

# IT STOPS NOW.

## Ending Sexual Harassment and Violence in Third Level Education ESHTE

A review of data on the prevalence of  
Sexual Violence and Harassment of Women Students in Higher Education in the  
European Union



The Project is funded  
by the European Union

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### APPENDIX 2

#### CYPRUS

##### Mediterranean Institute of Gender Studies (MIGS)

- Ending Sexual Harassment and Violence in Third Level Education  
Mediterranean Institute of Gender Studies (MIGS)
- Eurobarometer Report on Gender-based Violence – Cyprus (2016)
- European Institute for Gender Equality (EIGE) Report– Cyprus (2016)
- Women Against Violence (WAVE) Report- Cyprus (2016)

## **APPENDIX 3**

### **Republic of Ireland**

#### **National Women's Council of Ireland**

- ESHE: a Review of Data on the Prevalence of Sexual Harassment and Violence of Women Students in Higher Education- National Report Ireland Jennifer McCarthy Flynn, NWCI
- Eurobarometer Report on Gender-based Violence – Ireland (2016)
- European Institute for Gender Equality (EIGE) Report– Ireland (2016)

## **APPENDIX 4**

### **Lithuania**

#### **Women's Issues Information Centre (WIIC)**

- The Prevalence of Sexual Violence and Harassment in Lithuania  
Prof. Virginija Šidlauskienė, Gender Studies and Research Centre of Šiauliai University
- Eurobarometer Report on Gender-based Violence – Lithuania (2016)
- European Institute for Gender Equality (EIGE) Report– Lithuania (2016)
- Women Against Violence (WAVE) Report- Lithuania (2016)

## **APPENDIX 5**

### **UK and Scotland**

#### **Rape Crisis Scotland (RCS)**

- Review of data on prevalence of Sexual Violence and Harassment in third level institutions in the UK and Scotland Kathryn Dawson, Rape Crisis Scotland (RCS)
- Eurobarometer Report on Gender-based Violence – UK (2016)
- European Institute for Gender Equality (EIGE) Report– UK (2016)
- Women Against Violence (WAVE) Report- UK (2016)

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### **Germany**

- Eurobarometer Report on Gender-based Violence – Germany (2016)
- European Institute for Gender Equality (EIGE) Report– Germany (2016)
- Women Against Violence (WAVE) Report- Germany (2016)

## **APPENDIX 7**

### **Italy**

- Eurobarometer Report on Gender-based Violence – Italy (2016)
- European Institute for Gender Equality (EIGE) Report– Italy (2016)
- Women Against Violence (WAVE) Report- Italy (2016)

## SUMMARY

This review highlights the data gathered by ESHTe project partners that confirms the prevalence of sexual harassment and violence against women students in third level education; survey data, research data and administrative data. The review also outlines best practice for data and research on the issue of gender-based violence as confirmed in the Istanbul Convention and related EU documents.

Although, there is limited research available on the experience of gender-based violence in EU Higher Education Institutions (HEIs), there is a growing acceptance that it is a significant problem. The potential scope of the issue is detailed in general population surveys and research, such as the **EU Agency for Fundamental Rights Violence against women: an EU-wide survey (2014)**, which reported that young women, 18-29 are significantly more vulnerable to sexual harassment, with 38% having experienced harassment in the 12 months before the survey<sup>1</sup>.

There is no EU wide and no HEI specific data available on the experiences of sexual violence and harassment by women with disabilities or ethnic minority women.

There are a series of international treaties which call on state actors to challenge violence against women and girls. **The Council of Europe Convention on preventing and combating violence against women and domestic violence (2011)**, **The Istanbul Convention** is currently the most powerful legally binding of these treaties. It has been signed by 44 countries (including all project partner countries) and the EU, and has been ratified by 23 countries. The Convention states that violence against women is a violation of fundamental human rights and a form of discrimination that is deeply rooted in the structural inequality between women and men.

## DATA ON PREVALENCE

In 2015 there were 19.5 million third level education students in the EU 28, and an estimated 54.1 % of these students were women. This gender parity was reflected in the ESHTe partner countries, Cyprus, Ireland, Germany, Lithuania and UK & Scotland, and there were approximately 2,947,400 women students in these countries<sup>2</sup>. The data (both EU & national level) reveals a high number of women students experiencing some form of sexual violence and harassment related to their lives in HEIs. This is sometimes so frequent and so pervasive that they themselves may not recognise it as such until the discussions in a research study group 'illuminate' the reality of their experiences<sup>3</sup>. The **Eurobarometer on gender-based**

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<sup>1</sup> EU Agency for Fundamental Rights Violence against women: an EU-wide survey (2014)

<sup>2</sup> 2015 [http://ec.europa.eu/eurostat/statistics-explained/index.php/Tertiary\\_education\\_statistics](http://ec.europa.eu/eurostat/statistics-explained/index.php/Tertiary_education_statistics)

<sup>3</sup> This phenomena is noted in both the EU report Gender Violence (2012) & Irish report Young People, Alcohol and Sex (2014)



**violence (2016)** reveal that the broader social context of these experiences remains highly ‘negatively’ gendered. Some men and women continue to hold negative if not misogynistic beliefs regarding women and sexuality, and women and sexual violence and harassment<sup>4</sup>.

**Gender-based violence, stalking and fear of crime: European Union project (2012)**<sup>5</sup> reported on sexual violence and harassment of women students from five EU countries, Germany, Italy, Poland, Spain and UK (34 HEIs; 21,516 participants). Some of the key findings were:

**Sexual Violence**-*forced to engage in sexual acts I didn’t want, forced to engage in intimate acts (caressing etc.) I didn’t want, tried to penetrate me with a penis or object, penetrated me with penis or object*

- **29.9% to 47.3% of women students during their HEI studies**

**Sexual Harassment**-*sexually harassed verbally, threatening unwanted sexual advances*

- **47% to 68% of women students during their HEI studies**

**Stalking**

- **41% to 58% of women students during their HEI studies**

**Perpetrators**

- **96% to 97% men of which 40% to 60% were fellow students and approx. 7% HEI staff**

In Ireland **Say Something (2013)**<sup>6</sup> reported

- 11% of women students had been subject to unwanted sexual contact
- 5% were rape survivors with a further 3% survivors of attempted rape
- 31% of women reported feeling harassed, including just under 19% being physically groped

In the UK & Scotland **Hidden Marks (2010)**<sup>7</sup> reported

- 7% of women students had been subject to a serious sexual assault
- 68% had experienced harassment including groping, flashing and unwanted sexual comments
- 12% reported being subject to stalking
- 16% had experienced unwanted kissing, touching or molesting

Just 3% of Irish women students and 2% of UK women students ever reported their unwanted sexual experiences to an official agency, such as the national police services<sup>8</sup>.

## **DATA & RESEARCH RECOMMENDATIONS**

The Istanbul Convention requires state parties to collect disaggregated relevant statistical data and support research in the field of all forms of violence covered by the convention<sup>9</sup>.

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<sup>4</sup> See Eurobarometer 2016-27% of citizens say non-consensual sex could be justifiable in certain situations

<sup>5</sup> European Commission. (2012) Gender-based Violence, Stalking and Fear of Crime-Project Report

<sup>6</sup> Say Something (2013)-A Study of Students’ Experiences of Harassment, Stalking, Violence & Sexual Assault

<sup>7</sup> NUS. (2010). Hidden Marks: A study of women students’ experiences of harassment, stalking, violence and sexual assault

<sup>8</sup> Ibid

<sup>9</sup> Istanbul Convention 2011; Article 11

It states the need to collect disaggregated relevant statistical data at regular intervals on cases of all forms of violence covered by the scope of this Convention:

- Support research in the field of all forms of violence...in order to study its root causes and effects, incidences and conviction rates, as well as the efficacy of measures taken to implement this Convention
- Endeavour to conduct population-based surveys at regular intervals to assess the prevalence of and trends in all forms of violence
- The data needs to be made “available to the public” so that it can inform public debate<sup>10</sup>

The Council of Europe identified minimum standards for administrative recording of data on victim and perpetrator<sup>11</sup>. Information should be disaggregated by:

- Sex
- Age
- Type of violence
- Relationship of the perpetrator to the victim
- Geographical location

Administrative data must be comparable across national, statutory and all publically funded agencies that may have contact with survivors and perpetrators.

National level research should be commissioned and funded to ascertain

- The medium and long-term consequences of assaults on victims
- The health, social and economic costs of violence against women
- The assessment of the efficiency of the judiciary and legal systems in combating violence against women
- The causes of violence against women, i.e. the reasons which cause men to be violent and the reasons why society condones such violence

## **CURRENT RESPONSES & PROGRAMMATIC RECOMMENDATIONS**

Many current actions are rooted in student-led campaigns and initiatives and have been crucial to ‘motivating’ HEI authorities to pay attention to the issue. Where there has been some consistent (and institutional and state supported) focus and development, there are clearly emerging models of good practice including the need for:

### **INSTITUTION-WIDE APPROACH**

- Take an institution-wide approach to developing policies and procedures for responding to incidents of gender-based violence against women students
- Involve the students’ union in developing, maintaining and reviewing all elements of a cross-institution response
- Assess interventions and policies regularly
- Develop a sectoral representative body to develop guidance on how to handle disciplinary issues that may also constitute a criminal offence

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<sup>10</sup> Istanbul Convention 2011; Article 11

<sup>11</sup> Council of Europe (2016) Ensuring Data Collection and Research on Violence Against Women and Domestic Violence

#### PREVENTION

- Adopt an evidence-based programme seeking cultural change in the norms, beliefs and values that contribute to sexual violence
- Develop partnership agreements between the student and university
- Embed a zero-tolerance approach across all institutional activities including HR processes

#### INTERVENTION/RESPONSE

- Ensure a range of well-advertised supports are available on campus for victims/survivors
- Develop a clear, accessible and representative disclosure response for incidents of sexual violence and rape; including a centralised reporting system
- Conduct staff training
- Develop and maintain partnerships with local specialist services
- Establish and maintain strong links with the local police and health services

## INTRODUCTION

### The ESHTe Project-An Overview

Ending Sexual Harassment and Violence in Third Level Education, the ESHTe Project, aims to

*“prevent and combat sexual violence and harassment and build a culture of zero tolerance in universities and 3rd level institutions throughout Europe through building; a feminist understanding and analysis, of the causes and effects of sexual violence and harassment against women students”<sup>12</sup>*

The National Women’s Council of Ireland (NWCi) is the project lead and project partners are the Mediterranean Institute of Gender Studies (MIGS) in Cyprus, the Women’s Issues Information Centre (WIIC) in Lithuania and Rape Crisis Scotland (RCS), in the UK. The Women’s Equality Commissioner of the Ludwig-Maximilian University in Munich, Germany is a close associate partner,. The project is funded by the European Commission: Directorate-General, Justice and Consumers, through Daphne III.

The project will achieve its aim by:

- Developing an understanding and recognition of sexual violence and harassment as being rooted in gender inequality and build capacity on the part of University & Third Level Institutions (UTLIs) to combat and address it
- Supporting UTLIs to articulate a clear message, commitment, set of core values, ethos procedures and protocols to build a Zero Tolerance Zone and provide opportunities for sharing models of good practice
- Increasing knowledge amongst UTLI staff, of the higher risk of SVH amongst young women and its negative impact on student’s academic performance and overall well-being
- Raising awareness and provide information to students on; consent, the myths surrounding rape, supports available to victims, importance of reporting to the police, importance of naming and acknowledging experiences of SVH
- Raising awareness of the particular experiences of SVH of students with disability and students from minority ethnic groups

To achieve these objectives the project will undertake a range of actions:

- Produce and disseminate of materials on rape myths, sexual assault and SVH as a crime, ways to report it and support services
- Produce a Toolkit on Mainstreaming SVH Intervention and Prevention in UTLIs
- Deliver 2 half day pilot training sessions with UTLI<sup>13</sup> representatives in each partner country
- Hold a European Project Conference to bring together key European stakeholders and experts in the field to disseminate findings and good practice from the project
- Hold dissemination seminars in each of the partner countries

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<sup>12</sup> ESHTe Project Description-Appendix 1: ESHTe is specifically focused on sexual violence and harassment of students who identify as women

<sup>13</sup> It was agreed early in the project to use the phrase Higher Education Institutions (HEIs) rather than UTLI. HEIs was more widely understood by non-project partners. HEIs will be used from this point forward in the review

Two core pieces of EU research informed the development of the ESHTe project;

1. The European Research Study **“Gender Based Violence, Stalking and Fear of Crime”**<sup>14</sup> which researched women students’ experiences of sexual harassment, abuse and stalking in Germany, Poland, UK, Italy and Spain, and identified:
  - A high prevalence of sexual violence and harassment amongst female students with significant consequences for their wellbeing and academic performance
  - The majority of incidents go unreported and undisclosed due to the widespread preconception that violence tends to happen to under-privileged, uneducated women. Women students therefore found it difficult to reconcile the experience of sexual violence with their self-image as confident, independent women

The research articulated the need for a strategy that targets both students and university authorities including;

- Information: As a crucial means of reducing feelings of shame and guilt and thereby increasing rates of disclosure amongst students
  - A general university policy that refuses to tolerate gender-based sexual violence
2. The **Fundamental Rights Agency surveys on Violence against Women**<sup>15</sup> in 2014 in the 28 EU Member States, which identified that violence has the highest prevalence among women who are 18-29 years old

### **The ESHTe Project-Building and Making the Case**

*“It is difficult to acquire information on the magnitude and consequences of violence against women as it often remains hidden. This contributes to the persisting lack of available and comparable data at both Member State and EU level, which limits understanding of the real extent of violence against women and its consequences, and impedes further development of policies, strategies and actions.”*<sup>16</sup>

It is widely accepted that the scope, frequency and impact of violence against women remains under reported and under researched. When we focus on violence against women as it manifests in sections of the general population i.e. women students there is even less data, and when we attempt to engage in an intersectional analysis, in the case of this project, women students who have a disability or ethnic minority women students, the lack of data is even worse.

### **The ESHTe Project-Purpose of the Review**

To address this knowledge deficit, in working to “Build and Make the Case”<sup>17</sup>, the ESHTe project partners sought to identify any data that might assist in understanding the prevalence of sexual harassment and violence against women students in their own countries. Where there was no data specific to higher education and women students, project partners reviewed the three main types of data that can be used to

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<sup>14</sup> Reviewed later in this report

<sup>15</sup> Reviewed later in this report

<sup>16</sup> Council of the European Union. (2102) Council conclusions on Combating Violence Against Women

<sup>17</sup> ESHTe Project Description-Appendix 1

ascertain the extent of gender-based violence against women; survey data, research data and administrative data<sup>18</sup> (institutional data routinely collected by agencies in contact with survivors and/or aggressors i.e. criminal or medical systems) and analysed it for possible overlap with the target group, young women, 17-25 in higher education, women with a disability, ethnic minority women and so forth. The full country reports are presented as Appendices 2-5.

To support organisational advocacy work on the issue of gender-based violence, the review process also looked at best practice for data and research on the issue of gender-based violence as outlined in the Istanbul Convention and related EU documents.

This section will provide an overview of relevant EU level data, the country reports provided by full project partners and give a short review of some of the data available from two additional countries, associate partner country Germany and Italy. It will begin with a brief review of the international frameworks that set the context for challenging violence against women in the EU, highlight key findings from EU wide general population data and higher education specific frameworks and data, and conclude with outlining existing initiatives and recommendations that ESHTe can build on. As the individual country reports outline relevant national frameworks, legislative and policy, this overall report will not repeat that material.

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<sup>18</sup> Women against Violence Europe. (2013). Protect II Guidance Report

## INTERNATIONAL FRAMEWORKS

### UNITED NATIONS

The World Health Organisation (WHO) estimates that **1 in 3** women worldwide (35%) have experienced either physical and/or sexual intimate partner violence or non-partner sexual violence in their lifetime<sup>19</sup>.

In recognition of this global pandemic of violence against women, the UN issued the **Declaration on the Elimination of Violence against Women**<sup>20</sup> in 1993,

*“alarmed that opportunities for women to achieve legal, social, political and economic equality in society are limited ....by continuing and endemic violence”*

One of the aims of the resolution was to overturn the prevailing social and cultural norms that violence against women was a private, domestic matter not requiring state intervention. The Declaration defined violence against women as

*“any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women”*

It stated that

*“violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women”*

The Declaration was intended to support the 1979 **UN Convention on the Elimination of all Forms of Discrimination against Women (CEDAW)** through its recognition of how gender based violence is both a manifestation of gender inequality and a way in which discrimination, inequality and gender injustice is perpetuated. Subsequently, the 1995 **Fourth World Conference on Women and its Beijing Declaration and Platform for Action (BpFA21)** also focused on the elimination of all forms of violence against women, calling on States, international organisations and non-governmental organisations to prevent and combat violence against women. Most recently, Goal 5 of the **2015 UN Sustainable Development Goals (SDGs)** includes a target to eliminate all forms of violence against all women and girls in the public and private spheres<sup>22</sup>.

### EUROPEAN UNION

The European Union has also focussed on the issue of sexual violence and harassment of women with the European Parliament, European Council and European Commission having adopted a range of resolutions, conclusions and strategies on the issue<sup>23</sup>. This work has culminated in the 2017 European Union accession

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<sup>19</sup> WHO <http://www.who.int/mediacentre/factsheets/fs239/en/>

<sup>20</sup> UN Declaration on the Elimination of Violence against Women 1993

<sup>21</sup> <http://www.un.org/womenwatch/daw/beijing/platform/violence.htm>

<sup>22</sup> <http://www.un.org/sustainabledevelopment/gender-equality/>

<sup>23</sup> EU Directorate General for Internal Policies: The Issue of Violence Against Women in the European Union

to the **Council of Europe Convention on preventing and combating violence against women and domestic violence (2011)**, commonly referred to as **The Istanbul Convention**.

### **The Istanbul Convention**

The Istanbul Convention is currently the most powerful legally binding document in the EU regarding violence against women. It has been signed by 44 countries and the EU, and has been ratified by 23 countries. It defines violence against women as

*“a violation of human rights...and shall mean all acts of gender based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or private life”<sup>24</sup>*

The Convention emphasises that

- Violence against women is a violation of fundamental human rights and a form of discrimination
- Violence against women is deeply rooted in the structural inequality between women and men in society

It names different forms of violence including sexual violence, sexual harassment, rape, stalking and psychological violence and requires States to adopt comprehensive measures to

- Prevent violence
- Protect its survivors/victims
- Prosecute the perpetrators

### **The Istanbul Convention: Data and Research**

#### **Article 11: Ensuring Data Collection and Research on Violence against Women**

There are significant challenges to the collection of data on gender-based violence at the EU level<sup>25</sup>. These include differences in legal definitions of forms of violence against women including rape, systemic lack of disaggregation of data, a lack of shared coding systems across sectors (health, criminal etc.), and low levels of disclosure. None of the EU Member States have an official legal definition of gender-based violence. Most member States distinguish between the different types of gender-based violence in their national law, noting each type of gender-based violence separately in their legal codes or provisions. Wide variation exists across the EU-28 in the definition and legal treatment of the five main forms of gender-based violence experienced by women students, intimate partner violence, sexual assault (excluding rape), rape, sexual harassment and stalking. These challenges are all reflected in the country reports produced as part of this review.

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<sup>24</sup> Istanbul Convention 2011

<sup>25</sup> EIGE (2014) Administrative data sources on gender-based violence against women in the EU



Data collection and research are required in the design of the policies and measures needed to protect and support victims and to eliminate violence. They are also necessary to learn whether policies are working towards preventing and combating the violence. The Istanbul Convention requires State parties to collect disaggregated relevant statistical data and support research in the field of all forms of violence covered by the convention. It states the need to

- Collect disaggregated relevant statistical data at regular intervals on cases of all forms of violence covered by the scope of this Convention;
- Support research in the field of all forms of violence...in order to study its root causes and effects, incidences and conviction rates, as well as the efficacy of measures taken to implement this Convention.
- Endeavour to conduct population-based surveys at regular intervals to assess the prevalence of and trends in all forms of violence
- Make data “available to the public” so that it can inform public debate<sup>26</sup>

In “**Ensuring Data collection and research in violence against women and domestic violence: Article 11**” (2016)<sup>27</sup> the Council of Europe identified some minimum standards for administrative recording of data on victim and perpetrator. Information should be disaggregated by:

- Sex
- Age
- Type of violence
- Relationship of the perpetrator to the victim
- Geographical location

Administrative data must be comparable across national, statutory and all publically funded agencies who may have contact with survivors and perpetrators.

National level research should be commissioned and funded to ascertain

- the medium and long-term consequences of assaults on victims
- the health, social and economic costs of violence against women
- the assessment of the efficiency of the judiciary and legal systems in combating violence against women
- the causes of violence against women, i.e. the reasons which cause men to be violent and the reasons why society condones such violence;

Currently all of the full project partners have signed the Istanbul Convention but only Cyprus has ratified it into national law. Ireland is unable to meet all the legislative requirements of the Treaty but has an agreed State programme of action for ratification<sup>28</sup>. Similarly, the UK must undertake a number of amendments to domestic law before ratification can take place, these are currently underway<sup>29</sup>. Germany completed a substantial reform of the penal code provisions on rape, described as the principle “No means no” by campaigners in 2016, and is progressing to ratification following this<sup>30</sup>. At the time of their signing

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<sup>26</sup> Istanbul Convention 2011; Article 11

<sup>27</sup> Council of Europe (2016) Ensuring Data Collection and Research on Violence Against Women and Domestic Violence

<sup>28</sup> <http://www.justice.ie/en/JELR/ActionPlanIstanbulConNovember.pdf/Files/ActionPlanIstanbulConNovember.pdf>

<sup>29</sup> <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-7829>

<sup>30</sup> <http://wunrn.com/2016/10/germany-important-legal-reform-on-violence-against-women-no-means-no-coalition-advocacy/>

Lithuania lodged reservations to the Convention and is undertaking national consultation and reviews to ensure the Conventions alignment with their country's constitution<sup>31</sup>. Italy has both signed and ratified the Convention.

In due course, GREVIO the independent expert body responsible for monitoring the implementation of the Istanbul Convention will draw up and publish reports evaluating legislative and other measures taken by States to give effects to the provisions of the Convention<sup>32</sup>. Grevio will issue reports and recommendations where action is required to end acts of violence covered by the Convention. Meeting the standards set by the Convention on the issue of violence but also on the collection of data itself will significantly increase our understanding and capacity to end all forms of violence against women. In the interim the ESHTe project must rely on the very limited data currently available.

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<sup>31</sup> [https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210/declarations?p\\_auth=eUYLBGiq](https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210/declarations?p_auth=eUYLBGiq)

<sup>32</sup> <http://www.coe.int/en/web/istanbul-convention/grevio>

## EU GENERAL POPULATION DATA

### The Extent, Nature and Attitudes regarding sexual harassment and violence against women

#### European Commission Special Eurobarometer 449: Gender-based violence (2016)<sup>33</sup>

The special Eurobarometer Survey (27,919 respondents in the EU-28) assessed the perceptions of EU citizens about gender-based violence, including

- Opinions about and attitudes towards gender-based violence
- Perceptions of the prevalence of domestic violence and sexual harassment
- Whether a range of acts of gender-based violence are wrong and are, or should be, illegal

The survey showed that across the EU there is widespread agreement that domestic/ intimate partner violence, sexual harassment and other acts of gender-based violence are unacceptable or wrong. However survivors of violence are talking with friends, family or the people involved, rather than to police or health or support services. 88% of those who know of a victim of domestic/ intimate partner violence did not go to the police, and only 7% spoke to a support service available.

- 96% say domestic/intimate partner violence against women is unacceptable, although 12% do not think it should always be punished by law.
- At least 90% consider a range gender-based violence to be wrong, but opinions about whether they should be against the law are more varied:
  - 41% say that sexually suggestive comments or “jokes” to a woman in the street should not be illegal
- 70% think sexual harassment of women is common in their country, and that violence against women is most likely to occur at home

However, the survey also revealed that there remains deeply embedded misogynistic beliefs about women, women and sexuality, and women and sexual violence which provide a clear explanation as to why women remain very reluctant to formally (or even informally) report the assaults and harassment they experience.

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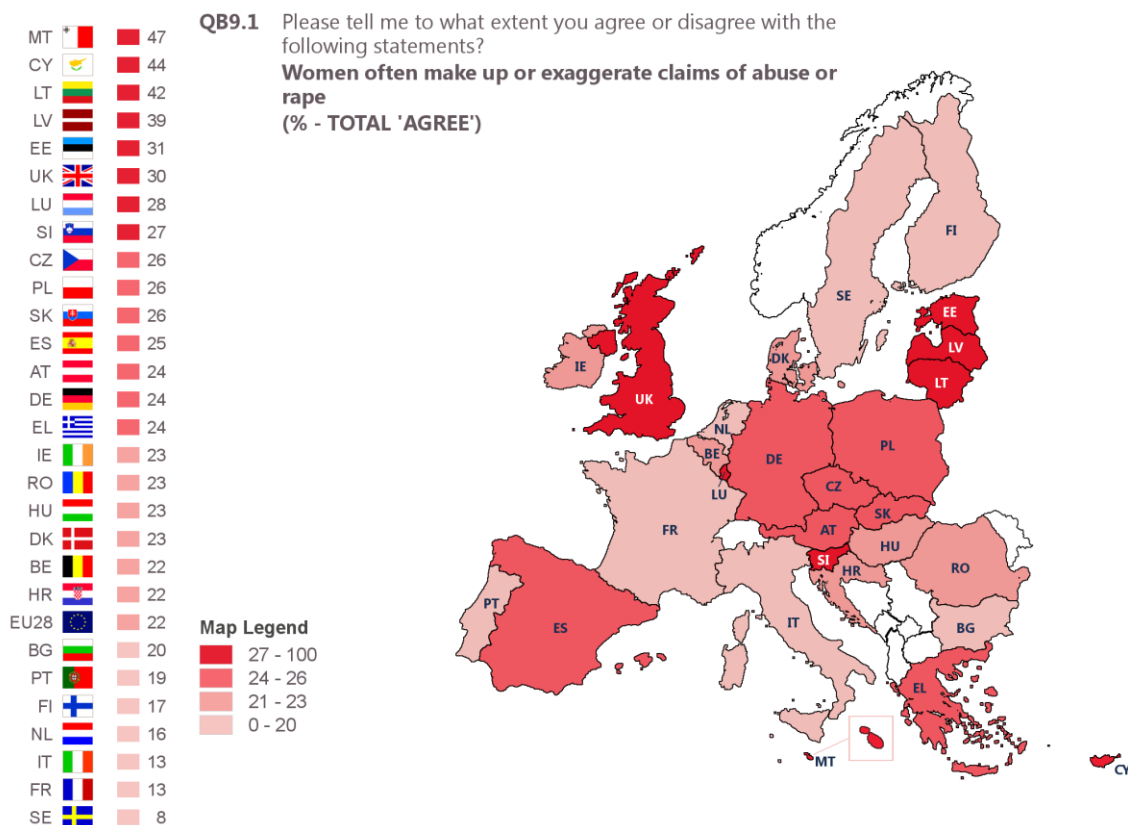
<sup>33</sup> European Commission(2016) Special Eurobarometer 449-Gender-based Violence

## VICTIM BLAMING

### “Women often make up or exaggerate claims of abuse or rape”

More than 22% of respondents hold victim-blaming views, agreeing that women make up or exaggerate claims

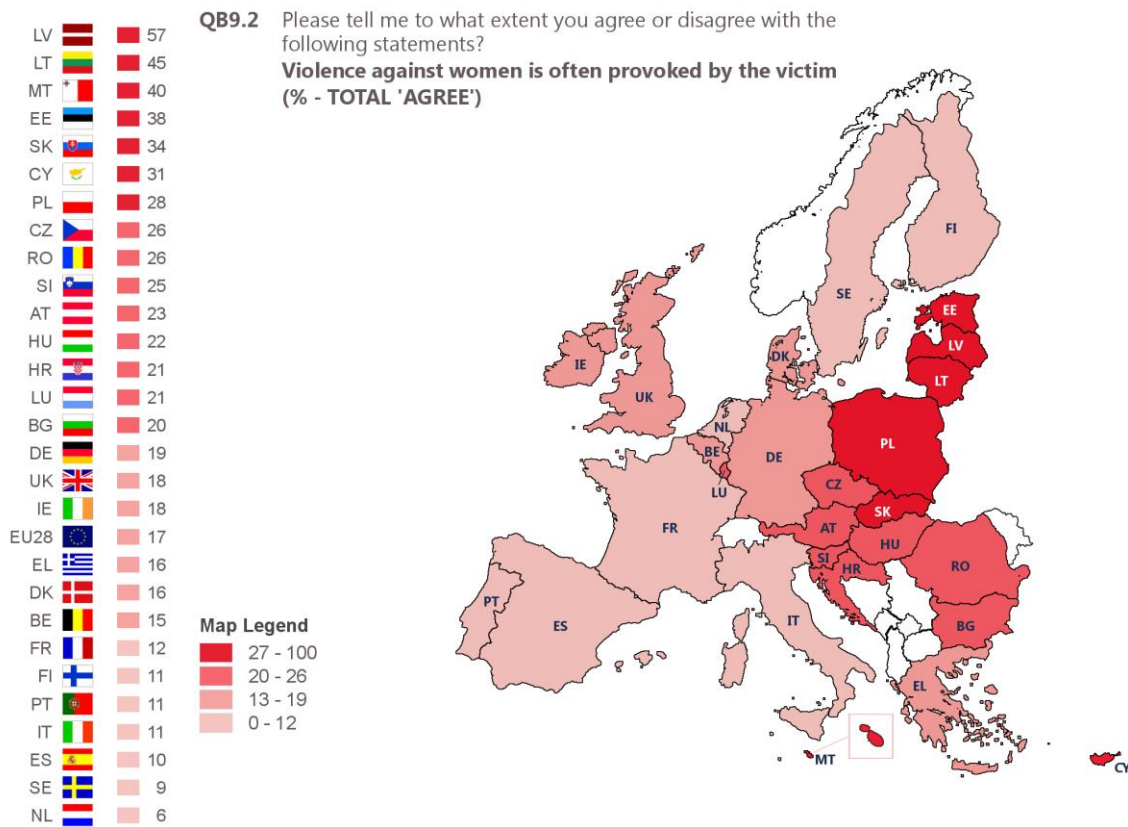
- Respondents in Cyprus 44%, Lithuania 42%, UK 30%, Germany 24%, Ireland 23%, and Italy 13%



## “Violence against women is often provoked by the victim”

Almost 20% agree violence against women is often provoked by the victim

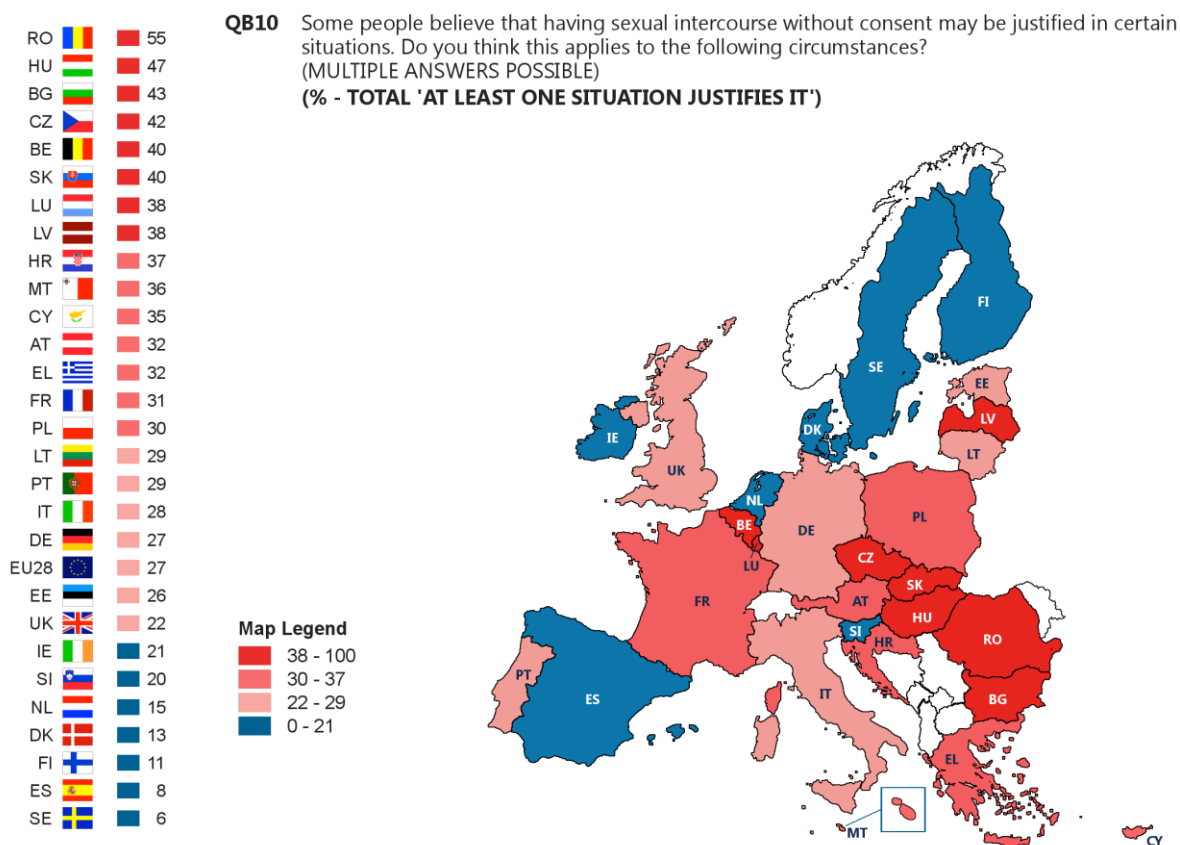
Respondents in Lithuania 45%, Cyprus 31%, Germany 19%, UK & Ireland 18%, and Italy 11%



## “Having sexual intercourse without consent was justified”

Overall, 27% said sexual intercourse without consent may be justified in at least one of the situations proposed by the survey

- being drunk or on drugs 12%
- voluntarily going home with someone 11%
- wearing revealing, provocative or sexy clothing 10%
- not clearly saying no or physically fighting back 10%



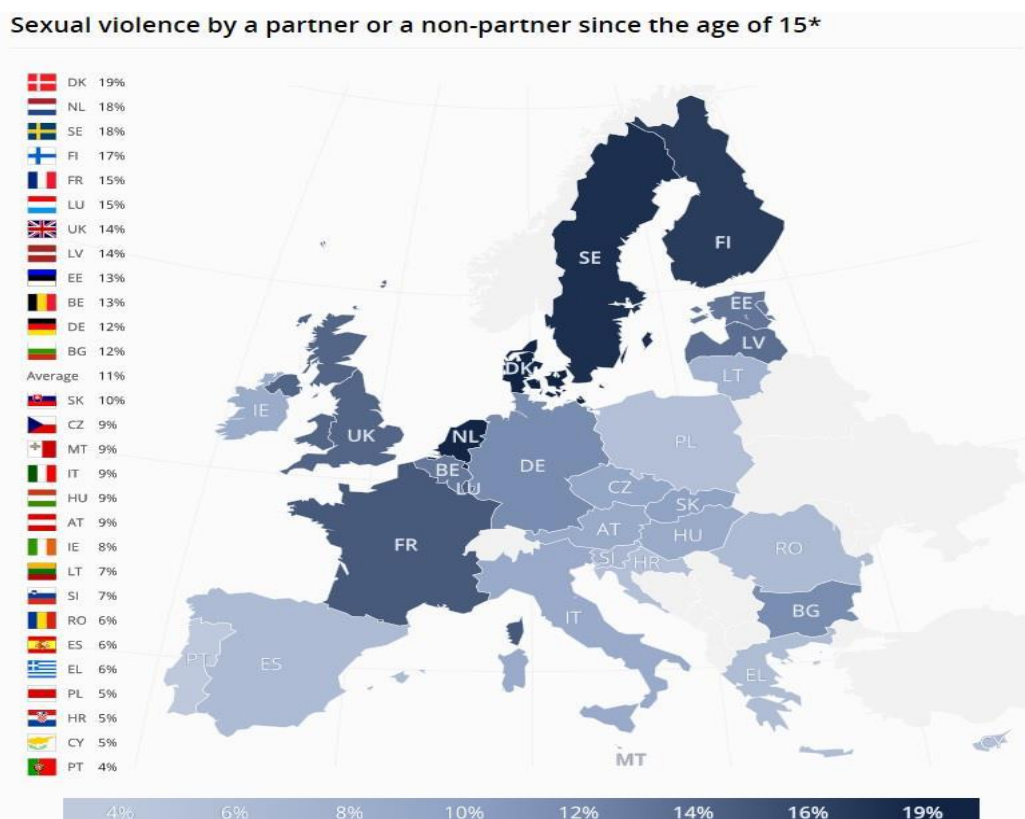
## European Union Agency for Fundamental Rights - Violence against women: an EU-wide survey (2014)<sup>34</sup>

*"This report is based on interviews with 42,000 women across the 28 Member States of the European Union (EU). It shows that violence against women, and specifically gender-based violence that disproportionately affects women, is an extensive human rights abuse that the EU cannot afford to overlook"*<sup>35</sup>

The FRA Survey is the most comprehensive EU level population surveys undertaken on the issue of sexual violence and harassment against women, and confirmed the endemic and systemic level of violence experienced by women across their life. Due to the widely acknowledged reality of serious under-reporting of sexual violence and harassment, this type of survey provides a far more accurate estimation of the scope and prevalence of the crisis than administrative data can. Project partners have used the FRA data in their work, to lobby and advocate at a national level in different ways, to inform their own practice, and national reports refer to country specific data where it was deemed relevant. Only high level, key statistics are highlighted here.

### SEXUAL VIOLENCE

- 8% of women had experienced physical and/or sexual violence in the last 12 months 33% had experienced some form of physical and/or sexual assault since the age of 15
- 11% had experienced sexual violence
- 5% had been raped



<sup>34</sup> EU Agency for Fundamental Rights. (2014) Violence against women: an EU-wide survey

<sup>35</sup> Ibid

## **STALKING & HARASSMENT**

- 20% of women have experienced some form of stalking since the age of 15
- 20% of women have experienced sexual harassment including groping, unwanted kissing since the age of 15
- 11% have been sexually harassed through social media, email and other digital fora

**Young women 18-29**, are significantly more vulnerable to sexual harassment, with 38% having experienced harassment in the 12 months before the survey. Their experience of cyber harassment is twice that of other age ranges

## **REPORTING<sup>36</sup>**

- Only 33% of women reported intimate partner violence
- Only 25% of women reported violence from a non-partner

These low levels of reporting occur in part because women feel shame and humiliation at what has happened to them and think they will not be believed. When we consider this survey in relation to the Eurobarometer survey above, it is easy to see how this is the case given the extensive victim- shaming beliefs that continue to be held by many people in Europe.

## **RECOMMENDATIONS**

The Agency for Fundamental Rights advised on a series of ‘opinions and ways forward’ in relation to each area that the survey reported on. These included

- Member States should develop specific national action plans on violence against women, which should use the results of the survey in the absence of data at the national level
- Member States should develop specific policy interventions and national action plans in education (and employment, health & communication technology) to address the impact violence in this field
- Member States should collect data, on a regular basis directly from women’s experiences of violence, in addition to administrative and criminal justice data, which does not capture the majority of unreported victimisation.

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<sup>36</sup> To a formal body/agency including NGO services



## WOMEN WITH DISABILITIES

As already noted intersectional data is almost non-existent. Women Against Violence Europe (WAVE) quotes a German survey on women with disabilities which showed that they are twice as likely to experience emotional or physical violence as women without disabilities, and three times more likely to experience sexual violence<sup>37</sup>.

In 2013 the European Parliament Women's Committee issued a special report on women with disabilities acknowledging,

*"whereas women and girls with disabilities are far more likely to be victims of violence, and particularly of domestic and sexual exploitation, and estimates show that women with disabilities are 1.5 to 10 times more likely to be abused than non-disabled women"*<sup>38</sup>

And calling on the European Commission, it

*"reiterates the need for the Commission to present a legislative criminal law instrument to combat gender-based violence, including the protection of rights of disabled women in cases of sexual abuse and violence, both in public and within their home environment"*<sup>39</sup>

## ETHNIC MINORITY WOMEN

To mark International Women's Day 2017 and the 2017 the European Year of focused action to combat violence against women and girls, the European Coalition to end violence against women and girls, a group of more than 25 European-wide networks and NGOs dedicated to social justice and equality, issued a press release which noted that,

*"Certain women face a greater risk of violence because of motives fuelled by sexism as well as racism, xenophobia and other forms of discrimination. Furthermore, intersecting forms of discrimination limit access to justice and support and protection services"*<sup>40</sup>

The press release referred to academic and EU funded research, unfortunately, we have been unable to identify work that would be of specific relevance to this project and acknowledge that deficiency in this report. The coalition partners' work on areas such as forced marriages, FGM, gender-based violence in the workplace, Islamophobia, and other areas are beyond the scope of this project.

The European Women's Lobby (EWL) Position Paper **Towards a Europe Free from All Forms of Male Violence against Women (2010)** calls for the recognition of diverse needs and identities

*"Protection of women from male violence should take into account the diversity of women's needs and identities."*<sup>41</sup>

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<sup>37</sup> WAVE (2017) Improving Access To Services for Women With Disabilities

<sup>38</sup> EP Committee on Women's Rights and Gender Equality (2013) Report on women with disabilities

<sup>39</sup> Ibid

<sup>40</sup> [HTTP://WWW.ENAR-EU.ORG/JOINT-STATEMENT-VIOLENCE-AGAINST-WOMEN-AND-GIRLS-WILL-EUROPE-RISE-UP-IN-2017](http://www.enar-eu.org/joint-statement-violence-against-women-and-girls-will-europe-rise-up-in-2017)

<sup>41</sup> EWL (2010) Position Paper Towards a Europe Free from All Forms of Male Violence against Women

## EU DATA – HIGHER EDUCATION

### The Extent, Nature and Attitudes regarding sexual harassment and violence against women in higher education

#### Gender-based violence, stalking and fear of crime: European Union project (2012)<sup>42</sup>

This report highlighted the findings from an extensive three-year, five country, European-wide research project. Only a very high level overview of its findings and recommendations can be outlined here but, this is a unique and important research project for the EU.<sup>43</sup> The purpose of the project was to identify if women students were particularly at risk from sexual violence.

#### RESEARCH SCOPE

Country	UK	Spain	Poland	Italy	Germany	Total
Number of Higher Education Institutions	3	4	7	4	16	34
Number of Respondents	707	323	4,759	3,064	12,663	21,516

The project noted the same challenges already identified. Comparability is difficult; all of the partner countries have some legislation relating to incidents of sexual violence, reflective of the international consensus that it is unacceptable. However, differences exist within countries in terms of the specific legislation they adopt, their classifications of acts as criminal, available options regarding punishment, and the general degree of protection offered to the victim.

Institutional frameworks based on national traditions and arrangements differed widely with enormous variance in the perception of responsibility, ethical or legal, for addressing the challenges of campus gender-based violence. These reflected the varying cultural norms in each partner country which as the previous EU wide surveys show can be quite different. In general the project established that the protection of students from gender-based violence remained a largely voluntary commitment made at the discretion of individual institutions.

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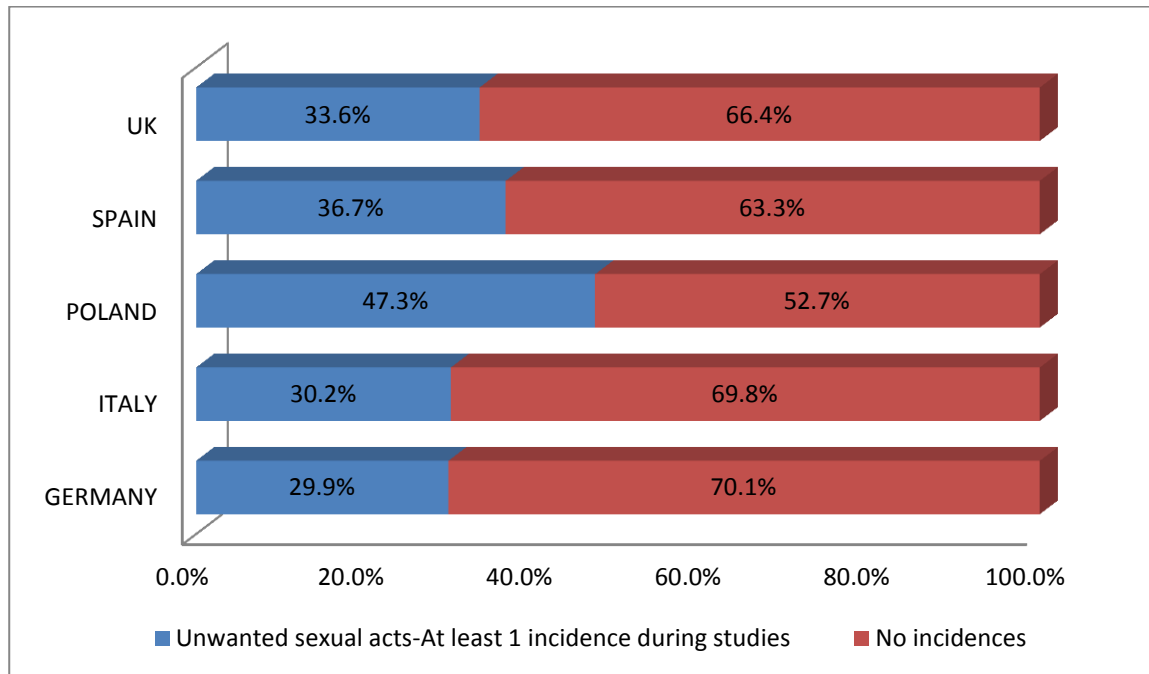
<sup>42</sup> European Commission (2012) Gender-based Violence, Stalking and Fear of Crime-Project Report

<sup>43</sup> We did locate a project report for the EU funded “The Hidden Agenda: Sexual Violence at Universities, NO means NO” (1997) project carried out by EIBE- The National Union of Students in Europe. Unfortunately, none of the other project materials appear to be available.

## KEY FINDINGS

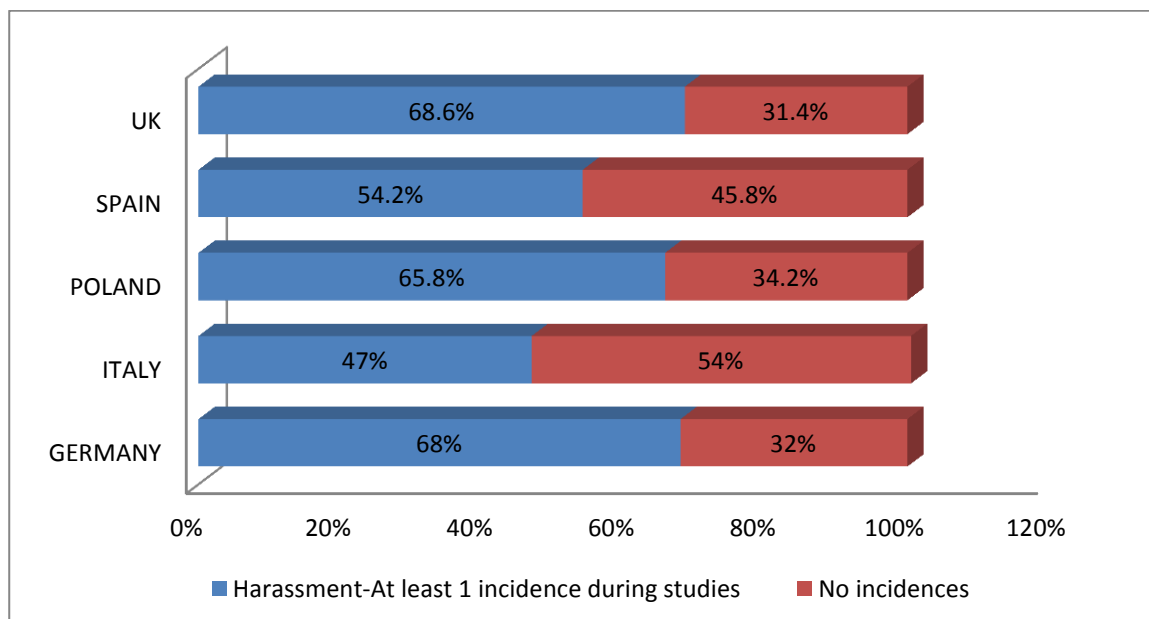
### Sexual Violence – Prevalence

*Forced to engage in sexual acts I didn't want, forced to engage in intimate acts (caressing etc.) I didn't want, tried to penetrate me with a penis or object, penetrated me with penis or object*



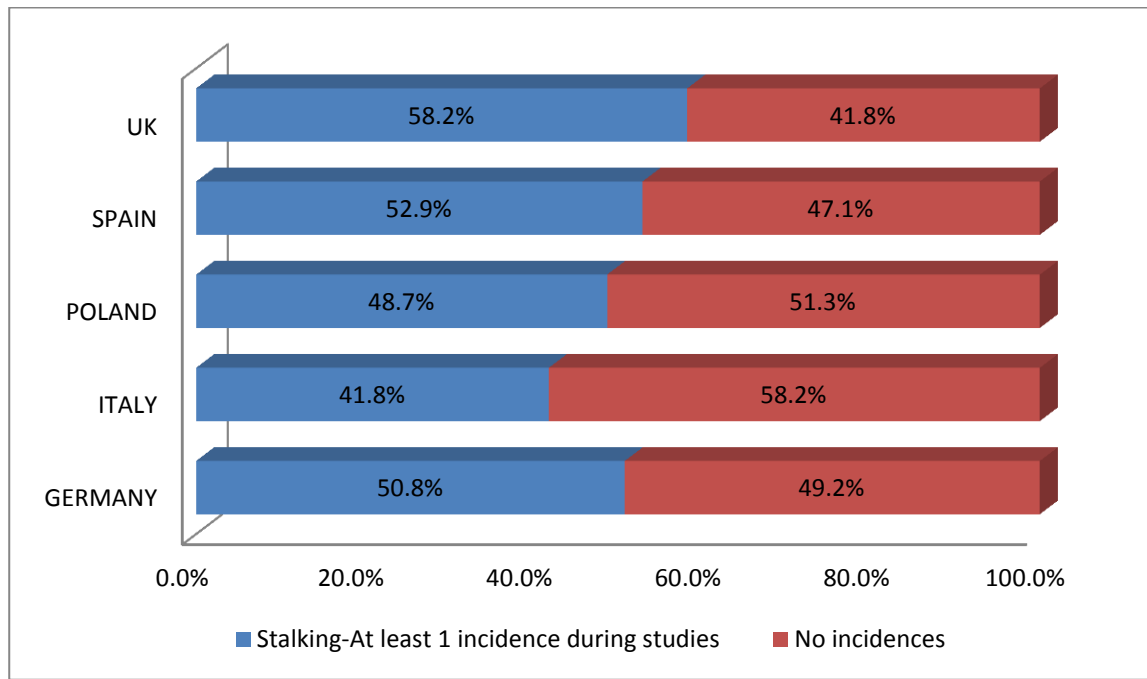
### Sexual Harassment – Prevalence

*The sexual harassment incidents that students found most severe were to being sexually harassed verbally, (33% of respondents), experiencing unwanted sexual advances in a threatening way" (14.3% total).*



## Stalking-Prevalence

The stalking incidents that students identified as the most severe were receiving “unwanted telephone calls, letters, e-mails, and SMS over an extended period”. As was the case with incidents of sexual harassment, these behaviours were experienced most frequently by first year students (38.2%), and least frequently by PhD students (1.8 %).



## Perpetrators

Women students identified between 40% and 60% of the perpetrators of the harassment and sexual violence they experienced as students as being associated with their HEI. Only a small proportion of assaults were committed by academic and non-academic university staff compared with those committed by (male) fellow students. However, assaults from staff did occur, most often in the form of sexual harassment.

## Disclosure and Reporting

Due in part to their own internalised sexual violence myths, particularly the widespread misconception that violence happens to under-privileged, uneducated women, women students found it very difficult to name the vulnerability, shock and loss of control as sexual violence. Their self-image as being independent and confident women frequently led them to suppress or dismiss/trivialise what had happened.

Although figures for ‘disclosure’ were quite high for harassment, 62% (Poland) to 81% (Italy) and stalking 74% (UK) to 91% (Italy) disclosing sexual violence was lower in all countries, 25% (Spain) to 59% (Germany).

It should be noted that 'disclosure' included speaking to friends, family and HEI staff. Actual official reporting of any type of incidence to the police was extremely low, between 4% (Poland) and 15% (UK). In common with the general population, students threatened by harassment incidents did not disclose information about the incident to anyone, most frequently because they judged the incident (stalking) to be of little importance, because of a feeling of helplessness, or due to uncertainty connected with understanding and describing the situation, and with a strong sense of shame and guilt (sexual violence). Overall the research confirmed that victims of sexual violence are very reluctant to disclose their victimisation to universities or state authorities.

A number of other factors heavily influenced whether the woman would consider 'reporting' the violence

- Having used and/or shared drugs or alcohol with the perpetrator
- If the incident took place in her 'home'
- If the perpetrator was known / in a relationship (including friendship) with them already

These circumstances created a sense of ambiguity for the woman as to whether she shared responsibility for the violence occurring and as to whether she would be believed if she reported the incident. This misperception is rooted in one of the most persistent myths about rape and sexual violence, that women are most at risk from strangers in external, non-personal environments. The research proposes constant, consistent challenging of this myth as a primary prevention strategy and a secondary strategy as a method to overcoming barriers to reporting;

- Informing women about the actual realities of sexual violence as a phenomenon that takes place predominantly within her close social circles enables them to identify these situations and to defend themselves before any extreme violence can occur
- The assaults are understood properly as violence

### **The Gendered Context**

The research also highlighted what it refers to as the 'cultural messages' that underpin the sexual harassment and violence that women students' experience:

- Male students who consumed alcohol, had a peer network that supported sexist and violent perceptions of women and used pornography were more than nine times more likely to report committing sexually victimising acts against females, compared to men who had none of these characteristics<sup>44</sup>
- Highly gendered sexuality socialisation - women are encouraged to perceive themselves as passive, gatekeepers of sexual experiences, men as dominant and active pursuers as opposed to their being equality of interest and intent to be discussed and negotiated
  - thus some men feel 'justified' in using verbal or physical coercion to obtain sexual 'access'
  - having been socialised to be passive some women feel unable to counter coercion

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<sup>44</sup> Canadian research quoted in report (1900 male students surveyed)

- Where there has been some sexual intimacy, a woman has forfeited her right to say no to any further sexual contact
- Poor sexual awareness, self-esteem and confidence in both genders leading to discomfort to discussing sex and the use of drugs and alcohol to overcome this psychosocial anxiety
  - some male students experience significant disinhibiting impacts from alcohol and drug use
  - some women students become unable to interpret behaviours as threatening and dangerous
- Widespread perception that certain types of sexual harassment are normative and will not be subject to 'punishment' creating an environment of impunity

## Report Recommendations

1. Overall the recommendations advocate actions based on an understanding of the tertiary model of prevention:
  - **Primary Prevention:** Approaches that take place before sexual violence has occurred to prevent initial perpetration and victimisation
  - **Secondary Prevention:** The immediate responses after sexual violence have occurred to deal with the short-term consequences of violence
  - **Tertiary Prevention:** Long-term responses after sexual violence has occurred to deal with the lasting impacts to the individual and community
2. A commitment to not tolerating and ending gender-based sexual violence clearly articulated by the highest authority in the university with the creation, implementation and delivery of '**model policies**' and '**model programmes and procedures**':
  1. Policies that raise awareness of the issue of gender-based sexual violence
  2. Policies that address elements of student culture that encourage aggressive sexual behaviour towards women students
  3. A clear and precise 'post-incident' policy
  4. Policies that clearly allocate responsibilities within the HEI community for addressing and responding to gender-based sexual violence, and establish cooperative relationships between those to whom such responsibilities are allocated
  5. HEI service providers need to be trained in all aspects of preventative work
  6. Routine and robust data collection mechanisms to understand the issues
  7. Policies that encourage, but do not mandate, formal disclosure
  8. Policies that regulate alcohol consumption and specifically address binge drinking
  9. Policies based on the expertise of multiple actors within and outside the HEI
3. Gender-specific and targeted educational and sensitising interventions for students
  1. Education and sensitisation programmes do yield short-term effectiveness in altering violence-supportive attitudes, 'rape myths', and increased knowledge about equality and discrimination. Evaluations have shown little to no impact on a long term robust awareness of violence and its gendered components, therefore **students should be exposed to prevention messages and interventions at multiple points in time**
  2. Enhancing, and improving communication to students about, formal university policies on gender-based violence and gender equality

3. Enhancing, and informing students better about, services and resources available

### **Universities Supporting Victims of Sexual Violence: Training for Sustainable Services (2016-17)<sup>45</sup>**

This research project, led by Brunel University, UK has 7 partners and 7 associate partners across 7 European countries. It aims to develop innovative training for university staff who may respond to disclosures of sexual violence, and to embed this within institutions. It is funded by the European Commission's DG Justice, Rights, Equality and Citizenship Programme (DAPHNE strand).

The project will conduct 'best practice' reviews in English and local languages, and use this learning to develop staff training programmes which will be permanently and freely available via an online portal.

USVReact Project partners have completed two short reports:

#### **International Policy Audit<sup>46</sup>**

The report summarised existing policy (September 2016) on sexual violence at universities in Greece, and Italy, Spain, and the UK, and Title IX and the Clery Act<sup>47</sup> in the United States. Although policy development remains uneven in European HEIs, the report highlighted some good examples in Spain and the UK. It also advised that although very well established, there are significant limits to the usefulness of the US model given the very different institutional infrastructure and funding in place.

The report also noted the disturbing phenomena that a public commitment to policy development could be used as a way to disguise lack of real progress or intention to undertake substantive change. It also drew attention to the use of 'confidential non-disclosure' agreements to conceal staff-student sexual harassment and violence.

#### **International Best Practice Review<sup>48</sup>**

This review examined the current (September 2016) provision of first response training at universities in Greece, and Italy, Spain, UK and US with a view to assessing best practice. It outlined a range of innovative activities and identified the key features of existing models:

- Provide information about sexual violence, including the different forms it can take, legal definitions, incidence and prevalence, and rates of reporting and prosecution
- Address common misconceptions surrounding sexual violence
- Explain reasons for as well as barriers to disclosure

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<sup>45</sup> <http://usvreact.eu/>

<sup>46</sup> <http://usvreact.eu/international-policy-audit/>

<sup>47</sup> Title IX states that "no-one, on the basis of sex, be excluded from participation in...be subjected to discrimination under any education program receiving Federal financial assistance". The Clery Act requires all colleges and universities that receive federal funding keep, and disclose information about crime on & near their campuses

<sup>48</sup> <http://usvreact.eu/best-practice-review/>

- Provide advice about how best to support those who disclose
- Provide guidance about how to support students who have experienced sexual violence over the longer-term.

The review identifies limitations to the current practices that are underway including

- The lack of intersectional awareness of how sexual harassment and violence impacts for example women of colour
- The lack of awareness or challenging to wider cultural norms that enable sexual violence
- The silence regarding sexual harassment and violence against students by HEI staff



## NATIONAL REPORTS

### OVERVIEW

As previously noted the core project partner countries, Cyprus, Ireland, Lithuania, Scotland and the associate partner country Germany have all signed **The Istanbul Convention**, though only Cyprus has ratified it.

All countries have signed and ratified **CEDAW** and the optional protocol on monitoring. The most recent CEDAW Committee Concluding Observations on the Periodic Reports for each country had a series of common points:

#### Cyprus

*“the Committee remains concerned about the low number of investigations, prosecutions and convictions in cases of domestic violence, despite the high number of cases reported”*

*“the Committee further expresses concern about the limited data and information available on the incidence of other forms of violence”<sup>49</sup>*

#### Ireland

*“the Committee remains concerned at ...the lack of gender-disaggregated data on gender-based violence against women...and at the failure to address psychological, emotional and economic violence; The lack of legal protection against emerging forms of gender-based violence, such as online stalking and harassment”<sup>50</sup>*

#### Germany

*“the committee remains concerned of...reports suggesting that women with disabilities ..... are two to three times more likely to be exposed to violence than other women....Gender-based stereotypes and myths surrounding rape within society and among legal professionals”<sup>51</sup>*

#### Lithuania

*“the Committee expresses concern at the prevalence of violence against women in the State party”*

*“the Committee is further concerned about the insufficient data on acts of violence against women that have been reported, investigated and prosecuted”<sup>52</sup>*

#### United Kingdom & Scotland

*“It is concerned, however, at continued reports of violence against women, including domestic violence, affecting in particular black and ethnic minority women”<sup>53</sup>*

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<sup>49</sup> UN CEDAW (2013). Concluding observations on the combined sixth and seventh periodic reports of Cyprus

<sup>50</sup> UN CEDAW (2017). Concluding observations on the combined sixth and seventh periodic reports of Ireland

<sup>51</sup> UN CEDAW (2017). Concluding observations on the combined seventh and eighth periodic reports of Germany.

<sup>52</sup> UN CEDAW (2014). Concluding observations on the fifth periodic report of Lithuania

<sup>53</sup> UN CEDAW (2013) Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland

## GENERAL POPULATION DATA – The Extent, Nature and Attitudes regarding sexual harassment and violence against women

The national reports reflect these UN CEDAW findings<sup>54</sup>. All project countries have legal frameworks outlawing the most serious sexual violence and all have policies committing the State to pursuing an eradication of different forms of gender-based discrimination including sexual violence and harassment.<sup>55</sup> However, the Cypriot, Irish and Lithuanian reports note that little disaggregated data exists in their countries and no administrative sources follow the minimum standards as outlined in the Council of Europe guidance, “**Ensuring Data collection and research in violence against women and domestic violence**” (2016). Therefore the prevalence of sexual violence and harassment experienced by women is very difficult to ascertain. Scotland does produce national crime statistics that are disaggregated by age, gender and type of crime so it is possible for RCS to report that

*“that young women are disproportionately affected by sexual violence, and that a significant proportion of university students are young women”*<sup>56</sup>

Cyprus, Lithuania and Ireland could reference once off pieces of research, often undertaken by NGOs. These included the **First Pancyprian Survey: Violent Behaviour in Interpersonal Relationships of Young Adults in Cyprus aged 18 – 25 (2102)** which reported

*“70% of the participants... had opinions and attitudes that are conducive to violence such as ‘victim blaming’, and the belief that violence in relationships is a ‘private’ matter”*<sup>57</sup>

**Sexual Abuse and Violence in Ireland: A National Study-SAVI (2002)** which reported

*“Four in ten (42 per cent) women reported some form of sexual abuse or assault in their lifetime”*<sup>58</sup>

Statistics are also produced by Irish sexual violence specialist NGOs<sup>59</sup>. However, evidently these can capture only those people who are able to disclose their experiences and all research confirms only a very small percentage of survivors will disclose even to an NGO service.

In general however, Cyprus, Lithuania and Ireland rely on EU level surveys such as the FRA 2014 Survey quoted above to identify the extent of sexual violence and harassment in their countries.

### Women with Disabilities & Ethnic Minority Women

**UK & Scotland** could report data from national helplines and crime surveys which showed

*“black and minority ethnic callers constituted 27% and disabled callers 23%, where this information was*

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<sup>54</sup> In this section data and research from the core countries Cyprus, Ireland, Lithuania, UK & Scotland will be outlined

<sup>55</sup> Ireland is currently undergoing a very extensive period of sexual violence legislative consolidation see APPENDIX 3

<sup>56</sup> UK & Scotland Report APPENDIX 5

<sup>57</sup> Cyprus Report APPENDIX 2

<sup>58</sup> Ireland Report APPENDIX 3

<sup>59</sup> Ibid

given”<sup>60</sup>

*“Crime survey data from England and Wales notes an increased risk of victimisation for females with limiting disabilities or illnesses (3.4%)”<sup>61</sup>*

This data demonstrates a clear over-representation of these groups in the use of these services.

In **Ireland** several small scale research projects, predominantly led by NGO organisations have tried to identify the prevalence of sexual violence and harassment against women with disabilities, ethnic minority women, and Traveller women<sup>62</sup>. Although often very small in scope they show similar trends to the UK & Scotland data,

*“although non-indigenous minority ethnic women only comprise approximately 5% of Ireland's population, they represented 13% of those seeking services from gender-based violence organisations. Traveller women who make up 0.6% of population represent 15% of service users”<sup>63</sup>*

How to understand this data requires more research than currently exists in either country.

In the case of women with disabilities, Irish research in relation to the prosecution of rape in Ireland identified the second most common risk factor for rape after gender, as disability; 19% of all complainants were recorded as having a physical or intellectual disability or a history of mental illness. A review of data held by 14 Irish rape crisis centres (RCC) also revealed that survivors with disabilities who attended RCC services in 2010 were more likely to have been subjected to three or more incidents of sexual violence, than those with no disabilities (39% compared with 25%)<sup>64</sup>.

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<sup>60</sup> UK & Scotland report, pp 6 APPENDIX 5

<sup>61</sup> Ibid

<sup>62</sup> The Traveller community is an Irish ethnic minority, formally recognised by the Irish State in 2017

<sup>63</sup> Ireland Report, pp 26 APPENDIX 3

<sup>64</sup> Ibid, pp 28

## HIGHER EDUCATION -The Extent, Nature and Attitudes regarding sexual harassment and violence against women in higher education

### CYPRUS

There is no Cypriot research focused specifically on the issue of sexual violence and harassment in HEIs. However, all the 476 participants of the 2008 survey **Date Rape Cases among Young Women** were women students, and the survey reported,

*“1.3% of the participants reported an attempted date rape by their date, 1.9% reported being forced to have oral sex and 1.9% reported date rape.”<sup>65</sup>*

#### General Population Data

Office of Analysis & Statistics: Cyprus Police (2009 – Q. 1 2016)

- 186 reported rapes<sup>66</sup>

The 2014 FRA Survey showed that since the age of 15

- 20% of Cypriot women have experienced physical and/or sexual violence
- 36% have experienced sexual harassment<sup>67</sup>

### LITHUANIA

Similarly, Lithuania has no specific research on sexual violence and harassment in HEI settings. The country report identified two relevant, associated reports, which although focussed on the types of harassment experienced by a range of different groups in HEIs, reported that women students experienced the most verbal harassment<sup>68</sup>.

#### General Population Data

Ministry of the Interior (2015)

- 5,200 women (319 men) were the victims of domestic/intimate partner violence
- 201 women (25 men) were victims of sexual abuse<sup>69</sup>

The 2014 FRA Survey showed that since the age of 15

- 31% of Lithuanian women have experienced physical and/or sexual violence
- 35% have experienced sexual harassment<sup>70</sup>

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<sup>65</sup> Cyprus Report, pp 6 APPENDIX 2

<sup>66</sup> Ibid, pp 13 APPENDIX 2

<sup>67</sup> EU Agency for Fundamental Rights. (2014) Violence against women: an EU-wide survey

<sup>68</sup> Lithuania Report, pp 7 APPENDIX 4

<sup>69</sup> Data provided by the IT and Communications Department under the Ministry of the Interior of the Republic of Lithuania

<sup>70</sup> EU Agency for Fundamental Rights. (2014) Violence against women: an EU-wide survey

## IRELAND

Administrative data provided by the 6 Health Services Executive (HSE)<sup>71</sup> Sexual Assault Treatment Units (SATUs) reported that in 2015

- 685 women and men disclosed rape or sexual assault -an increase of 57 cases nationally from 2014
- 631 (92.1%) patients were women
- The average age of patients is 25 and an average 45% of patients identified themselves as students<sup>72</sup>

Unfortunately, the Republic of Ireland's national police force, An Garda Síochána cannot provide disaggregated criminal statistics.

### General Population Data

The 2014 FRA Survey showed that since the age of 15

- 26% of Lithuanian women have experienced physical and/or sexual violence
- 48% have experienced sexual harassment<sup>73</sup>

### Ireland-Data for sexual violence and harassment in HEIs

Ireland has two HEI specific quantitative studies, **Say Something-A Study of Students' Experiences of Harassment, Stalking, Violence & Sexual Assault (2013)**<sup>74</sup> and **Violence Against Women –the Perspective of Students in Northern Ireland (2008)**<sup>75</sup>. The studies are small scale (2,590 students and 715 students respectively) in relation to the overall student population of 178,094 in the Republic (51% women) and 55,245 in Northern Ireland (56% women)<sup>76</sup>. However, they have produced similar findings to the larger EU studies

#### Say Something (2013)

- 11% of women had been subject to unwanted sexual contact, many on multiple occasions
- 5% were rape survivors with a further 3% survivors of attempted rape
- 31% of women reported feeling harassed, including just under 19% being physically groped
- 17% of women had been photographed or filmed without consent, and 8% had these images circulated without consent online (Men 18% & 10%)
- 10% of women had experience of stalking or obsessive behaviour including online
- Less than 3% of students who had unwanted sexual experiences had made an official report<sup>77</sup>

#### Violence Against Women (2008)

- 40% knew at least one woman student who had been hit by a boyfriend/partner

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<sup>71</sup> The HSE is Ireland's national health service

<sup>72</sup> Ireland Report, pp 21 APPENDIX 3

<sup>73</sup> EU Agency for Fundamental Rights. (2014) Violence against women: an EU-wide survey

<sup>74</sup> Say Something: Commissioned by the Union of Students in Ireland (USI)

<sup>75</sup> Violence Against Women: Commissioned by Amnesty Ireland

<sup>76</sup> Ireland Report, pp 34 APPENDIX 3

<sup>77</sup> Ibid, pp 38

- 43% knew at least one woman who had been coerced or pressurised to have sex by a boyfriend/partner<sup>78</sup>

There are also two related qualitative studies, focused on the issue of sexual consent and students, **Young People, Alcohol, and Sex: What's Consent Got to Do With It? (2014)**<sup>79</sup> and **Sexual Consent: An Emerging Topic for Third Level Education: Identifying Needs, Developing Engagement Strategies, and implementing them (2016)**<sup>80</sup>.

The initial 2013 research was very specifically focused on the relationship between alcohol use/misuse and sexual consent. However, the report identified the students reliance on 'rape myths' to make sense of scenarios that researchers presented the participating students with, particularly the stereotype that rape is typically a violent, premediated attack by a stranger, requiring vaginal penetration. The students understanding was informed by other long standing cultural norms which lead to

- a 'double standard' attitude, whereby victims are attributed more responsibility if they had been drinking while perpetrators are often perceived as less responsible
- many women who have been forced to have sex do not label the experience rape, due to their own internalised expectations for what rape entails
- Consent being expected to follow a highly gender stereotyped, heterosexual relationship model, with the male 'sex urge' being a driving force and a gate keeping female role

The report's recommendations included

- that there be promotion of a better understanding of alcohol as a source of risk and harm for women and men
- more comprehensive and meaningful relationships and sexuality education at an earlier age
- improving student's knowledge and attitudes to reporting sexual assault and seeking professional support<sup>81</sup>

Following on from the 2013 report the research body, National University of Ireland, Galway (NUI Galway) School of Psychology developed and piloted the SMART Consent workshops. The report on the implementation of the workshops is not published yet (July 2017), however early findings presented at the RESPECTnet conference in 2016 included:

- 25% of women students have experienced unwanted sexual contact or attempts at unwanted sexual contact through the use or threat of violence (based on 2,500 surveyed students and 700 workshop attendees)<sup>82</sup>

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<sup>78</sup> Ibid, pp 39

<sup>79</sup> Young People, Alcohol, and Sex: Commissioned by Rape Crisis Network Ireland (RCNI)

<sup>80</sup> A comprehensive report on the SMART Consent research is expected from Dept. Psychology NUI Galway in 2017

<sup>81</sup> Ireland Report, pp 36-37 APPENDIX 3

<sup>82</sup> Findings presented at RESPECTNet Conference 2016

## **Ireland-Initiatives to challenge sexual violence and harassment in HEIs**

### **National frameworks**

The **Higher Education Authority (HEA)** is the statutory planning and policy advisory body for higher education and research in Ireland. In 2016 it published the **National Review of Gender Equality in Irish Higher Education Institutions** noting

*“The culture in HE tends to be macho and misogynistic”<sup>83</sup>*

However this policy framework, developed in response to a landmark case taken against a university for gender discrimination in staff appointments, does not address the issue of sexual violence and harassment as experienced by either staff or students. Although recognising and reporting on significant levels of gender inequality in Irish HEIs, to date the HEA has chosen not to address the gender based violence which is a manifestation of this inequality. Despite this lack of attention and resourcing from a key statutory agency<sup>84</sup>, Irish students unions and HEIs have begun to develop a range of initiatives to promote a culture of zero tolerance over the last 3-5 years. Many have been led by student unions, student societies and the Union of Students in Ireland, in partnership with NGOs

### **Identifying & Understanding the Issues**

- **Student Union Surveys**

During 2015 the Student Unions in University College Cork (UCC), University College Dublin (UCD), and Trinity College Dublin (TCD) undertook confidential, anonymous and voluntary survey around consent, sexual violence and harassment, awareness of services, and related issues<sup>85</sup>.

- **RESPECT Network**

The RESPECT Network is comprised of academics and policy makers working on issues associated with healthy relationship behaviours in the North and South of Ireland. Its current research focus is the HEI context.

### **Bystander Intervention Programmes**

- Dublin City University Student Union (DCU SU) piloted an 8 week programme in 2016 with 45 student attendees.

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<sup>83</sup> Ireland Report, pp 32 APPENDIX 3

<sup>84</sup> Cosc, National Office for the prevention of Domestic, Sexual and Gender based Violence has supported a range of actions including funding the USI report Say Something & participating in RESPECT Net & the ESHE National Advisory Committee

<sup>85</sup> See Ireland Report, pp 39-40 APPENDIX 3 for more details

- In 2017 Dr. Louise Crowley at the School of Law, University College Cork (UCC) piloted a mandatory, 5 credit module programme for 1<sup>st</sup> year law students. This academically led, mandatory, and institutionally managed and delivered programme is unique in Ireland to date.

Both programmes were based on the Bystander Intervention Toolkit developed by Dr. Rachel Fenton in the University of West England.

## Consent

- **ASK Consent**

A national campus-based campaign led by students unions & NGOs

- **Consent Workshops**

SMART Consent workshops and other models have been held on many campuses, generally organised by student unions

- **Consent is BAE campaign**

An annual campaign organised by the Queen's University, Belfast (QUB) Student Union since 2015. As a UK university QUB has benefited from the findings of the Task Force report discussed under the UK & Scotland section, and has progressed significant institution wide work in the last 12 months.

## UK AND SCOTLAND

The UK and Scotland data, though still limited is the most comprehensive available on the experiences of women students. RCS identified one governmental statistical bulletin and 3 pieces of research from the National Union of Students, UK. This research, the campaigning work by the NUS and a 2014 annual report from the Office of the Independent Adjudicator for Higher Education (OIA)<sup>86</sup> contributed to the establishment in 2015 of the **Universities UK Taskforce on violence against women, harassment and hate crime**<sup>87</sup>. The Taskforce produced a significant report **Changing The Culture**<sup>88</sup> in 2016. It also made a submission to the 2016 **Sexual harassment and sexual violence in schools inquiry** held by the UK **Women and Equalities Parliamentary Committee**<sup>89</sup>.

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<sup>86</sup> An independent body which reviews individual complaints by students against HEIs in England & Wales- <http://www.oiahe.org.uk/media/99897/oia-annual-report-2014.pdf>

<sup>87</sup> A representative body of the UK HEI sector

<sup>88</sup> See below for its recommendations

<sup>89</sup> Although largely outside the scope of this review, the Committee's report found that 59% of young women aged 13-21 said that they had faced some form of sexual harassment at school or college in the past year



In 2016 the government of Scotland launched its **Equally Safe** strategy to prevent and eradicate violence against women and girls<sup>90</sup>. As part of this work the University of Strathclyde's **Equally Safe in Higher Education** project produced a review of current practices and responses in Scottish HEIs, **Rapid Review of Scottish Higher Education Responses to Gender Based Violence (2017)**<sup>91</sup>.

## **UK & Scotland-Data for sexual violence and harassment in HEIs**

The 2010 NUS study **Hidden Marks: A study of women students' experiences of harassment, stalking, violence and sexual assault** (2,058 women student respondents) reported that,

- 68% had experienced harassment in their HEI institution, including groping, flashing and unwanted sexual comments. For some this had become almost 'everyday'.
- 12% reported being subject to stalking.
- 16% experienced unwanted kissing, touching or molesting, the majority of which had taken place in public.
- 7% had been subject to a serious sexual assault, the majority of which occurred in somebody's home<sup>92</sup>

Further research was undertaken for the NUS on 'lad culture' and sexism, a 2012 qualitative study, **That's what she said: Women students' experiences of 'lad culture' in higher education** and a follow up survey in 2014,

*"Participants viewed it as linked to a sexualised culture which involved objectification of women and rape-supportive attitudes, and occasionally spilled over into sexual harassment and violence. Many participants related experiences of sexual molestation in 'Nightlife' and identified pressure to engage in a high frequency of sexual activity with different partners....almost two thirds said they heard jokes about rape or sexual assault being made on campus"*<sup>93</sup>

In 2013, the **Office for National Statistics** for England and Wales found

*"that female, full-time students showed an increased risk of victimisation for sexual offences of 6.8%"*<sup>94</sup>

Unfortunately this surveying has never been repeated.

The 2014 FRA Survey showed that since the age of 15

- 44% of UK & Scottish women have experienced physical and/or sexual violence
- 68% have experienced sexual harassment<sup>95</sup>

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<sup>90</sup> <http://www.gov.scot/Publications/2016/03/7926>

<sup>91</sup> See below

<sup>92</sup> UK and Scotland Report, pp 3 APPENDIX 5

<sup>93</sup> Ibid, pp 6 APPENDIX 5

<sup>94</sup> Ibid, pp 3 APPENDIX 5

<sup>95</sup> EU Agency for Fundamental Rights. (2014) Violence against women: an EU-wide survey

## UK & Scotland -Initiatives to challenge sexual violence and harassment in HEIs

### Changing the culture: Report of the Universities UK Taskforce examining violence against women, harassment and hate crime affecting university students (2016)

In 2015 the UK Minister for Universities requested Universities UK establish a taskforce, with the support of the Department for Business, Innovation and Skills,

*“to help reduce violence against women and girls on university campuses”<sup>96</sup>*

The Taskforce published its report and recommendations in 2016 and although this review will highlight only the key recommendations, the Taskforce and its report provide a model of good practice for other EU HEIs which are serious about tackling sexual violence and harassment against women students. In this regard, several overarching crucial points should be noted, in particular that the UK has committed significant infrastructural resources to the issue:

- Universities UK is a high level representative body with capacity to provide long term focus, resources and advocacy to the issue
- The Taskforce and associated conferences, reports, and meetings received state support and attention
- Long term state resources have already been committed to Taskforce recommendations<sup>97</sup>

The Taskforce collated practice and policy from HEIs across the UK (62 HEIs contributed). The TaskForce will provide an online directory of these good practices to facilitate the development of shared models across all UK HEIs.

The Taskforce identified a number of prominent themes from the available evidence and agreed a range of recommendations, stating

*“all university leaders should afford tackling violence against women, harassment and hate crime priority status and dedicate appropriate resources to tackling it”<sup>98</sup>*

#### INSTITUTION-WIDE APPROACH

The Taskforce recommended that universities should<sup>99</sup>:

- Take an institution-wide approach to tackling violence and harassment against women
  - Separate prevention activities from response activities
  - Ensure clear lines of accountability – ultimate accountability should lie with a senior staff member

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<sup>96</sup> <https://www.gov.uk/government/news/business-secretary-calls-on-universities-to-tackle-violence-against-women-on-campus>

<sup>97</sup> The Higher Education Funding Council For England (HEFCE) has funded £2.45 million under its Catalyst Fund towards 63 projects addressing sexual harassment on campus <http://www.hefce.ac.uk/funding/safeguarding/>

<sup>98</sup> Changing the culture 2016 (this review will focus on the issue of violence and harassment against women)

<sup>99</sup> The report consistently refers to universities rather than all HEIs. This review has left the wording as is, though clearly its findings are applicable to all institutions

- Have a clear understanding of risk and who owns each risk
  - Ensure appropriate governance
  - Embed across all relevant university functions
  - Involve the student body as much as possible
  - The support offered must be tailored to meet the needs of the individual
  - Identify and up-skill 'go to' people in the university – make sure all staff are made aware of them
- Carry out a regular impact assessment of their approach
  - Involve their students' union in developing, maintaining and reviewing all elements of a cross-institution response

### PREVENTION

The Taskforce recommends that universities should:

- Adopt an evidence-based bystander intervention programme.
- Develop partnership agreements between the student and university
  - highlight up-front the behaviours that are expected from all students as part of the university community
  - set out disciplinary sanctions
  - state the university's commitment to ensuring the safety and wellbeing of students.
- Embed a zero-tolerance approach across all institutional activities
  - including outreach activities with schools and further education colleges
  - engagement with local bars and nightclubs, and all institutional recreational activities
  - student inductions including international student inductions
- Embed a zero-tolerance approach into their human resources processes
  - contracts, training, inductions
  - staff are empowered to take responsibility for this.

### RESPONSE

The Taskforce recommends that universities should:

- Develop a clear, accessible and representative disclosure response for incidents of sexual violence and rape, working with relevant external agencies where appropriate
- Take reasonable and practicable steps to implement a centralised reporting system
- Conduct staff training needs assessment
- Develop and maintain partnerships with local specialist services to ensure consistent referral pathways for students
- Establish and maintain strong links with the local police and health services
- Sectors' representative body develop guidance on how to handle disciplinary issues that may also constitute a criminal offence

## **Rapid Review of Scottish Higher Education Responses to Gender Based Violence- Equally Safe in Higher Education (2017)**

The Equally Safe in Higher Education project, based at the University of Strathclyde, is implementing the Scottish Government's *Equally Safe* national policy in a HEI setting. The report is a Scotland focused review, in part because the Universities UK report received contributions from only 5 Scottish HEIs and this report covers 19. With a politically devolved education and legal framework, the work to tackle gender based violence is taking place in a different context in Scotland.

Similarly to the University UK report, the review found that there is important activity occurring in Scotland's HEIs to address, prevent and respond to gendered based violence. However there is wide variation across the sector between and within HEIs, and activity is not always consistent, joined up or transparent.

The review provides a slightly different framework for developing responses:

### Policy

Institutional policies & procedures for responding to incidents of gender-based violence

### Prevention

Strategies seeking cultural change in the norms, beliefs and values that contribute to sexual violence, largely led by students (sometimes with institutional support)

- Workshops
- Campaigns
- Bystander training

### Intervention

Forms of support available on campus for victims/survivors

The review produced a very informative infographic collating the information received from the 19 HEIs under these headings<sup>100</sup>

The review identifies a series of next steps, including outlining the Equally Safe in Higher Education project work to develop a national toolkit. The core recommendation is the need to develop a consistent approach across the Scottish HEI sector which includes

- Taking a whole systems approach
- Addressing wider gender inequalities and culture/s which sustain gender based violence through widespread cultural change and shifting of social norms
- Prevention and response strategies which address all forms of gender based violence across public and private spaces, beyond sexual violence and harassment, and cover staff as well as students

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<sup>100</sup> See below

## Scottish Higher Education Institution's provision of GBV services (March 2017)

**1**  has specific guidelines (for staff and students) on sexual harassment and assault

**1**  offers specialist, **on campus**, support to victim/survivors of sexual violence

**2** 

- have a first responder's scheme
- have a **formal** policy on sexual misconduct



**4**

- have formal partnerships with local/national Rape Crisis Centres
- have GBV policy working groups

**6**   have offered voluntary consent workshops.



**7**    have dedicated sexual violence, GBV or violence against women webpages.

**8**

- have or are developing bystander approaches
- have worked with external organisations such as Rape Crisis Centres or Police Scotland to deliver specific training or education initiatives



**9**    have Dignity & Respect Advisers and Harassment Contacts

**12**    

- have introduced some form of prevention, education, training or campaign
- signpost to external, specialist support services. **Seven do not**



**19** (All) HEIs

- have general dignity & respect / bullying & harassment / discipline policies for Staff and Students, which cover some forms of GBV, namely sexual harassment
- provide a counselling service to staff and students

## CONCLUSION

There is close to gender parity for attendance at third level education institutions in all partner countries, 2,947,400 women students in 2015, in Cyprus, Ireland, Germany, Lithuania and UK & Scotland<sup>101</sup>.

If the figures recorded by the **Gender-based violence, stalking and fear of crime: European Union project (2012)** were used to estimate the level of sexual violence and harassment experienced by women students **JUST** in their HEIs, then it would be no exaggeration to say there is very significant levels of sexual violence and harassment occurring on tertiary education sites in the EU<sup>102</sup>. However, the relative lack of data and research on the issue of gender-based sexual violence and harassment in the general population in the project countries is replicated in the HEI population too.

However, it is now widely accepted that there is a serious problem with sexual violence and harassment in HEIs in Europe and there is emerging focus on tackling it. The existing data (both EU and national level) reveals that a high number of women students experience some form of sexual violence and harassment related to their lives in HEIs. This is so sometimes so frequent and so pervasive that they themselves may not recognise it as such until the discussions in a research study group 'illuminate' the reality of their experiences<sup>103</sup>. This naturally contributes to the very low level of reporting and the research also provides other insights; the context of these experiences remains highly 'negatively' gendered, and some students (men and women) continue to hold negative if not misogynistic beliefs regarding women and sexuality, and women and sexual violence and harassment.

Responses remain very uneven both between and within ESHE project countries. Even where there is some emergent national or institutional support for tackling the issue in HEIs, there continues to be no commitment to continuous surveying and/or qualitative research being undertaken. In the absence of this data capture it will be difficult to establish measure or even ask students about their experiences of, gender-based violence or gender inequality (or any experience of discrimination or inequality) in their HEIs. The absence of baseline data and lack of coordinated regular surveying presents serious challenges in tracking positive behavioural and attitudinal changes, identifying successful interventions, and ensuring the needs of minority groups are met. This reflects the similar lack of coordinated effort at a national effort as reflected in the observations of CEDAW committees. The commitments required under The Istanbul Convention will motivate State parties to make the investment necessary for this crucial step in the tackling the issue.

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<sup>101</sup> 2015 [http://ec.europa.eu/eurostat/statistics-explained/index.php/Tertiary\\_education\\_statistics](http://ec.europa.eu/eurostat/statistics-explained/index.php/Tertiary_education_statistics)

<sup>102</sup> Using the lowest % of students reporting an unwanted sexual incident (Germany 29.9%) leads to just over 800,000 women students likely to have experienced some form of sexual violence JUST in their HEIs

<sup>103</sup> This phenomena is noted in both the EU report Gender Violence (2012) & Irish report Young People, Alcohol and Sex (2014)

Where there has been some consistent (and institutional & state supported) focus and development, particularly in the UK & Scotland, there are clearly emerging models of good practice that the ESHE project can both utilise and build on. A core element for success has been identified as the need for an institution-wide engagement. Many current actions are rooted in student-led campaigns and initiatives which are often highly dependent on small grants and one time funding opportunities. Although crucial to 'motivating' HEI authorities to pay attention to the issue, student unions lack the capacity to drive the institutional change required to bring about the deep cultural changes required. Senior institutional level leadership is required to ensure that the cross function/department actions needed to address policy, prevention and response/intervention developments can occur. Similarly, leadership at cross institutional network level is required to ensure good practice is shared, is consistent and become sustainable and mainstream.

## **DATA & RESEARCH RECOMMENDATIONS**

There continues to be poor data collection (administrative or otherwise) at a national level in the majority of partner countries. Despite the availability of some EU wide surveys, there remain significant gaps in understanding of the scope and impact of gender-based violence on specific population groups including women students, women with disabilities, and ethnic minority women. The ratification of the Istanbul Convention will require state parties to collect disaggregated relevant statistical data and support research in the field of all forms of violence covered by the convention<sup>104</sup>. The majority of partner countries have a government/state programme of action to meet this requirement, including implementing the minimum standards for administrative data as identified by the Council of Europe<sup>105</sup>

Information collected on incidents should be disaggregated by:

- Sex
- Age
- Type of violence
- Relationship of the perpetrator to the victim
- Geographical location

This administrative data must be comparable across national, statutory and all publically funded agencies that may have contact with survivors and perpetrators, and regular reporting on this data should be made available to the public.

National level research should be commissioned and funded to ascertain

- the medium and long-term consequences of assaults on victims
- the health, social and economic costs of violence against women

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<sup>104</sup> Istanbul Convention 2011; Article 11

<sup>105</sup> Council of Europe (2016) Ensuring Data Collection and Research on Violence Against Women and Domestic Violence

- the assessment of the efficiency of the judiciary and legal systems in combating violence against women
- the causes of violence against women, i.e. the reasons which cause men to be violent and the reasons why society condones such violence

## **CURRENT RESPONSES & PROGRAMMATIC RECOMMENDATIONS**

Many current actions are rooted in student-led campaigns and initiatives and have been crucial to 'motivating' HEI authorities to pay attention to the issue. Where there has been some consistent (and institutional & state supported) focus and development, there are clearly emerging models of good practice including the need for:

### INSTITUTION-WIDE APPROACH

- Take an institution-wide approach to developing policies & procedures for responding to incidents of gender-based violence against women students
- Involve the students' union in developing, maintaining and reviewing all elements of a cross-institution response
- Regular assessment of interventions and policies including student surveys
- A sectoral representative body to develop guidance on how to handle disciplinary issues that may also constitute a criminal offence

### PREVENTION

- Adopt an evidence-based programme seeking cultural change in the norms, beliefs and values that contribute to sexual violence
- Develop partnership agreements between the student and university
- Embed a zero-tolerance approach across all institutional activities including HR processes

### INTERVENTION/RESPONSE

- Ensure a range of well-advertised supports are available on campus for victims/survivors
- Develop a clear, accessible and representative disclosure response for incidents of sexual violence and rape; including a centralised reporting system
- Conduct staff training
- Develop and maintain partnerships with local specialist services
- Establish and maintain strong links with the local police and health services



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## **APPENDIX 1 – ESHE CORE & ASSOCIATE PARTNERS**

### **CYPRUS**

Mediterranean Institute of Gender Studies

#### **Higher Education Institution**

University of Nicosia

### **IRELAND**

National Women's Council of Ireland

#### **Student Unions**

Union of Students in Ireland

Dublin City University Students Union

Dublin Institute of Technology Students Union

Queen's University Belfast Students Union

Trinity College Dublin Students Union

University College Dublin Students Union

#### **Higher Education Institution**

Dublin City University

Dublin Institute of Technology

Dundalk Institute of Technology

Institute of Art, Design and Technology

Queen's University Belfast

Trinity College Dublin

University College Cork

University College Dublin

University of Limerick

#### **NGOs**

The National Observatory on Violence Against Women

Dublin Rape Crisis Centre

Sexual Violence Centre Cork

Confederation of Student Services in Ireland

Irish Student Health Association

#### **Statutory**

An Garda Síochána

Cosc- National Office for the Prevention of Domestic, Sexual and Gender-based Violence

### **LITHUANIA**

Women's Issues Information Centre

#### **Higher Education Institution**

Šiauliai University

### **UK & SCOTLAND**

Rape Crisis Scotland

#### **Higher Education Institutions**

University of Glasgow

Caledonian University of Glasgow

### **GERMANY**

Women's Equality Commissioner of the Ludwig-Maximilian University

## **APPENDIX 2**

### **CYPRUS**

#### **Mediterranean Institute of Gender Studies (MIGS)**

- "Ending Sexual Harassment and Violence in Third Level Education  
Mediterranean Institute of Gender Studies (MIGS)
- Eurobarometer Report on Gender-based Violence – Cyprus (2016)
- European Institute for Gender Equality (EIGE) Report– Cyprus (2016)
- Women Against Violence (WAVE) Report- Cyprus (2016)



# **ENDING SEXUAL HARASSMENT AND VIOLENCE IN THIRD LEVEL EDUCATION (ESHTE)**

**National Report – Cyprus**

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# Key definitions in Cypriot legislation

## Sexual harassment & harassment

The legal definition of 'sexual harassment' and 'harassment' can be found in the Equal Treatment of Men and Women in Employment and Vocational Training Act of 2002<sup>1</sup> which states that,

- '**sexual harassment** is unwanted, by the recipient, sex-related behaviour which is expressed verbally or through actions that aims or results in the violation of a person's dignity, especially when it creates a hostile, degrading, demeaning or offensive environment at the workplace or vocational education or during access to employment or vocational education or training.'
- '**harassment** is the unwanted, by the recipient, behavior that is related to the sex of a person which has the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment.'

## Violence

Violence is defined in the Family Violence (Prevention and Protection of Victims) Acts of 2000 and 2004 which says that,

- 'Violence, for the purposes of this Act, means any act, omission or conduct which causes physical, sexual or mental harm to any family member by another family member which also includes the violence inflicted in order to achieve sexual intercourse without the consent of the victim, as well as the restriction of liberty'.

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<sup>1</sup> Equal Treatment of Men and Women in Employment and Vocational Training Act of 2002, 205(I) last modified 150(I)/2014

## Introduction

This report will provide an overview of the available research data on sexual violence, Intimate Partner Violence (IPV) and Dating Violence (DV) in young adults. There is lack of data on the prevalence of Sexual Violence and Harassment (SVH) focusing exclusively on female students in universities and third level institution (UTLIs), but there are two national studies on IPV and date rape for that specific age group. Even though this report is focusing mostly on IPV, the existing research reflects the current situation concerning SVH in UTLIs since already-entrenched stereotypes, gender roles and social constructs in young people's lives are most likely be also manifested outside their relationships in different forms.

Numerous studies indicate the persistence of patriarchal values in Cypriot society, which result in the subordination of Cypriot and migrant women. This, in turn, enables the prevalence of rigid gender roles that women and men hold, which is manifested in political and public life, through the working conditions and pay gap and lastly and most importantly in the persistence of all forms of violence against women, such as domestic violence, sexual assault and rape.

Over the last few years, although many obstacles that inhibit the progress of gender equality and the prevalence of violence against women remain, there have, however, been a number of positive developments regarding awareness-raising and commitment towards prevention and combating of violence against women, especially domestic violence. Such developments are seen with the improvement of the legislative framework dealing with family violence, through the adoption of the **National Action Plan for the Prevention and Combating of Violence in the Family**, but also gender-based violence through the signing of the **Istanbul Convention** (in 2015) which the cabinet ratified in March 2017 and was transposed into domestic law on 14 of July 2017. Recently, harassment and stalking have been criminalized as foreseen by the Istanbul Convention, stated in Article 3 (d).

The establishment of actors such as the **Advisory Committee for the Prevention and Combating of Domestic Violence (1996)**<sup>2</sup>, the **Observatory on Violence in Schools (Ministry of Education and Culture)** and the continuous work of NGOs (such as the **Mediterranean Institute of Gender Studies**<sup>3</sup>, the **Family Planning Association** and the **Association for the Prevention and Handling of Violence in the Family**<sup>4</sup>) who deal with such issues have greatly contributed to positive developments.

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<sup>2</sup> Advisory Committee for the Prevention and Combating of Domestic Violence:  
<http://www.familyviolence.gov.cy/cgibin/hweb?-A=1&-V=profile>

<sup>3</sup> For more information visit: [www.medinstgenderstudies.org](http://www.medinstgenderstudies.org)

<sup>4</sup> For more information visit [www.domviolence.org.cy](http://www.domviolence.org.cy)



However, Cyprus still lacks a unified database comprising systematic data collection on all forms of violence against women - provided by frontline services - and a comprehensive analysis of said data. This data gap is problematic, as it impedes true understanding of the root causes but also the extent of these issues in Cyprus. Available statistics in Cyprus provide information solely on incidents of rape and sexual assault that have been reported to the police. Furthermore, the lack of comprehensive data and research constitutes a significant barrier to the development of policy that would create much needed services and mechanisms to help victims. The lack of data and research also impedes effective criminal investigations, which would bring perpetrators to justice. Additionally, the sentences imposed cannot be considered adequate. Finally, research on all forms of violence on minority populations such as migrant and refugee women, as well as women with disabilities should be undertaken in order to gain a comprehensive picture of the situation.

## Available national studies

### *A. First Pancyprian Survey: Violent Behaviour in Interpersonal Relationships of Young Adults in Cyprus aged 18 – 25*

This study was undertaken in 2012 and used qualitative research as a method to explore IPV with a sample of 1000 Cypriot young adults between the ages of **18** and **25**. Most of the participants were female (66.4%) middle-class university students<sup>5</sup>. One of the most alarming results was that **70%** of the participants (667 female and 333 male in total) had opinions and attitudes that are conducive to violence, such as 'victim blaming' or the belief that intimate partner violence is a 'private' matter. Also, many female participants held the belief that perpetrators who have acted violently towards one partner, are likely to exhibit patterns of such behaviour across all their relationships. On the one hand, this indicates a level of awareness by the participants of the fact that such violence occurs on a continuum, but at the same it can create misconceptions around the perpetrators behaviour outside their relationship. In most cases, perpetrators are very careful of the way they act outside their relationship, among friends, colleagues and so forth<sup>6</sup> since they do not want to draw any attention to them or draw any suspicion.

Alarming, **50%**<sup>7</sup> of participants agreed with statements that excused the use of violence under certain circumstances, such as to 'correct' certain behaviour. For instance, if the woman was dressed in a 'certain' way that was deemed provocative for her partner or her behaviour was 'out of place'. Most participants also tried to rationalise violence as a momentary burst of anger which could be avoided if the victim

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<sup>5</sup> Andronikou, A., Erotokritou, K., & Hadjiharalambous, D., (2012). *First Pancyprian Survey: Violent Behaviour in Interpersonal Relationships of Young Adults in Cyprus aged 18 – 25*. National Machinery for the Rights of Women: Ministry of Justice, Republic of Cyprus.

<sup>6</sup> Ibid, p. 183

<sup>7</sup> Ibid., p. 195

changed in a certain way. These perceptions enforce and perpetuate the concept of victim-blaming and show that young women are prone to accept such myths as reality, which may increase the likelihood of choosing an abusive partner and/or being abused in a relationship. Meanwhile, young men with similar views are more likely to be abusive towards their partners.

Another interesting finding was the way in which the young adults rated the quality of their intimate relationship focusing expressly on the area of communication, which encompasses the predisposition to compromise, emotional support, trust, understanding, respect, honesty, responsibility and the equal participation in decision-making but also each partner's willingness to resolve disputes that might come up in the relationship. **2 out of 10** participants answered that they were **partly satisfied or dissatisfied** with the level of communication they had with their partner while **3 out of 10** participants said they were **partly satisfied or dissatisfied** with the level of willingness shown by their partners to resolve disputes.<sup>8</sup> These results provide an insight on the quality of young people's relationships.

Taken together, these findings indicate that attitudes conducive to gender-based violence are normalised amongst young adults. Women bear the brunt of gender-discriminatory attitudes within their intimate relationships and violent behaviour is often considered acceptable.

### ***B. Date Rape Cases among Young Women: Strategies for Support and Intervention***

'Date Rape Cases Among Young Women' was a cross-national survey that took place in Greece, Cyprus, Malta, Lithuania and Latvia and aimed to investigate date rape incidents among young women, exploring their attitudes, dating experiences and level of awareness.<sup>9</sup> The Cyprus report (2008), which resulted from this project, was based on a quantitative and qualitative study that involved **476** participants responding to an anonymous questionnaire, **2** focus groups and **5** constructive interviews of relevant institutional representatives (the Cyprus Family Planning Association, the Association for the Prevention and Handling of Family Violence, the Domestic Violence and Child Abuse Office of the Cyprus Police, welfare services, and the Advisory Committee for the Prevention and Handling of Violence in the Family). The **476** participants were all female college students, **aged 18 to 24**, selected from the capital city, Nicosia, since most of the major tertiary education institutions (university, colleges) are located there.

The findings revealed that, "**1.3% (n=5)** of the participants reported an attempted date rape by their date, **1.9% (n=7)** reported being forced to have oral sex and **1.9% (n=7)** reported have been date raped." **12.2%**

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<sup>8</sup> Andronikou, A., Erotokritou, K., & Hadjiharalambous, D., (2012). *First Pancyprian Survey: Violent Behaviour in Interpersonal Relationships of Young Adults in Cyprus aged 18 – 25*. National Machinery for the Rights of Women: Ministry of Justice, Republic of Cyprus. p.182

<sup>9</sup> Mediterranean Institute for Gender Studies, (2008) *Date Rape Cases among Young Women: Strategies for Support and Intervention*, University of Nicosia Press: Nicosia

(n=42) who answered the questionnaire reported having an “unwanted sexual experience”, often by a person that they considered to be their “boyfriend, friend or sexual partner (54.2%).”<sup>10</sup> More importantly, the majority of this number who claimed to have been pressured into sexual acts by their partners also feared their partners might leave them if they did not consent.<sup>11</sup>

Interestingly, the number of the reported **attempted rapes** compared to ‘**unwanted sexual experiences**’ were quite inconsistent which leads to the conclusion that this could have been due to the young women **not recognizing rape as such**. This was ultimately proven by the focus groups discussions where traditional beliefs about women and sexuality surfaced reinforcing patriarchal attitudes around the subject. The gender roles and stereotypes were confirmed by majority of the participants by which “*societal expectations with regard to women and men’s behaviour (gender roles) can contribute to an atmosphere where date rape is possible and indeed acceptable.*”<sup>12</sup>

Additionally, the study demonstrated that young women seem to have some understanding and recognition of other forms of gender-based violence in intimate relationship apart from physical violence (such as coercive control). However, there are still **conflicted opinions around women’s sexuality**, as on the one hand the majority of the participants stated that there are no conditions excusing date rape, on the other, they made a clear distinction between women that are seen as ‘easy’ (a woman that has many sexual partners and that consents easily to sexual activity) and those that are not.

In conclusion, what emerges is a picture of extensive abuse that affects the lives of many girls and boys, which more often than not, go unreported to the authorities<sup>13</sup> and the prevalence of a **culture of victim-blaming in Cyprus** as the study pinpointed. Even though the female students stated that a woman can be dressed the way she feels comfortable, they reported that sometimes women ‘confuse’ men with provocative dressing. This maintains one of the most powerful myths associated with sexual violence that looks to find the cause of assault in the victim’s behaviour or choices. This attitude reinforces the traditional belief that men’s sexual desires cannot be controlled and thus one must take appropriate measures to avoid ‘provoking’ such uncontrollable desire.<sup>14</sup>

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<sup>10</sup> Mediterranean Institute for Gender Studies, (2008) *Date Rape Cases among Young Women: Strategies for Support and Intervention*, University of Nicosia Press: Nicosia. p.23

<sup>11</sup> Ibid.

<sup>12</sup> Ibid. p.24

<sup>13</sup> Anastasiou – Hadjicharalambous & Essau, C.A. (2012). The phenomena of violence and abuse in Cyprus. In Browne, M. A. (Ed). *Violence and abuse in society: Understanding a global crisis*. Santa Barbara, Calif: Praeger.

<sup>14</sup> Mediterranean Institute for Gender Studies (2008). *Date Rape Cases Among Young Women and the Development of Good Practices for Support and Prevention*. University of Nicosia Press: Nicosia

### C. FRA survey data

In 2013, an EU-wide survey on violence against women, with a total of 42.000 interviews, was undertaken with women across the 28 member states of the European Union, including Cyprus. In 2014 a report analysing the data was published, with the main findings showing that an estimated 83 million to 102 million women<sup>15</sup> (**45% to 55% of women**) in the EU-28 have experienced sexual harassment since the age of 15, depending on the number of different forms of SVH. Meanwhile, an estimated 24 million to 39 million women (**13% to 21%**) in the EU-28 have experienced sexual harassment in the 12 months leading up to the survey interview alone.

According to the report, “One woman in three in the EU has experienced physical and/or sexual violence since the age of 15.” While, in Cyprus, **6%** of the women interviewed answered that they have experience physical and/or sexual violence by their current partner<sup>16</sup> since the age of 15, **38%** by previous partner, **23%** by any partner (current and/or previous), **14%** by a non-partner and **28%** by any partner and/or non-partner. Compared to the EU-28 average, physical and or/sexual violence from a previous partner (38%) and by any partner (23%) is significantly higher in Cyprus.

In the report, sexual harassment was multidimensional and the data examining the prevalence and nature of these acts was analysed in four general groups, those being,

- 1. Physical forms of harassment:** unwelcome touching, hugging or kissing;  
**29%** of women in the EU have experienced unwelcome touching, hugging or kissing since they were 15 years old;
- 2. Verbal forms of harassment:** sexually suggestive or offensive comments or jokes; inappropriate invitations to go out on dates; intrusive, offensive questions about private life; intrusive, offensive comments about a woman’s physical appearance;  
**24%** of women have been subjected to sexually suggestive comments or jokes that offended them since the age of 15;
- 3. Non-verbal forms of harassment:** inappropriate, intimidating staring or leering; receiving or being shown offensive, sexually explicit pictures, photos or gifts; somebody indecently exposing themselves; being made to watch or look at pornographic material against one’s wishes;
- 4. Cyber-harassment:** receiving unwanted, offensive, sexually explicit emails or SMS messages; inappropriate, offensive advances on social networking websites or in internet chat rooms.  
**11%**<sup>17</sup> of women have received unwanted, offensive sexually explicit emails or SMS messages, or

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<sup>15</sup> FRA, European Union Agency for fundamental Rights (2014). Violence Against Women: an EU-wide survey: Belgium, p.95

<sup>16</sup> married, or living with their partner without being married, or involved in a relationship without living together at the time of the interview

<sup>17</sup> This percentage refers to non-verbal harassment too.

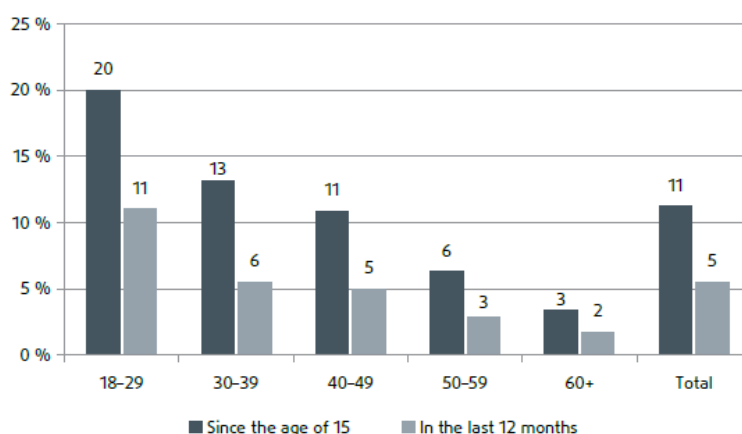
offensive, inappropriate advances on social networking sites (referring to experiences since the age of 15).

In Cyprus, **28%** of the women interviewed stated they have experienced the most intense form of harassment, as highlighted from above, since the age of 15, as grouped in this report, namely,

- *'Unwelcome touching, hugging or kissing';*
- *'Sexually suggestive comments or jokes that made you feel offended';*
- *'Somebody sending or showing you sexually explicit pictures, photos or gifts that made you feel offended';*
- *'Somebody indecently exposing themselves to you';*
- *'Somebody made you watch or look at pornographic material against your wishes'; and*
- *'Unwanted sexually explicit emails or SMS messages that offended you'*<sup>18</sup>.

An interesting finding of the survey was that one of the most prevailing forms of sexual harassment for women aged between **18 and 29** is cyber-harassment (as seen in the figure 6.8<sup>19</sup> below) with an overall of **20%** of women being harassed since the age of 15 and **11%** in the past 12 months.

Figure 6.8: Forms of sexual cyberharassment since the age of 15 and in the 12 months before the interview, by age group (%) <sup>a</sup>



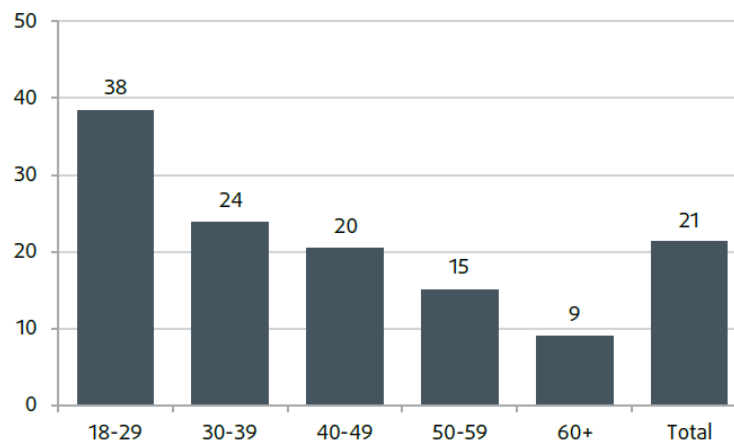
Notes: <sup>a</sup> Out of all women excluding cases where the answer to the questions on cyberharassment was not applicable ( $n = 35,820$ ); 6,084 respondents answered "not applicable" on both items; information on age was missing for 98 cases.  
Source: FRA gender-based violence against women survey dataset, 2012

<sup>18</sup> FRA, European Union Agency for fundamental Rights (2014). Violence Against Women: an EU-wide survey: Belgium, p.98

<sup>19</sup> Ibid. p. 98

These results show that **1 in 10 women** has experienced inappropriate advances on social media or has been subject to sexually explicit emails or text messages. These modes of SVH affect younger women disproportionately. General conclusions drawn by the study is that women aged between **18 and 29** (see figure 6.11) are usually the most vulnerable and at the highest risk of exposure to SVH, especially women with university degrees and in the highest occupational groups. In most cases, the perpetrator **(68%)** was somebody they did not know. The most frequent form of sexual harassment according to the women interviewed was, *‘inappropriate staring or leering that made you feel intimidated’*, **(10%** said they’ve experienced this 6 or more times) *‘sexually suggestive comments or jokes that made you feel offended’* **(8%)**, *‘intrusive comments about your physical appearance that made you feel offended’* **(7%)** and *‘unwelcome touching, hugging or kissing’* **(6%)** (See figure 6.3).

**Figure 6.11: Sexual harassment in the 12 months before the interview, by age group (%) <sup>a</sup>**



Note: <sup>a</sup> Out of all women whose age was recorded (n = 41,895; information on age was missing for 107 cases).  
Source: FRA gender-based violence against women survey dataset, 2012

Unfortunately, such incidents are underreported as out of all women who described the most serious incident of sexual harassment that has happened to them, **‘only 4 %** of women reported to the police, **4 %** talked to an employer or boss at their workplace and **less than 1 %** consulted a lawyer, a victim support organization or a trade union representative.’<sup>20</sup>

Table 6.3: Sexual harassment in the 12 months before the interview, by age group (%) <sup>a,b,c</sup>

Form of sexual harassment	Respondent's age group				
	18-29	30-39	40-49	50-59	60+
Unwelcome, touching, hugging or kissing	43	18	18	13	8
Inappropriate staring or leering	47	23	16	9	6
Sexually suggestive comments or jokes	39	24	18	13	6
Sending sexually explicit pictures, photos or gifts	27	26	22	15	11
Inappropriate invitations to go out on dates	38	23	22	9	7
Intrusive questions about private life	37	24	20	13	7
Intrusive comments about physical appearance	43	21	18	11	7
Sexually explicit emails or SMS messages	34	24	22	12	8
Inappropriate advances on social networking sites	53	19	17	7	5
Indecent exposure	28	20	20	14	17
Forced to watch pornographic material	(13)	27	30	(17)	(13)

Notes: a Out of all women who have been sexually harassed at least once in the 12 months before the interview (n = 7,724).

b Respondents were able to give more than one answer, so categories may total to more than 100 %.

c Results based on a small number of responses are statistically less reliable, so observations based on fewer than 30 responses are put in brackets and observations based on fewer than 5 responses are suppressed (denoted with '-').

Source: FRA gender-based violence against women survey dataset, 2012

#### D. Gender Equality Awareness Raising (GEAR) against Intimate Partner Violence (IPV) II

In 2014, research carried out by the Mediterranean Institute of Gender Studies (MIGS), focused on the manifestation of IPV among teenagers **14 to 17 years old** and revealed that, **“79% (505 out of the 642) of the youth sample are currently or have been in a relationship (rises to 86% among 16-17 year olds)”<sup>21</sup>**. Alarming, almost **1 in 5 (18%)** have experienced some form of sexual partner violence. There was higher incidence among 16 year olds, domestic violence victims, and young people with negative gender attitudes. **13% of the youth sample has experienced domestic violence (3% physical) and 21% have been victims of bullying. 17% of the sample has been perpetrators of bullying and 40% with negative gender attitudes (gender stereotypes)”**.

<sup>20</sup> FRA, European Union Agency for fundamental Rights (2014). Violence Against Women: an EU-wide survey: Belgium, p.96

<sup>21</sup> Mediterranean Institute for Gender Studies (2013). Country Report. *Gender Equality Awareness Raising against Intimate Partner Violence II*.

The report also showed that there is a **high use of new technologies among young adults** as, “**99% receive texts/emails/instant messages; 86% send or receive videos/pictures, 94% use social networking sites.** Regarding sexual messages, **5.6% of girls and 15% of boys** have sent them to their partner- during or after the relationship had ended. While, **13% of girls and 29% of boys** have shared sexual messages received from partners with almost half of them (49%) claiming that they did it as a ‘joke’. With regards to the impact of experiences of online violence on young girls and boys, **59% of girls record an overall negative impact vs. 39% of boys**, describing their feelings as - annoyed, embarrassed, angry and upset. **19% of girls, record an overall positive impact vs. 34% of boys**, describing their feelings as - loved, wanted and protected<sup>22</sup>.

The above mentioned results are further complemented by the results from the qualitative research (*Connecting Offline and Online Risks (unpublished country report)*) among young people concerning ‘offline and online risks’<sup>23</sup>. Young people report **offline and online control** as 'normal', 'acceptable', 'justifiable', 'reasonable'. Jealousy is also perceived as a sign of ‘love and caring’, ‘as a phase and it will pass’, ‘as just a part of being in a relationship’. It was also considered ‘justifiable’ because they do the same thing back too ‘it evens the score’. ‘**Victim-blaming**’ was also observed in offline and online violence: ‘If you give him a reason, for example if you wear something short’. Young girls also expressed that ‘It’s ok to give your Facebook password or let him check your phone to show that you have nothing to hide’.<sup>24</sup>

Not surprisingly, the incidents of **cyber-harassment** risen greatly over the last few years. Since 2009 the helpline of the Safer Internet Centre ‘CyberEthics’<sup>25</sup> in Cyprus has responded to a total of **3,474** calls. It started with just **one call** involving a cyber-harassment incident in 2009, slowly increasing to **6 calls** in 2011, **19** in 2012, **21** in 2013 seeing a sharp increase to **1,064** calls in 2014, **1134** in 2015 and **1241 calls** in 2016<sup>26</sup>. Unfortunately, they only started categorising calls into specific groups such as SVH, grooming and sexting in 2013 so the data for SVH is understandably low. SVH is defined by CyberEthics as, ‘*Unwanted sexual contact/content/comments – including unsolicited contact*’ and has received a total of **20 calls** since 2014 (16 calls in 2014 and 4 calls in 2016)<sup>27</sup>. This gap in reporting probably stems from the still existing reluctance to report SVH harassment incidents due to the fear of victim-blaming but also fear of revenge and possibly lack of awareness of cyber-harassment being a mean of SVH by young teens and young adults.

Posting degrading photos on the internet and disseminating them via mobile phone, creating blogs or

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<sup>22</sup> Ibid.

<sup>23</sup> Mediterranean Institute of Gender Studies, (2014). *STIR: Safeguarding Teenage Relationships: Connecting Offline and Online Risks* (unpublished country report) [<http://goo.gl/qEJeyk>].

<sup>24</sup> Mediterranean Institute of Gender Studies, (2014). *STIR: Safeguarding Teenage Relationships: Connecting Offline and Online Risks* (unpublished country report) [<http://goo.gl/qEJeyk>].

<sup>25</sup> Safer Internet: CyberEthics: <http://www.cyberethics.info/>

<sup>26</sup> Data was provided by CyberEthics upon request from MIGS

<sup>27</sup> Data was provided by CyberEthics upon request from MIGS



profiles on social networking websites with deliberately incorrect content, sending threats/obscene and offensive content, and the publication of photographs or videos without the consent of the individual, are just a few of the usual internet bullying incidents reported. This poses a new set of challenges for the multiple stakeholders working to make the internet safer for children in Cyprus<sup>28</sup>.

It was also shown that, men are more likely to engage in risky behaviours on the internet while **women are more commonly invited to go out by strangers**. **27.1%** of Cypriot youth have been victims of cyber violence, whilst, **women and students aged 23-25 were more likely to experience cyber violence**.<sup>29</sup> The main form of cyber-harassment was *'annoying and constant phone callings' or 'being humiliated, gossiped or offended via text messages, social media and chatting sites'*. The impact of cyber-harassment has been completely different for young women and men, **as young women experience concerns about their safety**, whereas **men experienced concerns related to online activities which harm their "social status" and reputation**. *'Young women's feelings of worry, fear, anger, and vulnerability following cyber violence, are associated with their perceived safety, integrity and dignity, whereas young men's feelings of disgust, nervousness, and shame, are associated with the impact of online activities of violence on their "social status" and reputation.'*<sup>30</sup>.

**More importantly, aggressors are more likely to be males and older students** (21-25 years old); from the survey population as **42.9%** admitted that they had engaged in some kind of cyber violence at least once. The main form of cyber violence performed was to, *'humiliate or offend somebody, and to assume a fake identity, mainly via text messages and social media networks.'* Recent surveys conducted by internet safety organizations<sup>31</sup> show that more than **50% of adolescents experience some form of cyber bullying** usually accompanied by some form of sexual harassment.

### Available national data

As previously mentioned, data concerning incidents of sexual violence and harassment are scarce due to the lack of a unified database comprising systematic data collection of such incidents, which would allow a comprehensive analysis. Even so, the available data are divided into **national data** collected by the **Police** and the **Association for the Prevention of Violence in the Family**, which is the only NGO that provides services such as a 24-hour hotline and a shelter for victims of domestic violence and **administrative data** which is provided by the **police/criminal statistics**.

The national data provides an overview of the prevalence of IPV, dating and sexual violence (DV&SV) in

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<sup>28</sup> Mediterranean Institute of Gender Studies, (2014). *STIR: Safeguarding Teenage Relationships: Connecting Offline and Online Risks* (unpublished country report) [<http://goo.gl/qEJeyk>].

<sup>29</sup> Mediterranean Institute of Gender Studies (2014), *Staying Safe Online: Gender and Safety on the Internet*.

<sup>30</sup> Mediterranean Institute of Gender Studies (2014), *Staying Safe Online: Gender and Safety on the Internet*.

<sup>31</sup> Safer Internet: CyberEthics: <http://www.cyberethics.info/>.

adolescents but is quite limited. Administrative data collects information in relation to domestic violence, rape and sexual assault incidents. But there is yet to be established a unified system of data collection amongst the relevant agencies. Population-based surveys on the prevalence as well as the effects of all forms of violence against women, including IPV, DV and SV, have recently been conducted that give additional information on the extent and impact of violence against women in Cyprus.

The criminal statistics produced by the **Statistical Services** and the **Cyprus Police** provide data on sexual offences as these are categorized as 'serious crime'. Sexual offences include rape, attempt to commit rape, abduction, defilement of girls 13-17 years of age, unnatural offences, incest (violence in the family) and the sexual exploitation of juveniles. Offences against the person that fall under the category of violence within the family include 'causing grievous bodily harm' and 'wounding and similar acts'.<sup>32</sup>

Available data on sexual offenses reveal that incidents of sexual violence, specifically rape, have seemingly dropped in Cyprus in recent years by almost 50%. Between the years **2009-2011** there have been 101 reported rapes, between **2012-2014** there were 57 reported rapes and lastly between **2015** and the **first semester of 2016** there have been 28 reported rapes. Even though statistical evidence shows a significant decrease in reported rape cases one cannot overlook the possibility of this being the result of underreporting as shown by the existing studies<sup>33</sup>, but also due to the low conviction rates and prosecution of perpetrators committing such crimes. Myths associated with rape, namely that women must take steps to avoid 'provoking' men, and that the absence of physical injury indicates that the victim consented along with the victim-blaming and the stigmatization that follows are also important factors that may prevent the victims from reporting such incidents to the authorities. The lack of victim-support services, such as rape helplines, rape crisis centres, or inter-departmental cooperation and specialised resources for rape or sexual assault in Cyprus for either adults or adolescents also contributes to the hesitation of women to report such cases.

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<sup>32</sup> European Institute of Gender Equality, (2014). *Country Profile on Gender-based-Violence against Women: Cyprus*, p.10.

<sup>33</sup> Mediterranean Institute for Gender Studies, (2008) *Date Rape Cases among Young Women: Strategies for Support and Intervention*, University of Nicosia Press: Nicosia

## Conclusion

What emerges from this report is a picture of extensive abuse –often unrecognised- that affects the lives of many young women and girls. Although many stereotypes have been overcome, at least in the minds of younger generations, what still persists is opinions and attitudes that are conducive to violence such as ‘victim blaming’ and the belief that the use of violence is acceptable under certain circumstances, which also can lead to underreporting of such incidents. Men and women still label some women as being ‘easy’ proliferating in that way the myth of the victim provoking the perpetrator. Even among female university students, as seen in the date rape study, traditional beliefs about women and sexuality surfaced, reinforcing patriarchal attitudes around the subject.

Another issue that surfaced was the increase of cyber-harassment incidents, which seems to be one of the most rapidly growing forms of sexual harassment towards young women in Cyprus, but also on a European level. This can also be applied as a form of SVH at the UTLIs since young adults of this age, the majority if not all, use social media and electronic devices.

When it comes to date rape, female college students confirm the existing stereotypes and gender roles, as *“societal expectations with regard to gender roles can contribute to an atmosphere where date rape is possible and indeed acceptable.”*<sup>34</sup> Many young women have not been able to recognize rape as such, due to the inconsistent number of the reported and attempted rapes with the ‘unwanted sexual experiences’. Which leads to the conclusion that more awareness raising is needed in UTLIs.

Taken together, these findings indicate that attitudes conducive to gender based violence are normalised amongst adolescents and young adults. Women bear the brunt of gender-discriminatory attitudes within their intimate relationships and violent behaviour (sexual, verbal, coercive control) is often considered acceptable. These findings emphasise the need for wide and systematic prevention programmes on different structural levels (e.g. Education, Labour, and Judicial) including awareness raising programmes and campaigns targeting young people.

The findings also call upon further research both on prevalence rates, as well as on the state of specialised victim-support services, such as rape helplines, rape crisis centres, and inter-departmental cooperation for rape or sexual assault cases in Cyprus for teenagers and young adults.

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<sup>34</sup> Mediterranean Institute for Gender Studies, (2008) *Date Rape Cases among Young Women: Strategies for Support and Intervention*, University of Nicosia Press: Nicosia. p.24

# Recommendations

## For tertiary education:

- Organised and dedicated student unions or student groups that can raise awareness on issues concerning SVH on campuses;
- Establishment of protocol and procedure to prevent and respond to gender-based sexual violence at the UTLIs. This protocol should require the creation of a department or a board that will deal with cases of SVH by providing counselling but also redirecting victims to different services (medical, psychological support etc.). Therefore, the department/board can be the link between university authority, police forces, and any existing services and NGOs outside the university.
- Creation of a database for SVH cases at every university enabling in that way the undertaking of research and in-depth analysis of the issue. This can help create new policies and measures to prevent and deal with SVH cases more efficiently.

## For government:

- Public services specialised in victim support, such as rape helplines, rape crisis centres, including inter-departmental cooperation for rape or sexual assault cases in Cyprus for teenagers and young adults.
- Better communication between governmental services and UTLIs. For instance, police forces and medical services should be easily accessible by students at university campuses. Good communication coupled with awareness raising can improve student trust with the aforementioned services, eliminating reluctance to report SVH cases.
- Broad and systematic prevention programmes on different structural levels (e.g. Education, Labour, and Judicial) including awareness raising programmes and campaigns targeting young people.

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- Safer Internet: CyberEthics: <http://www.cyberethics.info/>.



27 818 interviews  
04 > 13 / 06 / 2016



501 interviews  
04 > 13 / 06 / 2016

Methodology: face-to-face

Special Eurobarometer 449

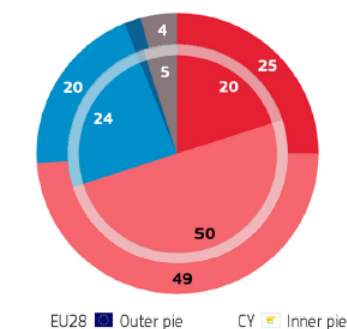
Gender-based violence

REPUBLIC OF CYPRUS

June 2016

## 1. PERCEIVED PREVALENCE OF DOMESTIC VIOLENCE

**QB1** In general, how common do you think that domestic violence against women is in (OUR COUNTRY)? (%)

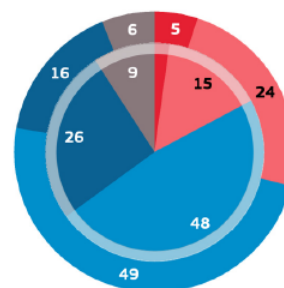


EU28 ■ Outer pie CY ■ Inner pie

	EU28		CY	
	2016	2016-2010	2016	2016-2010
Very common	25	- 2	20	+ 2
Fairly common	49	- 2	50	- 1
Not very common	20	+ 3	24	- 3
Not at all common	2	+ 1	1	=
Don't know	4	=	5	+ 2

Evolution 06/2016 - 02-03/2010

**QB2** In general, how common do you think domestic violence against men is in (OUR COUNTRY)? (%)



Very common  
Fairly common  
Not very common  
Not at all common  
Don't know

EU28 ■ Outer pie CY ■ Inner pie

**QB3** In your opinion, domestic violence against women is... (%)

Answer: Unacceptable and should always be punishable by law



EU28



CY

TOTAL	84	87
<b>Gender</b>		
Man	81	84
Woman	86	89
<b>Age</b>		
15-24	81	85
25-39	82	81
40-54	82	78
55+	80	90

Socio-demographic breakdown

**QB3b** In your opinion, domestic violence against men is... (%)

Answer: Unacceptable and should always be punished by law



EU28



CY

TOTAL	80	82
<b>Gender</b>		
Man	78	79
Woman	81	84
<b>Age</b>		
15-24	79	74
25-39	78	77
40-54	79	79
55+	76	83

Socio-demographic breakdown

27.818 interviews  
04 > 13 / 06 / 2016

501 interviews  
04 > 13 / 06 / 2016

Methodology: face-to-face

Special Eurobarometer 449

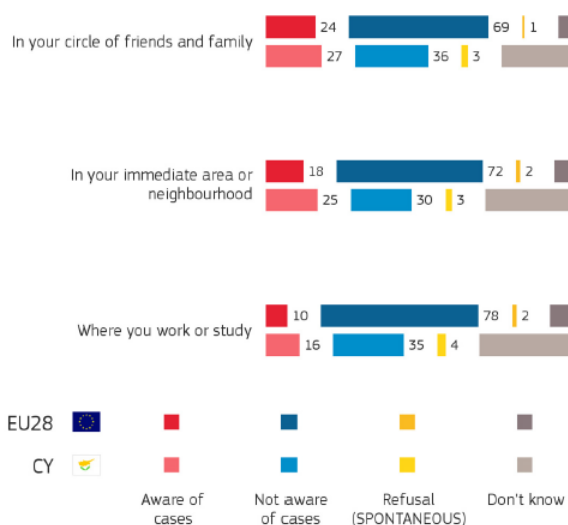
Gender-based violence

REPUBLIC OF CYPRUS

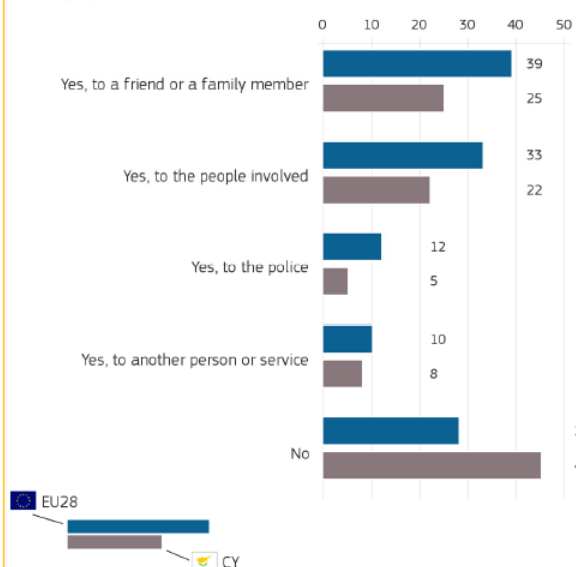
June 2016

## 2. AWARENESS OF DOMESTIC VIOLENCE

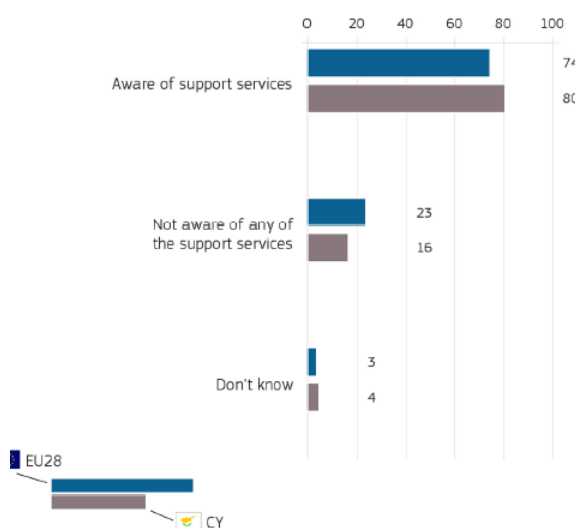
**34** Do you know of any men or women who have been a victim of any form of domestic violence? (%)



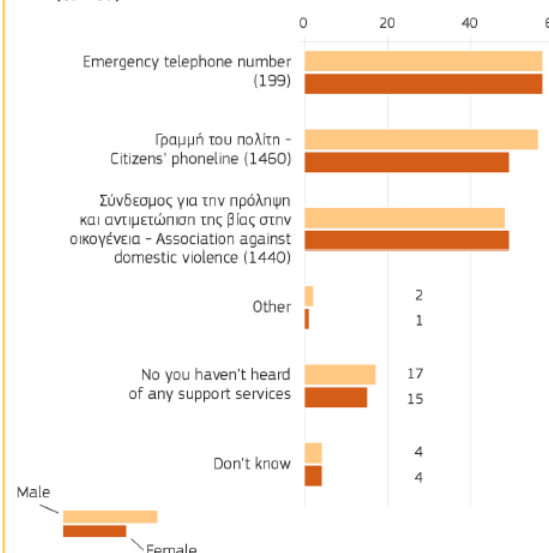
**QB4b** Did you speak to anyone about this? (MULTIPLE ANSWERS POSSIBLE) (%)



**35** Have you heard of any of the following support services for women who are victims of domestic violence? (MULTIPLE ANSWERS POSSIBLE) (%)



**QB5** Have you heard of any of the following support services for women who are victims of domestic violence? (MULTIPLE ANSWERS POSSIBLE) (% - CY)



The list of support services was customized for each country participating in the survey.



27 818 interviews  
04 > 13 / 06 / 2016



501 interviews  
04 > 13 / 06 / 2016

Methodology: face-to-face

Special Eurobarometer 449

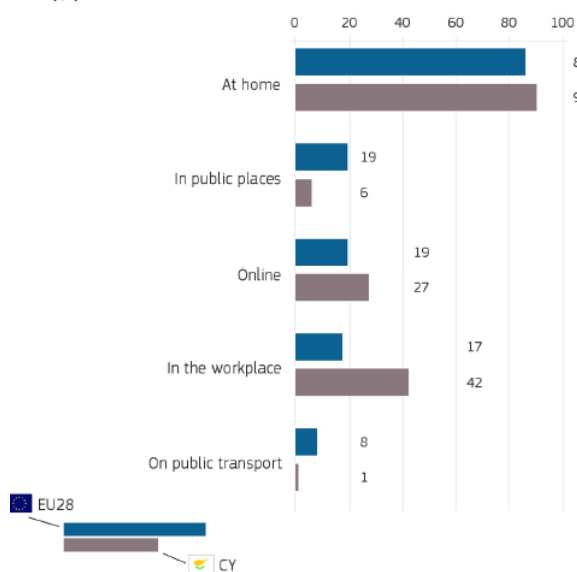
Gender-based violence

REPUBLIC OF CYPRUS

June 2016

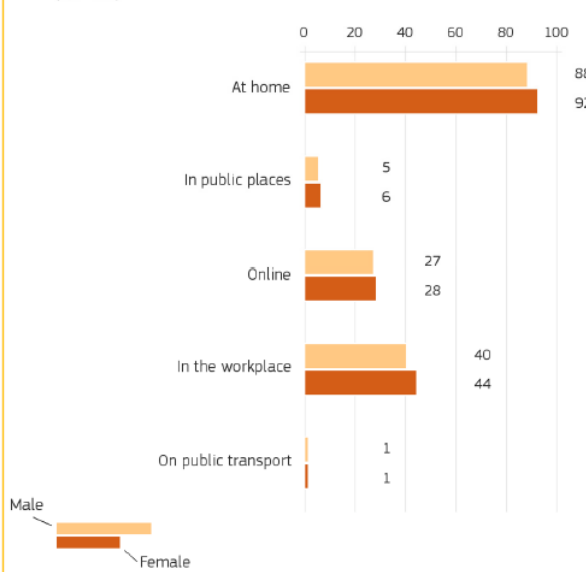
### 3. PERCEPTIONS ON AND ATTITUDES TOWARDS GENDER-BASED VIOLENCE

**QB6** In your view, is violence against women more likely to occur... (MAX. 2 ANSWERS) (%)



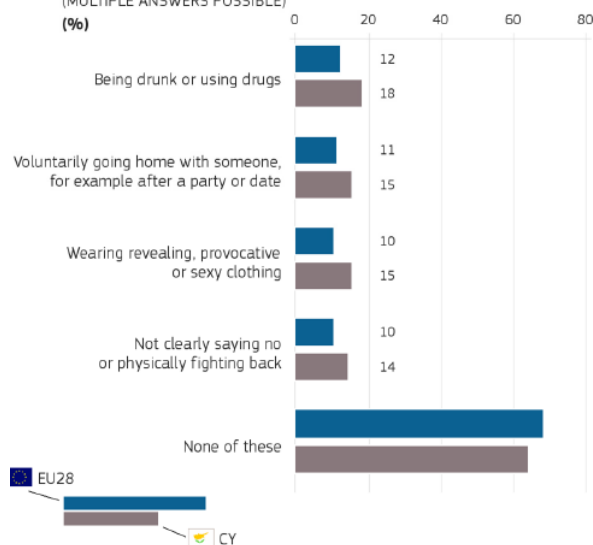
Only the most chosen answers at EU level are shown.

**QB6** In your view, is violence against women more likely to occur... (MAX. 2 ANSWERS) (% - CY)



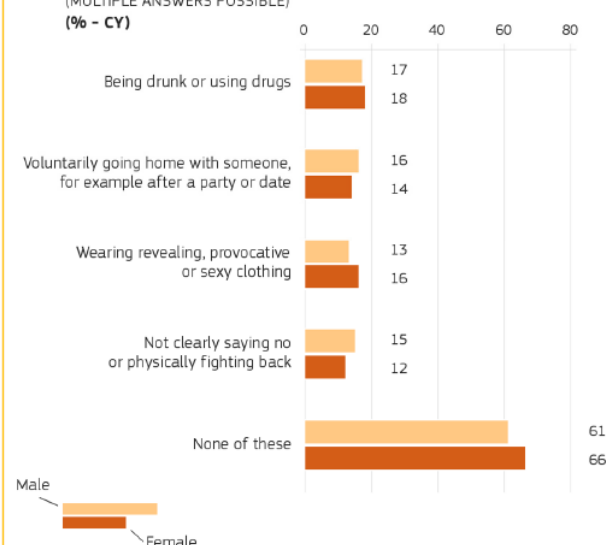
Only the most chosen answers at EU level are shown.

**QB10** Some people believe that having sexual intercourse without consent may be justified in certain situations. Do you think this applies to the following circumstances? (MULTIPLE ANSWERS POSSIBLE) (%)



Only the most chosen answers at EU level are shown.

**QB10** Some people believe that having sexual intercourse without consent may be justified in certain situations. Do you think this applies to the following circumstances? (MULTIPLE ANSWERS POSSIBLE) (% - CY)



Only the most chosen answers at EU level are shown.





27 818 interviews  
04 > 13 / 06 / 2016



501 interviews  
04 > 13 / 06 / 2016

Methodology: face-to-face

Special Eurobarometer 449

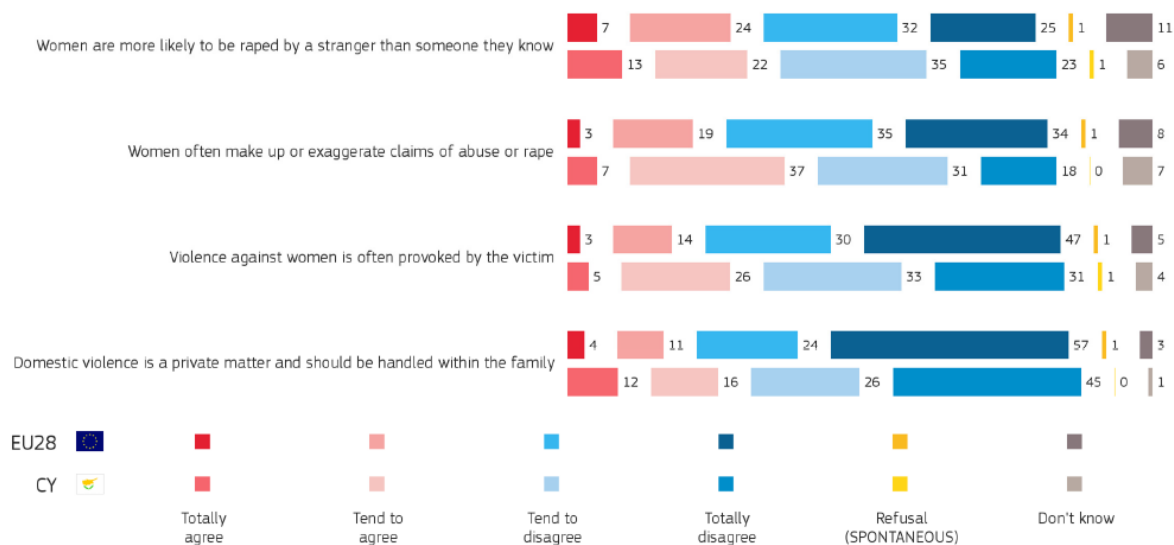
Gender-based violence

REPUBLIC OF CYPRUS

June 2016

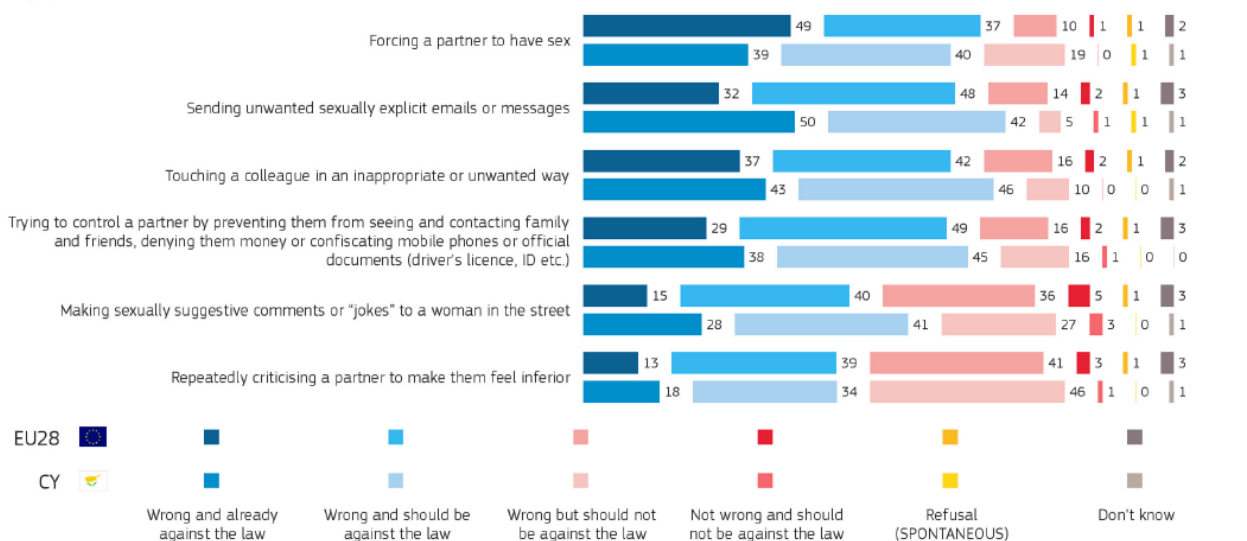
### 3. PERCEPTIONS ON AND ATTITUDES TOWARDS GENDER-BASED VIOLENCE

**QB9** Please tell me to what extent you agree or disagree with the following statements?  
(%)



### 4. LEGAL RESPONSE TO GENDER-BASED VIOLENCE

**QB8** For each of the following situations, please tell me whether you think it is against the law or not. For each please tell whether you think it is wrong and is already against the law, it is wrong and should be against the law, it is wrong but should not be against the law, it is not wrong and should not be against the law.  
(%)



**NON.  
NO.  
NEIN.**

Say No!  
Stop  
**violence**  
against  
women

**Violence against women** is rooted in women's unequal status in society, and that status reflects the unbalanced distribution of social, political, and economic power among women and men in society. It is one of the most pervasive human rights violations of our time and a form of discrimination that results in, or is likely to result in, physical, sexual, psychological or economic harm or suffering to women<sup>(1)</sup>. Violence against women undermines women's dignity and integrity and imposes serious harms on families, communities and societies. In the EU, estimates suggest that 1 in 3 women (or 61 million out of 185 million) have experienced physical or sexual violence, or both, since the age of 15<sup>(2)</sup>.

The full extent of violence against women is difficult to estimate, as it continues to be underreported and stigmatised, meaning that what actually gets reported is only a fraction of the reality. In Cyprus 47 % of the population tend not to trust the police<sup>(3)</sup>.

In EIGE's Gender Equality Index 2015 it was found that where people tend to have more trust in justice institutions, levels of disclosed violence are higher. It is estimated that in Cyprus 22 % of women have experienced violence<sup>(4)</sup>, which is 11 % lower than in the EU overall<sup>(5)</sup>.

The European Institute for Gender Equality has estimated that the cost of intimate partner violence against women in Cyprus could amount to €186 million per year. This figure was calculated according to the methodology used in EIGE's 2014 study<sup>(6)</sup>, which Member States can replicate, as done by Estonia in 2016<sup>(7)</sup>.





## What are the facts?

- At least 28 % of women in Cyprus have experienced some form of domestic violence including economic violence, psychological violence, sexual violence, and physical violence. In 2012, Cyprus conducted the first nationwide survey on *Extent, Frequency, Forms and Consequences of Domestic Violence against Women in Cyprus* <sup>(8)</sup>.
- The 2014 European Union Agency for Fundamental Rights survey data results showed that since the age of 15, 1 in 5 women in Cyprus have experienced physical and/or sexual violence by a partner and/or a non-partner, and 31 % of people in Cyprus revealed that they knew a female victim of domestic violence within their circle of friends and family <sup>(9)</sup>.
- During the period 2010—2014, 4 292 incidents of domestic violence were reported to the police, 74 % of which were reported by women and girls <sup>(10)</sup>.
- There were 57 cases of reported rape during the period 2012—2014 <sup>(11)</sup>.
- During the period 2010—2012, it is estimated that there were 129 victims of human trafficking in Cyprus, of which 84 % were women and girls <sup>(12)</sup>.

When trust in police is low, victims are less likely to report violence.



## Is violence against women a crime in Cyprus?

Although there is no specific law on violence against women in Cyprus, most forms of violence against women are illegal. Domestic violence is criminalised under the Violence in the Family (Prevention and Protection of Victims) laws from 2000 to 2015 <sup>(13)</sup>. Sexual offences including rape are punishable with a maximum sentence of life in prison. Rape within marriage is also recognised as a crime. Other forms of violence such as forced marriage <sup>(14)</sup> and female genital mutilation <sup>(15)</sup> are against the law.

## What is being done to eliminate violence against women in Cyprus?

The Ministry of Justice is coordinating the implementation of the National Action Plan on Equality between Men and Women (2014—2017); Violence against Women is one of the key priorities of the plan. Actions include awareness raising campaigns, training of professionals and improving data collection on all forms of Violence against Women <sup>(16)</sup>.

The first National Action Plan (NAP) on Prevention and Combating of Violence in the Family (2010—2013) promoted integrated policies and measures to combat domestic violence including prevention programmes, improving victim support services, and promoting research and data collection <sup>(17)</sup>. The second NAP on Prevention and Combating of Violence in the Family (2016—2019) is pending approval by the Council of Ministers.

## Good practices show the way

*United to END FGM* (UEFGM) is a free-of-charge e-learning tool, offering practical information and support to health and asylum professionals across Europe on female genital mutilation (FGM), with the aim to deliver more effective victim support and protection to women and girls living with, or at risk of, FGM. UEFGM, which was coordinated by the Mediterranean Institute for Gender Studies (MIGS) within the framework of the END FGM European Campaign, is now being further developed by Cyprus University of Technology with the support of the European Union. The new project aims to create a European-wide knowledge platform on FGM that will serve as a resource and education centre offering easily accessible (and culturally appropriate) information and support to professionals <sup>(18)</sup>.



The Government of Cyprus signed the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) in June 2015, but has not yet ratified it.

The Istanbul Convention is the most far-reaching international treaty to tackle this serious violation of human rights.

### How are women and girls protected?

Women victims of domestic violence in Cyprus have legal access to protection measures including temporary protection orders restraining the suspect from contact with the victim, as well as restraining orders prohibiting perpetrators from entering or remaining in the marital home.

Cyprus has transposed Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime, implementing national legislation in April 2016<sup>(19)</sup>, which ensures that women victims of gender-based violence receive specialised support services.

Public officers of the Ministries of Health, Education, Justice and Public Order (Police) and Labour and Social Insurance (Social Welfare Services) have a mandatory duty to report to the Attorney's General's Office any referrals where concerns, suspicions or evidence of family violence exist, including domestic violence. Additionally, any person who is aware of and omits to report a case of violence against a minor, or against a person with severe mental or psychological deficiencies, commits an offence<sup>(20)</sup>.

### What help is available in Cyprus?

The Association for the Prevention and Handling of Violence in the Family (SPAVO) runs the Centre for Emergency Assistance Helpline (1440). The helpline is free of charge and provides multi-dimensional support in Greek and English<sup>(21)</sup>.

During the years 2014—2015, 83.5 % of calls received by the national domestic violence helpline were from women and girls<sup>(22)</sup>.

The Police run a general victim's helpline called Citizens' Line (1460) that operates 24 hours a day and is free of charge<sup>(23)</sup>.

There are two women's shelters for victims of domestic violence in Cyprus run by the Association for the Prevention and Handling of Violence in the Family (SPAVO). Both are accessible 24 hours a day and free of charge.



**The Association for the Prevention and Handling of Violence in the Family runs free-of-charge, 24/7 accessible women's shelters for victims of domestic violence<sup>(24)</sup>.**

**Emergency Assistance Helpline (1440)  
Citizens' Line (1460)**



**83.5 % of calls received by the national domestic violence helpline were from women and girls.**

## Endnotes

- (<sup>1</sup>) Council of Europe (2011). *Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence and its Explanatory Memorandum*. Council of Europe Treaty Series No 10.
- (<sup>2</sup>) European Union Agency for Fundamental Rights (2014). *Violence Against Women: An EU Wide Survey, Main Results*. Publication Office of the European Union, Luxembourg.
- (<sup>3</sup>) European Commission (2016). *Eurobarometer*. Available at: <http://ec.europa.eu/COMMFrontOffice/PublicOpinion/index.cfm/Chart/getChart/themeKy/18/groupKy/88>
- (<sup>4</sup>) European Institute for Gender Equality (2013). *Gender Equality Index Report*. Publication Office of the European Union, Luxembourg. Available at: <http://eige.europa.eu/sites/default/files/documents/Gender-Equality-Index-Report.pdf>.
- (<sup>5</sup>) Ibid. The level of disclosed violence in the EU overall is 33 %.
- (<sup>6</sup>) European Institute for Gender Equality (2014). *Estimating the costs of gender-based violence in the European Union*. Publication Office of the European Union, Luxembourg.
- (<sup>7</sup>) *Cost of Domestic Violence in Estonia*. Available at: [https://www.sm.ee/sites/default/files/content-editors/Sotsiaal/Norra/vagivalla\\_hind.pdf](https://www.sm.ee/sites/default/files/content-editors/Sotsiaal/Norra/vagivalla_hind.pdf)
- (<sup>8</sup>) The survey was commissioned by the Advisory Committee for the Prevention and Combating of Domestic Violence in the Family (2012). The executive summary of the survey "Extent, Frequency, Nature and Consequences of Domestic Violence against Women in Cyprus". Available at: <http://www.familyviolence.gov.cy/cgibin/hweb?A=971&V=research>.
- (<sup>9</sup>) European Union Agency for Fundamental Rights (2014). *Violence Against Women: An EU Wide Survey, Main Results*. Publication Office of the European Union: Luxembourg.
- (<sup>10</sup>) Office of Analysis and Statistics (Cyprus police): *Violence in the Family*. Available at: <http://www.familyviolence.gov.cy/upload/20151204/1449232878-30504.pdf>
- (<sup>11</sup>) Office of Analysis and Statistics (Cyprus police): *Serious Crime*. Available at: [http://www.police.gov.cy/police/police.nsf/All/32027F2900233A04C2257F8F001D341C/\\$file/Σοβαρό%20Εγκλημα.pdf](http://www.police.gov.cy/police/police.nsf/All/32027F2900233A04C2257F8F001D341C/$file/Σοβαρό%20Εγκλημα.pdf)
- (<sup>12</sup>) Eurostat (2015). *Trafficking in Human Beings*. Available at: [https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/eurostat\\_report\\_on\\_trafficking\\_in\\_human\\_beings\\_-\\_2015\\_edition.pdf](https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/eurostat_report_on_trafficking_in_human_beings_-_2015_edition.pdf)
- (<sup>13</sup>) 119(I)/2000, 212(I)/2004 and 172(I)/2015.
- (<sup>14</sup>) Article 22 of the Constitution: "Any person reaching nubile age is free to marry and to found a family according to the law relating to marriage, applicable to such person under the provisions of this Constitution." Also, the Marriage Law, 2003 (L. 104(I)/2003).
- (<sup>15</sup>) Article 233A of the Criminal Code.
- (<sup>16</sup>) Ministry of Justice and Public Order (2014). National Action Plan on Equality between Men and Women (2014-2017), Nicosia.
- (<sup>17</sup>) Ministry of Labour and Social Insurance. *National Action Plan on the Prevention and Combating of Domestic Violence (2010-2013)*. Available at: [http://www.familyviolence.gov.cy/upload/downloads/actionplan\\_2010-2013\\_en.pdf](http://www.familyviolence.gov.cy/upload/downloads/actionplan_2010-2013_en.pdf)
- (<sup>18</sup>) United to END FGM (UEFGM). Available at: [www.uefgm.org](http://www.uefgm.org)
- (<sup>19</sup>) 'Establishing Minimum Standards on the Rights, Support and Protection of Victims of Crime'. Law 2016 [51(I)/2016].
- (<sup>20</sup>) According to the article 35A of the Violence in the Family (Prevention and Protection of Victims) laws of 2000 until 2015 [119(I)/2000, 212(I)/2004 and 172(I)/2015]
- (<sup>21</sup>) WAVE (2015). *WAVE report on the role of specialist women's support services in Europe. Compilation of Country Profiles, July 2016*. (Cyprus Country Information). Available at: [http://files.wave-network.org/researchreports/WAVEReport2015\\_Compilation\\_Country\\_Profiles.pdf](http://files.wave-network.org/researchreports/WAVEReport2015_Compilation_Country_Profiles.pdf)
- (<sup>22</sup>) Association for the Prevention and Handling of Violence in the Family (SPAVO). Available at: [www.domviolence.org.cy](http://www.domviolence.org.cy)
- (<sup>23</sup>) WAVE (2015). *WAVE report on the role of specialist women's support services in Europe. Compilation of Country Profiles, July 2016*. (Cyprus Country Information). Available at: [http://files.wave-network.org/researchreports/WAVEReport2015\\_Compilation\\_Country\\_Profiles.pdf](http://files.wave-network.org/researchreports/WAVEReport2015_Compilation_Country_Profiles.pdf)
- (<sup>24</sup>) Ibid.






## European Institute for Gender Equality

The European Institute for Gender Equality (EIGE) is the EU knowledge centre on gender equality. EIGE supports policymakers and all relevant institutions in their efforts to make equality between women and men a reality for all Europeans by providing them with specific expertise and comparable and reliable data on gender equality in Europe.



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<http://www.facebook.com/eige.europa.eu>   
<http://www.youtube.com/eurogender>   
<http://eurogender.eige.europa.eu> 



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## WOMEN AGAINST VIOLENCE EUROPE

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ZVR: 601608559

January 2016

### CYPRUS

#### Basic Information

Population: 858,000

Female Population: 440,462

Member of Council of Europe: 1961

Member of European Union: 2004

CEDAW ratified: 1985

CEDAW Optional protocol ratified: 2002

Istanbul Convention – signed: yes (2015); ratified: no

Violence prevalence data: <http://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-violence-against-women-survey>

Gender Equality Index: 44.9, for further information see: <http://eige.europa.eu/gender-statistics/gender-equality-index/2012>

UN Women Global Database on Violence against Women: <http://www.evaw-global-database.unwomen.org/en/countries/asia/cyprus>

#### CEDAW Concluding Comments 2013:

##### Violence against women

17. The Committee welcomes the State party's efforts to combat domestic violence, in particular the adoption of a comprehensive legislative framework, the conduct of national research on the prevalence of domestic violence, and professional training provided to the police by the Police Domestic Violence and Child Abuse Office. However, the Committee remains concerned about the low number of investigations, prosecutions and convictions in cases of domestic violence, despite the high number of cases reported. The Committee is further concerned about the lack of information on the implementation of the National Action Plan on Prevention and Handling of Family Violence (2010–2013), the insufficient gender perspective and lack of inclusion of migrant women and ethnic minorities in the State party's programs and policies regarding domestic violence, as well as the limited assistance provided by the only shelter run by a non-governmental organization in the State party. The Committee further expresses concern about the limited data and information available on the incidence of other forms of violence.

18. The Committee recommends that the State party:

(a) Take effective measures to investigate reported acts of all forms of violence as well as prosecute and adequately punish perpetrators, including by providing mandatory training to judges, prosecutors and lawyers and providing legal aid to victims;

(b) Effectively implement its National Action Plan on Prevention and Handling of Family Violence within a specified time frame and with sufficient budget allocation as well as systematically monitor its impact;



(c) Enhance the data collection system to include all forms of violence against women, protection measures, prosecutions and sentences imposed on perpetrators, and conduct appropriate surveys to assess the prevalence of violence experienced by women, including migrant women and women belonging to ethnic minorities;

(d) Provide adequate assistance and protection to women victims of violence, in particular social rehabilitation and an adequate number of shelters, including by strengthening its cooperation with and support to non-governmental organizations offering shelter and other forms of support to victims of domestic violence; and

(e) Set a time frame for the ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence.

## Introduction

The following information has been compiled from the research carried out in 2015 for the WAVE Report ([http://files.wave-network.org/researchreports/WAVE\\_Report\\_2015.pdf](http://files.wave-network.org/researchreports/WAVE_Report_2015.pdf) ) with national experts working in the field of violence against women. The research methodology involved an extensive questionnaire and a follow-up skype interview. The profile includes information on women's helplines, shelters, centres, networks and policy and funding. However, it was not possible to gather information about prevention, awareness-raising, campaigning and training.

## Women's Helplines

### National women's helplines

There is one national women's helpline in Cyprus, called the Centre for Emergency Assistance Helpline (1440). The helpline was opened in 1990 and is run by the NGO Association for the Prevention and Handling of Violence in the Family (SPAVO). It does not operate 24/7, due to lack of adequate financial resources, however it is free of charge and provides multi-lingual support in English and Greek.

In 2014, the national women's helpline received 1,636 calls, including 1,374 (84%) from women.

### Other helplines for victims

There are four national helplines for victims of crime in Cyprus. The general victim's helpline called Citizens' Line (1460) operates 24/7 and is free of charge; it is run by the Police of the Republic of Cyprus. The children helplines Missing Children Helpline (116 000) and Support for Children and Adolescents (116 111) operate 24/7 and are free of charge; both are run jointly by SPAVO and the NGO Hope for Children.

## Women's Shelters

There are two women's shelters for victims of domestic violence in Cyprus; both are accessible 24/7 and free of charge. In addition, there is one women's shelter specifically for women survivors of trafficking that is run by the State.

The domestic violence shelters are run by SPAVO, and are located in the capital city Nicosia and in Paphos, where the second shelter was opened in September 2014. The NGO SPAVO is currently working on the construction of an additional women's shelter in Nicosia, with funding provided through Norway Grants, among others. Expected to be completed by May 2016, the shelter will be able to accommodate 24 women and children.

The two existing women's shelters have a total of 17 shelter beds, with nine beds available at the shelter in Nicosia, and eight beds available at the shelter in Paphos. In 2014, the women's shelters in Nicosia and Paphos accommodated 32 women and 40 children.

### Women's Centres

There is one women's centre providing non-residential support to women survivors of violence in Cyprus. The centre is run by the NGO SPAVO and is partly funded by the state.

### Women's Networks

There is currently no national women's network addressing violence against women in Cyprus.

The network of women's NGOs called the [Cyprus Women's Lobby \(CWL\)](#) was formed in 2008. While the network is still informal, work is underway to change the current legislation on registration of NGOs, which should result in the formalisation of CWL. At present, the network includes nine member organisations, including the [Association for the Prevention and Handling of Violence in the Family \(SPAVO\)](#), the [Mediterranean Institute of Gender Equality \(MIGS\)](#), the [Cyprus Family Planning Association \(CFPA\)](#), and the [International Association for the Promotion of Women in Europe \(AIPFE\)](#). Activities carried out by the network include lobbying and advocacy, campaigning, support to members' activities and networking, as well as the organisation of seminars and conferences.

### Policy & Funding

Currently waiting for approval by the Council of Ministers, the *National Action Plan for Preventing and Combating Violence in the Family 2016-2018* will follow from the previous National Action Plan for the period 2010-2013. In addition, the *National Action Plan for Equality between Men and Women 2014-2017* includes violence against women (VAW) as one of its priorities.

There is currently no coordinating body for the implementation of policies and measures to prevent VAW; the Advisory Committee for the Prevention and Combating of Violence in the Family is entrusted with the evaluation and monitoring of policies and measures, including the NAP 2016-2018. The Advisory Committee has published several reports and publications on VAW<sup>1</sup> as well as evaluation

<sup>1</sup> Advisory Committee for the Prevention and Combating of Violence in the Family. (2012). *Extent, Frequency, Nature and Consequences of Domestic Violence against Women in Cyprus*. Available at [http://www.familyviolence.gov.cy/upload/research/erevna\\_2012oct\\_viol-ae-women\\_summary\\_en.pdf](http://www.familyviolence.gov.cy/upload/research/erevna_2012oct_viol-ae-women_summary_en.pdf)



reports on policies and measures to address VAW which are available on their website [www.familyviolence.gov.uk](http://www.familyviolence.gov.uk). Commissioned by the Equality Unit of the Ministry of Justice, MIGS conducted a mid-term evaluation of the *National Action Plan for Equality between Men and Women 2007-2013* in 2011.

Government funding is mostly allocated to the Advisory Committee for the Prevention and Combating of Violence in the Family for activities to combat domestic violence on the national level; information provided in the 2014 Council of Europe *'Analytical study of the results of the 4th round of monitoring the implementation of Recommendation Rec(2002)5 on the protection of women against violence in Council of Europe member states'* indicates an annual budget of EUR 50,000<sup>2</sup>. The report also mentions the provision of government funds (EUR 140,000) to the organisation SPAVO, for the building of a women's shelter in 2012.<sup>3</sup> There is, however, no information available on regular and sustainable government funding for NGO activities in the field of combating VAW.

While provisions in national legislation do allow for state funding to go to women's NGOs for service provision in Cyprus, government funding is not legally mandated and the most common forms of funding for women's support services run by NGOs are project-based and annual core funding.

## **APPENDIX 3**

### **Republic of Ireland**

#### **National Women's Council of Ireland**

- ESHTe: a Review of Data on the Prevalence of Sexual Harassment and Violence in Higher Education- National Report Ireland
- Eurobarometer Report on Gender-based Violence – Ireland (2016)
- European Institute for Gender Equality (EIGE) Report– Ireland (2016)



**ENDING SEXUAL HARASSMENT AND VIOLENCE  
IN THIRD LEVEL EDUCATION  
ESHTe PROJECT**

**A REVIEW OF DATA ON THE PREVALENCE OF SEXUAL HARASSMENT AND VIOLENCE  
OF WOMEN STUDENTS IN HIGHER EDUCATION**

**National Report-Ireland**

**2017**



The Project is funded  
by the European Union

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## SUMMARY

### DATA ON THE PREVALENCE OF SEXUAL HARASSMENT AND VIOLENCE OF WOMEN STUDENTS IN HIGHER EDUCATION

In 2015-16 there were 178,094 full time students in the 26 Higher Education Institutions (HEIs) funded by the Higher Education Authority (HEA) in the Republic of Ireland:

- 51% of these students were women
- 89% of the new full-time undergraduates were aged 23 or younger<sup>1</sup>

There is limited research available on the experience of gender-based violence in Irish HEIs but **Say Something (2013)**<sup>2</sup> reported;

- 11% of women students had been subject to unwanted sexual contact
- 5% were rape survivors with a further 3% survivors of attempted rape
- 31% of women reported feeling harassed, including just under 19% being physically groped
- 17% of women had been photographed or filmed without consent, and 8% had these images circulated without consent online
- 10% of women had experience of stalking or obsessive behaviour including online

The **2015 National Sexual Assault Trauma Unit Activity Report**<sup>3</sup> recorded that from 685 people who attended for rape or sexual assault:

- 92% of patients were women
- 45% of patients identified themselves as **students**

We have no data about ethnic minority women students or women students with disabilities and their experiences of sexual violence and harassment. However, general population statistics show that ***the second most common risk factor for rape after gender, is disability***, 19% of all complainants were recorded as having a physical or intellectual disability or a history of mental illness<sup>4</sup>.

---

<sup>1</sup> <http://www.heai.ie/en/statistics/overview>

<sup>2</sup> Say Something-A Study of Students' Experiences of Harassment, Stalking, Violence & Sexual Assault 2013

<sup>3</sup> National Sexual Assault Treatment Unit (SATU):Annual Key Service Activity 2015

<sup>4</sup> Rape & Justice in Ireland: A National Study of Survivor, Prosecutor and Court Responses to Rape 2009

Damaging and discriminatory attitudes towards women and sexual violence continue to persist in Irish society:

- 21% of Irish people think that there are understandable reasons for having sexual intercourse without consent, that is raping a woman
- 23% of Irish people believe women often make up or exaggerate claims of abuse or rape<sup>5</sup>

It is unsurprising then that 79% of Irish women who have experienced sexual or physical violence have never reported it to an official body<sup>6</sup> and less than 3% of women students said they had ever reported their unwanted sexual experiences to An Garda Síochána<sup>7</sup>.

In responding to this, the review identified that many Students' Unions, the Union of Students in Ireland and HEIs work hard, often together, to create safe and inclusive campuses. They are committed to creating a zero tolerance of violence culture on their campuses and are limited only by resources, funding, capacity and time to do so. They work in partnership with specialist NGOs, particularly their local Rape Crisis Centres and are open to developing coordinated and sustainable initiatives.

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<sup>5</sup> Eurobarometer on Gender-based Violence 2016

<sup>6</sup> Fundamental Rights Agency: Violence Against Women Survey 2014

<sup>7</sup> Say Something-A Study of Students' Experiences of Harassment, Stalking, Violence & Sexual Assault 2013

## INTRODUCTION

“Violence deprives women of their ability to enjoy fundamental freedoms and represents a serious obstacle to equality between women & men” (Women Against Violence Europe).

In 2014 the EU Fundamental Rights Agency, reported that 25% Irish women had experienced a form of physical and/or sexual violence since the age of fifteen, and 8% experience physical and/or sexual violence each year<sup>8</sup>. Violence against women goes to the heart of patriarchy, of male dominance and entitlement and of a culture that enables men to perpetrate these crimes due to weak and inconsistent sanctions and deterrents.

As Chair of the Irish National Observatory on Violence Against Women<sup>9</sup> and convener of the Women's Human Rights Alliance, the National Women's Council of Ireland (NWCI), has been working on the issue of sexual violence and harassment of women since its inception. NWCI's expertise in informing the development of government policy and legislation in the area of gender-based violence has been widely recognised, and we currently sit by invitation on the National Steering Committee on Violence Against Women and the Women, Peace and Security Monitoring Group and the Department of Foreign Affairs NGO Standing Committee on Human Rights.

A central advocacy position of the NWCI and the National Observatory is that Ireland lacks a proper understanding of the prevalence, impact and nature of violence against women across all domains of life experience. The intersecting issues of for example, class, ethnicity, (dis)ability and sexual orientation are not well studied, and in some cases have never been researched at all in Ireland. Gathering data is a vital part of revealing and speaking the truth about sexual violence and harassment, understanding its intrinsic gendered reality, planning, delivering and evaluating responses, and achieving lasting positive social change. Its absence obscures women's experiences and undermines efforts to tackle the violence.

The review will begin with an overview of the international frameworks that set the context for challenging violence against women. These frameworks outline the obligations the Irish state has on the issue itself, but also to proactively collect data and information to understand the scale and complexity of the problem. This will be followed by an overview of the national policy and legislative context and the NWCI recognises the recent, very positive and substantive legislative developments and commitments that have been made by the state. Relevant EU and national general population data and research will be outlined next, and

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<sup>8</sup> Fundamental Rights Agency: Violence Against Women Survey 2014

<sup>9</sup> The Observatory is an independent network of grassroots and national organisations that monitor progress on violence against women in Ireland. It is affiliated with the European Women's Lobby (EWL) European Observatory on Violence against Women.

then higher education specific frameworks and data will be reviewed.

The Ending Sexual Harassment & Violence in Third Level Education (ESHTE) project will work to engage meaningfully with ethnic minority women students and women students with disabilities, therefore this review has tried to identify and include frameworks and data of relevance to these communities too.



## INTERNATIONAL FRAMEWORKS

International human rights frameworks encourage, and in some cases specify the collection of national data on sexual violence and harassment as a treaty obligation. The Irish state is obliged to take special measures to prevent exploitation, violence and discrimination and to uphold equality and dignity for all people.

Obligations to various UN and EU treaty bodies have been particularly important for motivating the Irish state to meet its responsibilities as a positive duty holder.

Over the past decade many UN treaty bodies have expressed particular concern at the prevalence of violence against women and girls in Ireland. Concerns raised include low prosecution and conviction rates of perpetrators, high withdrawal rates of complaints and inadequate funding to organisations that provide support services to victims. In particular concerns have been raised about violence suffered by women from marginalised and vulnerable groups, including Traveller women, migrant women, asylum seeking and refugee women and women with disabilities. In 2005, in response to Ireland's combined 4<sup>th</sup> & 5<sup>th</sup> report, the final comments from the Convention on the Elimination of all forms of Discrimination against Women (CEDAW) Committee recommended in relation to violence against women that,

*"the State party adopt without delay its strategic plan and systematically monitor and regularly evaluate its components, particularly in relation to marginalized and vulnerable women including Traveller women, migrant women, asylum-seeking women and refugee women and women with disabilities"*<sup>10</sup>

### **UN Convention on the Elimination of all forms of Discrimination against Women (CEDAW)**

The Republic of Ireland acceded to CEDAW in 1985 and to the Optional Protocol (the acceptance of the right to be monitored and to have enforcement actions instigated) in 2000.

The State made its combined 6<sup>th</sup> & 7<sup>th</sup> periodic reports to the CEDAW Committee in September 2016 and the Committee's concluding remarks were published in March 2017. These included recommendations that are very relevant to the work of the ESHT project:

The Committee recommended that the State:

- Ensure that the National Office for the Prevention of Domestic, Sexual and Gender-based Violence...implement the "gold standard" so that data on all forms of gender-based violence against women,..., are systematically collected and analysed and...disaggregated by, inter alia age, ethnicity and relationship with the perpetrator
- Intensify existing efforts to combat gender-based violence against women....particularly targeting Traveller, Roma and migrant women and girls

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<sup>10</sup> CEDAW Committee concluding remarks 4th & 5th reports 2005

- Criminalise...emerging forms of gender-based violence, such as online stalking and harassment;
- Provide adequate financial resources to non-governmental organizations that provide services to victims of gender-based violence;
- Expedite the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention)<sup>11</sup>

### **UN Convention on the Elimination of All Forms of Racial Discrimination (CERD)**

Ireland signed CERD in 1968, but only ratified the Convention in 2000. Ireland submitted its combined 3<sup>rd</sup> & 4<sup>th</sup> reports to the Committee in 2011 and was due to make its 5<sup>th</sup> to 7<sup>th</sup> reports in 2014 but has not done so to date.

In its concluding remarks in 2011, the Committee recommended that

*“the State party take all necessary measures to ensure that....migrant and minority women continue to be the focus of the target actions and objectives of the National Women’s Strategy”<sup>12</sup>*

### **UN Convention on the Rights of Persons with Disabilities (CRPD)**

CRPD was signed by the Irish State in 2007 but the state has not yet ratified the convention.

- Articles 6 & 7 of the Convention recognise that women and girls with disabilities face greater risk of violence
- Article 16 deals with freedom from violence and abuse and reminds States to take “all appropriate...measures to protect persons with disabilities,...both within and from all forms of exploitation, violence and abuse, including their gender-based aspects”
- Article 16.5 requires effective legislation and policies to ensure that instances of abuse are identified, investigated and where appropriate, prosecuted
- Article 31 deals with data collection and requires States to undertake to collect appropriate information and statistical data to enable them to formulate policies to give effect to the Convention<sup>13</sup>

<sup>11</sup> CEDAW Committee concluding remarks 6<sup>th</sup> & 7<sup>th</sup> reports 2017

<sup>12</sup> CERD Committee concluding comments 3<sup>rd</sup> & 4<sup>th</sup> reports 2011

<sup>13</sup> UN CRPD- <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>

## **The European Commission against Racism and Intolerance (ECRI)**

Established by the Council of Europe, ECRI is a monitoring body specialised in questions relating to racism and intolerance. It published its recommendations from its 4<sup>th</sup> report on Ireland in 2013, and these included:

- that the Irish authorities move to improve and to supplement the existing arrangements for collecting data on racist incidents and the follow-up given to them by the criminal justice system<sup>14</sup>

It particularly noted that the state's National Action Plan Against Racism, adopted in 2005 as a follow-up to the United Nations World Conference Against Racism held in 2001, has not been renewed.

## **The European Commission Disability Strategy (EDS) 2010 – 2020**

The EU is a signatory to CERD and the EDS recognises that girls with disabilities are more likely to be victims of physical and sexual violence, and neglect, than those without disabilities. They are also more likely to be less well protected.

EDS specifically identifies constant data collection and monitoring as important, restating the goals of CRPD, "EU action will support and supplement Member States' efforts to collect statistics and data that reflect the barriers preventing people with disabilities from exercising their rights"<sup>15</sup>.

## **The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) (2014)**

Ireland signed The Istanbul Convention in 2015. The Convention defines gender-based violence against women as violence that is directed against a woman because she is a woman or that affects women disproportionately. It requires States to criminalise multiple forms of violence against women, including physical, sexual and psychological violence, stalking, and sexual harassment. The Convention recognises the importance of data collection and research with a specific Article outlining the minimum requirements for States. The data collected should be both administrative and survey forms. Research should be conducted to study the causes of the violence and the methods to prevent it and data collection should be co-ordinated by a national body.

**Article 11 -Data collection and research** includes the requirements for the state to

- collect disaggregated relevant statistical data at regular intervals
- support research in the field of all forms of violence

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<sup>14</sup> ECRI 4<sup>th</sup> Report on Ireland 2013

<sup>15</sup> EDS 2010 – 2020 <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=URISERV%3Aem0047>

- endeavour to conduct population -based surveys at regular intervals to assess the prevalence of and trends in all forms of violence<sup>16</sup>

Ireland does not yet meet the requirements of Article 11, and there are a number of other actions that the Irish state must undertake before it can ratify the convention, these include actions of particular relevance for the work of the ESHTe project:

- Develop protocols for referral of victims to and from support services including state sector services
- Develop and deliver education / training modules, both initial training and developmental training, for continual delivery to specific target groups in the public sector
- Implement a co-ordinated, integrated national helpline service provision responding to the issues of domestic violence and sexual violence
- Develop and enact sexual violence legislation to strengthen protections for victims and society from convicted sexual violence offenders<sup>17</sup>

### **EU Victims Directive**

Ireland has transposed Directive 2012/29/EU, the EU Victims Directive, establishing minimum standards on the rights, support and protection of victims of crime into Irish law, through the Criminal Justice (Victims of Crime) Bill 2016. Of particular importance to the ESHTe project will be the measures to ensure:

- Victims of gender-based violence receive specialised support services; with a recognition of the globally low official reporting rates which must be understood and accepted when resourcing is developed
- Actions must be implemented to ensure that women who do report violence are protected from secondary and repeat victimisation, intimidation and retaliation; including discriminatory stereotyping by professionals with responsibility for supporting them<sup>18</sup>

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<sup>16</sup> Council of Europe -Istanbul Convention 2011

<sup>17</sup> Cosc, Istanbul Convention Action Plan 2016

<sup>18</sup> EU Victims Directive, 2012/29/EU

## NATIONAL POLICY FRAMEWORKS

### **Second National Strategy on Domestic, Sexual and Gender-based Violence 2016 – 2021**

The national framework for tackling gender-based violence in the Republic of Ireland is the **Second National Strategy on Domestic, Sexual and Gender-based Violence**

**2016 – 2021**<sup>19</sup>. The actions required by Ireland's international treaty obligations outlined above, will be coordinated and /or delivered through this plan.

Its stated strategic intent is to

- Change societal attitudes to support a reduction in domestic and sexual violence
- Improve supports available to victims and survivors and
- Hold perpetrators to account

To achieve these objectives, Cosc, the National Office for the Prevention of Domestic, Sexual and Gender-based Violence will

- gather data
- encourage research
- engage in monitoring<sup>20</sup>

The national strategy notes that a focus will be maintained on implementing actions which must be completed to enable Ireland to ratify the Istanbul Convention. Other relevant actions will be undertaken to ensure the full implementation of EU Victims Directive.

### **Ethnic Minority Women, Women with Disabilities**

Despite the significant focus outlined above in UN committee reports on the issue of multiple discriminations experienced by ethnic minority women, and women with disability, the National Strategy does not explicitly address this challenge and the needs of these groups.

### **Action Plan, Second National Strategy on Domestic, Sexual and Gender-based Violence, 2016 –**

**2021**<sup>21</sup> does set as actions:

#### High Level Goal 1 -Prevention-Awareness / Education / Training

##### Awareness Raising Action 1:100

- Continue to work with specific audiences including persons who are high risk, marginalised or with specific needs and continue to work with professional bodies on awareness raising

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<sup>19</sup> Second National Strategy on Domestic, Sexual and GBV 2016 – 2021

<sup>20</sup> Second National Strategy on Domestic, Sexual and GBV 2016 – 2021

<sup>21</sup> Action Plan, Second National Strategy on Domestic, Sexual and GBV, 2016 – 2021

## High Level Goal 2-Provision of Services to Victims and Holding Perpetrators to Account

### Provision of Services to Victims-Action 2:1000

- Improve confidence in how An Garda Síochána manages Domestic and Sexual Abuse within diverse and emerging communities, such as the Traveller and Roma communities by supporting inter-agency and community partnerships both locally and nationally.

The **Action Plan** specifically notes that the **EU Victims Directive** is guiding the data and research objectives:

### High Level Goal 3 -Implementation / Monitoring / Data / Research

#### Action 3.600

Establish a bottom line “gold standard” of data collection and analysis by all agencies working in the area(s) of domestic and sexual violence whereby all datasets are disaggregated by:

- Age of victim and perpetrator
- Sex of victim and perpetrator
- Relationship between victim and perpetrator
- Ethnicity of victim and perpetrator
- Any disabilities of victim and perpetrator

The NWCI, representing the National Observatory on Violence against Women, sits on the NGO Data Working Group to develop this “gold standard”<sup>22</sup>.

#### Action 3.700

Implement the findings of the Expert Group on Crime Statistics in relation to the compilation of crime statistics by the CSO, relevant to domestic violence and sexual violence

#### Action 3.800

- Implement a set of key performance indicators and collection of basic standard dataset from funded domestic violence and sexual violence services
- Implement project to develop knowledge management systems for funded sexual violence and domestic violence services
- Development of outcome-focused key performance indicators

#### ACTION 3.1000

- Facilitate relevant third level institutes to establish a postgraduate research network on domestic violence and sexual violence

The National Strategy & Action Plan outlines progressive and ambitious goals. However, the sheer scope of actions under Goal 3 confirms how poor current national statistics and data collection are in Ireland. It should also be noted that the previous **National Strategy, 2010-2014** had also set as an objective, “Improve data on domestic and sexual violence” but as will be outlined below, national statistics and data collection processes are still very poor.

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<sup>22</sup> There is a separate statutory organisations Data Working Group

## National Strategy for Women and Girls (NSWG) 2017-2020

The new National Strategy for Women and Girls was launched in May 2017. The preamble recognises that *“domestic and gender-based violence continues to be experienced by women across social classes and situations”*.

It states as **Objective 5** that over the lifetime of the strategy, women and girls in Ireland should:

- Experience a reduction in gender-based violence<sup>23</sup>

The NSWG contains no additional substantive actions to tackle sexual violence and harassment but states it will support the implementation of actions contained in the Second National Strategy on Domestic, Sexual and Gender-based Violence 2016-2021. Initially there had been no objective in relation to violence against women.

The NWCI submission to the NSWG expressed,

*“serious concern that tackling Violence Against Women has not been listed as a specific strategic objective by the Department of Justice and Equality in its consultation document. NWCI strongly recommends that this be amended and that specific and targeted commitments to tackle Violence Against Women in all its various forms are included. Sexual and domestic violence is a cause and consequence of gender discrimination and should be located within a gender equality framework”*<sup>24</sup>

The NSWG does call for the elimination of discriminatory stereotypes which it recognises impedes the achievement of substantive equality between women and men, across all equality issues. The strategy also recognises **“Women with particular disadvantages”** and that ‘positive action measures’ are needed where specific categories of women experience particular disadvantages. The strategy does not define what these measures might include or how they might be implemented.

**Inclusion Ireland’s** submission to the NSWG strategy noted that

*“almost a decade after signing the UNCRPD, Ireland has yet to ratify the convention meaning that there is no domestic or international monitoring of Ireland’s performance in relation to the rights of persons with disabilities”*<sup>25</sup>

It also noted the significant problem that lack of Irish data on the lives of women with disabilities causes in relation to violence. The dependence on international data and one valuable but small scale Irish survey<sup>26</sup> means we have no meaningful understanding of prevalence and frequency, and specific challenges and needs women with disabilities may have.

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<sup>23</sup> National Strategy for Women and Girls 2017-2020

<sup>24</sup> NWCI Submission to NSWG 2017

<sup>25</sup> Inclusion Ireland, Submission to NSWG 2017

<sup>26</sup> Sexual Violence Against People with Disabilities: Data collection and barriers to disclosure 2011

## **Migrant Integration Strategy (MIS) 2017-2020**

The Office for the Promotion of Migrant Integration is the statutory agency with responsibility to develop, lead and co-ordinate migrant integration (sic) policy across other Government Departments, agencies and services. It was intended that functions undertaken by the National Consultative Committee on Racism and Interculturalism (NCCRI), abolished in 2008, would be transferred to this agency. However, as outlined in the strategy, the focus is very much on migrant integration strategies and it makes no reference to the issue of violence against women, either interfamilial/community or experienced in other life domains.

As outlined on the website Office For Promotion of Migrant Integration<sup>27</sup>, the context of the strategy is that key social issues that had been noted in the **National Action Plan Against Racism 2005-2008** are now being addressed in 'sectoral' specific policies, for example the Intercultural Health Strategy. However, as will be noted below that strategy document also makes no reference to the issue of sexual violence and harassment and ethnic minority women. During the NWCI consultation process for its 2017 CEDAW Shadow Report<sup>28</sup>, many women reported that they experienced repeated, sustained and almost daily racist motivated incidents. How this intersects with sexual violence and harassment requires urgent focused attention and research. In recognition of this reality of intersecting racism and sexism, the NWCI CEDAW Shadow Report 2017, called for a new National Action Plan against Racism with a strong gender focus and a national oversight committee with representatives from statutory and NGO sectors to implement it<sup>29</sup>.

MIS 2017-2020 does set as a key action:

- the establishment of a working group to examine data gaps in relation to migrant needs and experience<sup>30</sup>

## **National Disability Strategy NDS (2004)**

The National Disability Strategy was launched in 2004 to secure the participation in society of people with disabilities. It included a range of disability legislation and legally required plans for 6 key government departments showing how they would address disability issues.

The **National Disability Strategy Implementation Plan 2012-2015**, identified a programme of work to be implemented which included,

- Objective 3 that People with disabilities are safe and free from abuse  
-Review Criminal Law (Sexual Offences) Act 1993

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<sup>27</sup> <http://www.integration.ie/website/omi/omiwebv6.nsf/page/Racism-npar-en>

<sup>28</sup> Reported in NWCI submission to NSWG 2017

<sup>29</sup> NWCI CEDAW Shadow Report 2017

<sup>30</sup> MIS 2017-2020



-Disability Awareness initiatives are developed by COSC<sup>31</sup>

However, in March 2017 Inclusion Ireland condemned the 10-year delay in ratifying UN CRPD and called on the State to ratify without delay, noting that Ireland is now the only EU country to not have ratified the convention,

*“The Convention sets out in clear terms that the rights of persons with disabilities are human rights and these rights apply equally to persons with disabilities; the fact that the UNCRPD will not be ratified, a decade after it was signed shows that people with disabilities in Ireland are not a priority for this Government”<sup>32</sup>*

### **An Garda Síochána Domestic Abuse Intervention Policy (2017)**

The 2017 policy framework was revised to ensure that the national police services, An Garda Síochána, could comply with the provisions of the Istanbul Convention and the EU Victims Directive.

The document is procedural in nature and outlines the nature of interventions that Garda members are required to make when responding to Domestic Abuse related incidents. The policy affirms violence as extremely serious, criminal, and potentially leading to lethal outcomes for its victims.

It confirms that while Domestic Abuse is not defined in Irish legislation,

*“the physical, sexual, financial, emotional or psychological abuse of one person against another who is a family member or is or has been an intimate partner, regardless of gender or sexuality, can be considered to constitute ‘Domestic Abuse’”<sup>33</sup>*

and as such Garda policy applies to violence and harassment occurring within all intimate partner relationships.

### **An Garda Síochána policy on the investigation of Sexual crime, Crimes against children, Child welfare (2013)**

The document outlines the procedures that Garda members must follow when investigating crimes of a sexual nature and suspected child abuse. It outlines information on Garda standards, procedures and legislation through to victim support in regard to such incidents.

Again the document is necessarily very procedural but highlights several important issues that contribute to the systemic nature of under reporting. It confirms that

*“It is the duty of the Gardaí to investigate fully all incidents of sexual crime...reported to them”*

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<sup>31</sup> National Disability Strategy Implementation Plan 2012-2015 -In 2014 Inclusion Ireland & Cosc published the Sexual Assault Support and Information- An Accessible Booklet

<sup>32</sup> <http://www.inclusionireland.ie/content/media/1630/inclusion-ireland-condemns-10-year-delay-ratifying-un-convention-rights-persons>

<sup>33</sup> An Garda Síochána Domestic Abuse Intervention Policy (2017)

Highlights that

*"Inadequate action by Gardaí during the course of such investigations can often confirm the aggressor's perception of invulnerability which in turn can lead to further crime and/or leave the complainant vulnerable to further attack"*

Gardaí must be aware that

*"Inappropriate body language, remarks and a failure to show sensitivity and compassion to a victim can and has resulted in the withdrawal of genuine complaints"*

And that

*"Under no circumstances should members dissuade complainants from maintaining their complaints"*

In 2017 An Garda Síochána also published the **Crime Prevention Information Sheet -Personal Safety-Domestic Abuse** and the **Information for persons reporting sexual crime and child abuse** leaflet. The increased focus on gender-based violence is very welcome, and in 2017 included the establishment of four Divisional Protective Services Units (DPSUs), the beginning of a national roll out of these units with responsibility to

*"provide a consistent and professional approach to the investigation of domestic and sexual crimes across the country"*<sup>34</sup>

The establishment of these units is a central part of An Garda Síochána's Modernisation and Renewal Programme, and at that time of their announcement, the NWCI noted,

*"Having a dedicated service for women who have experienced domestic and sexual violence will support women in reporting these crimes and having greater confidence in the services provided by An Garda Síochána. The units will contribute to women staying in the system and thus reducing the high attrition rates for cases of domestic and sexual violence."*<sup>35</sup>

### **Health Services Executive (HSE) Policy on Domestic, Sexual and Gender based Violence (2010)**

The Health Service Executive (HSE) is responsible for the provision of health and personal social services, with public funds. The Irish state understands violence against women as a serious public health issue and the HSE framework recognises that domestic and/or sexual violence has significant negative health effects, both in the short and long term for individuals, families and society. It states that the health burden from violence against women aged 15-44 is comparable to diseases such as cancer and heart disease<sup>36</sup>. The national policy framework sets a series of high level goals including

- To promote primary prevention of violence and invest in early intervention.
- To provide best practice in all service provision to victims of Domestic Violence and/or Sexual Violence
- To ensure data collection as a basis for driving high quality, relevant service development.

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<sup>34</sup> Press Release <http://www.garda.ie/Controller.aspx?Page=20558>

<sup>35</sup> Press Release <http://www.garda.ie/Controller.aspx?Page=20558>

<sup>36</sup> Health Services Executive (HSE) Policy on Domestic, Sexual and Gender based Violence 2010

The HSE has an awareness of the heterogeneity of women who will present at health services with experiences of sexual violence and abuse. The **Health Services Executive (HSE) Policy on Domestic, Sexual and Gender based Violence 2010** notes that,

*“Service responses should be mindful of the culturally diverse nature of the population and should adopt interculturally competent approaches to meeting the needs of those who have experienced DV”<sup>37</sup>*

The **Traveller Health-A National Strategy 2002-2005**, explicitly references the experiences and needs of Traveller women in relation to sexual violence and abuse, naming service access, awareness of services, intercultural barriers all needing to be addressed.

The **National Intercultural Health Strategy 2007 – 2012**, makes few specific recommendations regarding sexual violence and harassment in its findings, except to note the need for the provision of responsive services for victims of sexual violence.

Despite a significant number of useful policy documents and frameworks, the closure of the Women’s Health Council, and the ending of the Women’s Health Officer position, it is not clear that the HSE has a clear focus and commitment on the gendered reality of violence as a public health crisis. In its NSWG submission the NWCI recommended that the NSWG strategy contain

*“commitments from the Department of Health and the HSE... recognise violence against women as a major public health issue and allocate dedicated resources to fully deliver on its commitments in the Second National Strategy on Domestic, Sexual and Gender Based Violence”<sup>38</sup>*

The **2014 Recent Rape/Sexual Assault: National Guidelines** developed by the national Sexual Assault Trauma Unit (SATU) are predominantly guidelines for the clinical responses that should be undertaken for adults over the age of 14 years who have been raped or sexually assaulted. SATUs are a key source of administrative data on rape and sexual assault<sup>39</sup> and the guidelines outline a multiagency, best practice response including protocols and referral outlines for An Garda Síochána, Tusla, rape crisis centres and other specialist agencies.

SATUs are part of the ‘reporting chain’ for prosecutorial purposes and the document provides an important review for SATU staff of the barriers that their patients may experience in continuing in this process, including

*“victims may... have a lack of faith in the official systems, and/or not identify the behaviour as sexual violence”<sup>40</sup>*

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<sup>37</sup> Ibid

<sup>38</sup> Reported in NWCI NSWG 2017 submission

<sup>39</sup> See below for review of most recent SATU data

<sup>40</sup> SATU 2014 Recent Rape/Sexual Assault: National Guidelines

The guidelines also outline how associated trauma may present,

*“There is no one ‘normal’ way to react after experiencing sexual violence. A victim/survivor may present as expressive and tearful, quiet and controlled, distressed, in shock, in denial and/or experiencing physical revulsion”<sup>41</sup>*

As research reviewed later in this report outlines, these are important understandings for all support services to hold and accept. How a survivor is behaving, and whether they are willing to report or not, is often used as a judgement regarding the severity and veracity of an incident of sexual violence and harassment. When frontline staff are aware and sensitive in these ways it contributes to a culture of safety and respect for survivors which will increase the possibility of formal reporting of incidents.

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<sup>41</sup> SATU 2014 Recent Rape/Sexual Assault: National Guidelines

## NATIONAL LEGISLATIVE FRAMEWORK

The Irish legal system has been undergoing a process of reform and consolidation of legislation regarding sexual offences and related criminal offences over the last 3 years. Ireland continues to be very actively reviewing and amending legislation in regard to sexual violence and harassment and this section will outline core legislation in existence or under development that is of relevance to the issues the ESHT project seeks to challenge.

### **Criminal Law (Rape) Acts, 1981 and 1990<sup>42</sup>**

The Criminal Law (Rape) Acts, 1981 and 1990 define rape and other serious sexual assaults in Irish law. The 1990 amendments introduced:

- Gender neutral language in regard to both perpetrator and victim
- A broader definition of rape, to include sexual assault other than penile penetration, and other than vaginally; to include oral and anal sex, and the use of objects to violate the vagina;
- The criminalisation of rape within marriage
- The inadmissibility of past sexual history of the accuser as being irrelevant to a rape case; the failure or omission by the accuser to offer resistance to the act does not of itself constitute consent to the act

### **The Non-Fatal Offences against the Person Act 1997<sup>43</sup>**

The Non-Fatal Offences against the Person Act 1997 defines harassment as “persistently following, watching, pestering, besetting or communicating with someone...intentionally or recklessly, seriously interferes with the other's peace and privacy or causes alarm, distress or harm”.

There are currently no protective orders under civil law dealing specifically with harassment or stalking. However, during the publishing of the **Domestic Violence Bill 2017** which will consolidate Irish law primarily in relation to domestic violence, and relationships between spouses or civil partners, the Minister for Justice and Equality stated that she intends to bring forward amendments to extend access to safety and protection orders to those in intimate relationships, who are not cohabiting.<sup>44</sup>

This will include powers to make orders in relation to electronic communication. The **Fundamental Rights Agency (FRA): Violence Against Women 2014<sup>45</sup>** survey reported that 12% of Irish women have experienced cyber violence and harassment including image based abuse, ‘revenge porn’, ‘up skirting’, ‘down blousing’, and cyber stalking. The Union of Students of Ireland report, **Say Something (2013)<sup>46</sup>**

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<sup>42</sup> Criminal Law (Rape) Acts, 1981 and 1990

<sup>43</sup> Non-Fatal Offences against the Person Act 1997

<sup>44</sup> <http://www.justice.ie/en/JELR/Pages/PR17000033> -Press Release

<sup>45</sup> Fundamental Rights Agency (FRA): Violence Against Women (2014)

<sup>46</sup> USI Say Something (2013)

reported that 17% of female students had experience of a range of image based abuse and that obsessive behaviour was being perpetrated through social media and other forms of ICT. The Law Reform Commission **Harmful Communications and Digital Safety Report (2016)**<sup>47</sup> proposed new criminal offences to address these types of sexual violence and harassment and recommended reforming the existing offence of harassment, to ensure that it includes cyber activities and intimidation.

There is currently a private members bill, **Harassment, Harmful Communications and Related Offences 2017**<sup>48</sup>, under consideration by the Dáil and the Irish government has given an undertaking to advance legislation on this issue. This combined with the extension of the powers of **the Domestic Violence Bill 2107** to intimate though not cohabiting relationships will increase the protections available in cases of obsessive and harassing cyber activities which are particularly impactful on younger women.

### **Criminal Law (Sexual Offences) Act 2017**

The Criminal Law (Sexual Offences) Act 2017 was part commenced in March 2017. The Act made provisions to protect victims of sexual offences from being re-victimised during court proceedings, for example excluding cross-examination by the accused.

The Act also introduces a statutory definition of ‘consent’ to a sexual act. The introduction of this statutory definition of consent to a sexual act brings Ireland into line with other common law jurisdictions. It provides a clear statement of the circumstances in which consent could and could not be given. These include recognising a person does not consent to a sexual act if,

- She or he is asleep or unconscious,
- She or he is incapable of consenting because of the effect of alcohol or some other drug

The Act also recognises that consent may be withdrawn at any time before and during sexual activity and failing to offer resistance does not equal consenting.

The establishment of a positive definition of consent in law is of particular importance for the goals of the ESHTe project. **Young People, Alcohol and Sex, What’s Consent Got to do With It? (2014)**<sup>49</sup>, reported that in the student context consent was largely an unspoken process, heavily mediated by alcohol and thus quite likely to lead to situations where one person was beyond the ability to positively consent to

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<sup>47</sup> Law Reform Commission **Harmful Communications and Digital Safety Report (2016)**

<sup>48</sup> Harassment, Harmful Communications and Related Offences Bill (2017)

<sup>49</sup> Young People, Alcohol and Sex, What’s Consent Got to do With It? 2014

sexual activity. A legal framework emphasising positive consent will provide significant support to national ‘Yes To Consent’ campaigns lead by student unions and NGOs.

The **Criminal Justice (Victims of Crime) Bill 2016**<sup>50</sup> will transpose into Irish law Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime. As outlined previously of particular importance to the work of the ESHTe project will be the measures to ensure:

- Victims of gender-based violence receive specialised support services
- Actions must be implemented to ensure that women who do report violence are protected from secondary and repeat victimisation

### **Employment Equality Acts 1998-2015 (EEA), Equal Status Acts 2000-2015 (ESA)**

Ireland has a national framework for the promotion of equality and human rights. The Irish Human Rights and Equality Commission (IHREC) is Ireland’s national human rights and equality institution, set up to protect and promote human rights and equality in Ireland.

The EEA and ESA prohibit discrimination and harassment on nine specified grounds, these include on the basis of gender, ethnic background or as a member of the Traveller community.

The **Employment Equality Acts 1998-2015 (EEA)**<sup>51</sup> prohibit sexual and/or racial harassment within the workplace. Sexual harassment is defined as behaviour which damages a person’s dignity, for example, commenting publically on a person’s body; puts a person in a hostile environment, for example, by displaying pornographic posters. The EEA confirms that sexual harassment can take many forms, including actions; gestures; spoken or written words; e-mails, text messages and social media posts. In the workplace, sexual harassment can be done by employers; co-workers, and clients, customers and anyone else that the employer could reasonably expect you to come into contact with.

The **Equal Status Acts 2000-2015 (ESA)**<sup>52</sup> prohibits discrimination in relation to the provision of goods and services on the nine specific grounds. For example, it is unlawful for an educational establishment to discriminate in relation to access to a course, facility or benefit they provide. All public bodies, which includes Higher Education Institutions (HEIs) in Ireland,

*“have a positive responsibility to promote equality, prevent discrimination and protect the human rights of their employees, customers, service users and everyone affected by their policies and plans”*<sup>53</sup>

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<sup>50</sup> Criminal Justice (Victims of Crime) Bill 2016

<sup>51</sup> Employment Equality Acts 1998-2015

<sup>52</sup> Equal Status Acts 2000-2015

<sup>53</sup> Irish Human Rights and Equality Commission Act 2014

Section 42 of the **Irish Human Rights and Equality Commission Act 2014** requires public authorities to take a proactive approach to tackling institutional gender discrimination, and promote the mainstreaming of gender perspectives in all its work.

Although only formed in 2016, IHRECs' Public Sector Duty team will have responsibility to work with HEIs to ensure they are meeting their requirements under equality legislation. As sexual violence and harassment is recognised as a central way in which gender discrimination manifests and is expressed, their work will support the goals of the ESHTe project.



## **AN OVERVIEW OF THE DATA AVAILABLE ON THE EXTENT, NATURE AND ATTITUDES REGARDING SEXUAL VIOLENCE AGAINST WOMEN IN IRELAND**

The first (and only) general population survey, **Sexual Abuse and Violence in Ireland; A National Study of Irish Experiences**, the SAVI report, was published in 2002. There has been no subsequent research of its depth, despite repeated calls by the National Observatory and other sector specialists. Identifying the extent, prevalence and type of sexual violence in Ireland is currently dependent on under-resourced NGOs and data generated by EU surveys, particularly **the 2014 Fundamental Rights Agency (FRA): Violence Against Women: an EU-wide survey report**.

### **GENERAL POPULATION DATA-KEY STATISTICS**

#### **National Data & Studies**

##### **An Garda Síochána National Crime Statistics: Central Statistics Office (2015)<sup>54</sup>**

- 2,361 sexual offences
- An increase of 83% in the number of recorded sexual offences against mentally impaired persons increased from 12 in 2014 to 22 in 2015
- 105 racist crimes in 2015 and 98 to the end of Q.2 in 2016<sup>55</sup>

Official Irish crime statistics have been published by The Central Statistics Office (CSO) since 2005 when they took over this responsibility from An Garda Síochána. However, these statistics cannot be analysed or disaggregated by age, gender of victim and perpetrator, ethnic minority status or a range of other important indicators for sexual violence and harassment. The PULSE (Police Using Leading Systems Effectively) recording system does not lend itself to data analysis – for example date of birth is recorded, but PULSE cannot analyse and report on how many women between 18 -25 (for example) have reported sexual assaults.

The accuracy of the records have also come into question. A Garda Inspectorate Report in 2014<sup>56</sup> found that domestic violence calls were often not recorded correctly. Further, in 2015 and 2016<sup>57</sup> the CSO published reports identifying problems with the recording of crimes on PULSE and suspended publishing crime statistics. On each occasion, the recording (or not) of domestic (intimate partner) violence was of particular concern.

In early 2017, the Garda Commissioner confirmed that a further examination of data relating to homicide

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<sup>54</sup> An Garda Síochána National Crime Statistics: Central Statistics Office (2015)

<sup>55</sup> Office of Migrant Integration

<sup>56</sup> Garda Inspectorate: Crime Investigation 2014

<sup>57</sup> Central Statistics Office: Review of the quality of crime statistics 2015, 2016

and incidents of domestic (intimate partner) violence was being undertaken, as there was significant lack of confidence in their 'robustness'<sup>58</sup>

The new Divisional Protective Services Units, supporting victims of sexual crime and domestic violence, will seek to improve rates of reporting, recording and detection. Two of these units will be based in regions that ESHT has associate partners present, Cork city (Sexual Violence centre Cork & University College Cork) and Louth (Dundalk Institute of Technology).

### **Health Services Executive (HSE) - Sexual Assault Treatment Units (SATUs)**

The 6 Sexual Assault Treatment Units (SATUs) in Ireland provide clinical, forensic and supportive care for those who have experienced sexual violence. These units are located in hospitals in Dublin, Cork, Waterford, Mullingar, Galway and Letterkenny.

In 2015

- 685 women and men disclosed rape or sexual assault -an increase of 57 cases nationally from 2014
- 631 (92.1%) patients were women
- 79% of patients had reported the incident to An Garda Síochána<sup>59</sup>

**A very significant statistic is that the average age of patients is 25 and an average 45% of patients identify themselves as students.**

Although not all SATUs record the ethnicity of patients, in general 3-5% of patients are recorded as non-white (sic) where this information is collected.

None of the SATUs are reporting on (dis)ability status of patients.

### **Irish Non-Governmental Organisations**

- In 2016 Women's Aid, Ireland received disclosures of 695 incidents of sexual abuse including 316 rapes<sup>60</sup>
- In 2016 Sexual Violence Centre Cork provided services to 310 victims of sexual violence; 91% were women; in the case of adult rape 50% were students<sup>61</sup>
- In 2015 Dublin Rape Crisis Centre's (DRCC) National Helpline received contacts from 11,789 people- 76% were female<sup>62</sup>
- In 2015, the Rape Crisis Network of Ireland's (RCNI) 11 member RCCs received helpline contacts from 13,208 people-88% were female<sup>63</sup>

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<sup>58</sup><http://www.irishexaminer.com/breakingnews/ireland/gardais-domestic-violence-stats-not-robust-789520.html>

<sup>59</sup> National Sexual Assault Treatment Unit (SATU):Annual Key Service Activity 2015

<sup>60</sup> Women's Aid Impact Report 2016

<sup>61</sup> SVCC Annual Report 2016

<sup>62</sup> DRCC Annual Report 2015

<sup>63</sup> RCNI Annual Report 2015

- In 2016, 28% of new women using the Women's Aid One to One Support Services were migrant women

### **Sexual Abuse and Violence in Ireland: A National Study (SAVI) (2002)<sup>64</sup>**

Although 15 years old, the SAVI report remains the only national study on sexual abuse and violence. At the time the prevalence of sexual violence in Ireland was unknown. The main aim of the SAVI study was to estimate the prevalence of various forms of sexual violence among Irish women and men across the lifespan from childhood through adulthood.

- Four in ten (42 per cent) women reported some form of sexual abuse or assault in their lifetime. The most serious form of abuse, penetrative abuse, was experienced by 10 per cent of women.
  - 20% of women reported experiencing contact sexual assault as adults
  - 5% reporting unwanted non-contact sexual experiences
  - 20% reported experiencing contact sexual abuse in childhood
  - 10% reporting non-contact sexual abuse.
- 24% of perpetrators of sexual violence against women were intimate partners or ex-partners
- 16.2% of women had experienced some form of sexual harassment at least once during the preceding 12 months

SAVI also reported that 'rape myths' were very common, 29% of people believed a woman wearing revealing clothing was 'inviting' rape and 40% believed that accusations of rape were often false. Men were more accepting of rape myths including beliefs that

*"a person being raped could stop the rapist if they really wanted to" and "when woman says no, she really means yes"*

A very low reporting rate was recorded

- Only 8% of women who suffered an adult sexual assault reported to the Gardaí

The SAVI report made several recommendations including,

- That a systematic programme of Irish research is needed to inform, support and evaluate developments in addressing sexual violence in the coming years. This should include a regular national survey assessing public attitudes and experiences and critically evaluating changes in both over time.

This recommendation was never implemented.

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<sup>64</sup> Sexual Abuse and Violence in Ireland: A National Study 2002

## **Domestic Abuse of Women and Men in Ireland- Report on the National Study of Domestic Abuse (2005)<sup>65</sup>**

As titled, this report based on a national survey was focussed primarily on the issue of domestic violence between married and formally co-habiting heterosexual couples. Its definition of severe required there to be multiple experiences of abuse.

- one woman in 11 (9%) has experienced severe physical abuse in a relationship
- one in 12 (8%) has experienced severe sexual abuse
- one in 13 (7%) has experienced severe emotional abuse.

Women were over twice as likely as men to have experienced severe physical abuse, seven times more likely to have experienced sexual abuse, and almost three times more likely to have experienced severe emotional abuse. Only a minority, one in five (20%) had ever reported the abuse to the Gardaí.

## **Report of Scoping Study for Dublin City Council Safe City Programme-Challenging sexual harassment and other forms of sexual violence in public space (2015)<sup>66</sup>**

This unique report outlines the findings of a scoping study on sexual harassment against women and girls in public spaces in Dublin. Although the EEA & ESA provide mechanisms for legally challenging sexual harassment in the workplace and in the provision of services, the experience of unwanted sexual behaviour and commentary in public spaces currently has few legal remedies and as with most forms of sexual violence and harassment in Ireland is very under researched.

Sexual violence and assault does not happen in a vacuum and the type of public harassment the report outlines, clearly delineates the enabling environment in which serious sexual assault and rape occurs. ***The extent of sexual harassment is identified as very frequent, occurring at least once a week, and being such a regular occurrence that women hardly even acknowledge it to themselves,*** so frequent in fact that one of the respondents described it as 'shocking'.

Sexual Harassment was defined as,

*"unwelcome sexual comments, attention, actions, or gestures... includes non-contact forms, sexual comments about a person's body parts or appearance, whistling while a woman or a girl is passing-by....following, stalking,...also includes physical contact forms, like someone purposely brushing up against someone else...in a sexual way"*

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<sup>65</sup> Domestic Abuse of Women and Men in Ireland- Report on the National Study of Domestic Abuse 2005

<sup>66</sup> Report of Scoping Study for Dublin City Council Safe City Programme-Challenging sexual harassment and other forms of sexual violence in public space 2015

- Sexual harassment starts when girls are as young as 14
- Sexual harassment was associated with age-women under the age of 30 were regarded as far more likely to experience sexual harassment than older women
- Sexual harassment included men making sexually inappropriate comments, shouting out abusive remarks, demanding sexual actions. The men were all ages and from all socio-economic and cultural backgrounds.
- Women reported being inappropriately touched, being “rubbed against” or “groped” both on public transport and throughout the city
- Harassment and abuse is extended into cyber space through the unconsented to sharing of sexual images on social media platforms, perpetuating acts of harassment and violence indefinitely.
- Generally these incidents were not reported to Gardaí because they were not considered “significant enough”, as it is just seen as “part of normal life”

## **ETHNIC MINORITY WOMEN & WOMEN WITH DISABILITIES**

- 12% of the Irish population are non-Irish nationals
- 0.6% of the Irish population are Travellers
- 13% of Irish population reported having a disability<sup>67</sup>
- In 2016, 28% of new women using the Women's Aid One to One Support Services were migrant women<sup>68</sup>
- In 2015, just over 5% of women calling the National Rape Crisis 24 telephone Helpline were migrant women<sup>69</sup>

The lack of key data and research for these groups of women creates an additional issue, which is that the little that does exist focuses on the experience of sexual violence and harassment within familial and/or the community of origin of the woman. This is of course entirely appropriate, but means we have virtually no understanding of the experience of sexual violence and harassment in other ‘public’ realms of Irish life<sup>70</sup>.

## **SEXUAL VIOLENCE & HARASSMENT AND ETHNIC MINORITY WOMEN**

The SAVI Report named both ethnic minority status and disability as creating additional vulnerabilities for women but was unable to determine any prevalence data in Ireland. The situation has not improved significantly since then, with all subsequent national frameworks naming a lack of disaggregated data and in depth research a barrier to a proper understanding of the intersectionality of gender, ethnicity, disability and violence.

SAVI researchers conducted a small focus group, with 10 Traveller women, and highlighted a series of

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<sup>67</sup> Central Statistics Office: Census 2011

<sup>68</sup> Women's Aid Annual Report 2016

<sup>69</sup> DRCC Annual Report 2015

<sup>70</sup> This review will not cover the very substantial research now available on violence against women in state institutional settings

specific barriers including,

- The intersection of racism and violence

*“not wishing to endorse negative portrayals of Travellers in society at large, ethnic solidarity can silence those who experience sexual violence”*

- a lack of faith in the response of the Gardaí.
- distrust of Social Services

The greatest barrier to disclosing sexual violence was seen to be the shame that disclosure would bring on the abused person themselves and their family, creating a situation whereby the abused person is held accountable, not the perpetrator. The women felt the cost of disclosure within the Travelling community is simply too high.

The SAVI Report also reported on people with disabilities; however that chapter was a review of international data, practices around disclosures in institutional settings, and contained no Irish statistics.

**Domestic Abuse of Women and Men in Ireland- Report on the National Study of Domestic Abuse (2005)**<sup>71</sup> spoke with women from both the Traveller community and immigrant women, holding a series of small focus groups around Ireland. The work focused on perceptions of these groups in relation to violence and abuse and reported that although both groups regarded emotional, as well as physical abuse as ‘domestic violence’, there was a general attitude that marital rape and sexual assault were not serious offences.

The focus groups suggested that both Traveller and immigrant women feel a strong reluctance to involve authorities, reporting a man to the Gardaí would be viewed negatively by the community and the women would be made to feel ashamed of reporting him. For immigrant women, this factor is further complicated by their fears and insecurities surrounding their legal status in Ireland.

**Translating Pain Into Action: A study of Gender-based Violence and Minority Ethnic Women in Ireland (2009)**<sup>72</sup> reported that although non-indigenous minority ethnic women only comprise approximately 5% of Ireland's population, they represented 13% of those seeking services from gender-based violence organisations. Traveller women who make up 0.6% of population represent 15% of service users. Migrant women face the same general fears that women do and also fear for their residency status

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<sup>71</sup> Domestic Abuse of Women and Men in Ireland- Report on the National Study of Domestic Abuse 2005

<sup>72</sup> Translating Pain Into Action: A study of Gender-based Violence and Minority Ethnic Women in Ireland 2009

should their abusers be the main visa holders. They also lack the familial and social networks that many women turn to instead of statutory service providers. Although an important review of international policy and research, this report was very small scale in the Irish context, and there were only 26 participants in the focus groups.

AkiDwA, the Irish migrant women's NGO held focus groups with 60 women to produce the report **Understanding Gender Based Violence: An African Perspective (2008)**<sup>73</sup>. They identified similar barriers to reporting; women feel intimidated because it is cultural tradition not to talk publicly about what are understood to be 'private' matters and they fear stigmatisation within their community. Many African women do not use available services because they fear alienation from their family; the possible threat to their residency status and the perception that the Irish laws on sexual violence and harassment are not very strong. Additionally, many women reported that services do not meet their needs and that they had experienced racism and discriminatory responses.

**Migrant Women and Domestic Violence in Ireland: The Experience of Domestic Violence Service Providers (2008)**<sup>74</sup> a small scale research study of 6 domestic violence service providers, reached similar conclusions. In addition services identified an almost complete absence of even anecdotal understanding of the prevalence of sexual abuse, particularly for African women, due to extremely strong cultural prohibitions about speaking of sexual violence and harassment.

**The Information & Resource Pack for Traveller Women Living with Violence (2008)**<sup>75</sup> was produced by the National Traveller Women's Forum (NTWF), an Irish NGO network of Traveller women and Traveller organisations. A significant, culturally specific barrier they reported on for Traveller women is the high importance of extended family and kinship networks and a fear of losing their support and/or causing problems within them if they disclosed or officially reported on sexual violence and harassment.

Pavee Point, an Irish Traveller and Roma NGO which has had a national violence against women programme since 1998, developed a **Position Paper on Violence against Women (2011)**<sup>76</sup> outlining the impact of multiple discriminations for Traveller women. They reported that seeking help for SVH is very difficult for Traveller women due to the interplay of racism and sexism in Irish society, a fear that reporting

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<sup>73</sup> Understanding Gender Based Violence: An African Perspective 2008-this report and other work by AkiDwA made significant contributions to understanding FGM in Ireland and bringing about the 2012 FGM Act. That particular violence is outside the scope of the ESHTe project and this review.

<sup>74</sup> Migrant Women and Domestic Violence in Ireland: The Experience of Domestic Violence Service Providers 2008

<sup>75</sup> NTWF The Information & Resource Pack for Traveller Women Living with Violence 2008

<sup>76</sup> Pavee Point Position Paper on Violence against Women 2011

to Gardaí will result in a lack of appropriate response, lead to further stereotyping of Traveller men and a rejection of the women by their community.

Pavee Point has called on the State to,

*“collect data on sexual violence, including disaggregated data by gender and ethnicity, while respecting the rights to personal data protection of data subjects and avoiding stigmatisation of the relevant groups”*

## **SEXUAL VIOLENCE AND HARASSMENT AND WOMEN WITH DISABILITIES**

Again, there has been very little primary research undertaken in Ireland with a specific focus on people with disabilities.

**Domestic Abuse of Women and Men in Ireland- Report on the National Study of Domestic Abuse (2005)** reported that the chance of having experienced severe abuse is 60 per cent higher for those with an ongoing health problem or disability and 2.9 times as high for those who are severely hampered by a condition or disability. The report interprets the data as showing,

*“health problems and disability are likely to be primarily outcomes of abuse rather than something that makes an individual more vulnerable to abuse”<sup>77</sup>*

A key report produced by Rape Crisis Network Ireland (RCNI), was based on information drawn from data gathered by 14 rape crisis centres (RCC) in the Republic of Ireland, **Sexual Violence Against People with Disabilities: Data collection and barriers to disclosure (2011)**<sup>78</sup>

The data represents all people using these RCCs for counselling and support between 2008 and 2010.

Although a small scale report it highlighted a very disturbing reality:

- Survivors with disabilities who attended RCC services in 2010 were more likely to have been subjected to three or more incidents of sexual violence, than those with no disabilities (39% compared with 25%).

An earlier report commissioned by RCNI of the criminal justice system in relation to the prosecutions of rape in Ireland, **Rape & Justice in Ireland: A National Study of Survivor, Prosecutor and Court Responses to Rape (2009)**<sup>79</sup> unearthed a further disturbing statistic. In reported rapes

- **the second most common risk factor for rape after gender, is disability** -19% of all complainants were recorded as having a physical or intellectual disability or a history of mental illness.

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<sup>77</sup> Domestic Abuse of Women and Men in Ireland- Report on the National Study of Domestic Abuse 2005

<sup>78</sup> Sexual Violence Against People with Disabilities: Data collection and barriers to disclosure 2011

<sup>79</sup> Rape & Justice in Ireland: A National Study of Survivor, Prosecutor and Court Responses to Rape 2009



**Disability and Women in Ireland 'Building Solidarity and Inclusion (2009)**<sup>80</sup> reported disabled women activists and writers identifying a number of factors which have contributed to making them more 'vulnerable' to violence

- Discrimination, social prejudice and the non-recognition or non-acceptance of the same rights for a disabled person as for the rest of the population
- Male values, attitudes and behaviours
- 'Devaluing' of disabled women
- Portrayal of disabled people as vulnerable beings easily under control

There appears to be little state response or public awareness of this reality for women with disabilities. The reports also review the specific barriers to justice experienced by women with disabilities, including lack of accessible information and therefore less awareness of rights, available services and supports.

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<sup>80</sup> NWCI Disability and Women in Ireland : Building Solidarity and Inclusion 2009

### Fundamental Rights Agency: Violence Against Women Survey (FRA) 2014<sup>81</sup>

- 1 in 2 -50% of Irish women experience sexual harassment
- 6% of women have experienced sexual violence by a current or former partner
- 14% of women have experienced physical violence by a partner since age 15
- 31% of women have experienced psychological violence by a partner
- 12% of women in Ireland had experienced stalking (including cyber stalking).
- 50% of Irish people thought violence against women was fairly common.
- 41% of Irish women know someone in their circle of family or friends who have experienced intimate partner violence
- Ireland has the second highest number of women avoiding places or situations for fear of being assaulted out of all EU countries.
- 79% of women in Ireland who had experienced physical or sexual violence had not reported it.

### Eurobarometer on Gender-based Violence 2016<sup>82</sup>

This survey assessed the perceptions and attitudes of EU citizens about gender-based violence. The issues it explored included: opinions about and attitudes towards gender-based violence; perceptions of the prevalence of domestic violence and sexual harassment; whether a range of acts of gender-based violence are wrong and are, or should be, illegal.

Several very disturbing statistics for Ireland highlighted the dangerous and damaging culture and beliefs that continue to underpin the high level of sexual violence and harassment experienced by Irish women:

#### Rape

- 21% of Irish people think that there are justifiable and understandable reasons for having sexual intercourse without consent
  - 11% believe it is acceptable if the woman is drunk or was using drugs
  - 9% believe it is acceptable if the woman voluntarily goes home with someone
  - 9% believe it is acceptable if the woman is wearing revealing, provocative or sexy clothing
  - 7% believe it is acceptable if the woman is out walking alone at night.

#### Attitudes towards violence against women

- 23% of Irish people believe women often make up or exaggerate claims of abuse or rape
- 18% of Irish people believe that violence against women is often provoked by the victim.

Overall 74% of Irish people thought sexual harassment against women is common.

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<sup>81</sup> Fundamental Rights Agency: Violence Against Women Survey 2014

<sup>82</sup> Eurobarometer on Gender-based Violence 2016

## Different systems- Similar Outcomes? Tracking attrition in reported rape cases across Europe (2009)<sup>83</sup>

This EU Daphne project examined attrition rates in rape cases in 11 EU countries including Ireland and fundamentally, **the majority of women reporting rape across Europe do not see justice done**. Attrition in reported rape cases has risen across much of Europe over the last two decades, with two thirds of countries having marked falls in conviction rates since 2000. Of course as outlined in multiple other reports, the first 'attrition' is the enormous under reporting of all acts of sexual violence. In Ireland, the report found that the rate of reporting had increased by over 500% between 1977 and 2007 but that the conviction rate had fallen. Between 1998 and 2000 the conviction rate was 16%, but at the time of the report it had dropped to 8%. The report concludes that,

*"this is the outcome of the continued influence of stereotypes of rape, rape victims and rapists at all stages of the legal process, and a failure to modernise investigation and prosecution practices. Sexual violence needs to be the subject of the same intense debate and policy development as has been the case with domestic violence if this depressing pattern is to be reversed."*

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<sup>83</sup> Different systems- Similar Outcomes? Tracking attrition in reported rape cases across Europe 2009

## HIGHER EDUCATION IN IRELAND

### NATIONAL FRAMEWORKS

The **Higher Education Authority (HEA)** is the statutory planning and policy advisory body for higher education and research in Ireland, and advises the Minister for Education and Skills and the government on the development of the sector. It is the statutory funding authority for Irish universities, institutes of technology and other state aided higher education institutions (HEIs). There are 26 HEA funded HEIs in Ireland; 7 Universities, 14 Institutes of Technology and 5 Teacher Training colleges<sup>84</sup>.

The national framework for HEIs is the **National Strategy for Higher Education to 2030**<sup>85</sup>. Whilst acknowledging that *“the people who enter higher education in the coming decades are the...policy-makers, social innovators and business leaders of the future. They are also citizens who will add to the richness of society – as parents, community leaders and teachers”*, the strategy makes little effort to articulate what kind of citizen the HEIs will contribute to developing or how the HEIs can intrinsically support the development of more just and equal societies. Despite recognising that socio-economic inequalities are a persistent and systemic barrier to participation in HEIs and a commitment to addressing these, neither gender nor other multiple, and/or intersecting discriminations are addressed in any clear way.

#### **“The culture in HE tends to be macho and misogynistic”<sup>86</sup>**

Following a landmark case taken in 2014 by a senior lecturer against her university employer of 34 years, the Irish Equality Tribunal found that the university had discriminated against her for promotion because of her gender. This case opened the debate in Ireland regarding broad gender equality issues in HEIs and the HEA commissioned the **National Review of Gender Equality in Irish Higher Education Institutions**. The report established that the under-representation of women among staff in higher education, particularly at senior levels, is a serious manifestation of gender inequality in Irish HEIs:

- 81% of professorial positions are held by men
- 62% of non-academic staff are women
- 72% of the highest paid non-academic staff are men
- There are only 4 female presidents of institutes of technology & there has never been a female university president in the Republic of Ireland<sup>87</sup>

This is despite the governing legislation of HEIs requiring these institutions to have regard for gender inequality. The **Institutes of Technology Act 2006**<sup>88</sup> states “a committee shall ... have regard to the

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<sup>84</sup> <http://www.heai.ie/en/statistics/overview>

<sup>85</sup> National Strategy for Higher Education to 2030

<sup>86</sup> National Review of Gender Equality in Irish Higher Education Institutions 2016

<sup>87</sup> National Review of Gender Equality in Irish Higher Education Institutions 2016

attainment of gender balance and equality of opportunity among the students and staff of the college', and the **Universities Act 1997**<sup>89</sup> states that they should 'promote gender balance and equality of opportunity among students and employees of the university'.

The HEA review, the **Implementation Plan: Measuring and Monitoring Progress**<sup>90</sup> and the **Athena SWAN Charter**<sup>91</sup> it promotes as a way of measuring progress, focus solely on gender inequality as it impacts staffing and research opportunities. The Irish Research Council (IRC) has also committed to tackling gender inequality as it relates to research funding and commissioning in HEIs (and elsewhere), with the **IRC Gender Strategy and Action Plan 2013–2020**<sup>92</sup> as part of its commitments under the EU Research and Innovation programme, Horizon 2020, where gender equality is a cross-cutting issue.

A high number of women attend HEIs in Ireland, but it is clear they continue to experience very significant gender discrimination and inequality should they choose to stay there as researchers and staff. HEI as institutions manifest the same gender inequality as wider Irish society. Whilst these reports are very important acknowledgments of persistent, systemic gender discrimination and inequality in HEIs, the HEA in particular, does not appear to have addressed officially, the other overt (and covert) gender discriminations and harassments that contribute to the perpetuation of these inequalities and which are likely to be experienced by women students as well.

Neither the **Irish Universities Association (IUA)**<sup>93</sup> nor the **Technological Higher Education Association (THEA)**<sup>94</sup> has a public policy position or framework on any form of gender inequality in their member institutions.

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<sup>88</sup> Institutes of Technology Act 2006

<sup>89</sup> Universities Act 1997

<sup>90</sup> Implementation Plan: Measuring and Monitoring Progress 2016

<sup>91</sup> <http://www.ecu.ac.uk/equality-charters/athena-swan/athena-swan-ireland/>

<sup>92</sup> IRC Gender Strategy and Action Plan 2013–2020

<sup>93</sup> <http://www.iua.ie/press-publications/publications/>

<sup>94</sup> <http://thea.ie/about-us/about-us>

## HIGHER EDUCATION - GENERAL DATA & STUDIES

### HEA-General Statistics 2015-16<sup>95</sup>

- 43,460 new full-time undergraduate students  
51% were women  
89% were aged 23 or under
- 178,094 full time students  
51% were women

### Eurostats - Europe 2020 education indicators in 2016<sup>96</sup>

- 52.9% of Irish people aged 30-35 had attained third level education, with 58% being women.

These statistics are part of a long running trend in Irish education, women attend HEIs in equal numbers and overall Ireland has a very high percentage of people who have attained third level education.

### HEA Equal Access Survey 2015-16<sup>97</sup>

The Equal Access Survey is a voluntary HEA survey which collects information on the social, economic and ethnic background of new students who enter higher education for the first time.

- 1.7% of new entrants had a disability (including a psychological/emotional condition)
- 12.5% of new entrants identified as an ethnicity other than Irish (including any other white background)

The Irish Traveller Movement (ITM) has reported<sup>98</sup> that with the removal of the Visiting Teacher Service for Travellers (VTST) in 2011 which gathered the most reliable statistics on Travellers transferring after Leaving Certificate, there is little way of collating accurately how many Travellers are in HEIs.

### The Irish Survey of Student Engagement-National Survey, Local Impact<sup>99</sup>

This national survey process, running since 2013 asks students about their experiences of higher education. It is primarily focused on academic work; however it also asks students about their 'supportive environment' with questions such as their HEIs support for attending events that address important social, economic, or political issues. It does not ask students about their experiences of their experiences of inequality, discrimination or violence as part of their campus experience.

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<sup>95</sup> <http://www.heai.ie/en/statistics/overview>

<sup>96</sup> [http://ec.europa.eu/eurostat/statistics-explained/index.php/Europe\\_2020\\_indicators\\_-\\_education](http://ec.europa.eu/eurostat/statistics-explained/index.php/Europe_2020_indicators_-_education)

<sup>97</sup> <http://www.heai.ie/en/policy/national-access-office/access-data>

<sup>98</sup> ITM Committee Report 2014:International Covenant on Economic Social and Cultural Rights

<sup>99</sup> <http://studentsurvey.ie/survey-results/>

## HIGHER EDUCATION - DATA AVAILABLE ON THE EXTENT, NATURE AND ATTITUDES REGARDING SEXUAL VIOLENCE & HARASSMENT

### Young People, Alcohol, and Sex: What's Consent Got to Do With It? (2014)<sup>100</sup>

Commissioned by RCNI, this qualitative study with a 187 students explored the intersection of alcohol use and consent to engage in sexual activity and is a unique study in Irish research.

The study explored attitudes and beliefs about sexuality, and consent, particularly in the context of alcohol, through the exploration of hypothetical scenarios. There was a strongly held belief that non-consenting sex is wrong. Little evidence was found of a gender difference in this belief. There was also an acknowledgement of the serious, long-lasting consequences of sexual assault for victims.

However, the study reported that long-standing 'rape myths' identified in international research (there is no comparable Irish research) do inform Irish students understanding of sexual violence and harassment. These include

- a 'double standard' attitude, whereby victims are attributed more responsibility if they had been drinking while perpetrators are often perceived as less responsible
- many women who have been forced to have sex do not label the experience rape, due to their own internalised expectations for what rape entails

Students in the study adhered to the stereotype that rape is typically a violent premeditated attack by a stranger, requiring vaginal penetration. The scenarios presented for exploration did not match this 'model' of rape and thus students required extensive discussion before being able (and sometimes not being able) to identify what had occurred as violence, abuse, assault or rape. Contextual factors that made the naming and differentiation of sexual violence difficult included:

- Intoxication,
- Being in a relationship with the aggressor,
- Non-verbalisation of consent and non-consent,
- Sex acts other than vaginal penetration

The legal criteria for 'rape' and 'sexual assault' were not fully understood and significant distrust of the Gardaí being supportive of a complaint was expressed in all scenarios, even when students were clear that the behaviour was wrong and degrading. There was a high level of anxiety of a legal 'inquisition' of the victim's behaviour or choices. The relationship with alcohol consumption was clear in the exploration of non-reporting too. Blacking out and subsequent memory loss is a common experience among Irish

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<sup>100</sup> Young People, Alcohol, and Sex: What's Consent Got to Do With It? 2014

university students. The report quoted an Irish study in which over 80% indicated that they had been drunk on multiple occasions to the level of not remembering later what they had said or done.

There was a high level of gendered expectation about how female victims would react following rape or sexual assault. The reactions of women were presumed to be initial distress and later shame with related behaviours. This type of gendered expectation of victim behaviour has been shown to contribute to lack of belief if women do not exhibit these 'symptoms'. Levels of distress have also been used to judge the 'severity' of the assault as opposed to their being an acceptance of the 'objective' wrongness' and trauma of the assault and/or rape.

Sexuality and sexual consent were perceived as highly gendered experiences, with men being positioned as initiators and 'pursuers' of sex, it was considered entirely understandable that a man would lose control of himself due to a combination of alcohol and his 'sexual drive' (even when this behaviour was seen as wrong). Women were understood as more passive, to need be convinced to have sex but due to these gendered norms unlikely to do so in a spoken or concrete way,

*"males occupied an agentic role ('you keep going until they say no') based on breaking down female resistance ('men go out looking for sex, women to avoid having sex)'".*

Consent is expected to follow a highly gender stereotyped, heterosexual relationship model, with the male 'sex urge' being a driving force with a gate keeping female role. Consent was seen as a tacit and implicit, not concrete or spoken (in usual circumstances), this leading to so called grey areas where consent had been 'given' because the woman had 'not said no' i.e. drunken sex in which consent was implied, because of preceding acts of intimacy, a pre-existing relationship, unspoken body language 'signals' etc.

As a core focus of the study was the relationship between alcohol use and sexual consent, unsurprisingly the students identified alcohol use as a key risk and **recommended that there be promotion of a better understanding of alcohol as a source of risk and harm for women and men**. Drinking is an integral part of the Irish student experience and the students identified a key function of alcohol as a way to lose their inhibitions in an environment that appears safe, in order to initiate and engage in sexual activity. This points to a wider unhealthy culture of negativity and shame regarding sexuality and sexual experiences, which the students part named in their **recommendations for more comprehensive and meaningful relationships and sexuality education at an earlier age**. This included the opportunity to engage in the type of real world scenario exploration of sexual consent that the study used to facilitate its work<sup>101</sup>.

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<sup>101</sup> Subsequently, students at NUI Galway and the Galway Rape Crisis Centre devised a play, *100 Shades of Grey*, and then co-created a film adaptation 'Lucy's House Party', as a response to the report. It has become an integral part of the Manuela Programme, a six session, secondary school programme addressing issues of healthy relationships, sexual consent along and attitudes to excessive alcohol and drugs use



Students were not always clear that services provided local rape crisis centre would be accessible to them unless they had been 'raped' in the what was their (often incorrect) understanding of the stereotypical sense. However, they did name the institutions counselling and health services and the student's union welfare officer as sources of support. A key recommendation of the study was to **improve student's knowledge and attitudes to reporting sexual assault and seeking professional support.**

### **Sexual Consent: An Emerging Topic For Third Level Education: Identifying Needs, Developing Engagement Strategies, and Implementing Them (2016)<sup>102</sup>**

Following on from the 2013 report, the NUIG School of Psychology continued to study the implementation of the SMART Consent workshop approach. The research is not published yet (July 2017), however early findings presented at the RESPECTnet conference in 2016 included:

- 25% of women students have experienced unwanted sexual contact or attempts at unwanted sexual contact through the use or threat of violence (based on 2,500 surveyed students and 700 workshop attendees)

### **Say Something-A Study of Students' Experiences of Harassment, Stalking, Violence & Sexual Assault (2013)<sup>103</sup>**

Say Something, commissioned by the Union of Students of Ireland (USI) with support from Cosc is, to date the only national quantitative study on the prevalence of sexual violence and harassment in Irish HEIs. 2,590 Irish students and 162 international students, 55% from universities, 43% from Institutes of Technology and the remainder from teacher-training colleges and other USI affiliated institutions, completed an online questionnaire. The study replicated the United Kingdom's National Union of Students (NUS) process which led to their ground breaking report **Hidden Marks** published in 2010.

Students were categorised as Women, Men and Other and in all but one, surveyed domains of experience, women students experienced more, and more frequent sexual violence and harassment than men:

- 11% of women had been subject to unwanted sexual contact, many on multiple occasions
- 5% were rape survivors with a further 3% survivors of attempted rape
- 31% of women reported feeling harassed, including just under 19% being physically groped
- 17% of women had been photographed or filmed without consent, and 8% had these images circulated without consent online (Men 18% & 10%)
- 10% of women had experience of stalking or obsessive behaviour including online

**Less than 3% of students who had unwanted sexual experiences had made a Garda report,** and only 6% who had experienced obsessive behaviour had reported. As with general population studies, students did

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<sup>102</sup> RESPECTnet 2016 Conference Promoting Safe Relationships in Higher Education

<sup>103</sup> Say Something-A Study of Students' Experiences of Harassment, Stalking, Violence & Sexual Assault 2013

not expect to be believed, did not expect to be taken seriously and did not always understand that what had occurred was a criminal offence. Women also felt ashamed and that they would be blamed for what happened. Where women had experienced more general sexual harassment, they felt they were expected to laugh it off, and that there was a culture of normalisation and acceptance of 'typical lad' behaviour.

The most frequent responses listed for not reporting the incidents this were:

- They did not believe the incident was serious enough to report (57%)
- They did not think that what happened was a crime (44%)
- They were ashamed or embarrassed (29%)
- They thought they would be blamed for what happened (22%)
- They did not want their parents or family to find out (21%)

### **Violence Against Women –the Perspective of Students in Northern Ireland (2008)<sup>104</sup>**

Working with Amnesty International University of Ulster students undertook a survey of 715 students at the four University of Ulster campuses across Northern Ireland. The report revealed very disturbing statistics and attitudes towards women who have experienced sexual violence and harassment,

- 40% knew at least one woman student who had been hit by a boyfriend/partner
- 43% knew at least one woman who had been coerced or pressurised to have sex by a boyfriend/partner

Between 30% and 48% believed a woman was wholly or partially responsible for being raped if she is drunk; if she has acted in a flirtatious manner; if she has failed to say no clearly to the man; if she is wearing sexy or revealing clothes; if it is known that she has had many sexual partners; if she is alone and walking in a dangerous or deserted area.

Unfortunately, none of these studies addressed the experiences of ethnic minority women or women with disabilities.

### **CURRENT INITIATIVES TO CHALLENGE SEXUAL VIOLENCE AND HARASSMENT IN HEIs<sup>105</sup>**

An increasing number of campaigns, programmes and other initiatives have been developed on Irish campuses over the last 3-5 years. Many have been led by student unions, student societies and the Union of Students in Ireland, in partnership with NGOs. Institutional level awareness has also been developing, and despite the continuing lack of meaningful data of the specific nature of the Irish context, there is a broad agreement that there is a serious problem and a range of actions to tackle the serious level of sexual violence and harassment in HEIs are being implemented.

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<sup>104</sup> Violence Against Women –the Perspective of Students in Northern Ireland 2008

<sup>105</sup> ESHE is happy to acknowledge there may be initiatives taking place that we are unaware of

## IDENTIFYING & UNDERSTANDING THE ISSUES

### Student Union Surveys

During 2015 the Student Unions in University College Cork (UCC), University College Dublin (UCD), and Trinity College Dublin (TCD) each undertook a confidential, anonymous and voluntary survey around consent, sexual violence and harassment, awareness of services, and related issues<sup>106</sup>. The results of these surveys were similar and shocking. The UCD SU survey<sup>107</sup> (overall 3,089 respondents) reported 25% of students having had a sexual experience they had not consented to. This figure matched TCD SU<sup>108</sup> findings (overall 1,038 survey respondents), where 25% of women said they had been subjected to an unwanted sexual experience. UCC's survey<sup>109</sup> (overall 333 respondents) reported almost 1 in 7 students having been the victim of a serious sexual assault.

Each Student Union has used their survey results to widen discussions about the need for programme interventions, including consent workshops and bystander interventions and to develop policy initiatives at an institutional level.

### RESPECT Network

The RESPECT Network (Research for Safe Relationships: Education, Collaboration, and Training) was formally launched in November 2016 at its inaugural conference **Promoting Safer Relationships within Higher Education**. The RESPECT Network is comprised of academics and policy makers working on issues associated with healthy relationship behaviours, attitudes and available support for individuals in the North and South of Ireland.

RESPECT aims to generate research which will support institutions and organisations to develop policies and procedures supporting individuals and families in a wide range of relationship activities including issues associated with sexual behaviours, drug and alcohol consumption and other relevant concerns. The researchers are from a variety of disciplines including Psychology, Law and Social Work. As outlined at their conference RESPECT will focus on the context of HEIs for approximately 3 years.

### BYSTANDER INTERVENTION PROGRAMMES

- Dublin City University Student Union (DCU SU) piloted an 8 week programme in 2016 with 45 student attendees.

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<sup>106</sup> ESHTe staff acknowledges that other SUs may have undertaken similar surveys that we are unaware of

<sup>107</sup> Survey Results shared with ESHTe by SU staff

<sup>108</sup> <http://trinitynews.ie/sexual-assault-survey-officially-launched-on-campus/>

<sup>109</sup> <http://www.irishexaminer.com/ireland/1-in-7-ucc-students-were-victims-of-rape-or-sex-assault-319537.html>

- In 2017 Dr Louise Crowley at the School of Law, University College Cork (UCC) piloted a mandatory, 5 credit module programme for 1<sup>st</sup> year law students. This academically led, mandatory, and institutionally managed and delivered programme is unique in Ireland to date.

Both programmes were based on the Bystander Intervention Toolkit developed by Dr Rachel Fenton in the University of West England.

## **CONSENT**

### **ASK Consent<sup>110</sup>**

In 2015 USI, DRCC and the White Ribbon campaign, launched the #askconsent national awareness raising campaign with support from Cosc. This has continued to run annually on social media and Dublin HEI campuses.

### **Consent Workshops**

Since 2015 NUI Galway's SMART Consent workshops, delivered in partnership with students unions have had 700 attendees across 7 Irish campuses.

Subsequently, Trinity College Dublin undertook Training the Trainer development with NUIG, with a view to developing Trinity specific content. This development has culminated in USI voting in early 2017 to design national consent workshop for roll out to all affiliated HEIs.

### **Consent is BAE campaign**

Initiated in 2016, this is a week long campaign of workshops, debates and screenings focussed on the issue of consent **Before All Else**. The campaign is organised by the Queen's University, Belfast Student Union.

### **SHAG Week**

Many students unions also cover topics relating to consent during their Sexual Health Awareness and Guidance, (SHAG) week activities.

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<sup>110</sup> <http://www.drcc.ie/media1/consent-page/>

## CONCLUSION

There were 178,094 full-time students enrolled at the 26 HEA funded HEIs in 2015/16, of which 51% were women. Although the qualitative reports reviewed are relatively small scale in relation to this population, their findings reveal that a very high number of women students are experiencing very serious levels of sexual harassment and violence. These students do not feel able to report what has happened to them and do not always recognise that what has happened is a crime. The reports also reveal *why* this is still the case; the context of these experiences remains highly negatively gendered, and some students (men and women) continue to hold negative if not misogynistic beliefs regarding women and sexuality, and women and sexual violence and harassment.

Despite, there being both statutory and institutional awareness of gender inequality at academic and administrative levels of HEIs, as evidenced by the existence of national plans to address it, there is no national or institutional level survey being regularly (or even infrequently) undertaken to establish, measure or even ask students about their experiences of gender inequality, gender-based violence or any experience of discrimination or inequality in their HEI. The absence of baseline data and lack of coordinated regular surveying presents serious challenges in tracking positive behavioural and attitudinal changes, identifying successful interventions, and ensuring the needs of minority groups are met. Similarly, the lack of a national coordinated effort, with commensurate resourcing, undermines the capacity of successful actions becoming mainstreamed and sustainable. Funding for existing actions is highly dependent on small grants and one time funding opportunities. The type of culture change needed to create a zone of zero tolerance of violence requires institutional and statutory commitment; the ESHE project hopes to provide the first steps to attaining such a collaborative structure.

## **APPENDIX 1 - ESHTe ASSOCIATE PARTNERS-IRELAND**

### **STUDENT UNIONS**

Union of Students in Ireland  
Dublin City University Students Union  
Dublin Institute of Technology Students Union  
Queen's University Belfast Students Union  
Trinity College Dublin Students Union  
University College Dublin Students Union

### **HIGHER EDUCATION INSTITUTIONS**

Dublin City University  
Dublin Institute of Technology  
Dundalk Institute of Technology  
Institute of Art, Design and Technology  
Queen's University Belfast  
Trinity College Dublin  
University College Cork  
University College Dublin  
University of Limerick

### **NGOs**

The National Observatory on Violence Against Women  
Dublin Rape Crisis Centre  
Sexual Violence Centre Cork  
Confederation of Student Services in Ireland  
Irish Student Health Association

### **STATUTORY**

An Garda Síochána  
Cosc- National Office for the Prevention of Domestic, Sexual and Gender-based Violence

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27.818 interviews  
04 > 13 / 06 / 2016



1.002 interviews  
04 > 13 / 06 / 2016

Methodology: face-to-face

Special Eurobarometer 449

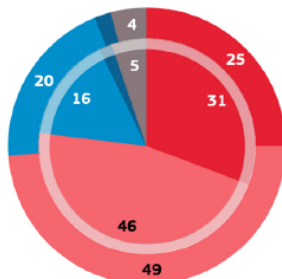
Gender-based violence

IRELAND

June 2016

## 1. PERCEIVED PREVALENCE OF DOMESTIC VIOLENCE

**QB1** In general, how common do you think that domestic violence against women is in (OUR COUNTRY)?  
(%)



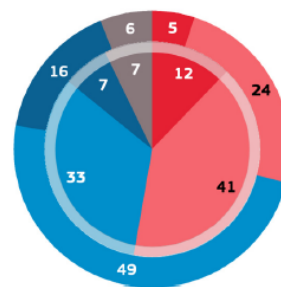
EU28 ■ Outer pie IE ■ Inner pie

● Very common  
● Fairly common  
● Not very common  
● Not at all common  
● Don't know

EU28		IE	
2016	2016-2010	2016	2016-2010
25	- 2	31	+ 1
49	- 2	46	+ 1
20	+ 3	16	+ 2
2	+ 1	2	+ 1
4	=	5	- 5

Evolution 06/2016 - 02-03/2010

**QB2** In general, how common do you think domestic violence against men is in (OUR COUNTRY)?  
(%)



● Very common  
● Fairly common  
● Not very common  
● Not at all common  
● Don't know

EU28 ■ Outer pie IE ■ Inner pie

**QB3** In your opinion, domestic violence against women is...  
(%)

Answer: Unacceptable and should always be punishable by law



EU28



IE

TOTAL

84

89



Gender

Man

81

87

Woman

86

90



Age

15-24

81

82

25-39

82

89

40-54

82

95

55+

80

81

Socio-demographic breakdown

**QB3b** In your opinion, domestic violence against men is...  
(%)

Answer: Unacceptable and should always be punished by law



EU28



IE

TOTAL

80

88



Gender

Man

78

86

Woman

81

90



Age

15-24

79

83

25-39

78

84

40-54

79

94

55+

76

81

Socio-demographic breakdown



27.818 interviews  
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Gender-based violence

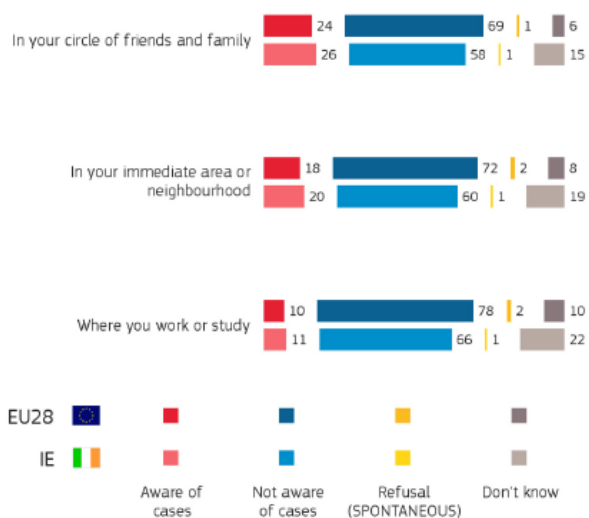
IRELAND

June 2016

## 2. AWARENESS OF DOMESTIC VIOLENCE

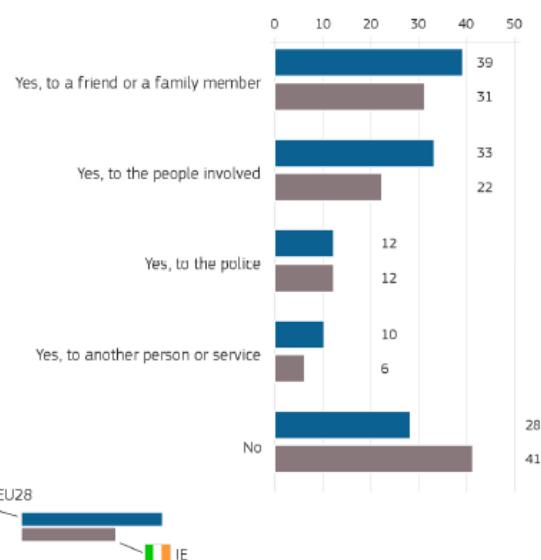
**QB4** Do you know of any men or women who have been a victim of any form of domestic violence?

(%)



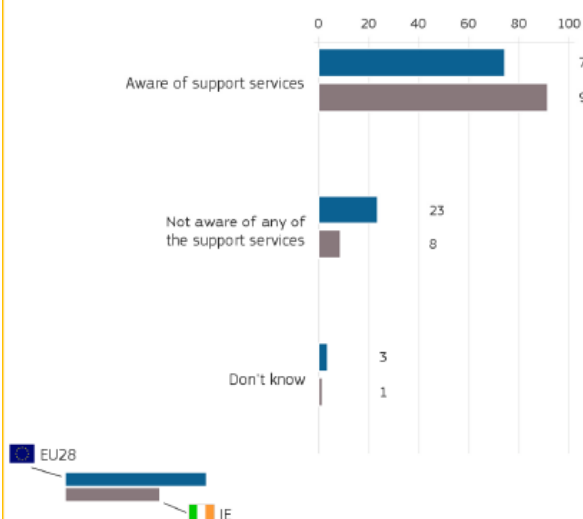
**QB4b** Did you speak to anyone about this? (MULTIPLE ANSWERS POSSIBLE)

(%)



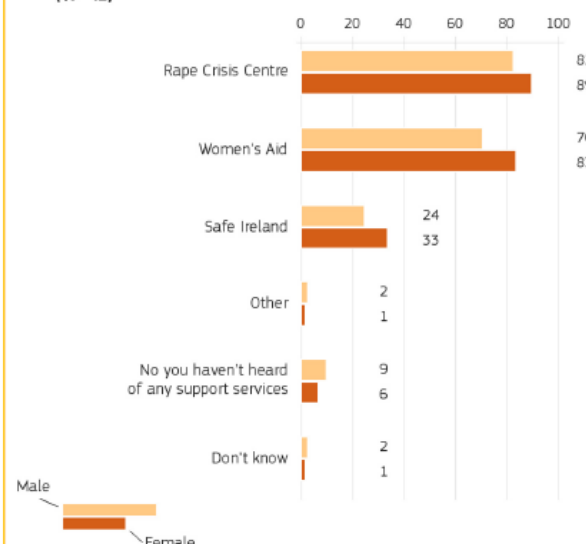
**QB5** Have you heard of any of the following support services for women who are victims of domestic violence? (MULTIPLE ANSWERS POSSIBLE)

(%)



**QB5** Have you heard of any of the following support services for women who are victims of domestic violence? (MULTIPLE ANSWERS POSSIBLE)

(% - IE)



The list of support services was customized for each country participating in the survey.



27.818 interviews  
04 > 13 / 06 / 2016



1.002 interviews  
04 > 13 / 06 / 2016

Methodology: face-to-face

Special Eurobarometer 449

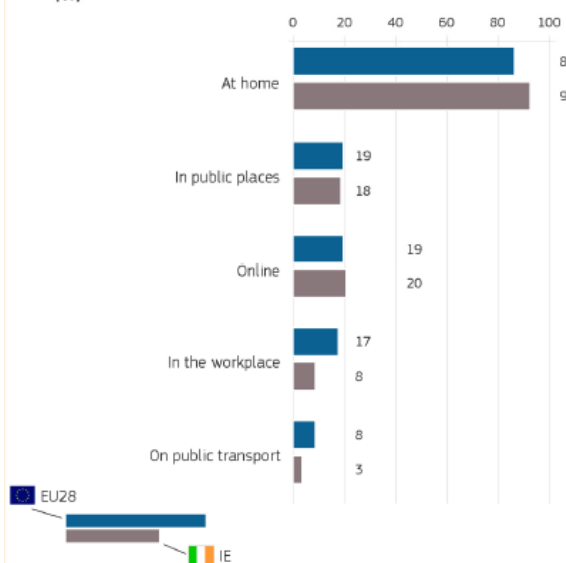
Gender-based violence

IRELAND

June 2016

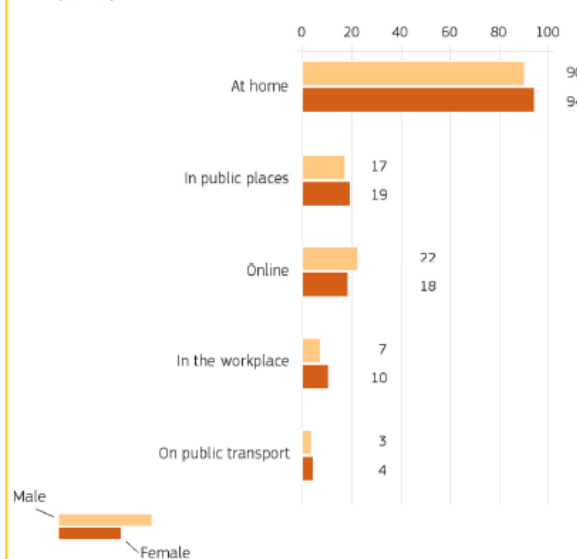
### 3. PERCEPTIONS ON AND ATTITUDES TOWARDS GENDER-BASED VIOLENCE

**QB6** In your view, is violence against women more likely to occur... (MAX. 2 ANSWERS) (%)



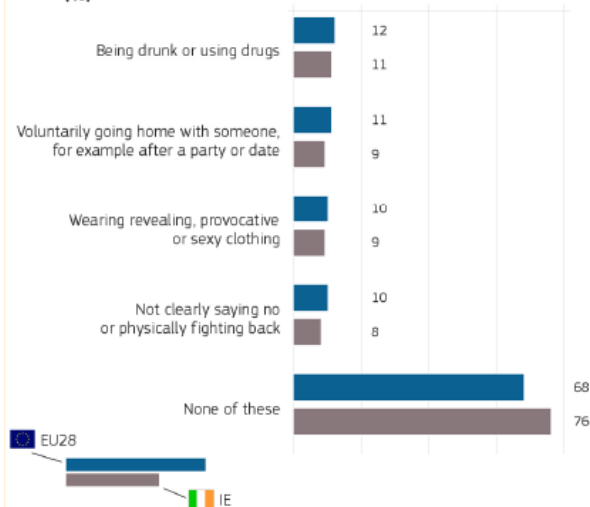
Only the most chosen answers at EU level are shown.

**QB6** In your view, is violence against women more likely to occur... (MAX. 2 ANSWERS) (% - IE)



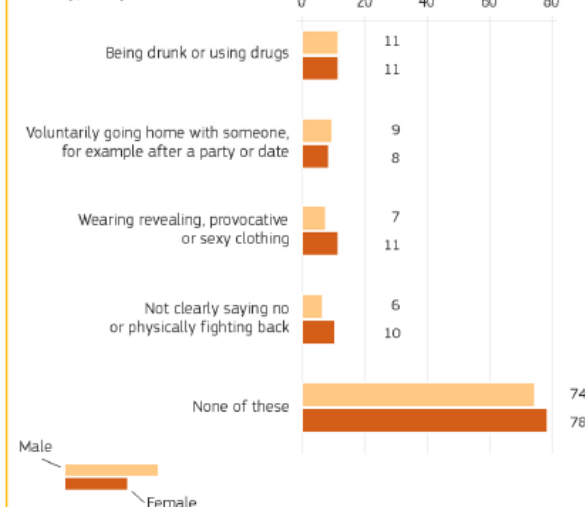
Only the most chosen answers at EU level are shown.

**QB10** Some people believe that having sexual intercourse without consent may be justified in certain situations. Do you think this applies to the following circumstances? (MULTIPLE ANSWERS POSSIBLE) (%)



Only the most chosen answers at EU level are shown.

**QB10** Some people believe that having sexual intercourse without consent may be justified in certain situations. Do you think this applies to the following circumstances? (MULTIPLE ANSWERS POSSIBLE) (% - IE)



Only the most chosen answers at EU level are shown.



27.818 interviews  
04 > 13 / 06 / 2016



1.002 interviews  
04 > 13 / 06 / 2016

Methodology: face-to-face

Special Eurobarometer 449

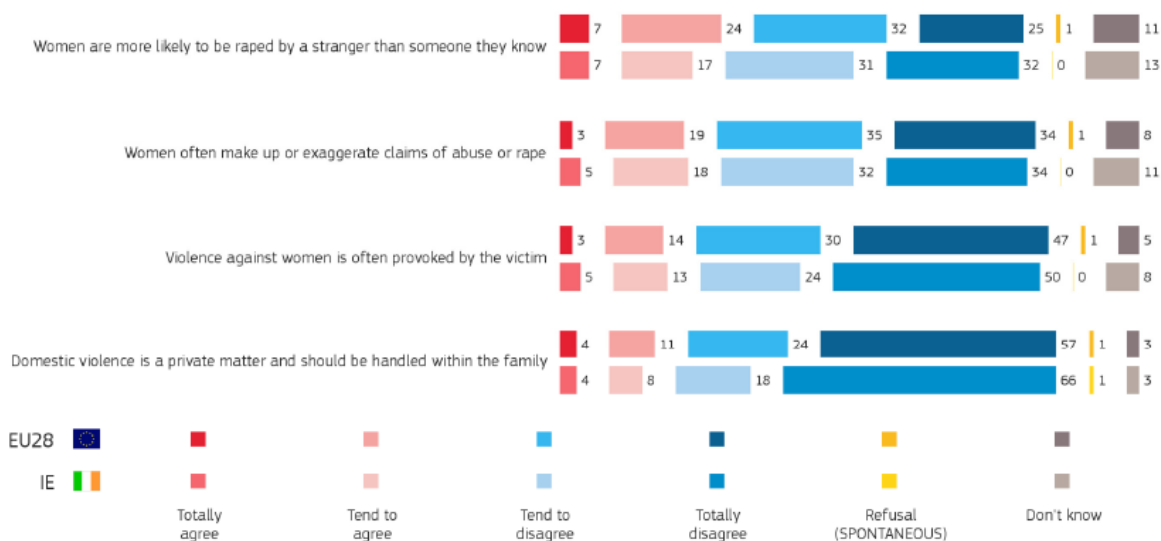
Gender-based violence

IRELAND

June 2016

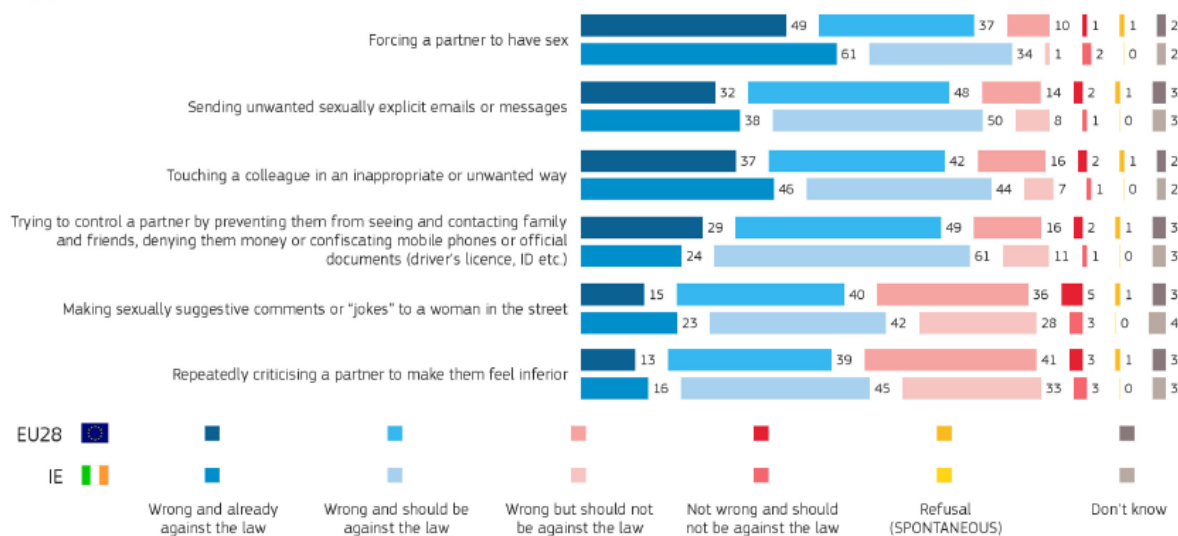
### 3. PERCEPTIONS ON AND ATTITUDES TOWARDS GENDER-BASED VIOLENCE

QB9 Please tell me to what extent you agree or disagree with the following statements?  
(%)



### 4. LEGAL RESPONSE TO GENDER-BASED VIOLENCE

QB8 For each of the following situations, please tell me whether you think it is against the law or not. For each please tell whether you think it is wrong and is already against the law, it is wrong but should not be against the law, it is not wrong and should not be against the law.  
(%)



**NON.  
NO.  
NEIN.**

Say No!  
Stop  
**violence**  
against  
women

**Violence against women** is rooted in women's unequal status in society, and that status reflects the unbalanced distribution of social, political, and economic power among women and men in society. It is one of the most pervasive human rights violations of our time and a form of discrimination that results in, or is likely to result in, physical, sexual, psychological or economic harm or suffering to women <sup>(1)</sup>. Violence against women undermines women's dignity and integrity and imposes serious harms on families, communities and societies. In the EU, estimates suggest that 1 in 3 women (or 61 million out of 185 million) have experienced physical or sexual violence, or both, since the age of 15 <sup>(2)</sup>.

The full extent of violence against women is difficult to estimate, as it continues to be under-reported and stigmatised, meaning that what actually gets reported is only a fraction of the reality. In Ireland, over 70 % of the population tend to trust the police <sup>(3)</sup>.

In EIGE's Gender Equality Index 2015 it was found that where people tend to have more trust in justice institutions, levels of disclosed violence are higher <sup>(4)</sup>. It is estimated that in Ireland, 26 % of women have experienced violence, which is 7 % lower than in the EU overall <sup>(5)</sup>.

The European Institute for Gender Equality has estimated that the cost of intimate partner violence against women in Ireland could amount to EUR 990 million per year. This figure was calculated according to the methodology used in EIGE's 2014 study <sup>(6)</sup>, which Member States can replicate, as done by Estonia in 2016 <sup>(7)</sup>.





## What are the facts?

- 29 % of women in Ireland have been affected by domestic abuse <sup>(8)</sup>.
- 12 % of Irish women and girls over the age of 15 have experienced stalking and 50 % of these were stalked by a partner or ex-partner <sup>(9)</sup>.
- The number of sexual offences recorded in Ireland has risen from 1 801 in 2005 to 2 356 in 2015 <sup>(10)</sup>.
- During the period 2010—2012, it is estimated that there were 183 victims of human trafficking in Ireland, of which 77 % were women <sup>(11)</sup>.
- The 2014 European Union Agency for Fundamental Rights survey data results showed that 1 in 4 women in Ireland have experienced physical and/or sexual violence since the age of 15 and 41 % of people in Ireland knew a woman within their circle of family and friends that has been a victim of domestic violence <sup>(12)</sup>.

When trust in police is low, victims are less likely to report violence.



## Is violence against women a crime in Ireland?

Although there is no specific law on violence against women in Ireland, domestic violence and sexual violence (including sex trafficking) are considered serious criminal offences. Rape within marriage is also a criminal offence. Female genital mutilation is illegal, including when it takes place outside of Irish territory.

## What is being done to eliminate violence against women in Ireland?

The National Office for the Prevention of Domestic, Sexual and Gender-based Violence (Cosc) developed the second national strategy on domestic, sexual and gender-based violence (2016—2021) in consultation with all relevant state and non-governmental organisations. The strategy takes a comprehensive approach to combating violence against women, with the aim to change societal attitudes to support a reduction in domestic and sexual violence, to improve support services available to victims and survivors, and to hold perpetrators accountable <sup>(13)</sup>.

The second national action plan on women, peace and security was published in 2015. Particular priority is attached to the protection of women and girls from gender-based violence and sexual exploitation, and abuse in crisis and conflict situations <sup>(14)</sup>.

## Good practices show the way

Under action 16 of Ireland's national strategy, Cosc established a Domestic Violence Perpetrator Programme Committee to support and coordinate the work of intervention programmes for men who have used domestic violence against a female partner or ex-partner <sup>(15)</sup>.

One such programme is Men Overcoming Violence (MOVE), which is a structured group-work programme for men who are, or have been, violent in an intimate relationship. The programme is designed to help the participants take responsibility for their violence and to choose to behave differently in the future. The primary aim of MOVE is to ensure the safety of women and children when working with men who are violent. For this reason, MOVE also provides all female partners/ex-partners of the men on the MOVE programmes with information, support and safety planning whilst, and after, their partners/ex-partners attend the programme <sup>(16)</sup>.

## How are women and girls protected?

Women victims of domestic violence in Ireland have legal access to protection measures. A court may grant protection, barring and/or safety orders against a violent spouse or partner. These orders are enforced in cases where it is necessary to protect the welfare or safety of the victim and/or her dependent children. A breach of any order made under the domestic violence legislation is a criminal offence and the police can arrest and charge a person who breaches such an order <sup>(17)</sup>.

Ireland has transposed Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime with the Criminal Justice (Victims of Crime) Bill 2015, ensuring that women as victims of gender-based violence receive specialised support services. Those measures also protect women from further violence.

In September 2016, it was announced that new regional police units would be established to tackle domestic abuse and sexual offences <sup>(18)</sup>, alongside a new risk management process to protect victims of domestic abuse <sup>(19)</sup>.

Ireland signed the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) in November 2015, but has not yet ratified it. The Istanbul Convention is the most far-reaching international treaty to tackle this serious violation of human rights. The Irish government has drafted an action plan with specific actions required for Ireland to be in a position to ratify the convention <sup>(20)</sup>.

## What help is available in Ireland?

The Women's Aid National Freephone Helpline (1 800 341 900) is a 24/7 service that provides support and information to callers experiencing abuse from current or former husbands, partners or boyfriends <sup>(21)</sup>. In 2015, Women's Aid Ireland received 16 375 disclosures of domestic violence against women <sup>(22)</sup>.

The National Sexual Violence Helpline (1 800 778 888) is operated by Dublin Rape Crisis Centre and provides telephone support and referral to local services for all adult survivors of sexual violence and child sexual abuse.

There are 21 women's shelters in Ireland with 141 family places available. In 2014, 4 007 women and children were accommodated in emergency refuge accommodation <sup>(23)</sup>.



**There are 21 women's shelters in Ireland with 141 family places available.**

**Women's Aid National Freephone Helpline  
(1 800 341 900)**



**In 2015, Women's Aid Ireland received 16 375 disclosures of domestic violence against women.**



## Endnotes

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## European Institute for Gender Equality

The European Institute for Gender Equality (EIGE) is the EU knowledge centre on gender equality. EIGE supports policymakers and all relevant institutions in their efforts to make equality between women and men a reality for all Europeans by providing them with specific expertise and comparable and reliable data on gender equality in Europe.



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## **APPENDIX 4**

### **LITHUANIA**

#### **Women's Issues Information Centre (WIIC)**

- “The Prevalence of Sexual Violence and Harassment in Lithuania”  
Prof. Virginija Šidlauskienė, Gender Studies and Research Centre of  
Šiauliai University
- Eurobarometer Report on Gender-based Violence – Lithuania (2016)
- European Institute for Gender Equality (EIGE) Report– Lithuania  
(2016)
- Women Against Violence (WAVE) Report- Lithuania (2016)

**THE PREVALENCE OF SEXUAL VIOLENCE AND HARASSMENT IN  
LITHUANIA**

**EIGE expert**

**Prof. Virginija Šidlauskienė**

**Gender Studies and Research Centre of Šiauliai University**

**2017, January**

This report is dedicated to JUST/2015/ACTION GRANTS project ***Ending Sexual Harassment and Violence*** in Third Level Education (ESHTE).

This paper overviews the sexual harassment and violence in higher education institutions in Lithuania. The aim of paper is to inform ESHTE Consortium on this issue. Additionally, it aims to support the debate in focus group whether the sexual harassment and violence is problem and how we should respond.

Encountering problematic issues of the sexual harassment and violence in higher education in Lithuania I will review legal background, Code of Ethics of Higher education institution, research cases and media coverage on related issue.

## **1. Legal background**

The legal assessment of sexual harassment and harassment on the ground of sex is one of the current social problems that is ignored and not treated effectively enough. Public opinion is driven by the stereotype that sexual harassment cannot exist because the relationship between a woman and a man is always based on mutual recognition and respect. Unwanted intimacies and physical contacts are regarded either as innocent jokes or provoked by the victim her/himself. However, studies show that the problem is widespread, especially in the workplace. There are not many surveys, but one of the surveys<sup>1</sup> presented by the **Equal Opportunities Ombudsperson** indicates that sexual harassment is experienced at least once in their lifetime by 21 % of women and 15 % of men in Lithuania. 30 % of all harassment was engaged in by employers and 70 % by colleagues at work. The survey indicates that half of the respondents could not even recognise actions of the harasser as sexual harassment. Occasional and intentional physical actions were reported by 70.5 % of these respondents, offensive verbal remarks by 18 %, pornographic pictures by 8 %, and psychological pressure and sexual suggestions by 17 % of the respondents. Most of the harassers were men (80 %). The survey has shown that the majority of all respondents (55 %) believe that it may generally be the victim's fault in the event of sexual harassment and 5 % hold that the victim is always to blame for the action of harassment. There is not much debate on the issue in public.

Society is generally keen to ignore the problem, leaving the victims to fight this battle on their own. Victims are reluctant to go public with their cases not only because the harassers in

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<sup>1</sup> This is not a representative survey, and was made by a student of the Faculty of Communications based on information available in Lithuanian libraries. Paper in author's possession. LITHUANIA. Tomas Davulis. Ann Numhauser-Henning and Sylvaine Laulom (2011). *Harassment related to Sex and Sexual Harassment Law in 33 European Countries. Discrimination versus Dignity*. European Commission Directorate-General for Justice Unit JUST/D1 Equal Treatment Legislation.

most cases are their employers, but also because society lacks any supportive attitude. Legal remedies are not sufficient.

Lithuania, is a relatively quickly developing post-Soviet country which soon after re-gaining its independence adopted the **Law on Equal Opportunities between Women and Men**<sup>2</sup> and also the **Equal Opportunities Act**,<sup>3</sup> and later introduced sexual harassment in its new **Criminal code** which came into force in 2003. Even though after joining the EU Lithuania was implementing EU laws in respect to sexual harassment, the provision in the Criminal code remained ineffective in practice for numerous reasons. One of the obstacles is proof as an element of the crime which is necessary in criminal cases of sexual harassment, as "*Lithuanian law requires proving the sexual nature of the purpose*."<sup>4</sup> Moreover, the aforementioned Acts, regulating equal opportunities, might cause the issue of double coverage.<sup>5</sup>

Lithuania established the Office of the Equal Opportunities Ombudsperson in 1999, whose legal basis stems from the Law on Equal Opportunities between Women and Men passed in 1998 and which came into force in 1999. It directly prohibited sexual harassment for the first time. Subsequently, the Equal Opportunities Act was adopted in 2003. These two statutes on equal opportunities are the main laws which define sexual harassment (directly by the former Act and indirectly but as one of the grounds of discrimination in the former) and consider it as a form of discrimination.

There are also other national laws in Lithuania regulating sexual harassment either establishing a direct provision on sexual harassment (**Criminal Code**,<sup>6</sup> **Labor Code**, **Military Discipline Statute** (art. 88)) or leaving it as a form of discrimination on the grounds of sex (**Civil Code**, **Code of Administrative Offences**).

The Lithuanian Labor Code neither defines sexual harassment, elaborates the acts which constitute sexual harassment, nor does it explicitly provide how the employer is responsible if an employee was sexually harassed in the workplace. Under art. 235 of the Lithuanian Labor

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<sup>2</sup> Law on Equal Opportunities of Women and Men, State Gazette No. 112-3100, 1998, [http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc\\_l?p\\_id=478625](http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=478625).

<sup>3</sup> Equal Opportunities Act, State Gazette No. 114-5115, 2003, [http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc\\_l?p\\_id=454179](http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=454179).

<sup>4</sup> European Commission Directorate-General for Justice Unit, Harassment related to Sex and Sexual Harassment Law in 33 European Countries. Discrimination versus Dignity, Equal Treatment Legislation, European Network of Legal Experts in the Field Of Gender Equality, European Council, 2012.

<sup>5</sup> Ibid., p. 175.

<sup>6</sup> Criminal Code of the Republic of Lithuania [Lietuvos Respublikos Baudžiamasis kodeksas], 2000, No. 89- 2741, [http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc\\_l?p\\_id=493995](http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=493995).

<sup>7</sup> Labor Code of the Republic of Lithuania [Lietuvos Respublikos Darbo kodeksas], 2002, No. 64-2569, [http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc\\_l?p\\_id=493843](http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=493843).

<sup>8</sup> Military Discipline Statute of the Republic of Lithuania, [Lietuvos Respublikos Kariuomenės drausmės statutas], 1999, No. 51-1635, <https://www.e-tar.lt/portal/lt/legalAct/TAR.2690D2FE2A35>.

<sup>9</sup> Civil Code of the Republic of Lithuania (Lietuvos Respublikos Civilinis Kodeksas), State Gazette, 2000, No. 74-2262, [http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc\\_l?p\\_id=493999](http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=493999).

<sup>10</sup> Code of Administrative Offences of the Republic of Lithuania [Lietuvos Respublikos Administracinių teisės pažeidimų kodeksas], Government Gazette, 1985, No. 1-1, i. k. 0841010KODE00X-4449, Latest Editing Bulletin of 1 January 2015 [http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc\\_l?p\\_id=493978](http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=493978).

<sup>11</sup> Law on Equal Opportunities of Women and Men, State Gazette No. 112-3100, 1998, [http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc\\_l?p\\_id=478625](http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=478625).

Code, sexual harassment is considered to be a grave breach of Rules of Procedure. The Law on Equal Opportunities between Women and Men and Equal Opportunities Ombudsperson recommendations provide **some guidelines** how an employer should guarantee equal working conditions for men and women without sexual harassment. Lithuanian Law on Equal Opportunities between Women and Men defines:

**Sexual harassment** means any form of unwanted and insulting verbal, written or physical conduct of a sexual nature with a person, with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, humiliating or offensive environment.

**Harassment** means unwanted conduct related to the sex of a person that occurs with the purpose or effect of violating the dignity of a person, and of creating an intimidating, hostile, humiliating or offensive environment.

Sexual harassment is discrimination on the grounds of sex with the aftermath of the violation of a person's dignity.<sup>7</sup> Based on the Lithuanian approach and definition of sexual harassment, the sexual conduct by the perpetrator has to be unwanted. The Criminal Code defines sexual harassment as “

1. A person who pursues sexual contact or satisfaction by vulgar or similar conduct, suggestions or hints and this way sexually harassed a person who is by employment or otherwise subordinate, shall be considered to have committed a misdemeanor and shall be punished by a fine or by restriction of liberty or arrest.

2. The liability for the conduct described in the first part for the person shall occur only when there is a complaint lodged by the victim or a statement by the victim's legally authorized representative or at the request of a prosecutor.”<sup>8</sup> While the Lithuanian equal opportunities laws do not require the victim of sexual harassment be anyhow subordinate or dependent, i.e. the abuse of authority is not one of the constituent elements; the Criminal Code requires this element in order to amount to this misdemeanor. However, only legally binding subordination or dependency has the legal value on the purpose of this article.<sup>9</sup>

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<sup>7</sup> Laima Vengalė-Dits, Methodical recommendations on sexual harassment and sex-based indication to discriminate prevention [Metodinės rekomendacijos dėl seksualinio priekabiavimo dėl lyties bei nurodymo diskriminuoti prevencijos], Ombudsperson's Office Publication Supporting the State Women and Men Equal Opportunities Program of 2010-2014, 2012.

<sup>8</sup> Criminal Code of the Republic of Lithuania [Lietuvos Respublikos Baudžiamasis kodeksas], Government Gazette, 2000, No. 89-2741, [http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc\\_l?p\\_id=494077](http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=494077).

<sup>9</sup> Paulius Veršekys, Some Regulation Problems of Criminal Amenability of Sexual Harassment in the Republic of Lithuania [Baudžiamosios atsakomybės už seksualinį priekabiavimą reglamentavimo Lietuvoje problemos], Teisė, 2008, No.68, p. 190.

**Duty of educational establishments and research and higher education institutions to implement equal rights for women and men** (Article 4). Educational and research establishments must:

5) take measures to prevent sexual harassment of pupils, students and employees of educational establishments and research and higher education institutions;

6) take measures to ensure that pupils, students or employees of educational establishments and research and higher education institutions who testify or provide explanations would be protected from hostile treatment, adverse consequences and any other type of persecution as a reaction to the complaint or another legal procedure concerning discrimination

Rights of a person discriminated against and of the persons representing him (Article 9):

A person who considers that he has been subject to discriminatory actions specified in this Chapter or that he has become the subject of sexual or any other harassment shall have **the right to apply to the Equal Opportunities Ombudsperson for objective and unbiased assistance.**

Acceptance of complaints (Article 18):

1. Each natural and legal person shall have the right to file a complaint with the Equal Opportunities Ombudsperson concerning a violation of equal rights.
2. The complaints shall be submitted in writing...

**Each university is engaged to approve the Code of Ethics of Higher Education Institutions'**, for example, in Šiauliai University Ethics Code<sup>10</sup> is stated:

Academic ethics is violated (Article 2.5):

- discrimination by language, actions, academic or other formal or informal assessment based on age, gender or sexual orientation, disability, appearance, race or ethnic background, religion or beliefs, in addition to tolerance to such discrimination (2.5.1);
- harassment – when a person's dignity is offended based on age, gender or sexual orientation, disability, appearance, race or ethnic background, religion or beliefs or an intimidating, hostile, or humiliating environment is created. In addition, when actions humiliating dignity or violating human rights are tolerated (2.5.2);
- humiliating a person by employing superiority (2.5.4).

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<sup>10</sup> Approved on 16th December 2015 by Šiauliai University Senate (protokolo Nr. SP-09) nutarimu Nr. 4.

## 2. Research

**Two research** studies were carried out:

**V. Šidlauskienė (2008). Gendered and Sexual Harassment and Coercion at the University:** Case study // *Inter-study Humanitatis*. Vol. 5, 2008, 146-159 p. [*in Lithuanian*].

Recommendation of the study:

According to the survey, the following recommendations for the development of non-discrimination policy in institutions of higher education can be provided: The concept of the quality of education is an integral part of the general environment in institutions of higher education and could enhance or disrupt the personal growth, activity, and initiative important for the success of the entire academic community. It is therefore important to develop the ethos of openness and respect for diversity in universities and colleges and ensure a safe and supportive environment for realising the intellectual and creative potential of each member of the community. Our society's intolerance with respect to various groups is one of the strongest in the European Union. There is no doubt that such attitudes also penetrate the classrooms of institutions of higher education, manifesting both in the behaviour of students and lecturers. The dominant discourse of degrading and belittling 'other' people in our culture must therefore be juxtaposed with long-term institutional strategies and consistency in their implementation (e.g., continuous monitoring and analysis of the situation, education of the community of institutions of higher education about non-discrimination, and implementation of a code of ethics of respect for diversity and ensuring sanctions for its violations).

All discriminatory attitudes are based on opposing the norm and otherness and rejecting and/or stigmatising the difference. An effective prevention policy should be implemented comprehensively, without identifying individual grounds for discrimination and avoiding their competition and hierarchy. A person experiences the negative affect of discrimination personally, but the causes of discrimination have deep structural roots. It is therefore necessary to ensure the prevention of discrimination and bullying, assistance to victims, and the application of efficiency measures at the institutional level. The formation of attitudes of respect for diversity and openness is a complex process embracing the effect of the content of lectures, rhetoric and actions of specific persons, visual information on the newsstands of institutions of higher education, digital displays, websites, and presentations by teachers or students. However, in order to form attitudes towards different social groups, it is important both what is said (shown) and what is kept silent. The information (verbal, written, and visual) used for the presentation of the communities of the institutions of higher education and the material used in teaching should therefore reflect the entire spectrum of social diversity, thereby reducing exclusion and the threat of marginalisation and stigmatisation. The formation of the ethos of institutions of higher education based on attitudes of



non-discrimination is affected not only by discourse that emphasises diversity, but also by practice. Therefore, in order to create a work culture at universities and colleges based on the principles of equal opportunities, it is necessary to ensure a proportional representation of all social groups in all governing levels of the community of the institutions of higher education—by forming bodies representing lecturers and decision-making and representative bodies. The values of respect for diversity are not inherited. Every generation must build its own path to democracy. Organisations representing the interests of vulnerable groups (student representations, trade unions, groups formed on the basis of an identity) should therefore take an active role in monitoring discrimination in institutions of higher education and initiate preventive measures.

**Jankauskaitė, M., Aleksejūnė, V., Pilinkaitė-Sotirovič, V., Valentinavičius, V.** (2011). ***Multiple Discrimination in Higher Education Institutions***. Vilnius, 76 p. [in Lithuanian]

The study revealed that: The practice of telling derogatory jokes and making humiliating remarks in institutions of higher education in Lithuania is widespread. This is noted by between 39.4% and 76.8% of the respondents, who stated that their peers were engaged in this practice; between 3.7% and 35.9% of the respondents stated that they themselves tell such jokes. Particularly abundant offensive jokes are told about the gender and sexual orientation of people, which suggests the presence of rooted stereotypes among the community of institutions of higher education and discrimination associated with gender, i.e. sexism and homophobic attitudes.

The following homophobic attitudes are prevalent among Lithuanian students: the closer the imaginary homosexual person is, the stronger these attitudes are. A third of the students who participated in the study (28.9%) would be disturbed to communicate with a homosexual person and sharing a room with a homosexual person would cause negative emotions for 45.7% of the respondents. Of all respondents, 41.4% would not like to share a room with a roommate who has special needs, although this condition would encourage communication or would not have a negative impact on communication for 84.9% of the students participating in the survey. The survey also revealed the xenophobic attitudes of students. These views are more common among male than female students. The behaviour of lecturers reinforces the practice of bullying and humiliation prevalent among students. Between 12.9% and 49.9% of respondents said they had heard lecturers tell insulting jokes. Most derisive remarks are made about women (49.9%). There are statistically significant differences between the responses of female and male respondents. Female respondents make fun of the representatives of various social groups far less frequently, are more frequently opposed to humiliating jokes, and are in favour of implementing systematic preventive measures. There are no statistically significant differences in the replies of the students studying for a bachelor's or master's degree. This suggests that studies in institutions of higher education in Lithuania do not have a major affect on the formation of students' values associated

with respect for diversity. Students notice various forms of bullying but do not consider them discriminatory and do not denounce the widespread harmful practice. Participants in the survey poorly perceive the structural character of discrimination and its causes and are inclined to consider prevention a private matter for each student.

The structural discrimination of students with special needs is not recognised or noticed. The most effective means for ensuring equal opportunities is considered to be the education of the community of institutions of higher education, public campaigns, and situation analysis. The students least support the consolidation of the activities of organisations that defend the interests of excluded groups, but they believe that it is necessary to establish committees that deal with complaints regarding (possible) discrimination. Six out of ten students surveyed (59.2%) positively assess the psychological study environment in their institution (as a safe, creative, and acceptable environment). The remaining 40.8% face certain problems, however. One in four (26.5%) respondents indicated that the physical environment of their educational institution was safe but limited personal self-expression. Almost every tenth student (9.3%) does not feel like a fully-fledged part of the community of their institution, 1.3% said they experienced isolation and rejection, and 1.1% of respondents do not feel safe. The students participating in the survey were inclined to think about the effectiveness of measures that ensure equal opportunities in an abstract manner rather than on the basis of actual experiences; the vast majority of respondents (71.9%) simply did not know whether the mechanisms for preventing discrimination were sufficiently developed in their institution of higher education. Students in a master's degree programme assessed opportunities for their creative potential more critically than the students in a bachelor's degree programme. A statistically significant connection related with attitudes towards various social groups was noted; this highlights the necessity to use a complex approach in addressing problems of discrimination.

### **3. Media coverage**

A number of sexual violence and harassment cases from across the case studies highlighted effect of media on the sexual harassment and violence in higher education institutions, for example:

1. Seksualinis priekabiavimas: nekaltas flirtas ar žmogaus teisių pažeidimas / Sexual harassment: innocent flirt or human rights violation?  
<http://gyvenimas.delfi.lt/archive/article.php?id=68715854> [in Lithuanian].

2. An artist painted nude women colleagues of College without thier permission – painter from Kaunas appealed to the Ombuspersion Office [in Lithuanian].

<http://www.15min.lt/naujiena/aktualu/lietuva/nuogas-pavaldines-be-ju-sutikimo-pavaizdaves-kauno-menininkas-apskustas-del-priekabiavimo-56-495566>

<http://www.delfi.lt/news/daily/lithuania/pavaldines-pavaizdavo-be-ju-sutikimo-nuogas.d?id=67647144>

<https://www.youtube.com/watch?v=sbyjpC04Cc4>

#### **4. Student Union and NGO initiatives (a few)**

#### **5. Violence statistics**

According data of Statistics Lithuania in 2015, 5.2 thousand women and 319 men were recorded as victims of domestic violence, i.e. family members – a spouse, a cohabitant. 201 women and 25 men were recorded as victims of sexual abuse, 9 women and 336 men suffered serious bodily injuries.

**Persons as victims of sexual abuse** (Criminal Code of the Republic of Lithuania, articles 149–153)<sup>11</sup>:

**2014** - 84 women and 5 men (adults); 111 - girls and 19 boys (children).

**2015** - 82 women and 1 man (adults); 119 - girls and 24 boys (children).

**Persons as victims of sexual abuse in urban and rural areas** (Criminal Code of the Republic of Lithuania, articles 149–153)<sup>12</sup>:

**2014** - 106 women and 17 men in urban areas.

**2015** - 120 women and 18 men in urban areas.

**2014** - 89 women and 7 men in rural areas.

**2015** - 81 women and 7 men in rural areas.

According to the Annual Equal Opportunities Ombudsperson Report, in 2015 **two** complaints regarding sexual harassment in workplace were made<sup>13</sup>.

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<sup>11</sup> Data provided by the IT and Communications Department under the Ministry of the Interior of the Republic of Lithuania

<sup>12</sup> Data provided by the IT and Communications Department under the Ministry of the Interior of the Republic of Lithuania

<sup>13</sup> Annual Equal Opportunities Ombudsperson Report/Lygių galimybių kontrolieriaus tarnybos 2015 m. ataskaita, p. 13  
<http://lygybe.lt/data/public/uploads/2016/04/lygiu-galimybiu-kontrolieriaus-tarnybos-2015-m.-ataskaita.pdf>

## Conclusion

The social dialogue in Lithuania is usually restricted to the discussion on wages and social benefits, but no debates on SVH in higher education institutions with exception of a few scandal cases VU (Vilnius) and VDA (Kaunas). Policy measures, such as, for instance, preventive measures against discrimination, is not a subject of debate of social partners or a subject of any collective agreements. There are national collective agreements in Lithuania and only very few sectoral agreements. They definitely include no provisions on sexual harassment or harassment in the workplace. Not even informal discussions on the implementation of the Framework Agreement on harassment and violence at work 2007 have taken place in Lithuania, since the majority of leaders do not consider this a priority.

No specific complaints procedures are available for individuals in the event of alleged harassment or sexual harassment. They may lodge their complaint with the Equal Opportunities Ombudsperson, initiate a civil case or lodge their complaint with the state prosecutor asking for a criminal investigation.

There is no implementation at national level of the differences between harassment on the ground of sex and sexual harassment, including their different applications. Only sexual harassment is publicly known, but its precise definition has not been analysed so far. The European definitions are beneficial because their formulation is broader than the national ones (e.g. the first national definition of sexual harassment required a vertical relationship between the harasser and the victim). However, at the national level they are not supported by additional instruments such as clear obligations for employers, rules on the collection of evidence, administrative sanctions etc. Adding sexual harassment and harassment to the field of discrimination extends the scope of possible options for defence of the victim, including active participation of the Equal Opportunities Ombudsperson. In Lithuania, this institution has won certain trust among the victims of harassment and is often regarded as the primary institution for the defence of infringed rights.

Against the Lithuanian background, where the fight against harassment and sexual harassment is underdeveloped. However, the problem of harassment currently receives more attention when it is combined with discrimination.

Equality legislation at least provides for a certain legal framework for the courts to take decisions. Solving the problem of sexual harassment and harassment in the working environment using the tools of traditional labour law (health and safety, breach of contract, tort) has been found ineffective.



27.818 interviews  
 04 > 13 / 06 / 2016  
 1.004 interviews  
 04 > 13 / 06 / 2016  
 Methodology: face-to-face

Special Eurobarometer 449

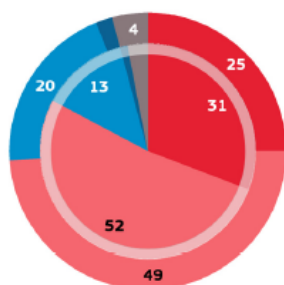
Gender-based violence

LITHUANIA

June 2016

## 1. PERCEIVED PREVALENCE OF DOMESTIC VIOLENCE

**QB1** In general, how common do you think that domestic violence against women is in (OUR COUNTRY)? (%)

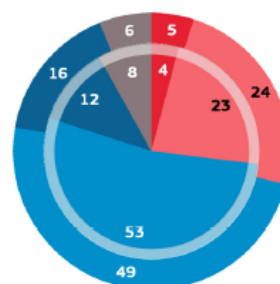


EU28 ■ Outer pie LT ■ Inner pie

	EU28		LT	
	2016	2016-2010	2016	2016-2010
Very common	25	- 2	31	+ 3
Fairly common	49	- 2	52	=
Not very common	20	+ 3	13	- 2
Not at all common	2	+ 1	1	=
Don't know	4	=	3	- 1

Evolution 06/2016 - 02-03/2010

**QB2** In general, how common do you think domestic violence against men is in (OUR COUNTRY)? (%)



● Very common  
 ● Fairly common  
 ● Not very common  
 ● Not at all common  
 ● Don't know

EU28 ■ Outer pie LT ■ Inner pie

**QB3** In your opinion, domestic violence against women is... (%)

Answer: Unacceptable and should always be punishable by law

EU28

LT

TOTAL	84	78
<b>Gender</b>		
Man	81	73
Woman	86	81
<b>Age</b>		
15-24	81	77
25-39	82	76
40-54	82	68
55+	80	75

Socio-demographic breakdown

**QB3b** In your opinion, domestic violence against men is... (%)

Answer: Unacceptable and should always be punished by law

EU28

LT

TOTAL	80	72
<b>Gender</b>		
Man	78	71
Woman	81	74
<b>Age</b>		
15-24	79	71
25-39	78	69
40-54	79	67
55+	76	75

Socio-demographic breakdown



27.818 interviews  
04 > 13 / 06 / 2016



1.004 interviews  
04 > 13 / 06 / 2016

Methodology: face-to-face

Special Eurobarometer 44

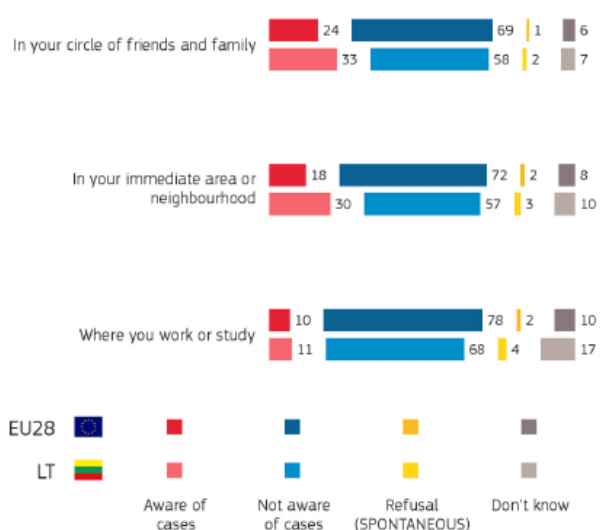
Gender-based violence

LITHUANIA

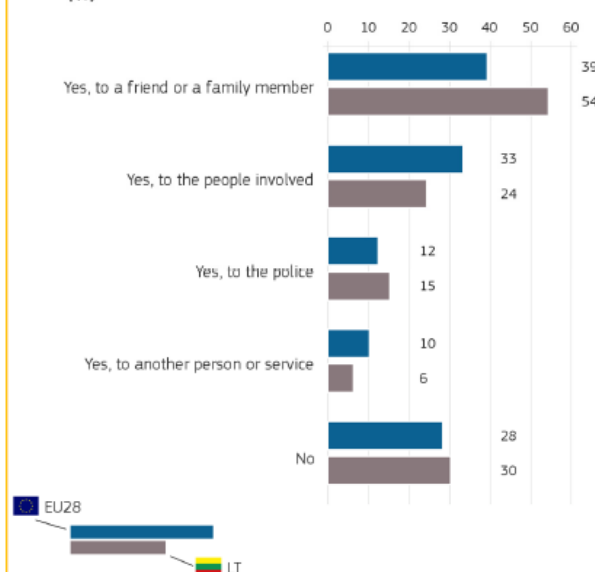
June 201

## 2. AWARENESS OF DOMESTIC VIOLENCE

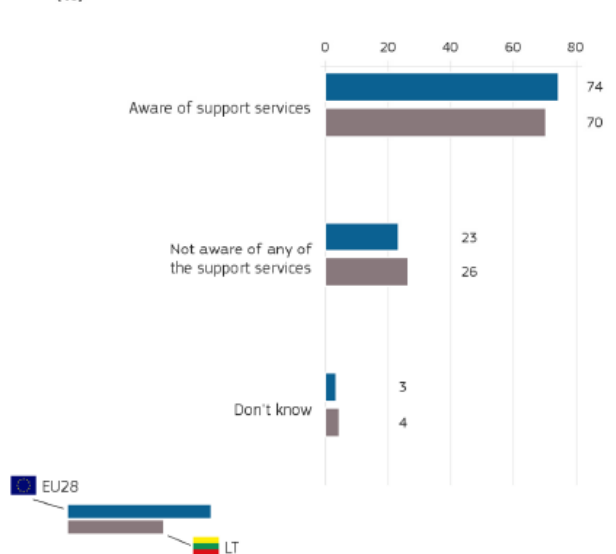
**QB4** Do you know of any men or women who have been a victim of any form of domestic violence? (%)



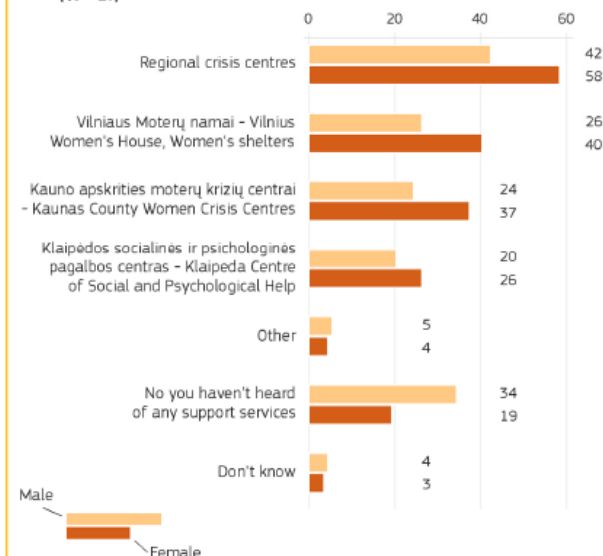
**QB4b** Did you speak to anyone about this? (MULTIPLE ANSWERS POSSIBLE) (%)



**QB5** Have you heard of any of the following support services for women who are victims of domestic violence? (MULTIPLE ANSWERS POSSIBLE) (%)



**QB5** Have you heard of any of the following support services for women who are victims of domestic violence? (MULTIPLE ANSWERS POSSIBLE) (% - LT)



The list of support services was customized for each country participating in the survey.



27.818 interviews  
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Methodology: face-to-face

Special Eurobarometer 449

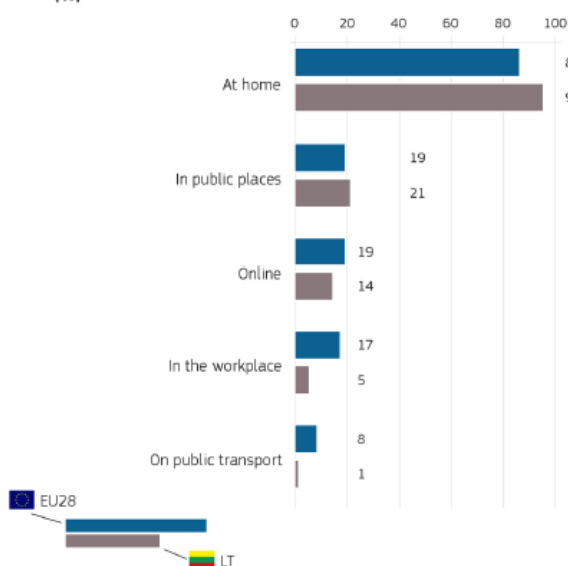
Gender-based violence

LITHUANIA

June 2016

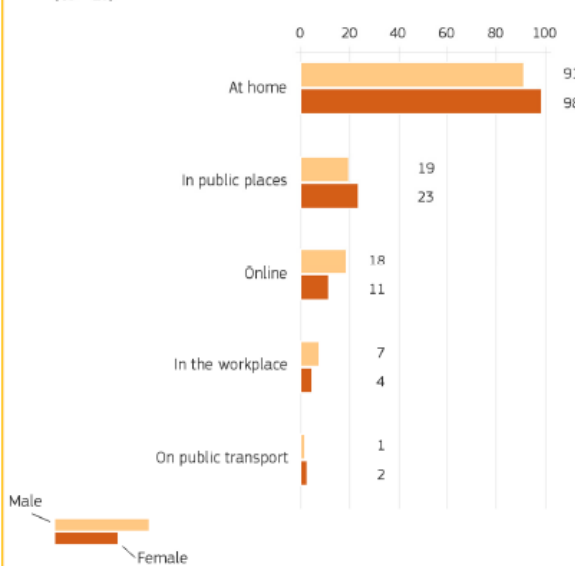
### 3. PERCEPTIONS ON AND ATTITUDES TOWARDS GENDER-BASED VIOLENCE

**QB6** In your view, is violence against women more likely to occur... (MAX. 2 ANSWERS) (%)



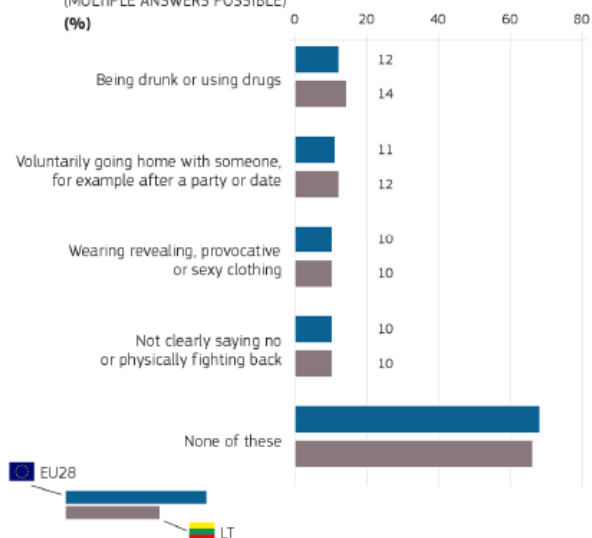
Only the most chosen answers at EU level are shown.

**QB6** In your view, is violence against women more likely to occur... (MAX. 2 ANSWERS) (% - LT)



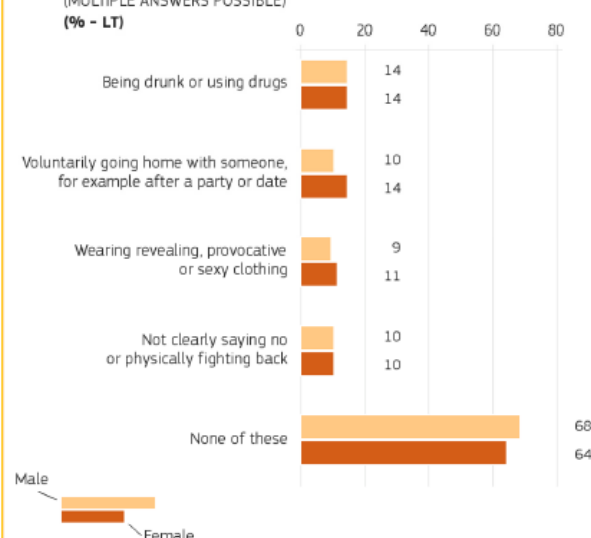
Only the most chosen answers at EU level are shown.

**QB10** Some people believe that having sexual intercourse without consent may be justified in certain situations. Do you think this applies to the following circumstances? (MULTIPLE ANSWERS POSSIBLE) (%)



Only the most chosen answers at EU level are shown.

**QB10** Some people believe that having sexual intercourse without consent may be justified in certain situations. Do you think this applies to the following circumstances? (MULTIPLE ANSWERS POSSIBLE) (% - LT)



Only the most chosen answers at EU level are shown.



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Special Eurobarometer 449

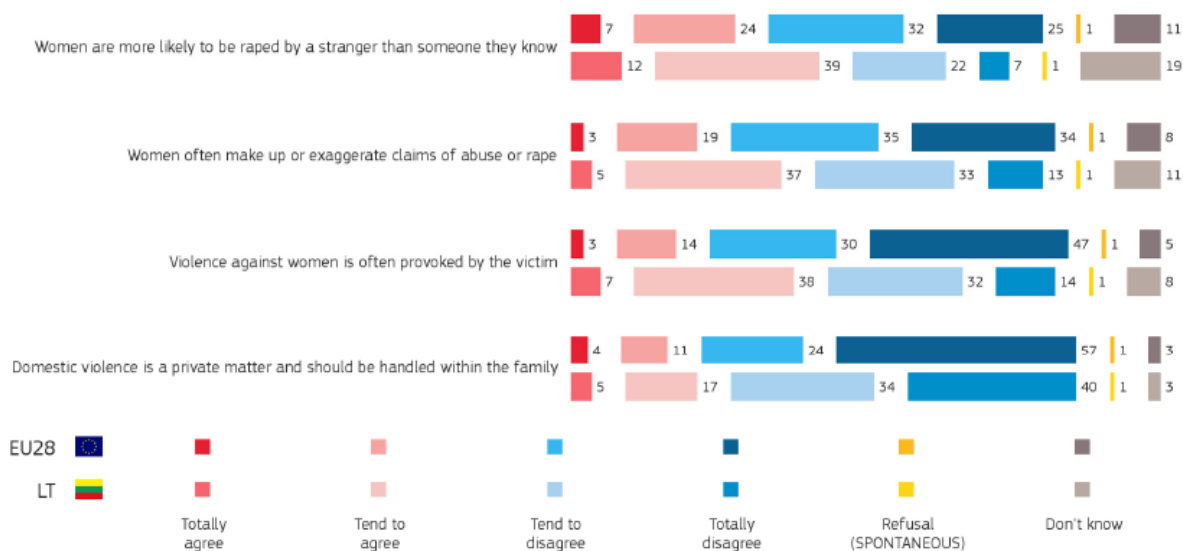
Gender-based violence

LITHUANIA

June 2016

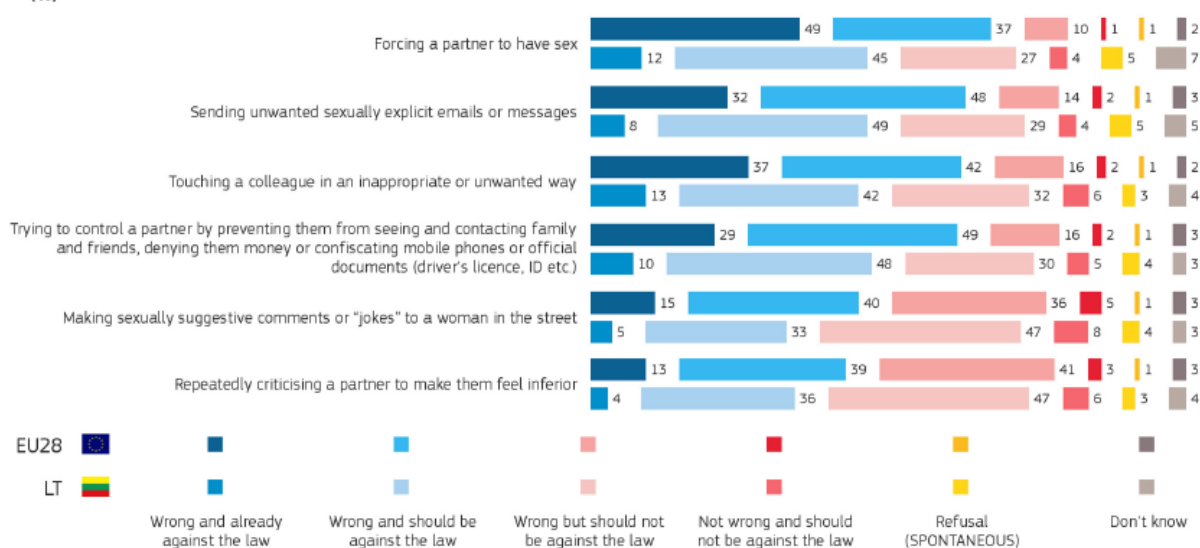
### 3. PERCEPTIONS ON AND ATTITUDES TOWARDS GENDER-BASED VIOLENCE

**QB9** Please tell me to what extent you agree or disagree with the following statements?  
(%)



### 4. LEGAL RESPONSE TO GENDER-BASED VIOLENCE

**QB8** For each of the following situations, please tell me whether you think it is against the law or not. For each please tell whether you think it is wrong and is already against the law, it is wrong and should be against the law, it is wrong but should not be against the law, it is not wrong and should not be against the law.  
(%)





**NON.  
NO.  
NEIN.**

Say No!  
Stop  
**violence**  
against  
women

**Violence against women** is rooted in women's unequal status in society and that status reflects the unbalanced distribution of social, political and economic power among women and men in society. It is one of the most pervasive human rights violations of our time and a form of discrimination that results in, or is likely to result in, physical, sexual, psychological or economic harm or suffering to women <sup>(1)</sup>. Violence against women undermines women's dignity and integrity and imposes serious harm on families, communities and societies. In the EU, estimates suggest that 1 in 3 women (or 61 million out of 185 million) have experienced physical or sexual violence, or both, since the age of 15 <sup>(2)</sup>.

The full extent of violence against women is difficult to estimate. Violence against women continues to be under-reported and stigmatised, meaning that what actually gets reported is only a fraction of the reality. In Lithuania, 69 % of the population tend to trust the police, which is close to the figure in the EU overall (71 %) <sup>(3)</sup>.

In EIGE's Gender Equality Index 2015 it was found that where people tend to have more trust in justice institutions, levels of disclosed violence are higher <sup>(4)</sup>. It is estimated that in Lithuania, 31 % of women have experienced violence, which is roughly the same as in the EU overall <sup>(5)</sup>.

The European Institute for Gender Equality has estimated that the cost of intimate partner violence against women in Lithuania could amount to EUR 600 million per year. This figure was calculated according to the methodology used in EIGE's 2014 study <sup>(6)</sup>, which Member States can replicate, as done by Estonia in 2016 <sup>(7)</sup>.



## What are the facts?

The 2014 European Union Agency for Fundamental Rights survey data results showed that since the age of 15:

- 31 % of women in Lithuania have experienced physical and/or sexual violence;
- 8 % of women in Lithuania have been stalked;
- 35 % of women in Lithuania have experienced sexual harassment <sup>(8)</sup>.

According to Eurostat, from 2010 to 2012, an estimated 0.6 per 100 000 people in Lithuania were registered as victims of human trafficking <sup>(9)</sup>.



When trust in police is low, victims are less likely to report violence.



## Is violence against women a crime in Lithuania?

In Lithuania, rape and sexual assault are criminalised under Articles 149—151 of the criminal code. Rape law in Lithuania still requires ‘force or threat’ and does not cover consent. Marital rape in Lithuania is not criminalised <sup>(10)</sup>.

Sexual harassment is defined under the Law on Equal Opportunities for Women and Men (LR Moterų ir vyrų lygių galimybių įstatymas) <sup>(11)</sup> and is reflected in the Lithuanian penal code. The law also covers sexual harassment at work <sup>(12)</sup>.

In 2011, Lithuania created the Law on Protection against Domestic Violence <sup>(13)</sup>.

Female genital mutilation is not criminalised in Lithuanian law, although it could potentially be prosecuted under other statutes <sup>(14)</sup>.

## What is being done to eliminate violence against women in Lithuania?

In 2012, the Lithuanian government launched its interinstitutional action plan on implementation of the national programme on crime prevention and control (Nacionalinė nusikaltimų prevencijos ir kontrolės programos įgyvendinimo taprinstitucinis veiklos planas), which prioritises the prevention of human trafficking <sup>(15)</sup>.

### Good practices show the way

Non-governmental organisations (NGOs) have been actively providing assistance to victims of violence. The Network of Specialised Assistance Centres (SAC), administered by NGOs, has been functioning in Lithuania since 2012.

This network of centres implements the Law on Protection against Domestic Violence, by creating a special programme financed by the state budget <sup>(20)</sup>. The aim of SAC is to guarantee provision of specialised integrated assistance to victims of violence.

These centres support victims of violence, inform victims of the types (and locations) of assistance they can receive, mediate and represent them in other institutions, provide psychological and legal assistance, and assist in restoring interpersonal relationships with family members.



In 2013, the Lithuanian police launched a programme to support the implementation of the new domestic violence law and to improve police response and data collection <sup>(16)</sup>.

Lithuania signed the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) on 7 June 2013 but has not yet ratified it <sup>(17)</sup>. The Istanbul Convention is the most far-reaching international treaty to tackle this serious violation of human rights.

There is a national programme for the prevention of domestic violence and provision of assistance to victims 2014—2020 <sup>(18)</sup> and an action plan for the years 2014—2016, which are currently being implemented.

### How are women and girls protected?

In Lithuania, protection orders can be found in civil, administrative (emergency barring order) and criminal law. Civil and criminal protection orders are regulated in generic laws and emergency barring orders are available for victims of domestic violence only. Within civil law, protection orders can be issued as provisional measures pending the outcome of proceedings such as divorce and marriage dissolution. The criminal justice system provides protection orders at the pre-trial and post-trial stage <sup>(19)</sup>.

#### What help is available in Lithuania?

Specialised support centres provide proactive assistance to women who have called the police due to domestic violence. Lithuania has 17 of these centres and in 2015 over 8 000 women were supported through this service <sup>(21)</sup>.

Victims of domestic violence are entitled to social services. Social services are provided to all residents in need by ensuring a safe and healthy environment, assistance respecting human dignity, education to help compensate for lost independence and help to maintain social relationships with the family and society. Victims of domestic violence can get more specialised help at crisis centres and temporary accommodation centres for mothers and children. According to the government there are 29 crisis centres and 5 temporary accommodation centres for mothers and children.

Lithuania has no rape crisis centres <sup>(22)</sup>.

The national women's helpline operates 24/7 and provides emotional assistance for victims of domestic violence.



**Lithuania has 17 specialised support centres which provide proactive assistance to women who have called the police due to domestic violence.**



Lithuania has a general helpline called The Women's Line (8800 66 366), which is free of charge <sup>(23)</sup>.

## Endnotes

- (<sup>1</sup>) Council of Europe (2011). *Council of Europe Convention on preventing and combating violence against women and domestic violence, and its explanatory report*, Council of Europe Treaty Series No 10. Available at: <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210>
- (<sup>2</sup>) European Union Agency for Fundamental Rights (2014). *Violence against women: an EU-wide survey — Main results*, Publications Office of the European Union, Luxembourg.
- (<sup>3</sup>) European Commission (2016). *Eurobarometer*. Available at: <http://ec.europa.eu/COMMFrontOffice/PublicOpinion/index.cfm/Chart/getChart/themeKy/18/groupKy/88>
- (<sup>4</sup>) European Institute for Gender Equality (2013). *Gender Equality Index — Report*. Available at: <http://eige.europa.eu/sites/default/files/documents/Gender-Equality-Index-Report.pdf>
- (<sup>5</sup>) Ibid. The level of disclosed violence in the EU overall is 33 %.
- (<sup>6</sup>) European Institute for Gender Equality (2014). *Estimating the costs of gender-based violence in the European Union — Report*, Publications Office of the European Union, Luxembourg. Available at: <http://eige.europa.eu/sites/default/files/documents/MH0414745EN2.pdf>
- (<sup>7</sup>) *The cost of domestic violence in Estonia*. Available at: [https://www.sm.ee/sites/default/files/content-editors/Sotsiaal/Norra/vagivalla\\_hind.pdf](https://www.sm.ee/sites/default/files/content-editors/Sotsiaal/Norra/vagivalla_hind.pdf)
- (<sup>8</sup>) European Union Agency for Fundamental Rights (2014). *Violence against women: an EU-wide survey — Main results*, Publications Office of the European Union, Luxembourg.
- (<sup>9</sup>) Eurostat (2015). *Trafficking in human beings*, Publications Office of the European Union, Luxembourg. Available at: [https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/eurostat\\_report\\_on\\_trafficking\\_in\\_human\\_beings\\_-\\_2015\\_edition.pdf](https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/eurostat_report_on_trafficking_in_human_beings_-_2015_edition.pdf)
- (<sup>10</sup>) European Women's Lobby (2013). *EWL barometer on rape in the EU 2013*, p. 48. Available at: [http://eurogender.eige.europa.eu/sites/default/files/ewl\\_barometre\\_final\\_11092013%20%281%29.pdf](http://eurogender.eige.europa.eu/sites/default/files/ewl_barometre_final_11092013%20%281%29.pdf)
- (<sup>11</sup>) Parliament of Lithuania (2014). *LR Moterų ir vyrų lygių galimybių įstatymas (Law on Equal Opportunities for Women and Men)*. No VIII-947, 1 December 1998 (amendment order No XII-1023, 15 July 2014). Available at: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/488fe061a7c611e59010bea026bdb259?jfwid=q8i88l7y0>
- (<sup>12</sup>) Parliament of Lithuania (2002). *Darbo kodekso patvirtinimo, įsigaliojimo ir įgyvendinimo įstatymas 235(2) str. 5 punktas (Subparagraph 5 of Article 235(2) of the Labour Code)*. No IX-926, 2002. *Official gazette*, No 64-2569, 2002. Available at: [http://www3.lrs.lt/pls/inter3/oldsearch.preps2?Condition1=169334&Condition2=showdoc\\_l?p\\_id=410975](http://www3.lrs.lt/pls/inter3/oldsearch.preps2?Condition1=169334&Condition2=showdoc_l?p_id=410975)
- (<sup>13</sup>) [http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc\\_l?p\\_id=410975](http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=410975)
- (<sup>14</sup>) [http://ec.europa.eu/justice/gender-equality/files/exchange\\_of\\_good\\_practice\\_uk/lt\\_final\\_comments\\_paper\\_uk\\_2016\\_en.pdf](http://ec.europa.eu/justice/gender-equality/files/exchange_of_good_practice_uk/lt_final_comments_paper_uk_2016_en.pdf)
- (<sup>15</sup>) Government of Lithuania (2012). *Nutarimas dėl Nacionalinės nusikaltimų prevencijos ir kontrolės programos įgyvendinimo taprinstitucinis veiklos planas (Resolution of the government of Lithuania on approval of the interinstitutional action plan on implementation of the national programme on crime prevention and control)*, No 1381, 14 November 2012. *Official gazette*, No 135-6897.
- (<sup>16</sup>) <http://eige.europa.eu/gender-based-violence/resources/lithuania/order-police-commissioner-general-implementation-law-protection-against-domestic-violence-lr-policijos-generalinio>
- (<sup>17</sup>) [https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210/signatures?p\\_auth=j0WpqY2l](https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210/signatures?p_auth=j0WpqY2l)
- (<sup>18</sup>) Order No. A1-462 of the Minister of Social Security and Labour of the Republic of Lithuania of 24 September 2014 on the approval of the national programme for the prevention of domestic violence and provision of assistance to victims 2014-2020.
- (<sup>19</sup>) <http://poems-project.com/wp-content/uploads/2015/04/Intervict-Poems-digi-1.pdf>
- (<sup>20</sup>) Specialised assistance centres programme approved by the Minister of Social Security and Labour, the Minister of Health and the Minister of the Interior in 2011, reviewed in 2015, order No. A1-665/V-1306/1V-904.
- (<sup>21</sup>) WAVE (2015). *WAVE report on the role of specialist women's support services in Europe*, p. 47. Available at: <http://www.lygus.lt/spc>
- (<sup>22</sup>) Ibid., p. 45.
- (<sup>23</sup>) Ibid.

## European Institute for Gender Equality

The European Institute for Gender Equality (EIGE) is the EU knowledge centre on gender equality. EIGE supports policymakers and all relevant institutions in their efforts to make equality between women and men a reality for all Europeans by providing them with specific expertise and comparable and reliable data on gender equality in Europe.



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<http://eige.europa.eu> 

<http://www.twitter.com/eurogender> 

<http://www.facebook.com/eige.europa.eu> 

<http://www.youtube.com/eurogender> 

<http://eurogender.eige.europa.eu> 



Paper	MH-01-16-748-EN-C	978-92-9493-492-5	10.2839/317833
PDF	MH-01-16-748-EN-N	978-92-9493-489-5	10.2839/37056



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ZVR: 601608559

January 2016

### LITHUANIA

#### Basic Information

Population: 2,943,472

Female Population: 1,587,477

Member of Council of Europe: 1993

Member of European Union: 2004

CEDAW ratified: 1995

CEDAW Optional protocol ratified: 2004

Istanbul Convention – signed: yes (2013); ratified: No

Violence prevalence data: <http://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-violence-against-women-survey>

Gender Equality Index: 40.2, for further information see: <http://eige.europa.eu/gender-statistics/gender-equality-index/2012>

UN Women Global Database Global Database on Violence against Women: <http://www.evaw-global-database.unwomen.org/en/countries/europe/lithuania>

#### CEDAW Concluding Comments 2014:

Violence against women, including domestic violence

22. While welcoming the signature of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence in June 2013, the Committee expresses concern at the prevalence of violence against women in the State party and regrets that the State party has not adopted a comprehensive strategy aimed at eliminating sex- and gender-based violence against women in all its forms in public and private life. The Committee is also concerned about the insufficient information on the evaluation of the implementation of the National Strategy for Combating Violence against Women 2010-2012, which indicates inadequate monitoring of the implementation of policies and measures and evaluation of results achieved. The Committee is further concerned about the insufficient data on acts of violence against women that have been reported, investigated and prosecuted and the inadequate assistance and number of shelters available to women who are victims of violence.

23. Recalling its general recommendation No. 19 on violence against women, the Committee urges the State party:

(a) To expedite the harmonization of legislation in accordance with the Convention and the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence and the harmonization;



(b) To adopt a comprehensive strategy, which would complement the National Programme for the Prevention of Domestic Violence and Provision of Assistance to Victims for 2014-2020, aimed at eliminating sex- and gender-based violence against women in all its forms in public and private life, and set up an adequate coordinating and monitoring mechanism, or mandate an existing mechanism, to effectively prevent and eliminate all forms of violence against women;

(c) To regularly collect, analyse and publish data on cases of all forms of violence against women and girls that have been reported, investigated and prosecuted;

(d) To provide crisis and walk-in centres that offer protection and assistance to all women who are victims of violence;

(e) To ensure an adequate geographical distribution and number of shelters and the provision of a range of services for victims.

24. The Committee notes with appreciation the adoption of the law on protection against domestic violence, which addresses sex- and gender-based violence against women in intimate partnerships. The Committee also notes the adoption of the National Programme for the Prevention of Domestic Violence and Provision of Assistance to Victims for 2014-2020, the fact that an action plan for the period 2014-2016 is currently being prepared and the establishment of an inter-institutional working group to coordinate protection against domestic violence. It is, however, concerned at the gender neutrality of the legislation and relevant policies, which has an impact on their effective implementation, the inadequate provision of services, the limited monitoring and enforcement of protection orders imposed on perpetrators and the low number of prosecutions and sentences in domestic violence cases. The Committee is also concerned at the excessive use of reconciliatory mediation for victims of domestic violence and the possibility that a reconciliatory institute may be developed in the criminal process. The Committee is further concerned that marital rape has not been explicitly criminalized.

25. The Committee urges the State party:

(a) To ensure that the law on protection against domestic violence and relevant policies are implemented in a gender-sensitive manner;

(b) To effectively enforce and monitor compliance with protection orders imposed on perpetrators of domestic violence;

(c) To effectively prosecute and punish perpetrators of domestic violence;

(d) To end the use of reconciliatory mediation for victims of domestic violence and refrain from adopting reconciliatory mediation in the criminal process, given that such procedures may increase the vulnerability of women who are victims of violence;

(e) To amend the Criminal Code with a view to explicitly criminalizing marital rape.

## Introduction

The following information has been compiled from the research carried out in 2015 for the WAVE Report ([http://files.wave-network.org/researchreports/WAVE\\_Report\\_2015.pdf](http://files.wave-network.org/researchreports/WAVE_Report_2015.pdf)) with national experts working in the field of violence against women.<sup>1</sup> The research methodology involved an extensive questionnaire and a follow-up skype interview. The profile includes information on women's networks, shelters, centres, helplines, policy and funding. However, it was not possible to gather information on prevention, awareness-raising, campaigning and training.

## Women's Helplines

### National women's helplines

There is no national women's helpline, according to the WAVE definition in that it is gender-specific and provides specialized support.

### Other helplines for victims

There is one national helpline in Lithuania called "Women's Line" (8800 66 366), run by a women's NGO called "Association of Kaunas Women's Line". It does not operate 24/7, and is only open 5 days a week from 9am-6pm, and not open on holidays. The helpline does operate free of charge and provides multi-lingual support.

## Women's Shelters

There are no women's shelters in Lithuania, according to the WAVE definition of women's shelters, municipal multi-functional social service centres provide room for 'families in crisis', which is understood as part of help for the 'disadvantaged social groups'.

The only places where a gender-specific approach and women's empowerment is practiced are in the specialized help/intervention centres, which started according to the Protection from Violence Law and run by women's NGOs. Even so, this is not applied to all of them. For only by strengthening women's NGOs in Lithuania, we can achieve comprehensive gender-specific and empowering support to women and their children.

In addition, there is a lack of Domestic Violence (DV) shelters in Lithuania. Temporary accommodation for women survivors of violence is provided through the social care system in Municipal Social Care Centres. Although these do not have a gender-specific approach against violence, they do generally offer accommodation for all persons deemed to be in a crisis situation, including the women and men in vulnerable groups, such as the homeless, ex-convicts and drug users, and to children and young people without appropriate family support. Finally, there are five<sup>2</sup> women's shelters for victims of trafficking. These NGOs work in the field of support for the victims of trafficking provide special shelters.

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<sup>1</sup> Data presented in this country profile has been compiled throughout an extensive data collection process, however the final country profile has not been approved by the corresponding WAVE delegate.

<sup>2</sup> CoE, Analytical Study of the results of the 4<sup>th</sup> round of monitoring the implementation of recommendation rec(2002)5 on the protection of women against violence in Council of Europe member states (2014) p. 68.

## Women's Centres

There are 16 women's centres in Lithuania, which are intervention centres, and are run by women's NGOs. They exist in all provinces/districts, and have served 8,000 women in 2014. The State provides partial funding for these intervention centres.

All of these centres provide information and advice, counselling and multi-lingual support. Most provide practical support, empowering support, risk assessment and safety planning, and legal advice. Some provide advocacy, specialist support for children, and legal accompaniment. None provide specialist support minority women and legal representation.

## Women's Networks

There is one national women's network in Lithuania, the NGO called "Women's Rights are Human Rights", coordinated by Vilnius Moteru Namai/Vilnius Women's House<sup>3</sup>. This network has about 10 member organizations, a mix of intervention centres and women's centres. Established in 2006, after the IV Congress of Lithuanian Women for Women's Human Rights advocacy, this NGO is dedicated to lobbying for better legal protection of women victims of domestic violence, and promoting a friendly environment for women's NGOs providing services to them.

## Policy & Funding

There are two national strategies which address some forms of violence against women. The first appears under the title "National Plan for Prevention of Domestic Violence and Provision of Assistance to Victims" (2013-2020), while the second is called "National Strategy for combating violence against women and a plan of implementing measures" (2007-2009)<sup>4</sup> and (2010-2015)<sup>5</sup> "Nutarmias dėl valstybinės smurto prieš moteris mažinimo strategijos ir jos įgyvendinimo priemonių 2010-2012 metų plano patvirtinimo"<sup>6</sup>. The later was arbitrarily terminated in 2013 by the Ministry of social security and labour in spite of women's NGOs protest and demands to continue the only ever existing gender specific strategic document realizing the State obligations to stop violence against women. Policies and measures about specialist women support services are not specifically mentioned in the strategy, and there is no governmental coordinating body for implementing policies and measures to prevent violence against women. Consequently, women's NGOs are not involved in the coordinating body.

There is no national body/institution entrusted with the evaluation and monitoring of the national strategy/body. Women's NGOs do however conduct an evaluation of the strategy.

The members of the Coalition Women's Rights Are Human Rights and Association Vilnius Women's House are coordinators, active agents in the process of preparation and adoption of the Protection from Violence Law are actively monitoring the process of implementation of the Law by preparing and sending women's NGO recommendations concerning various issues, such as recommendations for better protection of the victims, protection from secondary and repeated victimization, human rights sensitization and victim friendly environment in the Law enforcement institutions, as well as issues concerning the quality and quantity of the State guaranteed services - specialized complex help for

<sup>3</sup> [www.vmotnam.lt](http://www.vmotnam.lt)

<sup>4</sup> [http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc\\_l?p\\_id=289640&p\\_tr2=](http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=289640&p_tr2=)

<sup>5</sup> [http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc\\_l?p\\_id=351089&p\\_query=&p\\_tr2=](http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=351089&p_query=&p_tr2=)

<sup>6</sup> EIGE, Review of the Implementation of the Beijing Platform for Action in EU Member States Report (2012) p. 111.



the victims of DV/ IPV and Specialized Help Centers working conditions, quarterly and annual reports, etc. this is being regularly preparing the statements and recommendations addressed to Parliamentary Committees, Ministry of Social Security and Labor, the State Chancellery, the Presidents' Office and other relevant bodies. The members of the Coalition and Association Vilnius Women's House as its coordinator are acknowledged experts in the field so other Civil Society organizations often join in supporting our demands and recommendations for the policies' and practices' improvement.

There are specific government funds allocated for activities to combat violence against women on the national level. In 2014, NGOs received 920,000 LTL for NGO activities. The law does allow for State funding of women's NGOs for service provision, and this funding is mandated by law/regulation.

The most common forms of government funding for women's support services are: project funding, annual core funding, and 2-3 years core funding.

## **APPENDIX 5**

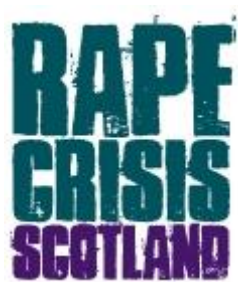
### **UK and Scotland**

#### **Rape Crisis Scotland (RCS)**

- "Review of data on prevalence of SVH in third level institutions in the UK and Scotland

Kathryn Dawson, Rape Crisis Scotland (RCS)

- Eurobarometer Report on Gender-based Violence – UK (2016)
- European Institute for Gender Equality (EIGE) Report– UK (2016)
- Women Against Violence (WAVE) Report- UK (2016)



**Review of data on prevalence of SVH in  
third level institutions in the UK and Scotland**

**Kathryn Dawson  
Rape Crisis Scotland**

March 2017

## Introduction

We undertook a review of UK and Scottish data which relates to the prevalence and nature of sexual violence and harassment (SVH) in UK and Scottish universities, as well as national data disaggregated by gender and age. We included quantitative and qualitative data in our review and the oldest research we have included dates from 2010, as we did not find reference to any earlier relevant data in the reports we reviewed.

We reviewed the following sources, liaising with the University of Glasgow, a partner to this project, to ensure all relevant sources were identified:

- National data on reported crime and court proceedings
- National crime surveys
- National data on university attendance
- Research focused on students and universities
- Rape Crisis helpline statistics

There was very little national-level data on prevalence of SVH in universities, with only one governmental statistical bulletin including data on student status. The most relevant research was conducted by the National Union of Students (NUS), and this is cited in a recent report by Universities UK (UUK), a universities umbrella organisation, which has formed a taskforce on gender based violence (GBV.)<sup>1</sup>

It should be noted that while there is little directly relevant prevalence data, the UUK report gathered significant evidence that increasing numbers of students and universities across the UK are undertaking programmes of action to prevent and respond to SVH and GBV more widely, and the report identifies key recommendations to which we refer at the end of this review.

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<sup>1</sup> Universities UK. (2016). *Changing the culture: Report of the Universities UK Taskforce examining violence against women, harassment and hate crime affecting university students.*

## **Prevalence of SVH in third level education**

We identified a range of relevant sources for the UK and for Scotland. Of this, only a small proportion was specifically relevant to SVH in third level education, with only one national governmental statistical bulletin including data on student status. The majority of relevant research comes from the NUS who undertook three pieces of research between 2010 and 2014: a survey of women's students' experiences of SVH<sup>2</sup>, a piece of qualitative research into women students' perceptions and experiences of 'lad culture'<sup>3</sup> and further research with students of all genders in relation to experiences of 'lad culture,' harassment and attitudes to reporting<sup>4</sup>. Further, in 2015 the UUK formed a taskforce to examine violence against women, harassment and hate crime and makes recommendations in response to the evidence. The taskforce produced a report<sup>5</sup> which includes a review of the available evidence base relating to prevalence of SVH, as well as hate crime, islamophobia and anti-Semitism. Data cited in the UUK report has been reviewed directly and attributed in this report to its original source.

## **Data and research specifically relating to SVH in third level education**

The only national data we found addressing students' experience of SVH comes from a bulletin by the Office for National Statistics for England and Wales from 2013<sup>6</sup>. Based on the three most recent surveys it found that female, full-time students showed an increased risk of victimisation for sexual offences at 6.8%. Subsequent bulletins have not given statistics for student victimisation.

The first of the NUS reports<sup>7</sup> surveyed 2058 current women students about their experiences whilst at university, and found the following indications of prevalence:

- 68 % had experienced some kind of verbal or non-verbal harassment in and around their institution, including groping, flashing and unwanted sexual comments. For some this had become almost 'everyday'.
- 12 % reported being subject to stalking.
- 16 % had experienced unwanted kissing, touching or molesting, the majority of which had taken place in public.
- 7 % had been subject to a serious sexual assault, the majority of which occurred in somebody's home.
- 9% victims of serious sexual assault were given alcohol or drugs against their will before the attack.

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2 NUS. (2010)

3 NUS. (2012)

4 NUS. (2014)

5 Universities UK. (2016)

6 Ministry of Justice, Home Office & the Office for National Statistics. (2013)

7 NUS. (2010)

The survey asked about respondents' relationship to perpetrators and found that 81% of those subjected to serious sexual assault, and 53% of those subjected to less serious sexual assault, knew their attacker. The majority of perpetrators were students, and of these the majority were studying at the same institution. The survey collected data on participant ethnicity, religion, sexual orientation, gender identity and disability and the report states that analysis of this data will be addressed in subsequent reports. However the only further analysis available on the NUS website is contained in a presentation by the NUS LGBT Campaign of responses by lesbian, bisexual and transgender (LBT) respondents. This found that 35.6% of LBT respondents had experienced sexual assault as compared with 22% hetero-and cis-gender women.

Further NUS research was conducted addressing students' experiences of 'lad culture' and sexism and its impact on student communities<sup>8</sup>. This research constituted qualitative research with 40 women students in 2012, and a survey in 2014 of 2156 university students of all genders of their experience of sexism and lad culture whilst at university.

The qualitative research found that 'lad culture' was particularly influential in the social side of university life and associated with sport, heavy alcohol consumption, and 'banter' which was often sexist, misogynist and homophobic. It was seen as crossing class boundaries and the particular preserve of the privileged. Participants viewed it as linked to a sexualised culture which involved objectification of women and rape-supportive attitudes, and occasionally spilled over into sexual harassment and violence. Many participants related experiences of sexual molestation in 'Nightlife' and identified pressure to engage in a high frequency of sexual activity with different partners. 'Lad culture' in social settings had caused many participants to alter or limit their activity, confirming interpretations of 'laddism' as a means by which privileged men police and preserve territory.

The research found some evidence of particularly problematic impacts for minority ethnic students for example the normalisation of particular types and/or frequencies of sexual activity and links to alcohol consumption, and speculated that this was likely to impact those with religious beliefs or faiths that emphasise modesty or do not allow alcohol consumption. It also speculates that 'lad culture' raises concerns for the treatment of disabled students, who (depending on their disability) may not conform to 'lad culture's' prescriptive expectations of physical appearance and ways of being.'

The 2014 survey<sup>9</sup> found that a quarter of respondents had experienced unwelcome sexual advances, with women significantly more likely than men to say they had experienced it, almost two thirds said they heard

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<sup>8</sup> NUS. (2012)

<sup>9</sup> NUS. (2014)

jokes about rape or sexual assault being made on campus, and more than one third of respondents were aware of promotional materials around university using sexualised images of women, with over two in five individuals agreeing that these images make them feel uncomfortable.

## Whole population data on prevalence of SVH disaggregated by age and gender

Various sources of national data for Scotland, and England and Wales, demonstrate that young women are disproportionately affected by sexual violence, and that a significant proportion of university students are young women.

A statistics bulletin for England and Wales<sup>10</sup> found that females aged between 16 and 19 faced the highest risk of being a victim of a sexual offence (8.2 per cent) and as age increased the risk of victimisation reduced.

A Scottish Crime and Justice Survey<sup>11</sup> found that:

- Young people, particularly young women, experienced a higher than average level of stalking and harassment. Around one-in-ten (9.7%) 16 to 24 year olds had experienced at least one type of SCJS stalking and harassment in the last 12 months. This figure increased to 12.7% for 16 to 24 year old women. (p16)
- More than half of respondents (52.8%) said that they had experienced their first (or only) incident of serious sexual assault between the ages of 16 and 20. (p29)

A report on recorded crime in Scotland<sup>12</sup> notes that:

*whilst the specific age of the victim cannot generally be determined from the data supplied by Police Scotland, many of the sexual crime codes used by the Police to record crime make it clear when the victim was aged under 18 ... By adding up all these crime codes, we know that at least 43% of the 10,273 sexual crimes recorded in 2015-16 by the police related to a victim under the age of 18. This proportion is unchanged on the previous year. (p27)*

Moreover, young men are overrepresented as perpetrators; in 2015-16 39% of males convicted for sexual offences in Scotland were aged 30 and under.<sup>13</sup>

The UUK report notes that nearly half of young people attend university by age 30 (48%, based on English domiciled first-time participants in HE at UK HE Institutions, and at English, Welsh and Scottish Further Education Colleges<sup>14</sup>) and that in 2014 45% of all students were under 21<sup>15</sup>. Institutions across the UK also have increasingly female populations; the latest figures for 2014–15 show that the higher education student population is 56% female and 44% male, and that there are over one million female students enrolled in higher education<sup>16</sup>

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10 Ministry of Justice, Home Office & the Office for National Statistics. (2013)

11 Scottish Government. A National Statistics publication for Scotland. (2016a)

12 Scottish Government. A National Statistics publication for Scotland. (2016b)

13 Scottish Government. A National Statistics publication for Scotland. (2017)

14 Department for Education. (2016)

15 Equality Challenge Unit (2014)

16 HESA. (2016)



## **Research relating to ethnicity, disability and experience of SVH**

The NUS Black Students' Campaign stated that '72% of Muslim women have experienced verbal abuse and threatening behaviour relating directly to their visible Muslim presence'<sup>17</sup>

A report on anti-muslim hate crime in the UK<sup>18</sup> found that the largest proportion of reported incidents involved Muslim women, usually wearing Islamic garments, facing attacks from white men. 11% of all incidents reported to Tell MAMA took place in an educational establishment (this is not broken down by type of establishment.)

Call data from a national helpline for survivors of sexual violence in England and Wales<sup>19</sup> shows over-representation of both these groups; black and minority ethnic callers constituted 27% and disabled callers 23%, where this information was given.

Crime survey data from England and Wales<sup>20</sup> notes an increased risk of victimisation for females with limiting disabilities or illnesses (3.4 per cent), and service users who identified as disabled represented 23% of callers.

## **Research relating to the reporting of SVH**

National crime statistics from England and Wales<sup>21</sup> include data on levels of and reasons behind reporting behaviours (whole population data only, not disaggregated by student status). 15 per cent of victims of the most serious sexual offences said that they had reported the incident to the police. Scottish crime survey data<sup>22</sup> found that 18.9% of those who experienced at least one type of stalking and harassment in the last 12 months said that the police came to know about the most recent incident, and of those who had experienced serious sexual assault since the age of 16, between 8.9% and 16.8 % (depending on the type of assault) had informed the police about the most recent (or only) incident. The most common reasons given were similar to those in the first NUS survey: 'embarrassing', they 'didn't think the police could do much to help', 'too trivial or not worth reporting', 'private/family matter and not police business'.

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17 Cited in Universities UK. (2016)

18 Tell MAMA. (2015)

19 Rape Crisis England and Wales. (2017)

20 Ministry of Justice, Home Office & the Office for National Statistics. (2013)

21 Ministry of Justice, Home Office & the Office for National Statistics. (2013). *An Overview of Sexual Offending in England and Wales* (Statistics bulletin). Retrieved from [www.ons.gov.uk](http://www.ons.gov.uk).

22 Scottish Government. A National Statistics publication for Scotland. (2016a).

The first NUS survey<sup>23</sup> collected data on reporting levels and to whom students reported. Reporting levels were low across all forms of SVH, and respondents were more likely to report or discuss what had happened to them with friends or family. More than four in ten victims of serious sexual assault had told nobody, and students who had been subjected to a 'less serious' sexual assault were least likely to report either to the police or to the institution (two per cent). Respondents were most likely to report stalking to somebody at the institution (21 per cent).

The survey probed students' reasons for deciding whether to report. The most common reasons were that students did not feel that what had happened was serious enough to report, and in the case of sexual assault specifically that the victim felt ashamed or embarrassed, thought they would be blamed for what had happened, or that they would not be believed.

A subsequent NUS survey on 'lad culture and harassment'<sup>24</sup> explored students' likelihood of reporting sexual harassment. Over half of respondents said they would report sexual comments to the relevant services at their university, and just under a third said they would report it to their students' union. These levels are surprisingly high by comparison with the first NUS survey, and it should be noted that the first survey relates to actual reporting behaviours, whilst the latter survey asks how likely respondents think they would be to report. In common with the first survey findings, women students were more likely to say they wouldn't report sexual comments and unwanted sexual advances as they feel no one would take them seriously. Male students were more likely to say they didn't think they would need to be reported.

The survey also asked about students' awareness of channels for reporting. Three fifths said they were not aware of any reporting procedures at their university regarding sexual conversations, sexual comments, unwelcomed sexual advances, group intimidation and verbal harassment and over half said they were not aware of any codes of conduct implemented by their university that prohibit or tackle sexual conversations, sexual comments, unwelcomed sexual advances, group intimidation and verbal harassment.

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23 NUS. (2010)

24 NUS (2014)

## **Implications for the Ending Sexual Harassment and Violence in Third Level Education (ESHTE) project**

It is clear from the data that young women face disproportionately high levels of SVH, and that the given a significant segment of the population attends university and that the vast majority of university students are young people, women students face high levels of SVH. There is insufficient data to ascertain whether women students are more likely to face SVH than young women who are not students. Research by the NUS is particularly helpful in indicating the levels and nature of SVH experienced by women students, students' experience of university culture and the links to SVH and barriers to reporting. These reports are likely to be the most valuable points of reference during the development of ESHTE training modules and campaigning and awareness-raising tools.

Further, the UUK report<sup>25</sup> makes a series of recommendations which will be of interest in orientating the ESHTE project. The recommendations cover several areas including senior leadership, adopting an institution-wide approach, encouraging positive behaviours, working with the students' union and having effective governance, data collection and staff training.

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25 Universities UK. (2016)

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27.818 interviews  
04 > 13 / 06 / 2016



1.306 interviews  
04 > 13 / 06 / 2016

Methodology: face-to-face

Special Eurobarometer 449

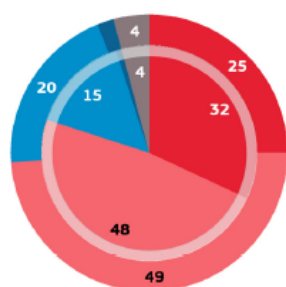
Gender-based violence

UNITED KINGDOM

June 2016

## 1. PERCEIVED PREVALENCE OF DOMESTIC VIOLENCE

**QB1** In general, how common do you think that domestic violence against women is in (OUR COUNTRY)? (%)

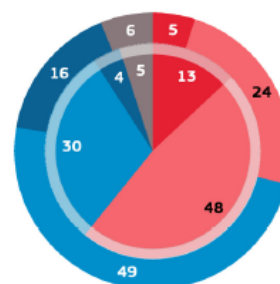


EU28 Outer pie UK Inner pie

	EU28		UK	
	2016	2016-2010	2016	2016-2010
Very common	25	- 2	32	- 6
Fairly common	49	- 2	48	- 1
Not very common	20	+ 3	15	+ 5
Not at all common	2	+ 1	1	+ 1
Don't know	4	=	4	+ 1

Evolution 06/2016 - 02-03/2010

**QB2** In general, how common do you think domestic violence against men is in (OUR COUNTRY)? (%)



Very common  
Fairly common  
Not very common  
Not at all common  
Don't know

EU28 Outer pie UK Inner pie

**QB3** In your opinion, domestic violence against women is... (%)

Answer: Unacceptable and should always be punishable by law

EU28

UK

TOTAL	84	83
<b>Gender</b>		
Man	81	83
Woman	86	84
<b>Age</b>		
15-24	81	79
25-39	82	87
40-54	82	87
55+	80	79

Socio-demographic breakdown

**QB3b** In your opinion, domestic violence against men is... (%)

Answer: Unacceptable and should always be punishable by law

EU28

UK

TOTAL	80	83
<b>Gender</b>		
Man	78	82
Woman	81	83
<b>Age</b>		
15-24	79	79
25-39	78	87
40-54	79	87
55+	76	78

Socio-demographic breakdown



27.818 interviews  
04 > 13 / 06 / 2016



1.306 interviews  
04 > 13 / 06 / 2016

Methodology: face-to-face

Special Eurobarometer 449

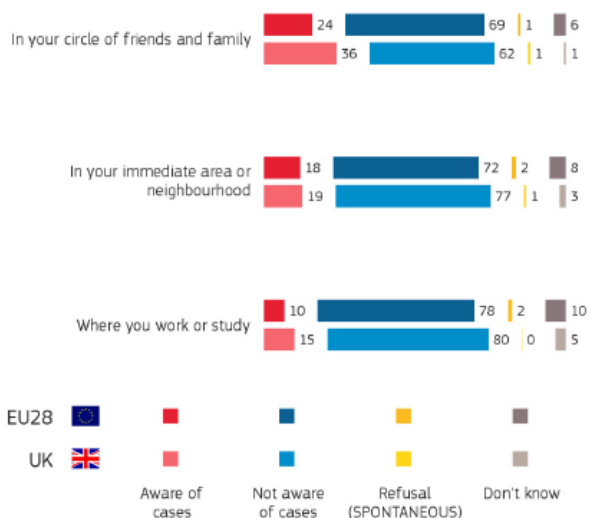
Gender-based violence

UNITED KINGDOM

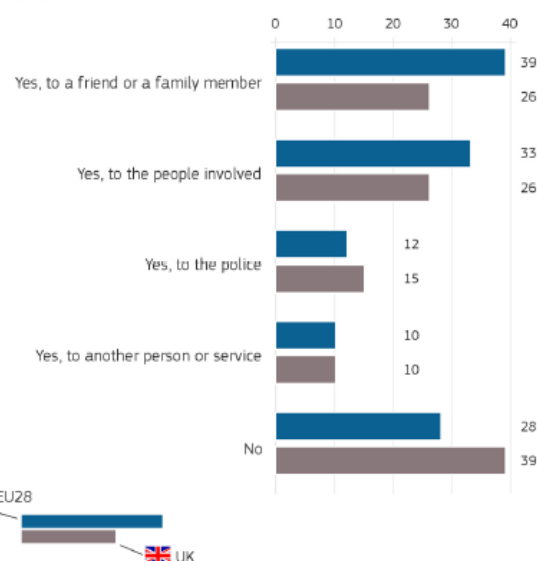
June 2016

## 2. AWARENESS OF DOMESTIC VIOLENCE

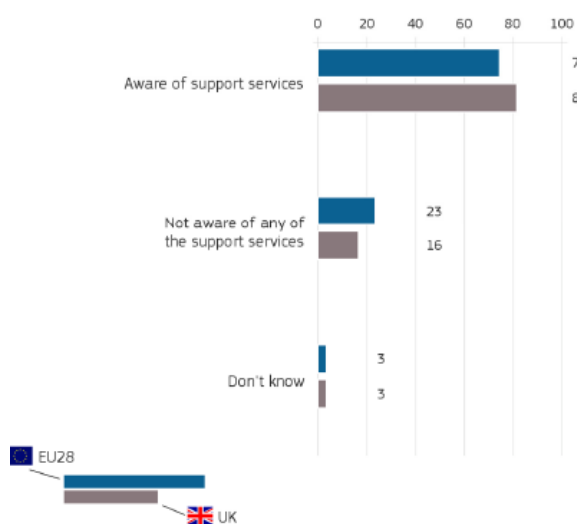
**QB4** Do you know of any men or women who have been a victim of any form of domestic violence? (%)



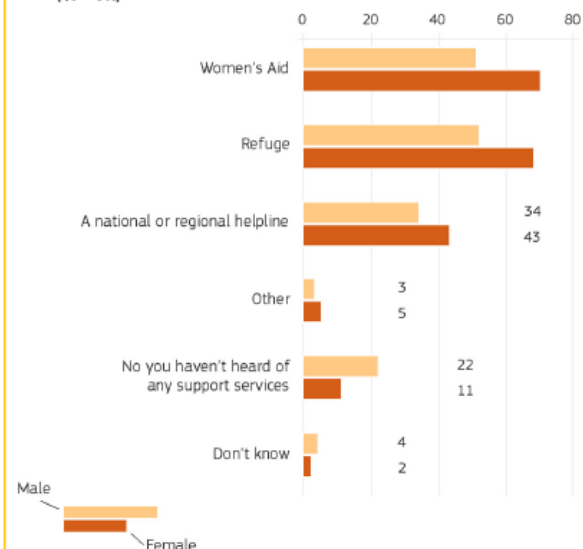
**QB4b** Did you speak to anyone about this? (MULTIPLE ANSWERS POSSIBLE) (%)



**QB5** Have you heard of any of the following support services for women who are victims of domestic violence? (MULTIPLE ANSWERS POSSIBLE) (%)



**QB5** Have you heard of any of the following support services for women who are victims of domestic violence? (MULTIPLE ANSWERS POSSIBLE) (% - UK)



The list of support services was customized for each country participating in the survey.



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04 > 13 / 06 / 2016



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Special Eurobarometer 449

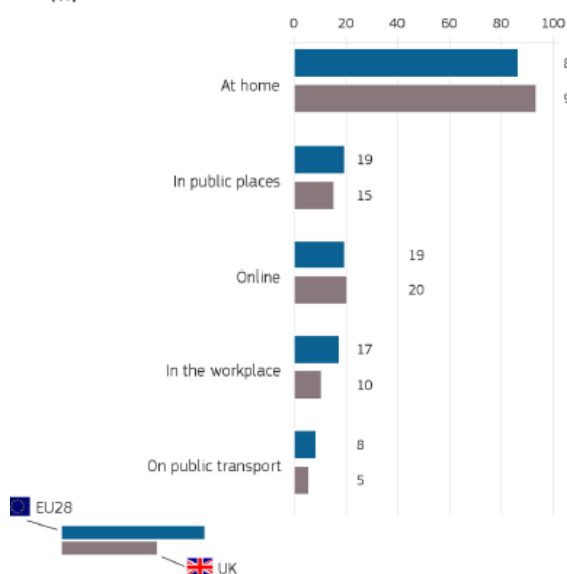
Gender-based violence

UNITED KINGDOM

June 2016

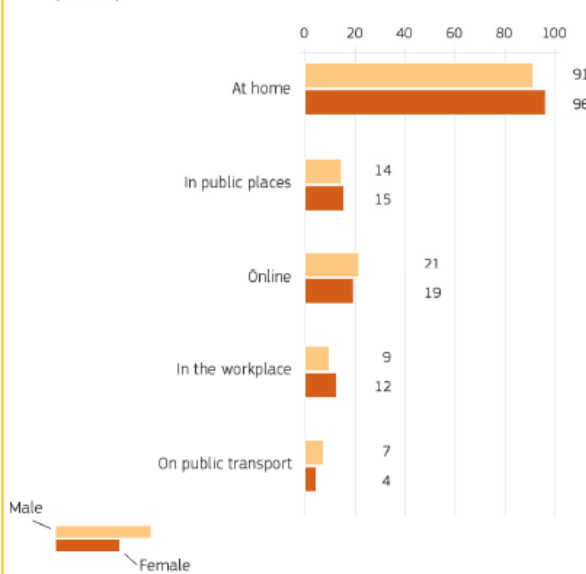
### 3. PERCEPTIONS ON AND ATTITUDES TOWARDS GENDER-BASED VIOLENCE

**1B6** In your view, is violence against women more likely to occur... (MAX. 2 ANSWERS) (%)



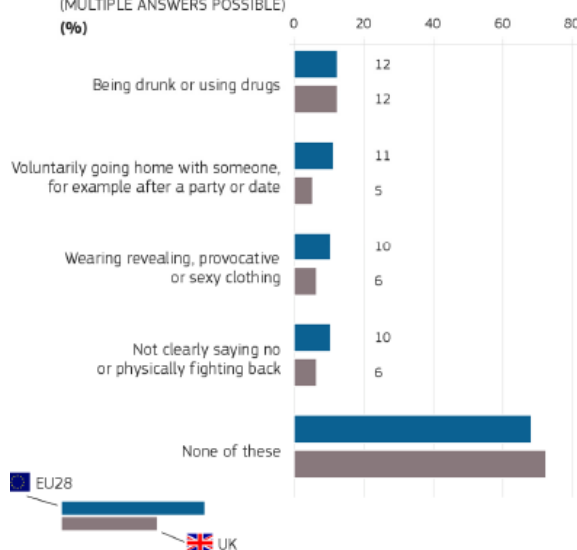
Only the most chosen answers at EU level are shown.

**QB6** In your view, is violence against women more likely to occur... (MAX. 2 ANSWERS) (% - UK)



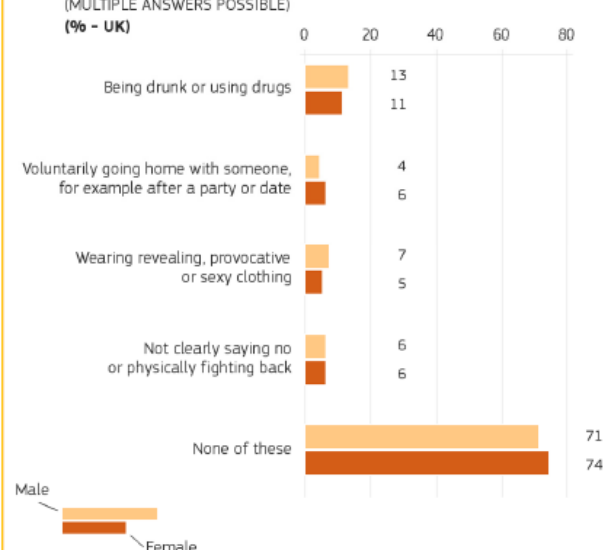
Only the most chosen answers at EU level are shown.

**1B10** Some people believe that having sexual intercourse without consent may be justified in certain situations. Do you think this applies to the following circumstances? (MULTIPLE ANSWERS POSSIBLE) (%)



Only the most chosen answers at EU level are shown.

**QB10** Some people believe that having sexual intercourse without consent may be justified in certain situations. Do you think this applies to the following circumstances? (MULTIPLE ANSWERS POSSIBLE) (% - UK)



Only the most chosen answers at EU level are shown.



27.818 interviews  
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Methodology: face-to-face

Special Eurobarometer 449

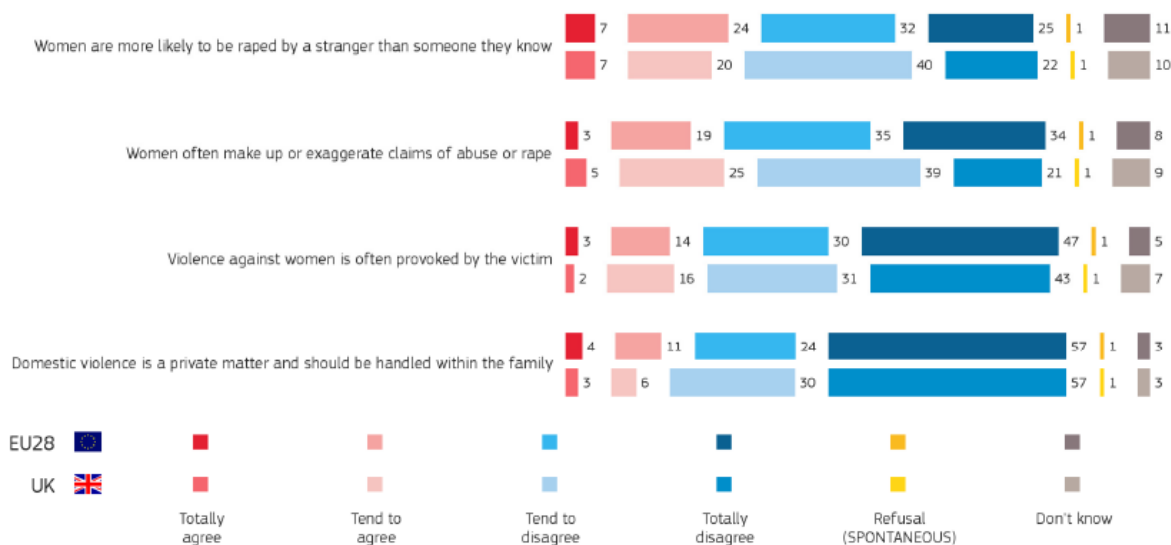
Gender-based violence

UNITED KINGDOM

June 2016

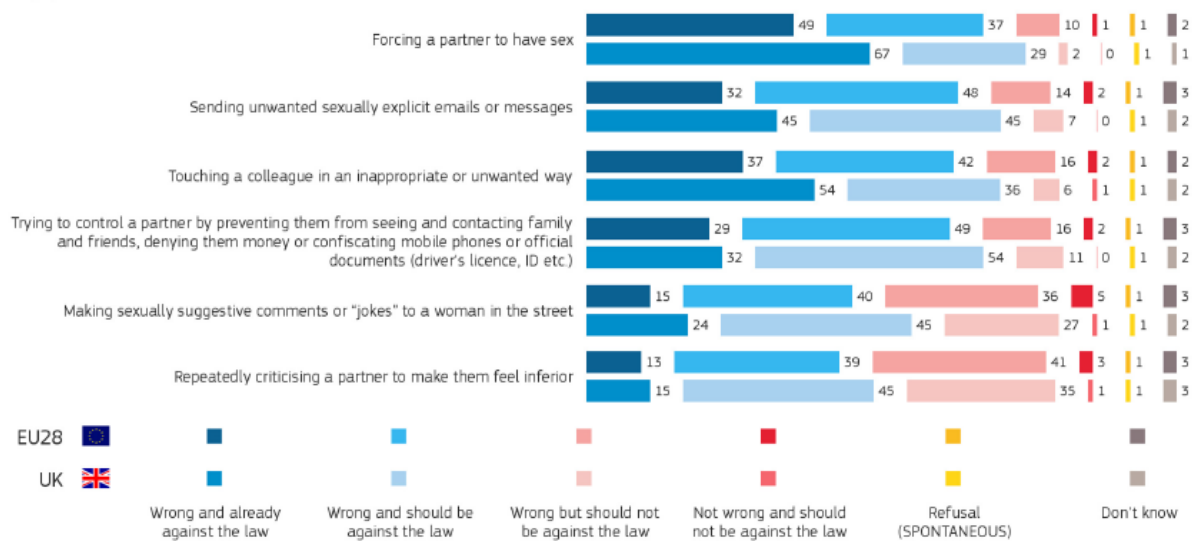
### 3. PERCEPTIONS ON AND ATTITUDES TOWARDS GENDER-BASED VIOLENCE

QB9 Please tell me to what extent you agree or disagree with the following statements?  
(%)



### 4. LEGAL RESPONSE TO GENDER-BASED VIOLENCE

QB8 For each of the following situations, please tell me whether you think it is against the law or not. For each please tell whether you think it is wrong and is already against the law, it is wrong and should be against the law, it is wrong but should not be against the law, it is not wrong and should not be against the law.  
(%)







## Combating violence against women

# UNITED KINGDOM

**NON.  
NO.  
NEIN.**

Say No!  
Stop  
**violence**  
against  
women

**Violence against women** is rooted in women's unequal status in society and that status reflects the unbalanced distribution of social, political and economic power among women and men in society. It is one of the most pervasive human rights violations of our time and a form of discrimination that results in, or is likely to result in, physical, sexual, psychological or economic harm or suffering to women <sup>(1)</sup>. Violence against women undermines women's dignity and integrity and imposes serious harm on families, communities and societies. In the EU, estimates suggest that 1 in 3 women (or 61 million out of 185 million) have experienced physical or sexual violence, or both, since the age of 15 <sup>(2)</sup>.

The full extent of violence against women is difficult to estimate, as it continues to be under-reported and stigmatised, meaning that what actually gets reported is only a fraction of the reality. In the United Kingdom (UK), 79 % of the population tend to trust the police, which is close to the figure in the EU overall (71 %) <sup>(3)</sup>.

In EIGE's Gender Equality Index 2015 it was found that where people tend to have more trust in justice institutions, levels of disclosed violence are higher <sup>(4)</sup>. It is estimated that in the UK, 44 % of women have experienced violence, which is 11 % higher than in the EU overall <sup>(5)</sup>.

The European Institute for Gender Equality has estimated that the cost of intimate partner violence against women in the UK could amount to EUR 13.7 billion per year. This figure was calculated according to the methodology used in EIGE's 2014 study <sup>(6)</sup>, which Member States can replicate, as done by Estonia in 2016 <sup>(7)</sup>.



## What are the facts?

- The 2014 European Union Agency Fundamental Rights survey data results show that since the age of 15:
  - 44 % of women in the UK have experienced physical and/or sexual violence;
  - 19 % of women in the UK experienced having been stalked;
  - 68 % of women in the UK have experienced sexual harassment <sup>(8)</sup>.
- The Crime Survey for England and Wales shows that 56 % of female victims of serious sexual assault experienced at least one incident of serious sexual assault by a partner/ex-partner since the age of 16 <sup>(9)</sup>.
- During the period 2014—2015, 1 797 rapes and 104 attempted rapes were reported to the police in Scotland <sup>(10)</sup>.
- From July 2015 to June 2016, sexual crimes reported to police in Northern Ireland increased by 9 % compared to the previous year <sup>(11)</sup>.
- From 2010 to 2012, an estimated 2.4 per 100 000 people in the UK were registered as victims of human trafficking <sup>(12)</sup>.

When trust in police is low, victims are less likely to report violence.



## Is violence against women a crime in the UK?

UK laws <sup>(13)</sup> criminalise many acts of violence, including rape, sexual assault, homicide, stalking, forced marriage and female genital mutilation (FGM) <sup>(14)</sup>.

Recent legislation includes stalking offences in England and Wales (Protection of Freedoms Bill) in 2012 and the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill in Northern Ireland in December 2014, which criminalises the purchase of sex and establishes exit services for those involved in prostitution <sup>(15)</sup>.

The Abusive Behaviour and Sexual Harm (Scotland) Bill, passed in 2015, introduced an 'aggravator' for domestic abuse (enabling stronger sentencing for convictions), criminalised the disclosure or threatened disclosure of intimate images ('revenge porn'), and codified jury instruction regarding rape myths <sup>(16)</sup>.

In England and Wales, Section 76 of the Serious Crime Act 2015 addresses domestic violence and criminalises controlling or coercive behaviour 'in an intimate or family relationship' <sup>(17)</sup>. In September 2016, the Scottish government announced its intention to legislate in 2017 on coercive control by creating a specific offence for domestic abuse <sup>(18)</sup>.

## Good practices show the way

The UK provides its immigration officials with guidelines on how to take gender issues into account when assessing asylum claims, and this includes specific reference to FGM.

During the last review in 2010, the Home Office consulted non-governmental organisations (NGOs) and professionals working on asylum, and incorporated some of their suggestions. The document explains the cultural factors that may leave women unable to protest against FGM and gives clear examples of cases where FGM may justify asylum being granted.

Staff receive training on gender issues, and quality control procedures are in place to monitor decision quality and to ensure policy is kept up to date <sup>(19)</sup>.



## What is being done to eliminate violence against women in the UK?

Scotland launched 'Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls' in 2014 <sup>(20)</sup>. In Wales, the 'Right to Be Safe' strategy was launched in 2010 <sup>(21)</sup> and in 2016 the Westminster government released a cross-government strategy called 'Ending Violence against Women and Girls' (2016—2020) <sup>(22)</sup>.

The UK signed the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) on 8 June 2012 but has not yet ratified it <sup>(23)</sup>. The Istanbul Convention is the most far-reaching international treaty to tackle this serious violation of human rights.

## How are women and girls protected?

Women experiencing domestic or sexual violence in the UK have access to emergency barring orders, but the procedures around them differ between Wales, England, Scotland and Northern Ireland (local information is available via women's helplines) <sup>(24)</sup>.

A number of other protection orders (for example, non-harassment orders and interdicts in Scotland; non-molestation and occupation orders in Northern Ireland, Wales and England; domestic violence protection orders in England and Wales), are available to women and children experiencing various forms of violence, including stalking, forced marriage, domestic and sexual violence <sup>(25)</sup>.

### What help is available in the United Kingdom?

For women and children experiencing domestic violence, the UK has over 348 shelters with 4 744 beds <sup>(26)</sup>.

The UK has networks of rape crisis centres, including 144 specialist sexual assault services <sup>(27)</sup>.

The UK has multiple national women's helplines run by women's NGOs in the various countries of the UK; all operate 24/7 and are free to call. These services cover specialist rape and sexual assault, forced marriage and domestic violence helplines <sup>(28)</sup>.



### England

National Domestic Violence Helpline  
(0808 2000 247)

Rape Crisis Helpline (0808 802 999)

### Northern Ireland

Domestic and Sexual Violence Helpline  
(0800 917 14 14)

### Scotland

National Domestic Abuse and Forced Marriage Helpline (0800 027 1234)

Rape Crisis Scotland Helpline  
(080 88 01 03 02)

### Wales

Live Fear Free Helpline (domestic abuse and sexual violence) (0800 8010 800)

Rape Crisis Helpline (0808 802 9999) <sup>(29)</sup>



## Endnotes

- (<sup>1</sup>) Council of Europe (2011). *Council of Europe Convention on preventing and combating violence against women and domestic violence, and its explanatory report*. Council of Europe Treaty Series No 10. Available at: <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210>
- (<sup>2</sup>) European Union Agency for Fundamental Rights (2014). *Violence against women: an EU-wide survey — Main results*, Publications Office of the European Union, Luxembourg.
- (<sup>3</sup>) European Commission (2016). *Eurobarometer*. Available at: <http://ec.europa.eu/COMMFrontOffice/PublicOpinion/Index.cfm/Chart/getChart/themeKy/18/groupKy/88>
- (<sup>4</sup>) European Institute for Gender Equality (2013). *Gender Equality Index — Report*. Available at: <http://elge.europa.eu/sites/default/files/documents/Gender-Equality-Index-Report.pdf>
- (<sup>5</sup>) Ibid. The level of disclosed violence in the EU overall is 33 %.
- (<sup>6</sup>) European Institute for Gender Equality (2014). *Estimating the costs of gender-based violence in the European Union — Report*, Publications Office of the European Union, Luxembourg. Available at: <http://elge.europa.eu/sites/default/files/documents/MH0414745EN2.pdf>
- (<sup>7</sup>) *The cost of domestic violence in Estonia*. Available at: [https://www.sm.ee/sites/default/files/content-editors/Sotsiaal/Norra/vagivalla\\_hind.pdf](https://www.sm.ee/sites/default/files/content-editors/Sotsiaal/Norra/vagivalla_hind.pdf)
- (<sup>8</sup>) European Union Agency for Fundamental Rights, *Violence against women: an EU-wide survey — Main results*, Publications Office of the European Union, Luxembourg, 2014.
- (<sup>9</sup>) [http://webarchive.nationalarchives.gov.uk/20160105160709/http://www.ons.gov.uk/ons/dcp171776\\_394500.pdf](http://webarchive.nationalarchives.gov.uk/20160105160709/http://www.ons.gov.uk/ons/dcp171776_394500.pdf)  
In the UK an increase in reporting of sexual violence and domestic violence over the last 12 months has been detected in the Crime Survey for England and Wales: <http://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/compendium/focusonviolentcrimeandsexualoffences/yearendingmarch2015/chapter1overviewofviolentcrimeandsexualoffences>
- (<sup>10</sup>) <http://www.rapecrisisScotland.org.uk/help-information/facts>  
*Recorded crime in Scotland 2014-2015*. Available at: <http://www.gov.scot/Resource/0048/00484776.pdf>
- (<sup>11</sup>) <https://www.psnl.police.uk/globalassets/inside-the-psnl/our-statistics/police-recorded-crime-statistics/2016/june/monthly-crime-bulletin-period-ending-jun-16.pdf>
- (<sup>12</sup>) Eurostat (2015). *Trafficking in human beings*, Publications Office of the European Union, Luxembourg, p. 23. Available at: [https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/eurostat\\_report\\_on\\_trafficking\\_in\\_human\\_beings\\_-\\_2015\\_edition.pdf](https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/eurostat_report_on_trafficking_in_human_beings_-_2015_edition.pdf)
- (<sup>13</sup>) UK laws on violence against women reflect three legal jurisdictions: England and Wales, Northern Ireland, and Scotland. Scotland's legislative powers include policing and criminal justice, and in Scotland and Northern Ireland, unless a particular legal area is reserved to Westminster (for example, Immigration), policy and policing are devolved. Criminal law in Wales is controlled by the UK Parliament but health and education policies are devolved to the Welsh Assembly.
- (<sup>14</sup>) Sexual Offences Act 2003, UK; Sexual Offences (Scotland) Act 2009; Protection of Freedoms Act 2012; Prohibition of Female Circumcision Act 1985; Female Genital Mutilation Act 2003; Prohibition of Female Genital Mutilation (Scotland) Act 2005. Available at: <http://www.legislation.gov.uk>
- (<sup>15</sup>) <http://www.legislation.gov.uk>
- (<sup>16</sup>) [http://www.parliament.scot/ResearchBriefingsAndFactsheets/S4/SB\\_16-31\\_Abusive\\_Behaviour\\_and\\_Sexual\\_Harm\\_Scotland\\_Bill\\_Stage\\_3.pdf](http://www.parliament.scot/ResearchBriefingsAndFactsheets/S4/SB_16-31_Abusive_Behaviour_and_Sexual_Harm_Scotland_Bill_Stage_3.pdf)
- (<sup>17</sup>) [http://www.cps.gov.uk/legal/a\\_to\\_c/controlling\\_or\\_coercive\\_behaviour](http://www.cps.gov.uk/legal/a_to_c/controlling_or_coercive_behaviour)
- (<sup>18</sup>) <http://www.gov.scot/About/Performance/programme-for-government>
- (<sup>19</sup>) <http://elge.europa.eu/gender-based-violence/good-practices/united-kingdom/clear-guidelines-whether-fgm-justifies-asylum>
- (<sup>20</sup>) <http://www.gov.scot/Resource/0045/00454152.pdf>
- (<sup>21</sup>) <http://gov.wales/docs/dsjlg/publications/commsafety/100325besafefinalenv1.pdf>
- (<sup>22</sup>) [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/522166/VAWG\\_Strategy\\_FINAL\\_PUBLICATION\\_MASTER\\_vRB.PDF](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/522166/VAWG_Strategy_FINAL_PUBLICATION_MASTER_vRB.PDF)
- (<sup>23</sup>) [https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210/signatures?p\\_auth=j0WpqY2I](https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210/signatures?p_auth=j0WpqY2I)
- (<sup>24</sup>) WAVE (2015). *WAVE report on the role of specialist women's support services in Europe*, p. 87. Available at: [http://files.wave-network.org/researchreports/WAVE\\_Report\\_2015.pdf](http://files.wave-network.org/researchreports/WAVE_Report_2015.pdf)
- (<sup>25</sup>) <http://poems-project.com/wp-content/uploads/2015/02/United-Kingdom.pdf>
- (<sup>26</sup>) WAVE (2015). *WAVE report on the role of specialist women's support services in Europe*, p. 47. Available at: [http://files.wave-network.org/researchreports/WAVE\\_Report\\_2015.pdf](http://files.wave-network.org/researchreports/WAVE_Report_2015.pdf)
- (<sup>27</sup>) Ibid.
- (<sup>28</sup>) Ibid., p. 91.
- (<sup>29</sup>) Ibid.

## European Institute for Gender Equality

The European Institute for Gender Equality (EIGE) is the EU knowledge centre on gender equality. EIGE supports policymakers and all relevant institutions in their efforts to make equality between women and men a reality for all Europeans by providing them with specific expertise and comparable and reliable data on gender equality in Europe.



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<http://www.facebook.com/elge.europa.eu> 

<http://www.youtube.com/eurogender> 

<http://eurogender.elge.europa.eu> 



Paper	MH-02-16-778-EN-C	978-92-9493-540-3	10.2839/575707
PDF	MH-02-16-778-EN-N	978-92-9493-539-7	10.2839/749481



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ZVR: 601608559

January 2016

## UNITED KINGDOM

### Basic Information

Population: 64 308 261

Female Population: 32 659 675

Member of Council of Europe: 1949

Member of European Union: 1973

CEDAW ratified: 1986

CEDAW Optional protocol ratified: 1986

Istanbul Convention – signed: yes (2012); ratified: no

Violence prevalence data: <http://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-violence-against-women-survey>

Gender Equality Index: 58.0, for further information see: <http://eige.europa.eu/gender-statistics/gender-equality-index/2012>

UN Women Global Database on Violence against Women: <http://www.evaw-global-database.unwomen.org/en/countries/europe/united-kingdom-of-great-britain-and-northern-ireland?unstatscountry=56b3246f491f4cc599aedb73c5c85c9d>

### CEDAW Concluding Comments<sup>1</sup> 2013:

#### Violence against women

34. The Committee commends the State party for launching the “Call to end violence against women and girls” in 2010. It notes that the State party intends to ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention) and to criminalize forced marriage. It is concerned, however, at continued reports of violence against women, including domestic violence, affecting in particular black and ethnic minority women, and the so-called “honour killings” of ethnic minority women. The Committee is also concerned at reports of negative attitudes on the part of the police towards women who are victims of domestic violence. The Committee further recalls its previous concluding observations (ibid., paras. 280 and 281) and is concerned that corporal punishment remains lawful in the home.

35. Recalling its general recommendation No. 19, on violence against women, and its previous recommendation, the Committee urges the State party:

(a) To ratify the Istanbul Convention and criminalize forced marriage;

(b) To increase its efforts to protect women, including black and ethnic minority women, against all forms of violence, including domestic violence, and so-called “honour killings”;

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<sup>1</sup> Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland



(c) To continue public campaigns to raise awareness of all forms of violence against women, including black and ethnic minority women;

(d) To step up efforts to train police officers in order to eliminate prejudices concerning the credibility of victims of domestic violence;

(e) To revise its legislation to prohibit corporal punishment of children in the home.

## ENGLAND

### Introduction

The following information has been compiled from the research carried out in 2015 for the WAVE Report ([http://files.wave-network.org/researchreports/WAVE\\_Report\\_2015.pdf](http://files.wave-network.org/researchreports/WAVE_Report_2015.pdf)) with national experts working in the field of violence against women.<sup>2</sup> The research methodology involved an extensive questionnaire and a follow-up skype interview. The profile includes information on women's networks, shelters, helplines, centres, and policy and funding. It was not possible to gather any data on prevention, awareness-raising, campaigning and training.

## ENGLAND

### Women's Helplines

#### National women's helplines

The national women's domestic abuse helpline is called '[National Domestic Violence Helpline](#)' (0800 2000 247), in existence since 2004. This helpline is run in partnership by Women's Aid and Refuge, both women's NGOs. This helpline operates 24/7, free of charge, and provides multi-lingual support through Language Line, an external organization. There is also TypeTalk, for callers who are deaf or who have hearing difficulties, which provides a voicemail service, responds to emails from survivors of abuse and their supporters, provides a voicemail service, and responds to emails from survivors of abuse and their supporters.

[Rape Crisis Helpline](#) (0808 802 999) supports women and girl survivors of rape or any form of sexual violence. The helpline operates from 12-12:30 and 7-9:30pm.

#### Other national helplines for victims

The Children's Helpline is called 'Childline' (0800) 111, is free of charge, and offers chat via email and message boards.

Rights of Women (ROW) helpline explains the legal rights to women.

[Broken Rainbow UK](#) (0300 999 5428) for LGBT experiencing domestic violence, with a trans-specific service on Tuesdays, but the opening hours differ day-to-day.

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<sup>2</sup> Data presented in this country profile has been compiled throughout an extensive data collection process, however the final country profile has not been approved by the corresponding WAVE delegate.

[National Stalking Helpline](#) (0808 802 0300) provides support for survivors of harassment or stalking. The website says it is open Monday-Friday 9:30-5, except for Wednesdays when open at 1pm.

Honour Network Helpline/[Karma Nirvana](#) (0800 59999 247) is for survivors of so-called crimes of honor") and forced marriage across the UK, conducting advocacy, school projects, campaigns ("Britain's Lost Women"), education workshops, and police training, and is open to all genders and sexualities. Available 9:30-17:00 Monday-Friday.

[The Survivors UK Helpline](#) (0845 122 1201) is for men who have been raped or sexual abused.

[Men's advice line](#) (0808 801 0327) provides support for men in abusive relationships in England, Wales, and Scotland. It is free from landlines and most mobiles, it is run and managed by Respect, and is open Monday-Friday 9-5.

[Respect Phoneline](#) (0808 802 4040) is a helpline for DV perpetrators that covers England, Wales and Scotland, which is free from landlines and most mobiles, and is open Monday-Friday from 9-5.

### Women's Shelters

There are 243 women's shelters in England, as well as 27 specialised shelters for black minority ethnic (BME) women, and 1 specialised shelter for victims of trafficking (Eaves Poppy Project), with 9 beds. 45 women's shelters have specialized services for BME women, 27 of these are specific BME refuges. At least one shelter offers specialized support groups for gypsy, Roma, and traveller women. The Government has a Forced Marriage Unit, otherwise there are no shelters dedicated to forced marriage, but victims are welcome in any shelter.

There has been a move towards smaller number of large organizations, that are not always from the local area or have local expertise, providing accommodation in many local authority areas. Cuts and changes can be due to local government decisions, or different organizations running the refuges (closing down a refuge run by a dedicated service and replacing/opening a refuge run by a general domestic violence support organization).

In refuges in England, there are 3,611 beds according to the recent database number from July 2015. Women's Aid has developed National Quality standards for services supporting women and children survivors of domestic violence. Not all shelters apply the standards, as it is a fairly new initiative. It is not just for shelters, either, it is for any domestic violence service. Currently 34 domestic violence services are accredited. 10 domestic violence services are in the process of being accredited. Imkaan also has their own standards, Imkaan Accredited Quality Standards (IAQS).

### Domestic violence shelters and other shelters

After shelters, women would have to go into private housing or apply for local council or housing association housing.<sup>3</sup> There is very little transitional housing for women before they move on to social housing or the private sector. There are some organizations (213 services in England), which offer

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<sup>3</sup> <https://www.gov.uk/browse/housing-local-services/council-housing-association>

resettlement support. The helpline receives an average of 493 calls per day (not only from women, but also repeat callers and calls from survivors, professionals, and third parties).

#### Women's Centres

There are a number of women's centers offering a wide range of services, including independent Domestic Violence Advisors (IDVAs), multi-agency risk assessment conferences (MARACs), independent sexual violence advisors (ISVAs) and other professionals doing similar work in England and Wales. There are also 46 rape crisis centres, 30 sexual assault referral centres (SARCs). Additionally, Survivors Trust (TST) is a national umbrella agency with 135 specialized services for survivors of sexual violence in the UK and Ireland.

It is interesting to note that there are some services run by Refuge (a member organization of Women's Aid). For instance, the Gaia centre provides services for all victims of GBV, including sexual violence, stalking, prostitution, trafficking, female genital mutilation, forced marriage, and so-called honour-based violence. Gaia centre also supports clients who are transgender. Additionally, Athena Service provides support to those in London who are experiencing gender-based violence, and support women and girls +13, and men 16+, including LGBT.

#### Women's Networks

[Women's Aid Federation England](#) is a federation of over 220 organisations who provide more than 300 local lifesaving services to women and children across the country (including shelters and community-based domestic abuse services), and provides expert training (Women's Aid National Training Centre), qualifications, consultancy, and award a National Quality Mark for services which meet their quality standards. Their campaigns achieve change in policy, practice, awareness, and encourage health relationships. Women's Aid also has a 24 hour national domestic violence helpline (run in partnership with Refuge), as well as a range of online services, such as Survivors Forum (safe space for women to share experiences and receive direct advice).

[Rape Crisis England & Wales](#) is a gender-specific and women-led umbrella body for a network of 46 independent organizations. It provides a coordinating voice for the rape crisis movement to influence policy development, increase service provision, and challenge sexual violence by leading awareness-raising campaigns and providing a central source of accurate information to the Government. Rape Crisis also has Rape Crisis National Service Standards.

[Survivors Trust](#) (TST) is a network of specialist rape, sexual violence and childhood sexual abuse organizations throughout the UK and Ireland, providing networking and support.

[Imkaan](#) is a network of organizations which provide a diverse range of services including refuge accommodation, advice, outreach, health and legal services, therapeutic services, and women's empowerment groups. Imkaan is a black feminist organization addressing violence against women and girls, and provides support, representation, and leadership to their members through advocacy, development work, research, and information, and peer education. They also campaign with other organizations around collectively-felt issues, and their training programme for professionals is a grassroots response to VAWG with a BME context.



[Against violence and Abuse](#) (AVA) is a national network of agencies which provide direct services to victims, and works to end all forms of violence against women and girls, through conducting trainings to promote best practices, networking, and learning opportunities for those coming into contact with survivors of abuse, and also develop e-learning courses on violence against women and girls.

[End Violence against Women](#) is a coalition of organizations and individuals campaigning to end all forms of VAW. It lobbies the government, challenges cultural attitudes, and aims to prevent violence against women.

#### Policy & Funding

There is an action plan called 'Call to end violence against women and girls Action Plan' (2011-2015). The Action Plan is reviewed and refreshed every year. However, the UK 2015 General Election saw a change of government and as a result, a further violence against women and girls strategy is in development and should be published at the end of 2015. Although the previous Action Plan wanted to make it a national priority to continue central funding to frontline services over the next four years. Women's Aid is calling for funding for specialist domestic violence refuges and the development of a long-term solution for refuge funding.

The Home Office is overall responsible for the delivery of the strategy, and this is managed at a high level through the violence against women and girls inter-ministerial group (IMG) which is chaired by the Home Secretary. Every year, women's organizations are involved in looking at priorities going forward, and every ¼ year, there are stakeholder meetings. Women's organizations are invited to provide input into the IMG and also attend roundtable meetings held by the Home Secretary and the relevant Home Office minister. Home Office also hosts the VAWG Stakeholder Group, which is a group of non-governmental organizations who meet regularly to share information and get updates from the Home Office on their progress. Women's organizations are also informally involved in the evaluation of the strategy through the Stakeholder Group roundtables and IMG. There are annual reviews by the Home Office, but there is no evaluation office. There are reports and publications by the evaluation and monitoring body on the government's [website](#).

The law allows for funding of women's organizations, but funding of specialist women's support services is not mandated by law/regulation.

#### Prevention

Women's Aid Federation England has been advising the BBC since January 2015 on how to develop the gripping drama of coercive control in the rural idyll of Ambridge, England. The Archers, BBC's flagship radio soap, has held their 5 million devoted listeners worldwide enthralled by the harrowing tale of Helen Archer's isolation, subjugation and domination by the outwardly charming and plausible Rob Titchener. What began as an illicit love affair descended step by painful step through the daily 12 minute transmissions into sinister and disturbing domestic violence. The extent to which this story has shocked and horrified listeners has been well documented online through Message Boards and Twitter as well as in print media. As a way of getting the message across the Archers has proved, and continues to be, excellent publicity for WAVE and campaigners against violence against women in general.

## NORTHERN IRELAND

### Women's Helplines

#### National women's helplines

There is one national women's helpline called "24 Hour Domestic & Sexual Violence Helpline" (0808 802 1414; open to women and men affected by domestic or sexual violence; support for "honor-based violence" and for LGBT victims of domestic and sexual violence; free of charge, 24/7; multi-lingual support; support for those with hearing difficulties or hearing loss) run by WAFNI. They also offer email ([24hrsupport@dvhelpline.org](mailto:24hrsupport@dvhelpline.org)) and text support (07797 805 839). The helpline has been in existence since 1995. In 2014, the helpline expanded to cover sexual violence.

Since 2005, the helpline is jointly funded by the Department of Health, Social Services & Public Safety, the Department of Justice, and the Department for Social Development.

#### Other helplines for victims

There are seven national helpline for victims in Northern Ireland: [Childline](#) (0800 1111; for children and young people up to 19; free of charge), the [National Stalking Helpline](#) (UK-wide; 0808 802 0300; for victims of harassment and stalking; Mo-Fri 9:30-4pm, except Wednesdays (open at 1)), [Lifeline](#) (0808 808 8000; for people who are experiencing distress or despair; free of charge; 24/7; also is available for deaf and hard of hearing), the Respect Phoneline (0845 122 8609; for people concerned about their abusive behaviour; not 24/7), and the National Trafficking Helpline (0800 0121 700).

[Rowan Sexual Assault Referral Centre](#), based in Antrim, is state-run and covers all of Northern Ireland. This centre is available 24/7, and has a national helpline (0800 389 4424), and provides information and advice. Services are available for men, women, and young people, and they work closely with the police, make reports, provide medical and forensic aid, emotional support, and follow-up support and counselling.

For further information about all helplines in Northern Ireland, a [website](#) is available.

### Women's Shelters

There are 14 women's shelters in Northern Ireland, including not only Women's Aid refuges, but also safe houses and independent living units, and all are run by women's NGOs, existing in all regions of the country. All refuges are free of charge, although those who are not in receipt of housing benefit/welfare pay for accommodation.

All Women's Aid refuges are either staffed 24/7 or are accessible via an on-call worker. There are 332 beds<sup>4</sup> total in the 14 women's shelters, which are available for immediate and direct access for women in emergency services, depending on the availability. Possible obstacles to immediate access to women's shelters are: lack of bed spaces, no recourse to public funds, failure of responding officer or first point of contact and disclosure to refer or signpost, and complex needs that make woman unsuitable for communal/refuge style accommodation.

The aim of the refuges is to provide short-term crisis accommodation and support for women and their children who have been affected by domestic violence. Refuges do not enforce a time-limit on those staying in a refuge, and a small number of women stay longer due to their unique circumstances.

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<sup>4</sup> Beds are for both women and children

There are accredited national standards for women's shelters, called "Quality Assessment Framework", for Supporting People-funded housing related support services. All women's shelters apply these standards.

There are no specific shelters for BMER women or girl victims of forced marriage, but there is one shelter for victims of trafficking (it is not a specific separate shelter for trafficking, but adult victims of trafficking are supported within one of the Women's Aid refuges).

### Women's Centres

There are 16 Women's Aid resource centres run by women's NGOs and covering all of Northern Ireland. Resource centres are Women's Aid centres where a lot of work other than refuge support is carried out, such as programmes for women etc. They are also HQ for local Women's Aid groups.

There is one rape crisis helpline run by the 24 Hour Domestic & Sexual Violence helpline. The charity [NEXUS](#) also has centres across Northern Ireland providing counselling and support for survivors of sexual abuse). These two services cover all of Northern Ireland.

There is one sexual assault centre, run by the [Rowan Sexual Assault Referral Centre](#).

There are other women's centres across Northern Ireland providing wider, more general support to women in the community.

All Women's Aid local groups provide information and advice, practical support, empowering support, multi-lingual support, outreach, and mobile/floating support. Most provide court accompaniment. Some provide counselling, advocacy, legal advice, and legal representation. None provide specialist support for minority, migrant, or asylum-seeking women. Local Women's Aid groups would provide ad hoc support to women for a wide range of issues, however, they are not professional social rights advisers and would signpost to other advice organizations where legal/other advice is needed.

### Other services

There are also a number of children's charities that work in the area of violence against children, such as NSPCC and Barnardos.

### Women's Networks

[Women's Aid Federation Northern Ireland](#), a registered charity, comprises of nine Women's Aid groups and has a national office in Belfast. Women's Aid groups cover the whole of Northern Ireland, and each local Women's Aid group runs refuge services, outreach services, and other support services in their area for victims of domestic and sexual violence and their children. Activities of the network are: provide refuge accommodation to women and their children suffering from mental, physical, or sexual abuse within the home; run the 24 hour Domestic and Sexual Violence Helpline; provide a range of support services to enable women who are leaving violent situations to rebuild their lives and the lives of their children; provide a range of support services to children and young people who have experienced domestic violence; run preventative education programmes in schools and other settings; educate and inform the public, media, police, courts, social services, and other agencies of the impact and effects of domestic violence; advise and support agencies in the development of domestic violence policies, protocols, and service delivery; and work in partnership with relevant agencies to ensure a joined response to domestic violence.

[Survivors Trust \(TST\)](#) is a registered charity network of specialist rape, sexual violence and childhood sexual abuse organizations throughout the UK and Ireland, providing networking and support. Its main office is located in Warwickshire.



## Policy & Funding

There is one draft NAP called “Stopping Domestic Violence and Sexual Violence and Abuse in Northern Ireland” (2013-2020). This strategy is a draft and is not yet in effect in Northern Ireland. Therefore there is no link to it yet. The finalization of the strategy has been delayed. The draft strategy is intended to merge two previous government strategies: [Tackling Violence at Home Strategy](#), and [Tackling Sexual Violence and Abuse strategy](#). This strategy is not a VAW strategy per se, but it focuses on domestic violence and sexual violence, and is for women and men. Northern Ireland does not have a dedicated action plan to tackle VAWG.

Since the strategy is still in draft, it cannot be stated now if women’s support services are integrated in the strategy. However, there is an existence of a governmental coordinating body for implementing policies and measures to prevent VAW, called the Regional Strategic Group on Domestic and Sexual Violence (RSG), chaired by the Department of Health, Social Services and Public Safety (DHSSPS). Women’s NGOs are involved in the work of the coordinating body: WAFNI sits on the Regional Strategic Group, and other NGOs working on domestic violence and sexual violence are also in the group.

THE RSG is also the evaluation and monitoring body, with women’s NGOs also taking part.

The strategy does not have clearly set outcomes for the government to achieve. A significant amount of work to meet targets and make progress in tackling domestic and sexual violence has been carried out by both statutory agencies and expert community and voluntary sector organizations over the course of the previous domestic and sexual violence strategies. However, many actions and targets have not been met. Furthermore, austerity and budget cuts have resulted in the reversal of some key progress and de-funding projects which are set up to meet the objectives and the strategies.

The last evaluation report was called “Tackling Violence at Home Strategy Review Report” (2011). Women’s NGOs do not conduct an evaluation of the strategy.

There are specific governmental funds allocated for activities to combat VAW on the national level. The law allows for funding of women’s NGOs, and governmental funding of WSS is not mandated by law/regulation. The three most common forms of governmental funding for WSS is: project funding, annual core funding, and public procurement funding. There will be a review of core funding in 2016 by the Department of Health. A public procurement/tendering process is being used to fund services.

## SCOTLAND

### Women’s Helplines

#### National women’s helplines

[Scottish Domestic Abuse Helpline](#) (0800 027 1234), operates 24/7 and is free of charge, and takes calls from men, women, children and victims of forced marriage. The helpline runs 24/7 and is free of charge, and is run by Scottish Women’s Aid.

[Rape Crisis Scotland Helpline](#) (0808 8010 302) is run by Rape Crisis Scotland, assists survivors of rape and sexual assault, and is free of charge, provides multi-lingual support, but does not operate 24/7. The helpline provides referrals to local rape crisis centres, as well as has services for deaf or hard of

hearing individuals, and interpreters are available. The helpline also supports transgender, intersex, and the LGB community.

#### Other helplines for victims

[Men's Advice Line](#) (0808 801 0327) provides support for men in abusive relationships in England, Wales, and Scotland. The website says it is free from landlines and most mobiles, and is run and managed by Respect, open Monday-Friday 9-5.

[The Childline](#) (0800 111) offers support for children dealing with violence across the UK. According to the website, calls are free. Also can chat via email and message boards.

[Respect Phoneline](#) (0808 802 4040) is a helpline for domestic violence perpetrators that covers England, Wales and Scotland. The website says that it is free from landlines and most mobiles, and is open Monday-Friday from 9-5.

Honour Network Helpline/[Karma Nirvana](#) (0800 59999 247) is for survivors of so-called crimes of honour") and forced marriage across the UK. The helpline conducts advocacy, school projects, campaigns ("Britain's Lost Women"), education workshops, and police training, and is available for all genders and sexualities, from 9:30-17:00 Monday-Friday.

#### Women's Shelters

There are 37 women's shelters with about 502 family spaces<sup>5</sup>, all run by women's NGOs with a gender-specific/feminist approach. Women's shelters exist in all regions, and only one is available 24/7. Women pay for the accommodation service, but can access support services free. Some refuges take a limited number of women with no recourse to public funds. Scottish Women's Aid has developed accredited national standards for women's shelters, applied by 22 women's shelters.

There are two BME shelters, but no shelters specifically for victims of trafficking, or for girls and young women victims of forced marriage.

Women who experience domestic abuse are covered by housing legislation and will be defined as homeless and in priority need, which means that they will receive an offer of permanent housing. The problem is that housing stock is low and, depending on the area, it can take a long time to be re-housed, through for instance public housing programs.

#### Women's Centres

There are at least 22 women's centres in Scotland. There are 14 rape crisis centres run by Rape Crisis Scotland, available in almost all regions with its main source of funding being from the State, but also local authorities, and grant-making trusts.

There are also two women's centres for black/migrant/minority ethnic women run by Scottish Women's Aid, available in two cities.

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<sup>5</sup> It is a room that the family shares and can have a number of beds. Do not have a bed space number.

There are also four sexual violence services and one Sexual Assault Referral Centre (Archway) in Glasgow for anyone over 12 years of age. Archway is open 24/7 and offers various services, including forensics, testing for infections, support and counselling.<sup>6</sup>

Women's Support Project works to raise awareness of the extent, causes and effect of male violence against women, and for improved services for those affected by violence. The Project is based in Glasgow and works across Scotland.

### Women's Networks

[Scottish Women's Aid Network](#) is a network of 37 specialist domestic abuse services. Activities of the network focus on the prevention of domestic abuse, such as conducting campaigns, publications and research, trainings, and a domestic abuse helpline.

[Rape Crisis Scotland](#) is a network of 14 sexual violence centres. Activities of the network focus on providing a rape crisis helpline and email support for anyone affected by sexual violence. Rape Crisis Scotland also works with the police, conducts lobbying and campaigns, and hosts conferences.

[National Violence against Women Network](#) is a network of 121 local multi-agency violence against women partnerships, national public sector organizations, and national third sector organizations. The network brings together local violence against women partnership coordinators across Scotland and other relevant stakeholders. Key activities include supporting local violence against women partnerships to connect with each other and share information, learning resources, strengthening relationships between local violence against women partnerships and relevant national public sector and third sector organizations, and providing a collective voice on relevant violence against women issues to help inform and help improve policy and practice at a local and national level.

[Survivors Trust](#) (TST) is a network of specialist rape, sexual violence and childhood sexual abuse organizations throughout the UK and Ireland, providing networking and support.

### Policy & Funding

The Scottish government published "Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls" in June 2014. The strategy was developed by the government and COSLA with input from NGOs supporting women (including Scottish Women's Aid and Rape Crisis Scotland), and the justice sector (police and COPFS). The initial phase of the strategic framework runs until the end of 2015, and involves developing recommendations which will inform more detailed action plans.

Equally Safe's outlined objectives include increasing gender equality in access to power, strengthening justice responses, and holding men who carry out violence against women to account. Furthermore, the framework recognizes a gendered understanding of VAW as an inequality issue. Equally Safe is a strategic framework, not a delivery plan. It is complementing Scotland's National Action Plan for

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<sup>6</sup> Country Report 2013 & 2014

Human Rights (SNAP) 2013-2017, which recognizes that tackling violence against women and girls is key to ensuring the human rights of all citizens, and fits into the one of the 13 equality points for Scotland as part of the National Performance Framework. There is a national body/institution entrusted with the evaluation and monitoring of the national strategy, which is a multi-agency group (Accountability Working Group), led by women's NGOs, however there are no reports or publications by them yet.

The government funds NGOs, and in 2014, there was approximately €4 million available to be applied for. There was also violence against women funding to specific services and groups for 2015/2016 of €16,425,133. The law does allow for funding of women's NGOs, however there is no governmental funding of specialist women's support services mandated by law/regulation (the government has the power to fund, but are not mandated to). Governmental funding for specialist women's support services is in the form of annual core funding. Until recently, funding was allocated for three years, but has been annually for the past two years and there is an indication that it will be annual funding for 2016-2017.

## WALES

### National women's helplines

#### Women's Helplines

[“Live Fear Free Helpline”](#) (0808 80 10 800) 24/7, free of charge and provided by Welsh Women's Aid on behalf of the Welsh Government. The helpline also provides multi-lingual support, with trained specialist call takers fluent in English and Welsh and access to a further 150 languages via Language Line.<sup>7</sup> The helpline is accredited with the Helplines Standard (originally Quality Mark), by the Helpline Association, which defines and accredits best practices.

Rape Crisis Helpline (0808 802 9999, 0208 239 1124) not free of charge, free from UK landlines, Virgin, Orange, EE, O2, 3, T-Mobile, Vodafone mobile phone networks) supports women and girls survivors of rape or any form of sexual violence. According to the website, the helpline is open every day 12-2:30, 7-9:30pm, and additionally on weekdays 3-5:30pm.

#### Other helplines for victims

Bawso BME domestic abuse helpline (0800 731 8147); black and ethnic minorities threatened by abuse (e.g. forced marriage, FGM, human trafficking); [Broken Rainbow](#) (UK; 0300 999 5428) LGBT+ domestic violence; differing operating hours, [Childline](#) (0800 1111); free of charge; additional online services, FGM Helpline (0800 028 3550) free of charge; 24/7); Forced Marriage Unit (England and Wales; 020 7008 0151); [Men's Advice Line](#) (0808 801 0327) support for men in abusive relationships and free from landlines and most mobiles; New Pathways Rape Crisis and Sexual Abuse Helpline (01685 379 310) women, men, children and young people who have been affected by rape or sexual abuse; [Respect Phoneline](#) (0808 802 4040) for domestic violence perpetrators and free from landlines

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<sup>7</sup> <http://www.allwaleshelpline.org.uk/>



and most mobiles; Mo-Fri 9-5; Safer Wales [Dyn Project](#) (0808 801 0321) male victims of domestic abuse, free of charge, not 24/7.

### Women's Shelters

There are 54 women's shelters in Wales, with 299 bed spaces,<sup>8</sup> most of which are non-governmental organization charities (all free of charge). Women's shelters exist in all regions. Most women's shelters are available 24/7 – all refuges have 24/7 staff on call, not all have 24/7 staff attendance. Most women's shelters provide immediate and direct access in emergency situations, and most provide non-residential support. There is no upper limit for the length of time for women to stay in shelters, but the most common stay is two months long.

Women's shelters in Wales provide access for: women with children, women without children, older women (above 60), women with disabilities, lesbian and/or transgender women<sup>9</sup>, women from other provinces of the country, migrant women, and minority ethnic women<sup>10</sup>, women from other provinces of the country, migrant women, and minority ethnic women<sup>11</sup>. There is also access for asylum-seeking women and women from other EU countries across Wales through the BME service and WWA member Bawso. Some shelters provide access for undocumented migrant women, only five of WWA's member groups reported accepting women with no recourse to public funds (other reasons for not admitting: criminal convictions, e.g. crime or arson, due to safety concerns and insurance purposes).

Through WWA member Bawso, Wales has specific BME shelters and shelters for girls and young women victims of forced marriage.

There is a variety of second-stage or 'move-on' accommodation available for those leaving refuge.

### Women's Centres

N/A (do not collect this data), Although Rape Crisis England and Wales is a network which includes rape crisis centres in Wales. The number is unknown.

The WAVE Report 2014 states that there are a number of women's centres in Wales, including centres for survivors of sexual violence, and a number of Independent Sexual Violence Advisors (ISVAs).

### Women's Networks

[Welsh Women's Aid](#) comprises of 25 local Women's Aid groups across Wales, providing direct services for women and children victims of violence against women. The network conducts prevention work (awareness-raising, campaigning), provision for members, protection and support, information, training, coordinate access to emergency refuge provision for survivors (UK Refuges Online System).

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<sup>8</sup> WWA asks members for the number of units (bed spaces) that they provide. Number of units has been provided by all WWA's members and 1 combined WWA's direct service. Total number of bed spaces in Wales is 299.

<sup>9</sup> Policies on the acceptance of transgender women into refuge are currently being created

<sup>10</sup> It is difficult to say the amount of women's shelters who provide access, as they only recently began to collect data on demographics.

<sup>11</sup> It is difficult to say the amount of women's shelters which provide access, as they only recently began collecting data on demographics.



[Rape Crisis England and Wales](#) is a network of 46 rape crisis centres in England and Wales. The network is an umbrella body or network of rape crisis centres and provide a coordinating voice for the rape crisis movement, to influence local, regional, and national policy development, increase service provision, and challenge sexual violence by leading awareness-raising campaigns and providing a central source of accurate information to government. It is gender-specific and women-led.

[Women's Equality Network](#) (WEN) Wales is a network of 500 organisations and individuals committed to making Wales safer for women and girls.

Wales Violence against Women Action Group has diverse members interested in ending violence against women, consisting of for instance, universities and NGOs, including Welsh Women's Aid, Women's Institute, and Survivors Trust, as an alliance of organisations working on VAWG issues in Wales and campaigning for policy change.

Women Making a Difference (WMAD) is a Wales based capacity-building programme that educates and empowers women in Wales to have the skills, confidence, and mind-set to become the leaders in their communities and decision-makers at all levels of public and political life.

The Wales Assembly of Women is an NGO accredited to the Economic and Social Council of the United Nations. Their representatives have attended every major U.N. world conference for women since Nairobi in 1995. Membership is open to all women in Wales who share the Aims of the Association. Membership is open also to women living elsewhere who have connections with Wales and who have affinity with and interest in life in Wales.

Women's Equality Party Wales is a network of individuals as a political party for: equal representation in politics, business, industry, and throughout working life; equal pay; equal parenting; an education system that creates opportunities for all children; address the ways in which the portrayal of women in the media impedes progress towards equality; seek an end to violence against women.

## Policy & Funding

There is one national strategy, "The Right to be Safe" Strategy (2010-2016)<sup>12</sup> in Wales and one national action plan, "A Call to End Violence against Women and Girls Action Plan" (2011-2015)<sup>13</sup>. These will be replaced with new legality mandated strategies created under the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015.

There is a governmental coordinating body for implementing policies and measures to prevent VAW, called "Violence against Women, Domestic Abuse and Sexual Violence Team", part of the Community Safety Division within the Welsh Government. This sits under the Minister for Public Services. As of October 2015, Wales also has National Adviser for VAW and other forms of GBV, Domestic Abuse and Sexual Violence, created by the VAW/DA/SV Act, who sits within the Welsh Government.

Women's NGOs are also involved in the work of the coordinating body. They have standing meetings with officials, including a Strategic Leadership Group with the Minister and officials each quarter, as well as subject groups on FGM, so-called 'honour' based violence and forced marriage.

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<sup>12</sup> <http://lyw.cymru/topics/people-and-communities/communities/safety/domesticabuse/publications/besafe/?lang=en>

<sup>13</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/97903/vawg-action-plan.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/97903/vawg-action-plan.pdf)

Representatives from the sector are recognised as specialists/experts. Women's NGOs are able to provide feedback and input in these meetings.

There is also a national body/institution entrusted with the evaluation and monitoring of the national strategy/body, which is the same as the governmental coordinating body. Women's NGOs are not involved in the evaluation and monitoring body, as currently it is an internal Welsh Government process. The evaluation and monitoring body measures the achievement of indicators in report and dissemination

The Welsh Government website publishes information and reports relevant to this work. The 4th Annual Report on the Right to be Safe Strategy 2013-14 has been published.<sup>14</sup> A report on the Call to end Violence against women and girls (2014) also outlined new goals going forward, and objectives to achieve for 2015, called "A Call to End Violence against women and Girls Action Plan 2014". A report reviewing the services delivered in Wales around VAW/DA/SV was also completed by the Welsh Government in 2014.<sup>15</sup> There is also a public evaluation report.<sup>16</sup>

Although governmental funding of women's support services is not mandated by law/regulation, there is new legislation in Wales which aims to improve women's support services and preventing violence against women. The Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 legislates for a national strategy to be developed in consultation with sector experts to replace the Right to be Safe Strategy after 2016. The Act also calls for local strategies to be developed and outcomes to be measured in the 22 local authorities and local health boards across Wales. This Act became law in Wales on 29 April 2015. The legislation aims to improve: arrangements for the prevention of GBV, domestic abuse and sexual violence; and support for people affected by GBV, domestic abuse and sexual violence, improve consistency, quality, and join-up of service provision in Wales. The Act also includes duties to prevent VAW, track progress, a National Training Framework, informative sharing, cooperative working, and guidance for commissioners when funding services.<sup>17</sup>

## APPENDIX 6

### Germany

- Eurobarometer Report on Gender-based Violence – Germany (2016)
- European Institute for Gender Equality (EIGE) Report– Germany (2016)

The country report for Germany from **Gender-based Violence, Stalking and Fear of Crime-Project Report** is too lengthy to include here, but is a crucial resource on the issue of sexual violence and harassment of women students in German HEIs.

The full report and country specific reports are available at:  
<https://vmits0151.vm.ruhr-uni-bochum.de/gendercrime.eu/>



27.818 interviews  
04 > 13 / 06 / 2016



1.585 interviews  
04 > 12 / 06 / 2016

Methodology: face-to-face

Special Eurobarometer 44

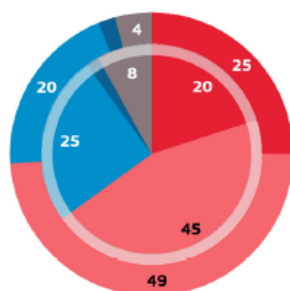
Gender-based violence

GERMANY

June 2016

## 1. PERCEIVED PREVALENCE OF DOMESTIC VIOLENCE

**QB1** In general, how common do you think that domestic violence against women is in (OUR COUNTRY)? (%)

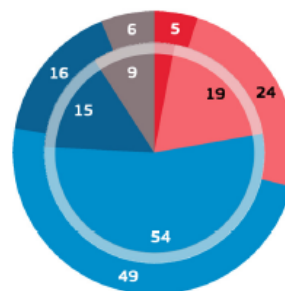


EU28 Outer pie DE Inner pie

	EU28		DE	
	2016	2016-2010	2016	2016-2010
Very common	25	- 2	20	+ 4
Fairly common	49	- 2	45	- 3
Not very common	20	+ 3	25	- 2
Not at all common	2	+ 1	2	=
Don't know	4	=	8	+ 1

Evolution 06/2016 - 02-03/2010

**QB2** In general, how common do you think domestic violence against men is in (OUR COUNTRY)? (%)



Very common  
Fairly common  
Not very common  
Not at all common  
Don't know

EU28 Outer pie DE Inner pie

**QB3** In your opinion, domestic violence against women is... (%)

Answer: Unacceptable and should always be punishable by law

EU28

DE

TOTAL

84

80



Gender

Man

81

77

Woman

86

83



Age

15-24

81

85

25-39

82

76

40-54

82

77

55+

80

75

Socio-demographic breakdown

**QB3b** In your opinion, domestic violence against men is... (%)

Answer: Unacceptable and should always be punished by law

EU28

DE

TOTAL

80

76



Gender

Man

78

75

Woman

81

78



Age

15-24

79

88

25-39

78

75

40-54

79

72

55+

76

71

Socio-demographic breakdown



27.818 interviews  
 04 > 13 / 06 / 2016  
 1.585 interviews  
 04 > 12 / 06 / 2016  
 Methodology: face-to-face

Special Eurobarometer 449

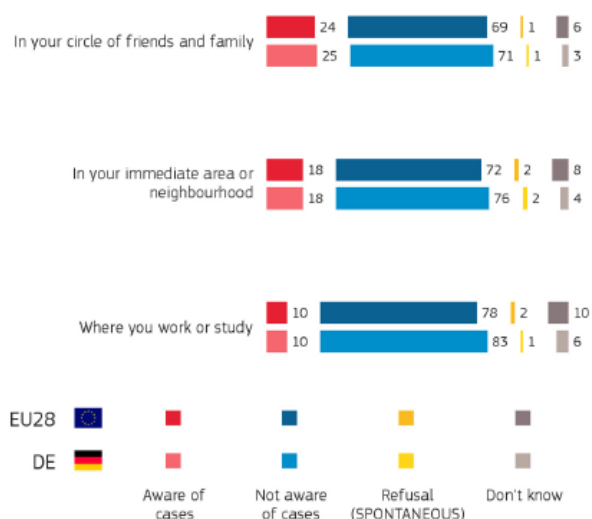
Gender-based violence

GERMANY

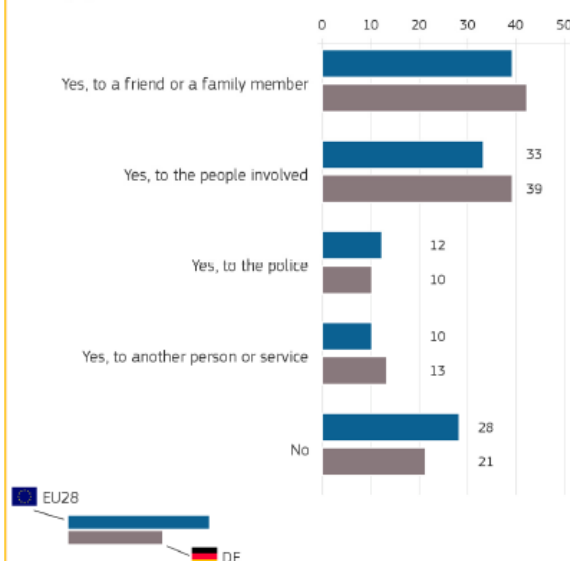
June 2016

## 2. AWARENESS OF DOMESTIC VIOLENCE

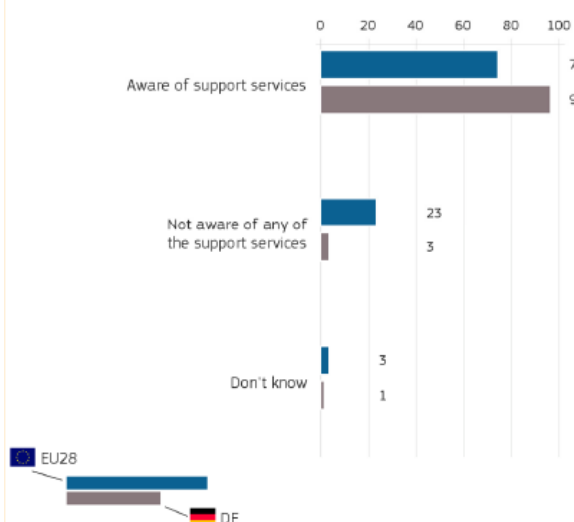
**QB4** Do you know of any men or women who have been a victim of any form of domestic violence? (%)



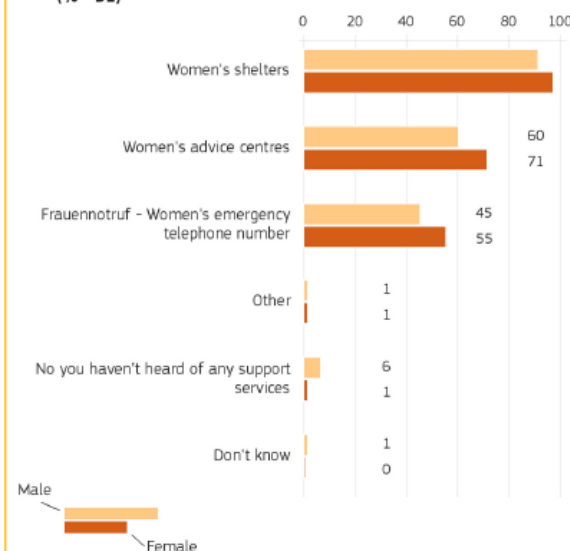
**QB4b** Did you speak to anyone about this? (MULTIPLE ANSWERS POSSIBLE) (%)



**QB5** Have you heard of any of the following support services for women who are victims of domestic violence? (MULTIPLE ANSWERS POSSIBLE) (%)



**QB5** Have you heard of any of the following support services for women who are victims of domestic violence? (MULTIPLE ANSWERS POSSIBLE) (% - DE)



The list of support services was customized for each country participating in the survey.



27.818 interviews  
04 > 13 / 06 / 2016



1.585 interviews  
04 > 12 / 06 / 2016

Methodology: face-to-face

Special Eurobarometer 449

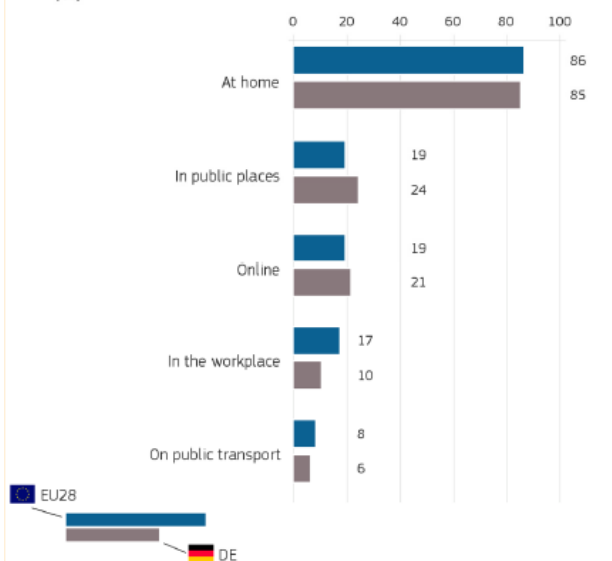
Gender-based violence

GERMANY

June 2016

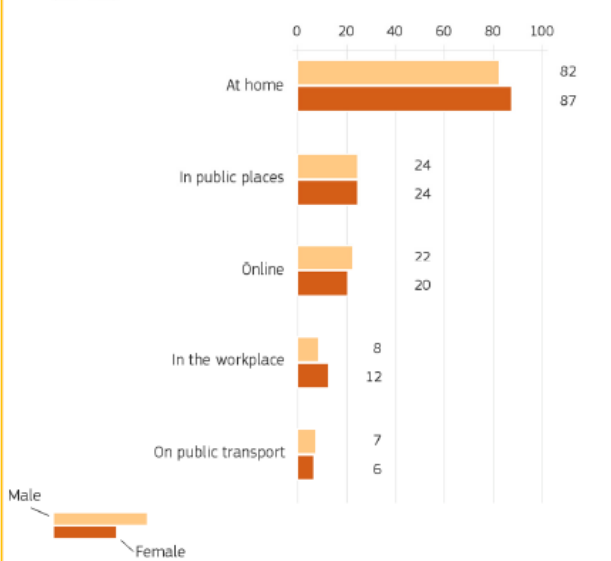
### 3. PERCEPTIONS ON AND ATTITUDES TOWARDS GENDER-BASED VIOLENCE

**QB6** In your view, is violence against women more likely to occur... (MAX. 2 ANSWERS) (%)



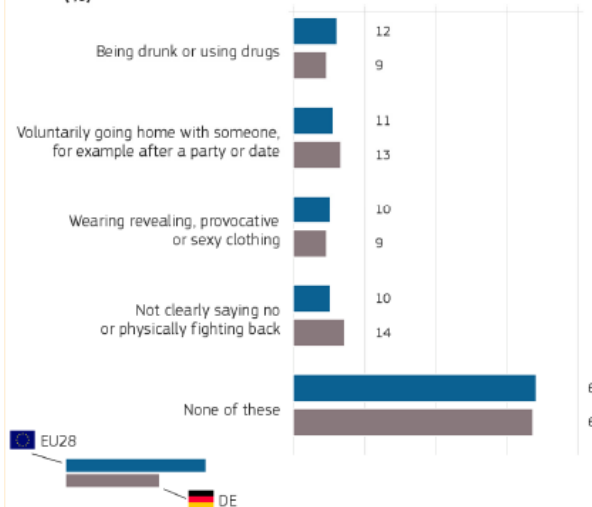
Only the most chosen answers at EU level are shown.

**QB6** In your view, is violence against women more likely to occur... (MAX. 2 ANSWERS) (% - DE)



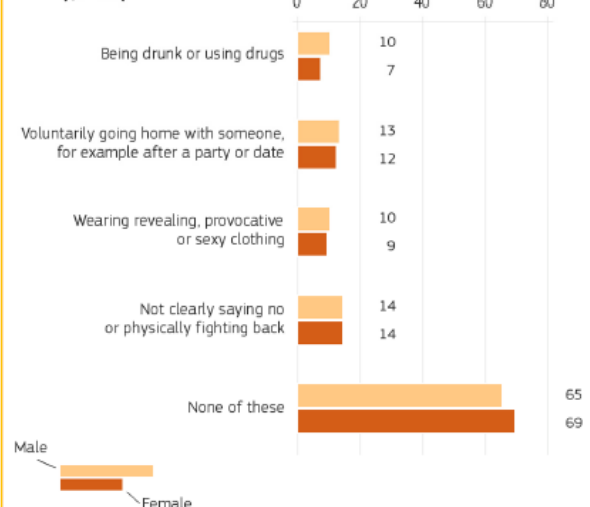
Only the most chosen answers at EU level are shown.

**QB10** Some people believe that having sexual intercourse without consent may be justified in certain situations. Do you think this applies to the following circumstances? (MULTIPLE ANSWERS POSSIBLE) (%)



Only the most chosen answers at EU level are shown.

**QB10** Some people believe that having sexual intercourse without consent may be justified in certain situations. Do you think this applies to the following circumstances? (MULTIPLE ANSWERS POSSIBLE) (% - DE)



Only the most chosen answers at EU level are shown.



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Methodology: face-to-face

Special Eurobarometer 449

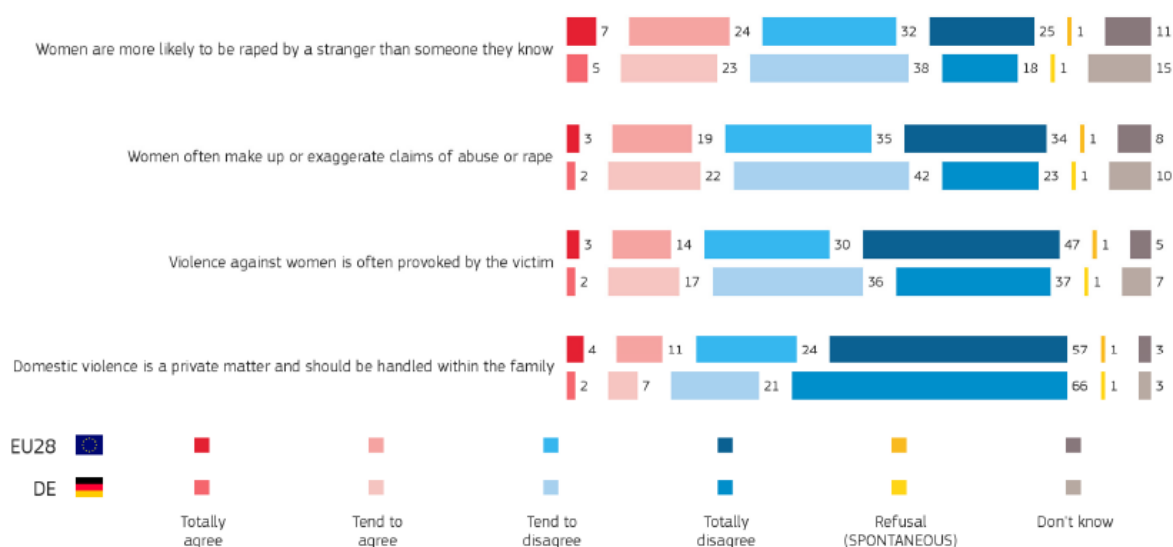
Gender-based violence

GERMANY

June 2016

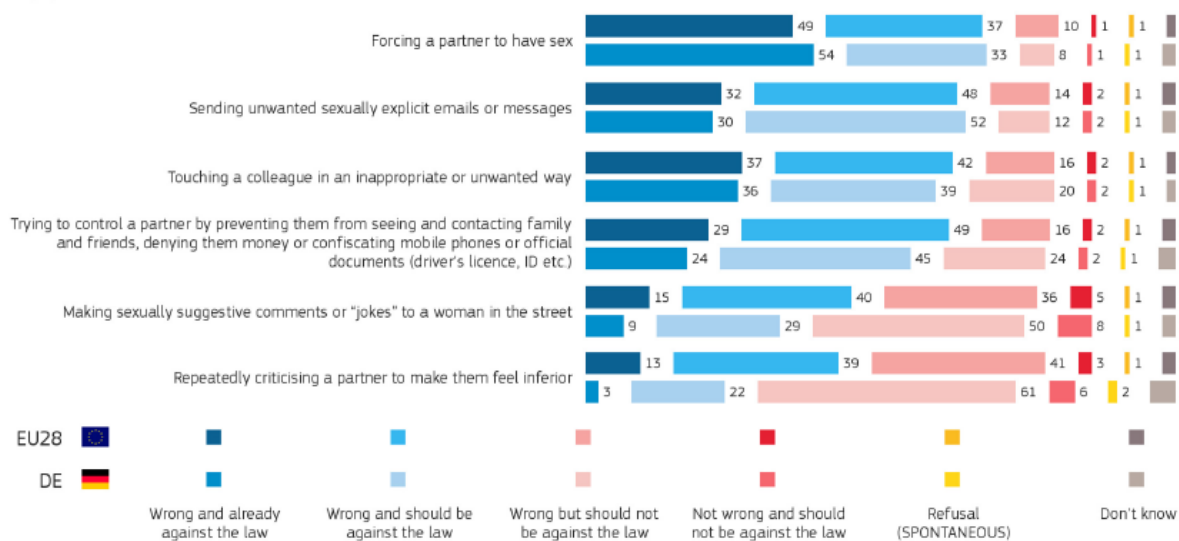
### 3. PERCEPTIONS ON AND ATTITUDES TOWARDS GENDER-BASED VIOLENCE

**QB9** Please tell me to what extent you agree or disagree with the following statements?  
(%)



### 4. LEGAL RESPONSE TO GENDER-BASED VIOLENCE

**QB8** For each of the following situations, please tell me whether you think it is against the law or not. For each please tell whether you think it is wrong and is already against the law, it is wrong and should be against the law, it is wrong but should not be against the law, it is not wrong and should not be against the law.  
(%)





**NON.  
NO.  
NEIN.**

Say No!  
Stop  
**violence**  
against  
women

**Violence against women** is rooted in women's unequal status in society and that status reflects the unbalanced distribution of social, political and economic power among women and men in society. It is one of the most pervasive human rights violations of our time and a form of discrimination that results in, or is likely to result in, physical, sexual, psychological or economic harm or suffering to women <sup>(1)</sup>. Violence against women undermines women's dignity and integrity and imposes serious harm on families, communities and societies. In the EU, estimates suggest that 1 in 3 women (or 61 million out of 185 million) have experienced physical or sexual violence, or both, since the age of 15 <sup>(2)</sup>.

The full extent of violence against women is difficult to estimate, as it continues to be under-reported and stigmatised, meaning that what actually gets reported is only a fraction of the reality. In Germany, 80 % of the population tend to trust the police <sup>(3)</sup>.

In EIGE's Gender Equality Index 2015 it was found that where people tend to have more trust in justice institutions, levels of disclosed violence are higher <sup>(4)</sup>. It is estimated that in Germany, 35 % of women have experienced violence, which is 2 % higher than in the EU overall <sup>(5)</sup>.

The European Institute for Gender Equality has estimated that the cost of intimate partner violence against women in Germany could amount to EUR 17 billion per year. This figure was calculated according to the methodology used in EIGE's 2014 study <sup>(6)</sup>, which Member States can replicate, as done by Estonia in 2016 <sup>(7)</sup>.





## What are the facts?

- 58 % of women in Germany have experienced some form of sexual harassment <sup>(8)</sup>.
- It is estimated there are 19 000 women victims of female genital mutilation in Germany and an additional 4 000 girls at risk <sup>(9)</sup>.
- In 2012, only 8.4 % of all reported acts of sexual violence were sentenced <sup>(10)</sup>.
- During the period 2013—2015, authorities identified that there were 1 515 victims of human trafficking for the purpose of sexual exploitation in Germany, of which 96 % were women <sup>(11)</sup>.
- The 2014 European Union Agency for Fundamental Rights survey data results found that in Germany, one in three women have experienced physical and/or sexual violence since the age of 15 and 38 % of people in Germany said they knew a woman within their circle of friends and family who has been a victim of domestic violence <sup>(12)</sup>.

When trust in police is low, victims are less likely to report violence.



## Is violence against women a crime in Germany?

Violence against women in the home is covered by the criminal law provisions contained in the criminal code and includes domestic violence and sexual offences such as sexual assault and rape. In September 2016, a reform of the penal code regarding the provision for rape and sexual violence was passed, bringing the German legislation into conformity with the standards of the Council of Europe Convention on preventing and combating violence against women and domestic violence.

Stalking is criminalised under the criminal code and female genital mutilation is illegal even if it is committed outside the country.

The 'Offences Concerning Trafficking in Human Beings for the Purpose of Sexual and other Exploitation' incorporated trafficking for sexual exploitation or prostitution as offences under German criminal law. In September 2016, the penal code was reformed regarding provisions for criminalising trafficking in persons, broadening the scope of conduct qualifying as trafficking in persons.

## Good practices show the way

The 'Medizinische Intervention gegen Gewalt' (Medical intervention against violence - MIGG) project <sup>(13)</sup> developed unified standards for the treatment of women victims of violence in emergency rooms and specialist outpatient departments, and identified the main warning signs (known as red flags) that may indicate domestic violence and merit attention from health personnel. It also considered the needs of specific victim groups such as migrant women and women with a disability.

The main aim of the three-year project, which was piloted in five locations, was to introduce and test an intervention programme to train and raise the awareness of physicians in their own practices. It also tested the cooperation and networking between outpatient departments and regional emergency violence support centres.

MIGG created a medical intervention model to improve the health care treatment of women victims of domestic violence and to increase health care professionals' awareness of the issue. The project helped doctors to identify and address the consequences of violence, and to document evidence for use in court. It did this through conducting an intense exchange with universities and health care units, offering doctors support in documenting injuries for use in a court of law, giving specialist advice, distributing posters and information for patients to support health education, training and information events, and setting up an internet platform.

## What is being done to eliminate violence against women in Germany?

The federal government's first action plan to combat domestic violence against women established a comprehensive approach to combating violence against women. It focused on prevention and legislation, but also on cooperation among institutions and projects, as well as nationwide networking of assistance services and awareness-raising measures <sup>(14)</sup>. The second action plan highlighted the fact that the majority of women victims experience violence in their own home. It also addressed migrant women and women at high risk <sup>(15)</sup>.

In 2008, Germany developed the national action plan to improve the situation of women victims of female genital mutilation and to protect girls in Germany <sup>(16)</sup>.

## How are women and girls protected?

Women victims of domestic violence in Germany have legal access to protection measures. The police can order the offender to leave the home and prohibit him from re-entering. In some of the states the police are legally entitled to issue these bans for a couple of days, thus enabling victims to seek counselling and start civil legal proceedings to gain a barring order issued by court <sup>(17)</sup>.

In July 2016, the Federal Council of Ministers agreed on a bill to improve the protection in cases of stalking and forwarded the bill for deliberation to the Bundestag and Bundesrat. The bill is aimed at improving the efficiency of victim protection measures.

Germany was among the first countries to sign the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) on 11 May 2011, but has not yet ratified it. The Istanbul Convention is the most far-reaching international treaty to tackle this serious violation of human rights.

## What help is available in Germany?

The violence against women support helpline 'Hilfetelefon Gewalt gegen Frauen' (08000 116 016) is available nationwide, providing free and anonymous 24/7 support in 15 different languages from female professionals. The helpline is run by the Federal Office for Family and Social Affairs, under the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth <sup>(18)</sup>.

The helpline received 55 000 contacts in 2015 including 27 000 consultations, of which 96 % came from women <sup>(19)</sup>.

In Germany, women affected by violence and their children have access to 350 women's shelters and 40 safe flats, with more than 6 000 beds. In addition, there are 750 counselling services specialised in the diverse forms of violence against women <sup>(20)</sup>.



**In Germany, women affected by violence and their children have access to 350 women's shelters and 40 safe flats.**

**Hilfetelefon Gewalt gegen Frauen (08000 116 016)**



**In 2015, the helpline received 55 000 contacts, 96 % of which came from women.**



## Endnotes

- (<sup>1</sup>) Council of Europe (2011). Council of Europe Treaty Series No 10, Council of Europe Convention on preventing and combating violence against women and domestic violence, and its explanatory report. Available at: <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210>
- (<sup>2</sup>) European Union Agency for Fundamental Rights (2014). *Violence against women: an EU-wide survey — Main results*, Publications Office of the European Union, Luxembourg.
- (<sup>3</sup>) European Commission (2016). *Eurobarometer*. Available at: <http://ec.europa.eu/COMMFrontOffice/PublicOpinion/index.cfm/Chart/getChart/themeKy/18/groupKy/88>
- (<sup>4</sup>) European Institute for Gender Equality (2013). *Gender Equality Index — Report*. Available at: <http://eige.europa.eu/sites/default/files/documents/Gender-Equality-Index-Report.pdf>
- (<sup>5</sup>) Ibid. the level of disclosed violence in the EU overall is 33 %.
- (<sup>6</sup>) European Institute for Gender Equality (2014). *Estimating the costs of gender-based violence in the European Union — Report*, Publications Office of the European Union, Luxembourg. Available at: <http://eige.europa.eu/sites/default/files/documents/MH0414745EN2.pdf>
- (<sup>7</sup>) *The cost of domestic violence in Estonia*. Available at: [https://www.sm.ee/sites/default/files/content-editors/Sotsiaal/Norra/vagivalla\\_hind.pdf](https://www.sm.ee/sites/default/files/content-editors/Sotsiaal/Norra/vagivalla_hind.pdf)
- (<sup>8</sup>) Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (2004). *Health, well-being and personal safety of women in Germany — A representative study of violence against women in Germany*.
- (<sup>9</sup>) European Institute for Gender Equality (2013). *Current situation of female genital mutilation in Germany*. Available at: [http://eige.europa.eu/sites/default/files/documents/current\\_situation\\_and\\_trends\\_of\\_female\\_genital\\_mutilation\\_in\\_germany\\_en.pdf](http://eige.europa.eu/sites/default/files/documents/current_situation_and_trends_of_female_genital_mutilation_in_germany_en.pdf)
- (<sup>10</sup>) Grieger, Klemm, Eckardt and Hartmann (2014). *Was Ihnen widerfahren ist, ist in Deutschland nicht strafbar*. Fallanalyse zu bestehenden Schutzlücken in der Anwendung des deutschen Sexualstrafrechts bezüglich erwachsener Betroffener, bff Frauen gegen Gewalt e.V., Berlin.
- (<sup>11</sup>) [https://www.bka.de/DE/AktuelleInformationen/StatistikenLagebilder/Lagebilder/Menschenhandel/menschenhandel\\_node.html](https://www.bka.de/DE/AktuelleInformationen/StatistikenLagebilder/Lagebilder/Menschenhandel/menschenhandel_node.html)
- (<sup>12</sup>) European Union Agency for Fundamental Rights (2014). *Violence against women: an EU-wide survey — Main results*, Publications Office of the European Union, Luxembourg.
- (<sup>13</sup>) European Institute for Gender Equality (n.d.). *Setting standards for the medical care of victims of gender violence: Good Practice in Germany, 2008-2011*. Available at: <http://eige.europa.eu/gender-based-violence/good-practices/germany/setting-standards-medical-care-victims-gender-violence>
- (<sup>14</sup>) Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (2005). Action plan of the Federal Government to combat violence against women (Aktionsplan der Bundesregierung zur Bekämpfung der Gewalt gegen Frauen), Berlin.
- (<sup>15</sup>) Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (2012). Aktionsplan II der Bundesregierung zur Bekämpfung von Gewalt gegen Frauen, Berlin.
- (<sup>16</sup>) European Institute for Gender Equality (2013). *Current situation of female genital mutilation in Germany*. Available at: [http://eige.europa.eu/sites/default/files/documents/current\\_situation\\_and\\_trends\\_of\\_female\\_genital\\_mutilation\\_in\\_germany\\_en.pdf](http://eige.europa.eu/sites/default/files/documents/current_situation_and_trends_of_female_genital_mutilation_in_germany_en.pdf)
- (<sup>17</sup>) [http://www.big-berlin.info/sites/default/files/medien/330\\_lhrRecht\\_en.pdf](http://www.big-berlin.info/sites/default/files/medien/330_lhrRecht_en.pdf)
- (<sup>18</sup>) WAVE (2015). *WAVE report on the role of specialist women's support services in Europe* (Germany country information). Available at: [http://files.wave-network.org/researchreports/WAVE\\_Report\\_2015.pdf](http://files.wave-network.org/researchreports/WAVE_Report_2015.pdf)
- (<sup>19</sup>) Figures provided by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, Germany.
- (<sup>20</sup>) Ibid.

## APPENDIX 7

### Italy

- Eurobarometer Report on Gender-based Violence – Italy (2016)
- European Institute for Gender Equality (EIGE) Report– Italy (2016)

The country report for Italy from **Gender-based Violence, Stalking and Fear of Crime-Project Report** is too lengthy to include here, but is a crucial resource on the issue of sexual violence and harassment of women students in German HEIs.

The full report and country specific reports are available at:  
<https://vmits0151.vm.ruhr-uni-bochum.de/gendercrime.eu/>



27.818 interviews  
04 > 13 / 06 / 2016



1.013 interviews  
04 > 13 / 06 / 2016

Methodology: face-to-face

Special Eurobarometer 449

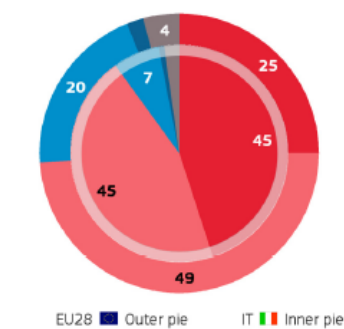
Gender-based violence

ITALY

June 2016

## 1. PERCEIVED PREVALENCE OF DOMESTIC VIOLENCE

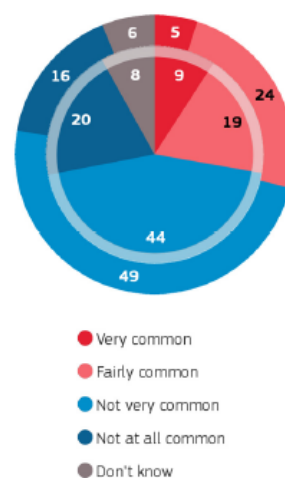
**QB1** In general, how common do you think that domestic violence against women is in (OUR COUNTRY)? (%)



	EU28		IT	
	2016	2016-2010	2016	2016-2010
Very common	25	- 2	45	+ 7
Fairly common	49	- 2	45	- 8
Not very common	20	+ 3	7	=
Not at all common	2	+ 1	1	+ 1
Don't know	4	=	2	=

Evolution 06/2016 - 02-03/2010

**QB2** In general, how common do you think domestic violence against men is in (OUR COUNTRY)? (%)



EU28 ■ Outer pie IT ■ Inner pie

**QB3** In your opinion, domestic violence against women is ... (%)

Answer: Unacceptable and should always be punishable by law



EU28



IT

TOTAL	84	88
<b>Gender</b>		
Man	81	88
Woman	86	89
<b>Age</b>		
15-24	81	91
25-39	82	87
40-54	82	86
55+	80	88

Socio-demographic breakdown

**QB3b** In your opinion, domestic violence against men is ... (%)

Answer: Unacceptable and should always be punished by law



EU28



IT

TOTAL	80	81
<b>Gender</b>		
Man	78	82
Woman	81	79
<b>Age</b>		
15-24	79	92
25-39	78	82
40-54	79	81
55+	76	80

Socio-demographic breakdown



27.818 interviews  
04 > 13 / 06 / 2016



1.013 interviews  
04 > 13 / 06 / 2016

Methodology: face-to-face

Special Eurobarometer 44

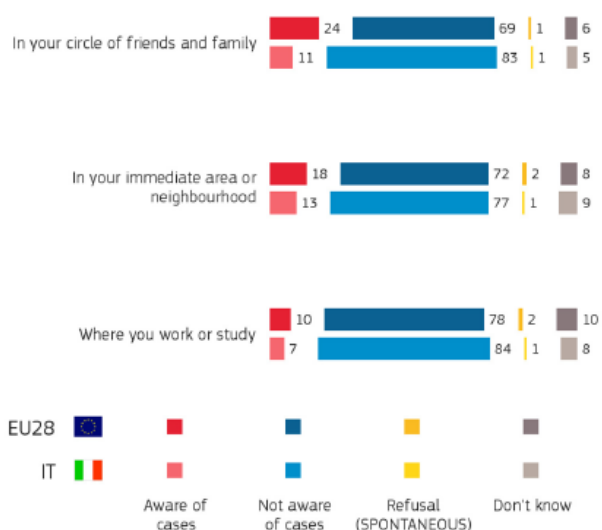
Gender-based violence

ITALY

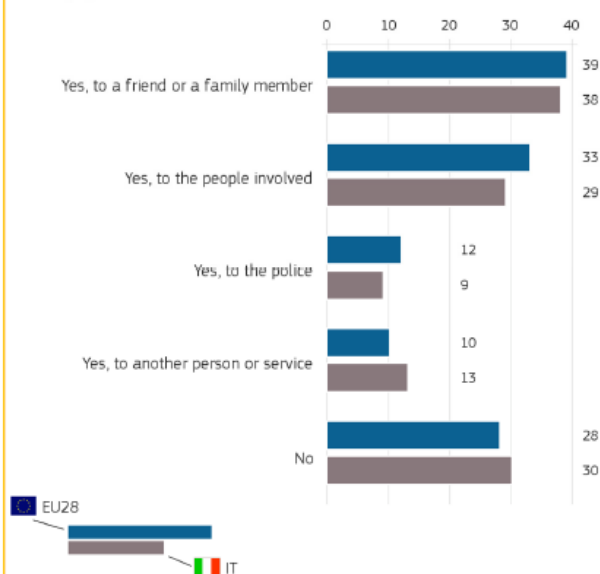
June 201

## 2. AWARENESS OF DOMESTIC VIOLENCE

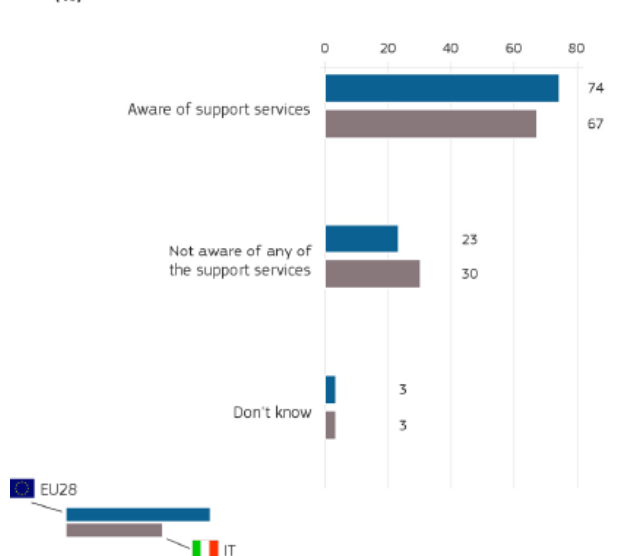
**QB4** Do you know of any men or women who have been a victim of any form of domestic violence? (%)



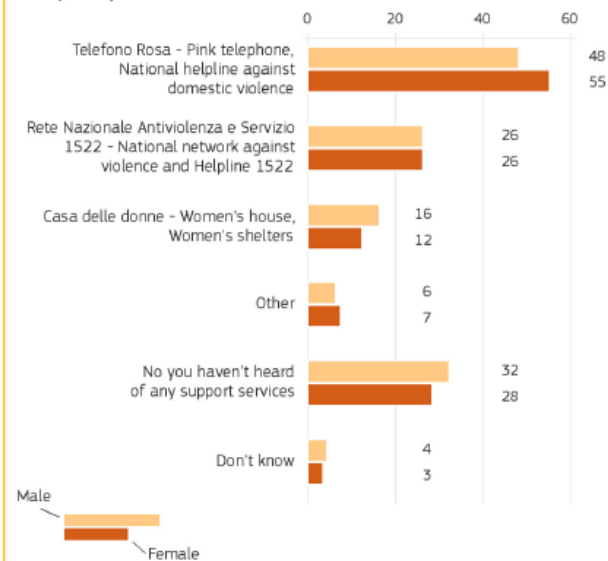
**QB4b** Did you speak to anyone about this? (MULTIPLE ANSWERS POSSIBLE) (%)



**QB5** Have you heard of any of the following support services for women who are victims of domestic violence? (MULTIPLE ANSWERS POSSIBLE) (%)



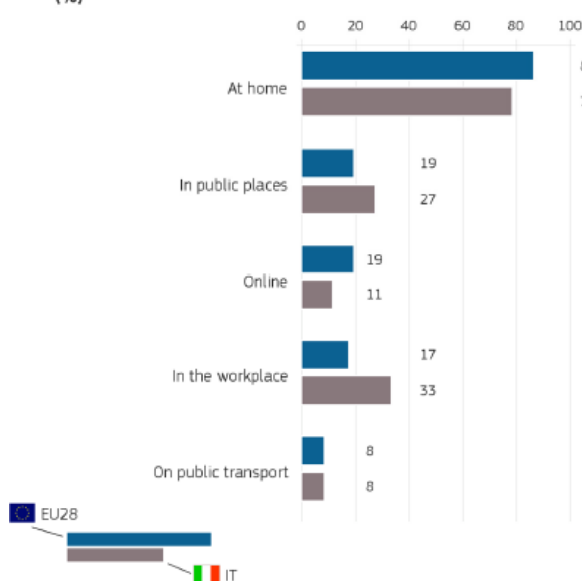
**QB5** Have you heard of any of the following support services for women who are victims of domestic violence? (MULTIPLE ANSWERS POSSIBLE) (% - IT)



The list of support services was customized for each country participating in the survey.

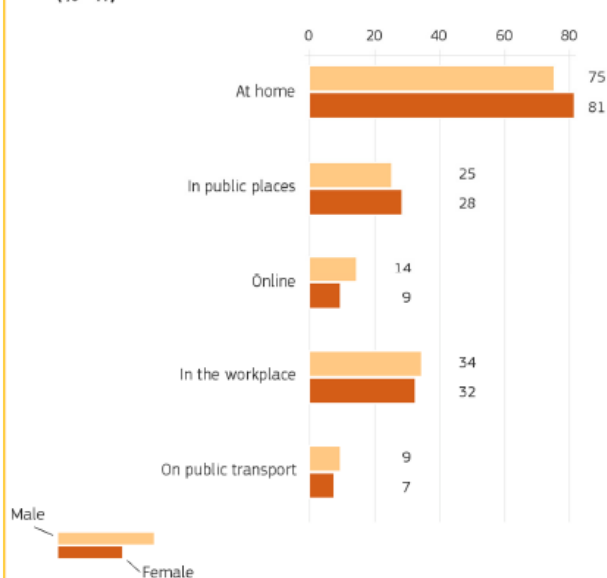
### 3. PERCEPTIONS ON AND ATTITUDES TOWARDS GENDER-BASED VIOLENCE

**QB6** In your view, is violence against women more likely to occur... (MAX. 2 ANSWERS) (%)



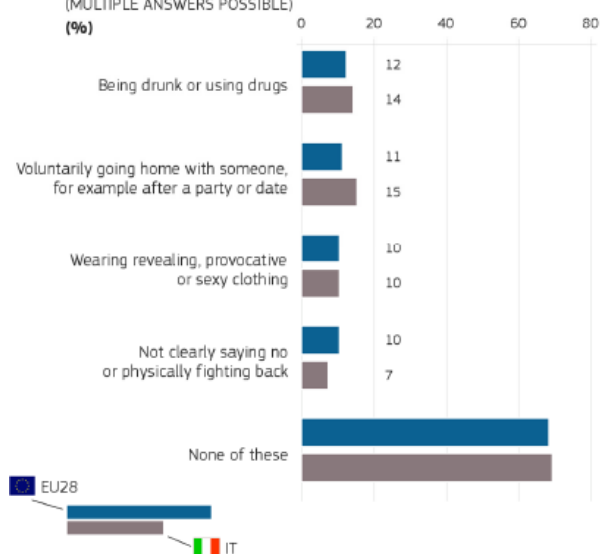
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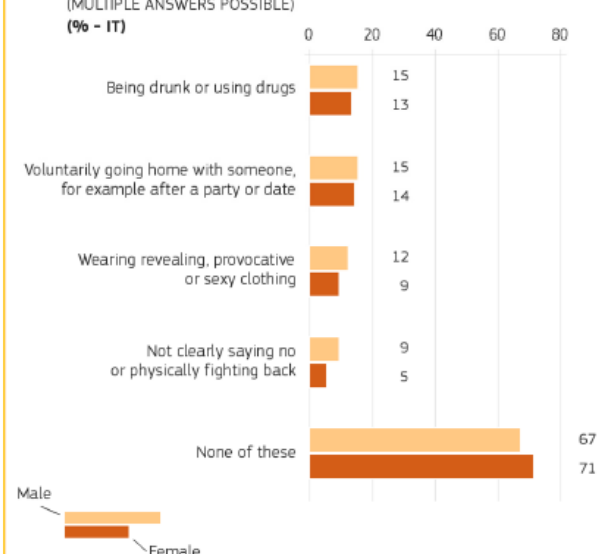
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**QB10** Some people believe that having sexual intercourse without consent may be justified in certain situations. Do you think this applies to the following circumstances? (MULTIPLE ANSWERS POSSIBLE) (%)



Only the most chosen answers at EU level are shown.

**QB10** Some people believe that having sexual intercourse without consent may be justified in certain situations. Do you think this applies to the following circumstances? (MULTIPLE ANSWERS POSSIBLE) (% - IT)



Only the most chosen answers at EU level are shown.



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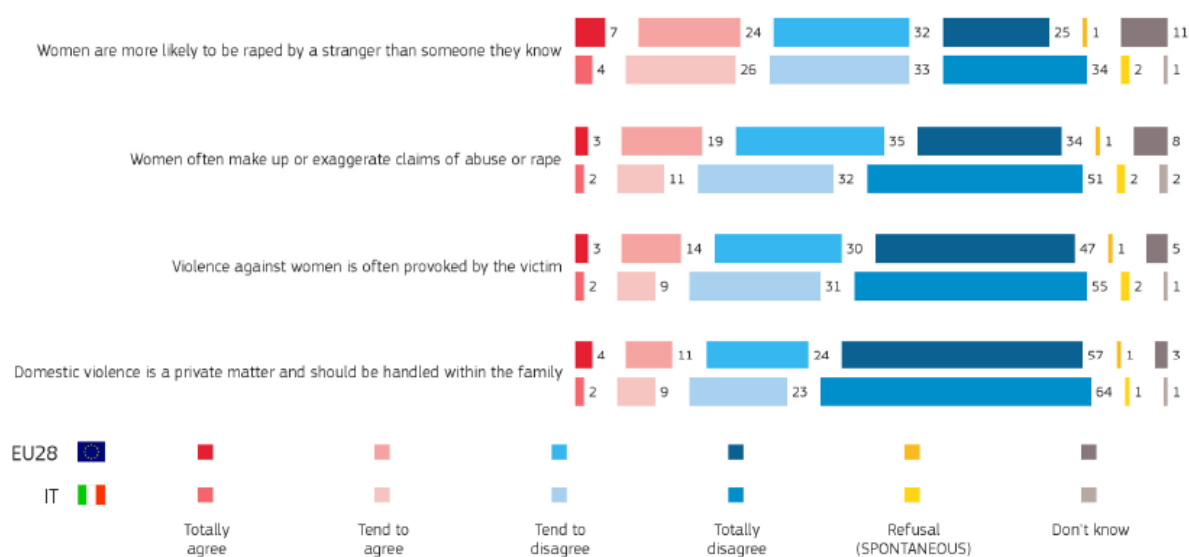
Gender-based violence

ITALY

June 2016

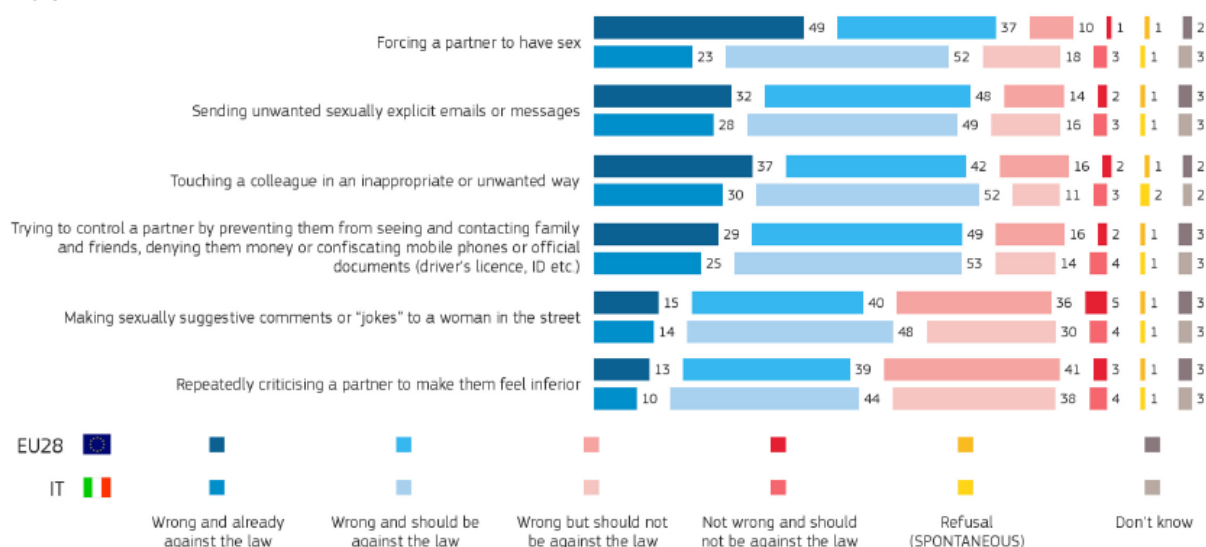
### 3. PERCEPTIONS ON AND ATTITUDES TOWARDS GENDER-BASED VIOLENCE

QB9 Please tell me to what extent you agree or disagree with the following statements?  
(%)



### 4. LEGAL RESPONSE TO GENDER-BASED VIOLENCE

QB8 For each of the following situations, please tell me whether you think it is against the law or not. For each please tell whether you think it is wrong and is already against the law, it is wrong but should be against the law, it is not wrong and should not be against the law, it is not wrong and should not be against the law.  
(%)





**NON.  
NO.  
NEIN.**

Say No!  
Stop  
**violence**  
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**Violence against women** is rooted in women's unequal status in society, and that status reflects the unbalanced distribution of social, political, and economic power among women and men in society. It is one of the most pervasive human rights violations of our time and a form of discrimination that results in, or is likely to result in, physical, sexual, psychological or economic harm or suffering to women <sup>(1)</sup>. Violence against women undermines women's dignity and integrity and imposes serious harms on families, communities and societies. In the EU, estimates suggest that 1 in 3 women (or 61 million out of 185 million) have experienced physical or sexual violence, or both, since the age of 15 <sup>(2)</sup>.

The full extent of violence against women is difficult to estimate. Violence against women continues to be under-reported and stigmatised, meaning that what actually gets reported is only a fraction of the reality. In Italy, 65 % of the population tend to trust the police <sup>(3)</sup>.

In EIGE's Gender Equality Index 2015 it was found that where people tend to have more trust in justice institutions, levels of disclosed violence are higher <sup>(4)</sup>. It is estimated that in Italy, 27 % of women have experienced violence, which is 6 % lower than in the EU overall <sup>(5)</sup>.

The European Institute for Gender Equality has estimated that the cost of intimate partner violence against women in Italy could amount just under EUR 13 billion each year. This figure was calculated according to the methodology used in EIGE's 2014 study <sup>(6)</sup>, which Member States can replicate, as done by Estonia in 2016 <sup>(7)</sup>.



## What are the facts?

- According to the 2015 Italian National Institute of Statistics report, almost 1 in 3 women in Italy have disclosed physical and/or sexual violence.
- The percentage of women aged 16—70 that are victims of some form of violence is 31 % (20 % physical violence and 21 % sexual) <sup>(8)</sup>.
- In 2014, 39 % of people in Italy said they knew a woman within their area or neighbourhood who has been a victim of domestic violence <sup>(9)</sup>.
- 5 % of women in Italy have been a victim of rape and/or attempted rape <sup>(10)</sup>.
- In 2014, EIGE estimated that there are 35 000 women victims of FGM in Italy <sup>(11)</sup>.
- During the years 2011—2012, it is estimated that there were 4 191 victims of human trafficking in Italy, of whom 71 % were women and girls <sup>(12)</sup>.

When trust in police is low, victims are less likely to report violence.



## Is violence against women a crime in Italy?

Italian national legislation to prosecute violence against women is extensive, covering domestic violence, sexual violence, violence against minors, female genital mutilation, stalking and trafficking of human beings. The 2001 law on domestic violence (154/2001) covers all family members who are subjected to physical as well as psychological violence.

Law No 38/2009 introduced the crime of stalking in the Italian legal system. The offence is punishable with imprisonment ranging from 6 months to up to 4 years. Rape, sexual assault, and sexual harassment are also all offences under the Italian Penal Code.

## What is being done to eliminate violence against women in Italy?

A national plan against gender-based violence and stalking was officially enacted only in November 2010 as a first attempt to develop an organic response to address violence against women in Italy.

In 2015, the Italian government adopted the 'Special plan against sexual violence and gender-based violence', which oversees the expansion of women's support services including anti-violence centres and women's shelters. The creation of a national observatory on the phenomenon of violence is also expected.

Furthermore, Law No 119 of 15 October 2013 converting Decree Law No 93 of 14 August 2013 strengthened the 'warning' (*ammonimento*) and introduced new aggravating circumstances. In particular, the penalty is increased if children under 18 years of age witness violence, as well as if the victim is in a particularly vulnerable situation (if pregnant). Also, the particularly close relationship between the victim and the perpetrator was introduced as an aggravating circumstance (e.g. if the perpetrator is the victim's spouse or partner, or non-cohabiting partner).

The law ensures greater protection for victims in relation to hearings and that information is provided to victims about support services existing in the local area. Furthermore, the law also provided for the granting of legal aid for women victims of domestic violence whose income exceeds the income limits fixed by the national legislation.

## Good practices show the way

The Provincial Observatory on Gender Violence collects data on complaints related to violence against women in the Autonomous Province of Trento. The initiative is implemented in collaboration with the prefecture, the police and the University of Trento. The observatory was created in 2012 and includes complaints collected by Trento and Rovereto prosecutor's offices and by the local police. Thanks to the collaboration of all these institutions, data on violence against women is now available and represents a solid base on which to formulate policies and measures to combat violence against women <sup>(13)</sup>.



Protection is also extended to foreign victims, for whom the law introduced the possibility to obtain a humanitarian residence permit, established by Legislative Decree No 286/1998, consolidating the provisions regulating immigration and the rules relating to the status of foreign nationals.

Italy is also particularly committed to increasing public awareness against gender-based violence, by carrying out several communication campaigns. The most recent ones are 'Riconosci la violenza' ('Recognise violence')<sup>(14)</sup> addressing women and '#COSEDAUOMINI' ('#THINGSMENDO')<sup>(15)</sup> addressing men and boys.

In 2016, Italy adopted its national action plan against trafficking in, and serious exploitation of, human beings. The plan is aimed at identifying multi-annual intervention strategies to prevent and combat the phenomenon, including measures aimed at awareness-raising, prevention and social integration of victims.

With a view to increasing awareness of the phenomenon and creating an effective network for the exchange of good practices on the topic at the international level, in November 2013, Italy was the first non-American country to sign the Belém do Pará Convention on the prevention, punishment and eradication of violence against women.

## How are women and girls protected?

Victims of violence against women in Italy have legal access to protection measures. Protection measures include removing the perpetrator from the family home and restraining the perpetrator from using or threatening to use violence or from contacting the victim. The police can also issue notices to violent persons as a warning in order to prevent a violent event from happening<sup>(16)</sup>.

Italy ratified the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) in September 2013. The Istanbul Convention is the most far-reaching international treaty to tackle this serious violation of human rights.

### What help is available in Italy?

The national 'Anti-violence and anti-stalking' helpline (1522) supports victims of gender-based violence and stalking. It is free of charge, accessible 24/7, with multi-lingual support available (in Italian, English, French, Russian and Arabic). It is run and funded by the Department for Equal Opportunities of the Italian Presidency of the Council of Ministers.

From December 2012 to August 2016 the helpline received 168 887 calls, 91 % of which were from women<sup>(17)</sup>.

The national anti-trafficking toll-free helpline (800 290 290) is free of charge and operates 24 hours a day.

There are 486 women's shelters in Italy with over 1 045 shelter places having hosted more than 19 456 women and children.



**There are 486 women's shelters in Italy with over 1 045 shelter places.**

**Anti-violence and anti-stalking helpline: 1 522.**



**From December 2012 to August 2016 the helpline received 168 887 calls, 91 % of which were from women.**

## Endnotes

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## European Institute for Gender Equality

The European Institute for Gender Equality (EIGE) is the EU knowledge centre on gender equality. EIGE supports policymakers and all relevant institutions in their efforts to make equality between women and men a reality for all Europeans by providing them with specific expertise and comparable and reliable data on gender equality in Europe.



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