



Violence Against Women in Peru: an analysis of the implementation process of policies and legislation.

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Abstract

The last years have shown a progress on the fight against violence against women in Peru. This has signified the introduction of new policies and strategies, that despite their promising components, have not proved to be successful to significantly decrease the high and alarming prevalence of VAW in Peru. For this reason, the present study aimed to analyse the implementation process to assess its effectiveness based on regulation compliance and the identification of possible causes of implementation gaps. The findings showed a poor compliance of regulations among the delivery of services for victims of VAW, and it identified five potential causes of implementation gaps. In addition, this research provides a compilation of suggestions for the improvement of the implementation process, based on the experiences of frontline workers on the matter. The concluding data provides an insight and grounding for future research seeking to assess the effectiveness of the implementation process and explore the causes of implementation gaps on policies and legislation on VAW.

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Table of contents

I. INTRODUCTION.....	5
II. LITERATURE REVIEW.....	7
2.1 Background	7
2.1.1 Policy-making and implementation.....	7
2.1.2 Public Policies on Violence Against Women.....	8
2.1.2.1 The evolution of Peruvian policies on VAW.....	10
2.1.2.2 Law N° 30364, its Regulation and policies.....	11
2.1.3 Violence Against Women.....	12
2.1.3.1 Definition.....	12
2.1.3.2 Is this really an issue in Peru?	12
2.2 Review of Existing Literature.....	16
2.2.1 Policy Implementation.....	16
2.2.1.1 Implementation Gaps and its causes.....	17
2.2.2 Previous Studies.....	19
2.2.2.1 On the Implementation gaps in Peru.....	19
2.2.2.2 On Implementation gaps on VAW.....	19
2.2.2.3 On Services for victims of VAW.....	20
2.3 Gaps on the literature.....	25
III. RESEARCH METHODOLOGY.....	26
3.1 Data collection.....	27
3.1.1 Interviews.....	27
3.2 Data Analysis.....	28
3.3 Data Management.....	29
3.4 Methodological Limitations.....	29
IV. FINDINGS.....	30
4.1 Regulations Compliance.....	30
4.1.1 Prevention.....	30
4.1.2 Support for victims.....	32
4.1.2.1 Legal Support.....	33
4.1.2.2 Comprehensive support.....	34
4.1.3 Protection and recovery of victims.....	35
4.1.4 Sanction and re-education of perpetrators.....	36
4.1.5 Criteria for Service Delivery.....	37
4.2 Possible causes of implementation gaps.....	39
4.3 Suggestions for the improvement of policy implementation.....	42
V. DISCUSSION.....	44
5.1 Recommendations.....	46
VI. CONCLUSION.....	47

I. INTRODUCTION

Violence against women (VAW) is a problem that affects all countries and a third of the women around the world (WHO, 2019). That is the global trend, but some countries have a higher prevalence. Among those countries, Peru is found with a 63% or prevalence of VAW (INEI, 2019). This problem has a detrimental impact on the physical and mental health of the victims, that can last for years or a lifetime (Observatorio Nacional, 2018). Furthermore, VAW has a negative effect on the development and economy of countries, with an estimate global cost of eight trillion dollars (US\$) (Alvarado et al., 2019).

In order to prevent these effects, and aiming to eradicate and sanction VAW, Peru has shown an important progress on the development of strategies during the last 20 years (Boesten & Flores, 2011). The improvements comprised new policies that included upgraded legislation, National Plans, budgetary programmes, among others. However, after the introduction of these interventions, Peru has not shown a significant decrease on the prevalence of VAW (INEI, 2018).

The continued high trends suggest that despite all the efforts, the current policies have not succeeded on the prevention and eradication of VAW. In this sense, the literature states that regardless of how good a policy design is, some policies fail to achieve their goals due to a flawed implementation process (Cairney, 2019). The effectiveness of the implementation can determine the outcomes of a policy, for which it is important to assess its effectiveness in order to prevent failure or explain undesired results (Hossain, 2019). For this reason, the present research will analyse the implementation of the Peruvian policies and legislation on VAW.

To this effect, this study will attempt to answer three research questions (RS):

- 1) Does the delivery of services for victims of VAW comply with the regulations on the matter?
- 2) What are the possible causes of implementation gaps of the policies and legislation on VAW in Peru?
- 3) How can the implementation process be improved for a better policy delivery?

The first RS will be answered through the conduction of semi-structured interviews to frontline workers, who will provide information about the delivery of service for victims of VAW and this will be compared with the regulations of the Law 30364 and its Regulation, in order to identify discrepancies and identify compliance. The second RS will be answered through the analysis of the primary data collected in order to identify possible implementation causes based on seven causes that the literature suggested. Finally, the third RS will be answered through the compilation of suggestions provided by the interviewees, according to their own experience and knowledge.

Consequently, following this introduction, the second section will cover the literature review, which includes a background describing the how policies are made and structured in Peru, with some paragraphs focused on policies on VAW. Also, it will provide descriptive statistics that evidence the concerning situation of VAW in Peru. Then, it will review some previous studies on the implementation process of Peru, the process regarding policies on VAW, and studies that analysed the service delivery on the matter. The literature on this chapter provided an opportunity of study through research gaps that will subsequently be addressed.

The third section will describe the research methodology, explaining how the data was collected, a description of the sample, the data analysis and management, and an overview of the research process. Afterwards, the fourth section will provide a detailed exposure of the findings, answering the RS mentioned above.

Thereupon, the fifth section will present a discussion of the findings and their implications. Also, it will include a recommendations section, which will address how this study contributes to future research, the limitations and suggestions for forthcoming studies on the topic of policies on VAW in Peru.

II. LITERATURE REVIEW

This section consists of two parts. Firstly, the background will describe how public policies are made and implemented in Peru, followed by a presentation of the current public policies and legislation on VAW. Then, it will explain how these policies address VAW, followed by a description of the Law 30364 and its Regulation, and a brief description of the important interventions that are based on the law and Regulation.

Secondly, the review of existing literature will start by stating the importance the implementation process has on policy cycles, and how it can determine the effectiveness of a policy. It will then describe what is necessary for a successful implementation process according to the top-down approach, and will also list the factors that lead to an implementation failure, understood as the causes of the 'implementation gaps', preceded by a definition of this last term. Also, it will review the existing literature on implementation gaps in Peru and the services for victims of VAW. It will then present research that analysed the services on VAW in Peru, which provides a description of some flaws in the policies on the matter, their service delivery and implementation. Lastly, this chapter will describe the opportunities for research that the review implies, which served as a basis for the design and methodology of this study. Both sections will be used to develop a third part: gaps on the literature.

2.1 Background

2.1.1 Policy making and implementation in Peru

The latest public policy (PP) regulation in Peru was approved in 2018. It was developed by the Presidencia Del Consejo De Ministros¹ (PCM) and it details how policies need to be structured, and provides guidelines for their implementation and evaluation stages. The structure includes:

- A legal framework stating the national legislation used as reference
- The methodology used for the establishment of strategies
- Problem description
- Existing related policies
- Guidelines for implementation of services
- Performance standards and indicators
- Monitoring and evaluation

¹ Presidency of the Ministers Board in English

This regulation indicates that the implementation of policies is enforced by objectives, performance targets and indicators of results. All the entities involved at all levels of government have the obligation of complying with the implementation of PPs within their jurisdictional duties. In the case of non-compliance by a Ministry, the General Comptroller of the Republic will intervene. This lack of compliance could be identified through progress reports that every National Institution involved need to submit periodically (CEPLAN, 2018). The reports include an analysis of the achievement of performance targets in relation to standards and indicators. These indicators seek to measure the success of the PP, and are also necessary to manage the economic resources provided to each agency by the Ministry of Economy and Finances (MEF). For this reason, the MEF creates “Results Oriented Budgetary Programme”, which helps each Ministry’s justification of expenditure.

Depending on the competence that each Ministry has, they oversee some policies under their coverage, meaning that they are responsible for monitoring the performance of the institutions involved. Consequently, the Ministry in charge also progressively enhances the PPs and assesses their impact.

2.1.2 Public Policies on Violence Against Women

The regulation of PP (PCM, 2018) states that in Peru there are 3 types of policies: i) State’s Policies: found in the National Agreement; seek citizens wellbeing and the nation’s sustainable development, and serve as a guideline for the State’s actions, ii) Government’s General Policy: states the priorities within a specific government’s term, and iii) National Policies: state the most important public policies and service delivery in the country, specifying their compliance standards. The Peruvian Ministries develop these policies in accordance with the State’s Policies and the Government’s General Policy, addressing needs and issues of their competence.

Following this categorisation, the public policies that address VAW are:

- i) State’s Policies: they address VAW on its 7th Policy, which refers to the eradication of violence, and specifies the physic and mental violence against woman on its point c).
- ii) Government’s General Policy: the current one, which will last until 2021, mentions the wellbeing and development of the citizens as its 4th Government Priority, which includes the protection of women towards violence on its point 4.6 (DS N° 056-2018-PCM, 2018).
- iii) National Policies: there are several national policies that tackle VAW due to the coverage the ministries in Peru give to the issue. Undoubtedly, the key Ministry responsible for addressing VAW is the Ministry of Women and Vulnerable Populations (MIMP by its

acronym in Spanish), and thus they were in charge of creating the current NP: the National Plan Against Gender Violence 2016 – 2021.

The regulations on VAW indicate the responsibilities each ministry has, which resulted in more than 70 guidelines for interventions and national plans created by 10 Ministries of Peru, and although not all of them are specifically focused on VAW, they do cover its important role in it. Going through all of them would mean reviewing several ministerial documents, however, one foundation that frames all these documents is the Constitution and the National law. The Political Constitution of Peru, states on its Title I, Chapter I, that “no one should be a victim of moral, psychological or physical violence” (Constitucion Politica del Peru, 1993). In addition, the National Law has its specific legislation on the problematic through the Law N° 30364, “Law to Prevent, Punish and Eradicate Violence Against Women and Members of The Family Group”. Naturally, the Law N° 30364 complies with the principles on the supreme law of the Constitution and it is the only one in force that has been expressly developed for tackling VAW, hence it represents the most important legislation in the country on the theme.

Kilpatrick (2000) affirms that a very important element of public policies is the law and believes that addressing problems requires following the national legislations. The author analysed the importance of the law for the design of policies on VAW, and found that these can influence the lives of victims. The way the legislation can have this impact is, firstly, through the establishment of human rights and delineation of acts that violate them, including the penalties carried; secondly, the establishment of criteria for the creation and delivery of services; and thirdly, a very significant impact on the budget that will be assigned to services like mental health support (Kilpatrick, 2000).

The law shapes public policies. Executive’s agencies use legislation as a basis to develop the regulations that serve as public policies for the governmental sectors (Fink, 2016). In Peru, laws are developed by the Legislative Power and, after the law is enacted the Executive Power develops a Regulation for the law that is approved through a supreme Decree. Therefore, the Regulation for the Law N° 30364 was approved in July of 2016, 08 months after the Law was enacted.

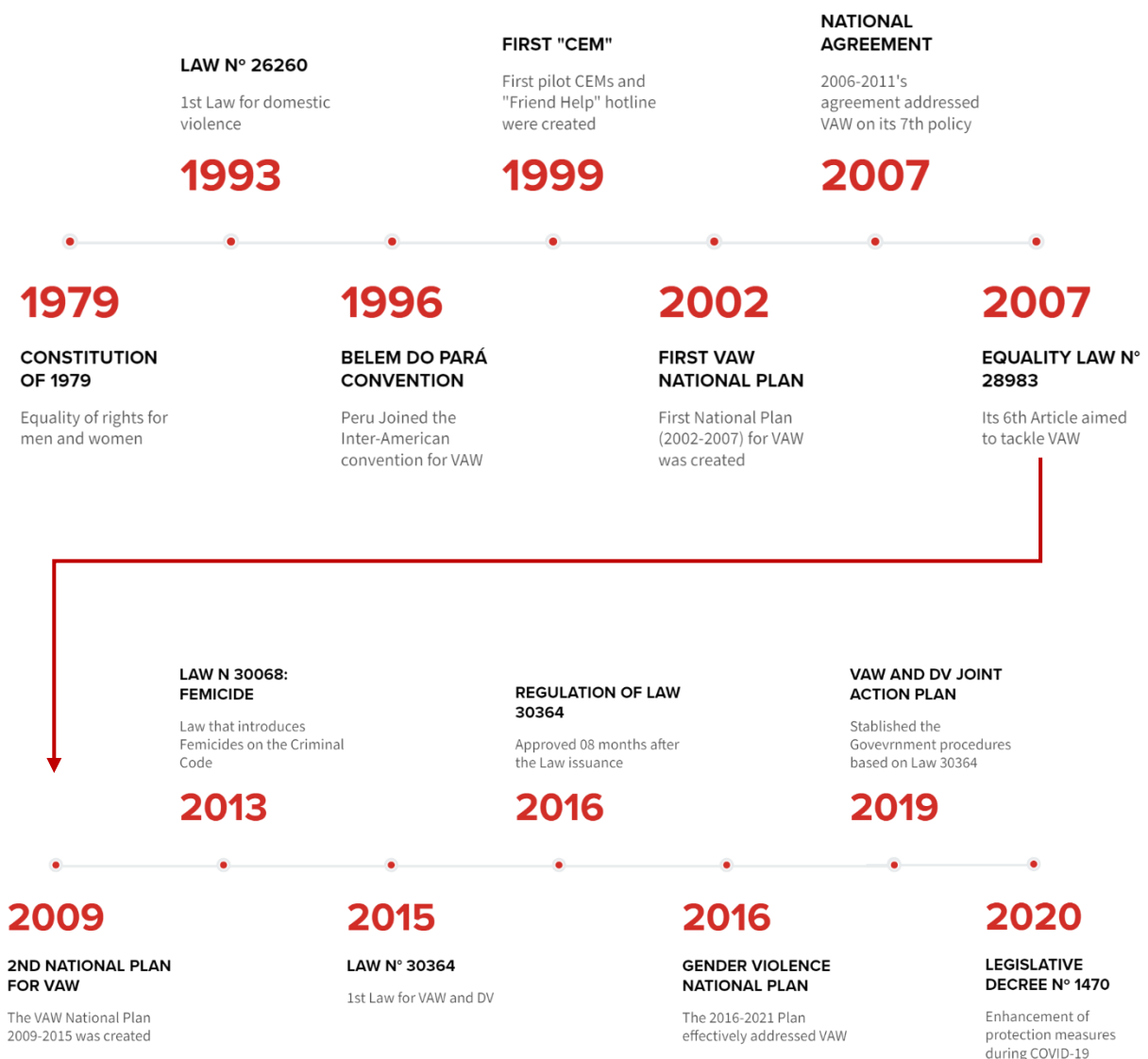
For the purpose of this research, the Law N° 30364 and its Regulation have been identified as the most important sources and elements of the public policy of Peru on VAW. Therefore, this research will focus its analysing on this Law and its Regulation. Accordingly, the following section will describe what the Law 30364 and its Regulation comprise, after a brief description of the evolution that led to the current regulations.

2.1.2.1 The evolution of Peruvian policies on VAW

Getting to understand the process that Peru has gone through to achieve the public policies that seek to prevent and address VAW nowadays, requires going back to the XIX century, in order to have a broad picture of its evolution.

A detailed but broad picture of this evolution is provided on Graph 01, although this is only a part of all what Peru went through in order to strengthen its response towards VAW.

Graph 01: The evolution of public policies on VAW in Peru



Elaboration: Own elaboration

2.1.2.2 Law N° 30364, Regulation and policies

The Law N° 30364 and its Regulation: the Law was approved by the Congress in 2015 and it addresses VAW and domestic violence (DV). Most of the rules on VAW cover DV as well, yet this second issue will not be reviewed since it's not within the scope of this investigation.

The law's objective on VAW is to "prevent, eradicate and sanction all forms of violence against women produced in the public or private sphere due to their status as such" (Ley N° 30364, 2015). In order to achieve this objective, the intervention focuses on the protection and recovery of the victims through a system of support services, along with strategies for the sanction of perpetrators and their reeducation that guarantees the exercise of the victims' rights.

The Law, in its Title IV, Article 33, rules the creation of the "National System for the Prevention, Sanction and Eradication of Violence against Women", composed of i) The High Level Multisectoral Commission (HLMC): responsible for the elaboration of the Regulation of the Law N° 30364, and comprised of the highest authorities of 10 Ministries, The Judicial and the People's Advocate Office; ii) the Technical secretary; and iii) the Regional, Provincial and District Concertation Instances (CI). The National System (NS) oversees the implementation of the support system and supervises the compliance of the PPs, monitoring the performance of the entities involved (MIMP, 2016).

The analysis within this investigation will be made upon the updated law and regulation, including all the modifications made on 2018 (through the Legislative Decree N° 1386). Both this Law and its Regulation cover a vast range of rules and studying all of them would require a more extensive investigation. Therefore, for the purpose of this study, only some rules will be described and included on further analysis in accordance with the methodology of this research. These are categorised and detailed on Table 02 of Chapter 04.

Important policies and interventions based on the Law 30364 and its Regulation

- a) National Plan Against Gender Violence 2016 – 2021: it provides the intervention of the national policy on VAW, stating what each Ministry is responsible for and detailing the methodology for the establishment of each strategy, its specific objective and indicators (MIMP, 2016). It has two main objectives and priorities: Prevention through training and education, and Support by guaranteeing services for the victims (MIMP, 2016).

- b) CEM: The Emergency Center for Women (CEM by its acronym in Spanish) are created by the MIMP and the Regulation of Law 30364 rules its functioning. The CEMs are services that

provide multidisciplinary support for victims through social, psychological and legal advice, at no cost (MIMP, 2007).

- c) Specialized Family Police Stations: mainly female officers work there and were created for victims of VAW and DV, to receive their reporting and support them through the process.

2.1.3 Violence Against Women

2.1.3.1 Definition

The most common definition shared worldwide (Amnesty International, 2020; Oxfam International, 2012) is the one found on the UN's Declaration on the Elimination of VAW (1993, p.1), where VAW is described as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or mental harm or suffering to women, [...] whether occurring in public or in private life". The Belém do Pará convention coincides with the same definition (OAS, 1994), and the Peruvian legislation has adopted it as well (Ley 30364, 2015).

This problem has long-term consequences on its victims. Studies show that the impact on their mental health can be anxiety, stress, low self-esteem and depression, lasting years after the aggression and sometimes even for life (Observatorio Nacional, 2018). The physical consequences can be chronic pain, headaches, digestive problems, STI's, among other (WHO, 2019). In addition, it can lead to interrupt studies and affect the economic independence, along with being a traumatic experience for the children involved (Observatorio Nacional, 2018).

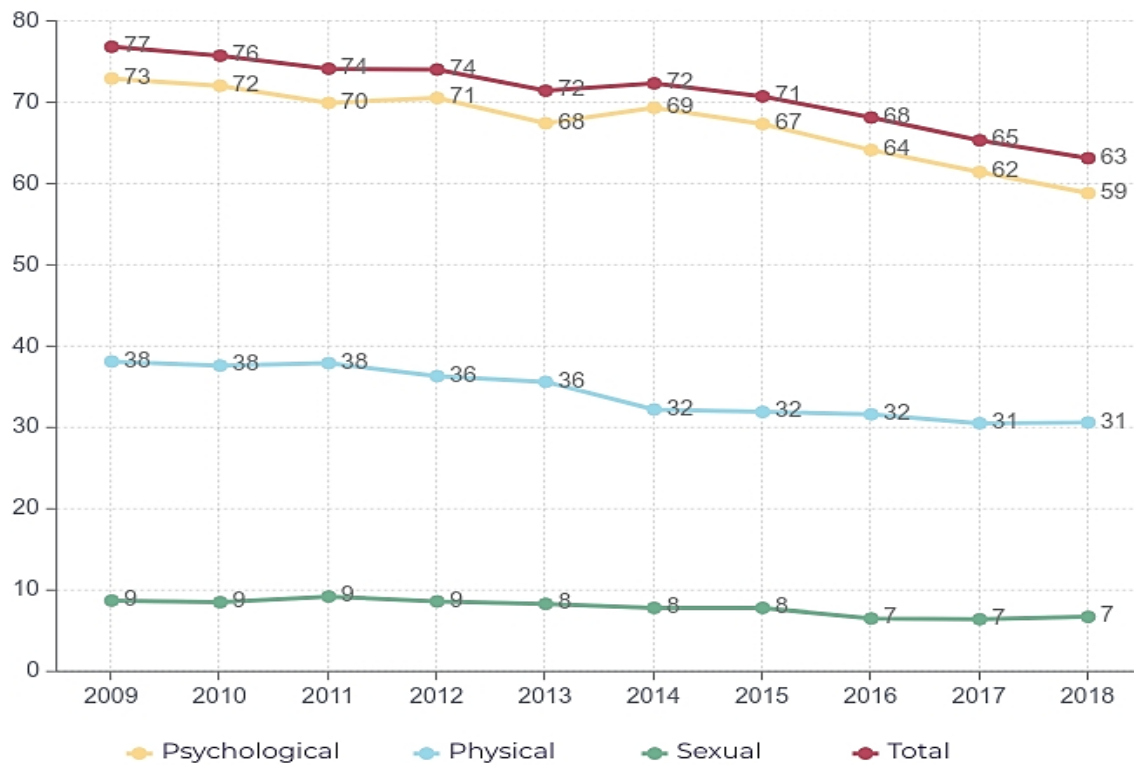
2.1.3.2 Is this really an issue in Peru?

The prevalence of VAW in Peru has never been absent (INEI, 2016), on the contrary, it's a problem with one of the highest trends in Latin America (ReliefWeb, 2020; MIMP cited in Calandria, 2018). 32 cases of femicide and 120 attempts of it were registered in the two first months of the year 2020 (Gimeno, 2020), a higher proportion in comparison to the first two months of 2019, which had 19 femicides and 68 attempts (MIMP, 2020b). MIMP (2020b) also reported that the CEMs received 35,647 VAW cases in January and February 2020, 8,215 more cases than in those 2 months of 2019, suggesting that the problem in Peru is still persistent and requires a tougher intervention.

Graph 02 shows the prevalence of women who have experienced VAW at least once in their lives in Peru, proving that the trend has decreased from 2009 to 2018: 14 percent points overall, 14 percent points on the psychological type, 7 on the physical and 2 on the sexual type. This shows an improvement for this cause in the course of nine years, however, the violence by type has hardly

diminished since 2015, when the Law 30364 was issued, evidencing the small results the policies on VAW have had until 2018.

Graph 02: Prevalence of VAW in Peru, by type, 2009-2018

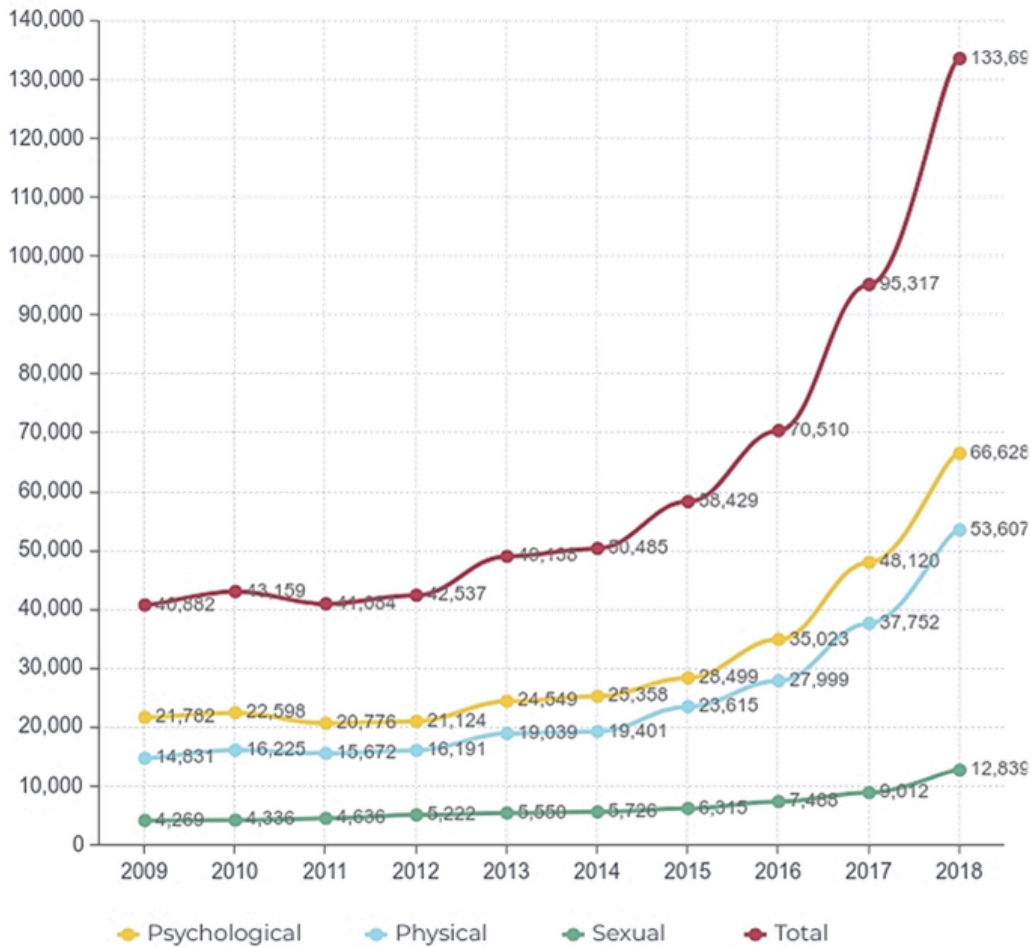


Source: data obtained from INEI (2018) and INEI (2019)

Elaboration: Own elaboration

On the other hand, the MIMP (2020) provided data about the cases of VAW that are received and supported by CEMs, and this shows a substantial increase of violence incidents being handled by the government’s services. A comparison between Graph 02 and Graph 03 suggests that although the overall prevalence of VAW has decreased, the CEMs continue seeing an increasing demand of support services. This might not necessarily represent an increase in VAW prevalence, but a better dissemination of services and more reliance on them.

Graph 03: Cases of VAW, by type, received and supported by CEMs in Peru, 2009-2018



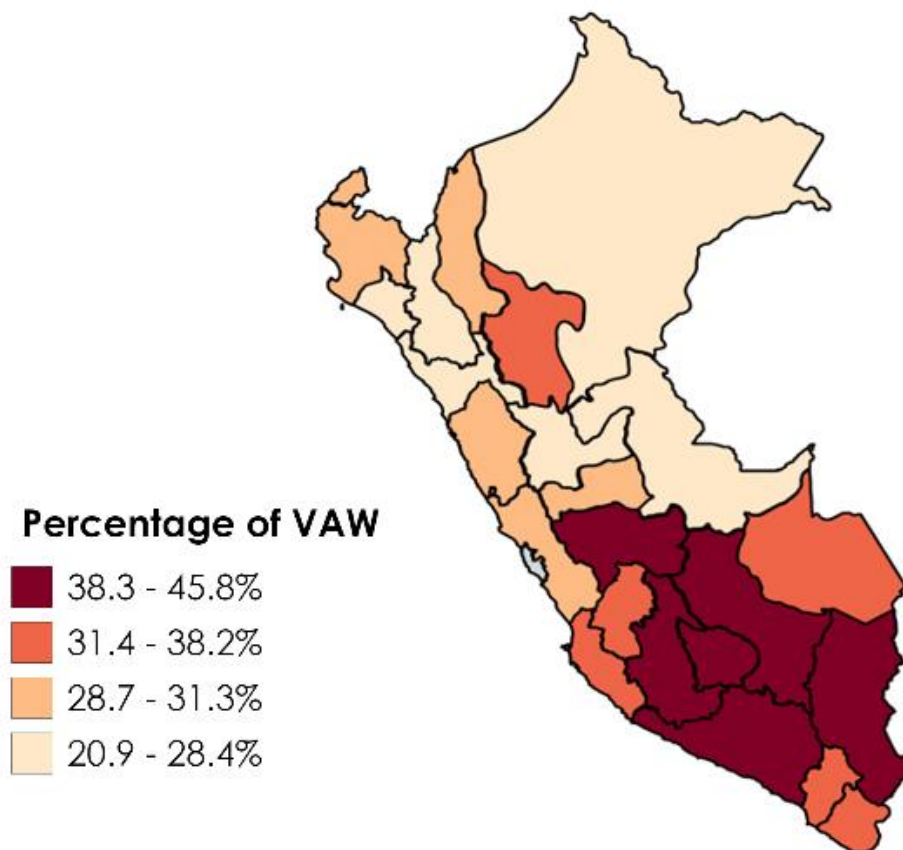
Source: data obtained from MIMP (2020)

One of the factors that increase the prevalence of this issue is a chauvinist or “macho” culture (Garcia, 2012; Gil, 2017; RPP, 2019) which perpetuates the acceptance and normalization of VAW, and justification of aggressions. This normalization is called social tolerance (People’s Advocate Office, 2018) and a INEI’s report (2019) revealed a social tolerance percentage of 52.1 in 2013, and 58.9 in 2019.

Although VAW exists in the entire country, the prevalence can be higher in some regions of Peru. Graph 04 provides a picture of tendency of physical violence by departments in 2016, demonstrating a predominance in the South (by cardinal directions), and the Highlands region (by the Peru’s geographical regions division: the Coast, Highlands, and Jungle). The graph provides trends about one type of violence and only year 2016, but the national reports show that the prevalence of all types of violence were higher in the Highlands than in the Coast and Jungle regions, in years 2016, 2017 and

2018 (INEI, 2016; 2017; 2018), showing a constant trend fixed to this region, suggesting that there might be a stronger casuistry of VAW or a flawed exercise of policies in the region, which evidence a necessity of further and updated research on VAW within the region.

Graph 04: Prevalence of Physical VAW by intimate partner in Peru, by departments - 2016



Source: data obtained from INEI (2018)

All in all, although Peru had a Law for DV that addressed VAW since 1993, it had its first National Plan in 2002, a second improved one in 2009 and a third one in 2016 that was based on the 2015's Law on the matter, it seems like the strategies have not been enough to reduce the VAW prevalence to, at least, the world's average (around 35% as affirmed by UN WOMEN in 2019). Or, on the contrary, Peru might not be getting the desired results due to a flawed exercise of policies instead of due to weak strategies. The concerning prevalence of VAW in Peru is not arguable, hence it is important to study and assess the policy and its implementation in order to determine the casuistry of this persistent trend. In this regard, the next chapter will explore the existent research and data on the matter.

2.2 Review of Existing Literature

2.2.1 Policy Implementation

All governments want their policies to have the expected results and thus be effective at addressing a societal problem. This is why policy makers put a lot of effort in designing policies to find the best strategies to tackle a problem, but sometimes they assume the policies will be automatically put into practice after the policy formulation (Palfrey, 1999), forgetting that the implementation process is perhaps the most important stage of the policy cycle (Hossain, 2019), because if governments invest time and resources on a good design but fail in actually delivering services and executing strategies, then there will not be significant results as aimed on the policy objectives.

The implementation process is not just one more step of the policy cycle, but it is the one that could define a policy's success. Policy effectiveness used to be described merely as the achievement of goals, but current research suggests a more comprehensive approach where effectiveness requires a successful policy design and implementation (Mukherjee & Singh, 2019), where the second can increase the possibility of effectively delivering services and tackling an issue (Calderon, 2017; Hossain, 2019). Singh et al. (2019) state that policy effectiveness requires considering the capacity of the implementing agencies and anticipating implementation challenges to avoid failure. Consequently, policy makers need to question what can lead to a successful policy implementation during the early (making) stages of the policy, and not later or separately (Palfrey, 1999).

Given the importance of a good implementation process, it is crucial to understand what it requires and what it really means. Implementation was defined by Pressman and Wildavsky (1984) as an ability that leads to the attainment of the expected results, and the synergy between the "setting of goals and actions geared to achieve them". Regarding the implementation process of policies, O'toole (2000) defines it as the relationship between the intention a government has to achieve something and the results that are actually obtained.

The implementation process is usually, and erroneously, seen as "the easy stage" of the execution of public policies (Richardson, 1997), and it is often given less importance and attention than the policy-making stages under the premise that if during the design process the policies are considered to be feasible, then they are expected to be put into practice without problem, yet factors like overburdening expectations and scarce resources can result in policy failure (Cortazar, 2005).

The literature suggests some conditions that can lead to a "perfect implementation" (Hood, 1976; Hogwood and Gunn, 1984):

- a) The system where policy implementation happens needs to be like a military organisation with clear authorities and liabilities
- b) Provision of clear objectives and tasks
- c) Strict compliance of those tasks (“perfect obedience”) by skilful and committed implementors
- d) Effective communication between all actors involved
- e) Enough time and resources for implementation.
- f) Acceptance of the policy

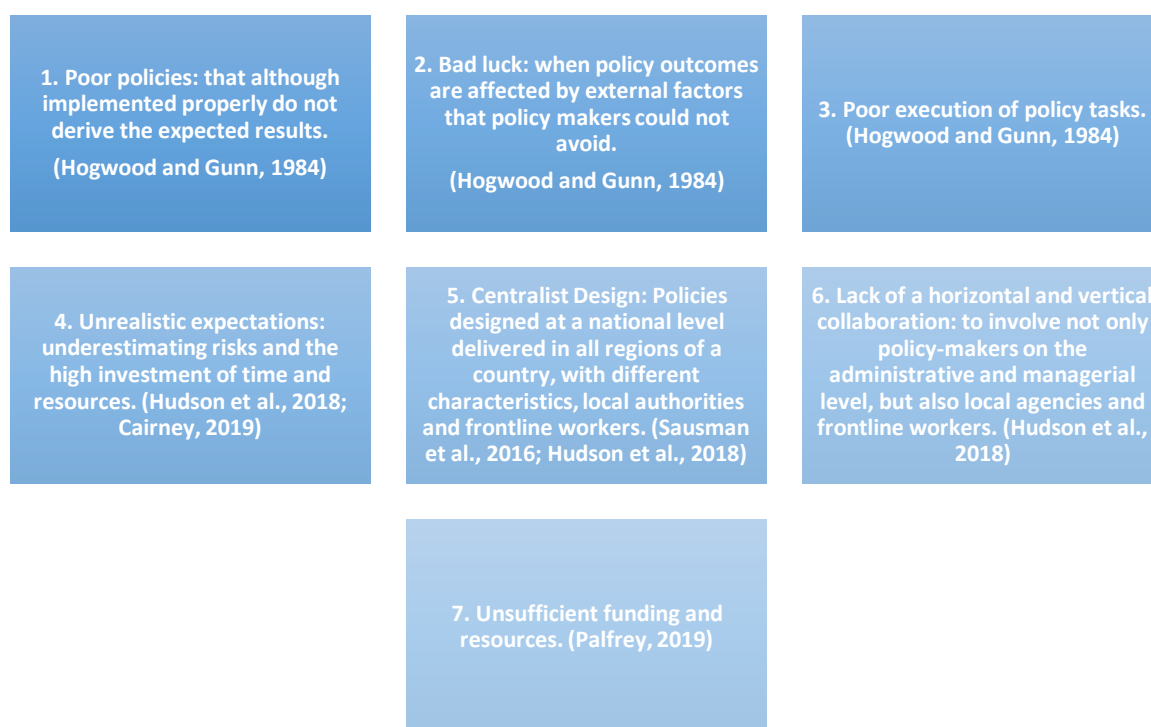
These are characteristics of the implementation approach called “top down”, and it is focused on bottom levels of the system complying with the execution of specific tasks, which are stated by decision makers of the central government or The Legislative (Cairney, 2019). This approach is often criticized by scholars who argue that central government do not have the main influence on policies, but it is lower level actors (called “street level bureaucrats” by Lipsky, 1980) who actually deliver the policies that can make a difference (Hudson et al., 2018). This second approach is known as “bottom up” (Cairney, 2019).

Looking at Peruvian Regulation of Policies (PCM, 2018), the National Plan (2016) and the Law 30364 and its Regulation, we can see that the approach in which the regulations are based is the top down, where frontline workers are merely performers of tasks that have to follow regulations and report these to their respective authorities. Following a top down approach would mean that Peru, in order to have an effective implementation process, needs to make sure their policy process present at least the six characteristics listed before. On the contrary, the results would be policy failures through the, so called, “implementation gaps” (Palfrey, 1999)

2.2.1.1 Implementation Gaps and its causes

Palfrey (1999) describes the implementation gap as the difference between the policy’s objectives and the actual achievement of them, and as the “gap between intention and effect”. This gap between expectations and outcomes (Cairney, 2019) reflects a failure in the implementation process which leads to negative, or partial results. In this regard, Graph 05 summarizes some of the factors attributed to implementation failure, hence they represent the causes of implementation gaps.

Graph 05: Causes of implementation gaps



Elaboration: own elaboration

The literature then suggests that avoiding these seven factors might help avoid implementation gaps, which means it is crucial to identify these flaws in the implementation process of policies in order to prevent policy failure. In addition, the conditions for the “perfect implementation” of the top down approach imply that the compliance of policy tasks could result in positive outcomes, which represents a second aspect that needs to be assessed to determine policy success.

Hence, in words of Matland (cited by Cairney, 2019), “A top-down approach (which frames Peruvian policies) might identify success if the implementation gap is small or if there is evidence of compliance”. Consequently, if stakeholders want to predict success, avoid failure or explain the negative results of a Peruvian policy, they need to identify two aspects: firstly, the causes of implementation gaps and, secondly, if the policies are being delivered in compliance with its regulations.

Under that premise, this research will aim to identify those two aspects. For this purpose, this study will analyse the implementation process on VAW policies, based on the “perfect implementation” criteria and the causes of implementation gaps, as described on Graph 05. And also, it will explore the extent to which the delivery of services for victims of VAW comply with their policy regulations (the Law 30364 and its Regulation).

Existing literature already provides findings on these two aspects. Researchers have previously studied implementation gaps in Peru, and have also provided information that suggests the level of policy compliance, through the analyses of service delivery of public institutions. Hereunder, some of those findings are described in this literature review, focusing mainly on the ones related to VAW in Peru.

2.2.2 Previous Studies

2.2.2.1 On the Implementation gaps in Peru

Calderon (2017) identified some gaps that exist on the implementation process in Peru. The first one the author found is the bureaucracy level that exists in an attempt to avoid corruption and homogenize processes, adding that there is not really enough evidence to know if the bureaucracy's negative effects (delays in procedures and inflexibility in actions and decisions) are justified by a cost-effective relation. The second was policies being designed at a national level without meeting the needs of all Peruvian contexts, resulting in the impossibility of a successful adaptation of policies and their implementation.

The next gap identified by Calderon is the educational differences among actors from departments and from the capital city, meaning that operators in Lima had more chances to study at the best universities of Peru due to the country's educational centralism (Leon, 2003). This results in having less trained actors in other regions, precluding the elaboration and updating of local planification, adaptation and execution of the national public policies. Lastly, Calderon (2017) identified a political factor, stating that the implementation process is affected by the actor's perceptions, degree of interest, acceptance of the policies and availability of resources.

2.2.2.2 On the Implementation gaps on VAW

Due to the complexity of VAW, the design and implementation of policies is a difficult task that requires the accomplishment of a rigorous policy cycle, performed by thousands of stakeholders. Hence, policies on VAW could be more likely to fail and identifying the causes for implementation gaps could make a real difference.

Franceschet (2010) claims that, to avoid implementation failure on VAW policies, these need to have a strong legal basis, comprehensive support systems, and continuous training and awareness campaigns. In addition, Accordingly, Boesten and Flores (2011), and Dammert (2018), stress the importance of complying with the legislation on VAW, and the empowerment of frontline workers to achieve compliance.

In this sense, Boesten and Flores (2011) conducted study that analysed the reforms and implementation of the policies on DV in Peru. Although it was not focused on VAW, it provided some information on its implementation process. The researchers found that the delivery of policies in this matter give priority to achieving targets instead of a service of high quality and that there is a poor compliance of the legislation in the policy delivery. The authors claim that these implementation shortcomings could be related to an unstable interpretation of the policies, and the societal acceptance of VAW that influences the perception implementors have of the problem. Yet, they recommend a further study to really understand the causes of implementation failure, which is covered in the present research by the analysis of causes for implementation gaps.

Understanding the implementation gaps of policies on VAW is necessary to understand what could be impeding the complete achievement of the policy objectives. However, there is not enough research on this matter. A World Bank's report (2019) states that Peru has limited resources for the monitoring of policy implementation, being most of them only focused on registering and measuring result indicators. Similarly, the CIDH (2007) found that the countries of South America lack of mechanisms for the assessment of legislation implementation, for which is it still difficult to know the efficiency of the services and interventions, and to identify the barriers that hinder a good service delivery for victims.

Accordingly, the only clear attempts of Peru to measure the implementation of policies is done through reports that state what indicators have been met (see MIMP, 2020; MIMP, 2017, INEI 2016; 2017; 2018; 2019, and the yearly statistical reports on MIMP, n.d). These reports reflect the performance and accomplishment of all the governmental institutions involved, yet they do not provide the causes of unmet targets and flawed implementation. Consequently, this research aims to fill this research gap, by analysing the possible causes of the implementation gaps on policies that address VAW in Peru.

2.2.2.3 On Services for victims of VAW

Previous research has explored the issues that victims of VAW face when trying to access services the government provides, and the shortcomings these services have despite the public policies on this topic clearly address them in an attempt to prevent them. For a clearer compilation of data, the findings of the existing research have been divided in 08 categories (a to h) in relation to the identified problems and the different aspects of the policy interventions.

a) Corruption and mistrust

In 2019, Peru occupied the third position of the list of Latin American countries that perceive themselves as most corrupted (Gestion, 2019). This problem exists within public services, and the ones that address VAW are not the exception.

Zevallos et al. (2016) conducted a research to identify the problems on the legal and health services for victims of sexual violence in the department of Huánuco, Peru. Through interviews to workers on the field and analyses of case files, the authors found that although all services for victims of VAW are free (Ley 30364), victims were charged for services and examinations. Victims were told that in order to speed their processes they could “discretely” pay and get early appointments for examinations. In addition, Zevallos et al. (2016) also found that bribery is rife within legal services, with judges asking for payments to favour a party and victims offered money to withdraw charges.

The corruption in the legal system not only affects victims directly, but is also seems to be prejudicing future victims. Mujica and Zevallos (2016) have described that the corruption in Peruvian services causes concerning levels of mistrust, discouraging victims to seek support from governmental services. A World Bank’s report (2019) showed that only 30% of victims seek support in Peru, which according to the former minister of the MIMP, happens because women do not trust the justice system of the country (Montenegro, cited by EFE, 2019).

b) Limited Funding and lack of resources

The national budget for VAW and DV in Peru was doubled in 2019 in comparison to 2018 (Observatorio Nacional², 2019; World Bank, 2019), nonetheless the service delivery seems to be still impacted by budgetary limitations. This is illustrated by Peruvian services that still lack professionals specialised in VAW to support victims during their physical and psychological recovery (Zevallos et al., 2016), implying that the augmented budget has not met the need of human resources demand.

The CIDH (2007) claimed that women in these countries do not know their rights and that their respective governments should invest more in educative programs to address this and allow women to know what services they can access in cases of VAW. This would improve the strategies within the preventive sphere of the policies, and although the national budget for VAW and DV was doubled in 2019 in comparison to 2018, only 20% of it is dedicated to prevention (Observatorio Nacional³, 2019; World Bank, 2019). The prevention of VAW is a priority and main objective of the current legislation and policies in the matter, however the major focus of the investment is given to the protection and

² National Observatory for VAW

support of victims, which is a sensible approach for current victims, but disregards the risk of other women becoming new victims.

In this respect, the People's Advocate Office (2017) conducted a research in 8 departments of Peru, two years after the Law 30364 was enacted, in order to know what was the conception that justice operators and victims had of the Law and its implementation. The results showed that due to the lack budget, the hired professionals are not enough to carry out their tasks in compliance with the policy regulations (such as communicating PMs, monitoring PMs, the accompaniment of victims during the entire process, and completion of timed procedures), and the operators who are already working are not always skilful because the high costs that training carries restricts the possibility of continued training.

The lack of funding for the construction of appropriate facilities to receive victims means that sometimes victims even have to go to penitentiaries for hearings, reported to be a very distressful experience for them (Zevallos et al., 2016).

c) Discrimination

VAW is already a type of discrimination - gender-based - (OHCHR, 1979; OAS, 1994; Ley 30364; Tello, 2019), meaning that victims of VAW are discriminated by the society and their perpetrators. Thus, it is essential to guarantee a non-discriminatory service delivery that ensures a safe environment where victims can seek support. Peru has clear and persistent regulations that prohibit any kind of discrimination during the enforcement of the law and the execution of policy tasks, however, research suggests that this is a continuing problem in Peru (Zevallos et al., 2016; Boesten & Flores, 2011).

Zevallos et al. (2016) found that victims of sexual violence experience discrimination due to gender, socioeconomic background, and ethnicity, especially women from rural areas, who are worsely mistreated by frontline workers in comparison to women from urban areas.

d) Training and specialization

The convention Belem do Para (OAS, 1994), approved and signed by Peru, states that it is obligation of each member State to ensure the provision of specialised services. This implies that VAW policies operators need to have experience and skills on VAW and "know a lot about the subject" (Cambridge University Press, n.d.). Nonetheless, authors (Zevallos et al., 2016) have found that some frontline workers in Peru ignore their responsibilities, the norms and the protocols of victims support, and yet they still do not receive enough training on the topic.

Furthermore, it was found that only around 6% of police officer have received specialized training on domestic violence investigation and more than 25% have not received any training on matters of VAW, according to Defensoria del Pueblo (2019). As a result, as all police officers are responsible for completing the victims' risk assessment, those unprepared operators fail to complete it correctly and provide erroneous evidence for the PMs and sentence (Defensoria del Pueblo, 2017).

A research under a wider territorial umbrella, was conducted by the Inter-American Court of Human Rights (CIDH, 2007) found that the lack of training is a constant among services of VAW in South America (including Peru). The CIDH identified a concerning level of ignorance about legislation, types of violence and their consequences from frontline workers, maintained by a lack of mandatory training and specialization schemes for service providers. These training deficiencies were already identified as an urgent need for police officers since 2009 (Defensoria del Pueblo, 2017), yet it continues to be an un-attended need.

Another important topic of relevance is the burnout syndrome, since frontline workers have to respond to high demands of support, for cases of violence that can be distressful and overwhelming. Yet, only 50% of workers at CEMs have received training on it (People's Advocacy Office, 2018), leaving the other half vulnerable to this syndrome, which can affect workers not only individually but also on their service performance

e) Poor quality services

As previously mentioned, victims do not trust government's services due to the level of corruption in the public sector of Peru, but this mistrust might also be caused by the poor-quality services victims receive at public institutions. It has been found that legal service providers interview victims questioning the veracity of their testimonies, influenced by gender-based prejudices, and revictimizing them (Zevallos et al., 2016). The CIDH (2007) reported this revictimization is the result of repetitively requesting victims to tell the perpetration facts, and claimed that women are victims of institutional violence from the public sector.

Moreover, victims of VAW have reported that police officers request 'strong' evidence for the reporting, that they seem to not have time, and they reject reporting or provide a better service to people who pay for it (Defensoria del Pueblo, 2017). Also, victims claimed that police officer make value judgment by questioning declarations and looking for the woman's responsibility on the acts of violence (Defensoria del Pueblo, 2017).

f) 'Macho' culture

The macho culture present in the general society as well as in the support services for victims. Research (Defensoria del Pueblo, 2017) evidences an alarming proportion (40-50%) of justice operators who believe that a) women report violence because they are jealous and want to prejudice their partners only, b) women should care about their children and thus should not report violence, and c) women should tolerate verbal violence since their partners do it for jealousy.

g) Accessibility

Due to the lack of decentralization in Peru, some victims do not have access to services because many of these are provided in offices located in big cities, rather than in rural areas (Zevallos et al., 2016)

This is also reflected in the characteristics of CEMs across the country. The People's Advocacy Office (2018) reported that currently, there are more than 300 CEMs in Peru, of which 82% are located in areas with easy access, implying that the accessibility of services for women who live in remote rural areas would have to invest money and time to travel to these offices. Also, the report stated that only 20% of CEMs work 24 hours a day, limiting the availability of services for victims

h) Legal support and protection of victims

Despite the great coverage of the regulations on VAW in Peru, these have not yet provided sufficient legal support for victims. Hereof, the People's Advocacy Office (2018) reported that of all the PMs requested by severe violence victims, less than 5% of them were issued. Another research (Defensoria del Pueblo, 2017) shows that 20% of police officers claim that they monitor the issued PMs, leaving 1 of 5 victims unprotected. This research also found that the most common PM issued is an 'order to stop the violence' (although the PMs the victims seek the most are the order for perpetrators to leave their houses and proximity restrictions, since these make them feel more protected)

Also, the CIDH (2007) has claimed that most of the VAW cases are left unpunished, and this impunity tendency strengthens the mistrusts victims have towards the justice system and can even increase the violence (Boesten & Flores, 2011)

Regarding refugee homes for victims, it's been reported (Defensoria del Pueblo, 2019) that Peru had only 49 working refuges for VAW victims in 2019, which is not enough for the amount of victims that need a safe place to live, and many of these places lack of an intervention plan for the social integration, comprehensive attention and therapeutic intervention.

2.3 Gaps on the literature

The development of the literature reviews has allowed to explore the problematic of VAW in Peru. The statistics and data of prevalence of this issue have presented the background of a country with an evident problem, which continues despite the efforts to update policies and create new legislation that prevents VAW and protects its victims. The success of the policies is arguable, and in an attempt to explore the casuistry for this continuing prevalence, researchers have found problems and flaws on the services and policies in Peru. Yet, the studies presented on this section have only explored the problem by either looking at only one type of violence at a time (Zevallos et al.'s research), generalising findings for an entire continent (CIDH's research) or studying it in only one department (Zevallos et al.'s research). With that in mind, this research will collect data about services for all types of violence and in two regions of Peru, which will then allow to know the extent of compliance within the implementation process.

Also, some research has been conducted by asking employees about the performance of their own institutions, with the objective to publish a report that could evidence poor practices, for which the data collected could be biased in order to protect the image of the institutions they are part of (findings from Observatorio Nacional and Defensoria del pueblo). Not only that, but also the participants might feel intimidated by authorities who could expect them to say only good things for the research. To avoid bias, it would be ideal to explore the issue from an exterior standpoint, where confidentiality is ensured, and allowing participants to be fully honest. Thus, this research has been designed in order to meet that criteria.

Furthermore, the literature review has shown the lack of previous research on the identification of factors that might be causing implementation gaps of the mentioned policies on VAW. This research gap needs to be prioritised and covered, since findings these causes could help explain and avoid implementation failure. Thereupon, this exploratory research will aim to do so, by exploring what could be causing implementation gaps, based on the literature of the top down approach (which Peru has adopted for its policies).

Lastly, previous studies have not collected suggestions from the key actors of the implementation process -frontline workers-, disregarding the valuable asset they represent for the enhancement of policies. In consequence, the present study will base all its findings on the experiences and knowledge of frontline workers, and will provide an assessment of the implementation process that will serve as a basis for future extensive explorations.

III. RESEARCH METHODOLOGY

The methodology of this research is qualitative, with an approach that falls into two categories: firstly, an inductive approach, since this research aims to develop meanings and explanations from the collected primary data (Russell, 2011) which will allow to draw conclusions, and secondly, an exploratory approach, since there is limited previous research on the main topic of this study, and the findings do not lead to conclusive results (Stebbins, 2001).

The purpose of this study will be to examine the effectiveness of the policies and legislation on Violence Against Women (VAW) in Peru. The effectiveness of policies and legislation will be determined by the effectiveness of the implementation process, under the premise that the success of public policies depends on its correct implementation process (Calderon, 2017; Hossain, 2019).

Due to the top-down implementation approach that characterizes the existing public policies in Peru, the effectiveness of the implementation process will be analysed based on their regulations compliance. This was done through interviews to frontline workers who are specialists on the matter. The interviews provided information about three important aspects:

- 1) The performance and actions of frontline workers, which was then compared to what the regulations state for the identification of discrepancies between these two. These discrepancies were interpreted as a lack of compliance.
- 2) The possible causes of the implementation gaps of policies on VAW.
- 3) A compilation of suggestions for the improvement of the implementation process of policies on VAW in Peru.

The information around these three aspects is which helped to answer the research questions, as stated on Chapter 01.

For the purpose of this research and its analysis, only two elements of the current policies and legislation on VAW were used: the Law 30364, “Law to Prevent, Punish and Eradicate Violence Against Women and Members of The Family Group”, and the Regulation of the Law 3064. Since the public policies (including intervention programmes, national plans, budgetary programmes, etc) and legislation (including law, regulations, legislative decrees) on VAW in Peru include more than 70 pieces of documentation, this research only based its analysis on the Law 30364 and its Regulation of the Law 3064. Literature suggests that the legislation is a key element and basis of the public policies (Fink, 2016), and are unquestionably important for policies on VAW (Kilpatrick, 2000). Therefore, after reviewing the main policies and legislation that address VAW in Peru, the Law 30364 and its Regulation

were identified as the foundation that delineates all the policies on the matter, and thus the most important elements to analyse.

In this sense, this research examined the regulations and their implementation process, based on the knowledge and the experience of the frontline workers involved in that same process. This research provides findings following an inductive and exploratory approach, hence not making a generalisation of its results.

3.1 Data Collection

3.1.1 Interviews

Semi-structured interviews were conducted through online calls on the platform of “Zoom”, with the participation of 14 frontline workers specialised on VAW services from the public and third sector, as detailed on Table 01. Frontline workers have been chosen as key data providers for this research, because they play a crucial role on service delivery (Palfrey, 1999), they can make a real difference on the achievement of policy goals (Hudson et al., 2018), and can potentially influence the implementation process (Lipsky, 1980).

The participants work in two regions of Peru, The Highlands and the Coast. The Highlands of Peru, with participants from the departments of Arequipa and Puno specifically, was chosen because this region has the highest incidence of VAW in the country (INEI, 2017; 2018; 2019). The Coast region was chosen because, although it also has many cases of victims, it had the lowest prevalence of VAW in 2019 (INEI, 2019), and the departments of Lima and Ica (where the participants work) are the closest from the Coast to Arequipa and Puno.

Furthermore, Lima, as the capital city, has the largest amount of cases of VAW in the country and it is the city with more CEMs and support services (MIMP, 2019). Having more intervention coverage, and being the most multicultural and main city of a centralized government, Lima might provide a bigger illustration of the implementation process. This selection of sample by regions and violence trend allows a comparison between the areas with the highest and lowest prevalence, in order to understand if there is a difference in the service delivery and the overall implementation process.

Table 01: Interview participants by region, sector and profession.

Region of Peru	Sector	Details
Highlands (HL): Puno and Arequipa	Public Sector Worker (PS): at the Ministry of Women and Vulnerable Populations, and Ministry of Health.	01 Lawyer
		04 Psychologists
		02 social Workers
	Third Sector (TS): NGO	01 Psychologist
Coast (C): Lima and Ica	Public Sector Worker (PS): at the Ministry of Women and Vulnerable Populations and Ministry, Ministry of Interior and Peru National Police	02 Various professions
		02 Police officers
	Third Sector (TS): NGO	01 Psychologist
		01 Lawyer

Elaboration: own elaboration

The participants were recruited through emails that explained what the research was about and invited them to participate. If they agreed, they received an Information sheet and a Consent Form, which was signed by the participants to give permission for their interviews to be recorded on audio. Firstly, two frontline workers on the public sector were contacted by email, and they suggested other potential participants that met the selection criteria, creating a network of contacts that enabled the participation of the 14 frontline workers.

It is important to note that the sample selection process and the methodology for the primary data collection was approved by the College Research Ethics Committee, with Ethical Clearance Reference Number: MRSU-19/20-20039.

3.2 Data Analysis

In order to organise and categorise the data and findings, five areas of intervention have been identified in the Law and its Regulation, based on the Law's objective, as stated on its Article 1. Consequently, the rules to be analysed have been categorised in accordance with the five areas of intervention, as showed on Table 02, which includes the implications of each area.

This categorisation will be used to organise the data provided by the interviewees and compare it to the regulations, so the discrepancies found can reflect the implementation compliance.

Table 02: Areas of intervention of the Law 30364 and its implications

Areas of intervention		Implications
I. Prevention		Specialization and Training of professionals
		Campaigns and Dissemination
		Education in schools
		Content on media
II. Support for victims	II.I Legal Support	Reporting
		Investigation
	II.II Comprehensive Support	Multidisciplinary advice and Support (frontline workers, lawyers, psychologists and social workers).
III. Protection and recovery of victims		Protection measures
		Refugee homes
		Psychological and medical treatment
		Recovery Programmes
IV. Sanction and re-education of perpetrators		Sanction/sentence for aggressors
		Re-education programmes
V. Criteria for Service Delivery		Non-discrimination and respect
		Adequate conditions
		Celerity and compliance

Source: Law 30364 (2015) and Regulation of the Law 30364 (2016).
Elaboration: own elaboration.

3.3 Data Management

Once the interviewing process was completed, the data from the audio recordings was transcribed and pseudonymised. Then, the recordings were deleted, and the transcripts were stored in a USB stick protected with a password, until the end of this research.

3.4 Methodological Limitations

- a) Due to the current pandemic of COVID-19, face-to-face interviews were not possible no be held. This type of interviews allows an accurate screening and the chance to perceive verbal as well as non-verbal information (DeFranzo, 2014), which would have been an asset when collecting data of sensible character.
- b) The current interventions on VAW in Peru were implemented since 2015. The Law 30364 was enacted in 2015, its Regulation approved in 2016, and the national programmes and National Plan for VAW approved between 2016 and 2018. Hence, these have not been executed for a

long period of time, meaning that the results that can be obtained now, in 2020, will be limited and will not show the complete extent of its implementation process, nor the long-term effects of these policies and legislation.

- c) Due to the time constraint of this research, only two elements (the Law 30364 and its Regulation) of the current policies and legislation on VAW were used for the analysis of this study. This has limited the exploratory scope of the present work, and has not allowed to examine the compliance and implementation process of all the existing policies and legislation.
- d) One of the effects of COVID-19 on the society has been the increase of cases of VAW in Peru (Piñeros, 2020), causing frontline workers on this field to have a bigger burden and the services more demand. This, in addition to the time constraint, limited the possibility to have more participants for the interview process. Accordingly, this also diffculted the equilibrium between participants from each region (08 from the Highlands and 06 from the Coast).

IV. FINDINGS

This section will describe the findings obtained from the information that the participants provided during the interviews. Firstly, it will describe the findings regarding the delivery service of VAW, which were categorised into 05 areas of intervention. It then identifies the main aspects that reflected poor compliance, and these were compared to the regulations in order to evidence discrepancies. Secondly, the data will be used to analyse the causes of implementation gaps based on the 07 causes mentioned before, followed by a summary of suggestions for the improvement of the implementation process of policies.

4.1 Regulations compliance

4.1.1 Prevention

The “Prevention” area of intervention has 03 implications: a) specialization and training of professionals, b) Campaigns and dissemination, c) education in schools, and d) content on media.

Regarding the specialization and training of professionals, two main problems were found. Firstly, that not all the professionals fo the intervention are specialists before joining the work areas for VAW victims. Being a specialist does not seem to be a pre-requirement to join these teams, and even after joining them they do not receive continuous training. For instance, all police officers are expected to receive the reporting of victims, but only police officers of the specialised (“Family Section”) area receive training, although just rarely. Secondly, although they know the law, the training hasn’t had

an awareness approach, for which the “macho culture” seems to be rooted and hindering the limited knowledge operators may have. Thereby, according to the interviewed frontline workers, police officers haven’t interiorised the importance of their intervention and do not know how to identify psychological violence, which might set the beginning of a dangerous violence cycle.

“The talks about violence we attend are very repetitive and we do not learn anything new, they do not tell us updated information about new laws and policies”. (*POLICE OFFICER-C-PS-02*).

“During the last five years, police officers have received only 01 training on the topic. The trainings are mainly for the family section and this is usually three or four times a year”. (*POLICE OFFICER-C-PS-01*).

“I used to work on (another area), and one day I was told I was going to work with victims of violence. I said I did not know anything about and my boss said that I would end up learning. (...) they do not ask for any experience or specialisation”. (*POLICE OFFICER-C-PS-02*).

In terms of campaigns and dissemination, it was found that these are mainly focused to promote the services of the governmental institutions for current victims, leaving behind the intervention towards perpetrators to prevent new cases of violence. Also, the participants mentioned that the dissemination campaigns are not assessed and thus the effects cannot be known. For instance, there is not a control for views and effects of campaigns on TV. In addition, it was mentioned that some campaigns only seek personal and political interests, with governors spending money on events with brand marketing intentions, instead of the real purpose of these policies. Respecting the education in schools, the main finding was that these prevention programmes are mainly short-term, just sporadic talks in school, or are not even done. For instance, police officers go to schools to give a talk about VAW prevention, or psychologists of the MIMP are invited to conduct workshops without an intervention programme. Lastly, regarding content on media, the participants mentioned that they still find advertisements and content on TV, internet and radios that promote the macho culture or victimize victims in the news.

“The campaigns show the services for victims and teach them how to identify if they are victims, but there should be more awareness for men, because the problem relies on them, who are the perpetrators”. (*WORKER-C-PS-01*).

“The violence is an intergenerational problem. If the parents are criminals or the children suffer violence, they are potential future perpetrators, and this cannot be prevented only with occasional talks”. (POLICE OFFICER-C-PS-01).

“Schools only do not have structured plans for educational programmes. The just cover the material provided by the Ministry, which does not teach about domestic violence or sexual violence. It could be bullying, but that is all” (PSYCHOLOGIST-HL-TS).

Table 03: Discrepancies with the law of the service delivery on the Prevention area of intervention

Implications	Main findings	Discrepancies with regulations
Specialization and Training of professionals	Lack of training, sensitization and specialization.	Regulation of the Law 30364: Articles 5, 5.1, 5.2, 73.2, 75.1, 99, and 120.2. Law 30364: Articles 44, 45, 45.2.F, 45.4.B, and 45.4.D.
Campaigns and Dissemination	Lack of indicators, and focus on women and not on perpetrators.	Regulation of the Law 30364: Articles 106.4, 108.4, and 117. Law 30364: Articles 10.A, 45.1.E, 45.2.G, 45.2.I, 45.4.G, and 3.6
Education in schools	Short term programmes with low impact	Regulation of the Law 30364: Article 82.1. Law 30364: Articles 45.2.B, 45.2.C, 45.2.E, 45.2.F, and 3.6.
Content on media	Under controlled media content	Regulation of the Law 30364: Articles 123, and 125. Law 30364: Articles 46, and 45.7

Elaboration: own elaboration

4.1.2 Support for victims

The second area of intervention has 02 sub-areas: Legal Support, and Comprehensive Support.

4.1.2.1 Legal Support

The “Legal Support” sub-area of intervention has 02 implications: a) reporting, and b) investigation. In relation to the reporting process, the first finding is that some police officers refuse to receive the reporting based on their own criteria of what deserves the legal support. For example, victims underestimate the severity of psychological aggressions due to the lack of visible evidence. Also, if they see the same victims coming back to report, they assume it is the women’s fault for maintaining a relationship with the perpetrators. The second one, is that police officers discourage the victims to start or continue the legal process. The interviewees reported that at some police stations, the victims are advised to think twice about reporting, being told that doing it would mean separating the children from their father and they would lose their partners’ economic support.

“Police officers know some theory, but if they do not understand psychological violence, they think it is something mild because there are no proofs, and they will not receive the reporting”. (*PSYCHOLOGIST-HL-PS-03*).

“The victim was told that the legal process was too long and that it was not worth it, and told her to go home”. (*LAWYER-HL-PS*).

“They are told that if they report, their husbands will go to jail and will then stop giving them money. They ask them, do you have enough money to live without him?” (*PSYCHOLOGIST-HL-PS-02*).

Regarding the investigation, the participants referred that the process creates revictimization in many stages. In this sense, they reported that the victims are required to tell the aggression facts when they report, when they are interviewed for the psychological and medical screening, by lawyers and during the hearings. Also, it was found that although the process duration is ruled and limited, these length conditions are not met. For example, the process is delayed by screenings with appointments that have to be booked one or two months in advance, and police officers cannot meet the work overload demand.

“We cannot send the case to the Court on time because there are cases every day and the Legal Medicine Centre can take up to 4 months to give the results for the case”. (*SOCIAL WORKER-HL-PS-01*).

“The risk assessment is completed in the wrong way because police officers are not trained on it. This is the most important evidence to issue the protection measures, and then the victims are left unprotected”. (PSYCHOLOGIST-C-TS).

“Police officers are supposed to drive victims to the Legal Medicine Centre for the screenings, but we do not have enough people to go with all the victims”. (POLICE OFFICER-C-PS-01).

Table 04: Discrepancies with the law of the service delivery on the Legal Support sub-area of intervention

Implications	Main findings	Discrepancies with regulations
Reporting	Refusal to receive reportings, discourage victims, judge victims.	Regulation of the Law 30364: Articles 4.8, 8.3, 15, 18, 19, 20, 22, 24.1, 29, and 36. Law 30364: Articles 10.B, 15 and 28.
Investigation	Revictimization, repetitive procedures, lack of specialised human resources to meet the high demand.	Regulation of the Law 30364: Articles 6, 10.1, 11, 36, 57.1, 57.2, 70, 76.2, and 81. LAW 30364 Articles 19, 18, 25, and 26.

Elaboration: own elaboration

4.1.2.2 Comprehensive support

The “Comprehensive Support” sub-area of intervention has 01 implication: multidisciplinary advice and support. When interviewing regarding this, the interviewees claimed that the service provided was good, but there is not enough workers to meet the high demand. For example, the professionals at CEMs need to support and be with the victims during the entire process, and this individualized service makes it almost impossible to cover the need of so many service users.

“We try to help as many women as possible per day, but the lawyers have to go to court and social workers need to go to the houses of the victims, so is not possible to have professionals in the CEMs all day while being with the victims”. (SOCIAL WORKER-HL-PS-01).

“We have victims coming all day, and sometimes they queue for hours because we are finishing reports for other cases. Is not possible to do a thorough investigation in just minutes”. (PSYCHOLOGIST-HL-PS-02).

Table 05: Discrepancies with the law of the service delivery on the

Comprehensive Support sub-area of intervention

Areas of intervention	Main Findings	Discrepancies with regulations
II.II Comprehensive Support	Victims unattended for lack of human resources.	Regulation of the Law 30364: Article 74 Law 30364: Artículo 10.A, and 10.D.

Elaboration: own elaboration

4.1.3 Protection and recovery of victims

This area of intervention has 04 implications: a) protection measures, b) refugee homes, c) psychological and medical treatment, and d) recovery programmes.

In relation to the protection measures, the participants reported that once the document for PM is issued, the victims are left vulnerable. For instance, police officers are in charge of monitoring the safety of victims and compliance of PMs, but with so many cases this is not possible. Also, when victims report a breach of PMs, a police officer should go to verify the occurrence and arrest aggressions on flagrance, but this is not done because officers do not arrive or they do it too late.

“The main problem is the lack of personnel, we do not have specialised staff 24 hours a day”.
(*WORKER-C-PS-02*).

“Patrols are used to investigate other crimes, like mugging, or for other activities. Monitoring the protection measures is not a priority”. (*SOCIAL WORKER-HL-PS-02*).

“Although the measures are issued on time, it takes up to 10 days for the officers to communicate it to the victims”. (*LAWYER-C-TS*).

According to the participants, the refuges are insufficient to host all the victims. Thereby, there are big cities with none refugee homes. In relation to the psychological treatment, it was found that the psychological treatment was very poor. This is caused by PMs that indicate only a short therapy for victims, due to judges who are not specialised on psychological diagnosis and prescription. In addition, it was reported that the medical treatment is delayed by cause of limited working hours and because some physical aggressions are not seen as urgent. Lastly, the recovery programmes were described as centralised and thus, victims from rural areas do not have access to them.

“Arequipa has a population of more than 01 million people, and only 04 refugee homes. It also has the second highest number of cases in Peru, and we still do not have more refugee homes”. (PSYCHOLOGIST-HL-TS).

“The victims are designated four or five psychological therapy sessions, that is not enough for a patient with traumas. Even more if they are seen by psychologists that are not specialised in cases of violence. How can judges order the number of sessions if they are not professionals on mental health?”. (PSYCHOLOGIST-HL-PS-03).

“the (recovery) programmes are located in main cities. Most of the victims depend economically on their perpetrators, hence they do not have money to travel to the city all the time and they end up abandoning the programme”. (PSYCHOLOGIST-C-TS).

Table 06: Discrepancies with the law of the service delivery on the Protection and Recovery of Victims area of intervention

Implications	Main findings	Discrepancies with regulations
Protection measures	Lack of human resources, insufficient monitoring, flagrancy not detected on time	Regulation of the Law 30364: Articles 6, 35.1, 36, 37.1, 37.3, 45, 47.1, 68, 84.1, 84.2, Law 30364: Articles 16, 22, 23, and 24.
Refugee homes	Insufficient or non-existent refugee homes	Regulation of the Law 30364: Articles 87.1, 87.2, 88, 92, and 93. Law 30364: Articles 27, and a29.
Psychological and medical treatment	Psychological treatment that does not meet the needs of victims delayed medical services, lack of specialised professionals	Regulation of the Law 30364: Articles 76.2, 80.2, and 81. Law 30364: Articles 10.C, 26, and 76.1.
Recovery Programmes	Programmes far from rural areas	Regulation of the Law 30364: Articles 80.2, 96.4, and 108.2. Law 30364: Article 45.6.A.

Elaboration: own elaboration

4.1.4 Sanction and re-education of perpetrators

This area of intervention has 02 implications: a) sanction for aggressors, and b) re-education programmes.

The interviews evidenced that, in relation to the sanctions for aggressors, they are not given the correspondent sentences. An example of this is cases of moderate violence with sentences of PM that only order the ceasing of violence. Also, aggressors are ordered to receive therapy sessions, but they just do it to avoid breaching the PMs and do not actually change their behaviours. In relation to re-education programmes, this is also an option of sentence, but only some departments have these interventions.

“The aggressor go to therapy because they are told to do so, not because they want to change and stop the violence. Furthermore, the psychologist of the public sector are not trained to work specifically with perpetrators, they are general clinical psychologists”. (*POLICE OFFICER-C-PS-01*).

“Men (perpetrators) only have to comply with measures like stop calling the victims, not getting close to them or leaving the house they share. However, they do it for a couple of months and then come back. They do not receive proper sentences according to the criminal code”. (*PSYCHOLOGIST-HL-PS-01*).

“This (re-education) programme only exists in Lima, Ayacucho, Calla and Tacna. The local governments are in charge but they do not care about implementing them. Anyways, it is very difficult to make aggressors see they are part of the problem, and the interventions are not really useful”. (*PSYCHOLOGIST-HL-PS-03*).

Table 07: Discrepancies with the law of the service delivery on the Sanction and Re-education of Perpetrators area of intervention

Implications	Main findings	Discrepancies with regulations
Sanction/sentence for aggressors	Impunity, poor sentences, lack of specialised professionals	Regulation of the Law 30364: Articles 26, 55, and 56. Law 30364: Articles 17, and 20.
Re-education programmes	Almost non-existent programmes, centralization of intervention	Regulation of the Law 30364: Articles 94, 95, 96.4, 96.5, and 112.4. Law 30364: Articles 27, 30, 31, 32 and 45.5.C.

Elaboration: own elaboration

4.1.5 Criteria for Service Delivery

The present area of intervention has 03 implications: a) non-discrimination and respect, b) adequate conditions, and c) celerity and compliance.

In terms of the non-discrimination and respect criteria, frontline workers claimed that discrimination is something very common among services. The participants stated that victims are discriminated based on their ethnicity, socioeconomical background and gender. Also, it was found that victims from rural areas are mistreated, and that even in big cities women are judged and seen as responsible for the violence. In this sense, it was mentioned that male officers were indifferent, and even women from specialised police stations were judgemental. Regarding adequate conditions, the participants described most of the facilities to be small, and lacking privacy during service delivery. Moreover, if the victims do not speak Spanish, they will not find an interpreter in all services, but they might just be lucky to find someone who speaks the same language.

“It was thought that female officers would be less judgemental, but they also mistreat victims due to a rooted macho culture. If they (officers) see someone from a rural area, they know women ignore their rights, thus treat them bad and question their statements”. *(PSYCHOLOGIST-HL-PS-01)*.

“We obviously do not have interpreters in each office, so sometimes they come with relatives that help with the translation, but they might be saying something different, or just a summary of ideas that misses important details”. *(POLICE OFFICER-C-PS-02)*.

“The offices are very small, and you can hear everything from outside. The printer is in my office, so I have people entering all the time whilst I’m taking a declaration”. *(POLICE OFFICER-C-PS-01)*.

Finally, it was found that, in relation to celerity and compliance, the services are delayed because there is not enough personnel to work 24 hours a day and really deliver services all day with an immediate response. Furthermore, the law states that workers must be sanctioned when they do not comply with the regulations, yet although misconducts are reported, workers are not sanctioned but only moved to another area.

“I have never heard of an officer being sanctioned for misconduct, instead they are just moved out of the Family Section and taken somewhere else. Then, they are replaced by novice officers without any experience on cases of violence”. *(PSYCHOLOGIST-HL-PS-02)*.

“There are not enough officers to meet the deadlines. The regulations are not reasonable for the amount of work we have”. *(POLICE OFFICER-C-PS-02)*.

Table 08: Discrepancies with the law of the service delivery on the Criteria for Service area of intervention

Implications	Main findings	Discrepancies with regulations
Non-discrimination and respect	Discrimination, and mistreatment	Regulation of the Law 30364: Article 6.2. Law 30364: Articles 2.1, 3.3, and 10.A.
Adequate conditions	Small facilities that lack privacy, interpretation needs are not met	Regulation of the Law 30364: Articles 11, and 70.3. Law 30364: Articles 2.5, and 10.B.
Celerity and compliance	Lack of personnel, impunity of misconduct	Law 30364: Articles 2.3, 2.4, 21, and 45.4.E

Elaboration: own elaboration

4.2 Possible causes of implementation gaps

When interviewees were asked about their perceptions of the policies in Peru and their implementation process, they commented on what they consider could be causing the implementation to fail, according to their own experiences and knowledge. The findings from the information they provided were categorised into the 07 possible causes, which can be found on Graph 05 of the Literature Review section.

a) Factor 1: Poor policies

This factor was identified as a possible cause for implementation gaps, since the participants claimed that the policies are not well structured to meet the requirements of a good public policy. The reason for this was that they identified a lack of monitoring and assessment, not only for the absence of tools but for the indifference of local authorities, who are the responsible for monitoring and assessing the interventions but do not do it.

“These are not real public policies, they lack the programmatic component, as well as norms and budget that ensure its compliance. We could only call them interventions or strategies, a compilation of documents”. (*WORKER-C-PS-02*).

“The worst deficiency is that the interventions are not monitored. The local authorities are responsible for this, but they are not interested in investing time and money on this because it’s not their priority”. (PSYCHOLOGIST-HL-PS-02).

“A correct evaluation would evidence the flaws on the implementation process, and this is not convenient for the image of the institutions. For them, it does not make sense to evaluate something to obtain and publish bad results. (...) the assessment should be done by external organisations”. (PSYCHOLOGIST-HL-PS-03).

b) Factor 3: Poor execution of policy tasks.

According to the participants, authorities have a big responsibility on the implementation flaws, for two reasons. Firstly, they exercise policies only for political reasons, aiming to satisfy their own interests. For instance, some local authorities might put interventions into practice just as a quick response to an issue that is addressed on the media, in order to benefit their reputation. Thus, they only do short interventions that tackle the problem superficially but do not address the real casuistry. Secondly, authorities do not invest enough on training their personnel, leaving the service delivery in hand of inexperienced actors, who perform poorly.

“The governors act in response to mediatic, parliamentary and societal pressure. They do it to look good on the photos, but their short interventions do not solve the violence issues”. (PSYCHOLOGIST-HL-TS).

“The local governments do not support this cause. It is their obligation, but they avoid it. For example, we have not had any meeting with them in the last three months”. (LAWYER-HL-PS).

“We need specialised people. People who are new to the services will not do a good. And this is not even their fault, they are forced to work on this field without the expertise”. (POLICE OFFICER-C-PS-02).

c) Factor 4: Unrealistic expectations

The participants stated that policy makers do not seem to have taken into consideration the characteristics of the Highlands region, because having good policies might not solve the macho culture that characterizes the Peruvian society. In this regard, they mentioned that it was unrealistic to assume that all frontline workers would change their perceptions of violence just by being ordered to do so.

“Police officers and judges are still very chauvinist, thus they will not accept and interiorise the relevance of their intervention”. (*SOCIAL WORKER-HL-PS-02*).

“The violence is a structural problem of our society, it is rooted in our culture and will take years to diminish it”. (*LAWYER-C-TS*).

d) Factor 6: Lack of a horizontal and vertical collaboration

The findings also show the absence of frontline workers during the policy making process. Also, according to the participants, frontline workers are not considered a key actor on the implementation process, thus their needs are overlooked. In this sense, they are seen only as mere performers of the policies, with the only role of meet the quantitative indicators and targets.

“They (the authorities) know the work burden is big and that this impacts our mental health. (...) they only provide theoretical material about the burnout syndrome but do not support us if we feel overwhelmed”. (*POLICE OFFICER-C-PS-02*).

“Our manager only wants us to meet the targets and report it every month. We are not treated as if we had an important role to play. They sometimes ask for feedback but this is not really taken into consideration”. (*PSYCHOLOGIST-HL-PS-01*).

e) Factor 7: Insufficient funding and resources.

The lack of economics and human resources is a factor that was mentioned by all the participants. This is evidenced by the limited coverage of services across the Coast and Highlands (e.g. around 300 CEMs for all the 1874 districts in the country), and the limited number of personnel to deliver services.

“We have good legislation, but this cannot be implemented because the Ministry does not have enough funding for all the interventions”. (*SOCIAL WORKER-HL-PS-02*).

“I would say we need at least 10 thousand more officers to comply with the law. (...) Our capacity is very limited and we can only cover half of the demands”. (*POLICE OFFICER-C-PS-01*).

“We need one CEM and one police station specialised on violence in each department. Every day the number of victims increases”. (*SOCIAL WORKER-HL-PS-01*).

4.3 Suggestions for the improvement of policy implementation

a) Continued and sensitizing training

The interviewees commented on the imperative need to have more training for frontline workers, stating that is very risky to have inexperienced workers supporting victims that need urgent help. Participants believe that the training needs to be delivered through comprehensive programmes, not just sporadic talks. They also claimed that it should provide updated information and, most importantly, it should have a sensitising approach in order to increase the empathy towards the victims.

“The personnel should have good social skills and be empathic. They are working with vulnerable populations. The theory helps, but they need workshops that make them understand what victims go through, and reflect on their performance”. *(PSYCHOLOGIST-HL-PS-02)*.

“Frontline workers need to learn about violence from the beginning, with extensive programmes. (...) the schools for officers should cover this topic as a priority”. *(PSYCHOLOGIST-C-TS)*.

“It is terrible to see the coldness of some workers who do not care about the suffering victims, they need to be kind and sensitized”. *(PSYCHOLOGIST-HL-PS-03)*.

b) Rigorous recruitment criteria

The findings show the need to establish a new recruitment criteria, in order to have only specialised and experienced workers on VAW services. Under this criteria, workers should have the will and vocation to work with victims.

“The staff should meet a specific profile, being completely trained and willing to do the job. They should not come to learn and experiment with real victims”. *(PSYCHOLOGIST-HL-PS-04)*.

“Being a female worker is not enough. Everybody should go under an assessment to see if they are capable of working there”. *(PSYCHOLOGIST-HL-PS-01)*.

c) More resources and coverage

The frontline workers claimed that the implementation of policies could be improved by receiving more budget from the government. In this sense, they coincided on the need to invest more on human resources and service coverage in order to enable access to all victims, not only the ones from big cities. Therefore, it was mentioned that an improved implementation would have more CEMs, more refugee homes, more police stations specialised on VAW, more recovery programmes, and services 24 hours a day.

“We should have emotional and economic empowerment programmes in each district. All victims need it, including those in rural areas”.(LAWYER-HL-PS).

“In order to really protect victims, the Ministry should hire more professionals to guarantee a service delivery 24 hours a day. We need a team that can provide an immediate response”. (POLICE OFFICER-C-PS-01).

d) Prevention and awareness

The answers from the interviews evidenced that a big constraint for the implementation of policies is the Peruvian culture that tolerates violence. In this sense, the participants suggested that more awareness campaigns and educational programmes would be useful to eradicate this barriers. It was also noted that these preventive strategies should always be long-term interventions, due to how rooted are the beliefs that normalize VAW.

“We need to fight against the prejudices in order to have real results. Once we get diminish them, we will have a bigger positive impact on the society”. (PSYCHOLOGIST-HL-PS-02).

“The educational programmes should have a long duration. That is the only way we could achieve a restructuration of values that allows an easier implementation”. (PSYCHOLOGIST-HL-PS-03).

e) Support frontline workers

The participants consider that frontline workers play a key role in the implementation process, yet they are not protected from the impact this work can have on them. They claim that if frontline workers received mental health support and worked in a more friendly environment, they would perform better. This, it was suggested to implement workshops that address the burnout syndrome, work climate and team work.

“Sometimes is very stressful to work here. If frontline workers received more support, they would be more productive and happy about their work”. (POLICE OFFICER-C-PS-02).

f) Improvement of policies and system

The last suggestion was in relation to policies and the system where policies are implemented. The participants claimed that a policy cannot be implemented correctly without a monitoring and assessment process, so they recommend a new design of policies that addresses this. Also, the participants stated that something that could improve the services is to reduce the bureaucracy for

the procedures, and to change the service approach to a more human and supportive rather than just an investigatory process.

“Every time a victim is assaulted, they have to report it to the police. When then go to the police stations, they do not find a comforting and friendly support because officers are not trained for that. However, if the approach changed, the victims would rely more on the services and would feel cared”. (*PSYCHOLOGIST-HL-PS-02*).

“We will continue to ignore what is failing in the implementation process if we do not have a correct monitoring. Once we do this, we will be able to enhance future policies”. (*WORKER-C-PS-02*).

V. DISCUSSION

Peru presents a high prevalence of VAW (MIMP, 2019), and many interventions have been put into practice as part of the policies that address this issue. Although the last five years have brought important progress in regards to the interventions, with new policies and legislation, the problem continues persistently and keeps affecting thousand of women. For this reason, the current research has found imperative to find what might be hindering the policies and regulation’s complete success. Scholars have found that one of the most important steps of the policy cycle is an effective implementation process, which can determine success, (Hossain, 2019; Mukherjee & Singh, 2019; Calderon, 2017; Palfrey, 1999). Hence, this has been the main focus of the present study.

Peru has adopted the top down implementation approach for its policies. In this sense, Peru’s policies and legislation are designed by the central government and then delivered throughout the country. Also, it measures the effectiveness of its implementation process on the achievement (compliance) of quantitative targets (PCM, 2018). Hence, based on this approach, this research has collected data in order to analyse the policies and regulation on VAW in three ways: i) identifying to what extent the service delivery complies with the regulations, ii) identify the causes of implementation gaps, and iii) propose suggestions for the improvement of policies and legislation, based on the interviewees’ experiences.

The data collected has shown that there is a lack of compliance with some of the regulations on VAW in Peru. An analysis of the performance of workers that deliver services for victims, suggests some discrepancies with the Law 30364 and its Regulation, on the 5 areas of the intervention and their 16 implications. All of these are opposite to the regulations on the matter, therefore the compliance in

the Highlands and the Coast appear to be deficient. A “perfect implementation” requires strict compliance of tasks, skilful implementors, and acceptance of the policy (Hood, 1976; Hogwood and Gunn, 1984). These three conditions are jeopardized by what seems to be a poor performance and poor implementation process. In this respect, it would be easy to assume that all the responsibility lies with frontline workers because they are the ultimate service deliverers, yet this non-compliance could be rather caused by systemic failures (Lipsky, 1980), as denoted hereunder.

The second group of findings helped identify 05 possible causes of implementation gaps. These factors also oppose to the “perfect implementation” conditions, and suggest a correlation between lack of compliance and implementation gaps. Looking at the identified causes, it seems like the root of the failure relies on the system where the policies and regulation are implemented. Despite how willing and motivated frontline workers could be, the implementation will continue failing if authorities are not interested in monitoring and designing comprehensive interventions, if the budget and human resources are limited, and if the policies are not tough enough to pierce the deep-rooted macho culture barriers.

It is important to notice that the data obtained did not reflect any difference between the implementation process in the Highlands and in the Coast. Hence, the findings could not explain if the difference in prevalence is related to the implementation process. The implementation flaws seem to be a national and multicausal problem, which would require a complex intervention to enhance the process. In this regard, the participants shared their perceptions on what needs to be done to improve the implementation process. The suggestions are closely related to the identified causes of implementation gaps, which implies that this compilation of recommendations could be useful for the design of new policies that seek to avoid implementation failure by making repetitive mistakes.

Not surprisingly, this research’s findings do not differ from the previous studies that evidenced a deficient delivery of services for victims of VAW. However, the existing literature did not address the implementation gaps on these policies and legislation, thus the present study fills a research gap that will be of use for stakeholders. In addition, the identification of non-compliance on the service delivery has been developed through a detailed comparison between each article of the Law 30364 and its Regulation, for which legislators could use as a base to design a new Regulation or new National Plans that prevents the failure to comply.

This research has also illustrated the key role of frontline workers in the implementation process, as stated on the literature (Palfrey, 1999; Hudson et al., 2018; Lipsky, 1980). These actors have proved to know first-hand what really happens during the implementation process, since it is precisely them who perform it. Thus, the findings of this research, along with literature, challenge the effectiveness

of the top down approach, which relegates frontline workers. Instead, the bottom up approach seems to be the best one for policies on VAW, because it recognises that frontline workers have the power to implement policies successfully (Hjern and Porter, 1981), and that local actors have the biggest influence on the outcomes of a policy (Cairney, 2019).

5.1 Recommendations

This research has been developed with a sample from 04 departments of Peru, located in the Highland and the Coast regions of Peru. Their participation allowed to understand the implementation process comparing two regions, yet the findings can not be generalised since this would require a bigger sample that represents the thousands of frontline workers in the four departments. Furthermore, it cannot be assumed that the found causes of implementation gaps are characteristic of the entire country, since this research has not assessed the Jungle region of Peru. As a result, a consideration for further and more extensive studies on this matter would be to include a bigger sample, from the three regions, using this research as a basis.

Also, the findings have provided good grounding for the exploration of regulations compliance and what is hindering the implementation process, however, the analysis was only focused on two main elements: the Law 30364 and its regulation. As a result, dozens of guidelines, plans and local interventions that the national policy comprises, have been left out. Consequently, the results do not necessarily illustrate the implementation flaws of the entire policy on VAW. In order to do so, it would be required to comprehensively asses each of the elements of the policy and legislation on further research.

VI. CONCLUSION

The present research provides an insight of the implementation process of the policies and legislation on VAW in Peru. The findings suggest that there is a poor compliance of regulations on the delivery of services for victims, within five areas of intervention of the Law 30364 and its Regulation. This non-compliance might lead to a flawed implementation process and undesired policy outcomes, for which it is necessary to prevent it by identifying potential causes of implementation gaps. In this regard, this study also provided a total of 5 factors that were identified as possible causes of implementation gaps of policies on VAW in Peru. Lastly, the findings provided six suggestions that could potentially address implementation flaws and improve this process.

The findings analysed the implementation process within two regions of Peru, based on only two elements of the policy and legislation on VAW. Therefore, in order to identify the causes of implementation gaps and identify ways to improve the implementation process, it would be necessary to address all the elements of the policy and legislation, with participants from the three regions of Peru, and with a sample of representative proportion to the overall amount of frontline workers that delivery services on the matter.

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