



**THE STATE OF LAGOS STATE DOMESTIC  
VIOLENCE POLICY IN ADDRESSING SURGING  
ISSUES CONFRONTING ALL CATEGORIES OF  
VICTIMS: A POLICY REVIEW  
RECOMMENDATIONS**

**OLUWADELE, L. BOLUTIFE, PHD<sup>1</sup>, OKAIYETO, SIMON  
AYODELE<sup>2</sup> OLAOGUN, MICHAEL SUNKANMI<sup>3</sup>**

*<sup>1</sup>Public Policy Analyst, Canada. <sup>2</sup>Mass Communication Department, Salem University, Lokoja, Nigeria. <sup>3</sup>Pan Africa Youth Democracy Fellow, Honorary Emissary, Internationalism (India)*

**Abstract**

*Given consideration to the prevalence of domestic violence as a global phenomenon and the twin issue of inadequate legislation and policy to address it, we have scrutinized the Lagos State of Nigeria law and policy on domestic violence. From reviews both from primary and secondary sources, in addition to our earlier work in this regard, this qualitative study revealed the urgent need for a revisit into the current policy. Advocacy for an all-inclusive policy that caters to the need of all victims, but more importantly, the women that have been established to be one with more burdens of the ugly consequences of domestic violence is emphasized. There is a strong inclination that a women-centered approach may be more plausible in bringing better results in policy implementation and possibly tame the rising of domestic violence in Lagos, with concomitant effects on other parts of the federation who may wish to copy the working template envisaged from the policy reversal.*

**Keywords:** *Domestic Violence, Lagos state, Policy, Women-centered Approach*

**Introduction**

Domestic violence in Nigeria is surging, and the devastating effects are now a source of concern to the victims, advocacy groups, policy makers, and society. However, policy provisions to tackle this menace seem to be a big issue in the Nigerian polity. Madu (2015) raised the scarcity of domestic

violence legislation in Nigeria and its dire consequences on preventing and taming the 'evils' of pains inflicted on innocent victims. He also noted that Lagos State enacted "the Protection Against Domestic Violence Law of Lagos State" (Madu, 2015, p.283) in 2007. However, in 2016, some nine years later, the state came up with an implementation policy in tandem with the extant law. The policy was titled "Lagos State Safeguarding and Child Protection Policy" (Domestic Sexual and Violence Response Team. n.d.). A team known as the Domestic and Sexual Violence Response Team was created as the arrowhead for the policy implementation.

As indicated by Madu (2015), "The Law defines domestic violence as:

*...acts against any person; physical abuse, sexual abuse, exploitation including but not limited to rape, incest, and sexual assault, starvation, emotional, verbal and psychological abuse, economic abuse, denial of basic education, intimidation, harassment, stalking, hazardous attack including acid bath with offensive or poisonous substance, damage to property, entry into the complainants' residence without consent where the parties do not share the same residence, or any other controlling or abusive behaviour towards a complainant where such conduct harms or may cause imminent harm to the safety, health or wellbeing of the complainant."*

The broad interpretation of what constitutes domestic violence by the law and the narrowing of the policy to focus only on children raised the concerns for the research question. In the literature, it is indicated that women are the primary victims of domestic violence (Madu, 2015, Cejvanovic, Kovačević, Grgić, Maksimović, & Miletić, 2015; McCauley, Head, Lambert, Zafar, & van den Broek, 2017), it is therefore expected that any policy on the subject matter will not exclude this dominant group. Following the observation of this lapse in the policy, other questions became necessary to ask; was it a deliberate act or an oversight to omit women in the policy formulated nine years after the law was passed? Or is it just another case of patriarchy control (Tabassum, Tabassum, & Afzal, 2015) identified in the literature? All these questions form the basis and rationale for the research question to evaluate the adequacy of the policy vis-a-vis the law that gave 'life' to the policy in addressing the subject of domestic violence in Lagos State.

Domestic violence is a public policy concern involving a societal problem. Virkki (2017) stated that "It is, therefore, crucial to consider policies not, simply, as responses to problems that exist "out there" in society, waiting to be solved through policy interventions, but rather as competing interpretations of given problem areas" (p.2). Was Lagos State's interpretation of domestic violence limited to child protection, hence its policy focus? If the answer is yes, to this question, will such description be adjudged correct, against 'universal' acceptance that women (Madu, 2015, Cejvanovic et al., 2015; McCauley et al., 2017) are dominant victims of domestic violence? There is, therefore, the need to investigate the why and how this omission occurred, and hence the asking of the research question. Therefore, to address the observed lapses, a policy analysis that seeks to find out the reason for this omission will be appropriate. Fundamental to this will be an attempt through research evaluation to determine whether it was deliberate in excluding women in the policy. Second, was the omission intended to formulate a different policy that primarily addresses women as victims? Third, will the policymakers be open to reviewing the current policy and making it all-inclusive if it was an omission?

### **Research Questions**

1. How and why does the domestic violence policy of Lagos State, Nigeria exclude women, but focus on children as victims alone?
2. Was the omission intended to formulate a different policy that primarily addresses women as victims?
3. If it was an omission, will the policymakers be open to reviewing the current policy and make it all-inclusive?"

## **LITERATURE REVIEW**

### **The Lagos State Policy**

Deriving from the preceding, therefore, it calls for scrutiny, the basis upon which Lagos decided to focus its policy (Domestic Sexual and Violence Response Team. n.d.) on child protection alone. Therefore, as stated in the week three assignment, the whole essence is to ask the relevant question:

"How and why does the domestic violence policy of Lagos State, Nigeria exclude women but focus on children as victims alone?"

Madu (2015) raised the scarcity of domestic violence legislation in Nigeria and its dire consequences on preventing and taming the 'evils' of pains

inflicted on innocent victims. He also noted that Lagos State enacted "the Protection Against Domestic Violence Law of Lagos State" (Madu, 2015, p.283) in 2007. However, in 2016, some nine years later, the state came up with an implementation policy in tandem with the extant law. The policy was titled "Lagos State Safeguarding and Child Protection Policy" (Domestic Sexual and Violence Response Team. n.d.). A team known as the Domestic and Sexual Violence Response Team was created as the arrowhead for the policy implementation.

The how and why these observable lapses occur will go a long way in recommending an updated policy that may take either of the following suggestions. Either the existing policy is updated to become more inclusive, but with women as its focal point, or a new policy is drafted exclusively to address matters as it affects women. However, with the structure on the ground (Domestic Sexual and Violence Response Team. n.d.), it may be more plausible to update than having two policies concurrently on the same issue, especially when they are both derivatives of "A Law To Provide Protection Against Domestic Violence and For Connected Purposes" (2007). In looking at the prevalence of domestic violence, we should not lose sight of its various intersections. Belknap and Grant (2021) elucidated this more succinctly in affirming that "... class is not the only source of conflict in capitalist societies, but intersect with race, ethnicity, gender, and sexuality conflicts" (Belknap & Grant, 2021, p. 386, citing Kienscherf, 2019). All these elements may be necessary for consideration in the eventuality of policy review. Care also be taken not to water down the incidences of domestic violence by wrong definition and categorization. For example, in its recent review of domestic violence policy, the United Kingdom replaced violence with the simpler word "abuse" (Aldridge, 2021). We align our thoughts with Aldridge (2021) that it should instead be domestic violence and abuse. By taking the word "violence" out of the trajectory, the policymakers may be unwittingly undermining the severity of the damages to domestic violence victims. Abuse, to us, is somewhat too patronizing. While we do not undermine the challenges of commonality of terms (Jetha et al. 2021), there should be some essential elements which no policy should undermine.

Another issue that may be of immense importance to the Lagos state is the possibility of exploring the necessity for compulsory reporting of domestic violence by all interventionists to the agency expressly set up (Jordan &

Pritchard, 2021). As indicated in our previous study (Oluwadele et al. 2021), many victims seemed more comfortable reporting incidences to their community and religious leaders rather than the agency. However, with a compulsory reporting system, the agency can become a better repository of incidences and, therefore, better design systems to bring offenders to justice. We opined that the situation where domestic violence is still treated as family affairs "that should be kept within the household, free from public..." (Lin et al., 2021, p.878) might be counterproductive. We are also not unmindful of the possibility of victims' reluctance if such reports are not treated with deserving dignity and confidentiality (Jordan & Pritchard, 2021).

Overall, the determinants for effective legislation and policy about domestic violence should be,

*the goals of providing a legislative and policy framework to support ending family violence and a strong justice response to family violence; facilitating collaboration amongst various actors, including the courts; and supporting the provision of coordinated and integrated supports and services at the community level* (Koshan, 2021, p.522).

### **The International Perspective to Domestic Violence Policy**

Drawing inspiration from the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Odion and Eboigbe (2018) advocated for the law, policy, and regulations against all harmful practices against women. Earlier, Madu (2015) had advocated for strong laws and strategy as the Nigerian penal codes have become somewhat obsolete (Madu, 2015; Nwabunike & Tenkorang, 2017). In more profound discourse, McQuigg (2017) called for a globally binding treaty to tame the 'demon' of violence against women worldwide. Expounding on the requirements of the Istanbul Convention, Grans (2018) reminded us of their components of protection, prevention, prosecution, and integrated policies (p.144). Nussbaum (2016) called for accelerated progress, not in enacting but enforcing women's rights as an integral part of the overall Human Rights, with the UN leading an enforceable mechanism to end the barbaric practices of domestic violence. Fagan (2017) called for eliminating cultural practices that impede the individual's fundamental Human Rights, as culture itself is an evolving phenomenon rather than a static obligation that may not be changed.

Onyemelukwe (2017), in advocating for best practices in tackling domestic violence, stated the following principles "gender sensitivity,

comprehensiveness, sufficient penalties for perpetrators, integrate interventions, consistent legal framework, and mechanisms for effective implementation" (p.189-190). Most of these principles found supports in Odion and Eboigbe (2018) advocacy for the elimination of discrimination against women; Helmersson and Jonson (2015) call for the empowerment of victims; Bowstead (2015) provision of refuges for escaping victims; and Fagan (2017) call for the elimination of cultural practices feeding domestic violence.

### **Methodology**

To do the evaluation, a critical look at what constitutes domestic violence will be followed by its effects on women across some jurisdictions to give it as much disperse as possible. Then, some attempt will be made about how the perennial occurrences of domestic violence are being tackled, again in some places, after which an evaluation of the policy enacted by Lagos State Nigeria in this regard will be made and possible recommendations on how, if it needs to, be remedied. The authors will utilize "an interpretive qualitative research approach in doing this review. Research of an interpretive approach assumes that there is not just one empirical world; everyone has personal views and perspectives of reality (Thiel, 2014). Interpretive research typically attempts to understand the social world as it is from the perspective of individual experience" (Khan, 2015).

A combination of primary and secondary sources in semi-structured data gathering will be required to answer the research question.

The questionnaires were administered to some select groups, such as students, who may have had some intimate experience in domestic violence and are not part of those identified as a group or visible individuals such as elected officials, government officials, nonprofit organizations, and other groups that may be defined like advocacy groups.

Secondary sources: information from the secondary sources was sourced from multiple databases. Such includes; government databases, research organizations that have carried out previous works on domestic violence, related policy, advocacy groups databases, university databases, and other academic journal databases. The data collected from the secondary sources were analyzed through meta-analysis techniques.

### **Findings**

#### **Public Views on the State of Lagos Domestic Violence**

Empirical findings show that the awareness of the policy on domestic violence has not spread among Lagosians. Though there is policy law against domestic violence, it is a pointer that most cases of these violent go on

reported. This will invariably mean that the implementation of the policy may not be fully realized.

**Table 1: Public Awareness of Lagos State Domestic Violence Policy**

Variable	Frequency	Percentage (%)
<b>Not Aware</b>	117	45.7
<b>Am Aware</b>	139	54.3
<b>Total</b>	<b>256</b>	<b>100.0</b>

Source: The Researchers, 2021

Out of 256 respondents, 117, representing 45.7%, are not aware of any state policy regarding domestic violence. However, over half (54.3%) of the respondents are aware of Lagos state policy on domestic violence. This is a pointer that the policy is not very popular.

**Table 2: Whether the State Domestic Violence Policy should address all Categories of Victims**

Variable	Frequency	Percentage (%)
<b>No, it should not</b>	5	2.0
<b>Yes, it should</b>	242	94.5
<b>May be</b>	9	3.5
<b>Total</b>	<b>256</b>	<b>100.0</b>

Source: The Researchers, 2021

Almost all (94.5%) agreed that domestic violence policy should address all categories of victims.

**Table 3: The Extent of Domestic Violence affects lives in the state.**

The Extent Domestic Violence affects lives in the state	Frequency	Percentage (%)
<b>Little or no Extent</b>	6	2.3
<b>Some Extent</b>	31	12.1
<b>Moderate Extent</b>	39	15.2
<b>Great Extant</b>	114	44.5
<b>Very Great Extent</b>	66	25.8
<b>Total</b>	<b>256</b>	<b>100.0</b>

Source: The Researchers, 2021

About three quarter (75%) agreed that domestic violence affects peoples' lives in Lagos. This means the prevailing rate of domestic violence in the state is taking a toll on people's lives.

**Table 4: The Group that is Most Affected by Domestic Violence**

Group Most Affected by Domestic Violence	Frequency	Percentage (%)
<b>Children</b>	72	28.1
<b>Children and Women</b>	72	27.3
<b>Women</b>	101	39.5
<b>Men</b>	4	1.6
<b>Children and Men</b>	7	2.7
<b>Total</b>	<b>256</b>	<b>100.0</b>

Source: The Researchers, 2021

The data shows that women and children (96.0%) are the most affected by domestic violence, and specifically, women (39.5%) are mostly affected. This shows the imperative of policy that will categorically address women's domestic challenges.

### **Workable Recommendations to Tame Domestic Violence**

Given the noticeable deficiency noticed regarding the policy formulated by the Lagos State Government (Domestic Sexual and Violence Response Team. n.d.), it is imperative to explore some alternatives. Through these, either a reversal of the existing policy or development of another one that specifically caters to women, as a group that suffers most domestic violence. (Cejvanovic et al., 2015). Virkki (2017) gave us a broad summary of different perspectives through which policy can address domestic violence. These perspectives are; rights of individuals who are victims of domestic violence, implicit gender equality, women-centered approach, and structural gender equality (Virkki, 2017).

Since it is generally assumed that the fundamental human rights should mean that no human will be subjected to unwarranted indignity to their person or idea based on the situation in life, from the definition in the existing law enacted by Lagos state, domestic violence constitutes a violation of fundamental human rights. The state has both moral and legal obligations to protect the victims of the unwholesome assault on their persons.



The approach implicit gender equality based on women-friendly welfare state discourse (Virkki, 2017) is an implicit gender equality assumption. This approach, while being gender-neutral, seeks to address the issue of domestic violence as it affects anyone without seeing it as a social problem that affects women explicitly as a group (Virkki, 2017).

Though this approach may still provide hope for victims regarding safety, support, prosecutions, and punishments, like the current policy in Lagos, it can deny the specificity required to develop actionable policy. On the flip side, it might just conclude that domestic affects people across a broad spectrum, and sometimes the victim might be a woman. Therefore, the implicit gender equality approach may have a severe drawback.

The women-centered approach is usually supported with statistical data, confirming women as the primary victims of domestic violence (Madu, 2017; Cejvanovic et al., 2015; McCauley et al., 2017; Virkki, 2017). All these assertions strengthen the arguments in favor of this approach; it unequivocally supports the desirability of this approach over and above all other methods. There are no merits in all the stands and support; however, the approach will most likely neglect the remaining 10% of victims who happened not to be women.

The structural gender approach, which is perhaps the optimal state in developing actionable policy (Virkki, 2017), may be the ultimate approach hope for. This approach, with a disposition towards a gender equality society (some utopian, one can reasonably argue), takes care of all victims of domestic violence irrespective of gender, race, or circumstance in life. It upholds the fundamental human rights for all and sundry. Of course, this approach will support gender-neutral human rights advocacy groups and humanists, whose concerns are for all and sundry.

### **Evaluating the alternatives**

Having briefly alluded to these four perspectives, let us have a more significant look at each approach to recommending a preferable course of action and provide possible justification for the choice of strategy.

The individual rights approach, which is sometimes overshadowed by family protection, and takes a pretentious look at gender inequality (Virkki, 2017), may have a narrow propensity towards preventing domestic violence.

The implicit gender approach undermines the excess burden of domestic violence borne by women by neglecting that women are more vulnerable to

domestic violence than men. It pretends to be gender bound to domestic violence by assuming that a victim is a victim even if she perchance happens to be a woman. (Virkki, 2017). The oversimplification and somewhat denial of this approach, contrary to the assertion in the literature (Madu, 2017, Cejvanovic et al., 2015; McCauley et al., 2017) and virtually all references in this work, that women are predominantly victims of domestic violence, is indicative that a policy fashioned in the mode of this approach, will be ineffective at best and frustrating at worst.

The women-centered approach, though not without its shortcoming of alienating the other 10 % victims, mainly children and sometimes men (Nigeria Vanguard Newspapers, 2017, September 5), remains the preferred option, over and above all the rest. Many voices in the advocacy and influencers can help shape actionable policy through their concerted efforts. For these reasons, I will recommend this as the best option above the rest.

The structural gender equality approach, perhaps the ultimate we should aim at, is based on the pretentious premise of gender equality. Undoubtedly, there are intense battles towards gender equality around the world, which may become a reality someday; until then, it will be unrealistic to pursue this approach in policy development in Lagos state, which is incidentally situated in Nigeria, a developing country, so to say.

### **Policy recommendation**

Having settled on the plausible policy recommendation, the women-centered approach, a workable approach may be in the likelihood of what was done in the state of Colorado in the US where they have been able to carry out successful reform in their domestic violation policy. (Tunstall, Weible, Tomsich & Gover, 2016). Tunstall et al. (2016) advocated for empirical research into domestic violence problems and possible causes to develop a more scientific approach to policy formulation. Going through that route also, they opined that decision-makers and policymakers would benefit immensely from research findings (Tunstall et al., 2016). Tunstall et al. (2016) affirmed that "any proposed changes must consider research-based best practices" (p.586).

In aligning the women-centered approach as the preferred policy recommendation with this proposition, one may recommend that the Lagos State Policy revision focuses on women in tandem with research (Tunstall et al., 2016).

Lagos state can also take a cue from what Virkki (2017) called "International comparison of policy development" to understudy policy formulation, especially in metropolitan states like Lagos, and develop a domesticated version that takes care of the peculiarity of the state. They should consider, how despite the shortcoming of its policy, "Namibia has sought collaboration and the exchange of legislative ideas with Lagos State, especially on its domestic violence bill" (Madu, 2015, p. 284), which eventually became law, and upon which the domestic violence policy was drawn.

With the State already laudable initiative "in training District Police Officers on implementing the new domestic violence act and ensuring the prosecution of the perpetrators" (Madu, 2015, p.284), such training will be more effective if extended to the rank and file of the Police community who are the primary contacts with the victims. Since domestic violence is a breach of both legal and ethical rights of the individual victim, a policy formulated as remediation should be capable of restoring the rights and giving hope to the victims, especially women. However, for the policy to dovetail into noticeable social change (Walden University, n.d.), it should not be seen as isolating the primary victims of the heinous crime, domestic violence, which impacts women negatively.

The need to incorporate religious and traditional institutions in the fight against domestic violence cannot be underestimated; hence, they have more direct access to the populace than the government (Oluwadele et al., 2021). Again, we align our thoughts with Jetha et al. (2021) that in thinking about policy review, the Lagos state should not "neglect (the place of) advocacy, monitoring, and evaluation as well as the criminalisation of offenders" (p.9). These elements are critical to bringing the incidences of domestic violence to the barest minimum. Whatever option the state is favourable towards, we passionately appeal that thoughtful consideration should be given to the rich conclusions by Belknap and Grant (2021). They opined that:

*We are optimistic that expanding and improving community-based policies that more consciously address equity and marginalization and include marginalized community members in forming the programs and policies will most effectively advance DV awareness and education, community-coordinated responses (CCRs), safety planning and resources for DV survivors and their children, and*

*innovative responses to DV abusers. Such innovations can more effectively deter DV before and after it begins than our current agencies and responses (Belknap & Grant, 2021, p. 390).*

Our optimism is further fueled by the collective understanding and aspiration that if Lagos state gets it right, there is the likelihood that Nigeria as a whole may get it right.

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