



GEC(2019)13

Strasbourg, 6 November 2019

## **GENDER EQUALITY COMMISSION (GEC)**

---

**Study on good practices on  
promoting gender sensitive approaches to access to justice**

Concept Note

### **Purpose of the study**

To gather, explore and present examples of good ways to promote gender-sensitive approaches to access to justice, based on open sources.

Through discussions with relevant practitioners, civil servants and NGOs during on-site visits to 3 selected countries, deepen understanding of the good practices selected, and produce an analytical report on how other countries might be inspired to adopt and apply them.

The purpose is to use and complement GREVIO's findings, with a focus on key positive experiences addressed especially under chapters V and VI of the GREVIO country reports, concerning violence against women and access to justice.

Nevertheless, in order to avoid interfering with GREVIO's monitoring mandate, and to show that barriers to access to justice have implications beyond the scope of violence, the practices selected will include one not strictly related to violence against women. Further, one of the countries selected would be a country which is not Party to the Istanbul Convention.

The study will include a disclaimer specifying that the content is without prejudice to the positions of GREVIO.

### **Timeline**

November 2019: collection of information, studies and reports from open sources and selection of practices, consultation / agreement of relevant GEC members to host an on-site visit

One week-long visit to three countries, **9-13 or 16-20 December 2019**.  
(Depending on flights available: country 1 on Monday, country 2 on Wednesday, country 3 on Friday).

Visit notes to be produced by the end-December/first half of January 2019

Draft report to be prepared by team and Secretariat by end-January 2020

Institutions visited (and GEC member if involved) to review draft in February 2020 (issues described in report narrative need not be country-specific)

Study to be finalised by early March 2020

Presentation of good practices at an event in 2020.

### **Selection of countries/practices**

Countries selected based on

- a) experience with the subject of its public institutions and/or civil society organisations operating in those countries (sources: GEC's annual reports; GREVIO reports and other work done by the Committee of the Parties of the Istanbul Convention; CoE HELP course on Women's Access to Justice and project reports and assessments; open sources; discussion with GEC representatives),
- b) diversity of legal/institutional tradition (ie not three countries from the same sub-region).

Where necessary, for instance to help identify the competent bodies and organise meetings and a meeting location, and to facilitate contacts, the assistance and support of the GEC members of the countries concerned will be sought. The GEC members concerned will, at least for courtesy reasons, be informed of the visit of a study team.

### **Study Team**

Three experts (two GEC members with expertise in the subject; 1 external consultant) + one Secretariat member

### **Bodies and institutions to meet and practical arrangements**

The institutions or NGOs to be met will be determined on a case-by-case basis, depending on the good practice stakeholders, possibly with the assistance of the GEC members concerned. These can include public institutions, NGOs, support and legal service providers, or other pertinent persons / bodies.

To save time especially where several bodies / persons need to be met, round-table meetings in a single location will be arranged as much as possible. Meetings can be held in the premises of a public institution or NGO visited, or be arranged by the institution of the GEC member (if it has offered to provide support), or – should no meeting room be available - at the hotel where the study team is staying.

Discussions will be conducted in English, unless one of the host bodies can arrange for interpretation.

An explanation of the purpose of the study will be sent in advance to persons to be met. Those unavailable for a meeting or who cannot participate in a discussion in English (or another language common to the study team) can submit information in writing.

**Outcome**

The report shall present the findings of the material compiled and the discussions held on-site, with a focus on elements which can inspire similar initiatives in other countries. It shall identify, *inter alia*:

- a) ways to instil gender-sensitive approaches in the justice system (policy-design) - police/prosecution/judicial procedures, work of NGOs;
- b) ways to implement and support the implementation of such policies (policy implementation);
- c) measures and approaches contributing to the awareness of such policy elements (implementation support, training, awareness-raising);
- d) how lessons are drawn to adopt corrective measures as necessary (policy evaluation and adaptation).

Examples of starting points highlighted in GREVIO reports:

- Swedish research shows that women rape victims are much likelier to keep testifying and go through with a criminal case if they have had a victim support lawyer by their side from the first interview with the police (see also "Time for Change – justice for rape survivors in the Nordic countries").
- An Amnesty International Finland report "Fighting the lottery" shows that victims of rape have a 75% higher chance of seeing their case processed if they report the rape immediately. This drops to 25% if they report a rape a week after – revealing the need to train police that not reporting instantly does not impact on the victim's credibility.

As regards other open source information, for instance Research done by Women's Aid in the UK has identified practices and factors which impact on the success or failure for family courts dealing with victims of domestic violence.