



Hearing:

“Access to Justice for Women Victims of Violence”

Paris, 9 December 2013

Ministry of Social Affairs and Health
Salle Pierre Laroque
14 avenue Duquesne
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**- Conclusions of the Hearing -
Presented by Ms Carlien Scheele,
Chairperson of the Council of Europe Gender Equality
Commission**

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Dear colleagues,

We came to today's Hearing with a lot of expectations. I believe the informative and interesting presentations and the rich discussions have certainly given us a lot of food for thought and action. We had the opportunity to hear and share good practices, we have heard about lessons learned through failure, we heard the voices of victims who've been let down by the system. Their courage is an inspiration and a call for action. We had the opportunity to network, meet with colleagues and experts, build new alliances and partnerships and step up our efforts and work to advance the gender equality agenda and ensure equal access to justice for women victims of violence.

We heard about **the socio-economic and cultural barriers to equal access to justice for women victims of violence**: fear and shame, lack of awareness about official procedures and assistance available, economic dependence and concern for children and the gendered impact of austerity measures.

We discussed the need to **break taboos** and make it clear that **violence against women and domestic violence are not a "private" or "family" matter**. With the Istanbul Convention, preventing and combatting such violence is no longer a matter of goodwill but a **legally binding obligation**.

We heard that legal and procedural barriers to equal access to justice for women victims of violence lead to **victims' reduced or complete lack of trust** in the justice system. Lengthy criminal proceedings, high attrition, corruption and low conviction rates and discriminatory practices constitute serious barriers in efforts to get justice for women victims of violence. The advisability of bringing collective actions to the European Court of Human Rights in cases of violence against women was put forward.

The need for **child-friendly justice** in the case of girls as victims or witnesses of violence was also highlighted.

We have learnt about good practices that we can take back home, including:

- Specialised courts and fast-track procedures
- Specialised prosecutors
- Dedicated police units
- Access to free legal aid for women victims of violence
- Access to justice and redress for women victims of violence in armed conflict
- Legal standing for NGOs to bring proceedings in cases of violence against women
- Protection orders, emergency orders, eviction orders, bans for perpetrators to contact and get close to victims

Last but not least, there is common agreement about the need for continued work to:

- **Eliminate all forms** of violence against women
- **Challenge attitudes** that condone violence against women and engage with young people about respect and equality
- **Address the issues of vulnerability and credibility** of women victims of all types of violence
- **Facilitate access** to justice through specialised law enforcement and other professionals, specialised courts and collective action
- Address the **need for information and free legal assistance** for victims of violence
- **Provide information** on access to justice **for vulnerable groups of women**, including support services, and in a language that they can understand; take account of multiple grounds for discrimination (migrant women, disabled women, Roma women, LGBT, poorer women, older women and women in detention)

- Provide access to **emergency accommodation and other services**, as well as social housing in case of separation
- Provide access to **residence permits** to victims of violence with irregular status and undocumented
- Provide initial education and continuous **training** for judges, prosecutors, lawyers, police officers, social workers, health and educational professionals
- Tackle obstacles created by **high court fees** , including in compensation claims and the length of judicial proceedings
- **Remove the requirement of co-habitation for providing legal protection for domestic violence:** all women victims of violence who are, or have been, in an intimate relationship with the perpetrator should be able to access the protection of the courts
- Apply the **Council of Europe guidelines on child-friendly justice**
- **Address the specific needs of children** as witnesses and victims of domestic violence and the risk of them being victims or perpetrators in the next generation
- Take account of domestic violence when deciding over **custody and visitation rights** involving the children that suffered or witnessed the violence
- **Collect data and carry out research:** record information on sex, age, relationship; disaggregate data on all offences against a person; integrate these data and publish reports
- **Sign, ratify and implement the Istanbul Convention!**