**CASE STUDY AND ‘PUT YOURSELF IN THE SHOES OF’ EXERCISE**

**Case Study**

A fifteen year old girl (Laila) from Goroka reports to her mother (Cecily) that she saw her 11 year old sister (Ruth) being sexually abused by the 25 year son of the village chief (Eddie) in the bushes near the village. The victim’s family is poor and owes money to their family.

Cecily tells her husband (Bobby) what Laila saw and he says ‘Don’t be ridiculous. Laila is just making it up. She lies about everything. Just forget it’. Cecily approaches her daughter Ruth who breaks down and tells her that it is true, that Eddie has been doing this to her for some time but has threatened to kill her if she tells anyone.

Cecily approaches her husband again and says Eddie must be stopped and held accountable for his crime. Bobby says there’s nothing they can do because in whichever justice system (state or local) the village chief will protect his son and turn everyone in the village against their family. Cecily says she cannot allow him to get away with it and will report it to the police. Eddie reacts angrily and assaults her with a metal gardening fork, injuring her head, and that if she goes to the police, not to bother coming home.

A neighbour (Jess) takes Cecily to the hospital where her head wound is stitched up. She then takes Cecily to the police where she reports her husband’s violence towards her and Eddie’s sexual abuse of her daughter Ruth. Cecily says that she is afraid to go home and is also worried about the safety of her daughters.

The police contact a local women’s organisation who take Cecily to a shelter and then collect Ruth and Laila from the village and bring them to the shelter too. Jess, the neighbour, returns home and is then beaten by her husband for interfering in another family’s private business and decides not to make a complaint against her husband.

**Proceeding Before Court**

Police investigate both allegations. Eddie is charged and indicated for child rape and threats to kill. He denies the charges. He has a public defender representing him.

Bobby is charged with summary offences of family violence and assault. He is self-represented. He admits that he assaulted Cecily but says that she provoked him by saying she would go to the police against his wishes.

Both cases are being heard before your court.

**Case regarding sexual assaults upon Laila**

* The prosecution plans to call Ruth, Laila and Cecily to give evidence re sexual assaults upon Laila;
* The defence plans to call Eddie’s father as a witness to support Eddie’s alibi that he was at work at the time of the assault and is of good character.

**Case regarding family violence/assault on Cecily**

The prosecution plans to:

* Call Cecily, and Jess as witnesses to assault by Bobby with the garden fork.
* Call Ruth and Laila as witnesses to previous family violence by Bobby against Cecily.

Bobby plans to tell the court that Cecil provoked him and that he has a right to discipline his wife when she defies him.

**Put yourself in the shoes of…**

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| **PART 1** | **How might the situation have affected her life?** | **How might she be feeling about coming to court?** |
| **11 year old Laila (victim)** |  |  |
| **Cecily (witness and victim)** |  |  |
| **15 year old Ruth**  **(witness)** |  |  |
| **Jess (witness)** |  |  |

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| **PART 2** | **What factors might help make her experience less traumatic?** | **What steps should the judge take?** |
| **11 year old Laila (victim)** |  |  |
| **Cecily (witness and victim)** |  |  |
| **15 year old Ruth**  **(witness)** |  |  |
| **Jess (witness)** |  |  |