

# **IRISH OBSERVATORY ON VIOLENCE AGAINST WOMEN**

## **Submission to Cosc on the National Strategy on Domestic, Sexual and Gender based Violence**

### **Introduction**

The National Women's Council of Ireland (NWC) is a non-governmental organisation representing women's groups in Ireland. The NWC currently has 163 member organisations affiliated to it, representing an estimated 500,000 women. As the representative organisation of women in Ireland, the NWC works to promote equality, human rights and empowerment for all women; and to support collective action, leadership and solidarity in the pursuit of a just and equitable society. The vision of the NWC is of an Ireland where all women and men have equal power to shape society and their own lives. The NWC advocate for substantive equality<sup>1</sup> and human rights for women – so that women will have recognition (affective equality), representation (political equality), resources (economic equality), and respect (social/cultural equality). Violence against women is a major barrier to women's equality.

The National Women's Council of Ireland has prepared this submission on behalf of the Irish Observatory on Violence Against Women, which in turn is part of a wider group, the Observatory of the European Policy Action Centre (EPAC) on Violence Against Women. The European Women's Lobby has produced policy proposals towards a common European framework, which aim to monitor progress in combating violence against women. Our submission transposes this proposal into the national context, in

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<sup>1</sup> Substantive equality means that we achieve more than equal opportunities, and even equal access. It means equality of outcomes for women. The National Women's Strategy 2007-2016 outlines the government's vision and commitment to gender equality of 'An Ireland where all women enjoy equality with men and can achieve their full potential, while enjoying a safe and fulfilling life.' Department of Justice, Equality and Law Reform (2007) *National Women's Strategy 2007-2016*, Dublin: The Stationery Office.

order to inform the development of the National Strategy on Domestic, Sexual and Gender based Violence in Ireland.

## **IRISH OBSERVATORY ON VIOLENCE AGAINST WOMEN**

### **Submission to Cosc on the National Strategy on Domestic, Sexual and Gender based Violence**

**Policy framework and indicators in the areas of budgets, legislation, justice, service provision, training of professionals, civil society, data collection and prevention**

#### **(1). Policy**

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##### **Contents :**

National Action Plan on violence against woman

- Definition of violence used in the action plan to include all forms of Gender Based Violence
- Drafted by COSC, the Department of Justice, Equality and Law Reform
- Process of consultation with NGOs to inform the Strategy
- Existing indicators, targets, time frames and benchmarks included.
- Budget allocated for the purpose of implementing the action plan, should be published every year.
- % of the national budget identified
- Implementation Structure in relation to the NSC
- Representation, decision making, strategy, accountability
- Evaluation and ongoing monitoring of the effectiveness and outcomes of interventions.

#### **(2).Budgets**

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**Indicators**

**Sub-indicators**

Budget allocated to violence against woman, as a percentage of Gross Domestic Product (GDP)

- Local, regional and national budget lines specifically for actions, policies, measures on violence against women.
- Peripheral budget lines in which resources are allocated to violence against women (health, housing, education, training, research, etc...).
- Status of budget line: main and peripheral - core funding; project oriented, others (specify).
- Main ministerial departments where budgets are allocated and managed. Each department should clearly indicate and notify how it is managing the budget for VAW and how it is fulfilling its targets.
- Criteria used for designing budgets.
- Main beneficiaries for each budget (main and peripheral).
- Process of consultation, with whom and how.
- Specific consultation with NGOs (as the main service providers).

### **(3). Legislative framework**

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#### **Indicators**

Legislation

#### **Sub-indicators**

- Existing legislation in different areas of violence against women: rape, sexual harassment, domestic violence, sexual abuse of children, prostitution, trafficking in women, pornography, Female Genital Mutilation (FGM), forced marriage.
- Civil remedies.
- Criminal remedies
- Track the link between the number of reports, and number of sentences.

### **(4). Criminal and Justice System.**

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#### **Indicators**

#### **Sub-Indicators**

(4.1) Complaints lodged to the police.

- Publication every year of gendered statistics on domestic and sexual violence.
- Number of mandatory reports drawn up by the police for the different areas of intervention in situations relating to violence against women (name the specific situation : rape, domestic violence, assault, harassment, etc... )
- Number of police interventions in situation of violence against women.
- Number of: reports / arrests / charges / prosecutions and convictions and indication of the type of sentences.
- Outcomes of these interventions : number of complaints lodged; number of referrals to the Courts ; number of non referrals and reasons stated; numbers of complaint withdrawn; by whom and reasons stated; how are the withdrawals filed?
- Existence of protocols for police conduct in cases of intervention and for receiving complaints.
- Formulation and content of complaint: reference to previous abuse and act of violence? Date and times of current and previous abuse/ violence? Where the abuse/ violence occurred? Details of the relationship between the abused and the alleged perpetrator.
- numbers of deaths and serious injuries requiring hospitalisation.
- Existence of special violence units in police stations where women can seek help from specially trained women police officers.

(4.2) Outcomes of the Criminal Justice System

- Number of cases that received compensations for injuries/ abuse inflicted.
- Reasons stated: number of the basis of insufficient evidence, in the cases not proceeded with.

(4.3) Victim protection during the course of justice

- Specific measures to guarantee victim protection during the course of justice.

(4.4) Custody and Access

- Numbers of cases where child custody is given to the father even though it is a case of domestic and sexual violence.
- Number of cases where family mediation has been proposed by the judicial system, in cases of domestic and sexual violence.
- Specific training on the impact of domestic and sexual violence on the children, for NGOs working around child protection/ for Guardia/ for professionals of the judicial system.
- Make link between the penal court and the family court.
- Specific recommendation in order to avoid that child custody can be an additional factor of danger for the women victim of violence.
- Conditions that should be complied with by the party in whose favour the order of contact has been made.

## **(5) Service provision**

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**Indicators****Sub-Indicators****(5.1) Shelters/ Refuges**

- Reference to the Council of Europe and the European Parliament's recommendations, re : 1 shelter/ 10 000 women
  - Number of shelters/ refuges and safe places per population
  - Geographical spread
  - Accessibility of all women (including black and minority ethnic women, disabled women...)
  - Number of request for shelter over the past year.
  - Number of available places over the past year.
  - Number of refusals over the past year.
  - % of shelters/ refuges managed by NGOs and women's organisations.
  - % State managed shelters/ refuges.
  - Funding of shelters
  - % or proportion of funding in relation to other services provided for women (and children) confronted with violence.
  - Number of voluntary and paid staff.
  - % of staff from minority ethnic backgrounds / with disabilities.
- Other service provision
- Support service for women, victims of violence.
  - Accessibility of services.
  - Number of legal advice services.
  - Conditions for obtaining free legal aid.
  - Local/ regional national free-phone service.
  - Number of calls received over the past year.
  - Funding of services: number funded by State funds and/or other public funding; number of private funded services.
  - Proportion of services set up and managed by NGOs and women's organisations.
  - Evaluation of services, by whom.
  - Second stage/ transitional housing availabilities.

**(6) Training, Best practices, policies, guidelines and protocols.**

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**Indicators****Sub-indicators**

Professional categories in the following areas  
Law enforcement officers :  
Police personnel  
Justice personnel  
Health workers  
Statutory bodies such as social workers, Interpreters.

- Gender sensitive training schemes for personnel working in the areas of justice, law enforcement, police, health and social workers.
- Specific training for dealing with migrant women.
- Nature of trainings: is it on a once-off or ongoing training.
- Specific training in operation since (for each professional category).
- Number of professionals who benefited from the training scheme in different areas for each professional category.
- Funding of these training schemes, and source of funding.
- Has the issue of male violence against women being integrated as a subject matter in the curricula of higher education institutes, particularly those departments where future law enforcement, police officers, health and social workers are being trained?
- Number of training schemes in which NGOs have been called upon to provide training on violence against women.
- Number of institutions who have adopted best practice guidelines and protocols.
- Number of interpreters who received gender and culturally sensitive training for both sign and spoken language, for assisting black and ethnic minority women and disabled women in situations of male violence.
- Numbers of accidents encountered in emergencies rooms.
- Impact and cost of violence on hospitals and the health budget
- Number of miscarriages per annum arising from assaults during pregnancy

## (7) Migrant communities

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**Indicators**

**Sub-indicators**

(7.1) Migrant women

- Number of officials recruited from migrant communities designated to posts where direct work with migrant women takes place on violence related issues.
- Number of specific services for migrant women.
- Number of migrant women who have used these services over the past year.
- Number of services offering services in languages of migrant communities.
- Number of services funded by State funds.
- Numbers of services funded by private funds.
- Number of services providing child-care facilities.
- Number of paid and voluntary workers in these services.
- Number of professionals of these services recruited from migrant communities.
- Number of “mainstream” service providers who have used methods of proofing to ascertain the level of discrimination/ anti-discrimination practice within their own services.
- Accessibility of migrant women to “mainstream” mechanisms of protection guaranteed to all women, notably sexual harassment in the work place.
- Number of migrant women who filed a complaint in the context of mechanisms set up to respond to sexual harassment in the work place.

(7.2) Women Asylum seekers

- Number of women asylum seekers in past five years
- Number of women detained in detention centres awaiting decisions on their asylum application (past five years).
- Average length of time between application for asylum and decision concerning the granting of asylum.
- Number of women deported following asylum application.
- Number of women granted asylum in past five years.
- Number of women granted asylum on the grounds of gender-based violence (either by the States, or member of particular ethnic group or violence perpetrated by male partner or other male family member).
- Number of places in detention centers.
- Number of women asylum seekers detained.
- Number of women asylum seekers interviewed separately from other accompanying family members (other than dependant children).
- Number of counseling services that provide support to women victims of gender persecution and torture.
- Number of women who avail of these services.
- Number of specific women-accommodation spaces.
- Number of female staff members in detention centers.
- Number of services providing child-care facilities to women asylum seekers and women refugees.
- Number of initiatives aimed at sensitising the general public on asylum issues and in particular the acceptance of migrant and asylum seekers into local communities (following on from this, the number of initiatives on women asylum seekers).

(7.3) Women who have been trafficked for the purposes of prostitution

- numbers of women trafficked for the purposes of sexual exploitation, and the provision of specific services for them

**(8) Civil society – Women’s  
non governmental  
organizations.**

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**Indicators**

**Sub-Indicators**

(8.1) State support to NGOs

- Number of NGOs working with women victims of violence funded (in part) by State subsidies.
- % of the budget of these NGOs.
- Total % of funds from national budgets to NGOs working on violence against women.
- Frequency of consultation with NGOs.
- Frequency of evaluations.
- Status of NGOs in national decision making structures.

(8.2) Practices within NGOs

- Evaluation, discriminatory practice, how to ensure that adapted to new and emerging forms of violence.

**(9) Data collection**

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**Indicators**

**Sub-Indicators**

(9.1) Statistics

- General gender –disaggregated statistics.
- Systematic recording of incidences of violence against women.
- Annual statistics on this - evolution over the past five years.
- National statistic board involvement.
- Partnerships with NGOs.
- Mandatory recording by police of intervention in the cases of violence against women, including in the private sphere.
- Statistics integrated into the statistics concerning the criminal justice system.
- Dissemination of violence statistics and data to the general public.



(9.2).Research

- Research on violence against women as an integral part of state funded research and development programs.
- Research recommendations reviewed for implementation and resourcing before commissioning new research.
- % of research and development budgets allocated to research on violence against women.
- Proportion of private (carried out for example by universities) research versus public (commissioned by ministries).
- Means of dissemination.

**(10) Prevention**

**Indicator**

**Sub Indicator**

(10.1) Raising Public Awareness

- % of budgets for public awareness campaigns (TV/ radio/ other)
- Frequency of campaigns (yearly, monthly, once-off/ etc...).
- Evaluation of effectiveness and awareness campaign linked to rates of convictions.

(10.2) Education programmes

- % of education budgets allocated to violence related prevention in schools.
- Number of courses on preventing male violence against women.
- Number of hours (weeks/ month/ year) spent on special focus programs on violence against women.
- Numbers of girls/ boys who have participated in special focus programs.
- Nature of trainings: is it on a once-off or ongoing training.