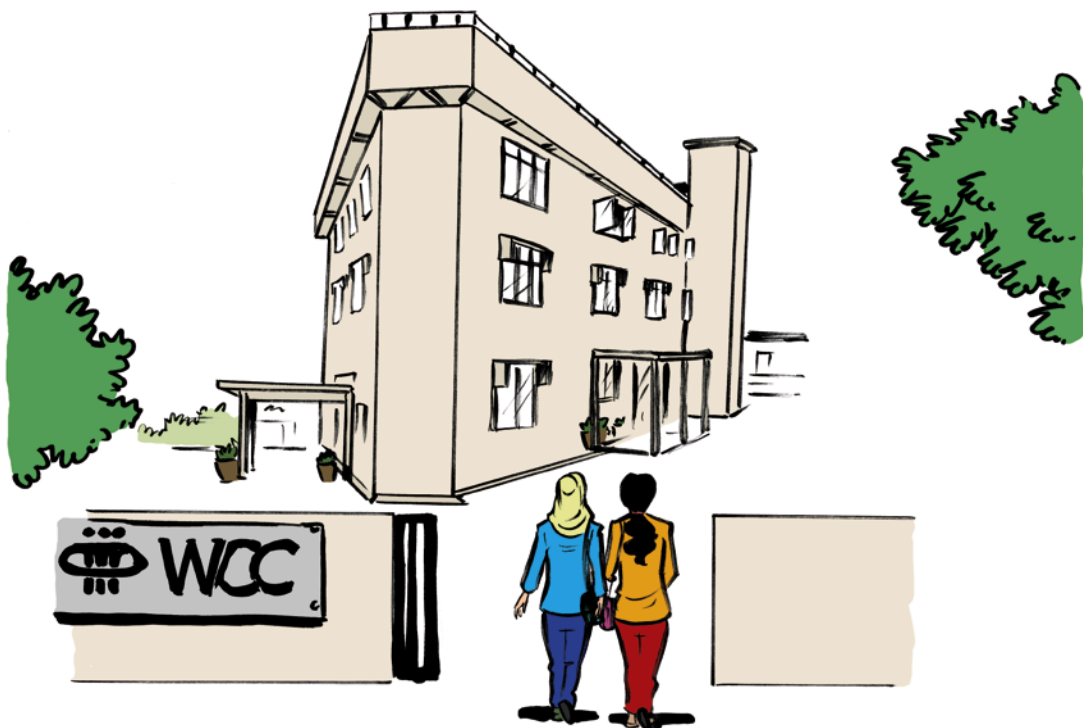
When a Muslim domestic violence victim is forced to leave her home for her own safety, she must inform the Islamic Department (Jabatan Agama) that she has left the matrimonial home and give the reason for her doing so.

Her safety and wellbeing take priority. She can lodge a complaint with the Islamic Department after she has made a police report or after she has had a medical checkup. The Islamic Department will record her complaint and contact the abuser to provide couple counselling for reconciliation, where possible.

Non-Governmental Organisations (NGOs)

Sometimes a domestic violence victim may not be ready to make a police report against her abuser. She may instead need some support and counselling prior to making a report. NGOs are available to meet the different needs of a domestic violence victim.

Women's Centre for Change (WCC) is a non-profit NGO set up specifically to help women and children facing domestic violence and/or sexual abuse. They work together with government agencies to help victims of such violence.



Accessing help from WCC

WCC can support the victim in the following ways:

- Provide immediate counselling for victims who are going through crisis.
- Accompany the victim to the police station, hospital, and Social Welfare Department if necessary. If the case goes to court, provide court support.
- Provide temporary shelter for the victim and her children.

For more information on WCC refer to <http://www.wccpenang.org/domestic-violence-getting-help/>

Legal Aid

There may be instances when a domestic violence victim may choose to seek legal separation from her abuser or opt for a divorce and may need some legal advice. She can seek free advice from the Legal Aid Department (Jabatan Bantuan Guaman) or Legal Aid Centre.



LIST OF AGENCIES IN PENANG

AGENCY	ADDRESS	TELEPHONE NO
Police Station		
Penang Police Headquarters	Jalan Penang, 10760 Penang	04-222 1522
Northeast District Police Headquarters	Jalan Patani, 10150 Penang	04-218 1822
Southwest District Police Headquarters	Jalan Hilir Sungai Burung, 11000 Balik Pulau, Penang	04-866 2222
Central Seberang Perai District Police Headquarters	3 Jalan Perda Utama, Bandar Baru Perda, 14000 Bukit Mertajam, Seberang Perai	04-538 2222
North Seberang Perai District Police Headquarters	Jalan Bertam 1, 13200 Kepala Batas, Seberang Perai	04-576 2222
South Seberang Perai District Police Headquarters	Jalan Serindit, 14200 Sungai Jawi, Seberang Perai	04-585 8222
Hospital (Emergency and Trauma Department)		
Penang Hospital	Jalan Resideni, 10400 Penang	04-222 5333
Balik Pulau Hospital	Jalan Sungai Pinang, 11000 Balik Pulau, Penang	04-866 9333
Seberang Jaya Hospital	Jalan Tun Hussein Onn, 13700 Seberang Jaya, Seberang Perai	04-382 7333
Bukit Mertajam Hospital	Jalan Kulim, 14000 Bukit Mertajam, Seberang Perai	04-549 7333
Kepala Batas Hospital	Jalan Bertam 2, 13200 Kepala Batas, Seberang Perai	04- 579 3333
Sungai Bakap Hospital	Jalan Besar Sungai Bakap, 14200 Sungai Jawi, Seberang Perai	04-582 4333

AGENCY	ADDRESS	TELEPHONE NO
Social Welfare Department		
Penang Headquarters Social Welfare Department	Aras 30, KOMTAR, 10564 Penang	04-650 5259
Northeast District Social Welfare Department	Kompleks Masyarakat Penyayang, Jalan Utama, 10460 Penang	04-226 4531
Southwest District Social Welfare Department	Kompleks Pasar Awam, Bangunan MPP, Jalan Tun Sardon 11000 Balik Pulau, Penang	04-866 8442
Central Seberang Perai District Social Welfare Department	Tingkat 2, Wisma Hock Teik 1778, Jalan Ciku, 14000 Bukit Mertajam, Seberang Perai	04-538 2584
North Seberang Perai District Social Welfare Department	Aras 3, Zon A, Wisma Persekutuan, Jalan Bertam, 13200 Kepala Batas, Seberang Perai	04-575 8715
South Seberang Perai District Social Welfare Department	Tingkat 1, Blok A, Kompleks Pejabat Kerajaan, Jalan Jawi Jaya 1, 14200 Sungai Jawi, Seberang Perai	04-582 1798
Religious Office		
Northeast District Islamic Religious Office	Aras 34, KOMTAR, 10000 Penang	04-261 2979
Southeast District Islamic Religious Office	Jalan Titi Teras, 11000 Balik Pulau, Penang	04-866 8525
Central Seberang Perai District Islamic Religious Office	Jalan Arumugam Pillai, 14000 Bukit Mertajam, Seberang Perai	04-538 6451
North Seberang Perai District (Butterworth) Islamic Religious Office	Kompleks Darul Hidayah (Rumah Transit Saudara Kita) Jalan Permatang Tok Gelam, 13100 Penaga, Seberang Perai	04-351 1521
North Seberang Perai District (Kepala Batas) Islamic Religious Office	Jalan Tun Hamdan Sheikh Tahir 13200 Kepala Batas, Seberang Perai	04-575 1182
South Seberang Perai District Islamic Religious Office	Jalan Serindit, 14200 Sungai Jawi, Seberang Perai	04 582 1001

AGENCY	ADDRESS	TELEPHONE NO
Non-Governmental Organisation		
Women's Centre for Change (WCC)	241 Jalan Burma, 10350 Penang	04-228 0342 011-3108 4001
WCC Seberang/Pusat Perkhidmatan Wanita (PPW)	13 Lorong Sutera 6, Taman Sutera, 13700 Seberang Jaya, Seberang Perai	04-398 8340 016-439 0698
Sneham Welfare Association	—	Hotline: 1-800-22-5757
Mitra Line	Wisma Than Hsiang No. 132, Jalan Sultan Azlan Shah, 11900 Bayan Lepas, Penang	Hotline: 04-642 9429 04-645 1141
Befrienders Penang	—	Hotline: 04-281 5161/1108 04-282 2736 (O/F)
National Population and Family Development Board (LPPKN)	8875, Jalan Bertam, 13200 Kepala Batas, Seberang Perai	04-575 5215
Agape Counseling Centre (Penang Branch)	CO-21-UP Kompleks Masyarakat Penyayang Jalan Utama, 10450 Penang	04-228 0709
D'Home Mental Health Association	66, Lintang Bukit Jambul, 11900 Bayan Lepas	04-643 4432 (O/F)
Home Dynamics	93-1, Jalan Gurdwara, 10300 Penang	04-210 9928
Malaysia Hindu Sangam	8, Jalan Perai Jaya, Bandar Perai Jaya, 13600 Perai, Seberang Perai	012-420 1498
Women Welfare Council	409, Babington Avenue, 10450 Penang	04-229 8355
Legal Aid		
Legal Aid Department	Aras 4, Bangunan Persekutuan Jalan Anson, 10400 Penang	04-210 9106
Legal Aid Centre	No 21, Green Hall, 10200 Penang	04-261 7451

ISBN 978-967-16908-1-9



For further information, contact:

Women's Centre for Change (WCC)

241 Jalan Burma,
10350 Penang, Malaysia

☎ : 04-228 0342

☎ : 04-228 5784

☎ : 011-3108 4001

✉ : wcc@wccpenang.org

WCC Seberang/Pusat Perkhidmatan Wanita (PPW)

13, Lorong Sutera 6, Taman Sutera,
13700, Seberang Jaya,
Penang, Malaysia

☎ : 04-398 8340

☎ : 016-439 0698

✉ : wccseberang@wccpenang.org