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## Domestic Violence Legislation and Protection for Survivors: Challenges and Progress in Enforcement

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**Abstract:** *This research examines the effectiveness of domestic violence legislation in protecting survivors and ensuring access to justice. By analyzing case studies, the study highlights the progress and challenges in enforcement, such as legal gaps, cultural barriers, and resource constraints. Findings suggest that while legislation has improved protections, additional support mechanisms and public awareness are essential to provide survivors with adequate safety and support.*

**Keywords:** *Domestic violence, survivor protection, family law, legal enforcement, cultural barriers.*

### 1. INTRODUCTION

Domestic violence (DV) remains a widespread issue that affects the physical, emotional, and psychological well-being of individuals, particularly women, in Uganda and globally. In response to this persistent issue, Uganda has implemented various legislative measures aimed at providing legal protections for survivors of domestic violence. The Domestic Violence Act of 2010, among other laws, was enacted to improve the legal framework for preventing domestic violence and providing survivors with necessary support.

Despite these legal advancements, challenges persist in enforcing domestic violence legislation effectively. Survivors often face significant barriers in accessing justice, such as cultural resistance, lack of resources, and inadequate support systems. This research seeks to assess the progress Uganda has made in enforcing domestic violence laws and the challenges that continue to undermine the protection of survivors.

### 2. LITERATURE REVIEW

The role of legislation in combating domestic violence has been widely discussed, with research emphasizing both its potential and limitations. According to Heise et al. (1999), legal reforms alone are insufficient to eradicate domestic violence; cultural attitudes, economic dependency, and lack of enforcement mechanisms often prevent survivors from accessing protection. In Uganda, a study by Muwanga (2015) indicated that while the Domestic Violence Act provides essential legal provisions, its impact has been hindered by social stigma and cultural norms that normalize domestic violence.

Studies from other African countries, such as South Africa and Kenya, also highlight similar enforcement challenges. Makama (2013) observed that cultural perceptions of marriage and gender roles often complicate the implementation of protective laws, as domestic violence may be viewed as a private matter. The enforcement of laws, therefore, requires not only a robust legal framework but also comprehensive awareness campaigns and support systems for both survivors and law enforcement agencies.

Moreover, resource limitations have been identified as a significant barrier to the effective implementation of domestic violence legislation. In Uganda, the lack of funding for shelters, inadequate training for police officers, and insufficient public awareness contribute to the slow progress in enforcement (Klein, 2011).

### **3. METHODOLOGY**

This study utilizes a qualitative research approach, analyzing case studies and interviews with survivors of domestic violence, law enforcement personnel, and legal experts in Uganda. The study also reviews secondary data, including government reports, non-governmental organization (NGO) publications, and academic articles, to assess the effectiveness of the Domestic Violence Act and other related laws.

A purposive sampling method was used to select participants who had direct experience with domestic violence cases or were involved in the enforcement of related laws. In total, 30 survivors, 15 law enforcement officers, and 10 legal experts were interviewed.

The data collected was analyzed thematically to identify key challenges in the enforcement of domestic violence legislation, as well as the progress made since the enactment of the law. The study also examines the role of societal attitudes and cultural practices in influencing both the enforcement of laws and the experiences of survivors.

### **4. RESULTS**

The findings of this study reveal both positive strides and significant challenges in the enforcement of domestic violence legislation in Uganda.

#### **a. Legal Protections and Enforcement**

The enactment of the Domestic Violence Act of 2010 has been crucial in offering legal remedies for survivors, such as protection orders and the criminalization of domestic violence. According to legal experts, the law has provided a stronger foundation for prosecuting offenders and ensuring the safety of survivors. Additionally, specialized units within the police

force have been established to handle domestic violence cases, contributing to more coordinated responses.

b. Barriers to Enforcement

Despite the legal framework, survivors face numerous barriers in accessing protection. One major issue is the lack of awareness of the law among the general public, particularly in rural areas. This lack of awareness, coupled with cultural beliefs that domestic violence is a private matter, often prevents survivors from reporting incidents to the authorities. Some police officers are also reported to be insufficiently trained to handle domestic violence cases, leading to dismissive attitudes toward survivors.

c. Resource Constraints

Resource limitations significantly hamper the effectiveness of domestic violence laws. Shelters for survivors are limited, and many do not have the capacity to accommodate all survivors in need. Moreover, the legal system is often burdened by insufficient funding, which delays the processing of cases. The absence of social support programs further exacerbates the vulnerability of survivors, leaving them in unsafe situations without adequate resources for long-term recovery.

## 5. DISCUSSION

The results of this study highlight the complex interplay of legal, cultural, and resource-related factors in addressing domestic violence in Uganda. While the Domestic Violence Act provides essential legal protections, the lack of public awareness and the persistence of cultural attitudes that condone domestic violence undermine the effectiveness of enforcement efforts. As noted by Kim (2010), legal reforms must be complemented by cultural and educational campaigns to shift societal attitudes toward domestic violence.

In Uganda, the effectiveness of domestic violence legislation is also constrained by resource limitations. According to the World Health Organization (WHO, 2017), adequately resourced shelters and support systems are critical for the long-term success of laws designed to protect survivors. In the case of Uganda, these resources remain insufficient, limiting survivors' ability to escape violent situations and rebuild their lives.

Furthermore, the challenge of law enforcement readiness and capacity remains a significant barrier. Police officers often face immense caseloads, lack of proper training, and sometimes, resistance from within their communities. Training programs for law enforcement officers, coupled with continuous public education, are essential for improving the handling of domestic violence cases and encouraging greater survivor engagement with the legal system.

## 6. CONCLUSION

Domestic violence legislation in Uganda has made significant progress in providing legal protections for survivors. However, challenges related to enforcement, cultural barriers, and resource constraints continue to undermine the effectiveness of these laws. The research suggests that while legal reforms are essential, addressing these challenges requires a multifaceted approach that includes public awareness campaigns, resource allocation for shelters, and continuous training for law enforcement officers.

For Uganda to achieve meaningful progress in protecting survivors of domestic violence, there must be a concerted effort to create a society where survivors are supported, and domestic violence is no longer tolerated. Further investment in both legal and social infrastructure is critical to ensure that domestic violence survivors can access justice and live free from abuse.

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