



# GREVIO

## Baseline Evaluation Report United Kingdom

” Group of Experts  
on Action  
against Violence  
against Women and  
Domestic Violence  
(GREVIO)



**Istanbul Convention**

**GREVIO's (Baseline) Evaluation Report**  
on legislative and other measures  
giving effect to the provisions  
of the Council of Europe Convention  
on Preventing and Combating  
Violence against Women and Domestic Violence  
(Istanbul Convention)

**UNITED KINGDOM**

Group of Experts  
on Action against Violence against Women  
and Domestic Violence (GREVIO)

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## Table of contents

<b>Foreword .....</b>	<b>5</b>
<b>Executive summary .....</b>	<b>7</b>
<b>Introduction.....</b>	<b>11</b>
<b>I. Purposes, definitions, equality and non-discrimination, general obligations .....</b>	<b>13</b>
A. General principles of the convention.....	13
B. Scope of application of the convention (Article 2) and Definitions (Article 3).....	14
C. Fundamental rights, equality and non-discrimination (Article 4).....	17
1. Gender equality and non-discrimination .....	17
2. Intersectional discrimination .....	18
D. State obligations and due diligence (Article 5) .....	19
<b>II. Integrated policies and data collection.....</b>	<b>22</b>
A. Comprehensive and co-ordinated policies (Article 7) .....	22
B. Financial resources (Article 8) .....	24
C. Non-governmental organisations and civil society (Article 9) .....	26
D. Co-ordinating body (Article 10) .....	27
E. Data collection and research (Article 11) .....	29
1. Administrative data collection.....	29
2. Population-based surveys.....	33
3. Research .....	34
<b>III. Prevention .....</b>	<b>36</b>
A. General obligations (Article 12) .....	36
B. Awareness raising (Article 13) .....	37
C. Education (Article 14) .....	39
D. Training of professionals (Article 15) .....	42
E. Preventive intervention and treatment programmes (Article 16) .....	46
1. Programmes for perpetrators of domestic violence .....	46
2. Programmes for perpetrators of sexual violence .....	48
F. Participation of the private sector and the media (Article 17) .....	49
<b>IV. Protection and support.....</b>	<b>53</b>
A. General obligations (Article 18) .....	53
B. Information (Article 19) .....	56
C. General support services (Article 20).....	56
1. Social services.....	57
2. Healthcare services .....	60
D. Specialist support services (Article 22) .....	62
E. Shelters (Article 23).....	64
F. Telephone helplines (Article 24) .....	67
G. Support for victims of sexual violence (Article 25).....	69
H. Protection and support for child witnesses (Article 26) .....	69
I. Reporting by professionals (Article 28) .....	70
<b>V. Substantive law .....</b>	<b>73</b>
A. Civil law.....	73
1. Civil remedies against the state – Ensuring due diligence (Article 29).....	73
2. Compensation (Article 30).....	74
3. Custody, visitation rights and safety (Article 31).....	75
4. Civil consequences of forced marriages (Article 32).....	80
B. Criminal law.....	81
1. Psychological violence (Article 33).....	81
2. Stalking (Article 34).....	82
3. Physical violence (Article 35) .....	83

4. Sexual violence, including rape (Article 36).....	85
5. Forced marriage (Article 37) .....	85
6. Female genital mutilation (Article 38) .....	86
7. Forced abortion and forced sterilisation (Article 39) .....	87
8. Sexual harassment (Article 40) .....	88
9. Unacceptable justifications for crimes, including crimes committed in the name of so-called honour (Article 42) .....	90
10. Sanctions and measures (Article 45).....	90
11. Aggravating circumstances (Article 46) .....	91
12. Prohibition of mandatory alternative dispute resolution processes or sentencing (Article 48) .....	92
<b>VI. Investigation, prosecution, procedural law and protective measures .....</b>	<b>93</b>
A. General obligations, immediate response, prevention and protection (Articles 49 and 50) ..	93
1. Reporting to, immediate response and investigations by law-enforcement agencies	93
2. Effective investigation and prosecution .....	96
3. Conviction rates .....	98
B. Risk assessment and risk management (Article 51) .....	100
C. Emergency barring orders (Article 52) .....	102
D. Restraining or protection orders (Article 53) .....	103
E. Investigations and evidence (Article 54) .....	106
F. <i>Ex parte</i> and <i>ex officio</i> proceedings (Article 55).....	107
1. <i>Ex parte</i> and <i>ex officio</i> proceedings .....	107
2. Victim support in legal proceedings.....	107
G. Measures of protection (Article 56) .....	108
H. Legal aid (Article 57) .....	110
<b>VII. Migration and asylum .....</b>	<b>112</b>
A. Residence status (Article 59).....	112
B. Gender-based asylum claims (Article 60) .....	112
1. Gender-sensitive asylum determination procedure .....	112
2. Accommodation .....	114
C. Non-refoulement (Article 61) .....	115
<b>Concluding remarks .....</b>	<b>117</b>
<b>Appendix I List of proposals and suggestions by GREVIO .....</b>	<b>118</b>
<b>Appendix II List of the national authorities, other public bodies, non-governmental organisations and civil society organisations with which GREVIO held consultations</b>	<b>129</b>

## Foreword

The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) is an independent human rights monitoring body mandated to monitor the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210, “the Istanbul Convention”) by the parties to the convention. It is composed of 15 independent and impartial experts appointed on the basis of their recognised expertise in the fields of human rights, gender equality, violence against women and/or assistance to and protection of victims.

GREVIO’s statutory activities include country-by-country monitoring of the Istanbul Convention (evaluation procedure), the initiation of inquiries into specific circumstances within a party to the convention (inquiry procedure) and the adoption of general recommendations on themes and concepts of the convention.

This report is the fruit of the first (baseline) evaluation procedure carried out in respect of the United Kingdom. It covers the Istanbul Convention in its entirety<sup>1</sup> and thus assesses the level of compliance of country legislation and practice in all areas covered by the convention. In light of the scope of the convention – as set out in its Article 2, paragraph 1 – the baseline evaluation focuses on measures taken in relation to “all forms of violence against women, including domestic violence, which affects women disproportionately”. Hence, the term “victim” used throughout this report is to be understood as referring to a woman or girl victim.

Based on this assessment, the report proposes measures to strengthen the implementation of the convention. Because the legal and institutional framework on violence against women and domestic violence in the United Kingdom (“the UK”) is complex as a result of devolution in certain matters to Scotland, Wales and Northern Ireland, in proposing such measures, GREVIO addresses its findings to the relevant authorities responsible for reserved or devolved matters; to the relevant authorities in the United Kingdom in general; and, where applicable, to the authorities in England, Scotland, Wales and/or Northern Ireland. Most of the provisions of the Istanbul Convention relating to the prevention of violence against women and domestic violence (Chapter III) and the protection of victims (Chapter IV) are devolved matters and are thus directly legislated and regulated by the parliaments and governments of Northern Ireland, Scotland and Wales. Among the notable exceptions are Article 10 of the convention on the national co-ordinating body and Chapter VII on migration and asylum, which are the domain of the UK Government. Articles that are reserved in Wales but devolved in Scotland and Northern Ireland include Articles 26, 27 and 29 to 58 (Chapters V and VII of the Istanbul Convention).<sup>2</sup>

GREVIO has adopted the use of different verbs that correspond to different levels of urgency, noting that all of them are important. These are, in order of priority, “urges”, “strongly encourages”, “encourages” and “invites”. GREVIO uses the verb “urges” where it considers that immediate action is required to bring the party’s legislation or policy into compliance with the Istanbul Convention, or to ensure its implementation. “Strongly encourages” is used where GREVIO has noted shortcomings that need to be remedied in the near future in order to ensure comprehensive implementation of the convention. A third level of urgency is indicated by the use of the verb “encourages”, which is used for shortcomings that require attention though possibly at a later stage. Last, the verb “invites” points to small gaps in implementation that the party is requested to consider closing or to proposals made to provide guidance in the implementation process.

The first (baseline) evaluation procedure is made up of several steps, each of which allows GREVIO to obtain critical information upon which to base its report. It is carried out as a process of

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1. With the exception of Chapter VIII of the convention, which GREVIO considered as less relevant in assessing the national situation in each contracting party.

2. For more details, see Home Office, Command Paper No. CP 674, Explanatory Memorandum on Council of Europe Convention on preventing and combating violence against women and domestic violence, paragraph 10, available at: [www.assets.publishing.service.gov.uk/media/628379138fa8f5561cd9b1ff/EM\\_MS\\_3.2022\\_Council\\_of\\_Europe\\_Convention\\_on\\_Preventing\\_and\\_Combating\\_Violence\\_Against\\_Women\\_and\\_Domestic\\_Violence.odt](http://www.assets.publishing.service.gov.uk/media/628379138fa8f5561cd9b1ff/EM_MS_3.2022_Council_of_Europe_Convention_on_Preventing_and_Combating_Violence_Against_Women_and_Domestic_Violence.odt).

confidential dialogue with the aim of offering country-specific proposals and suggestions for improvement developed within the national context of the party under review. These include the following:

- submission, by the party, of a report drawn up on the basis of GREVIO's baseline questionnaire (the state report);
- an evaluation visit to the party under review to meet with governmental and non-governmental representatives working in this field;
- comments by the party on GREVIO's draft report;
- publication of GREVIO's report after its adoption together with any comments received from the party.

In addition, GREVIO also collects additional information from various other sources, including non-governmental organisations (NGOs), other members of civil society, national human rights institutions and Council of Europe bodies (Parliamentary Assembly, Human Rights Commissioner and other pertinent bodies), as well as other international treaty bodies. Within the framework of the country evaluation of the UK, GREVIO received written contributions in the form of individual or joint reports from: the End FGM European Network; the Women's Platform Northern Ireland; the Northern Ireland Human Rights Commission; a coalition of 58 specialist services providers for violence against women and girls in England and Wales ("VAWG organisations"); the four Women's Aid Federations in the UK; Scottish Women's Aid and five other NGOs; the Older Feminist Network; Amnesty International UK; a group of civil society organisations for sex-based rights; Women's Declaration International – UK; the Resist Network; the Scottish Human Rights Commission; a group of victim-survivors of gender-based violence; the Equality and Human Rights Commission; and the Northern Ireland Commissioner for Children and Young People.

The state report and the written contributions submitted by civil society have been made public and are available on the official website of the Istanbul Convention.

The analysis, suggestions and proposals contained in this first baseline evaluation report were drawn up under the exclusive responsibility of GREVIO. It covers the situation as observed by the GREVIO delegation during its evaluation visit to the United Kingdom. Where available, significant legislative and policy developments up until 27 March 2025 have also been taken into account.

According to the convention, national parliaments shall receive this report from the national authorities (Article 70, paragraph 2). GREVIO requests the national authorities to translate this report into their official national language(s) and to ensure that it is widely disseminated, not only to the relevant state institutions at all levels (national, regional and local), in particular to the government, the ministries and the judiciary, but also to NGOs and other civil society organisations that work in the field of violence against women.

## Executive summary

This report provides an assessment of the measures taken by the authorities in the United Kingdom (the UK) to implement the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the “Istanbul Convention”).

This assessment has been carried out by the Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), an independent human rights body mandated to evaluate the implementation of the convention. GREVIO’s findings are based on the information obtained throughout the various steps of the first (baseline) evaluation procedure, as set out in Article 68 of the convention. This includes written information provided in the state report submitted by the United Kingdom authorities, and additional information submitted by the following civil society organisations and entities in the form of individual or joint reports: the End FGM European Network; the Women’s Platform Northern Ireland; the Northern Ireland Human Rights Commission; a coalition of 58 specialist services providers for violence against women and girls in England and Wales (“VAWG organisations”); the four Women’s Aid Federations in the UK; Scottish Women’s Aid and five other NGOs; the Older Feminist Network; Amnesty International UK; a group of civil society organisations for sex-based rights; Women’s Declaration International – UK; the Resist Network; the Scottish Human Rights Commission; a group of victim-survivors of gender-based violence; the Equality and Human Rights Commission; and the Northern Ireland Commissioner for Children and Young People. GREVIO’s findings are also based on information gathered and discussions held over an eight-day evaluation visit to the United Kingdom in January 2024. A list of the bodies and entities with which GREVIO held exchanges can be found in Appendix II.

The authorities in the United Kingdom have long pursued a solid policy agenda in the area of preventing and combating violence against women and domestic violence, as a result of which innovative approaches to tackling these forms of violence have emerged. In particular, these include the introduction of cutting-edge criminal law provisions on issues such as non-fatal strangulation and coercive and controlling behaviour, and the Online Safety Act to address the digital dimension of violence against women. Some of the long-standing good practices in the UK had inspired the drafters of the Istanbul Convention, including the system of Sexual Assault Referral Centres, which provide forensic examinations and medical care to victims of sexual violence and are mirrored in Article 25 of the Istanbul Convention. Another example is the provision of Independent Domestic Violence Advisers, who assist and support victims during investigations and judicial proceedings, a practice that informed Article 55, paragraph 2, of the Istanbul Convention.

While crucial pieces of legislation and policy documents pre-date the UK’s signing of the Istanbul Convention, including basing the offences of rape and sexual assault on the absence of consent, important building blocks for the implementation of the convention were introduced in the lead-up to ratification, such as the Domestic Abuse Act (England and Wales) 2021, the Domestic Abuse Act 2018 and the Domestic Abuse (Protection) Act 2021 in Scotland, and the Domestic Abuse and Civil Proceedings Act 2021 in Northern Ireland, as well as several related action plans and strategies in all four nations. A wealth of prevalence data, studies, research reports, independent inquiries and evaluation reports on laws and policies in the area of violence against women and domestic violence are regularly produced in the UK and are made use of by the authorities to inform new laws and policies in these areas, as well as to optimise their implementation in practice, thereby demonstrating the authorities’ strong commitment to evidence-based policy making.

Promising and innovative practices on preventing and combating violence against women and domestic violence can be found in all four nations that constitute the UK. To name but a few examples, in England and Wales, a domestic violence disclosure scheme called “Clare’s Law” gives (potential) victims of domestic violence the “right to ask” about their partner’s possible history of abusive or violent offending. An innovative IT system called Female Genital Mutilation Information Sharing (FGM-IS) by the National Health Service (NHS) in England supports the early intervention and safeguarding of girls under the age of 18 who have a family history of FGM. In Scotland, the “Caledonian System” delivers high-quality interventions and treatment for perpetrators of domestic

violence, while at the same time adopting a gendered perspective and operating with a victim-centred approach. Domestic abuse-related death reviews are systematically carried out in England, Wales and Northern Ireland, and also include suicides related to domestic violence in England and Wales. In Northern Ireland, a survey on prisoners' needs screens female prisoners for experiences of domestic and sexual violence, a much-needed measure for women deprived of their liberty. Across the UK, various forms of multi-agency intervention schemes exist, allowing professionals to respond to various forms of violence against women in a concerted manner, for example through multi-agency risk assessment conferences (MARACs) and multi-agency public protection arrangements (MAPPAs). In the area of asylum law, the policy "Gender issues in the asylum claim" contains detailed guidance for decision makers on how to apply a gender-sensitive interpretation to all forms of persecution and how to assess credibility in cases involving delayed disclosure of gender-based violence.

The above achievements must, however, be seen in a general context of austerity measures taken in the past few years, which are detrimental to the full and effective implementation of the Istanbul Convention. These measures have not only impacted women's rights organisations but have equally affected crucial general services that are underfunded and understaffed, first and foremost law-enforcement agencies, followed by the healthcare system and the justice system. Additionally, in view of the complex legal and institutional framework of the UK, including the devolution of certain matters to Scotland, Wales and Northern Ireland, and the lack of a fully institutionalised national body for the co-ordination, implementation, monitoring and evaluation of policies and measures on violence against women and domestic violence, not all women and girls within the UK benefit from equal levels of implementation of the Istanbul Convention. Women's shelters across the UK are faced with a demand that greatly exceeds the available places; the provision by women's rights organisations of specialist counselling to victims of violence is patchy; and the financing of these crucial specialist support services is insecure. The report raises concerns about the limited access to certain general and specialist services for migrant women and girls' seeking help for experiences of violence caused by the "No recourse to public funds" (NRPF) condition, and also about barriers to accessing such services for other women victims of violence subject to intersectional discrimination, including women with disabilities, women belonging to ethnic minorities, LGBTI women and elderly women.

Regarding the experiences of domestic violence victims and their children in proceedings concerning custody and visitation rights, the report points to shortcomings in ensuring safety in child contact arrangements, because domestic violence is frequently unrecognised by family courts or its extent and impact is severely downplayed. The report identified five main areas of concern that require immediate action: raising the level of training and expertise on domestic violence among judges, social workers, psychologists and other relevant professionals; ending the frequent recourse to concepts such as "parental alienation syndrome", which is a scientifically unfounded concept that shifts the attention away from the alleged abuse; introducing a legal requirement to give due consideration to a history of domestic violence; ensuring systematic risk assessment in cases concerning custody and visitation rights; limiting the possibility for malicious litigation by the abusive parent and ensuring that women victims of violence are not pressured into conciliatory conflict-resolution processes; and expanding the availability of safe premises for supervised visitation contacts.

When it comes to the criminal law field, the report notes with grave concern that in England and Northern Ireland physical abuse against a child under 16 years of age by a parent is excluded from the scope of the definition of domestic abuse, and parents continue to have a defence of "reasonable punishment" of their children, which constitutes a gap in the implementation of Articles 3b and 35 of the Istanbul Convention that needs closing. Legal measures are also required to be taken to ensure the full criminalisation of forced abortion and forced sterilisation.

In relation to the reporting, investigation and prosecution of acts of violence against women as covered by the Istanbul Convention, the report points to the clear link between shortcomings in the training of law-enforcement officials, public prosecutors and judges, and low charging rates in cases of violence against women. Attrition rates for rape and sexual violence, stalking and domestic violence are particularly high, and the duration of related proceedings is long, including because of

insufficient human, financial and technical resources available to the relevant law-enforcement and criminal justice authorities. Equally linked to the above, and as highlighted in several independent reports and inquiries that have brought to light alarming levels of police misconduct, deep-seated misogyny and sexism, is the need for urgent action by the UK authorities to swiftly ensure among relevant public officials greater respect for the need to act in full compliance with their due diligence obligation to prevent, investigate, punish and provide reparation for victims of any of the forms of violence covered by the Istanbul Convention.

A major gap in the implementation of the Istanbul Convention identified in the report is the absence of legislation providing for emergency barring orders in Scotland and Northern Ireland, and their chronic under-use in England and Wales. Introducing such orders or increasing their use in practice would allow victims of domestic abuse and their children to remain in their home rather than having to flee to a shelter or face housing insecurity or homelessness – especially in light of the shortage of places in women's shelters across all four nations.

While the report welcomes the gender-sensitive approach taken by the UK authorities in asylum proceedings, it raises serious concerns about the safety in the accommodation offered to women and girls during the procedure. The current arrangements in non-specialist and/or mixed asylum accommodation such as hotels and bed and breakfasts without sufficient security measures or specially trained personnel expose them to gender-based violence. Reports of asylum-seeking women being raped, sexually harassed or assaulted in such accommodation are alarming and underline the urgent need for more gender-sensitive accommodation arrangements.

While GREVIO welcomes the United Kingdom's ratification of the Istanbul Convention and the efforts taken in its implementation, it has identified a number of issues that require urgent action by the authorities to comply fully with the convention's provisions. These relate to the need to:

- reduce existing disparities in policies and their implementation of the different forms of violence against women across the four nations, notably by conducting an independent comparative analysis of national and regional measures taken, with a view to identifying gaps as well as promising practices that can be recommended throughout the four nations;
- ensure a gender-sensitive implementation of laws and policies on all forms of violence against women covered by the Istanbul Convention, and review any gender-neutral policies and service commissioning;
- ensure sustainable funding levels for women's rights organisations providing specialist support services for women and child victims of violence by offering appropriate and multi-annual funding, and reinforce the recognition of their expertise;
- introduce, across all relevant sectors of government, separate budget and funding lines for all policies and measures related to preventing and combating violence against women and domestic violence, in order to allow for the monitoring of government efforts in this respect;
- adapt data categories in use by the justice sector and law-enforcement agencies to ensure that they are harmonised across these sectors, with the aim of tracking cases of violence against women throughout the different stages of the criminal justice system and allowing an assessment of conviction, attrition and recidivism rates;
- ensure the systematic collection of comparable data on all forms of violence against women from all relevant administrative sources, disaggregated, at the minimum, by the sex and age of both the victim and the perpetrator, the type of violence, the relationship of the victim to the perpetrator and the geographical location;
- increase efforts to eradicate prejudice, harmful gender stereotypes and all forms of violence against women and girls across society, through wider prevention measures, including by carrying out, on a regular basis, awareness-raising campaigns on all forms of violence covered by the Istanbul Convention and by ensuring that these issues are included in mandatory school curricula;
- ensure that both mandatory and voluntary attendance are possible for programmes for perpetrators of domestic and sexual violence, in prison settings as well as in community settings, while ensuring adequate pathways to increased attendance;

- introduce, across the full range of health services provided by the National Health Service (NHS), standardised care paths that include the proactive detection of women victims of violence, diagnosis, treatment, description of the circumstances in which the violence was experienced and documentation of injuries, and referral to the appropriate general and specialist support services;
- set up a state-wide telephone helpline that serves as a single first point of contact providing advice to women victims of all forms of violence against women and domestic violence and that operates throughout the whole territory, round the clock, and is free of charge;
- ensure that any reporting duty for any of the forms of violence against women covered by the convention is tempered by full and sensitive information being provided to the victim to allow her to make an informed decision regarding reporting;
- ensure that adequate civil law remedies are in place to claim damages for the failure of state actors to prevent, investigate and punish acts of violence covered by the scope of the Istanbul Convention;
- ensure that systematic and gender-sensitive risk assessment and safety management are carried out by all agencies involved and repeated at all relevant stages of the proceedings;
- ensure that the full range of available court protection orders are made use of in practice and in relation to all forms of violence against women covered by the Istanbul Convention;
- ensure that, in practice, evidence relating to the sexual history and conduct of the victim shall be permitted only when it is relevant and necessary, and that measures are taken to combat rape myths used in courts;
- increase the accessibility of legal aid for women victims of the forms of violence covered by the Istanbul Convention, and to ensure the availability of legal aid solicitors and barristers in sufficient numbers across the United Kingdom;
- introduce vulnerability screening procedures for all women and girl asylum seekers at various stages of the procedure that are carried out in a manner that allows their identification as victims of gender-based violence and persecution and hence in need of international protection.

Furthermore, GREVIO has identified a number of additional areas in which improvements are required in order to comply fully with the obligations of the convention. These relate, among other things, to encouraging the private sector, the information and communication technology (ICT) sector and the media to participate in the creation and implementation of policies to prevent violence against women; and to ensure that in all jurisdictions the aggravating circumstances set out in Article 46 of the Istanbul Convention are applied in practice in the determination of a sentence in relation to the offences provided for in the convention.

## Introduction

The United Kingdom ratified the Istanbul Convention on 21 July 2022. In accordance with Article 78, paragraph 2, of the convention, the United Kingdom reserves the right not to apply the provisions laid down in Article 44, paragraph 3, of the convention in respect of offences under Articles 36 and 39 of the convention, and the provisions laid down in Article 59 of the convention. This reservation is valid for a period of five years from the day of the entry into force of the convention in respect of the United Kingdom, which was on 1 November 2022, and may be renewed.

The Istanbul Convention is the most far-reaching international treaty to tackle violence against women and domestic violence. Its comprehensive set of provisions spans far-ranging preventive and protective measures as well as a number of obligations to ensure an adequate criminal justice response to such serious violations of human rights. It covers new ground by asking that root causes of violence against women (such as gender stereotyping, traditions harmful to women and general manifestations of gender inequality) be addressed.

The convention sets up a monitoring mechanism to assess the level of implementation by its parties. This monitoring mechanism consists of two pillars: the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), an independent expert body, and the Committee of the Parties, a political body composed of official representatives of the parties to the convention.

In accordance with Article 68 of the convention, GREVIO initiated the baseline evaluation in respect of the United Kingdom by letter and transmission of its questionnaire on 30 January 2023. The order of reporting to GREVIO is based on a combination of regional groupings and order of ratification. The authorities in the United Kingdom subsequently submitted their state report on 30 June 2023 – the deadline set by GREVIO. Following a preliminary examination of the country state report, GREVIO carried out an evaluation visit to the United Kingdom, which took place from 18 to 26 January 2024. The delegation was composed of:

- Maria-Andriani Kostopoulou, President of GREVIO
- Ellen O'Malley Dunlop, Vice-President of GREVIO
- Louise Crowley, international consultant, Ireland
- Johanna Nelles, Executive Secretary of the monitoring mechanism of the Istanbul Convention
- Sabrina Wittmann, Administrator at the Secretariat of the monitoring mechanism of the Istanbul Convention

During the evaluation visit, the delegation was welcomed by high-level public figures, including Lord Andrew Sharpe of Epsom, Parliamentary Under Secretary of State for the Home Office (UK Government); Jane Hutt, Minister for Social Justice (Wales); Siobhan Brown, Minister for Victims and Community Safety (Scotland); and Claire Archbold, Director of Ending Violence Against Women and Girls (Northern Ireland). In addition, the delegation met with a wide range of governmental and non-governmental representatives working in the area of preventing and combating violence against women. GREVIO regrets, however, that it was not afforded the opportunity to meet with judges in England and Wales to discuss the practical implementation of legal and procedural standards in cases of violence against women and domestic violence. GREVIO would like to emphasise that, while respecting the importance of judicial independence, exchanges with practising judges are a regular feature of its evaluation visits. It would therefore like to underline that it had insightful meetings with judges in Scotland and Northern Ireland and extends its gratitude to them for having taken the time to exchange with the delegation. A list of the national authorities, non-governmental organisations and others met is set out in Appendix II of this report. GREVIO is grateful for the valuable information provided by all of them.

The evaluation visit was prepared in close co-operation with Kiren Bola, Raphael Kay and Suraiya Patel from the Interpersonal Abuse Unit at the Home Office, who were appointed as contact persons for the evaluation by GREVIO. GREVIO wishes to extend its gratitude for the co-operation and support provided throughout the entire evaluation procedure, and for the constructive approach

adopted by the authorities of the United Kingdom and the authorities of the devolved governments of Scotland, Wales and Northern Ireland.

As part of this first baseline evaluation, GREVIO examined the implementation measures taken by the United Kingdom authorities concerning all aspects of the convention. For the sake of brevity, this report gives priority to some provisions over others. While it covers all chapters of the convention (with the exception of Chapter VIII), it does not present detailed assessments and conclusions for each provision.

# **I. Purposes, definitions, equality and non-discrimination, general obligations**

## **A. General principles of the convention**

1. Chapter I of the Istanbul Convention sets out general principles that apply to all the substantive articles contained in Chapters II to VII. These include, among other things, that it is a fundamental human right for everyone, particularly women, to live a life free from violence in both the public and the private sphere, that the convention must be implemented without discrimination on any ground and that the potential for, and effects of, multiple forms of discrimination should be borne in mind. They also spell out that a gender perspective must be integrated into the implementation of the convention and the evaluation of its impact.

2. The authorities of the United Kingdom (the UK) have long pursued a solid agenda of policy setting in the area of preventing and combating violence against women, as a result of which innovative legislation, new approaches and ample research on their implementation has emerged. These include notably the introduction, as early as 2015, of the concept of coercive control in criminal law, but also cutting-edge criminal law provisions such as non-fatal strangulation and the Online Safety Act to address the digital dimension of violence against women. While crucial pieces of legislation and policy documents pre-date the UK's signing of the Istanbul Convention, including basing the offences of rape and sexual assault on the absence of consent, important building blocks for the implementation of the convention at national level were introduced in the lead-up to ratification, such as the Domestic Abuse Act (England and Wales) 2021 and the Support for Migrant Victims Scheme.<sup>3</sup>

3. GREVIO welcomes in particular the strong attention placed on addressing domestic violence, as demonstrated through the adoption of the Domestic Abuse Act for England and Wales in 2021. This key piece of legislation contains a comprehensive set of legal provisions to prevent and combat domestic violence, which in parts goes beyond the requirements of the Istanbul Convention, for example by criminalising the course of conduct of domestic abuse.<sup>4</sup> The act introduces several new criminal law provisions such as disclosure of private sexual photographs and films and non-fatal strangulation and suffocation, reforms domestic abuse protection notices and orders, and strengthens the protection for victims and witnesses in legal proceedings. It also institutes a Domestic Abuse Commissioner to give an independent voice to victims, to raise public awareness and hold both agencies and government to account in tackling domestic violence. Key legislation in the other nations are the Violence against Women, Domestic Abuse and Sexual Violence Act 2015 in Wales, the Domestic Abuse Act 2018 and Domestic Abuse (Protection) Act 2021 in Scotland and the Domestic Abuse and Civil Proceedings Act 2021 in Northern Ireland.

4. Moreover, several action plans and strategies have been enacted in the four nations, notably the Tackling Violence against Women and Girls Strategy and the Tackling Domestic Abuse Plan (England), the Violence against Women, Domestic Abuse and Sexual Violence (VAWDASV) strategy (Wales), the Equally Safe Strategy (Scotland), the Strategic Framework to End Violence Against Women and Girls and the Domestic and Sexual Abuse Strategy (Northern Ireland) contribute to considerable progress towards building a legislative, policy and institutional framework to prevent and combat violence against women.

5. GREVIO is mindful of the important role played by the United Kingdom at international level in addressing sexual violence in conflict, including their active support of UN Security Council Resolution 1325 on women, peace and security and related follow-up resolutions.<sup>5</sup> The UK has its

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3. See the 5th progress report on the implementation of the Istanbul Convention, available at: [www.gov.uk/government/publications/istanbul-convention-implementation-progress-report-2021/istanbul-convention-5th-progress-report-2021-accessible-web-version](https://www.gov.uk/government/publications/istanbul-convention-implementation-progress-report-2021/istanbul-convention-5th-progress-report-2021-accessible-web-version).

4. [www.legislation.gov.uk/ukpga/2021/17/part/1/enacted](https://www.legislation.gov.uk/ukpga/2021/17/part/1/enacted). Note that in the United Kingdom, the term "domestic abuse" is used, rather than "domestic violence", which is the terminology applied in the Istanbul Convention.

5. S/RES/1325, 31 October 2000, available at: [www.un.org/womenwatch/osagi/wps/](https://www.un.org/womenwatch/osagi/wps/).

own national action plan on Women Peace and Security 2023-2027, setting out the government's commitment to reduce the impact of conflict on women and girls and underlining their role in conflict resolution.<sup>6</sup>

6. However, the austerity measures in place in recent years and a general decline in public expenditure is not conducive for the full and effective implementation of the Istanbul Convention. Additionally, in view of the complex legal and institutional framework of the UK, including the devolution of certain matters to Scotland, Wales and Northern Ireland, not all women and girls within the UK benefit from equal levels of implementation of the Istanbul Convention, as will be detailed later in this report.

7. Moreover, the situation in Northern Ireland must be seen in the context of the legacy of armed conflict and paramilitarism, and the institutional violence perpetrated against women and their children in what became known as the Magdalene Laundries, the Mother and Baby Homes and similar residences from 1922 to 1999.<sup>7</sup> GREVIO is mindful of the fact that the absence of a government from 2022 to 2024 delayed important measures pertaining to the implementation of the Istanbul Convention from being taken. It also caused the under-resourcing of crucial general and specialist services, including the police and women's rights NGOs, the effects of which continue to be felt.

## **B. Scope of application of the convention (Article 2) and Definitions (Article 3)**

8. In light of the scope of the Istanbul Convention set out in its Article 2, paragraph 1, the first baseline evaluation focuses on measures taken in relation to all forms of violence against women, including domestic violence, which affects women disproportionately. Article 3 of the Istanbul Convention sets out key definitions of concepts that are fundamental to its implementation. According to paragraph *a*, the term "violence against women" refers to "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 in private life", whereas the expression "domestic violence" in paragraph *b* is to be understood as referring to "all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim". The definition of "gender-based violence against women" offered in paragraph *d* of Article 3 seeks to ensure more clarity regarding the nature of the violence covered by explaining that this is "violence that is directed against a woman because she is a woman or that affects women disproportionately".

9. Hence, the violence addressed by the Istanbul Convention differs from other types of violence in that the victim's gender is the primary motive. It is violence that is perpetrated against a woman that is both the cause and consequence of unequal power relations based on perceived differences between women and men that lead to women's subordinate status in the public and private spheres. In accordance with the definition given in Article 3, paragraph *b*, Chapter V of the convention specifies the forms of violence against women that are to be criminalised (or, where applicable, otherwise sanctioned). These are psychological violence, stalking, physical violence, sexual violence, including rape, forced marriage, female genital mutilation (FGM), forced abortion, forced sterilisation and sexual harassment. Owing to the seriousness of domestic violence, Article 46 of the convention requires ensuring that the circumstance in which the offence was committed against a former or current spouse or partner, by a member of the family, a person cohabiting with the victim or a person having abused her or his authority, may entail a harsher sentence either as an aggravating circumstance or a constituent element of the offence.

10. Across the UK, various definitions of domestic violence and violence against women are in place. Some align with the requirements of the Istanbul Convention, while others do not. In England

6. [www.gov.uk/government/publications/uk-women-peace-and-security-national-action-plan-2023-to-2027](https://www.gov.uk/government/publications/uk-women-peace-and-security-national-action-plan-2023-to-2027).

7. Department of Health (NI), Research Report on Mother and Baby Homes and Magdalene Laundries in Northern Ireland, January 2021, available at: [www.health-ni.gov.uk/mother-and-baby-homes-and-magdalene-laundries-research-report](https://www.health-ni.gov.uk/mother-and-baby-homes-and-magdalene-laundries-research-report).

and Wales, section 1 of the Domestic Abuse Act 2021 defines the term “domestic abuse” as physical, sexual, economic, psychological, emotional or other abuse, and violent, threatening, controlling or coercing behaviour, whether as a single incident or a course of conduct by a person against another whom they are personally connected to, by one person against another who are each aged 16 or over.<sup>8</sup> GREVIO notes that this definition covers all elements contained in Article 3, paragraph *b*, of the convention, with the exception of children under 16 years of age. On the other hand, section 3 of the Domestic Abuse Act clearly recognises that children who see, hear or experience the effects of abuse are also victims of domestic abuse, without however affording them the same protection from domestic violence as provided to victims aged 16 and over. GREVIO considers that by excluding children under the age of 16 from its scope of protection, this definition does not align with the requirements and the spirit of the Istanbul Convention.<sup>9</sup> Moreover, GREVIO notes that there appears to be no generally applicable definition of the terms “violence against women” or “gender-based violence” in England.

11. Section 34 of the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 contains a definition of gender-based violence, which includes forced marriage, female genital mutilation and violence arising from values, beliefs or customs relating to gender or sexual orientation, but these definitions apply only to Wales and not to England.<sup>10</sup>

12. In relation to Scotland, the definition of domestic abuse as set out in section 1 of the Domestic Abuse (Scotland) Act 2018 covers physical, sexual or psychological harm inflicted against a current or former partner. Economic violence is covered within section 2(3)(a) of the Act. GREVIO welcomes that domestic abuse against a current or former partner was made a stand-alone criminal offence, thereby going beyond the requirements of the Istanbul Convention. GREVIO notes at the same time that the police in Scotland apply a slightly different definition of domestic abuse.<sup>11</sup> Scotland’s Equally Safe strategy states that “violence against women and girls” includes “domestic abuse” but does not provide or refer to definitions of either of these terms. Gender-based violence is defined as “any form of violence used to establish, enforce or perpetuate gender inequalities and keep in place gendered orders”.<sup>12</sup>

13. In Northern Ireland, the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 equally creates a statutory domestic abuse offence, which is defined as a course of behaviour that is abusive, intentionally or recklessly carried out by a person against another to whom they are personally connected, and behaviour that is likely to cause physical or psychological harm.<sup>13</sup> Abusive behaviour includes violent, threatening, controlling and coercive behaviour, isolating the victim or making them dependent, restricting their freedom, sexual violence, intimidation, and degrading and humiliating treatment. However, children under 16 years of age are excluded from this definition, if the perpetrator has parental or otherwise responsibility for them. GREVIO reiterates that this does not align with the spirit and purpose of the convention and requires legislative measures to bring the definition of domestic violence in line with Article 3*b* of the convention. The term “violence against women” is defined in the Police Service of Northern Ireland’s (PSNI) Tackling Violence against Women and Girls Action Plan as acts of violence or abuse that are known to disproportionately affect women and girls.<sup>14</sup> “Gender-based violence” does not appear to be defined in law or in policy documents.

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8. See [www.legislation.gov.uk/ukpga/2021/17/section/1](http://www.legislation.gov.uk/ukpga/2021/17/section/1). The Domestic Abuse Act also contains a definition of “economic abuse”, which is described as any behaviour that has a substantial adverse effect on a person’s ability to acquire, use or maintain money or property, or to obtain goods or services.

9. See Chapter V, Physical violence (Article 35).

10. [www.legislation.gov.uk/anaw/2015/3/contents/enacted](http://www.legislation.gov.uk/anaw/2015/3/contents/enacted).

11. The definition used by the police in Scotland is: “Any form of physical, verbal, sexual, psychological or financial abuse which might amount to criminal conduct and which takes place within the context of a relationship. The relationship will be between partners (married, cohabiting, civil partnership or otherwise) or ex-partners. The abuse can be committed in the home or elsewhere including online.” [www.gov.scot/publications/crime-and-justice-statistics-data-sources-and-suitability-domestic-abuse/](http://www.gov.scot/publications/crime-and-justice-statistics-data-sources-and-suitability-domestic-abuse/).

12. [www.gov.scot/publications/equally-safe-scotlands-strategy-preventing-eradicating-violence-against-women-girls/documents/](http://www.gov.scot/publications/equally-safe-scotlands-strategy-preventing-eradicating-violence-against-women-girls/documents/).

13. [www.legislation.gov.uk/nia/2021/2/enacted](http://www.legislation.gov.uk/nia/2021/2/enacted).

14. [www.psni.police.uk/sites/default/files/2022-09/Tackling%20Violence%20Against%20Women%20and%20Girls%20Action%20Plan.pdf](http://www.psni.police.uk/sites/default/files/2022-09/Tackling%20Violence%20Against%20Women%20and%20Girls%20Action%20Plan.pdf).

14. Most strategies to implement the legislative and policy framework to combat domestic violence and violence against women in place in the four nations that constitute the UK apply a distinctly gendered understanding of the issue. The cross-government strategy Tackling Violence against Women and Girls (TVAWG) in England, for example, unequivocally recognises that many types of violence and abuse disproportionately affect women and girls.<sup>15</sup> Indeed, in the 12 months prior to 31 March 2021, 73% of the victims of domestic abuse crimes recorded in England and Wales were women, and 92% of the defendants in related prosecutions were men.<sup>16</sup> However, women's rights NGOs have pointed out that not all strategies that connect with the TVAWG strategy follow the same gendered approach, which is counterproductive to achieving a holistic response to violence against women and domestic violence as required by the Istanbul Convention.<sup>17</sup> GREVIO welcomes that Scotland's Equally Safe strategy has a distinctly gendered approach, recognising that violence is directed against women and girls because of their gender, is predominantly carried out by men and is both a cause and a consequence of women's inequality with men.<sup>18</sup> In Wales, the National Strategy on VAWDASV equally follows a gendered understanding of violence against women.

15. In Northern Ireland, the Strategic Framework to End VAWG 2024-31 and the PSNI's Tackling Violence against Women and Girls Action Plan both recognise the gendered aspect of violence against women.<sup>19</sup> The Domestic and Sexual Abuse Strategy 2024-31 equally recognises that women and girls are disproportionately affected by domestic and sexual abuse. Given the significant interdependencies between the various policy documents, GREVIO points to the need to ensure that their implementation is aligned on the aspect of a gendered understanding.

16. While GREVIO welcomes the gendered approaches of the majority of the above-described strategies, it underlines that the gendered perspective must also be applied when the measures are implemented in practice, for example through mandatory training on gender-based violence and its root causes and consequences for all professionals involved. Moreover, women's rights organisations have indicated to GREVIO that there is a lack of a gendered understanding in the institutional responses to violence against women and girls, including needs assessments that inform service provision, commissioning practices and national/local strategies. Moreover, concerns have been raised that barriers for marginalised women and girls who are victims of gender-based violence to accessing general and specialist services persist and have not been addressed by the UK Government, despite this issue having been brought to their attention.<sup>20</sup>

17. When it comes to service provision, women's rights NGOs have raised concerns over gender-neutral commissioning or staffing of services for victims of violence against women,<sup>21</sup> for example the Domestic and Sexual Abuse helpline in Northern Ireland, which does not operate on a gender-sensitive approach.<sup>22</sup> GREVIO underlines the need for commissioning and supporting specialist women's rights NGOs that have a gendered and intersectional understanding of violence against women, and that have expertise in dedicated responses to the different forms of violence covered by the Istanbul Convention. GREVIO welcomes, in that context, that the TVAWG strategy in England requires from women's rights NGOs to have a gendered understanding of violence against women in order to receive funding.

18. GREVIO recalls that under Article 6 of the convention, parties must incorporate a gender perspective not only at the formulation stage of policies but also when evaluating their impact; thus, gender impact assessments should be carried out by parties when devising measures for the implementation of the convention.<sup>23</sup> Wales has published a set of indicators for measuring progress against the VAWDASV strategy although it has yet to be evaluated. In Scotland, Equality Impact

15. [www.gov.uk/government/publications/tackling-violence-against-women-and-girls-strategy](https://www.gov.uk/government/publications/tackling-violence-against-women-and-girls-strategy).

16. [www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/domesticabuseandthecriminaljusticesystemappendixtables](https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/domesticabuseandthecriminaljusticesystemappendixtables).

17. NGO submission by 58 specialist VAWG organisations across England and Wales, p. 19.

18. [www.gov.scot/publications/equally-safe-scotlands-strategy-preventing-eradicating-violence-against-women-girls/](https://www.gov.scot/publications/equally-safe-scotlands-strategy-preventing-eradicating-violence-against-women-girls/).

19. See also Chapter II, Comprehensive and co-ordinated policies (Article 7).

20. NGO submission by 58 specialist VAWG organisations across England and Wales, p. 13.

21. NGO submission by 58 specialist VAWG organisations across England and Wales, pp. 18 and 62-70.

22. See Chapter IV, Telephone helplines (Article 24).

23. Horizontal review report, paragraph 48.

Assessments (EQIA) require consideration for the impact of policies, programmes and services on protected characteristics including sex, and a specific prompt question on violence against women and girls has been incorporated into the EQIA documents used by civil servants.

19. **GREVIO urges the relevant authorities in the United Kingdom, in particular in England and Northern Ireland, to take legal and other measures to ensure that children under the age of 16 are fully covered by the respective definitions of domestic violence, in line with Article 3b of the Istanbul Convention.**

20. **With a view to ensuring greater legal certainty and enhancing the implementation of the Istanbul Convention, GREVIO strongly encourages the relevant authorities in the United Kingdom to harmonise, where necessary, the existing legal definitions across all areas of law and practice, in line with the definitions as set out in Article 3 of the Istanbul Convention.**

21. **GREVIO strongly encourages the relevant authorities in the United Kingdom to:**

- a. **ensure a gender-sensitive implementation of laws and policies on all forms of violence against women covered by the Istanbul Convention;**
- b. **review any gender-neutral policies and service commissioning;**
- c. **apply a gendered perspective when evaluating policies.**

## **C. Fundamental rights, equality and non-discrimination (Article 4)**

### **1. Gender equality and non-discrimination**

22. The United Kingdom has enacted several laws and set up bodies aimed at securing equality between men and women. The Human Rights Act 1998 (HRA) applies across the UK and gives effect to the rights and freedoms guaranteed under the European Convention on Human Rights (the “Convention”), including its Article 14, which prohibits discrimination on any ground, including sex, in the enjoyment of the rights and freedoms under the Convention.<sup>24</sup> National human rights institutions in England and Wales, Scotland and Northern Ireland protect and promote human rights and equality in the United Kingdom.<sup>25</sup>

23. The Equality Act 2010 applies to both private and public sectors, including government departments, agencies and higher education institutions in England, Scotland and Wales, while some sub-sections also apply to Northern Ireland. It offers protection from discrimination and harassment in the provision of services and the exercise of public functions.<sup>26</sup> It creates a Public Sector Equality Duty, which requires public authorities to have due regard for certain equality considerations when exercising their functions. The 2010 Act provides protection from discrimination and harassment related to the following nine specific characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. In Northern Ireland, equality laws are similar in scope but spread across a variety of legal provisions.<sup>27</sup> Discrimination based on sex is prohibited through the Sex Discrimination (Northern Ireland) Order 1976 and section 75 of the Northern Ireland Act 1998. An Equality Commission supports individuals in Northern Ireland who may have been victims of discrimination and provides advice to employers and public authorities on implementing good practices.<sup>28</sup> Work on a new Gender Equality Strategy for Northern Ireland is underway.<sup>29</sup>

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24. Article 1, paragraph 1(a), of the Human Rights Act 1998.

25. For England and Wales: the Equality and Human Rights Commission, [www.equalityhumanrights.com/](http://www.equalityhumanrights.com/); for Scotland: the Scottish Human Rights Commission, [www.scottishhumanrights.com/](http://www.scottishhumanrights.com/); for Northern Ireland: the Northern Ireland Human Rights Commission, [www.nihrc.org/](http://www.nihrc.org/).

26. Equality Act 2010: [www.legislation.gov.uk/ukpga/2010/15/contents](http://www.legislation.gov.uk/ukpga/2010/15/contents).

27. For an overview, see [www.equalityni.org/Legislation](http://www.equalityni.org/Legislation).

28. [www.equalityni.org/Home](http://www.equalityni.org/Home).

29. [www.communities-ni.gov.uk/articles/gender-equality-strategy](http://www.communities-ni.gov.uk/articles/gender-equality-strategy).

24. In addition to the HRA 1998 and the Equality Act 2010, various initiatives have been taken across the four nations, including measures to ensure greater equality in the workplace and in educational settings. The Scottish Government, to give an example, established a Gender Equality in Education task force in order to identify necessary measures to tackle gender inequality in education and learning settings.<sup>30</sup> England, Scotland and Wales are taking measures to ensure greater gender equality in the workplace, including through requiring public authorities to publish gender pay gap information.<sup>31</sup>

## 2. Intersectional discrimination

25. Article 4, paragraph 3, of the convention requires parties to secure the implementation of their undertakings under the convention without any discrimination. This provision provides an open-ended list of grounds of discrimination that draws on that of Article 14 of the European Convention on Human Rights as well as the list contained in its Protocol No. 12<sup>32</sup> and, in addition, includes the grounds of gender, sexual orientation, gender identity, age, state of health, disability, marital status, and migrant or refugee status or other status. This obligation stems from the realisation that discrimination of certain groups of women, for example at the hands of law-enforcement agencies, the judiciary or service providers, is still widespread.<sup>33</sup>

26. Therefore, the Istanbul Convention requires parties to take into account the specific needs of women who face multiple and intersecting forms of discrimination and disadvantages. Their individual characteristics as women and, for example, as members of a minority or ethnic group, a woman with a disability or her status as a migrant or asylum-seeking woman interact in a way that compounds discrimination. Interventions for experiences of any form of violence against women and domestic violence must respond to the specific needs of these groups of women and offer support and protection adapted to the reality of their situation with a view to ensuring their empowerment.

27. GREVIO is concerned that various measures and approaches taken in the UK do not sufficiently work towards the reduction of existing barriers for women and girls striving to live without violence, but at times contribute to their creation. GREVIO is particularly concerned by the significant and systematic limits placed on migrant women and girls' ability to seek help for experiences of violence because of the "No recourse to public funds" (NRPF) condition.<sup>34</sup> This policy, affecting women and girls on a temporary residence permit or those with irregular migration status, was introduced to limit their access to publicly funded support services. While GREVIO recognises the need for governmental discretion in the use of public funds, it notes with grave concern the alarming consequences this has on numerous women and girls who are victims of gender-based violence, in very diverse, and frequently adverse, life circumstances. Women and girls on a temporary residence permit include those on family reunification schemes, brought into the UK for the purpose of marriage, often at a young age and frequently without English language skills. Together with women who do not have a regular migration status, they are extremely vulnerable to exploitation and abuse, including at the hands of spouses, extended family members and traffickers. Limiting their access to general and specialist support services for experiences of violence on the grounds of their residence or migration status runs counter to the obligation set out in Article 4, paragraph 3, and represents a form of discrimination that must be addressed urgently.

28. GREVIO recognises that the pilot scheme entitled Support for Migrant Victims (SMV), introduced to mitigate the harmful consequences of the NRPF condition is helping some women and girls to gain access to much-needed support services, but notes at the same time that the scheme

30. [www.gov.scot/groups/gender-equality-in-education-and-learning-taskforce/](http://www.gov.scot/groups/gender-equality-in-education-and-learning-taskforce/).

31. See [www.gov.scot/policies/gender-equality/workplace-gender-equality/](http://www.gov.scot/policies/gender-equality/workplace-gender-equality/) and [www.gov.uk/government/publications/gender-pay-gap-reporting-guidance-for-employers](http://www.gov.uk/government/publications/gender-pay-gap-reporting-guidance-for-employers).

32. The discrimination grounds in question include sex, "race", colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

33. See paragraphs 52-54 of the Explanatory Report to the Istanbul Convention.

34. [www.gov.uk/government/publications/public-funds--2/public-funds](http://www.gov.uk/government/publications/public-funds--2/public-funds).

is not on a sufficient scale to meet demand.<sup>35</sup> This is irrespective of its positive evaluation by the authorities.<sup>36</sup>

29. Women's rights NGOs indicated to GREVIO that, in practice, it is not only women subject to an NRPF condition but also other women victims of violence subject to intersectional discrimination who face barriers to accessing general and specialist services and to reporting violence to the authorities, including women with disabilities, women belonging to ethnic minorities, migrant and asylum-seeking women, LGBTI women, Roma and Traveller women, elderly women, women with a history of substance abuse, and women in prostitution.<sup>37</sup> GREVIO considers it necessary that their needs and perspectives are integrated into the design, implementation, monitoring and evaluation of comprehensive and co-ordinated policies for preventing and combating violence against women, in partnership with relevant women's rights NGOs and by including representatives of these NGOs in these processes. In this context, GREVIO welcomes the Welsh Government's national action plan to prevent violence against older people, which aims at tackling the specific types of abuse older people who may be at increased risk.<sup>38</sup>

30. Finally, it is important to highlight that because of the legal and institutional set-up of the UK, depending on where a victim of gender-based violence resides, she will benefit from differing levels of prevention and protection. As is demonstrated in the following chapters, this applies, *inter alia*, in the fields of access to general and specialist services, prevention measures such as education and protective measures available from law-enforcement agencies.

31. **GREVIO urges the relevant authorities in the United Kingdom to take measures to:**

- a. **ensure that the provisions of the Istanbul Convention are implemented without discrimination on any of the grounds listed in Article 4, paragraph 3, in particular on the grounds of residence or migrant status, and that measures are taken to offer equal levels of access to support and protection measures;**
- b. **integrate the perspectives and needs of women who are or may be exposed to intersectional discrimination, including women with disabilities, women belonging to ethnic minorities, LGBTI women, migrant and asylum-seeking women, Roma and Traveller women, elderly women, women with a history of substance abuse and women in prostitution, into the design, implementation, monitoring and evaluation of comprehensive and co-ordinated policies for preventing and combating violence against women, in partnership with relevant women's rights NGOs and by including their representatives in these processes.**

#### **D. State obligations and due diligence (Article 5)**

32. Article 5 of the convention enshrines the overarching principle of due diligence: states parties are under the obligation to organise their response to all forms of violence covered by the scope of the convention in a way that allows relevant authorities to diligently prevent, investigate, punish and provide reparation for such acts of violence, as well as to provide protection for victims. It is not an obligation of result, but an obligation of means. Failure to meet this obligation incurs state responsibility for an act otherwise solely attributed to a non-state actor. The realisation of the full potential of the due diligence standard relies on the ability of state institutions to invest in equally strong terms in all the required actions of prevention, investigation, punishment, reparation and protection, starting from the duty to transform patriarchal gender structures and values that perpetuate and entrench violence against women.<sup>39</sup>

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35. Information obtained during the evaluation visit.

36. [www.gov.uk/government/publications/evaluating-the-support-for-migrant-victims-smv-pilot/evaluating-the-support-for-migrant-victims-smv-pilot-findings-from-a-process-evaluation](https://www.gov.uk/government/publications/evaluating-the-support-for-migrant-victims-smv-pilot/evaluating-the-support-for-migrant-victims-smv-pilot-findings-from-a-process-evaluation).

37. NGO submission by 58 specialist VAWG organisations across England and Wales, pp. 13-15.

38. [www.gov.wales/national-action-plan-prevent-abuse-older-people](https://www.gov.wales/national-action-plan-prevent-abuse-older-people).

39. "The due diligence standard as a tool for the elimination of violence against women", UN Special Rapporteur on violence against women, its causes and consequences, E/CN.4/2006/61, January 2006.

33. In the UK, the principle of due diligence as emanating from the Istanbul Convention and other international law obligations does not find expression in any policy document or statutory guidance. Instead, reports of police-perpetrated violence against women or police inaction in response to allegations of violence abound. The recent years have seen an unprecedented number of revelations about the criminal or otherwise harmful and inappropriate conduct of police officers in many parts of the UK. The range of such conduct covers police-perpetrated kidnapping, rape and murder of women, their perpetration of domestic violence, unjustified strip-searches of women in police custody and active dissuasion of reporting.<sup>40</sup> The reports and inquiries into these alarming levels of police misconduct have brought to light deep-seated misogyny and sexism, institutional racism and homophobia in certain police forces.<sup>41</sup> In response, vetting procedures for police officers have been tightened, re-vetting procedures introduced and a wider process of identifying and addressing the various shortcomings is underway.

34. While GREVIO welcomes the initial steps taken to improve respect for the principle of due diligence among law-enforcement agents, it cannot but note the continuous dedication and commitment this will require to truly turn the tide. Renewing the confidence and trust lost in the law-enforcement agencies across the UK will be a long journey that can only be achieved with the full implementation of the provisions of the Istanbul Convention. One of the main priorities in the years, if not decades, to come will be that of building lasting trust in law-enforcement agencies. Justice for police misconduct or failure to act must be seen to be done in order to enable women and girls to report violence they suffer without fear of being re-victimised, retraumatised or not believed.

35. It is therefore promising that in the 12 months prior to 30 April 2023, the number of police officers in England and Wales found guilty of crimes increased by 70% compared to the year before, which indicates greater willingness to sanction criminal behaviour of police officers.<sup>42</sup> Within London's Metropolitan Police alone, complaints against police officers for misconduct rose from 842 in 2019 to 2 284 in 2023, indicating an increased readiness to report.<sup>43</sup> At the same time, this has created a backlog of pending cases, with the average being 400 days from report to decision.<sup>44</sup>

36. A commendable practice that GREVIO wishes to highlight in this context is the systematic review of domestic homicides as well as suicides related to domestic violence and abuse. This has become standard practice in England and Wales as well as in Northern Ireland,<sup>45</sup> where it is placed on a statutory basis pursuant to section 9 of the Domestic Violence, Crime and Victims Act (2004). In Scotland, the Criminal Justice Modernisation and Abusive Domestic Behaviour Reviews (Scotland) Bill was introduced in Parliament in September 2024, creating a statutory framework for a multi-agency domestic homicide and suicide review model.<sup>46</sup> GREVIO welcomes in particular that

40. See, among many examples, [www.cps.gov.uk/london-south/news/former-police-officer-jailed-multiple-rapes-and-kidnap](http://www.cps.gov.uk/london-south/news/former-police-officer-jailed-multiple-rapes-and-kidnap); [www.theguardian.com/uk-news/2024/feb/29/wayne-couzens-timeline-of-missed-signs-before-sarah-everard](http://www.theguardian.com/uk-news/2024/feb/29/wayne-couzens-timeline-of-missed-signs-before-sarah-everard); [www.theguardian.com/society/2023/feb/07/david-carrick-jailed-life-rapes-met-police-officer](http://www.theguardian.com/society/2023/feb/07/david-carrick-jailed-life-rapes-met-police-officer); [www.thetimes.com/uk/crime/article/serious-concerns-remain-over-how-met-protects-women-2pxzlhdtg](http://www.thetimes.com/uk/crime/article/serious-concerns-remain-over-how-met-protects-women-2pxzlhdtg); [www.independent.co.uk/news/uk/home-news/police-search-custody-greater-manchester-b2581907.html](http://www.independent.co.uk/news/uk/home-news/police-search-custody-greater-manchester-b2581907.html); [www.theguardian.com/uk-news/2024/feb/09/met-police-officers-dissuaded-children-making-sexual-abuse-claims-report](http://www.theguardian.com/uk-news/2024/feb/09/met-police-officers-dissuaded-children-making-sexual-abuse-claims-report); [www.theguardian.com/uk-news/2024/feb/28/iain-packer-emma-caldwell-murder-police-scotland-crown-office-analysis](http://www.theguardian.com/uk-news/2024/feb/28/iain-packer-emma-caldwell-murder-police-scotland-crown-office-analysis) and [www.thetimes.co.uk/article/police-officer-cameron-ross-trial-rape-two-women-tb77mxgvc](http://www.thetimes.co.uk/article/police-officer-cameron-ross-trial-rape-two-women-tb77mxgvc). The Centre for Women's Justice lodged a police super-complaint into the failure to address police-perpetrated domestic abuse in March 2020; see: [www.static1.squarespace.com/static/5aa98420f2e6b1ba0c874e42/t/5e65fd0ba29cd069c4f3ca3c/1583742221663/super-complaint2+report.FINAL.pdf](http://www.static1.squarespace.com/static/5aa98420f2e6b1ba0c874e42/t/5e65fd0ba29cd069c4f3ca3c/1583742221663/super-complaint2+report.FINAL.pdf)

41. Following the murder of Sarah Everard in London by a serving police officer, the "Angiolini Inquiry" was set up to specifically look into the circumstances that allowed the perpetrator to abuse his power, available at: [www.angiolini.independent-inquiry.uk/](http://www.angiolini.independent-inquiry.uk/). The wider review into the standards of behaviour and internal culture of London's Metropolitan Police by Baroness Casey brought to light "deep and wide shortcomings across the force"; see [www.met.police.uk/police-forces/metropolitan-police/areas/about-us/about-the-met/bcr/baroness-casey-review/](http://www.met.police.uk/police-forces/metropolitan-police/areas/about-us/about-the-met/bcr/baroness-casey-review/). In Northern Ireland, women's rights NGOs indicated to GREVIO that there are domestic violence perpetrators working within the police service, but there is no strategy in place to investigate them, which is of great concern.

42. [www.theguardian.com/uk-news/2024/jan/30/police-officers-in-england-and-wales-guilty-of-crimes-up-70-per-cent](http://www.theguardian.com/uk-news/2024/jan/30/police-officers-in-england-and-wales-guilty-of-crimes-up-70-per-cent).

43. [www.theguardian.com/uk-news/article/2024/jul/06/what-happens-when-police-go-rogue-and-get-caught-met-police](http://www.theguardian.com/uk-news/article/2024/jul/06/what-happens-when-police-go-rogue-and-get-caught-met-police).

44. Baroness Casey Review Final Report: March 2023, available at: [www.met.police.uk/police-forces/metropolitan-police/areas/about-us/about-the-met/bcr/baroness-casey-review/](http://www.met.police.uk/police-forces/metropolitan-police/areas/about-us/about-the-met/bcr/baroness-casey-review/).

45. N.B. Domestic homicide reviews in Northern Ireland do not yet extend to suicides with a domestic abuse motivation, although that is a stated policy intent.

46. [www.gov.scot/groups/domestic-homicide-review-taskforce/](http://www.gov.scot/groups/domestic-homicide-review-taskforce/).

a Domestic Homicide Review Library was launched in June 2023, making a wealth of such reviews accessible and that the National Police Chiefs' Council for England and Wales compiles yearly reports on the number of domestic abuse related deaths across all 43 police forces.<sup>47</sup> The aim of such death reviews is to learn lessons following a murder/suicide, and the findings made are taken as a basis for wider reforms, actions or measures, which GREVIO welcomes. The Domestic Abuse Commissioner is developing an oversight mechanism which will highlight the recommendations made in such reviews and how they are being acted upon.<sup>48</sup> In addition, the Domestic Homicide Project in England and Wales, which is funded by the Home Office and led by the National Police Chiefs' Council (NPCC), examines all deaths identified by police as domestic abuse related in order to improve the understanding of risk indicators, victim and perpetrator demographics for an improved response to domestic abuse, domestic homicide and victim suicide following domestic abuse.<sup>49</sup>

37. GREVIO welcomes the provision in England and Wales that if a person dies in connection with domestic violence and they have previously had contact with the police, the respective police force is obliged to refer itself to the Independent Office for Police Conduct, which will then decide whether an investigation should be opened. In Scotland, self-referral to the Police Investigations and Review Commissioner is not mandatory. In Northern Ireland, complaints can be addressed to the Police Ombudsman.

38. The due diligence obligation as set out in Article 5 of the Istanbul Convention requires all state officials, including in the healthcare and judicial sectors, to ensure preventive and protective measures are taken. Failure to do so by public officials in both these sectors, notably in the context of decisions on custody and visitation rights granted without due consideration for the abuse and risk suffered by women and their children at the hands of the abusive parent, do not seem to result in any accountability. GREVIO notes with grave concern the abundant research on and testimony collected from women and children in the family court system seeing their right to protection denied in a systematic manner as shared custody or extensive visiting rights are granted to abusive fathers.<sup>50</sup> In Northern Ireland, the physical and psychological abuse perpetrated by several healthcare staff members against patients with disabilities at a hospital, including women, came to light in 2017 and prompted an ongoing inquiry into the circumstances that had allowed the abuse to happen.<sup>51</sup>

39. **GREVIO urges the relevant authorities in the United Kingdom to take legislative and other measures to swiftly ensure among public officials in the law-enforcement, healthcare and judicial sectors greater awareness of and respect for the need to act in full compliance with their due diligence obligation to prevent, investigate, punish and provide reparation for victims of any of the forms of violence covered by the Istanbul Convention and without discrimination on the basis of any of the grounds listed in Article 4, paragraph 3. This includes the need to diligently implement without delay the findings from the various reviews and inquiries into police misconduct and violence perpetrated against women, as well as those made by domestic homicide reviews, and hold to account all state actors who, in failing to fulfil their duties, engage in any act of violence, tolerate or downplay violence, fail to respond to reports of violence against women or blame victims.**

47. [www.news.npcc.police.uk/releases/report-reveals-scale-of-domestic-homicide-and-suicides-by-victims-of-domestic-abuse](http://www.news.npcc.police.uk/releases/report-reveals-scale-of-domestic-homicide-and-suicides-by-victims-of-domestic-abuse). GREVIO notes with interest a recent prosecution of a man for manslaughter, whose partner had committed suicide after having been subjected to domestic abuse, including coercive control, see [www.bbc.com/news/articles/c3deje8pm91o](http://www.bbc.com/news/articles/c3deje8pm91o).

48. [www.domesticabusecommissioner.uk/domestic-homicide-and-suicide/](http://www.domesticabusecommissioner.uk/domestic-homicide-and-suicide/)

49. [www.vkpp.org.uk/vkpp-work/domestic-homicide-project/](http://www.vkpp.org.uk/vkpp-work/domestic-homicide-project/).

50. See Chapter V, Custody, visitation rights and safety (Article 31).

51. [www.mahinquiry.org.uk/](http://www.mahinquiry.org.uk/).

## II. Integrated policies and data collection

40. Chapter II of the Istanbul Convention sets out the core requirement for a holistic response to violence against women: the need for state-wide effective, comprehensive and co-ordinated policies sustained by the necessary institutional, financial and organisational structures.

### A. Comprehensive and co-ordinated policies (Article 7)

41. Article 7 of the Istanbul Convention requires states parties to ensure that co-ordinated and comprehensive measures to prevent and combat violence against women address all forms of violence against women.

42. GREVIO welcomes the efforts made across the four nations to develop strategies and action plans that tackle multiple forms of violence against women, often from a distinctly gendered perspective. As the individual discussion of the existing policy documents below shows, most forms of violence against women covered by the Istanbul Convention are addressed, but some important gaps remain.

43. In relation to England, the TVAWG strategy, published in 2021, was drawn up in close consultation with victims, experts, specialist women's rights NGOs and other relevant stakeholders, which GREVIO welcomes. With its approach and measures informed by prevalence data on violence against women and domestic violence, GREVIO welcomes this as an example of evidence-based policy making. Moreover, it includes measures against digital forms of violence against women,<sup>52</sup> such as image-based sexual abuse, and addresses "honour"-based abuse, forced marriage and female genital mutilation. The only forms of violence against women that are not part of the strategy are economic violence, forced abortion and forced sterilisation, although economic violence is addressed in the Tackling Domestic Abuse Plan (see below). GREVIO notes that a report by the UK Parliament's Women and Equalities Committee called for a common definition of "honour"-based abuse to be introduced, to ensure a shared understanding of this form of violence among all relevant government agencies.<sup>53</sup>

44. In March 2022, the TVAWG strategy was complemented by a Tackling Domestic Abuse Plan, addressing domestic violence in all its forms; however, in a gender-neutral manner. While it recognises that women and girls are disproportionately affected by this form of violence, and that men constitute the overwhelming majority of perpetrators, GREVIO is concerned that this approach can easily result in difficulties in ensuring a comprehensive and holistic response to domestic violence against women, including intimate partner violence.<sup>54</sup> Examples of such concerns materialising have been amply illustrated by women's rights NGOs, notably in respect of service provision and protective measures available to women at risk of overlapping and intersecting forms of violence, such as forced marriage and domestic violence.<sup>55</sup> Moreover, in light of the findings by the Domestic Abuse Commissioner, who found service provision for victims of violence against women amounted to a "postcode lottery", particular attention should be paid to consistency of service provision across local authorities in England and Wales.<sup>56</sup> Needs assessments on a local level are a good example of how to close gaps in general and specialist services.<sup>57</sup>

45. Wales's Violence against Women, Domestic Abuse and Sexual Violence Strategy (VAWDASV) 2022-2026 addresses many of the forms of violence covered by the

52. In this context, see GREVIO's General Recommendation No. 1 on the digital dimension of violence against women, available at: [www.rm.coe.int/grevio-rec-no-on-digital-violence-against-women/1680a49147](http://www.rm.coe.int/grevio-rec-no-on-digital-violence-against-women/1680a49147).

53. Ibid., paragraphs 48-49 on so-called honour-based abuse.

54. [www.gov.uk/government/publications/tackling-domestic-abuse-plan](http://www.gov.uk/government/publications/tackling-domestic-abuse-plan).

55. NGO submission by 58 specialist VAWG organisations across England and Wales, p. 19.

56. See Chapter IV, Specialist support services (Article 22), and Domestic Abuse Commissioner, A patchwork of provision: mapping report, available at: [www.gov.uk/government/publications/a-patchwork-of-provision-mapping-report](http://www.gov.uk/government/publications/a-patchwork-of-provision-mapping-report).

57. See, for example, the Violence against Women and Girls Needs Assessment for Cambridgeshire and Peterborough 2023, available at: [www.cambridgeshireinsight.org.uk/wp-content/uploads/2024/01/VAWG-needs-assessment-2023-v1.1-final.pdf](http://www.cambridgeshireinsight.org.uk/wp-content/uploads/2024/01/VAWG-needs-assessment-2023-v1.1-final.pdf).

Istanbul Convention, recognises that tackling these requires a cultural change and additionally follows a gendered and intersectional approach, which GREVIO welcomes.<sup>58</sup> However, the strategy does not specifically address violence against women in its digital dimension and is silent on forced abortion, forced sterilisation and economic abuse.

46. In Scotland, the Equally Safe Strategy on violence against women and girls was developed in 2015 and recently updated in 2023.<sup>59</sup> It covers most forms of violence against women, including in their digital dimension. GREVIO welcomes the fact that women's rights NGOs were considered as "strategic intermediaries" by the Scottish Government and thus received funding for their participation in the creation of the strategy.<sup>60</sup> In August 2024, the Equally Safe Delivery Plan was published, emphasising the need for primary prevention and the need to strengthen understanding of the diverse identities and experiences of women and girls victims of violence.<sup>61</sup> A separate action plan exists on the implementation of the Female Genital Mutilation (FGM) (Protection and Guidance) (Scotland) Act 2020, but neither forced abortion nor forced sterilisation are addressed in any policy document.

47. In Northern Ireland, violence against women is currently addressed as part of the Executive Programme on Paramilitarism and Organised Crime (EPPOC), a cross-departmental and multidisciplinary initiative designed to address the complex problem of paramilitarism in Northern Ireland, which makes the connection with forms of violence against women such as coercive control in that context. The new Domestic and Sexual Abuse Strategy and the Strategic Framework for Ending Violence Against Women and Girls (VAWG) and the related action plan were launched in September 2024.

48. GREVIO acknowledges the steps taken towards ensuring more comprehensive policy making on violence against women in Northern Ireland but notes with concern that the widespread institutional abuse of women and their children previously perpetrated in Magdalene Laundries, Mother and Baby Homes and similar institutions has yet to be addressed in comprehensive policies that would allow victims to recover holistically, including through trauma care and psychological counselling. Efforts must be stepped up in Northern Ireland to assess the full extent of victimisation, to address its long-term impact on victims and to facilitate their full recovery.<sup>62</sup> As a minimum, such measures and policies should effectively quantify the number of victims of institutional abuse committed in Magdalene Laundries, Mother and Baby Homes and similar institutions. Moreover, they should ensure the provision of necessary support services, including specialist and long-term psychological support to facilitate victims' recovery, by enshrining their rights in law and raising their awareness of the existence of such rights and services. Last, victims' access to justice should be facilitated.

49. In relation to the types of violence outlined in the Istanbul Convention and covered by measures and policies across the four nations that constitute the UK, GREVIO notes that forced abortion and forced sterilisation are not covered at all by any of the strategies, action plans or measures, and their prevalence has yet to be assessed through data collection and research.<sup>63</sup>

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58. [www.gov.wales/violence-against-women-domestic-abuse-and-sexual-violence-strategy-2022-2026-html](https://www.gov.wales/violence-against-women-domestic-abuse-and-sexual-violence-strategy-2022-2026-html).

59. [www.gov.scot/policies/violence-against-women-and-girls/equally-safe-strategy/](https://www.gov.scot/policies/violence-against-women-and-girls/equally-safe-strategy/).

60. Scott M. and Ritch E., "Gender justice advocates and the making of the Domestic Abuse (Scotland) Act 2018", in Devaney J. et al. (eds), *The Routledge International Handbook of Domestic Violence and Abuse*, pp. 592-593, Routledge, 2021.

61. [www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2024/08/equally-safe-delivery-plan/documents/equally-safe-delivery-plan-summer-2024-spring-2026/equally-safe-delivery-plan-summer-2024-spring-2026/govscot%3Adocument/equally-safe-delivery-plan-summer-2024-spring-2026.pdf](https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2024/08/equally-safe-delivery-plan/documents/equally-safe-delivery-plan-summer-2024-spring-2026/equally-safe-delivery-plan-summer-2024-spring-2026/govscot%3Adocument/equally-safe-delivery-plan-summer-2024-spring-2026.pdf).

62. See Chapter I, General principles of the convention. Compare and contrast with the GREVIO baseline evaluation report on Ireland, paragraph 32.

63. See Chapter II, Data collection and research (Article 11).

50. **GREVIO encourages the relevant authorities in the United Kingdom to take measures to:**

- a. **reduce existing disparities in policies and their implementation on the different forms of violence against women across the four nations, notably by conducting an independent comparative analysis of national and regional measures on violence against women, including domestic violence, with a view to identifying gaps, as well as promising practices that can be recommended throughout the four nations;**
- b. **model action plans and strategies more closely on the requirements of the Istanbul Convention, in terms of their comprehensiveness, definitions and aims, to ensure greater coherence and interconnectedness;**
- c. **address all forms of violence against women as covered by the Istanbul Convention in strategies and action plans in a comprehensive manner, including in particular forced abortion and forced sterilisation;**
- d. **have due regard for the interrelatedness of the different forms of violence against women and domestic violence, and the specific experiences of women and girls at risk of intersectional discrimination.**

51. **GREVIO strongly encourages the relevant authorities in the United Kingdom, in particular in Northern Ireland, to take measures to address the long-term consequences of the widespread institutional violence perpetrated against women in Magdalene Homes and similar institutions in the past.**

## **B. Financial resources (Article 8)**

52. Article 8 of the Istanbul Convention aims to ensure the allocation of appropriate financial and human resources for the implementation of integrated policies, measures and programmes carried out by public authorities and civil society and aimed at combating and preventing violence against women. In the United Kingdom, responses to violence against women and domestic violence have been reduced in effect and scope because of the austerity measures of the past years and the resulting severe underfunding of statutory agencies and civil society organisations.

53. GREVIO notes that a certain amount of funding is being allocated each year in the four nations that constitute the UK to preventing and combating violence against women and domestic violence, both at national and at regional levels of government,<sup>64</sup> though the overall expenditure is not known. General support services, such as social benefits and healthcare, are provided by the welfare system of the United Kingdom; specialist support for women victims of violence is usually ensured by women's rights NGOs that are partly or fully funded by the government. However, there is no comprehensive overview of the funds and grants allocated to measures taken against violence against women and domestic violence, and thus no indication of the percentage of overall public expenditure in that area. Separate budget and funding lines for measures and action to prevent and combat violence against women do not seem to exist, which is why it is not possible for GREVIO to analyse the allocated financial resources in detail.

54. However, a major issue GREVIO observed in all four nations was a lack of sufficient funding for the core general and specialist services for women and girls who experience violence. Whether it was police, social services, health or the justice system, the impact of years of austerity and reduction in funding for statutory agencies has significant ramifications for the implementation of the relevant provisions of the Istanbul Convention. The understaffing of crucial health and law-enforcement services leads to long waiting times for victims of violence for obtaining psychological counselling and healthcare, and to long processing times for police reports and investigations, in addition to long delays in the processing of cases before the criminal and civil courts.<sup>65</sup> In Northern Ireland, the situation has been compounded by the absence of a government.

64. For more details, see the state report, pp. 4-5.

65. [www.theguardian.com/business/article/2024/jun/07/incoming-ministers-will-face-uk-public-services-on-brink-of-collapse](https://www.theguardian.com/business/article/2024/jun/07/incoming-ministers-will-face-uk-public-services-on-brink-of-collapse) and information obtained during the evaluation visit.

In order to efficiently combat violence against women, statutory agencies and all relevant government entities must be enabled to accommodate the needs of women victims, which is why an investment in the human resources of general services and their adequate training in issues related to violence against women must become an absolute priority.<sup>66</sup>

55. While GREVIO recognises that the legal and institutional framework of the United Kingdom makes it difficult to ensure top-down funding for women's shelters and specialist support services, the inadequacy of the funding available, both in terms of the overall amount and the funding structure, requires a paradigm shift in order to ensure the adequacy of specialist support services as required by Articles 22 and 23 of the Istanbul Convention.<sup>67</sup> It is unclear whether the transfer of funding from the national level to the different devolved national administrations, and from the devolved administrations to the local authority areas, regions and counties is being utilised to ensure a more even implementation of the Istanbul Convention on a regional and local level, for example, by setting priorities or indicating urgent action, or how accountability for its use is ensured. The allocation of funding plays a decisive role in ensuring equal access to general and specialist services for all women victims of all forms of violence. According to the Istanbul Convention and under international law, the responsibility to ensure such equal access lies with the UK Government. GREVIO's attention has also been drawn to the detrimental impact of competitive tendering procedures, which may award the lowest bidding competitor, including non-specialist providers offering services at lower costs. Ways must be found to ensure competitive bidding while prioritising skilled and experienced specialist services that place victims' needs at the forefront, in order to comply with the victim-centred approach required by the Istanbul Convention. Contracts that are short-term and lack flexibility put effective implementation and stability at risk.<sup>68</sup> Measures must be taken to close the gaps in service provision that exist in many regions in the four nations that constitute the UK, and accountability for the adequate use of public funding plays an important role to ensure this.<sup>69</sup>

56. When it comes to specialist support services, GREVIO recalls that under Article 8 and 9 of the convention, funding procedures for women's rights organisations providing specialist support services to victims should ensure adequate and guaranteed levels of funding. The insufficient funding levels and the unsustainability of the available funding sources and approaches significantly hamper the delivery of specialist support services across the United Kingdom.<sup>70</sup> This is most acutely felt by smaller community-based and grass-roots organisations delivering support services and counselling to hard-to-reach groups, especially women and girls within migrant communities.

57. Almost half of the organisations surveyed for Women's Aid's 2024 Domestic Abuse Report (which covered England and Wales) stated that they had to run an area of their service without dedicated funding, and about the same percentage reported that they were providing a service that should be provided by a statutory agency. They considered that the unique value of the specialist support services provided by NGOs were not reflected in the funding they received. The Home Office's Flexible Fund and comparable financial support by state authorities were able to provide some relief, but only to about one third of the organisations. On the other hand, NGOs running shelters assessed positively the impact of the statutory duty on the provision of safe accommodation in the Domestic Abuse Act 2021, with 42.5% reporting an increase in funding.<sup>71</sup>

58. In Scotland, funding for a significant number of specialist services for women victims of violence is secured through the government's Delivering Equally Safe fund, which NGOs could apply for. Successful applicants received three-year funding contracts, which have been extended to 2026 and give them certain planning security. However, this was a one-time funding opportunity, and it is unclear whether the contracts will be extended further. Many women's rights NGOs rely on multiple funding streams, including from the central government, local governments, and other statutory bodies, which have become scarce as a result of austerity measures. They also rely on charitable

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66. See Chapter III, Training of professionals (Article 16).

67. See GREVIO baseline evaluation report on Germany, paragraph 40.

68. NGO submission by Scottish Women's Aid, p. 17.

69. GREVIO baseline evaluation report on Spain, paragraph 38.

70. Joint submission by the four Women's Aid Federations of the UK, p. 1.

71. [www.womensaid.org.uk/annual-audit-2024/](https://www.womensaid.org.uk/annual-audit-2024/).

foundations and donations to carry out their full range of services,. Some specialist services indicated a significant lack of sufficient funding, which translates into long waiting lists for victims of violence.<sup>72</sup>

59. In Northern Ireland, the absence of a government also impacted women's specialist services whose budgets were cut and whose funding was limited to one-year contracts. This had a severe impact on their ability to provide crucial counselling and support to women victims of violence. Women's rights NGOs indicated to GREVIO that many relied on private donations and that smaller organisations found it particularly difficult to access government funding. An important task of the new government of Northern Ireland will be to ensure that women's rights NGOs receive sufficient and sustainable funding and thereby ensure their long-term viability.

60. GREVIO recalls that investing in the sustainability of specialist support services offered by women's NGOs, including those run by and for specific communities, is crucial for the implementation of the Istanbul Convention. This does not only mean more funding; it also means more secure funding and more easily accessible funding. While GREVIO noted a willingness to fund innovation and pilot projects, single-year project-based funding does not allow an organisation to plan, nor does it allow organisations to retain experienced staff. Running an organisation on the basis of multiple funding streams, each with different targets and reporting requirements, ties up human resources that are better used in direct service provision to women and girls who experience abuse. In short, the demand for specialist support services is much greater than its provision, and the level of available services varies significantly from region to region, and this holds true across all the four nations that constitute the UK.<sup>73</sup> Moreover, the application process for government funding has been described by women's rights NGOs as complex and bureaucratic, which constitutes a barrier for smaller and community-based NGOs to access funding.

**61. GREVIO urges the relevant authorities in the United Kingdom to ensure appropriate, sustainable and long-term financial resources for all policies, measures and legislation at all levels and across the four nations aimed at preventing and combating violence against women and domestic violence and for the institutions and entities mandated for their implementation, including all relevant statutory agencies.**

**62. GREVIO urges the relevant authorities in the United Kingdom to ensure sustainable funding levels for women's rights organisations specialised in preventing and combating violence against women by providing them with appropriate and multi-annual funding that is commensurate with their estimated needs, through transparent and accountable public procedures. Procurement procedures should tap into and privilege the extensive victim-centred expertise of specialist women's rights NGOs and ensure that civil society is not put in a position whereby it needs to compete for funds with for-profit organisations, which may lack a gendered understanding of violence against women. Due regard should be paid to funding women's rights organisations operating in rural areas, community-based organisations and those serving hard-to-reach groups of women and girls.**

**63. To achieve the above, GREVIO encourages the relevant authorities in the United Kingdom to introduce, in all relevant sectors of government, separate budget and funding lines for all policies and measures that form part of the required comprehensive and co-ordinated approach to combating violence against women and domestic violence, in order to be able to monitor government efforts in that respect.**

### **C. Non-governmental organisations and civil society (Article 9)**

64. The vibrant feminist and women's rights movements in England, Scotland, Wales and Northern Ireland have long played an important role in setting the agenda on issues such as violence against women and have been instrumental in supporting women and girls across the four nations. The world first women's shelter was opened in London in 1971 by Chiswick's Women's Aid, paving

72. NGO submission by Scottish Women's Aid, p. 5.

73. See Chapter IV, Specialist support services (Article 22).

the way for this lifeline to spread across the rest of the UK, Europe and beyond.<sup>74</sup> Numerous NGOs exist in the UK, offering services or invested in advocacy, often with a specific focus on groups of women exposed to or at risk of multiple forms of discrimination, such as women with disabilities, women in rural areas or women from migrant communities. Their specific expertise and in-depth knowledge of the issues faced by their clientele, including when seeking support for experiences of gender-based violence, offers vast potential to refine responses to such violence that serve all women and their specific needs. This potential must be adequately tapped into at national, regional and local level, both for the provision of specialist services and for the design and implementation of policies on violence against women.

65. It is with concern that GREVIO notes the growing sentiment among women's NGOs across the United Kingdom that their volatile funding and staffing situation prevents them from adequately responding to the needs of women and girls for their experiences of gender-based violence. Small and community-based women's rights NGOs across the UK find it particularly difficult to access funding, despite the vital nature of their services for hard-to-reach groups of women who are victims of violence, such as victims of forced marriage, women with irregular migration status and women belonging to ethnic minorities. This impacts heavily on their ability to support these groups of women. Moreover, it seems to bar them from the possibility of meaningfully contributing to policy-making initiatives by the respective governments.<sup>75</sup> While third-sector consultations on draft laws are held and women's rights NGOs are frequently invited by the UK Government to feed into wider policy-making initiatives, this is not always done in an institutionalised or inclusive manner, nor is it done in a manner mindful of the limited capacity of understaffed frontline organisations.<sup>76</sup> GREVIO emphasises that the Istanbul Convention requirement to recognise and support the specific contribution the specialist women's support sector makes to the implementation of this convention and the solid expertise they have developed over the years that is firmly rooted in feminist, intersectional and victim-centred principles, requires their involvement in an effective manner. They need to be heard, not formally listened to.

**66. GREVIO strongly encourages the relevant authorities in the United Kingdom to establish or reinforce at all levels of government, in particular the local and regional level, recognition of the expertise of specialist women's rights organisations, including community-based and grass-roots NGOs and those representing specific groups of women such as migrant women, women belonging to minorities, women with disabilities, women in rural areas and Roma and Traveller women, through equipping them with the necessary means to carry out their specialist support work for women victims of all forms of violence.**

#### **D. Co-ordinating body (Article 10)**

67. The United Kingdom has designated the Interpersonal Abuse Unit at the Home Office as the national co-ordinating body under Article 10 of the convention. This role is filled mainly by co-ordinating the Tackling Violence Against Women and Girls strategy cross-departmentally. Moreover, there are regular interministerial meetings on issues related to violence against women and domestic violence, for example those convened by the Victim and Safeguarding Minister on a quarterly basis, and meetings at senior level convened by the Home Office. GREVIO recognises that these are indeed important steps to co-ordinate policy making and the violence against women agenda.

68. However, GREVIO notes that the national co-ordinating body does not currently fulfil all the tasks required under Article 10 of the convention, which include, on the one hand, the co-ordination and implementation, and on the other hand, the monitoring and evaluation of policies and measures to prevent and combat all forms of violence covered by the convention. Moreover, the co-ordinating body does not have its own budget nor its own human resources that would be necessary to carry

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74. For a short history of the first women's refuge, see the National Archives, "How the first women's refuge enacted change in the UK", available at: [www.beta.nationalarchives.gov.uk/explore-the-collection/stories/how-the-first-women-refuge-enacted-change/](http://www.beta.nationalarchives.gov.uk/explore-the-collection/stories/how-the-first-women-refuge-enacted-change/).

75. Information received during the evaluation visit.

76. NGO submission by 58 specialist VAWG organisations across England and Wales, p. 26.

out the planned tasks. GREVIO considers that without a co-ordinating body fully institutionalised and mandated to fulfil its functions with regard to all aspects of Article 10, and at the same time equipped with the necessary financial and human resources, it will not be possible to develop the required holistic approach to all forms of violence covered by the convention. The various interministerial meetings fulfil an important role and are a first step towards increased co-operation but cannot be regarded as national co-ordinating bodies because of their ad hoc nature. Co-ordinating bodies are also required to ensure the collection of data referred to in Article 11 of the convention. It appears that no data are being collected or disseminated by the body.

69. Moreover, gaps persist in efforts to ensure cohesion in policy aims across the entire UK that would guarantee more even levels of implementation of the requirements of the Istanbul Convention. There is currently little to no evidence of systematic or regular exchanges across and co-operation between the competent authorities and responsible stakeholders of the four nations that constitute the United Kingdom. There is a wealth of promising practices in the UK, which for the time being do not appear to be routinely discussed or shared between them. Co-ordination meetings between the devolved governments and the UK Government are held regularly, but informally. GREVIO considers that a formalised mechanism for co-ordination would be desirable.

70. Comprehensive and holistic policy making, as required by the Istanbul Convention, links in with the need for robust co-ordination, which is currently lacking between the authorities in England, Wales, Scotland and Northern Ireland. Given that many of the articles of the Istanbul Convention fall within areas that are devolved to the governments of Scotland, Wales and Northern Ireland, the objective of a robust and fully mandated national co-ordinating body could be to serve as a platform for an exchange on the four nations' respective strategies in the area of domestic violence and violence against women, and for sharing good practices, of which GREVIO has observed many in the course of its evaluation procedure.

71. As regards the evaluation of laws, policies and measures, GREVIO commends the systematic commission of independent entities for such evaluations. GREVIO notes, however, that there appears to be no publicly mandated body that has an overview of the different evaluations and can analyse them in their entirety with a view to basing policy amendment or design on their conclusions. The Victims' Commissioner for England and Wales monitors the implementation of the Victims' Code and the Witness Charter and thereby also scrutinises the treatment of women victims of violence in the justice system. They advise the government on how to make the justice system more efficient for victims of crimes. Moreover, also in England and Wales, the Domestic Abuse Commissioner plays an important role in the independent monitoring of the implementation of the Domestic Abuse Act 2021. However, the commissioner's mandate does not extend to other forms of violence against women, leaving a gap in the monitoring requirement under Article 10 of the convention. Section 33 of the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 requires the Department of Justice to appoint an independent person to report on the effectiveness of Part 1 of the Act, which primarily focuses on the domestic abuse offence provisions, and make recommendations on its operation. It appears that there is no comparable monitoring in Scotland.

**72. GREVIO urges the authorities in the United Kingdom to equip the national co-ordination body with the necessary mandate, competences and financial and human resources to ensure its sustainable functioning, and to ensure that it works towards more cohesion of policy aims established for the implementation of the Istanbul Convention across the United Kingdom, in co-operation with the devolved governments of Scotland, Wales and Northern Ireland.**

**73. Moreover, GREVIO strongly encourages the authorities in the United Kingdom to ensure, on the one hand, the co-ordination and implementation of policies and measures to prevent and combat all forms of violence against women, and, on the other hand, their independent monitoring and evaluation, supported by relevant data.**

## **E. Data collection and research (Article 11)**

74. Preventing and combating violence against women and domestic violence requires evidence-based policy making. The collection of systematic and comparable data from all relevant administrative sources is crucial in this regard, as is information on the prevalence of all forms of violence against women.<sup>77</sup>

### **1. Administrative data collection**

75. Recognising and understanding the different forms of violence against women as gender-based violence means that research and data collection must give due regard to and aim at identifying the distinctly gendered differences in experiences between women and men. These can be differences in the type and severity of the violence experienced, in help-seeking behaviour and in experiences with support services and the criminal justice system.<sup>78</sup> As a minimum requirement set out by the Istanbul Convention, any data recorded on individual incidents of violence against women and domestic violence should be disaggregated by sex, age, type of violence and the relationship of the perpetrator to the victim, and geographical location, as well as other factors deemed relevant by parties such as disability.<sup>79</sup>

#### **a. Law-enforcement agencies and the justice sector**

76. The Home Office collects and publishes data from the police in England and Wales, including police-recorded crime and the outcome of investigations. While the 43 different police forces across England are bound to comply with the Home Office's Annual Data Requirement (ADR), which sets out a list of data points that are required to be returned to the Home Office in a standardised way, they nonetheless have different crime recording systems, making it more difficult to retrieve and compare data outside the ADR.<sup>80</sup> The Office for National Statistics (ONS) collates data on domestic violence from the Crime Survey for England and Wales, the Home Office and the justice sector and collates and analyses them in a yearly publication.<sup>81</sup> The publication highlights the sex of the victim, but does not state the sex of the perpetrator, thereby masking the gendered dimension of domestic violence. Another publication on domestic violence by the ONS is structured by victim characteristics, including sex, age, ethnicity, marital status, area and other categories, but also lacks information on the sex of the perpetrator. Data on sexual offences, stalking, harassment and "honour"-related violence are also published, but not on other forms of violence against women as covered by the Istanbul Convention. A report by the UK Parliament's Women and Equalities Committee, entitled "So-called honour-based abuse", found that related data collection by the police was "limited and inconsistent", resulting in an incomplete picture of the extent of this form of violence against women.<sup>82</sup>

77. GREVIO welcomes the fact that the Ministry of Justice issues a yearly publication, "Women and the Criminal Justice System", which compiles statistics and data, disaggregated by sex, ethnicity, age and other relevant factors, to provide an overview on the typical experiences of women and men across the criminal justice system in England and Wales.<sup>83</sup>

78. The Crown Prosecution Service (CPS) collects data on police referrals, prosecutions and charging rates for criminal offences, including domestic violence and rape. The quarterly published data is disaggregated by the victim's and the perpetrator's age and sex, but not their relationship to each other, nor is the location of the crime specified.<sup>84</sup> Until 2019, the CPS also issued a yearly publication on violence against women and girls, and provided an overview of charging numbers and

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77. While this section discusses the main considerations related to data collection, Chapters V and VI also offer reflection on data related to specific criminal offences.

78. Horizontal review report, paragraphs 101-102.

79. Explanatory Report to the Istanbul Convention, paragraph 76.

80. [www.gov.uk/government/publications/home-office-crime-and-policing-research-and-annual-data-requirement-adr-data-privacy-information-notices/home-office-annual-data-requirement-adr-data-privacy-information-notice](https://www.gov.uk/government/publications/home-office-crime-and-policing-research-and-annual-data-requirement-adr-data-privacy-information-notices/home-office-annual-data-requirement-adr-data-privacy-information-notice).

81. [www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/domesticabuseinenglandandwalesoverview/november2023](https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/domesticabuseinenglandandwalesoverview/november2023).

82. Available at: [www.publications.parliament.uk/pa/cm5803/cmselect/cmwomeq/831/summary.html](https://www.publications.parliament.uk/pa/cm5803/cmselect/cmwomeq/831/summary.html).

83. [www.gov.uk/government/statistics/women-and-the-criminal-justice-system-2021](https://www.gov.uk/government/statistics/women-and-the-criminal-justice-system-2021).

84. [www.cps.gov.uk/publication/cps-quarterly-data-summaries](https://www.cps.gov.uk/publication/cps-quarterly-data-summaries).

convictions for most of the forms of violence covered by the Istanbul Convention.<sup>85</sup> GREVIO regrets that this useful publication was discontinued. A criminal justice system delivery data dashboard has since been instituted, which brings together data from different sources and provides a good overview of adult rape cases recorded by the police, referral of such cases to prosecution, charging decisions by the CPS and the case completion at court.<sup>86</sup> However, data on the dashboard are not disaggregated by sex or other factors, and apart from rape does not cover any other forms of violence against women or domestic violence.

79. While GREVIO acknowledges the above efforts in data collection, it notes that the available data are not disaggregated by all the factors required under the Istanbul Convention, and that statistics on forms of violence against women beyond domestic and sexual violence, stalking, harassment and “honour”-based violence are not made visible in either publication. In particular, with the exception of data on domestic and sexual violence perpetration, information on the sex of the perpetrator and their relationship to the victim are not systematically collected. This, however, is crucial in order to render visible the highly gendered dimension of violence against women. As the example of rape by penetration experienced by victims since the age of 16 shows, perpetrators are 98% male.<sup>87</sup> Understanding male perpetration levels of other forms of violence covered by the Istanbul Convention is essential in order to reveal the gendered nature of such crimes and inform much-needed prevention work.

80. In Scotland, data on police-recorded crime are collected separately by each local authority and published online.<sup>88</sup> Data on criminal proceedings before the Scottish courts are also published, disaggregated by main charge and offering information on the type of sentences handed down for typical forms of violence against women, in particular sexual and domestic violence, as well as the average length of custodial sentences. However, neither of these disaggregate by sex, age and relationship of the perpetrator to the victim.<sup>89</sup> Moreover, these data sets are distinct and unlinked and therefore do not allow for the tracking of a case of violence against women across the criminal justice chain. Last, there is no specific publication of data on all forms of violence against women as covered by the Istanbul Convention, making it difficult to assess the full extent of the problem. Since the introduction of the Domestic Abuse (Scotland) Act 2018, however, a reporting requirement on the use made of this new legislation exists. Statistical information on the progress and outcomes of domestic abuse cases in court and information about the experiences of victims and witnesses in such cases, including child witnesses, are now available. A first evaluation of the reporting requirement, including an analysis of the data, has been published.<sup>90</sup>

81. The Police Service of Northern Ireland (PSNI) issues on a yearly basis a publication on trends in domestic abuse, as well as a quarterly bulletin containing data on this form of violence.<sup>91</sup> The publications cover domestic homicides, physical violence, sexual offences, harassment, stalking, malicious communications and controlling or coercive behaviour, but not forms of violence such as FGM, forced marriage, forced abortion or forced marriage. GREVIO further regrets that published data in the quarterly bulletin are not disaggregated by sex, age or any other relevant factors that would show how disproportionately women and girls are affected by domestic abuse and other violent offences. The yearly publication on trends, on the other hand, does provide data disaggregated by the age and sex of the victim and the relationship of the perpetrator to the victim, but not the geographic location of the crime.

82. In Northern Ireland, while the administrative data-collection system is not set out to allow individual cases to be tracked across the criminal justice system, a manual review of all serious sexual offences reported to police between 1 October 2018 and 31 March 2019 (1 642 in total) is

85. [www.cps.gov.uk/publication/violence-against-women-and-girls](http://www.cps.gov.uk/publication/violence-against-women-and-girls).

86. [www.criminal-justice-delivery-data-dashboards.justice.gov.uk/about](http://www.criminal-justice-delivery-data-dashboards.justice.gov.uk/about).

87. The last estimate dates back to March 2020:

[www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/natureofsexualassaultbyrapeorpenetrationenglandandwales/yearendingmarch2020#perpetrator-characteristics](http://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/natureofsexualassaultbyrapeorpenetrationenglandandwales/yearendingmarch2020#perpetrator-characteristics).

88. [www.gov.scot/publications/recorded-crime-scotland-year-ending-december-2023/](http://www.gov.scot/publications/recorded-crime-scotland-year-ending-december-2023/).

89. [www.gov.scot/publications/criminal-proceedings-scotland-2021-22/pages/13/](http://www.gov.scot/publications/criminal-proceedings-scotland-2021-22/pages/13/).

90. [www.gov.scot/publications/domestic-abuse-scotland-act-2018-interim-reporting-requirement/](http://www.gov.scot/publications/domestic-abuse-scotland-act-2018-interim-reporting-requirement/).

91. [www.psnipolice.uk/about-us/our-publications-and-reports/official-statistics/domestic-abuse-statistics](http://www.psnipolice.uk/about-us/our-publications-and-reports/official-statistics/domestic-abuse-statistics).

underway. A working group will track each reported case to identify if, when and why it fell out of the criminal justice system. The research is intended to establish a baseline for the prevalence of attrition in these cases and the underlying reasons.

83. GREVIO notes that current administrative data-collection efforts across the UK, notably the difference in data sets used by law-enforcement agencies and by the prosecution services and courts, do not allow a comprehensive view of criminal justice responses to the different forms of violence against women to emerge. Apart from small-scale projects that try to link these data, there is no case-management system in place in any of the three jurisdictions of the UK that would enable the tracking of cases of violence against women, from reporting to indictment and beyond, and in relation to all criminal offences required by the convention. The aims of such harmonised data collection would be, *inter alia*, to allow an assessment of conviction, attrition and recidivism rates, and to identify shortcomings in the different stages of the criminal justice chain. Currently available data do not allow for a reliable analysis of possible systemic gaps in the institutional and judicial response to the forms of violence against women addressed in the Istanbul Convention. While there is much research on which the four nations that constitute the UK can base their policy making, it is less based on administrative data collection, meaning that the latter do not provide a sound basis for evidence-based policy making. GREVIO considers that harmonising data collection across the different sectors should therefore be made a priority by the authorities of all three jurisdictions of the UK.

84. GREVIO notes that there are limited administrative data available on forms of violence such as FGM and forced marriage, and even less on forced abortion and forced sterilisation. As some of these forms of violence are rarely reported to the authorities, gaps in administrative data should be filled through prevalence surveys and/or targeted studies. It welcomes that the Home Office funded a feasibility study to determine whether a robust prevalence estimate of FGM and forced marriage could be created and is working on further steps in that direction. Regarding sexual harassment, GREVIO notes that the fragmented nature of the relevant legal provisions leads to little relevant data being collected. However, it acknowledges that prevalence data are available on this form of violence.<sup>92</sup>

85. While Scotland collects and publishes data on the sentencing of perpetrators of many forms of violence against women, GREVIO notes that such data are lacking in England and Wales, which makes it difficult to assess whether sanctions handed down are proportionate to the underlying offence and sufficiently dissuasive. Northern Ireland publishes sanction outcomes and outcome rates for domestic violence and sexual violence, but not on other forms of violence against women.<sup>93</sup>

86. GREVIO welcomes the fact that the numbers of emergency barring, restraining and protection orders, sexual harm prevention orders and sexual risk orders issued are generally collected in all the four nations that constitute the UK (where the respective orders are available).<sup>94</sup> Data from the civil justice sector on the number and type of civil law protection orders and to a certain extent the type of violence they cover are being collected, but not necessarily the sex, age and relationship of all parties involved. When it comes to non-compliance with orders, only Northern Ireland collects information on the number of breaches of non-molestation orders and the type of sanctions imposed as a result. England and Wales currently do not collect such data, and this will only become a possibility once the new domestic abuse protection notices/orders commence. Scotland collects data on the number of convictions handed down for breaches of domestic abuse orders, which GREVIO welcomes.

87. While in all four nations, statistical data on the number of women killed each year are collected, information on the number of cases where a woman has been murdered as a consequence of a breach of a barring or protection order is not available. However, GREVIO welcomes the systematic analysis of domestic violence-related murders and suicides of women

92. See chapter II, Population-based surveys (Article 11).

93. [www.psnipolice.uk/about-us/our-publications-and-reports/official-statistics/domestic-abuse-statistics](https://www.psnipolice.uk/about-us/our-publications-and-reports/official-statistics/domestic-abuse-statistics).

94. See Chapter VI, Emergency barring orders (Article 52), and Restraining or protection orders (Article 53).

through the Domestic Abuse Related Death Reviews in England, Wales and Northern Ireland,<sup>95</sup> while this is not yet the case in Scotland.<sup>96</sup> These initiatives by the authorities build upon a (non-governmental) initiative called Femicide Census, which collected information on gender-related killings in England and Wales between 2009 and 2021.<sup>97</sup>

88. Since 2022, yearly reports on domestic violence-related homicides and suicides have been issued by the National Police Chiefs' Council through the Domestic Homicide Project, funded by the Home Office, which GREVIO commends.<sup>98</sup> The latest report showed that 242 domestic abuse-related deaths were recorded between April 2022 and March 2023, of which 93 were suspected suicides following abuse, while 80 cases constituted intimate partner homicides and 31 family homicides. The report clearly revealed the gendered dimension of the phenomenon: the majority of victims were women, while the majority of perpetrators were male. Moreover, this report demonstrates the extent of the issue of domestic violence-related suicides, which surpasses the number of intimate partner homicides. GREVIO notes with satisfaction that the authorities within the UK give this issue the attention it deserves and are actively working on preventive measures through analysing such suicides.

89. Last, when it comes to data from the family justice system, GREVIO notes that initiatives have been taken in England and Wales to collect administrative data to assess how family courts take domestic violence and other forms of violence against women into account in decisions on child custody and visitation rights.<sup>99</sup> However, it appears that the necessary datasets have not yet been created. No comparable information is available for Scotland or Northern Ireland.

#### **b. Healthcare sector**

90. GREVIO welcomes the routine collection in Northern Ireland of data on patients identified as victims of domestic or sexual violence in terms of the type of abuse, gender, age, sexual orientation and ethnicity, and wider health data on pregnancy, mental health and children.

91. It appears that England, Wales and Scotland do not systematically collect or publish data on the number of women and girls who seek help or contact the health sector for experiences of violence against women, including domestic violence, broken down by the victims' sex, age and relationship to the perpetrator, the geographic location and other factors deemed relevant, as is required under the Istanbul Convention. A notable exception is that since 2015 the National Health Service (NHS) has collected data on the number of identified victims of FGM. In England, 33 620 individual women and girl victims of this form of violence were registered between April 2015 and March 2023.<sup>100</sup> In Wales, 114 women victims of FGM were identified in 2022.<sup>101</sup> However, the overall prevalence of FGM in the UK is not known. GREVIO thus welcomes the launch of a feasibility study, commissioned by the UK Government, to see whether and how the prevalence of FGM and forced marriage can be assessed for England and Wales. Similar initiatives are needed in Scotland and Northern Ireland.

#### **c. Social services**

92. Across the four nations that constitute the UK, various initiatives and measures exist within general social services to identify and/or address the very specific needs of women victims of violence. These often revolve around their housing, employment and training needs.<sup>102</sup> However, there are no systematic data-collection systems in place to record the number of instances of contact made by women in this regard. Identifying, through data collection, the level of demand for social

95. N.B. Northern Ireland does not currently extend the reviews to suicides.

96. See Chapter I, State obligations and due diligence (Article 5).

97. [www.femicidecensus.org/reports/](http://www.femicidecensus.org/reports/).

98. [www.news.npcc.police.uk/releases/report-reveals-scale-of-domestic-homicide-and-suicides-by-victims-of-domestic-abuse](http://www.news.npcc.police.uk/releases/report-reveals-scale-of-domestic-homicide-and-suicides-by-victims-of-domestic-abuse).

99. See Ministry of Justice, Assessing risk of harm to children and parents in private law children cases: final report, 2020, and the implementation plan, available at: [www.consult.justice.gov.uk/digital-communications/assessing-harm-private-family-law-proceedings/](http://www.consult.justice.gov.uk/digital-communications/assessing-harm-private-family-law-proceedings/).

100. [www.digital.nhs.uk/data-and-information/publications/statistical/female-genital-mutilation/april-2022-to-march-2023](http://www.digital.nhs.uk/data-and-information/publications/statistical/female-genital-mutilation/april-2022-to-march-2023).

101. NGO submission by the Equality and Human Rights Commission, p. 17.

102. See Chapter IV, General support services (Article 20).

services support for women and girls who are victims of the many forms of violence against women is a crucial first step for local, regional and national government structures to remedy the shortcomings. Data should be collected, disaggregated by sex, age, type of violence and the relationship of the perpetrator to the victim, and geographical location as well as other factors deemed relevant, including the types of services that are provided.

#### **d. Data on the asylum procedure**

93. As discussed under Chapter VII of this report, data on the number of asylum claims and the number of people granted protection are recorded, disaggregated by sex.<sup>103</sup> While it is possible, in principle, to obtain asylum on the basis of gender-related persecution, data on this ground for asylum are not recorded. In the absence of such data, it is not possible to assess the extent to which asylum grounds are given a gender-sensitive interpretation in practice.

### **2. Population-based surveys**

94. Across the UK, various population-based surveys are regularly run to assess levels of victimisation. These frequently take the form of dedicated violence against women surveys, which covers domestic violence, sexual offences, stalking and harassment, but not other forms of violence against women covered by the Istanbul Convention. For example, the Crime Survey for England and Wales for the year ending March 2023 estimated that 1.4 million women aged 16 years and over experienced domestic abuse in the last 12 months. No significant change in the prevalence compared with the previous year could be observed.<sup>104</sup> While welcoming its regularity and comparability of results over time, GREVIO regrets that since ratification of the Istanbul Convention, no steps have been taken to integrate all relevant forms of violence into this survey. However, it notes with satisfaction that separate surveys on specific forms of violence against women are conducted, such as image-based abuse.<sup>105</sup>

95. The Scottish Crime and Justice Survey (SCJS) is also carried out regularly. While information on the number of women victims of domestic violence, sexual violence, stalking and harassment is collected, the latest publication of the survey (2021/22) does not easily make this information accessible, and does not render victims of all forms of violence against women visible in numbers, which GREVIO regrets.<sup>106</sup> In the results of the SCJS from 2019/20, specific attention was placed on women and gender-based violence, showing, for example, that women were almost twice as likely than men to have experienced abuse by a partner since the age of 16; and that 6.1% of women had experienced serious sexual assault (compared to 0.8% of men), showing that women are disproportionately affected by intimate partner violence and sexual abuse.<sup>107</sup> Such presentation of women and girls' specific victimisation is important and should resume.

96. The Northern Ireland Safe Community Survey is repeated regularly and gives an overview of the experiences and perceptions of crime among adults.<sup>108</sup> However, when it comes to violence against women, only domestic abuse and sexual violence are covered, leaving gaps in prevalence data on the other forms of violence covered by the Istanbul Convention. A survey on the experiences of violence of women and girls in Northern Ireland was carried out in 2022 and showed that 98% of the 542 participants had experienced at least one form of abuse in their lifetime.<sup>109</sup> In terms of qualitative research, reports on the experiences of victims of sexual abuse and violence (men and women) and on the experiences of women victims of domestic violence were issued in 2016, but the research has not been repeated since.<sup>110</sup>

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103. [www.gov.uk/government/collections/immigration-statistics-quarterly-release](https://www.gov.uk/government/collections/immigration-statistics-quarterly-release) and [www.gov.uk/government/statistical-data-sets/immigration-system-statistics-data-tables#asylum-applications-decisions-and-resettlement](https://www.gov.uk/government/statistical-data-sets/immigration-system-statistics-data-tables#asylum-applications-decisions-and-resettlement).

104. [www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/domesticabuseinenglandandwalesoverview/november2023](https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/domesticabuseinenglandandwalesoverview/november2023).

105. [www.statista.com/statistics/1319889/uk-victims-of-intimate-image-abuse-by-age-and-gender/](https://www.statista.com/statistics/1319889/uk-victims-of-intimate-image-abuse-by-age-and-gender/).

106. [www.gov.scot/publications/scottish-crime-justice-survey-2021-22-main-findings/pages/2/](https://www.gov.scot/publications/scottish-crime-justice-survey-2021-22-main-findings/pages/2/).

107. [www.gov.scot/publications/scottish-crime-justice-survey-2019-20-main-findings/pages/20/](https://www.gov.scot/publications/scottish-crime-justice-survey-2019-20-main-findings/pages/20/).

108. [www.justice-ni.gov.uk/topics/statistics-and-research/northern-ireland-safe-community-survey](https://www.justice-ni.gov.uk/topics/statistics-and-research/northern-ireland-safe-community-survey).

109. [www.impactresearchcentre.co.uk/site/wp-content/uploads/2023/12/violence\\_report\\_singles.pdf](https://www.impactresearchcentre.co.uk/site/wp-content/uploads/2023/12/violence_report_singles.pdf).

110. [www.justice-ni.gov.uk/topics/statistics-and-research/victim-and-witness-research](https://www.justice-ni.gov.uk/topics/statistics-and-research/victim-and-witness-research).

97. GREVIO welcomes the carrying out in Northern Ireland of a prisoner needs survey among female prisoners, thereby screening for experiences of domestic and sexual violence. Such screening is of great importance for women deprived of their liberty and must be paired with offers of counselling and support.

98. Prevalence data on harassment at work is regularly collected in all four nations, which GREVIO welcomes. For example, data collected in March 2021 through Equally Safe at Work showed that 75% of survey respondents working in the public sector in Scotland had experienced or witnessed sexual harassment in the past 12 months.<sup>111</sup> Data published in November 2023 in the *British Journal of Surgery* found that 63% of women working in the UK surgical workforce had experienced sexual harassment.<sup>112</sup> Research from Zero Tolerance in 2017 found that 70% of Scottish women had experienced or witnessed sexual harassment in the workplace.<sup>113</sup>

99. In conclusion, while the population-based surveys carried out in the different nations that constitute the UK generally provide a good overview of the situation of violence against women, in particular domestic and sexual violence, they do not cover FGM, forced marriage, forced abortion or forced sterilisation, resulting in little knowledge on the extent of these forms of violence in the four nations. Where prevalence data are not expected to bring relevant results because the sample size may be too small for certain types of violence, qualitative and quantitative studies should be given preference.

### 3. Research

100. GREVIO notes with satisfaction the wealth of research and studies that are available on most forms of violence against women covered by the scope of the Istanbul Convention.<sup>114</sup> It includes academic research, research conducted by NGOs and other third-sector organisations, a good proportion of which is commissioned by the authorities. GREVIO welcomes the high level of engagement of the government with research and studies on many forms and aspects of gender-based violence, which informs laws, policies and other measures. Moreover, the authorities in the UK regularly commission independent inquiries, for example the Angiolini inquiry, the Casey inquiry and the Independent Inquiry into Child Sexual Abuse.<sup>115</sup> GREVIO therefore notes with satisfaction that this approach is in line with the requirement of evidence-based policy making on violence against women and domestic violence as set out in Article 11, paragraph 1b, of the convention.

101. To give but a few examples, the Office for National Statistics (ONS) hosts a dedicated and regularly updated website on current and future research in the area of violence against women and girls.<sup>116</sup> It also provides a “Data landscape” website, which brings together a range of different data sources from across government, academia and the voluntary sector.<sup>117</sup> GREVIO considers this a promising development, noting also that a Research and Integrity Framework on Domestic Violence and Abuse was produced by the four Women’s Aid federations, setting out how to keep victims of violence safe through meaningful research.<sup>118</sup>

102. While the available research covers various forms of violence against women, including in its digital dimension and in the area of family law, two specific forms of violence are rarely if ever covered by research, namely forced abortion and forced sterilisation. GREVIO notes that these forms

111. [www.equallysafeatwork.scot/resources/Findings-from-the-evaluation.pdf](http://www.equallysafeatwork.scot/resources/Findings-from-the-evaluation.pdf).

112. [www.academic.oup.com/bjs/article/110/11/1518/7264733](http://www.academic.oup.com/bjs/article/110/11/1518/7264733).

113. [www.zerotolerance.org.uk/resources/Sexism-is-a-waste---the-need-to-tackle-violence-and-misogyny-in-Scottish-workplaces-15.pdf](http://www.zerotolerance.org.uk/resources/Sexism-is-a-waste---the-need-to-tackle-violence-and-misogyny-in-Scottish-workplaces-15.pdf).

114. Only a small selection of the many research reports, studies, surveys, etc. is quoted in this report. For more detailed information, please refer to the state report and the NGO submissions published on GREVIO’s UK monitoring site: [www.coe.int/en/web/istanbul-convention/united-kingdom](http://www.coe.int/en/web/istanbul-convention/united-kingdom).

115. [www.iicsa.org.uk/index.html](http://www.iicsa.org.uk/index.html).

116. [www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/violenceagainstwomenandgirls/researchupdate-november-2023](http://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/violenceagainstwomenandgirls/researchupdate-november-2023).

117. [www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/violenceagainstwomenandgirlsdata-landscape](http://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/violenceagainstwomenandgirlsdata-landscape).

118. [www.womensaid.org.uk/what-we-do/research/about-womens-aid-research-and-data/research-integrity-framework/](http://www.womensaid.org.uk/what-we-do/research/about-womens-aid-research-and-data/research-integrity-framework/).

of violence do not appear in administrative data collection either. An NGO report found that there was evidence of coerced sterilisation of women with disabilities in Scotland, especially those with learning disabilities.<sup>119</sup> In the light of the fact that very little research is available on the numbers of women forced to have abortions or being sterilised without their consent in the United Kingdom, GREVIO considers that this gap should be closed through commissioning qualitative and quantitative studies in each of the four nations.

**103. GREVIO strongly encourages the relevant authorities in the United Kingdom to:**

- a. adapt the data categories in use by the criminal justice sector and law-enforcement agencies to ensure harmonisation across these sectors, with a view to allowing cases of violence against women to be tracked throughout the different stages of the criminal justice system and rates of conviction, attrition and recidivism to be established;**
- b. systematically collect data on the number of breaches of a police barring order or a civil protection order;**
- c. ensure, as a matter of priority, the systematic collection of comparable data on all forms of violence against women from all relevant administrative sources, including the law-enforcement and justice, healthcare and social services sectors;**
- d. collect and publish the number of asylum claims made by women and girls on the basis of gender-related persecution, and their outcomes;**
- e. ensure that all data collected are disaggregated, at the minimum, by the sex and age of both the victim and the perpetrator, the type of violence, the relationship of the perpetrator to the victim and the geographical location;**
- f. ensure that the collection, storing and processing of data complies with standards on data protection, as contained in the Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, to ensure confidentiality and respect for the privacy of victims, perpetrators and other persons involved.**

**104. GREVIO strongly encourages the relevant authorities in the United Kingdom to ensure that prevalence data are regularly collected on all forms of violence covered by the Istanbul Convention.**

**105. GREVIO strongly encourages the relevant authorities in the United Kingdom to conduct qualitative and quantitative studies on FGM, forced marriage, forced abortion and forced sterilisation.**

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119. Engender, Our bodies, our rights: identifying and removing barriers to disabled women's reproductive rights in Scotland, November 2018, available at: [www.engender.org.uk/content/disabled-women/](http://www.engender.org.uk/content/disabled-women/).

### III. Prevention

106. This chapter contains a number of general and more specific obligations in the area of prevention. These include early preventive measures such as changing social and cultural patterns of behaviour of women and men, eradicating prejudices and gender stereotypes, and measures to involve all of society, including men and boys, in achieving gender equality and the prevention of violence against women. It also includes more specific preventive measures such as awareness raising and campaigning, ensuring the adequate training of all professionals, education in schools and other settings, and, last but not least, measures such as perpetrator programmes to prevent further victimisation.

#### A. General obligations (Article 12)

107. Article 12 delineates the fundamental foundations of the parties' duty to prevent violence against women. These include the parties' determination to promote changes in the social and cultural patterns of behaviour of women and men with a view to eradicating prejudices, customs, traditions and all other practices which are based on the idea of the inferiority of women or on stereotyped roles for women and men. Moreover, flowing from the premise that violence against women is a cause as much as a consequence of gender inequality, Article 12 further requires that parties adopt specific measures to empower women and to achieve greater gender equality in order to reduce women's vulnerability to violence.

108. Violence against women and girls remains endemic in all the four nations that constitute the UK. Every 2.5 days, a woman is killed by a man,<sup>120</sup> and one in four women experience domestic abuse in their lifetimes.<sup>121</sup> In January 2023, the Office for National Statistics (ONS) crime figures (for the 12 months until September 2022) stated that police-recorded sexual offences were at the highest level registered,<sup>122</sup> while police-recorded offences relating to "honour"-based abuse are also increasing.<sup>123</sup> Overall, one in six children are estimated to have been subjected to sexual abuse, with girls being three times more likely to experience sexual abuse than boys<sup>124</sup> and women 27 times more likely than men to be subjected to online harassment and abuse.<sup>125</sup> At the same time, widespread misogyny has been observed in the police and reports of gender stereotyping and victim blaming have been levelled at the Crown Prosecution Service.<sup>126</sup>

109. In light of these issues, GREVIO welcomes the important efforts made by the authorities within the UK in the area of awareness raising of violence against women and domestic violence. GREVIO acknowledges the wide range and reach of the recent awareness and education campaigns across the UK, especially those that seek to empower men to learn, reflect and challenge the harmful attitudes and behaviours they display.<sup>127</sup> It is a welcome development that the focus is increasingly placed on shifting the onus to act on those who engage in, or are bystanders to, violence against women and girls. Still, GREVIO points to the need to address restrictive and harmful gender norms that exist for men and women in all areas, through comprehensive preventive measures delivered through media, policy, education and workplaces.<sup>128</sup> It is critical that the efforts of the UK Government and the devolved administrations continue in this manner, supported by consistent, long-term funding, to enhance the reach and impact of all prevention measures. Specific attention must be

120. [www.femicidecensus.org/wp-content/uploads/2020/11/Femicide-Census-10-year-report.pdf](https://www.femicidecensus.org/wp-content/uploads/2020/11/Femicide-Census-10-year-report.pdf).

121. [www.refuge.org.uk/what-is-domestic-abuse/the-facts/](https://www.refuge.org.uk/what-is-domestic-abuse/the-facts/).

122. [www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/sexualoffencesinenglandandwalesoverview/march2022/pdf](https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/sexualoffencesinenglandandwalesoverview/march2022/pdf).

123. [www.gov.uk/government/statistics/statistics-on-so-called-honour-based-abuse-offences-england-and-wales-2021-to-2022/statistics-on-so-called-honour-based-abuse-offences-england-and-wales-2021-to-2022](https://www.gov.uk/government/statistics/statistics-on-so-called-honour-based-abuse-offences-england-and-wales-2021-to-2022/statistics-on-so-called-honour-based-abuse-offences-england-and-wales-2021-to-2022).

124. Available at : [www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingseptember2022#domestic-abuse-and-sexual-offences](https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingseptember2022#domestic-abuse-and-sexual-offences).

125. [www.npcc.police.uk/SysSiteAssets/media/downloads/our-work/vawg/violence-against-women-and-girls---strategic-threat-risk-assessment-2023.pdf](https://www.npcc.police.uk/SysSiteAssets/media/downloads/our-work/vawg/violence-against-women-and-girls---strategic-threat-risk-assessment-2023.pdf).

126. See Chapter VI, Effective investigation and prosecution (Articles 49 and 50).

127. See Chapter III, Awareness raising (Article 13).

128. See Chapter III, Participation of the private sector and the media (Article 17).

paid to the development and delivery of a comprehensive range of preventive measures in Northern Ireland, where the absence of a government between 2022 and 2024 significantly inhibited any such initiatives.

110. For specific forms of violence, in particular forced marriage and FGM, prevention in the form of outreach to practising communities is crucial. For example, older women from within the community often participate in or are coerced into encouraging FGM, forced marriage and “honour”- based abuse, which is why it is important to involve them in prevention efforts.<sup>129</sup>

**111. GREVIO strongly encourages the relevant authorities in the United Kingdom to increase their efforts to eradicate prejudice, harmful gender stereotypes and all forms of violence against women across society, through wider prevention measures on violence against women and girls that form part of a comprehensive and holistic approach as required by the Istanbul Convention, with a view to the measures set out in Recommendation CM/Rec(2019)1 of the Committee of Ministers of the Council of Europe to member States on preventing and combating sexism.**

## **B. Awareness raising (Article 13)**

112. GREVIO notes with satisfaction that among the multitude of awareness-raising initiatives across the United Kingdom, several, including some very prominent ones, address the perpetration side of violence against women, asking men and boys to engage with harmful attitudes towards women and girls they or their peers may harbour. Complementing the provision of information to victimised women and girls, this represents a move towards tackling perpetration and shifting responsibility for the prevention of violence against women to those who commit it, which GREVIO welcomes. By way of example, the England- and Wales-wide Enough campaign targeted perpetrators, educated young people about healthy relationships, ensured victims of violence against women and girls can access specialist support services and raised awareness of all forms of violence. It also focused on bystander intervention skills and encouraged people to safely challenge abuse. The evaluation of the campaign included quantitative and qualitative research and considered the impact on both the public and proxy-perpetrators, leading to greater levels of confidence among members of the public to take action to tackle violence against women and girls. More broadly, it was reported that the majority of the public agree that society is becoming less tolerant of violence against women and girls.<sup>130</sup> In addition, city-level campaigns were run in London and Manchester, targeting male behaviour and active bystander behaviour.<sup>131</sup> Both sought to highlight the power of peer-based interventions in cases involving misogynistic behaviour and the resulting lower levels of gender-based violence. Importantly, both were evaluated and the results from the #isthisokay campaign in Manchester showed that campaign awareness was highest among survey respondents who also disclosed that they had previously engaged in low-level gender-based violence.<sup>132</sup>

113. In Wales, the ongoing Sound Campaign serves as another example of a campaign that challenges attitudes around masculinities. Aimed at 18 to 35-year-old men and featuring podcasts and social media content, it ran in 2023 and is considered to have been successful. It encapsulates the strategy of engaging with men and boys in a way that is informed by their own communication preferences. Boys are shown in videos as young and relatable, and the project seeks to provide positive role models. It has already been evaluated, which GREVIO welcomes.<sup>133</sup> In addition, the LiveFearFree campaign seeks to raise awareness about stalking, harassment, abuse and violence against women in the workplace, at recreation venues, on the street and in other public places. It provides practical advice for victims and highlights the support available to enable others to recognise abuse and to take safe action. The LiveFearFree Call Out Only campaign that ran from

129. NGO submission by Older Feminist Network, p. 3.

130. [www.enough.campaign.gov.uk/](http://www.enough.campaign.gov.uk/) and information obtained during the evaluation visit.

131. Information on both campaigns is available at [www.london.gov.uk/maate](http://www.london.gov.uk/maate) and at [www.hitchmarketing.co.uk/our-work/222-is-this-ok](http://www.hitchmarketing.co.uk/our-work/222-is-this-ok).

132. Information obtained during the evaluation visit.

133. [www.gov.wales/sound](http://www.gov.wales/sound).

December 2021 to May 2022 reported 6.8 million impressions on social media and 20 000 website views. It resulted in a 15% increase in hotline queries and an impressive 1 267% increase in contact from perpetrators. Moreover, perpetrator programmes offered by Respect also reported a 69% increase in its website hits.

114. In a bid to prevent sexual harassment and assault of women and girls, the Ask for Angela campaign was introduced UK-wide, enabling nightclubs and bars to tackle sexual violence. Women who feel threatened can ask club and bar staff for “Angela”, allowing anyone who feels vulnerable to be moved to a safe space while a taxi is called to take them home.

115. Focusing on domestic violence, in 2020, the Scottish authorities relaunched a campaign and provided funding to Police Scotland’s Don’t Be That Guy and Is that me? campaigns. The Safer Scotland campaign promoted the national helpline. The campaigns are reviewed by Police Scotland each year to help inform the next iteration. According to women’s rights NGOs, however, the level of impact on men’s behaviour is not clear, and a more comprehensive, evidence-based approach would be needed to support a meaningful change in attitudes.<sup>134</sup> Funding for primary prevention efforts is also provided to third-sector organisations, for example a Rape Crisis Scotland campaign to challenge public perceptions of victims’ responses to rape, which GREVIO welcomes.

116. In Northern Ireland, active awareness campaigns are more issue-specific, with individual campaigns on a range of issues, including forced marriage, the impact of paramilitarism on violence against women and girls, stalking, FGM and gang prevention. Multimedia advertising campaigns took place between 2018 and 2023 to raise awareness of domestic abuse, highlight the support services available and encourage reporting.

117. While GREVIO appreciates the various awareness-raising campaigns in the four nations that constitute the UK, it points out that recent campaigns have not covered all forms of violence against women, and notes an absence of evaluation or impact data in respect of some of the campaigns. Moreover, not all awareness-raising activities are conceptualised for the long term. In addition, in the light of GREVIO’s findings under Article 4 of the convention, GREVIO considers that targeted campaigns may be necessary for certain groups of women who are at risk of or subject to intersectional discrimination and have a higher prevalence of being victimised. Moreover, in the light of the findings on the pervasiveness of sexual violence, including non-fatal strangulation and the increased subjection of women to non-consensual choking practices by their male sexual partners, in particular younger men, GREVIO considers that more comprehensive awareness-raising efforts are needed on consent to sexual acts and practices and on the impact of growing exposure of young men and boys to (violent) pornography on sexual relations and expectations placed on young women and girls.<sup>135</sup> In this context, GREVIO notes the awareness-raising efforts by the Institute for Addressing Strangulation.<sup>136</sup> Finally, despite the recognition across the United Kingdom that a child witness of domestic or other forms of violence is also a victim, there is a notable absence of any campaign targeted at raising awareness of the impact and harm on children of such behaviour.

118. **Welcoming the strong focus on challenging, through awareness-raising campaigns, men and boys’ harmful attitudes towards women and girls, GREVIO strongly encourages the relevant authorities in the United Kingdom to:**

- a. carry out, on a regular basis, awareness-raising campaigns on all forms of violence against women and girls covered by the Istanbul Convention;
- b. devise long-term campaigning strategies to reach groups of women and girls that are subject to intersectional discrimination and are more likely to become victims of violence;
- c. increase the level of awareness of the impact and harm caused to children who witness domestic or other forms of violence.

134. NGO submission by Scottish Women’s Aid, p. 9, and by the Scottish Human Rights Commission, pp. 26-27.

135. See Chapter III, Education (Article 14). The Australian NGO It’s time we talked has recently launched an awareness-raising campaign about the dangers of choking during sexual activities. See [www.breathlesscampaign.com/](http://www.breathlesscampaign.com/).

136. [www.ifas.org.uk/what-is-strangulation/](http://www.ifas.org.uk/what-is-strangulation/).

### C. Education (Article 14)

119. Attitudes, convictions and behavioural patterns are shaped very early in life. Educational establishments therefore have an important role to play in promoting equality between women and men and human rights. Article 14 therefore requires the design of teaching material that promotes equality between women and men, non-stereotyped gender roles, mutual respect, non-violent conflict resolution in interpersonal relationships and the right to personal integrity and that informs learners of the different forms of gender-based violence against women. In this context, GREVIO underlines the importance of informing parents about the content of related courses and the qualifications of the persons running the courses, and of providing details about to where and whom any questions can be directed.

120. In England, since September 2020, the school curriculum both for statutory secondary and primary schools has included mandatory relationship education, adapted to the level of learners. Relationships, Sex and Health Education (RSHE) is the name of the subject in statutory secondary schools.<sup>137</sup> Sexuality education is a mandatory part of the curriculum for all pupils in secondary school, although there is provision for parental opt-out. Being Safe and Respectful Relationships are different modules within RSHE and focus on the importance of respectful relationships, different types of loving and healthy relationships, and on educating about domestic abuse, FGM, forced marriage, rape, harassment and abuse, thereby covering the topics contained in Article 14 of the Istanbul Convention. The requirement to address misogyny and harmful gender stereotypes is part of the statutory guidance for RSHE.

121. However, according to information provided by civil society, the release of new non-statutory political impartiality guidance in 2022 made it more difficult for teachers to teach RSHE with confidence for fear of violating this guidance. Consequently, the extent to which equality issues are taught varies, thus reducing the teaching's impact.<sup>138</sup> A review of sexual abuse in schools and colleges in England in 2021 by the education inspectorate Ofsted showed that children and young people rarely considered their experiences with RSHE to be positive, instead relying on social media and their peers for information.<sup>139</sup> This was confirmed by findings from the Sex Education Forum, an NGO providing training and resources for RSHE professionals that conducts yearly polls on young people's experiences with this subject.<sup>140</sup>

122. The consequences of attitudes forming among young people in such a way, without the support and guidance offered by the education system to critically assess and question violent and misogynist content online, is visible from the above-mentioned review by Ofsted. It was carried out in 2021 to respond to the online collection of testimonies of sexual assault and harassment privately initiated through an initiative called Everyone's Invited.<sup>141</sup> It revealed that sexual harassment and online sexual abuse were so prevalent for children and young people in schools and colleges in England that some of them did not even consider reporting them.<sup>142</sup> At the same time, teachers and parents were found to not consider sexualised language and harassment problematic, or were unaware of the online and offline abuse students were suffering. GREVIO welcomes the fact that several of the review's recommendations have been implemented, including more training for teachers and the need to develop a curriculum for RSHE teaching that includes sexual harassment,

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137. Daly A. C. and Heah R. (2023), "Mandatory relationships and sex education (RSE) in England – Educators' views on children's rights", *Youth 3* (3): 1013-1029. [www.doi.org/10.3390/youth3030065](https://doi.org/10.3390/youth3030065).

138. NGO submission by Amnesty International United Kingdom, p. 5.

139. The Office for Standards in Education, Children's Services and Skills (Ofsted) is a non-ministerial department that inspects services providing education and skills for learners of all ages, and inspects and regulates services that care for children and young people in England. Its research is available at [www.gov.uk/government/publications/review-of-sexual-abuse-in-schools-and-colleges/review-of-sexual-abuse-in-schools-and-colleges#executive-summary-and-recommendations](https://www.gov.uk/government/publications/review-of-sexual-abuse-in-schools-and-colleges/review-of-sexual-abuse-in-schools-and-colleges#executive-summary-and-recommendations).

140. [www.sexeducationforum.org.uk/](https://www.sexeducationforum.org.uk/).

141. From June 2020 onwards, testimonies from survivors of rape and sexual violence were collected. By June 2024, over 50 000 individual submissions had been received, which exposed a high level of rape culture in the UK, including in schools and universities. Available at: [www.everyonesinvited.uk/about](https://www.everyonesinvited.uk/about).

142. [www.gov.uk/government/publications/review-of-sexual-abuse-in-schools-and-colleges/review-of-sexual-abuse-in-schools-and-colleges#executive-summary-and-recommendations](https://www.gov.uk/government/publications/review-of-sexual-abuse-in-schools-and-colleges/review-of-sexual-abuse-in-schools-and-colleges#executive-summary-and-recommendations).

sexual violence online and offline, consent and the sending of “nudes”. However, it points to those recommendations considered by civil society as not having been implemented yet.<sup>143</sup>

123. A growing concern in this context is children’s easy access to (often violent) pornography and other harmful content online.<sup>144</sup> The harmful effect is well documented, such as a rise in sexual assault and sexual harassment of girls under the age of 18 carried out by their male peers, coupled with growing expressions of misogyny.<sup>145</sup> Concerns in relation to this development have been echoed by the Home Office, parliamentarians and NGOs, citing data on the issue.<sup>146</sup> In 2022, the House of Commons Women and Equalities Committee held an inquiry into pornography and its impact on violence against women and girls.<sup>147</sup> GREVIO welcomes the growing level of awareness and concern, and notes that the Online Safety Act may contribute to reining in the spread of misogynist and harmful content that peddles aggressive messages about women and girls and their place in relationships and society. It considers, however, that in the face of the ever growing levels of violence against women, and with a view to addressing this phenomenon that was declared a national emergency by the National Police Chiefs’ Council, efforts will need to be significantly stepped up within the education sector in order to equip children with the tools and the confidence to identify and call out misogyny and violence and instead build healthy relationships based on consent, respect and equality. Demand for such steps has been reflected in initiatives such as the campaign run by a group of teenage girls for better education on consent in sexual relations.<sup>148</sup>

124. In Wales, a mandatory Relationships and Sexuality Education (RSE) for children aged between 3 and 16 was included in the new Curriculum for Wales in September 2022 with the aim of developing their understanding of their rights and the rights of others, including the concept of consent. The RSE Code contains mandatory requirements, the legal basis for which is set out in the legislation summary of this Curriculum for Wales framework guidance. It sets out the themes and matters that must be encompassed in RSE.<sup>149</sup> At the level of tertiary education, a commission will be tasked with challenging universities and influencing their responses to violence against women. Moreover, a violence against women, domestic abuse and sexual violence educational toolkit provides primary, secondary and further education providers with a range of best-practice materials to use within education settings, which GREVIO welcomes.<sup>150</sup>

125. In Scotland, while it is the express goal of the Scottish Government to have all schools participate, GREVIO notes that relationship and sexual health education remains optional. There is generally no mandatory curriculum for Scotland, as Education is devolved to local authorities. Instead, a curricular framework sets out the learning objectives for each level before progressing to

143. In 2023, the End Violence against Women Coalition issued the report “It’s about time: A whole school approach to ending violence against women and girls”, and called on the government to fully implement the findings made by Ofsted and provide new data showing that progress had been too slow. Available at: [www.endviolenceagainstwomen.org.uk/new-report-its-about-time-a-whole-school-approach-to-ending-violence-against-women-and-girls/](https://www.endviolenceagainstwomen.org.uk/new-report-its-about-time-a-whole-school-approach-to-ending-violence-against-women-and-girls/).

144. The Council of Europe Steering Committee on the Rights of the Child has recently issued a Thematic guidance note on safeguarding children from the risks of accessing online pornographic content, which contains tools and recommendations on tackling this issue, available at: [www.rm.coe.int/cdenf-2024-20-final-guidance-note-on-safeguarding-children-from-the-ri/1680b4bc32](https://www.rm.coe.int/cdenf-2024-20-final-guidance-note-on-safeguarding-children-from-the-ri/1680b4bc32). See also Committee of Experts on the Prevention of Violence, Study on Sexual violence and harmful sexual behaviour displayed by children: Nature, causes, consequences and responses, p. 33, available at: [www.rm.coe.int/enf-vae-2024-05-e-harmful-sexual-behaviour-/1680b219c7](https://www.rm.coe.int/enf-vae-2024-05-e-harmful-sexual-behaviour-/1680b219c7).

145. Children’s Commissioner (2023), Evidence on pornography’s influence on harmful sexual behaviour among children, available at: [www.assets.childrenscommissioner.gov.uk/wpuploads/2023/05/Evidence-on-pornography-s-influence-on-harmful-sexual-behaviour-among-children.pdf](https://www.assets.childrenscommissioner.gov.uk/wpuploads/2023/05/Evidence-on-pornography-s-influence-on-harmful-sexual-behaviour-among-children.pdf), and [www.thetimes.com/uk/politics/article/violent-porn-warps-young-boys-attitude-to-sex-warns-home-secretary-cxqt79xpd](https://www.thetimes.com/uk/politics/article/violent-porn-warps-young-boys-attitude-to-sex-warns-home-secretary-cxqt79xpd).

146. The Home Office stated in its strategy for tackling violence against women and girls: “The Call for Evidence showed a widespread consensus about the harmful role violent pornography can play in violence against women and girls, with most respondents to the open public surveys and many respondents to the nationally representative survey agreeing that an increase in violent pornography has led to more people being asked to agree to violent sex acts (54% nationally representative, 79% Phase 1, 78% Phase 2), and to more people being sexually assaulted (50% nationally representative, 70% Phase 1, 71% Phase 2)”. [www.gov.uk/government/publications/tackling-violence-against-women-and-girls-strategy](https://www.gov.uk/government/publications/tackling-violence-against-women-and-girls-strategy). See also the information collected by the NGO The Other Half, available at: [www.theotherhalf.uk/not-my-mainstream](https://www.theotherhalf.uk/not-my-mainstream).

147. [www.committees.parliament.uk/work/6671/pornography-and-its-impact-on-violence-against-women-and-girls/publications/](https://www.committees.parliament.uk/work/6671/pornography-and-its-impact-on-violence-against-women-and-girls/publications/).

148. [www.theguardian.com/uk-news/2023/jun/25/bold-girls-ken-scotland-campaign-consent-education](https://www.theguardian.com/uk-news/2023/jun/25/bold-girls-ken-scotland-campaign-consent-education).

149. [www.gov.wales/curriculum-wales-relationships-and-sexuality-education-rse-code](https://www.gov.wales/curriculum-wales-relationships-and-sexuality-education-rse-code).

150. [www.gov.wales/violence-against-women-domestic-abuse-and-sexual-violence-vawdasv-educational-toolkit](https://www.gov.wales/violence-against-women-domestic-abuse-and-sexual-violence-vawdasv-educational-toolkit).

the next level and helps support a consistency of approach throughout Scotland.<sup>151</sup> While Education Scotland's website resources on RSHE provide some uniformity of learning across the country, it largely depends on the priorities of teachers which elements are taught, rendering RSHE education patchy.<sup>152</sup> GREVIO acknowledges several promising initiatives offered at many schools across Scotland, including by third-sector organisations such as the sexual violence prevention programme Equally Safe at School and the Mentors in Violence Prevention Programme. However, they cannot substitute for the government's obligation to ensure that mandatory and age-appropriate teaching on all areas listed in Article 14 of the convention is provided to all pupils. GREVIO notes that the Scottish Government is currently consulting on draft statutory guidance for teachers on the delivery of RSHE education in Scottish schools. GREVIO points to the need for the guidance to take a gender-sensitive approach and reflect the clear link between gender inequality and the pervasive nature of violence against women and girls.

126. In Northern Ireland, it is mandatory for all schools to have an RSE (relationships and sex education) policy. Education (Curriculum Minimum Content) Order (NI) 2007 sets out the mandatory obligation, which is expanded on in terms of content in consultation with the parent and student body. Ultimately, it is therefore the responsibility of the board of governors of each school to ensure that a comprehensive RSE teaching programme in line with policy is delivered. An evaluation carried out in 2023 found considerable variation, highlighting a lack of lessons on topics such as consent, domestic abuse and gender equality.<sup>153</sup> The new RSE Regulations 2023 introduced a mandatory requirement for the inclusion of age-appropriate, comprehensive and scientifically accurate education on sexual and reproductive health and rights for adolescents in the Northern Ireland curriculum. Related guidance was issued to schools. However, GREVIO notes with concern that the new regulations allow parents to withdraw children from these classes, meaning that, effectively, not all pupils will benefit from such education.

127. While GREVIO recognises the value of the wide range of teaching programmes, material and guidance on RS(H)E, it notes nonetheless that they are not compulsory in Scotland or Northern Ireland. More must be done to ensure comprehensive use is made of existing teaching material and opportunities, or to create additional, age-appropriate learning opportunities to ensure that all pupils across the United Kingdom, including in private schools, are equipped with knowledge and skills on the topics identified in Article 14 of the Istanbul Convention. To this end, common solutions and baseline teaching requirements and material should be developed across the four nations, involving screening and monitoring initiatives to assess teachers' level of knowledge and the use they make of existing material, and avenues identified for improvement.

128. As regards Article 14, paragraph 2, of the convention, GREVIO notes that some steps have been taken by the authorities in the United Kingdom to promote the principles of equality between women and men, non-stereotyped gender roles, mutual respect and non-violence conflict resolution in interpersonal relationships in informal educational facilities and in sports, cultural and leisure facilities.<sup>154</sup> However, continuous prevention efforts are needed in the informal sector to reach the convention's goals.

129. Last, GREVIO notes that teachers play a crucial role in identifying and safeguarding children who may be victims of violence. In that respect, GREVIO welcomes the UK Department for Education's Working Together to Safeguard Children (2018) guidelines, updated in 2023, which provide statutory guidance on multi-agency working to help protect and promote the welfare of children by adopting a child-centred and co-ordinated approach to safeguarding.<sup>155</sup> These guidelines, which also apply to teachers, help to activate the potential that schools offer in terms of identifying child victims and witnesses of domestic violence and other forms of gender-based violence, including girls at risk of undergoing FGM or forced marriage.

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151. [www.gov.scot/publications/conduct-relationships-sexual-health-parenthood-education-schools/](https://www.gov.scot/publications/conduct-relationships-sexual-health-parenthood-education-schools/).

152. [www.education.gov.scot/resources/resources-search/?orderAlias=relevance](https://www.education.gov.scot/resources/resources-search/?orderAlias=relevance).

153. [www.etini.gov.uk/news/eti-publishes-thematic-evaluation-preventative-curriculum-schools-and-eotas-centres](https://www.etini.gov.uk/news/eti-publishes-thematic-evaluation-preventative-curriculum-schools-and-eotas-centres).

154. See Chapter III, General obligations (Article 12).

155. [www.gov.uk/government/publications/working-together-to-safeguard-children--2](https://www.gov.uk/government/publications/working-together-to-safeguard-children--2) and [www.assets.publishing.service.gov.uk/media/65cb4349a7ded0000c79e4e1/Working\\_together\\_to\\_safeguard\\_children\\_2023\\_-\\_statutory\\_guidance.pdf](https://www.assets.publishing.service.gov.uk/media/65cb4349a7ded0000c79e4e1/Working_together_to_safeguard_children_2023_-_statutory_guidance.pdf).

130. Welcoming the various initiatives across the United Kingdom to equip pupils with knowledge and skills in relation to the topics identified in Article 14 of the Istanbul Convention, GREVIO strongly encourages the relevant authorities in the United Kingdom to:

- a. explore, in full respect of its national legal framework, a common baseline approach on education policies for the age-appropriate compulsory teaching of these subject matters by tapping into any existing co-operation structures and the potential offered by the role of the national co-ordinating body set up under Article 10; this approach should include information for parents about the education of their children on these topics;
- b. provide adequate public financing and ensure the regular monitoring of the use that teachers make of existing teaching material, to ensure more even levels of teaching, in practice, of the principles set out in Article 14, including in informal educational settings as required by Article 14, paragraph 2, of the Istanbul Convention.

131. GREVIO strongly encourages the relevant authorities in the United Kingdom, in particular in Scotland and Northern Ireland, to increase efforts to ensure that all issues covered in Article 14, paragraph 1, which include gender stereotypes, gender equality and the various forms of violence against women, are included in the mandatory school curriculum and taught, in practice, to all pupils, and are adapted to the evolving capacity of learners. Such efforts should include the notion of freely given consent in sexual relations and should raise their awareness of the harmful effects of violent pornography and the implications of the sharing of intimate images of oneself and others.

#### **D. Training of professionals (Article 15)**

132. The standard set by the convention in its Article 15 is that of systematic initial and in-service training of the relevant professionals who deal with victims or perpetrators of all acts of violence. The training that is required must cover the prevention and detection of such violence, equality between women and men, the needs and rights of victims and the prevention of secondary victimisation.

133. GREVIO observed a multitude of good training initiatives across all the four nations that constitute the UK, noting in particular the efforts made to routinely incorporate trauma-informed approaches.<sup>156</sup>

134. In relation to law-enforcement agencies, in England, there is a standard national curriculum for initial police training which spans all entry routes into policing, developed by the College of Policing. However, training is not only provided centrally, but also locally across the 43 different county police forces, making it difficult to assess the level and comprehensiveness of the training provided across the various forces. The extremely serious police failures brought to light through the various reviews and inquiries in recent times suggest large deficits in the initial and in-service training of police officers in England.<sup>157</sup> GREVIO recognises that these are beginning to be addressed, including through the roll-out of Operation Soteria, which has resulted, for example, in 4 500 officers being trained on the rape and serious sexual offences investigative skills development programme (RISDP).<sup>158</sup> Operation Soteria has also resulted in a learning network for police officers in England and Wales. Similar large-scale improvements to police responses to other forms of violence, notably domestic violence, stalking and sexual harassment, including in their digital dimension, as well as forced marriage and FGM, must be ensured through training initiatives in the immediate future.

156. Section 69 of the Victims, Witnesses, and Justice (Scotland) Bill defines “trauma-informed practice” as a means of operating that recognises that a person may have experienced trauma, understands the effects that trauma may have on the person, and involves adapting processes and practices, based on the understanding of the effects of trauma, to seek to minimise the risk of exposing the person to any recurrence of past trauma, or further trauma. Available at: [www.parliament.scot/bills-and-laws/bills/victims-witnesses-and-justice-reform-scotland-bill/introduced](http://www.parliament.scot/bills-and-laws/bills/victims-witnesses-and-justice-reform-scotland-bill/introduced).

157. See Chapter I, Due diligence (Article 5).

158. See Chapter VI, General obligations (Article 49), and Immediate response, prevention and protection (Article 50).

135. In this context, GREVIO welcomes the acknowledgement of the heightened training needs among the law-enforcement agencies and relevant authorities in England, and the steps taken so far to rekindle women's trust in the police forces. Among these are promising regional initiatives such as the delivery of the Domestic Abuse Matters in-person training to every officer in all but one police forces, including train-the-trainers programmes, as well as the significant amount of cross-sectoral training between the police and the Crown Prosecution Service with a view to more adequate case building. However, in view of the drastic step taken by the National Police Chiefs' Council (NPCC), which declared violence against women a national emergency, much more will need to be done to ensure that serving as well as incoming police officers are properly vetted and vested with the relevant knowledge and soft skills to adequately respond in a victim-friendly and gender-sensitive manner.<sup>159</sup>

136. In Scotland, the introduction of the Domestic Abuse (Scotland) Act 2018 led to large-scale training initiatives, reaching 14 000 police officers and staff online and in-person. Concerns have been raised that the training did not sufficiently support officers to identify abuse, in particular non-physical abuse, as it was not sufficiently detailed.<sup>160</sup> GREVIO thus welcomes the commitment made by Police Scotland in its Violence Against Women and Girls Strategy in 2023 to provide further training for all frontline officers.<sup>161</sup>

137. Within the Police Service of Northern Ireland (PSNI), there have been a number of recent training initiatives aimed at providing police officers with a better understanding of domestic violence, stalking, non-fatal strangulation and coercive and controlling behaviour. However, it appears that most training is delivered via e-learning. GREVIO considers that there should also be in-person training offered on issues related to violence against women, which should ideally involve the expertise of women's NGOs in its design and implementation. A promising example is the recent training on the Domestic Violence Disclosure Scheme, provided by Women's Aid.

138. On the basis of the above, and with a view to establishing law-enforcement officers across the UK as indispensable to the comprehensive and co-ordinated effort to address violence against women as a national emergency, the provision of robust, mandatory and in-person initial and in-service training on the basis of the Istanbul Convention is of utmost importance. GREVIO also notes that significant numbers of new recruits within the police force as well as high staff turnover pose challenges, requiring continuous training efforts.<sup>162</sup>

139. When it comes to the training of judges, the growing corpus of GREVIO baseline and thematic evaluation reports have consistently pointed to persistent shortcomings at the level of the courts in most of the countries it has evaluated. This is in particular the result of often insufficient knowledge about the nature and dynamics of violence against women. GREVIO welcomes, in this context, that the Crown Prosecution Service offers an extensive training package for prosecutors for cases of violence against women, which is regularly updated. However, it regrets that violence against women does not form part of the mandatory curriculum for legal studies in the UK.

140. The Judicial College for England and Wales has a regular training programme for all judges and magistrates, and HM Courts and Tribunals Service provides training for all court staff, including on domestic violence and other forms of violence against women. In Scotland, there is a training plan for judges and sheriffs by the Judicial Institute for Scotland, which foresees, among other things, topics such as sexual offences, and regularly updates the domestic abuse and trauma resource kits that are made available to the judiciary. Despite these promising initiatives, GREVIO notes that the training on issues related to the Istanbul Convention is for the most part voluntary and left to the discretion of the judiciary. The same applies to Scotland and Northern Ireland, where there is generally no mandatory in-service training for judges on these issues. Exceptions apply to specific

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159. National policing statement issued by the National Police Chiefs' Council on 23 July 2024, available at: [www.news.npcc.police.uk/releases/call-to-action-as-violence-against-women-and-girls-epidemic-deepens-1](https://www.news.npcc.police.uk/releases/call-to-action-as-violence-against-women-and-girls-epidemic-deepens-1).

160. NGO submission by the Scottish Human Rights Commission, pp. 48-49, with further references.

161. [www.spa.police.uk/publication-library/violence-against-women-and-girls-strategy-23-march-2023/](https://www.spa.police.uk/publication-library/violence-against-women-and-girls-strategy-23-march-2023/).

162. See [www.gov.uk/government/statistics/police-workforce-open-data-tables](https://www.gov.uk/government/statistics/police-workforce-open-data-tables), Appendix A to the UK's state report, and information obtained during the evaluation visit.

positions that may require previous training. For example, in England and Wales, judges working on cases of sexual violence require specific training and extensive experience, and new prosecutors in Rape and Serious Sexual Offences Units undergo mandatory training, including on the impact of trauma on memory and disclosure. Moreover, there is a joint national action plan on rape and sexual violence that has been agreed between the CPS and the police as part of Operation Soteria and concerns specifically the impact of trauma on victims as relevant to policing and prosecution.<sup>163</sup> In addition, trauma-informed training is being rolled out to all courts in England and Wales. Serious shortcomings exist at the level of magistrates (England and Wales) and sheriffs (Scotland), according to indications from women's rights NGOs and legal practitioners, despite existing training initiatives in the area of violence against women and domestic violence.<sup>164</sup> Magistrates and sheriffs are judges who do not necessarily have a formal legal education yet take decisions in certain domestic violence cases as well as complex and highly sensitive child custody cases, including those concerning families marred by violence.

141. While GREVIO underscores its full respect for the independence and autonomy of members of the judiciary, as well as for judicial autonomy in the organisation of training, it notes, at the same time, the unique and essential role the judiciary plays in applying the Istanbul Convention and its principles within national legislation. By virtue of this essential role, their decisions may directly engage states' responsibility.<sup>165</sup> It is therefore of paramount importance that, when adjudicating cases in criminal and family law pertaining to violence against women, such decisions are informed and based on appropriate, specialist knowledge, addressing, *inter alia*, gender stereotyping. Indeed, this requires expertise on very complex phenomena such as trauma-induced victim behaviour; the "freeze, flop and befriend" reactions of victims of rape; the long-term harm and consequences of witnessing domestic violence on children; and in-depth knowledge of the standards of the Istanbul Convention. Such training needs cannot be sufficiently addressed by ad hoc, optional courses, but require mandatory and in-depth training of judges on relevant issues. It is encouraging that this is increasingly being recognised and that judicial training academies are moving towards mandatory training on violence against women to address the complex nature of these offences. This is supported by the information collected by the Council of Europe's European Commission for the Efficiency of Justice (CEPEJ) in 2020 showing that 24 member states of the Council of Europe require some form of compulsory in-service training for judges, and the complex nature of violence against women would merit inclusion of these topics.<sup>166</sup> Ways must be found, therefore, to ensure that members of the judiciary are equipped with the necessary knowledge to respond to women victims of violence and their children in a manner that instils their trust in the judiciary and provides an adequate sense of justice. This is of acute relevance not only in the context of criminal proceedings, but also in relation to family law cases, where judicial decisions on custody and visitation often do not offer sufficient consideration for the safety concerns and needs of women and children leaving abusive relationships, frequently ignoring allegations of domestic violence or accepting agreements despite a history of domestic violence.

142. As regards the training of teachers and educational staff, a teacher training module was developed to improve the teaching of RSHE following the previously mentioned Ofsted review of sexual abuse in schools and colleges in England in 2021.<sup>167</sup> Webinars are also provided for teachers on domestic abuse, pornography and sexual exploitation, while work is being undertaken to develop guidance for schools on teaching about sexual health and sexual violence. However, it is not clear whether any in-service training is mandatory and to what extent initial training is provided on the different forms of violence against women and how to identify them.

163. [www.cps.gov.uk/publication/police-cps-joint-national-rape-action-plan-refresh-2022](https://www.cps.gov.uk/publication/police-cps-joint-national-rape-action-plan-refresh-2022).

164. Information obtained during the evaluation visit.

165. The following are examples among many cases in the area of violence against women where the decisions of judge(s) engaged states' responsibility under the European Convention on Human Rights and led to a violation thereof: *Vuckovic v. Croatia* (Application No. 15798/20, 12 December 2023); *J.L. v. Italy* (Application No. 5671/16, 27 May 2021); and *Carvalho Pinto de Sousa Morais v. Portugal* (Application No. 17484/15, 25 July 2017).

166. The Council of Europe European Commission for the Efficiency of Justice (CEPEJ), Qualitative Data on European Judicial Systems, 2020, available at: [www.public.tableau.com/app/profile/cepej/viz/QualitativeDataEN/QualitativeData](https://www.public.tableau.com/app/profile/cepej/viz/QualitativeDataEN/QualitativeData).

167. [www.gov.uk/government/publications/review-of-sexual-abuse-in-schools-and-colleges/review-of-sexual-abuse-in-schools-and-colleges#executive-summary-and-recommendations](https://www.gov.uk/government/publications/review-of-sexual-abuse-in-schools-and-colleges/review-of-sexual-abuse-in-schools-and-colleges#executive-summary-and-recommendations).

143. Professionals within the social work sector in England receive training on assessing risk and on decision making in relation to domestic violence in co-operation with law-enforcement agencies and the healthcare sector. However, significant concerns exist as regards the degree of awareness of domestic violence and its gendered nature among professionals involved in family law proceedings, including social workers employed or contracted by the Children and Family Court Advisory and Support Services in England and Wales. Staff in job centres are also trained to recognise signs of domestic violence and abuse, to separate facts from myths around domestic abuse, on the importance of signposting to other general and specialist services, and on the need to share child-protection concerns with social services, in accordance with the expectation to act where safety concerns arise.<sup>168</sup> In Wales, the National Training Framework on violence against women, domestic abuse and sexual violence provides guidance on the statutory requirements for training across the public service and specialist third sector. Staff are required to complete different types and levels of training, with a general e-learning course being mandatory for all staff.<sup>169</sup> As part of its early intervention efforts, the Welsh Government has rolled out the Ask and Act policy and training programme for public-service workers to equip them with the knowledge to identify abuse. In Scotland, training for professionals in the social care sector and other public bodies, including the health sector, is carried out on the basis of the programme Equally Safe in Practice, developed by Scottish Women's Aid on behalf of the Scottish Government to improve the level of training on gender-based violence for organisations across Scotland. Moreover, the National Trauma Transformation Programme contributes to creating a workforce that can recognise where people are affected by trauma and adversity, and that responds in ways that prevent further harm and support recovery. Last, the Department of Justice in Northern Ireland has developed a global e-learning package on domestic abuse, which is available across the public sector. As a result of these initiatives, a certain degree of training of social care staff is being assured. However, GREVIO notes the various concerns expressed by women's rights NGOs in all four nations across the UK that indicate insufficient levels of training, especially as regards the exposure of women with disabilities to gender-based violence, but also more generally regarding social workers' ability to offer suitable solutions to women victims of domestic violence in the face of their high level of economic and housing dependence on their perpetrators.<sup>170</sup> In this context, GREVIO notes that no information was provided on the number of social workers and general administrative staff in public service trained on the different forms of violence, either through initial or in-service training.

144. Healthcare professionals across the UK receive varying degrees of training on violence against women, ranging from mandatory training on safeguarding within the NHS in England and Wales, to e-learning modules in Scotland and trials for training initiated by Women's Aid Belfast in Northern Ireland. Most if not all training is offered in-service, but little data are available on the number of staff who have undergone or voluntarily made use of the available training. Training focuses mainly on domestic violence, sexual violence and FGM, but less so on other forms of violence against women.

145. Although the large majority of disclosures of domestic violence in the UK happen within a healthcare setting, an analysis of domestic homicide reviews within the London area in 2019 concluded that the healthcare sector often missed opportunities to ask patients about experiences of violence and abuse.<sup>171</sup> GREVIO thus points to the need for systematic initial and regular in-service training of healthcare staff on all forms of violence against women and on adequate responses and victim-sensitive care, via in-person training created with the expertise of women's specialist support services and NGOs.

146. Last, asylum decision makers in the United Kingdom undergo a mandatory four-week training course on decision making and interviewing techniques.<sup>172</sup> The training includes modules on gender-related issues and violence against women in the asylum claim, modern slavery, safeguarding and assessing medical evidence, and presents practical case studies to enable

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168. See Chapter IV, Reporting by professionals (Article 28).

169. [www.gov.wales/national-training-framework-violence-against-women-domestic-abuse-and-sexual-violence](https://www.gov.wales/national-training-framework-violence-against-women-domestic-abuse-and-sexual-violence).

170. NGO submission by 58 specialist VAWG organisations across England and Wales, pp. 35-36, and information obtained during the evaluation visit.

171. [www.standingtogether.org.uk/blog-3/london-dhr-case-analysis-and-review-launch-2020](https://www.standingtogether.org.uk/blog-3/london-dhr-case-analysis-and-review-launch-2020).

172. Asylum and migration are reserved matters in the UK.

decision makers to apply a gender-sensitive interpretation when interviewing and deciding asylum claims. An online learning course on FGM-related asylum claims is mandatory for staff working on such cases. In-house training for asylum decision makers is available in the form of online courses, but is not mandatory. Interpreters in asylum procedures, however, do not receive any training on the forms of violence covered by the Istanbul Convention, which GREVIO regrets.

**147. In the light of the findings in Chapter VI of this report, GREVIO urges the relevant authorities in the United Kingdom to ensure mandatory initial and in-service training for law-enforcement officers in order to equip them with the knowledge and skills to adequately respond to and investigate all forms of violence against women in a manner that establishes victims' trust.**

**148. GREVIO further urges the relevant authorities in the United Kingdom to introduce systematic and mandatory initial and in-service training for judges, magistrates/sheriffs, and Crown prosecutors on all forms of violence covered by the Istanbul Convention, including in their digital dimension.**

**149. GREVIO strongly encourages the relevant authorities in the United Kingdom to provide mandatory initial and in-service training on all forms of violence covered by the Istanbul Convention for all other relevant professionals, in particular healthcare professionals, social workers, those involved in family law proceedings, teachers and educational staff, as well as professionals working for and with asylum seekers. This training should be devised in close co-operation with relevant stakeholders, including independent women's rights NGOs providing specialist support to women victims of violence.**

## **E. Preventive intervention and treatment programmes (Article 16)**

### **1. Programmes for perpetrators of domestic violence**

150. In prison settings, His Majesty's Prison and Probation Service (HMPPS) in England and Wales provides a range of accredited perpetrator programmes that address the risk and needs of those convicted of intimate partner violence.<sup>173</sup> Participation in these programmes is not mandatory, except where required for a community licence. If participation in a perpetrator programme is part of a community-based order or licence condition upon release from prison, failure to comply constitutes a breach of the court order or licence requirement. However, to date there is an absence of reported evaluation and impact data from domestic violence perpetrator programmes in prison settings, and a lack of information on the number of perpetrators reached. GREVIO notes the appointment of an independent evaluation partner to assess the 2023-2025 funded interventions on their feasibility for process, impact and cost-benefit evaluations.

151. When it comes to programmes outside of prison settings, GREVIO welcomes the allocation of significant funding to support the development and delivery of programmes for perpetrators of domestic violence and stalking. In England, the funding for 2023-2025 is being allocated to 27 Police and Crime Commissioners who will work with local partners to deliver programmes. In determining the allocation of funding, the safety of victims and children was stated to be a key consideration, with the requirement that all successful projects link with specialist support for victims and their children. The NGO Respect developed standards for work with perpetrators of domestic abuse, which have been approved by the UK Government and which place the safety of the victim at the centre of intervention programmes.<sup>174</sup> Many organisations offering perpetrator programmes in England and Wales have been accredited under these standards, but not all adhere to them. More recently, the UK Government commissioned a study that sets out the minimum expectations in terms of quality for perpetrator interventions, not only for domestic violence but also other forms of violence and abuse. These standards identify as a priority outcome the enhanced safety and freedom for victims

173. Building Better Relationships, Kaizen, Becoming New Me, New Me Strengths, Living as New Me, and a consolidation toolkit New Me MOT, and are available to prisons and probation services across England and Wales.

174. [www.respect.org.uk/pages/respect-standard](http://www.respect.org.uk/pages/respect-standard).

and children, and the need to deliver the right intervention for each perpetrator.<sup>175</sup> However, it is not clear whether all organisations working with perpetrators of domestic violence will henceforth be required to adhere to these or other standards, or how this will be monitored. More efforts are therefore needed to ensure more universal compliance with the approved standards by all perpetrator programmes in operation in the United Kingdom. Data on the overall number of places or perpetrators who completed the programmes are unavailable, making it difficult to assess to what extent work with perpetrators is contributing to reducing recidivism.

152. GREVIO regrets that participation by perpetrators is mostly voluntary across the above programmes, as mandatory referrals by judges are not possible. The exception is where participation is part of a community-based order or licence condition.

153. In Wales, in addition to the available programmes in custodial settings via the HMPPS as set out above, the UK government funds nine perpetrator programmes in community settings across the country for domestic violence offenders. However, it is not clear whether they all adhere to the above-mentioned government standards. Participation is voluntary unless it is part of a court order or licence condition. However, GREVIO notes that there is a lack of information available on the reach of available perpetrator programmes. A multi-agency workstream entitled Framework to support positive change for those at risk of offending in Wales 2018-2023 was established and its priority areas focused on holding domestic violence perpetrators to account, analysing resources allocated to work with perpetrators, improving referral pathways and strengthening interventions and partnership arrangements.<sup>176</sup> GREVIO welcomes the publication by the authorities of a report on ways to improve the outcomes of domestic violence perpetrator programmes and encourages the authorities to implement its findings.<sup>177</sup>

154. In Scotland, a commendable approach to developing and delivering perpetrator programmes is in operation, called the Caledonian System. It is an accredited intervention programme delivered to persons convicted of domestic abuse, with integrated services for women and children for cases of intimate partner violence.<sup>178</sup> It is overseen and fully funded by different Scottish authorities and is available in a fairly even geographical spread across Scotland, with plans for further expansion. Its strength lies in being court-mandated, and it is currently delivered in 20 Scottish local authority areas, primarily by justice social workers, but can also be delivered on non-court mandated basis. It is delivered in the community (not in custody), complementing other programmes by the Scottish Prison Service that target perpetrators of domestic violence. Critically, the Caledonian System adopts a gendered perspective, following the Equally Safe Strategy, when working with domestic violence perpetrators. The services for women involve provision of safety planning, information, advice and emotional support by dedicated specialist support providers who aim to reduce the risk to women and their children and improve their social and emotional well-being. The Caledonian System has been accredited since 2011 by the Scottish Advisory Panel on Offending Reduction, and an external evaluation of the system was carried out in 2016. That being said, GREVIO notes concerns expressed by women's rights organisations regarding the programme's conceptualisation in view of the fact that it incentivises participation to avoid prison time.<sup>179</sup>

155. In terms of evaluation, GREVIO welcomes the use by the Caledonian System in Scotland of an advanced framework for evaluating the implementation and outcomes of its programmes. The system applies standardised procedures for collecting data across Scotland. Professionals are trained on data gathering and the importance of the evaluation of their work, while the process is

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175. [www.gov.uk/government/publications/standards-for-domestic-abuse-perpetrator-interventions](https://www.gov.uk/government/publications/standards-for-domestic-abuse-perpetrator-interventions). For more information on the practical implementation of Article 16, see Council of Europe (2024), Guidance for safe and effective perpetrator programmes: Article 16 of the Istanbul Convention, available at: [rm.coe.int/guidance-for-safe-and-effective-perpetrator-programmes-article-16-of-t/1680b00524](https://rm.coe.int/guidance-for-safe-and-effective-perpetrator-programmes-article-16-of-t/1680b00524).

176. [www.gov.wales/sites/default/files/publications/2019-03/framework-to-support-positive-change-for-those-at-risk-of-offending.pdf](https://www.gov.wales/sites/default/files/publications/2019-03/framework-to-support-positive-change-for-those-at-risk-of-offending.pdf).

177. [www.gov.wales/domestic-violence-perpetrator-programmes-behavioural-insights](https://www.gov.wales/domestic-violence-perpetrator-programmes-behavioural-insights).

178. [www.gov.scot/publications/caledonian-system-evaluation-analysis-programme-tackling-domestic-abuse-scotland/pages/3/](https://www.gov.scot/publications/caledonian-system-evaluation-analysis-programme-tackling-domestic-abuse-scotland/pages/3/).

179. NGO submission by Scottish Women's Aid, p. 12.

co-ordinated by a dedicated evaluation expert. Furthermore, the Caledonian System commissions external evaluations of its programme.<sup>180</sup>

156. In Northern Ireland, perpetrator programmes are delivered within the prison service to persons convicted of an intimate partner related crime who meet the eligibility criteria. The prison-based Building Better Relationships (BBR) programme promotes a less confrontational style of delivery, with more emphasis on participant engagement, a more individualised focus and the inclusion of methods to target offender engagement.<sup>181</sup> While there are a range of programmes available, which allows for individuals to be assessed and placed in the appropriate training programme, GREVIO regrets that participation remains voluntary and thus is of limited reach. Moreover, it is not clear whether there are any standards that apply to these programmes. In terms of evaluation, a 2023 study conducted by the Ministry of Justice reported that there was evidence that with sufficient sample sizes an impact evaluation could detect an intervention effect for BBR. However, several methodological concerns were also identified that make a reoffending impact evaluation substantially more challenging.<sup>182</sup>

157. The Probation Board for Northern Ireland (PBNI) leads the delivery of a Behavioural Change Programme (Promoting Positive Relationships Programme - PPRP) across the nation to adult males who have not yet entered the criminal justice system and whose children are assessed by social services at risk of domestic abuse. Steps need to be taken to ensure that offenders can also access preventive intervention and treatment programmes in the community. Moreover, GREVIO sees the necessity to ensure wider attendance of perpetrator programmes by creating mandatory and voluntary referral pathways and by integrating them into the criminal justice system as a tool for reducing recidivism, in addition to sentencing and/or other protective measures.

## **2. Programmes for perpetrators of sexual violence**

158. In England and Wales, HMPPS operates eight accredited programmes for men who have been convicted of sexual offences, which are delivered both in selected prisons and in the community. The prison-based programmes are voluntary, whereas attendance for a community programme can be a condition of a licence or a community order. They are designed for adult males aged 18+ and, where delivered in the community, a toolkit is provided for practitioners. For children and young people who display harmful sexual behaviour, programmes are available in community settings, which GREVIO commends the authorities for, in particular in the light of data showing that in 2022 more than half of sexual offences were child-on-child abuse.<sup>183</sup>

159. GREVIO welcomes the strong culture in the UK of evaluating programmes and changing them if required. A 2017 impact evaluation of the prison-based Core Sex Offender Treatment Programme, for example, reported that this programme in prisons is generally associated with little or no changes in reoffending.<sup>184</sup> In response, HMPPS redesigned and introduced a new programme for men with sexual convictions in prison or on probation in England and Wales. Early evaluation findings showed promise for the new approach.

160. GREVIO welcomes the extensive training of all facilitators of prison-based perpetrator programmes, who are required to pass an assessment prior to delivering treatment. Monitoring and

180. Council of Europe (2024), Guidance for safe and effective perpetrator programmes: Article 16 of the Istanbul Convention, p. 16.

181. Travers A. and McDonagh T. (2020), "Promising directions for intimate partner violence prevention", *IPJ* Vol. 17, available at: [www.pbni.org.uk/files/pbni/2022-06/IPJ Vol 17 - Promising Directions for Intimate Partner Violence Prevention The Case of Northern Ireland.pdf](http://www.pbni.org.uk/files/pbni/2022-06/IPJ%20Vol%2017%20-%20Promising%20Directions%20for%20Intimate%20Partner%20Violence%20Prevention%20The%20Case%20of%20Northern%20Ireland.pdf).

182. [www.assets.publishing.service.gov.uk/media/6436b0b8cc998000cb893e4/evaluating-the-building-better-relationships-programme.pdf](http://www.assets.publishing.service.gov.uk/media/6436b0b8cc998000cb893e4/evaluating-the-building-better-relationships-programme.pdf).

183. [www.news.npcc.police.uk/releases/vkpp-launch-national-analysis-of-police-recorded-child-sexual-abuse-and-exploitation-csae-crimes-report-2022](http://www.news.npcc.police.uk/releases/vkpp-launch-national-analysis-of-police-recorded-child-sexual-abuse-and-exploitation-csae-crimes-report-2022). The NGO Lucy Faithfull Foundation (LFF) in the United Kingdom has developed a child sexual abuse prevention toolkit to be used internationally. Moreover, it has created a database of existing programmes for perpetrators of sexual violence against children that classifies the programmes according to different criteria (target group, country language, rating, delivery mode, etc.). See Council of Europe (2024), Guidance for safe and effective perpetrator programmes: Article 16 of the Istanbul Convention, p. 35.

184. [www.assets.publishing.service.gov.uk/media/5a82a191ed915d74e3402c41/sotp-report-print.pdf](http://www.assets.publishing.service.gov.uk/media/5a82a191ed915d74e3402c41/sotp-report-print.pdf).

quality assurance processes are in place to check on the delivery in the group room and the organisational support provided. Recent evaluations of HMPPS programmes showed that the quality of programme implementation has a significant impact on reoffending outcomes.

161. There are a range of initiatives in Scotland to address the behaviour of those convicted of sexual offences. The Moving Forward Making Changes programme, which aligns with the Equally Safe Strategy and was introduced in 2014, is a group-based treatment for perpetrators of sexual violence, delivered both in custody and in the community, providing intensive treatment. It is delivered to men while in custody in three sites in Scotland and in 29 local authority areas. Following an initial pilot scheme, the national roll-out of the new Moving Forward 2 Change programme in custody and community settings has begun. The redesign of the programme was undertaken to draw on the latest available evidence base and in response to the Moving Forward Making Changes programme evaluation and following consultation with relevant stakeholders.<sup>185</sup> It is targeted at medium/high-risk offenders and will be delivered within a wider risk management and victim safety planning process. Separately, the Self Change Programme is currently being piloted in two Scottish prison sites and seeks to deliver a programme of high intensity, aiming to reduce violence in high-risk adult male offenders. Evaluation and accreditation of the latter two programmes will be determined post-pilot delivery.

162. In Northern Ireland, the Horizon programme for perpetrators of sexual violence is delivered within the prison service and seeks to challenge medium or high-risk adult males' sexually harmful behaviour. Safer Lives is an approach for working with young men, both in custody and in the community. It is delivered on an individual basis, adopting the "AIM3 Assessment and Intervention" approach to meet the needs of the young male in a holistic context, It and allows for a handover for an offender moving from custody to the community. Maps for Change (M4C) is a toolkit of exercises practitioners can use to structure their supervision with adult men who have committed a sexual offence and are assessed as presenting a low risk of reconviction. The PBNi also delivers the Horizon programme to perpetrators of sexual violence who are subject to statutory supervision and assessed as presenting a moderate to high risk using the RM2K assessment tool. The iHorizon programme addresses internet offending (possession, downloading and/or distributing indecent images of children).

**163. GREVIO strongly encourages the relevant authorities in the United Kingdom to ensure that:**

- a. organisations working with perpetrators of domestic violence adhere to the available standards for perpetrator programmes, in line with the principles of the Istanbul Convention and recognised best practices;**
- b. programmes for perpetrators of domestic violence are also made available in community settings in Northern Ireland;**
- c. both mandatory and voluntary attendance are possible for perpetrator programmes, in prison settings as well as in community settings, and all available means are used to promote and increase their attendance;**
- d. data are collected on the overall number of places and the number of perpetrators who completed the programmes, in order to assess to what extent work with perpetrators is contributing to reducing recidivism.**

#### **F. Participation of the private sector and the media (Article 17)**

164. GREVIO welcomes the fact that a multitude of initiatives, guidelines and laws exist in the United Kingdom that address many of the issues covered by Article 17 of the Istanbul Convention.

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<sup>185</sup> The main areas identified by the evaluation for improvement were staff resources; access to psychological support; the clarity of some aspects of the MFMC manuals; processes for assessing programme suitability; the programme's ability to meet the needs of all types of men who commit sexual offences; and data collection and use. [www.gov.scot/publications/moving-forward-making-changes-evaluation-group-based-treatment-sex-offenders-9781788519908/](http://www.gov.scot/publications/moving-forward-making-changes-evaluation-group-based-treatment-sex-offenders-9781788519908/).

165. GREVIO would like to point out the numerous and important initiatives by public authorities as well as private companies, charities and civil society organisations across the UK to support their employees who are affected by domestic violence, including the following.<sup>186</sup> The Employers' Initiative on Domestic Abuse supports over 1 800 private companies to tackle domestic violence experienced by their employees, collectively comprising over 25% of the UK workforce.<sup>187</sup> The Chartered Institute of Personnel and Development has developed guidance that includes practical recommendations for employers to take an active role in supporting employees experiencing domestic abuse.<sup>188</sup> The Merseyside Police and Crime Commissioner operates a Domestic Abuse Workplace Scheme that is free and encourages organisations to provide their staff with safe spaces where they can talk in confidence about domestic abuse they experience, and supports companies to establish domestic abuse policies and guidelines. GREVIO equally underlines the important role trade unions play in developing and implementing various programmes, policies and initiatives to support employees who may be experiencing domestic violence at home, which is widely recognised in the UK.<sup>189</sup> However, despite these promising initiatives, only 5% of companies have domestic abuse policies in place, pointing to the need for stronger government incentives to involve the private sector in developing and implementing guidelines and policies to prevent and combat domestic violence and violence against women.<sup>190</sup>

166. A critical element in combating the digital dimension of violence against women on online platforms is the Online Safety Act 2023 (OSA).<sup>191</sup> The OSA applies across the entire UK and requires companies to proactively remove and prevent users from being exposed to illegal content online, including content that disproportionately affects women and girls, such as violent pornography and intimate image abuse (e.g. sending unsolicited pictures of one's genitalia and the non-consensual sharing of intimate images), as well as controlling or coercive behaviour. It also requires companies to identify and mitigate systemic risks facing women and girls arising from illegal content and activity online. Under the OSA, the regulatory body Ofcom has been designated to develop guidance for tech companies to reduce harm to women and girls, among other things. In 2023, Ofcom published draft Codes of Practice that social media, gaming, pornography, search and sharing sites can follow to meet their duties under the OSA. Where compliance failures are identified, Ofcom has the power to impose hefty fines and in the most serious cases of non-compliance seek a court order for imposing business disruption measures, such as limiting access to an online platform.<sup>192</sup> Complementary to the OSA, the free online tool Stopncii.org (Stop Non-Consensual Intimate Image Abuse), which is operated by the charity South West Grid for Learning, helps companies to detect and remove intimate images that have been uploaded without the consent of the person depicted.<sup>193</sup>

167. In Scotland, the Close the Gap campaign funded by the Scottish Government focuses on safety in the workplace and aims to deliver the Equally Safe at Work employer accreditation programme to help employers to advance gender equality by preventing VAWG in the workplace. The Scottish Government is extending the funding to support the delivery of a Gender Beacon Collaborative to the third sector and NHS health boards to enable these organisations to meet the Equally Safe at Work programme standards. Separately, in the Fair Work Action Plan (2019), the Scottish Government reaffirmed its commitment to promoting and disseminating learning and good practice to aid employers to address a range of inequalities in the workplace, including sexual harassment at work.<sup>194</sup> This work is supported by the First Minister's National Advisory Council on Women and Girls, established by the Scottish Government to help drive forward action to tackle gender inequality.

168. GREVIO notes the important work of Zero Tolerance, a Scottish charity working to end men's violence against women and girls by promoting gender equality and challenging attitudes that

186. For more information, see, for example, [www.shura.shu.ac.uk/29140/1/Bennett-PrivateMatterDeveloping%28VoR%29.pdf](http://www.shura.shu.ac.uk/29140/1/Bennett-PrivateMatterDeveloping%28VoR%29.pdf).

187. [www.eida.org.uk/](http://www.eida.org.uk/).

188. [www.cipd.org/uk/knowledge/guides/supporting-employees-experiencing-domestic-abuse/](http://www.cipd.org/uk/knowledge/guides/supporting-employees-experiencing-domestic-abuse/).

189. See, for example, [www.emerald.com/insight/content/doi/10.1108/ER-05-2022-0214/full/html](http://www.emerald.com/insight/content/doi/10.1108/ER-05-2022-0214/full/html).

190. [www.domestic-abuse.co.uk/employers/](http://www.domestic-abuse.co.uk/employers/).

191. [www.gov.uk/government/publications/online-safety-act-explainer/online-safety-act-explainer](http://www.gov.uk/government/publications/online-safety-act-explainer/online-safety-act-explainer).

192. [www.ofcom.org.uk/\\_\\_data/assets/pdf\\_file/0017/270215/10-23-approach-os-implementation.pdf](http://www.ofcom.org.uk/__data/assets/pdf_file/0017/270215/10-23-approach-os-implementation.pdf).

193. [www.stopncii.org/](http://www.stopncii.org/).

194. [www.gov.scot/publications/fair-work-action-plan-becoming-leading-fair-work-nation-2025/pages/5/](http://www.gov.scot/publications/fair-work-action-plan-becoming-leading-fair-work-nation-2025/pages/5/).

normalise violence and abuse, which receives government funding. They have developed guidelines in consultation with media representatives and organisations to support accurate and sensitive reporting, to contribute to the prevention of violence against women. The crucial role of journalists in shaping narratives around violence against women has been widely acknowledged as helping those who experience violence to realise what is happening to them and to remind society as a whole that the blame for violence lies solely with the perpetrator.<sup>195</sup>

169. In 2023, the Scottish Government funded the feminist policy organisation, Engender, to launch Scotland's Equal Media and Culture Centre (EMCC). The EMCC is a hub for research, monitoring and advocacy for equality in the creative and media sectors in Scotland. It aims to address men's over-representation across the media and creative industries in Scotland, which contributes to widespread stereotyping of women as well as a lack of gender balance in print, on the airwaves and on screen. The EMCC also challenges harmful portrayals of violence against women in the media and arts while simultaneously supporting these industries to prevent and address incidents of such violence in their workplaces. While GREVIO very much welcomes the establishment of EMCC, it is imperative that the Scottish Government provides long-term and sustainable funding for the centre to ensure it can effectively drive lasting change to prevent violence against women –within the media and creative industries and across society as a whole.

170. In Northern Ireland, although telecommunications are a reserved matter, the Northern Ireland Executive Office engages with Ofcom on the issue of online safety, in particular on Ofcom's Making Sense of Media programme, which seeks to improve the online skills, knowledge and understanding of UK adults and children. As regards media reporting responsibilities, in June 2019, the Department of Health published guidelines on media reporting under its Stopping Domestic and Sexual Violence and Abuse Strategy. The vision of the strategy is a society in which domestic and sexual violence is not tolerated in any form, ensured through the provision of effective, tailored preventive and responsive services that ensure that all victims are supported, and that perpetrators are held to account. In June 2019, the Department of Health published guidance for employers on how to develop a workplace policy on domestic abuse. Moreover, in November 2020, the Northern Ireland South-Eastern Domestic Violence Partnership, in association with Women's Aid Northern Ireland, produced Responsible Reporting Matters guidelines for journalists when reporting on domestic violence and sexual abuse under the Stopping Domestic and Sexual Violence and Abuse Strategy.<sup>196</sup>

171. In addition to the above, GREVIO considers it of great importance to implement Article 17, paragraph 2, of the convention across the UK, which requires parties to develop and promote skills among children, parents and educators on how to deal with degrading content in the ICT environment that is of a sexual and/or violent nature. As mentioned previously in this report, the growing levels of consumption by children of easily accessible pornography that depicts or shows real acts of violence against women, through choking, slapping, spitting, "rape porn" and other potentially harmful and degrading practices, is of concern, as it negatively impacts women and girls in their sexual encounters with men and boys.<sup>197</sup> Men increasingly expect women to comply with such practices, which in turn shifts women and girls' perception of acceptable sexual practices.<sup>198</sup> One study estimated that two million women in the UK have experienced unwanted choking during

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195. John Toner, National Organiser for Scotland, National Union of Journalists Media Guidelines on Violence Against Women (National Edition).

196. [www.womensaidni.org/resources/responsible-reporting-matters/](http://www.womensaidni.org/resources/responsible-reporting-matters/).

197. See Vera-Gray F et al. (2021), "Sexual violence as a sexual script in mainstream online pornography", *The British Journal of Criminology: An International Review of Crime and Society*, 61 (5), 1243-1260:

[www.doi.org/10.1093/bjc/azab035](https://doi.org/10.1093/bjc/azab035); see also a study by the French High Council on Equality between Women and Men, which found that 90% of pornographic content available in France contained non-simulated acts of verbal, physical and/or sexual violence against women – see [www.vie-publique.fr/rapport/291209-pornocriminalite-mettons-fin-limpunite-de-lindustrie-pornographique](https://www.vie-publique.fr/rapport/291209-pornocriminalite-mettons-fin-limpunite-de-lindustrie-pornographique) and [www.senat.fr/fileadmin/import/files/fileadmin/Fichiers/Images/delegation/femmes/L\\_Essentiel\\_Porno\\_ENGLISH.pdf](https://www.senat.fr/fileadmin/import/files/fileadmin/Fichiers/Images/delegation/femmes/L_Essentiel_Porno_ENGLISH.pdf).

198. [www.thetimes.co.uk/article/social-media-make-girls-think-choking-during-sex-is-normal-0jlrqf2b0](https://www.thetimes.co.uk/article/social-media-make-girls-think-choking-during-sex-is-normal-0jlrqf2b0), and Sheehy E., Grant I. and Gotell L., "The misogyny of the so-called 'rough sex' defence", *Policy Options*, 31 January 2020, available at: [www.policyoptions.irpp.org/magazines/january-2020/the-misogyny-of-the-so-called-rough-sex-defence/](https://www.policyoptions.irpp.org/magazines/january-2020/the-misogyny-of-the-so-called-rough-sex-defence/).

otherwise consensual intercourse.<sup>199</sup> The link between sexual offending and the consumption of violent pornography, including sexual abuse committed by children against children, is gradually being exposed.<sup>200</sup> In this context, GREVIO welcomes the extensive research by the Children's Commissioner for England on the harmful effects on children of violent pornography.<sup>201</sup> It is high time for swift action to enable parents, educators, young adults and children to challenge and adequately reframe notions of violence in pornography that they may be exposed to, for example in the context of RSHE education.<sup>202</sup> GREVIO thus notes with interest that a review of the laws applicable to pornography is underway in the UK to tackle exploitative, abusive and illegal content online.<sup>203</sup> GREVIO points to existing guidance from the Council of Europe European Audiovisual Observatory on age verification on video-sharing platforms.<sup>204</sup> Moreover, it stresses that any measures need to be accompanied by awareness-raising efforts on sexual violence and questions of consent, and on how to deal with potentially harmful content online, including of a sexual and violent nature.

**172. GREVIO invites the relevant authorities in the United Kingdom to:**

- a. actively encourage the private sector, the information and communication technology (ICT) sector and the media to participate in the creation and implementation of policies to prevent violence against women;**
- b. further promote the development by the media and journalists of self-regulatory standards referencing best international practices to ensure the appropriate reporting on violence against women;**
- c. further develop and promote, in co-operation with the private sector and the media, skills among children, parents and educators on how to deal with degrading content in the ICT environment that is of a sexual and/or violent nature.**

199. [www.wecantconsenttothis.uk/i-thought-it-was-normal-research](http://www.wecantconsenttothis.uk/i-thought-it-was-normal-research). See also

[www.theguardian.com/lifeandstyle/article/2024/sep/02/i-think-its-natural-why-has-sexual-choking-become-so-prevalent-among-young-people](http://www.theguardian.com/lifeandstyle/article/2024/sep/02/i-think-its-natural-why-has-sexual-choking-become-so-prevalent-among-young-people).

200. Stanley N. et al, (2018), "Pornography, sexual coercion and abuse and sexting in young people's intimate relationships: a European study" (2018), *Journal of interpersonal violence*, 33 (19) 2919, 2929, 2936; GREVIO's first thematic evaluation report on Austria, paragraphs 5 and 6; "The association between exposure to violent pornography and teen dating violence in grade 10 high school students 2019", available at [www.link.springer.com/article/10.1007/s10508-019-1435-4](http://www.link.springer.com/article/10.1007/s10508-019-1435-4); and [www.news.npcc.police.uk/releases/vkpp-launch-national-analysis-of-police-recorded-child-sexual-abuse-and-exploitation-csae-crimes-report-2022](http://www.news.npcc.police.uk/releases/vkpp-launch-national-analysis-of-police-recorded-child-sexual-abuse-and-exploitation-csae-crimes-report-2022).

201. [www.childrenscommissioner.gov.uk/resource/a-lot-of-it-is-actually-just-abuse-young-people-and-pornography/](http://www.childrenscommissioner.gov.uk/resource/a-lot-of-it-is-actually-just-abuse-young-people-and-pornography/).

202. See Chapter III, Education (Article 14).

203. [www.gov.uk/government/news/pornography-review-launched-to-ensure-strongest-safeguards](http://www.gov.uk/government/news/pornography-review-launched-to-ensure-strongest-safeguards).

204. European Audiovisual Observatory, The protection of minors on video sharing platforms (VSPs): age verification and parental control, Strasbourg, 2023, available at: [www.obs.coe.int/en/web/observatoire/-/the-protection-of-minors-on-video-sharing-platforms-vsps-age-verification-and-parental-control](http://www.obs.coe.int/en/web/observatoire/-/the-protection-of-minors-on-video-sharing-platforms-vsps-age-verification-and-parental-control).

## IV. Protection and support

173. Chapter IV of the Istanbul Convention aims at a multifaceted, professional and victim-oriented support structure for any woman who has experienced any of the forms of violence covered by the convention.

### A. General obligations (Article 18)

174. Article 18 of the Istanbul Convention sets out a number of general principles to be respected in the provision of both general and specialist protective and supportive services. One of these principles is the need for services to act in a concerted and co-ordinated manner with the involvement of all the agencies concerned, taking into account the relationship between victims, offenders, children and their wider social environment. Addressing the complexity of violence against women requires establishing an intervention system that involves all relevant policy sectors, administrative levels and actors. Multisectoral and multi-agency interventions across the national, regional and local levels are key to ensuring an effective and cohesive response to all forms of violence. Effective co-ordination at local levels is particularly important in terms of ensuring that responses fit the community needs and of providing “one-stop-shop” services to victims.

175. Across the UK, various forms of multi-agency intervention schemes exist, allowing professionals to respond to various forms of violence against women in a concerted manner, which GREVIO welcomes. Multi-agency intervention is embedded at multiple levels, ranging from risk assessment to community safeguarding and protection from violent offenders after their release.<sup>205</sup> For example, in relation to domestic violence, more than 270 multi-agency risk assessment conferences (MARACs) are operational in England, Wales, Northern Ireland and Scotland.<sup>206</sup> MARACs allow for a discussion of high-risk cases with the aim of establishing a co-ordinated safety plan for a victim of domestic violence and their children. Participants typically include the local police force, probation officers, child-protection staff, healthcare practitioners, Independent Domestic Violence Advisers/Independent Domestic Abuse Advocates and other relevant specialists. GREVIO regrets, however, that representatives of specialist support services for women victims are not always included. This may lead to important shortcomings in assessing individual risk levels or in devising safety plans that take into account information that only such empowerment-oriented services can provide. Multi-agency public protection arrangements (MAPPA) require the police, prison and probation service in each of the 42 local criminal justice areas in England and Wales to work together to manage the risk posed by certain offences, including sexual offences, violent offences, domestic abuse and stalking. Agencies with a duty to co-operate such as the healthcare, education and social services, must also be involved in these arrangements. Regularly updated guidance is available to the authorities concerned.<sup>207</sup>

176. GREVIO welcomes the fact that in many areas in England, multi-agency safeguarding hubs (MASHs) are established, which operate as a single point of contact for all professionals to report safeguarding concerns in respect of children, in particular concerning abuse and neglect.<sup>208</sup> In some areas, they also support vulnerable adults. They enable the sharing of information between different authorities (usually police, health services and social services) and schools for the early identification of risk and with the goal of being able to take concerted action.<sup>209</sup> A public review of sexual abuse in schools by Ofsted recently revealed, however, that multi-agency partners need to improve their local engagement with all schools in their area, analyse the risks to children and young people and take corresponding measures.<sup>210</sup> GREVIO welcomes information showing that several counties have moved to linking MARACs and MASHs, thereby ensuring better co-ordination between adult and

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205. See Chapter VI, Risk assessment (Article 51).

206. [www.safelives.org.uk/sites/default/files/resources/MARAC%20FAQs%20General%20FINAL.pdf](http://www.safelives.org.uk/sites/default/files/resources/MARAC%20FAQs%20General%20FINAL.pdf)

207. [www.gov.uk/government/publications/multi-agency-public-protection-arrangements-mappa-guidance](http://www.gov.uk/government/publications/multi-agency-public-protection-arrangements-mappa-guidance).

208. See also Chapter IV, Reporting by professionals (Article 28).

209. [www.gov.uk/government/news/working-together-to-safeguard-children-multi-agency-safeguarding-hubs](http://www.gov.uk/government/news/working-together-to-safeguard-children-multi-agency-safeguarding-hubs).

210. [www.gov.uk/government/publications/review-of-sexual-abuse-in-schools-and-colleges/review-of-sexual-abuse-in-schools-and-colleges#executive-summary-and-recommendations](http://www.gov.uk/government/publications/review-of-sexual-abuse-in-schools-and-colleges/review-of-sexual-abuse-in-schools-and-colleges#executive-summary-and-recommendations).

child safeguarding responsibilities.<sup>211</sup> In addition, multi-agency tasking and co-ordination is a multi-agency approach to reduce and prevent future incidents of domestic abuse, which was introduced in seven police forces in the north east of England in 2019 through the project called Domestic Abuse: Whole Systems Approach. It aims to reduce reoffending by the most harmful and serial domestic abuse perpetrators, and to better safeguard victims and their families.<sup>212</sup>

177. In January 2023, a new “serious violence duty” entered into force in England and Wales, which requires certain public-sector authorities to work together to prevent and reduce serious violence, which can include homicide and domestic and sexual violence, by sharing data and making use of existing multi-agency co-operation mechanisms.<sup>213</sup> Statutory guidance on the duty was issued in 2022, but it is unclear to what extent it is implemented with a view to enhancing local authorities’ action on violence against women and girls.

178. In this context, GREVIO is concerned that the latest report on domestic violence-related deaths and suicides showed that no fewer than four out of five perpetrators of homicide were known to the police beforehand.<sup>214</sup> A review by the Domestic Abuse Commissioner of domestic homicides between 2012 and 2019 in England and Wales revealed that a majority of the victims had been in contact with the police or the NHS before their death.<sup>215</sup> These data underline the need for better use of the numerous multi-agency co-operation mechanisms and their possible re-adjustment in order to prevent gender-related killings of women and girls more effectively.

179. In Scotland, Violence Against Women Partnerships serve as multi-agency mechanisms to implement the Equally Safe Strategy at local level. GREVIO welcomes the development of guidance for local authorities by the Convention of Scottish Local Authorities (COSLA) in that respect.<sup>216</sup>

180. In Northern Ireland, in the framework of MARACs, agencies such as the Police Service of Northern Ireland (PSNI), the Probation Board Northern Ireland, Health and Social Care (HSC) Trusts, the Northern Ireland Housing Executive, Women’s Aid and Victim Support discuss the risk of serious harm to adults experiencing domestic abuse in their local area if a protection need has been determined. The MARAC process entails the development of safety plans to support those at high risk. The conference will agree on actions to be taken by those agencies present to reduce the risk of further violence or abuse. In addition, the HSC Trusts in Northern Ireland offer an Adult Protection Gateway Service and a Children’s Gateway Service. Joint Protocols between HSC Trusts and the PSNI in relation to both child and adult protection, for example for violence, are in place. These protocols guide the management of inter-agency referrals, including consultation and information exchange between agencies. A designated adult protection officer is responsible for the management of each referral received. That will include an assessment of the presenting circumstances of the referral, recording of information and onward referral to other services, if necessary, for example other general or specialist services for victims of violence against women. The adult protection officer is also responsible for ensuring that connections are made with other related inter-agency mechanisms or services such as the MARAC, domestic and sexual violence services, public protection arrangements, the Office of Care and Protection, and the Child Protection Gateway Service.

181. As regards the convention’s requirements that measures of support and protection should be based on a gendered understanding of violence against women, should aim to avoid secondary victimisation and should strive to empower victims, GREVIO points to instances in all four nations in which the police have failed to promptly respond to reports or call-outs for violence against women,

211. To give an example, Devon County Council has linked MARACs and MASHs. See:

[www.devon.gov.uk/dsva/information-for-professionals/](http://www.devon.gov.uk/dsva/information-for-professionals/).

212. [www.college.police.uk/support-forces/practices/multi-agency-tasking-and-coordination-domestic-abuse-programme](http://www.college.police.uk/support-forces/practices/multi-agency-tasking-and-coordination-domestic-abuse-programme).

213. [www.gov.uk/government/news/efforts-to-tackle-serious-violence-and-homicide-stepped-up](http://www.gov.uk/government/news/efforts-to-tackle-serious-violence-and-homicide-stepped-up).

214. [www.news.npcc.police.uk/releases/report-reveals-scale-of-domestic-homicide-and-suicides-by-victims-of-domestic-abuse](http://www.news.npcc.police.uk/releases/report-reveals-scale-of-domestic-homicide-and-suicides-by-victims-of-domestic-abuse).

215. [www.theguardian.com/society/2023/dec/06/most-victims-of-domestic-homicide-have-contacted-police-or-nhs-review-shows](http://www.theguardian.com/society/2023/dec/06/most-victims-of-domestic-homicide-have-contacted-police-or-nhs-review-shows).

216. [www.cosla.gov.uk/\\_\\_data/assets/pdf\\_file/0019/18280/vawpartnershipguidance-aug-2016.pdf](http://www.cosla.gov.uk/__data/assets/pdf_file/0019/18280/vawpartnershipguidance-aug-2016.pdf).

have not taken victims seriously or have failed to take preventive measures.<sup>217</sup> These are consequences stemming from insufficient training received by frontline staff of law enforcement and other relevant services,<sup>218</sup> which results in the lack of a gendered understanding of domestic violence and violence against women and needs to be improved.

182. While GREVIO commends the four nations that constitute the UK for their various and interlinking efforts to offer concerted responses to domestic and sexual violence, it notes with concern that these have concentrated on these forms of violence to the detriment of others. It is in particular in relation to female genital mutilation, forced marriage and other interlinking forms of “honour”-related violence that the lack of co-ordinated mechanisms to provide for effective co-operation between all relevant state agencies in protecting and supporting victims is particularly pronounced. Moreover, there is little to no evidence of concerted action in place to offer support and protection from sexual harassment, and the far-reaching digital dimensions of violence against women. In view of the different approaches taken and in the different levels of available public finances across the four nations, GREVIO also points to a certain degree of variation in the quality and availability of service provision. In order to close the existing gaps, GREVIO points to the need for guidelines and standards in this area, to be drawn up in co-operation with women’s rights NGOs experienced in the provision of services, in particular community-based organisations.

183. An exception is the multi-agency statutory guidance developed by the Forced Marriage Unit (FMU), which GREVIO welcomes.<sup>219</sup> GREVIO considers the successful operation and implementation of such instruments and mechanisms to be critical to ensuring legislation criminalising forced marriage is applied in practice.

184. Last, GREVIO notes that there are very few one-stop-shop services for victims of the forms of violence covered by the scope of the Istanbul Convention in the UK. The current situation often places the burden on the victim to navigate a network of various institutions with different tasks and responsibilities. Options should be explored on how to group as many services as possible under one roof. To date, the only one-stop-shop service for adult victims of domestic violence is in Northern Ireland, where a Family Justice Centre has been instituted in Londonderry/Derry by Foyles Women’s Aid. It is financially supported by the City of Londonderry/Derry and works closely with the police, the justice system and social services, and includes a women’s shelter and programmes for children and teens. A former Family Justice Centre in Croydon, England, which was also the first Family Justice Centre in Europe, has since been reduced to a counselling service for victims, and does not offer one-stop-shop services anymore.

185. In this context, GREVIO notes that in Northern Ireland, a working group has been established to consider and develop options for a Barnahus model, which is a one-stop-shop service for child victims of sexual violence. GREVIO suggests considering including services for child victims of domestic violence, which can go hand in hand with sexual violence.

**186. GREVIO strongly encourages the relevant authorities in the United Kingdom to set up multi-agency co-operation structures among the relevant statutory and other agencies in relation to sexual harassment and the digital dimension of violence against women, forced marriage, FGM and forced abortion/sterilisation, as required by Article 18, paragraph 2, of the Istanbul Convention, and to ensure their approach to service provision is based on a gendered understanding and other principles on which support and protection services should be based, such as being aimed at empowerment and avoiding secondary victimisation (Article 18, paragraph 3) and operating on a one-stop-shop basis, where possible.**

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217. See Chapter I, State obligations and due diligence (Article 5), and General obligations (Article 49), and, Immediate response, prevention and protection (Article 50).

218. See Chapter III, Training of professionals (Article 15).

219. [www.gov.uk/government/publications/the-right-to-choose-government-guidance-on-forced-marriage](https://www.gov.uk/government/publications/the-right-to-choose-government-guidance-on-forced-marriage).

187. In addition, GREVIO strongly encourages the relevant authorities in the United Kingdom to take measures to ensure that the numerous existing domestic violence multi-agency co-operation mechanisms are more robustly put to use for the prevention of further acts of violence, including gender-related killings of women and girls, and that they include specialist support services in their implementation. Adequate and systematic training of all professionals involved in these mechanisms should be ensured.

188. GREVIO strongly encourages the relevant authorities in the United Kingdom to reinvigorate the mandate and its implementation of the Forced Marriage Unit to offer effective, comprehensive and co-ordinated responses to women and girls at risk of or victims of forced marriage, including residents and nationals of the United Kingdom forced into marriage abroad.

## **B. Information (Article 19)**

189. Numerous efforts are being made across the UK to provide information on different forms of violence against women, including for specific communities and for women and girls subject to intersectional discrimination. All information is made available online, as well as through posters and leaflets that are placed in strategic places, such as general practitioners' (GP) surgeries, hospitals, supermarkets and other public spaces frequented by women, though information may not always be available in all relevant languages. Moreover, leaflets for victims of crimes setting out their rights, giving an overview of the criminal justice process and information on support services are available in all the four nations that constitute the UK and in multiple languages.

190. GREVIO recalls that some groups of women, for example those with intellectual or other disabilities, illiterate women or asylum-seeking and migrant women, may not have access to information, either because it is not available in an easy-to-read language or because they simply have no knowledge that it exists. Moreover, online information may be difficult to access for these and other groups of women, for example elderly women.<sup>220</sup> Assessing their needs for information and identifying means for its effective provision beyond the existing measures taken would enhance their empowerment and help-seeking, for example through information packages for newly arrived asylum-seeking and migrant women and through specific information campaigns for women with disabilities and in relevant communities. Community leaders and women's rights organisations should be systematically involved in the conception and promotion of these information campaigns.

191. GREVIO strongly encourages the authorities in the United Kingdom to expand their efforts to provide easily accessible information on available general and specialist services by devising all possible means to ensure the proactive and systematic outreach to women victims of all forms of violence, in particular asylum-seeking and migrant women, women with disabilities and women from minority and hard-to-reach communities.

## **C. General support services (Article 20)**

192. The Istanbul Convention distinguishes between general support services (Article 20), which are not exclusively designed for victims but serve the public at large, and specialist support services (Article 22), underlining that they are complementary. General support services refer to public social welfare services such as social services, housing services, (un)employment services, public education and training services, public psychological and legal counselling services, financial support services, as well as health care services. Such services must address the specific needs of women victims of gender-based violence and ensure that they are treated in a supportive manner.<sup>221</sup>

220. NGO submission by Northern Ireland Human Rights Commission, p. 33.

221. Horizontal review report, paragraph 243.

## 1. Social services

193. The four nations that constitute the UK provide a variety of social services for their population, though they vary in eligibility requirements, target groups, and terms and conditions. The general services include employment services, public education and training, healthcare, housing benefits and financial support such as Universal Credit, top-ups for small state pensions, cost-of-living payments and one-off payments for victims of violence. While GREVIO welcomes the various forms of social services available also to women victims of violence, it notes that the austerity measures of the past years – albeit to different extents in the four nations – have impacted the social security system. This factor, in combination with the cost-of-living crisis, means fewer and fewer people can cover everyday expenses, find housing or gain economic independence from their abuser. For women victims of violence, the situation is exacerbated because of economic dependencies. Research shows that the financial and other resources of approximately one in five women across the United Kingdom are being controlled by their abusive partners.<sup>222</sup> The majority of women's specialist services report that they have had clients who did not have enough money to pay for essentials needed for them and/or their children, depended on foodbanks and often were unable to pay for fuel/electricity/utility bills.<sup>223</sup> A study by Women's Aid in 2020 found that privately rented housing is unaffordable in every region of England for women with an average salary, meaning that many women who want to leave an abusive relationship may not be able to afford an apartment of their own, making them depend on the availability of social housing.<sup>224</sup> These issues make targeted support services and benefits for women wishing to leave an abusive relationship as described below all the more important.

194. Starting with employment services, they function as an important point of contact with job-seekers and thus in many cases also come across women who are victims of violence. GREVIO welcomes the awareness of this fact, which has prompted specific training programmes for the work coaches on domestic violence. Work coaches also manage certain welfare benefits such as Universal Credit, a form of social assistance to help people on low income or those who are unemployed with living costs. It is available in all the four nations that constitute the UK, albeit with different terms and conditions.<sup>225</sup> By default, the payment is made to one bank account per family. Women's rights NGOs expressed concerns that the Universal Credit system thereby exacerbates unequal gendered dynamics within a couple by giving control of the payments to a financially or physically abusive partner.<sup>226</sup> While an application for split payments is possible without a perpetrator knowing, women's rights NGOs indicated issues in practice with obtaining split payments for women victims of violence. Given the high prevalence of economic abuse in the United Kingdom (about 58% of specialist services noted a rise in economic abuse reported by victims of violence), GREVIO considers that solutions should be found to ensure that victims are able to access welfare benefits in a way that enables them to control their own finances.<sup>227</sup>

195. In this context, GREVIO welcomes the initiative by the authorities to provide easy-access, one-off payments to victims of domestic violence in England through the Flexible Fund to support them in leaving their abuser and to increase their stability and independence, which is an important building block in the implementation of Article 20 of the convention.<sup>228</sup> A total of £2 million has been allocated to allow this scheme to continue over the next two years. GREVIO nonetheless notes that given the large numbers of victims of domestic violence in England alone, further focus should be on the long-term economic independence of women victims of abuse.

196. In the area of housing support, GREVIO welcomes the provision in the Domestic Abuse Act (England and Wales) 2021 to eligible homeless victims of domestic abuse of priority for

222. [www.survivingeconomicabuse.org/news/5-5-million-uk-women-experiencing-economic-abuse/](https://www.survivingeconomicabuse.org/news/5-5-million-uk-women-experiencing-economic-abuse/).

223. [www.womensaid.org.uk/annual-audit-2024/](https://www.womensaid.org.uk/annual-audit-2024/).

224. Women's Aid England, The Domestic Abuse Report 2020: The Hidden Housing Crisis, available at: [www.womensaid.org.uk/wp-content/uploads/2020/06/The-Domestic-Abuse-Report-2020-The-Hidden-Housing-Crisis-Summary.pdf](https://www.womensaid.org.uk/wp-content/uploads/2020/06/The-Domestic-Abuse-Report-2020-The-Hidden-Housing-Crisis-Summary.pdf).

225. For more detail, see [www.gov.uk/universal-credit](https://www.gov.uk/universal-credit).

226. Information obtained during the evaluation visit.

227. [www.womensaid.org.uk/annual-audit-2024/](https://www.womensaid.org.uk/annual-audit-2024/).

228. [www.womensaid.org.uk/get-involved/flexible-fund/](https://www.womensaid.org.uk/get-involved/flexible-fund/).

homelessness assistance. However, women's rights NGOs have indicated to GREVIO that this provision is not consistently applied in practice, and victims of violence against women end up in hidden or open homelessness or exploitative arrangements such as "sex for rent".<sup>229</sup> There are simply not enough affordable housing options across the UK to ensure that women victims of violence can start a new life in their own space after having escaped violence. Ukrainian refugee women, among them victims of conflict-related sexual violence as a result of the war of aggression by the Russian Federation against Ukraine, are equally affected by the lack of available housing options, making them vulnerable to violence and exploitation.<sup>230</sup> In sum, the housing crisis, which concerns many parts of the UK, affects victims of domestic violence and violence against women disproportionately, requiring urgent measures to counteract the negative effects for victims.

197. Promising practices can contribute to turning the tide, such as the initiative of a Domestic Abuse Housing Alliance accreditation, a private-sector initiative accrediting housing organisations that deliver safe and effective responses to domestic violence. It helps guide staff to adequately address the needs of victims of domestic violence.<sup>231</sup>

198. As set out earlier in this report, access to many public services, including most social support services, are only generally available to women who are not subject to a NRPF condition.<sup>232</sup> To mitigate the consequences thereof for migrant women who are victims of violence and who are excluded from many general services, several schemes have been put in place to support them, available across all the four nations that constitute the UK. The Migrant Victims of Domestic Abuse concession gives migrants whose visa depends on their UK partner the possibility to apply for a three-month temporary leave to remain in the UK and to claim benefits, if their relationship has broken down because of domestic violence.<sup>233</sup> The related Support for Migrant Victims (SMV) scheme provides support for migrant victims of abuse, including with accommodation, legal support and counselling across all the four nations that constitute the UK. It enables women otherwise subject to a NRPF condition to access general support services, as well as specialist support services such as domestic violence shelters. Since its introduction in April 2021, it has allowed 900 women victims throughout the UK to benefit from support for their experiences of gender-based violence, but does not include support for housing needs. Local Authorities are able to provide support to individuals regardless of their immigration status, if there is a genuine care need that does not arise solely from destitution, for example if there are community care needs, they have serious health problems or there is a risk to a child's wellbeing. A separate scheme has since been introduced by the Ministry for Housing, Communities and Local Government, which has provided significant funding to local authorities (£375 million) for housing support to migrant victims subject to a NRPF condition, and has committed a further £130 million for 2024-2025. While GREVIO acknowledges the support provided to women victims eligible for these schemes, it points to the fact that under the Istanbul Convention, all measures taken for its implementation, in particular measures to protect the rights of victims of violence against women, are to be ensured without discrimination on the basis of the grounds laid out in Article 4, paragraph 3, which includes national or social origin as well as migrant status.

199. In Wales, GREVIO notes with satisfaction that the Social Services and Well-being (Wales) Act 2014 places a duty on local authorities and local health boards to jointly assess the need for care

229. Information obtained during the evaluation visit, and [www.localgov.co.uk/Campaigners-call-for-more-sex-for-rent-protections-/56448](http://www.localgov.co.uk/Campaigners-call-for-more-sex-for-rent-protections-/56448). "Sex for rent" arrangements are unlawful under the Sexual Offences Act. The first conviction of a landlord was handed down in March 2022 in England, though it appears that convictions remain the exception, compared to the widespread exploitation of women under such schemes; see [www.independent.co.uk/news/uk/home-news/sex-for-rent-christopher-cox-jailed-b2076438.html](http://www.independent.co.uk/news/uk/home-news/sex-for-rent-christopher-cox-jailed-b2076438.html). The authorities in the UK are considering an additional law to combat this phenomenon; see [www.gov.uk/government/news/home-secretary-considers-new-sex-for-rent-law](http://www.gov.uk/government/news/home-secretary-considers-new-sex-for-rent-law). This may be necessary in order to bridge gaps in the criminalisation of "sex for rent" schemes; see [cease.org.uk/exploitative-landlords-sex-for-rent-legal-loopholes-and-decriminalising-the-sex-trade-it-all-needs-to-stop/](http://cease.org.uk/exploitative-landlords-sex-for-rent-legal-loopholes-and-decriminalising-the-sex-trade-it-all-needs-to-stop/).

230. [www.theguardian.com/world/2024/feb/19/councils-call-for-funding-help-as-more-ukrainian-refugees-become-homeless](http://www.theguardian.com/world/2024/feb/19/councils-call-for-funding-help-as-more-ukrainian-refugees-become-homeless).

231. [www.dahalliance.org.uk/membership-accreditation/what-is-daha-accreditation/](http://www.dahalliance.org.uk/membership-accreditation/what-is-daha-accreditation/).

232. See Chapter I, Intersectional discrimination (Article 4).

233. See [www.gov.uk/government/publications/application-for-benefits-for-visa-holder-domestic-violence](http://www.gov.uk/government/publications/application-for-benefits-for-visa-holder-domestic-violence) and [www.gov.uk/government/publications/victims-of-domestic-violence/migrant-victims-of-domestic-abuse-concession-accessible](http://www.gov.uk/government/publications/victims-of-domestic-violence/migrant-victims-of-domestic-abuse-concession-accessible).

and support in their area, including for victims of violence. GREVIO welcomes the guidance on identifying violence against women, domestic abuse and sexual violence for public-sector workers that has been available since 2017 and is regularly updated.<sup>234</sup> Guidance for public-service professionals on what to do if someone is at risk of female genital mutilation, “honour”-based violence and forced marriage is also available.<sup>235</sup>

200. Regarding Scotland, GREVIO welcomes the legal requirement for local authorities in Scotland to provide emergency accommodation for domestic abuse victims, including for women with no recourse to public funds (NRPF).<sup>236</sup> The Domestic Abuse (Protection) (Scotland) Act 2021 when in force will apply to the court for an order which, if granted, will have the effect of allowing the landlord to transfer the tenancy of a social housing property from a perpetrator of domestic abuse to the victim. For the time being, in the absence of police barring orders, GREVIO notes with interest that this is an alternative initiative to reduce homelessness among victims of domestic violence. However, it must be seen as a measure complementary to police-ordered evictions of perpetrators, which have yet to be introduced in Scotland.<sup>237</sup> In terms of job training, the Scottish Government’s No One Left Behind approach to employment support aims to deliver tailored and responsive employability services to meet the needs of different groups, including women victims of violence, which GREVIO welcomes.

201. In Northern Ireland, the Jobs & Benefits Offices provide housing support, social benefits, employment services and job training. Upon identification, victims of violence are signposted to the police as well as to general and specialist support services, which GREVIO welcomes. Moreover, specific social benefits are available for victims of violence and can be expedited in urgent cases. Social housing is allocated pursuant to a points system, with victims of domestic violence being allocated additional points. Importantly, a recent amendment to housing benefits in Northern Ireland enables victims of domestic abuse to claim financial support towards their rental cost if below the age of 35, a subsidy that had previously only been available to those aged 35 and over.<sup>238</sup> This amendment therefore equalised the housing support available to victims of domestic abuse regardless of age.

202. In the context of paramilitary intimidation and violence against women, women’s economic independence and empowerment is also being addressed in Northern Ireland in terms of service provision and structural change.<sup>239</sup> GREVIO thus welcomes the recognition by the authorities in Northern Ireland of the gendered aspect of such violence, by putting forward in its Executive Programme on Paramilitarism and Organised Crime (EPPOC) projects that specifically focus on training for women to develop their skills, knowledge and confidence to enable them to take leadership and decision-making roles within their communities.

203. From the above, it emerges that all four nations of the UK have introduced measures and schemes to enable their social support services to respond, in some way, to the various needs of women victims of different forms of violence, which GREVIO welcomes. Certain gaps, however, remain to be closed, and barriers need to be removed for groups of women victims at risk of or exposed to intersectional discrimination, such as women with disabilities, migrant and asylum-seeking women, LGBTI women, women living in rural areas and older women, which all face barriers in accessing social support services, be it physically, or because of language or administrative barriers. Care should be taken to ensure that such barriers are effectively removed in practice, granting all women victims of violence access to the care and support they need and are entitled to.<sup>240</sup>

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234. [www.gov.wales/identifying-violence-against-women-domestic-abuse-and-sexual-violence-ask-and-act](https://www.gov.wales/identifying-violence-against-women-domestic-abuse-and-sexual-violence-ask-and-act).

235. [www.gov.wales/violence-against-women-domestic-abuse](https://www.gov.wales/violence-against-women-domestic-abuse).

236. [www.rm.coe.int/joint-report-by-scottish-women-s-aid-and-5-other-ngos/1680add235](https://www.rm.coe.int/joint-report-by-scottish-women-s-aid-and-5-other-ngos/1680add235), p. 27.

237. See Chapter VI, Emergency barring orders (Article 52).

238. Housing Benefit and Universal Credit (Victims of Domestic Abuse and Victims of Domestic Slavery) (Amendment) Regulations (NI) 2022.

239. For more information, see [www.endingtheharm.com/research-papers/gender-violence-and-cultures-of-silence-young-women-and-paramilitary-violence/](https://www.endingtheharm.com/research-papers/gender-violence-and-cultures-of-silence-young-women-and-paramilitary-violence/).

240. Information obtained during the evaluation visit.

204. **GREVIO urges the authorities in the United Kingdom to remove legal and other barriers to accessing general support services, in particular barriers created by the “no recourse to public funds” condition, from women and girls victims of violence lawfully residing in the United Kingdom, including on a temporary residence permit.**

205. **GREVIO strongly encourages the authorities in the United Kingdom to build on and expand their efforts to provide support through general support services to women victims of any of the forms of violence covered by the Istanbul Convention and to firmly anchor their perspectives and needs in any forthcoming plans to improve the provision of public support services, notably in the areas of social benefits, employment, training and housing, thus ensuring their recovery and their economic independence and empowerment.**

## 2. Healthcare services

206. According to data from the UK Department of Health, 80% of disclosures of domestic violence are made in healthcare settings (UK-wide). The health sector thus plays a crucially important role in violence prevention and protection. In general, anyone has free access to primary healthcare services provided by the National Health Service (NHS) across the UK, regardless of their immigration status or an NRPF condition. This includes treatment in emergency departments and by general practitioners, the diagnosis and treatment of certain infectious diseases and sexually transmitted infections, and services needed for treatment of a condition as a consequence of torture, FGM, sexual violence or domestic violence.

207. GREVIO commends the authorities for the innovative IT system called Female Genital Mutilation Information Sharing (FGM-IS) for NHS staff in England, which supports the early intervention and ongoing safeguarding of girls under the age of 18 who have a family history of FGM.<sup>241</sup> It allows authorised healthcare professionals and administrative staff to view information about girls with a family history of FGM, regardless of care setting. GREVIO considers that a roll-out across the other nations of the UK would be beneficial, in order to continue to safeguard girls at risk of FGM if their families relocate.

208. GREVIO equally welcomes the long-standing practice of training and deploying forensic nurses and paramedics in the UK, who are specialised not only in the collection and documentation of forensic evidence of sexual assaults, but also evidence of other forms of violence. Moreover, GREVIO welcomes that the UK Government has made it illegal to carry out, offer or aid and abet virginity testing in any part of the UK, as part of the Health and Care Act 2022. GREVIO commends the UK authorities for the detailed multi-agency guidance on this issue that has been made available to the relevant professionals.<sup>242</sup>

209. The Department of Health issued guidance in 2017 to all NHS staff on how to identify potential victims of violence, initiate sensitive routine enquiries and respond to disclosures of abuse, which GREVIO welcomes.<sup>243</sup> However, A 2020 study identified several barriers to the effective identification of victims of abuse, which included a lack of training on gender-based violence and a lack of support by employers.<sup>244</sup> Moreover, GREVIO notes with grave concern that severe issues have been reported about sexual harassment and sexual violence by NHS staff,<sup>245</sup> but also against NHS staff,<sup>246</sup> perpetrated by patients and by other healthcare workers. In 2024 NHS England published a national sexual misconduct policy, framework and e-learning module available to all NHS staff to help them

241. [www.digital.nhs.uk/services/female-genital-mutilation-information-sharing](https://www.digital.nhs.uk/services/female-genital-mutilation-information-sharing).

242. [www.gov.uk/government/publications/virginity-testing-and-hymenoplasty-multi-agency-guidance/virginity-testing-and-hymenoplasty-multi-agency-guidance](https://www.gov.uk/government/publications/virginity-testing-and-hymenoplasty-multi-agency-guidance/virginity-testing-and-hymenoplasty-multi-agency-guidance).

243. [www.assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/597435/DomesticAbuseGuidance.pdf](https://www.assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/597435/DomesticAbuseGuidance.pdf).

244. [www.magonlinelibrary.com/doi/full/10.12968/bjon.2020.29.13.754](https://www.magonlinelibrary.com/doi/full/10.12968/bjon.2020.29.13.754).

245. [www.theguardian.com/society/2023/nov/21/culture-of-impunity-for-nhs-staff-accused-of-sexual-violence-say-campaigners](https://www.theguardian.com/society/2023/nov/21/culture-of-impunity-for-nhs-staff-accused-of-sexual-violence-say-campaigners).

246. [www.theguardian.com/society/2024/mar/07/one-in-12-nhs-staff-in-england-report-sexual-assault-and-harassment-by-public](https://www.theguardian.com/society/2024/mar/07/one-in-12-nhs-staff-in-england-report-sexual-assault-and-harassment-by-public); [www.theguardian.com/global-development/2024/mar/12/health-care-worker-visas-abuses-exploitation-rape-sponsors-right-work-uk](https://www.theguardian.com/global-development/2024/mar/12/health-care-worker-visas-abuses-exploitation-rape-sponsors-right-work-uk) and [www.survivinginscrubs.co.uk/your-stories/](https://www.survivinginscrubs.co.uk/your-stories/).

recognise, anonymously report and prevent sexual misconduct in the workplace.<sup>247</sup> It also published an update to the 2020 Violence prevention and reduction standard which supports NHS organisations to take action to prevent and reduce violence and abuse against staff.

210. For GPs, a programme called IRIS (the Identification and Referral to Improve Safety programme) has been operational in Wales since 2015 and is currently being trialled in Northern Ireland. The aim of the programme is to better equip primary care teams to recognise and respond effectively to domestic and sexual abuse, through training and supporting GPs to recognise the signs of domestic and sexual abuse and to have the confidence and skills to ask patients about it; and providing GPs with a new referral pathway. Where a patient is identified as a victim of domestic and/or sexual abuse, they can be referred to specialist support services. An evaluation of this programme and a roll-out to England and Scotland should be considered, as it constitutes a promising practice.

211. GREVIO received indications from NGOs about difficulties in accessing healthcare for migrant women, in particular registering with a GP.<sup>248</sup> Practical steps should be taken to ensure that all women victims of violence have access to the necessary healthcare.

212. GREVIO welcomes the fact that systematic screening for domestic violence against pregnant women is in place during their midwife and obstetrician appointments. This is a good practice that allows many victims of violence to be detected. However, GREVIO notes with concern that since 2019, intimate partner violence screening for women in antenatal care has no longer been recommended by the UK National Screening Committee, citing “lack of evidence that screening would reduce intimate partner violence and improve health outcomes”.<sup>249</sup> Studies have shown that domestic violence often starts or intensifies during pregnancy, and has a detrimental effect on the development of unborn children, which makes early detection all the more important.<sup>250</sup> GREVIO maintains that screening for domestic violence and violence against women during pregnancy should continue to be routinely carried out in the UK.<sup>251</sup>

213. In Scotland, GREVIO welcomes a national programme of work across NHS Scotland since 2008 to improve the health service’s identification of, and response to, gender-based violence, including through relevant guidance for healthcare workers.<sup>252</sup> The Gender-based Violence Health Network provides a forum for NHS boards to collaborate and share practices, for example on sexual health, FGM and sexual harassment of staff. A permanent training officer ensures the co-ordination and provision of training on gender-based violence for healthcare staff.

214. In Northern Ireland, a routine enquiry process within public hospitals is well established, that aims to identify women with current or past experience of domestic violence so they can be offered supportive interventions, including information, safety planning and referrals to other general and specialist services. The Public Health Agency is currently leading a regional review of the current screening processes.

**215. GREVIO strongly encourages the authorities in the United Kingdom to introduce, across the full range of health services provided by the NHS, standardised care paths that include the proactive detection of women victims of violence, diagnosis, treatment, description of circumstances of violence experienced (past and present) and documentation**

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247. [www.e-lfh.org.uk/programmes/identifying-and-responding-to-sexual-assault-and-abuse/](http://www.e-lfh.org.uk/programmes/identifying-and-responding-to-sexual-assault-and-abuse/).

248. Information obtained during the evaluation visit.

249. [www.view-health-screening-recommendations.service.gov.uk/partner-violence-pregnancy/](http://www.view-health-screening-recommendations.service.gov.uk/partner-violence-pregnancy/).

250. See, for example, McTavish J. R. et al. (2016), “Children’s exposure to intimate partner violence: an overview”, *International Review of Psychiatry*, 28 (5), 504-518, available at: [www.doi.org/10.1080/09540261.2016.1205001](https://doi.org/10.1080/09540261.2016.1205001), and Devaney J. (2015), “Research review: the impact of domestic violence on children”, *Irish Probation Journal*, 12, 79-94.

251. See, for example, Alhusen J. L. et al. (2015), “Intimate partner violence during pregnancy: maternal and neonatal outcomes”, *J Women’s Health (Larchmt)* 24 (1): 100-106, available at: [www.ncbi.nlm.nih.gov/articles/PMC4361157/](http://www.ncbi.nlm.nih.gov/articles/PMC4361157/); Ligiero D. et al., “Prevention, healing, and justice: a survivor-centred framework for ending violence against women and children”, *The Lancet*, Volume 403, Issue 10427, 595-597; and Bennett T., Wibberley G. and Jones C. (2019), “The legal, moral and business implications of domestic abuse and its impact in the workplace”, *Industrial Law Journal*, Vol. 48, No. 1, pp. 137-142.

252. [www.publichealthscotland.scot/publications/gender-based-violence-what-health-workers-need-to-know/](http://www.publichealthscotland.scot/publications/gender-based-violence-what-health-workers-need-to-know/).

of injuries (such as photographs), and referral to the appropriate general and specialist support services, and to promote and institutionalise multi-agency co-operation between the healthcare sector and specialist services, involving also general practitioners where this is not currently the case. Barriers to accessing healthcare services should be removed, including for migrant women.

#### D. Specialist support services (Article 22)

216. The aim of specialist support is to ensure the complex task of empowering victims through optimal support and assistance catered to their specific needs. Much of this is best ensured by women's organisations and by support services provided, for example, by local authorities with specialist and experienced staff with in-depth knowledge of gender-based violence against women. It is important to ensure that these services are sufficiently spread throughout the country and are accessible to all victims. Moreover, these services and their staff need to be able to address the different types of violence covered by the scope of the Istanbul Convention and to provide support to all groups of victims, including hard-to-reach groups.

217. GREVIO notes with satisfaction that specialist support services exist for all forms of violence covered by the convention across the UK, which also cater to the needs of specific groups of women, for example women with disabilities, migrant and asylum-seeking women, Roma, Gypsy and Traveller women, LGBTI women, women with a history of substance abuse and women victims of digital forms of violence. The services are usually provided by women's rights NGOs, many of which have a strong feminist and intersectional approach to supporting women victims of violence, which GREVIO welcomes.

218. This, however, does not translate into an even geographical coverage in the four nations that constitute the UK. Data show persistent gaps in service provision, in particular in more rural areas, but also in the Greater London area. A mapping exercise by the Domestic Abuse Commissioner called service provision in England and Wales a "postcode lottery" for accessing specific types of support for domestic violence. On average, only 35% of victims found it easy to access support, and for deaf women and women with intellectual disabilities, this percentage drops to 14% and 18%, respectively.<sup>253</sup> GREVIO received similar reports from women's rights organisations in Scotland and in Northern Ireland.<sup>254</sup>

219. Women with disabilities are twice as likely to suffer physical, sexual and psychological violence, be it from their relatives, carers, intimate partners or in institutions, while at the same time facing significant barriers to accessing support in the UK.<sup>255</sup> Access to general and specialist support services is also frequently limited because of physical, communication and other barriers. GREVIO therefore welcomes reports about the Welsh Government's decision to direct funding towards making services accessible for women with a disability in Wales.<sup>256</sup> A recent report revealed communication barriers for deaf women as well as other women with disabilities in judicial settings, limiting their access to justice, despite the right to be able to understand and to be understood under the Victims' Code.<sup>257</sup> Moreover, GREVIO welcomes that Scotland's Equally Safe Delivery Plan contains actions to improve access to justice services and to support services for women and girls with learning disabilities.

253. Domestic Abuse Commissioner, A patchwork of provision: mapping report, available at: [www.gov.uk/government/publications/a-patchwork-of-provision-mapping-report](http://www.gov.uk/government/publications/a-patchwork-of-provision-mapping-report).

254. Information obtained during the evaluation visit.

255. See [www.safelives.org.uk/research-policy-library/disabled-survivors-too/](http://www.safelives.org.uk/research-policy-library/disabled-survivors-too/) and [www.domesticabusecommissioner.uk/wp-content/uploads/2022/11/DAC\\_Mapping-Abuse-Survivors\\_Summary-Report\\_Nov-2022\\_FA.pdf](http://www.domesticabusecommissioner.uk/wp-content/uploads/2022/11/DAC_Mapping-Abuse-Survivors_Summary-Report_Nov-2022_FA.pdf).

256. NGO submission by the Equality and Human Rights Commission, p. 60.

257. [www.endviolenceagainstwomen.org.uk/wp-content/uploads/2023/04/Listen-to-us.pdf](http://www.endviolenceagainstwomen.org.uk/wp-content/uploads/2023/04/Listen-to-us.pdf) and [www.domesticabusecommissioner.uk/wp-content/uploads/2022/11/DAC\\_Mapping-Abuse-Survivors\\_Summary-Report\\_Nov-2022\\_FA.pdf](http://www.domesticabusecommissioner.uk/wp-content/uploads/2022/11/DAC_Mapping-Abuse-Survivors_Summary-Report_Nov-2022_FA.pdf).

220. In a similar way, LGBTI women have a significantly heightened exposure to violence, discrimination and harassment – often from their own families, and in their own surroundings, intimate partners or strangers, in addition to the institutional violence they are exposed to.<sup>258</sup> It is important to ensure their access to general and specialist support services for experiences of any of the forms of violence covered under the Istanbul Convention, ensuring adequate services that empower and ensure the safety of all service users. GREVIO therefore welcomes, for example, that in Scotland funding is provided to several LGBTI projects working on issues of domestic abuse and other forms of gender-based violence.

221. Another group of women with heightened exposure to violence, in particular sexual violence and homicide, are women from ethnic minorities, migrant women and black women.<sup>259</sup> GREVIO notes with concern the frequent discrimination and racism they face when accessing general and specialist services, and that sufficient specialist support services that address their needs from an intersectional perspective are lacking.<sup>260</sup> In Scotland, for example, a shortage of specialist support services for women with disabilities, young women and girls, Roma women and women with addiction issues who are victims of violence has been identified.<sup>261</sup> Urgent measures are necessary that pay particular attention to these and other specific groups of women, including elderly women,<sup>262</sup> Roma women and women in prostitution.

222. Recalling the importance of addressing the long-term consequences of the widespread institutional violence perpetrated against women in Mother and Baby Homes, Magdalene Laundries and similar institutions in Northern Ireland, GREVIO emphasises that adequate support to women and their children who suffered from violent and degrading treatment, including involuntary separation, must form a central element in such an undertaking.<sup>263</sup> While GREVIO welcomes the appointment of a Truth Recovery Independent Panel and the establishment of a Historical Institutional Abuse Redress Board in 2020 in Northern Ireland, which examines applications for compensation for children who have experienced abuse in Magdalene Laundry-type institutions, it notes that these do not aim to comprehensively address the harms done to women referred or ordered to live in these homes.<sup>264</sup> GREVIO wishes to point out that women and girls were placed in these institutions and were subjected to psychological, physical and sexual violence because they were unmarried and pregnant, including as a result of rape, and/or did not conform to the social norms of the time. The acts committed in these institutions were, therefore, gender-based, a form of discrimination against women and, as such, acts of violence against women. Because the terrible legacies of such institutional abuse are endured to this day by those victims who are still alive, GREVIO cannot but examine some of these aspects, which require, in its view, decisive and comprehensive measures to be taken in the area of support services.<sup>265</sup>

223. Moreover, the lack of sufficient funding for many of the crucial specialist support services run by women's rights NGOs translates into long waiting lists, in particular for rape crisis centres, leading to women victims of violence not receiving the support they need within reasonable time.<sup>266</sup> GREVIO reiterates the need to provide sustainable funding for such services in order to deliver on the obligation contained in Article 22 of the Istanbul Convention.<sup>267</sup>

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258. See Home Office (2022), 'Official statistics: hate crime, England and Wales 2021-2022', available at: [www.gov.uk/government/statistics/hate-crime-england-and-wales-2021-to-2022/hate-crime-england-and-wales-2021-to-2022](http://www.gov.uk/government/statistics/hate-crime-england-and-wales-2021-to-2022/hate-crime-england-and-wales-2021-to-2022); NGO submission by 58 specialist VAWG organisations across England and Wales, p. 15; and Stonewall Scotland, 'LGBT in Britain – Trans report', pp. 6-7, available at: [www.files.stonewall.org.uk/production/files/lgbt\\_in\\_britain\\_-\\_trans\\_report\\_final.pdf?dm=1724230505](http://www.files.stonewall.org.uk/production/files/lgbt_in_britain_-_trans_report_final.pdf?dm=1724230505).

259. In the UK, the term "black and minoritised women" is frequently used.

260. NGO submission by 58 specialist VAWG organisations across England and Wales, p. 14, with further references, and [www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/sexualoffencesvictimcharacteristicsenglandandwales/yearendingmarch2022](http://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/sexualoffencesvictimcharacteristicsenglandandwales/yearendingmarch2022). The term "by and for" is frequently used in the UK and describes specialist services for victims led by and for the communities they serve, for example ethnic minorities, LGBTI women, women with disabilities and migrant women.

261. NGO submission by the Scottish Human Rights Commission, pp. 8-13.

262. NGO submission by the Older Feminist Network, p. 1.

263. See Chapter II, Comprehensive and co-ordinated policies (Article 7).

264. [www.executiveoffice-ni.gov.uk/news/appointment-truth-recovery-independent-panel](http://www.executiveoffice-ni.gov.uk/news/appointment-truth-recovery-independent-panel) and [www.hiainquiry.org/](http://www.hiainquiry.org/).

265. See the GREVIO baseline evaluation report on Ireland, paragraph 4.

266. Information obtained during the evaluation visit.

267. See also Chapter II, Financial resources (Article 8).

224. **GREVIO urges the relevant authorities in the United Kingdom to ensure the provision of adequately staffed and funded specialist support services to victims of all forms of violence against women covered by the Istanbul Convention in an appropriate geographical distribution, while catering to the specific needs of women subject to intersectional discrimination.**

## **E. Shelters (Article 23)**

225. The majority of domestic violence shelters, generally referred to as refuges in the UK, are run by dedicated women's rights organisations that operate in a victim-centred manner and focus on the empowerment of victims, while a minority are run by local authorities or housing associations, in particular in Northern Ireland.<sup>268</sup> Quality standards for domestic abuse shelters have been issued by the UK Government, and national service standards apply in Scotland<sup>269</sup> and national accreditation frameworks in England<sup>270</sup> and Wales<sup>271</sup> for shelters run by dedicated domestic violence organisations. While GREVIO welcomes the standards available, it notes that they do not apply in an equal manner to all dedicated domestic violence shelters across the four nations. For example, no comparable standards appear to apply to the sheltered accommodation for domestic violence victims provided by housing associations in Northern Ireland, though GREVIO welcomes the provision by Women's Aid of specialist services to victims in those types of accommodation.

226. Shelters in the UK are largely state-funded, including through local authorities, although many specialist shelter providers also undertake fundraising to supplement their income in order to support costs.<sup>272</sup> Generally, victims are required to cover their own costs of being housed in a shelter, for example through housing benefits for those eligible.<sup>273</sup> GREVIO welcomes the UK Government's introduction of a statutory duty contained in the Domestic Abuse Act 2021 on local authorities to provide safe accommodation-based support to victims of domestic abuse and their children, although this duty only applies to England. Additionally, there is a legal requirement on local authorities in Scotland to provide emergency accommodation for domestic abuse victims. The Social Services and Wellbeing (Wales) Act 2014 introduces an automatic duty on local authorities to support an individual in need of protection from abuse or neglect. It appears that no comparable statutory duty applies in Northern Ireland. As noted earlier in this report, specific funding is provided by the UK Government to support women subject to an NRPF condition to access domestic abuse shelters, particularly through the Supporting Migrant Victims scheme. In practice, however, women's rights organisations report that just over 11% of shelter spaces available in the UK are accessible for this group of women. This has led to many cases in which migrant victims have been unable to access shelter accommodation because the shelters are funded by the government, resulting in them being housed in unsuitable accommodation (such as B&Bs) or else being turned away. GREVIO notes that longer-term, sufficient funding to support access to domestic abuse shelters for women subject to the NRPF condition is needed to ensure the UK's compliance with Article 23 and Article 4, paragraph 3, of the convention.

227. Women's rights organisations have reported inconsistencies as well as a lack of transparency as to how the statutory duty to provide accommodation-based support is being implemented across different local authority areas in England.<sup>274</sup> GREVIO welcomes that over three quarters of refuge services in England were commissioned by their local authorities for all of their bedspaces in 2022

268. Information obtained during the evaluation visit indicates that all domestic abuse shelters in Northern Ireland are run by housing associations, apart from one, which is run by Women's Aid.

269. [www.womensaid.scot/wp-content/uploads/2017/09/Good-Practice-in-Commissioning-Specialist-Domestic-Abuse-Services\\_SWA\\_COSLA.pdf](http://www.womensaid.scot/wp-content/uploads/2017/09/Good-Practice-in-Commissioning-Specialist-Domestic-Abuse-Services_SWA_COSLA.pdf), pp. 24-25

270. [www.womensaid.org.uk/what-we-do/national-quality-standards/](http://www.womensaid.org.uk/what-we-do/national-quality-standards/) and [www.gov.uk/government/publications/domestic-abuse-support-within-safe-accommodation/delivery-of-support-to-victims-of-domestic-abuse-in-domestic-abuse-safe-accommodation-services](http://www.gov.uk/government/publications/domestic-abuse-support-within-safe-accommodation/delivery-of-support-to-victims-of-domestic-abuse-in-domestic-abuse-safe-accommodation-services).

271. [www.welshwomensaid.org.uk/what-we-do/our-members/national-quality-service-standards-nqss/](http://www.welshwomensaid.org.uk/what-we-do/our-members/national-quality-service-standards-nqss/).

272. NGO submission by the Scottish Human Rights Commission, p. 53; information obtained during the evaluation visit.

273. State report, p. 30; information obtained during the evaluation visit.

274. NGO submission by 58 VAWG specialist services in England and Wales, pp. 70-71; information obtained during the evaluation visit.

and 2023.<sup>275</sup> At the same time, GREVIO received indications from women's rights NGOs that poor commissioning practices across the UK have resulted in the decommissioning of specialist shelter providers as funding is diverted to generalist, non-specialist providers.<sup>276</sup> Competitive tendering processes and short-term contracts, including for as little as one year, further feed into this unstable funding environment, making it difficult for shelters to operate.<sup>277</sup> Moreover, while shelters often offer a range of specialist support services such as therapeutic services, counselling and childcare, reports from women's rights organisations in England and Wales indicate that such service provision is patchy, which is also linked to insufficient funding.<sup>278</sup> GREVIO therefore welcomes the UK Government's commitment to providing funding over two years to support local authorities in England to fulfil the requirements of the statutory duty through longer-term commissioning of safe accommodation for domestic violence victims, including a £30m increase to the Domestic Abuse Safe Accommodation Grant, bringing the total investment to £160 million in 2025 and 2026.

228. The UK Government does not hold data on the overall number of domestic violence shelters or the number of available bedspaces, but does collect and publish information on such services commissioned by local authorities.<sup>279</sup> The data available to GREVIO indicate that there are 269 specialist shelters for victims of domestic violence operating in England, 39 in Scotland, 34 in Wales and 14 in Northern Ireland.<sup>280</sup> Their total capacity is around 5 238 family places across the UK.<sup>281</sup> GREVIO notes that this falls short of the aim of one family place per 10 000 head of population as set out in the convention's explanatory report.<sup>282</sup> This shortfall is reflected in information shared by several civil society organisations, who report that shelters are consistently operating at capacity across the UK.<sup>283</sup> GREVIO notes with grave concern reports of women and children being turned away from shelters in all four nations as a result of capacity being outstripped by demand. Official data show that between April 2022 and March 2023, 27 754 women were referred to a shelter in England and Wales, but only 10 824 were actually given a place.<sup>284</sup> This is further compounded by cases particularly in Scotland<sup>285</sup> and Northern Ireland<sup>286</sup> where victims are unable to transition out of shelters because of a shortage of social housing, resulting in a longer shelter stay and the need to triage new referrals. In England and Wales, victims are sometimes housed in unsuitable temporary accommodation such as hotels, hostels, bed and breakfasts, shelters for the homeless or shared housing, including in accommodation that is mixed sex, because of a lack of access to appropriate shelters.<sup>287</sup> GREVIO points out that these types of accommodation, including for the homeless, are not suitable for women victims of violence, and even less so when they have children, as they lack specific approaches and protocols for the prevention of violence and for the provision of protection

275. Women's Aid Domestic Abuse Report 2024: The Annual Audit, p. 50, available at: [www.womensaid.org.uk/annual-audit-2024/](http://www.womensaid.org.uk/annual-audit-2024/).

276. Information obtained during the evaluation visit.

277. NGO submission by the Scottish Human Rights Commission, p. 53.

278. NGO submission by 58 VAWG specialist services in England and Wales, p. 72.

279. [www.gov.uk/government/publications/support-in-domestic-abuse-safe-accommodation-2023-to-2024](http://www.gov.uk/government/publications/support-in-domestic-abuse-safe-accommodation-2023-to-2024).

280. England: data as of March 2025, provided by the authorities; Scotland: data provided in the state report, p. 29; Wales: data available at

[www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/domesticabusevictimservicesappendixtables](http://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/domesticabusevictimservicesappendixtables), Table 41; Northern Ireland: data provided in the state report, p. 72, and NGO submission by Women's Platform Northern Ireland, p. 37.

281. NGO submission by the four Women's Aid federations in the UK; a breakdown of the data shows the number of bedspaces as: 4 397 (England); 128 (Northern Ireland); 441 (Scotland); and 272 (Wales). Data as of May 2023.

282. Article 23 of the Istanbul Convention requires parties to ensure that there are appropriate, easily accessible shelters in sufficient numbers to provide safe accommodation for women and children. Paragraph 135 of the Explanatory Report to the Istanbul Convention provides guidance to parties on how to assess whether the current number of shelters is sufficient. More specifically, it refers to the Final Activity Report of the Council of Europe Task Force to Combat Violence against Women, including Domestic Violence (EG-TFV (2008)6), which recommends that there should be one family place per 10 000 head of population. A "family place" is defined in the Council of Europe publication "Combating violence against women: minimum standards for support services", EG-VAW-Conf (2007) Study rev., as "an adult plus the average number of children". This notwithstanding, it is important to note that the explanatory report clarifies that the number of shelter places should be adapted to the actual need/demand in the country.

283. Data as of May 2023. [www.rm.coe.int/joint-4-feds-letter-to-grevio-final-10th-december-2023/1680adcb9f](http://www.rm.coe.int/joint-4-feds-letter-to-grevio-final-10th-december-2023/1680adcb9f).

284. [www.independent.co.uk/news/uk/home-news/domestic-abuse-women-refuge-shortages-b2455087.html](http://www.independent.co.uk/news/uk/home-news/domestic-abuse-women-refuge-shortages-b2455087.html).

285. NGO submission by Scottish Women's Aid, p. 16, and the Scottish Human Rights Commission, p. 53.

286. NGO submission by the Northern Ireland Human Rights Commission, p. 40, and NGO submission by Women's Platform Northern Ireland, p. 14.

287. NGO submission by 58 VAWG specialist services in England and Wales, pp. 70-71, and information obtained during the evaluation visit.

and support to victims of domestic violence. GREVIO therefore notes the urgent need to increase shelter distribution in all the four nations that constitute the UK and to ensure that appropriate quality and safety standards are complied with.

229. Some specialist shelters or dedicated spaces in shelters for specific groups of women victims of violence exist across the UK, including those for women with disabilities, LGBTI women, women substance abusers, women belonging to ethnic minorities and migrant/asylum-seeking women. GREVIO notes with appreciation that many of these shelters are also community-based, typically referred to in the UK as ‘by and for’ specialist services as they are run by and for members of the community they serve, thus providing much-needed dedicated specialist support to vulnerable groups.<sup>288</sup> Services specialising in the experiences of women and girls from ethnic minorities and migrant women in particular receive a high proportion of referrals to support migrant and asylum-seeking women to access domestic abuse shelters, including women who are under the NRPF condition.<sup>289</sup> GREVIO notes with concern, however, the closure of several of these services, including as a result of decommissioning, as well as the challenges faced in having to provide services covering a large area.<sup>290</sup> Community-based specialist support services, including shelters, provided through ‘by and for’ specialist services represent a lifeline for many women and girls in the UK at risk of or subjected to interlocking forms of gender-based violence, such as domestic violence, sexual violence, forced marriage and FGM. In view of the requirement set out in Article 4, paragraph 3, GREVIO considers it essential that these lifelines be upheld and expanded where necessary.

230. GREVIO notes with equal concern reports of local residency requirements affecting access to some of the accommodation-based services in England and Wales, which further restrict women’s access to shelters.<sup>291</sup> In many instances, shelters are also unable to accommodate a woman with multiple or older male children, with access decreasing the more children are in need of being accommodated.<sup>292</sup> In addition, very few shelters are accessible to women with physical disabilities, with just 1.4% of all vacancies in the UK being suitable for a woman requiring a wheelchair-accessible space.<sup>293</sup>

231. Difficulties in accessing safe accommodation for women victims fleeing domestic violence also exist for a range of other groups of women, as GREVIO notes with concern. These concern in particular Roma women in Scotland where culturally appropriate housing is reportedly lacking.<sup>294</sup> Moreover, for women in prostitution access to shelters is particularly difficult, according to indications received from women’s rights NGOs.

232. Reports from civil society organisations further indicate that LGBTI women face increased barriers to accessing shelters, in particular trans women.<sup>295</sup> GREVIO notes with concern the growing controversy in debates in the UK around access to specialist support services for trans women. In this context, it wishes to point to the fundamental principles of the Istanbul Convention, which serve to guide decision makers in finding adequate solutions in line with the spirit of the convention. These are first and foremost the principle of non-discrimination set out in Article 4, paragraph 3, requiring all measures taken for the implementation of the convention to be carried out without discrimination

288. NGO submission by 58 VAWG specialist services in England and Wales, p. 73.

289. NGO submission by the Resist Network, pp. 8 and 27-28.

290. Ibid., p. 8; NGO submission by 58 VAWG specialist services in England and Wales, p. 73-74; information obtained during the evaluation visit.

291. A Patchwork of Provision: How to meet the needs of victims and survivors across England and Wales policy report, [www.domesticabusecommissioner.uk/wp-content/uploads/2022/11/DAC\\_Mapping-Abuse-Survivors\\_Long-Policy-Report\\_Nov2022\\_FA.pdf](http://www.domesticabusecommissioner.uk/wp-content/uploads/2022/11/DAC_Mapping-Abuse-Survivors_Long-Policy-Report_Nov2022_FA.pdf), p. 24; NGO submission by 58 VAWG specialist services in England and Wales, pp. 72-73; Women’s Aid Domestic Abuse Report 2024: the Annual Audit, [www.womensaid.org.uk/wp-content/uploads/2024/02/Annual-Audit-2024.pdf](http://www.womensaid.org.uk/wp-content/uploads/2024/02/Annual-Audit-2024.pdf), p. 80.

292. For example, in England in the period 2022-23, less than half of shelters could accommodate a woman with two children, and fewer than one in five could accommodate a woman with three children: Women’s Aid Domestic Abuse Report 2024, p. 20; information obtained during the evaluation visit.

293. Data for 2022-23: [www.rm.coe.int/joint-4-feds-letter-to-grevio-final-10th-december-2023/1680adcb9f](http://www.rm.coe.int/joint-4-feds-letter-to-grevio-final-10th-december-2023/1680adcb9f).

294. NGO submission by the Scottish Human Rights Commission, pp. 23-24; information obtained during the evaluation visit.

295. NGO submission by Women’s Platform Northern Ireland, p. 14; information obtained during the evaluation visit.

on the basis of any of the grounds listed therein, notably sex, gender and gender identity. Another fundamental principle of the Istanbul Convention is that of service provision for the protection of victims from any further acts of violence. Enshrined in Article 18, this principle requires a gendered understanding of violence against women, and a focus, in any service provision, on the human rights and safety of all victims. Measures taken to this extent must be based on an integrated approach mindful of the relationships of victims to their perpetrators, their children and their wider social environment. Article 18, paragraph 3, further lists the principle of working towards victim empowerment and avoiding secondary victimisation. With these principles in mind, a balance can and must be struck between the need for inclusivity on the one hand, and the need for safety and empowerment of all victims, on the other hand. Solutions may be found on a case-by-case basis, or in the pooling of services, and efforts to this extent will be greatly facilitated by the much-needed expansion of specialist domestic violence accommodation across all four nations of the UK. The result must be one of protection and support to all women, irrespective of any of the characteristics laid out in the convention's non-discrimination clause.

233. In terms of enabling women victims of violence to physically reach shelters, GREVIO notes with interest the "rail-to-refuge" programme.<sup>296</sup> It is a joint initiative by UK rail operators and Women's Aid and provides those travelling to safety with free train tickets. It was instituted during the Covid-19 pandemic because of a rise in requests for help and has been extended since.

234. **GREVIO urges the relevant authorities in the United Kingdom to:**

- a. **increase the number and capacity of appropriate, easily accessible and specialist shelters providing safe accommodation in relation to all forms of violence covered by the Istanbul Convention, in line with the standards set by the convention and in an adequate geographical distribution, with the aim of achieving the standard set in the Explanatory Report to the Istanbul Convention of one family place per 10 000 head of population;**
- b. **ensure the provision of safety-oriented and empowering domestic violence shelters for all women, including women with disabilities, Roma women, LGBTI women, women belonging to minorities, migrant and asylum-seeking women, women with multiple children and women with teenage male children, and irrespective of local residency.**

235. **GREVIO strongly encourages the relevant authorities in the United Kingdom to provide sufficient, sustainable, long-term and dedicated funding throughout the entire territory of the United Kingdom to support the establishment and operation of domestic abuse shelters run by specialist providers, including shelters for women with no recourse to public funds.**

236. **GREVIO further encourages the relevant authorities in the United Kingdom to develop clear pathways from shelters to longer-term accommodation, suitable for ensuring the lasting safety of women victims of violence and their children.**

#### **F. Telephone helplines (Article 24)**

237. Several helplines providing advice on various forms of violence covered by the Istanbul Convention are available in the United Kingdom, including those which operate on the basis of national jurisdiction. In Wales, the Live Fear Free Helpline (run by Welsh Women's Aid) provides support for victims of all forms of violence against women, including domestic abuse and sexual violence, and operates bilingually (in English and Welsh). Helplines providing assistance to victims of domestic abuse are in operation in England (run by Refuge), Scotland (run by Scottish Women's Aid) and Northern Ireland (run by Nexus). In Scotland, the helpline is funded by the Scottish Government and also provides assistance to victims of forced marriage, while the helpline in Northern Ireland also advises victims of sexual abuse. Dedicated helplines for victims of rape and sexual abuse are also in operation across both England and Wales (run by Rape Crisis England and Wales), in Scotland (run by Rape Crisis Scotland) and in Northern Ireland (operated by the Sexual

296. [www.womensaid.org.uk/rail-to-refuge-life-saving-support-for-women-and-children/](http://www.womensaid.org.uk/rail-to-refuge-life-saving-support-for-women-and-children/).

Assault Referral Centre “The Rowan”). All of these helplines are available 24/7 (other than the Rape Crisis Scotland helpline, which operates every day from 5 p.m. to 12 a.m.) and provide confidential support free of charge. They also offer support through webchat or text services.<sup>297</sup>

238. Furthermore, several helplines providing assistance to victims of specific forms of violence against women are in operation in the United Kingdom. These helplines provide assistance to victims of “honour”-based abuse (run by Karma Nirvana), FGM (run by the NSPCC, the National Society for the Prevention of Cruelty to Children) and stalking (run by the Suzy Lamplugh Trust), the latter of which also offers British Sign Language interpretation. Given the increasing prevalence generally of violence against women committed through digital means, GREVIO further appreciates the availability of a dedicated helpline for victims of revenge porn (run by the South West Grid for Learning Trust).<sup>298</sup> Helplines providing assistance specifically for LGBTI victims of domestic violence, rape and sexual abuse (run by Galop) are also in operation, as is a helpline for employers, run by the NGO Hestia, providing information on how to support employees and colleagues experiencing domestic abuse. The government’s Forced Marriage Unit (FMU) also runs a helpline for victims, or people at risk, of forced marriage, although GREVIO notes with concern reports from women’s rights organisations regarding the accuracy of the advice given out through this service.<sup>299</sup> All these helplines cover the territory of the United Kingdom and provide confidential support free of charge during limited hours.<sup>300</sup>

239. Many of the above helpline providers also work with translation services to support with interpretation needs, including sign language, for victims who do not have English as a first language or are deaf. However, GREVIO notes with concern reports from civil society organisations that some helplines are not offered in additional relevant languages due to lack of resources.<sup>301</sup> Moreover, GREVIO has received indications that the helpline in Northern Ireland has become less accessible for people with disabilities since the change in provider.<sup>302</sup>

240. GREVIO notes positively that the helpline services identified above largely run on state funding. However, reports from women’s rights organisations indicate that these helplines are widely underfunded, putting pressure on services and staffing, which is further exacerbated by the continuing increase in demand services are facing.<sup>303</sup>

241. GREVIO notes the multitude of helplines in the UK providing dedicated, specialist support to victims of particular forms of violence against women. At the same time, it underlines the standards set out in the explanatory report to the convention, which call for the establishment of at least one free national helpline covering all forms of violence against women. GREVIO therefore calls for the setting up of a state-wide helpline that ensures an easy entry point for victims in the United Kingdom to assistance with all forms of violence covered by the convention. Such a national helpline is required to offer a single first point of contact for women victims, through a widely advertised public number. At the same time, the authorities must continue to ensure victims’ access to high-quality specialist support, by connecting any newly introduced state-wide helpline with existing specialist women’s support services, including existing helplines.

242. In view of concerns expressed by helpline operators regarding data-collection obligations imposed on them by the authorities, GREVIO recalls the Istanbul Convention’s requirement to ensure confidentiality and due regard for the anonymity of callers.<sup>304</sup> This can be achieved in many ways and does not require a complete ban on the recording of any data of callers. It must, however,

297. In England, the webchat service providing assistance to victims of domestic abuse is provided by the Women’s Aid Federation of England.

298. See GREVIO’s General Recommendation No. 1 on the digital dimension of violence against women.

299. Information obtained during the evaluation visit.

300. According to the state report (p. 31), the FMU service is free of charge; however, it is not a freephone (toll-free) number and therefore may incur costs.

301. NGO submission by 58 VAWG specialist services in England and Wales, p. 75

302. NGO submission by Northern Ireland Human Rights Commission, pp. 33-34; information obtained during the evaluation visit.

303. NGO submission by Scottish Women’s Aid, p. 17; NGO submission by 58 VAWG specialist services in England and Wales, pp. 75-76; information obtained during the evaluation visit.

304. NGO submission by 58 VAWG specialist services in England and Wales, p. 75.

be ensured that the identity of callers is under no circumstances disclosed to helpline staff and that personal data, that is, any information relating to an identified or identifiable individual, are adequately protected against unauthorised access, alteration or dissemination. GREVIO thus recalls the UK's obligations under the Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, in particular as regards the need to introduce legal safeguards for the processing of personal data concerning health or sexual life.

**243. GREVIO encourages the relevant authorities in the United Kingdom to ensure that in addition to the many different and specialist helplines there is a state-wide helpline that serves as a single first point of contact providing advice to women victims of all forms of violence against women and domestic violence and that operates throughout the whole territory, round the clock, free of charge and with due regard for the language barriers that deaf women, migrant women and other callers may face, as well as with due respect for the confidentiality and anonymity of all callers. In addition, sustainable funding levels for the available helplines must be ensured.**

## **G. Support for victims of sexual violence (Article 25)**

244. GREVIO commends the authorities of the UK for the fact that both sexual assault referral centres (SARCs) and rape crisis centres exist in all four nations, which goes beyond the requirements of the Istanbul Convention. There is a long tradition in the UK of providing this type of service to victims of rape and sexual violence, which in fact inspired the requirements set out in Article 25. SARCs include state-of-the-art forensic examination centres, offering trauma-informed healthcare and forensic examinations for victims of sexual violence, including rape. They are easily accessible, generally exist in sufficient numbers and their emergency services are free of charge for patients, including for women who are subject to an NRPF condition.<sup>305</sup> For recent cases, they also offer the taking and storing of forensic evidence, irrespective of the victim's decision to report to the authorities.

245. GREVIO points to the need to expand other services of SARCs, such as the taking of forensic evidence for victims of domestic violence, medium and long-term trauma support and counselling at the level of SARCs – in particular in the light of long waiting lists for outpatient mental health services, which inevitably impacts on the healing journey of women victims of rape and sexual violence. In England, medium- and long-term support is provided in collaboration with partner specialist services, via the Enhanced Mental Health Pathway, and via a support telephone line funded by the Ministry of Justice.

246. As set out later in this report, GREVIO underlines the important role of Independent Sexual Violence Advisers (ISVAs) in England and Wales and Sexual Offences Legal Advisers (SOLAs) in Northern Ireland in supporting victims of rape and sexual violence. In Scotland, aspects of the ISVA role are picked up by professionals from SARCs and Rape Crisis Scotland.<sup>306</sup>

## **H. Protection and support for child witnesses (Article 26)**

247. The obligation set out in this article is to ensure that whenever children have witnessed domestic violence, rape, sexual harassment or other forms of violence covered by the convention, the services provided to direct victims also cater for the needs and rights of any children exposed to such violence. While this is most relevant to domestic violence cases, it is important to bear in mind that children may also be exposed to other forms of violence.

248. Research has shown that children who witness one of the parents assaulting the other one in the home often develop emotional problems, cognitive functioning disorders and accept attitudes

305. The target expressed in the explanatory report, paragraph 142, is one such centre per 200 000 inhabitants.

306. See also Chapter VI, Victim support in legal proceedings (Article 55).

around violence that need to be addressed in the long term.<sup>307</sup> It is thus of crucial importance to ensure their access to psychological counselling and therapy as soon as they come to the attention of the authorities.

249. GREVIO welcomes the allocation for England and Wales of £10.3 million in 2023 through the Children Affected by Domestic Abuse fund for a three-year period, to fund eight organisations that work with children exposed to domestic violence to provide support, including counselling and one-on-one sessions.<sup>308</sup>

250. However, recent data from Women's Aid show persistent funding gaps for NGOs running such services, both in domestic violence shelters and in non-residential settings.<sup>309</sup> Despite the dedicated funding mentioned earlier, the counselling and trauma recovery needs of children and young people are not recognised as a core part of service delivery.<sup>310</sup> Less than a third of victims of domestic violence requesting support for their children actually obtained it.<sup>311</sup> This is despite the fact that the Domestic Abuse Act 2021 sets out a recognition for children who have witnessed abuse.<sup>312</sup> Further measures are needed to translate this recognition under the Domestic Abuse Act 2021 into available support for them in England and Wales.

251. In Scotland, a community-based support programme called CEDAR (Children Experiencing Domestic Abuse Recovery) is available for children who have been exposed to domestic abuse. However, women's rights NGOs indicated that it was difficult for them to access funding to deliver CEDAR services, and that there are generally insufficient services that support children in their recovery.<sup>313</sup> Additionally, Scottish Women's Aid and several children's charities provide support to children and young people, through funding from different Scottish Government funding streams. GREVIO did not receive information about whether psychosocial support is available for children who stay in a shelter with their mother.

252. GREVIO recalls that Article 26 sets out the obligation to ensure that when providing services and assistance to victims with children who have witnessed violence the children's rights and needs are taken into account. The term "child witnesses" refers not only to children who are present during the violence and actively witness it, but to those who are exposed to screams and other sounds of violence while hiding close by or who are exposed to the long-term consequences of such violence. Paragraph 2 of Article 26 therefore calls for age and developmentally appropriate best evidence-based psychosocial interventions that are specifically tailored to children to cope with their traumatic experiences where necessary.<sup>314</sup> All services offered must give due regard to the best interests of the child, and the authorities must ensure adequate availability and funding of such support, both in women's shelters and in community settings.

**253. GREVIO strongly encourages the authorities in the United Kingdom to ensure the availability of age-appropriate specialist counselling and support for children who have been exposed to any of the forms of violence covered by the Istanbul Convention.**

## **I. Reporting by professionals (Article 28)**

254. Article 28 aims to ensure that where confidentiality rules are imposed by domestic law on certain professionals, such rules do not constitute an obstacle to the possibility, under appropriate conditions, of their reporting to the competent organisations or authorities if they have reasonable grounds to believe that a serious act of violence has been committed and further serious acts of

307. Edleson J. L., "Problems associated with children's witnessing of domestic violence", VAW Net, available at: [www.vawnet.org/sites/default/files/materials/files/2016-09/AR\\_Witness.pdf](http://www.vawnet.org/sites/default/files/materials/files/2016-09/AR_Witness.pdf).

308. [www.gov.uk/government/news/new-funding-to-support-child-victims-of-abuse](http://www.gov.uk/government/news/new-funding-to-support-child-victims-of-abuse).

309. [www.womensaid.org.uk/annual-audit-2024/](http://www.womensaid.org.uk/annual-audit-2024/).

310. NGO submission by 58 specialist VAWG organisations across England and Wales, p. 80.

311. [www.gov.uk/government/publications/a-patchwork-of-provision-mapping-report](http://www.gov.uk/government/publications/a-patchwork-of-provision-mapping-report).

312. [www.womensaid.org.uk/annual-audit-2024/](http://www.womensaid.org.uk/annual-audit-2024/), p. 48.

313. NGO submission by the Scottish Human Rights Commission, p. 35.

314. Explanatory Report to the Istanbul Convention, paragraph 144.

violence are to be expected. On the other hand, the provision also requires that the wishes and the autonomy of a woman who is a victim of violence are respected, thereby requiring that her consent is sought for the reporting of a (suspicion of) violence, save in situations in which there are reasonable grounds to believe that a serious act of violence covered by the scope of the convention has been committed and further serious acts are to be expected, or where the victim is a child or is unable to protect her/himself because of disabilities or for other reasons.

255. In the UK, reporting requirements vary significantly. In England and Wales, medical doctors are required to report a suspicion of violence if there is a risk to the public, to an adult or to a child, but they may decide not to report if it is in the best interests of the person concerned, based on guidance by the General Medical Council that is available for doctors on reporting and information sharing.<sup>315</sup> The Safeguarding Vulnerable Adults Act places a responsibility on all professionals in statutory agencies to report a situation that raises a safeguarding concern, such as abuse and neglect. However, it only applies to adults requiring care and support and therefore are unable to protect themselves from abuse and neglect. It is unclear whether there is a statutory or other obligation incumbent on professionals in England and Wales to report in relation to adults more generally when a serious act of violence has been committed and further serious acts of violence are to be expected.

256. When it comes to child victims of violence, there is a duty under section 5B of the FGM Act 2003 incumbent on health and social care professionals and teachers to report apparent cases of FGM to the police. For other forms of violence or safety concerns of children, there is no legal requirement incumbent on professionals to report, which has been criticised. However, under common law principles relating to negligence, any person is required to take reasonable steps to prevent harm to those to whom they owe a duty of care. The Independent Inquiry into Child Sexual Abuse, which investigated where institutions in England and Wales had failed to protect children in their care, recommended in 2022 a mandatory reporting duty for suspicions of sexual violence against a child, which has been accepted by the UK Government.<sup>316</sup> Statutory guidance issued by the Department for Education sets out the expectation that those working with children, including social workers and education staff, assess safeguarding needs and report to the relevant authority, where necessary.<sup>317</sup> Moreover, local authorities in England and Wales have a duty under section 47 of the Children Act 1989 to investigate whether action is needed to safeguard a child where there is reasonable cause to suspect they are suffering, or are likely to suffer, significant harm. Non-statutory guidance is available for professionals to help them identify the signs of child abuse and neglect and know what action to take.<sup>318</sup>

257. Section 74 of the Serious Crime Act 2015 requires teachers, and regulated health and social workers in England and Wales to notify the police upon discovery of a case of FGM on a girl under 18.<sup>319</sup>

258. In Scotland, there is no statutory reporting obligation incumbent on professionals in relation to any acts of violence committed and/or likely to take place against adults. However, reporting is mandatory for sexual abuse against a minor, and national guidance for child protection states that all agencies have a responsibility to recognise and actively consider safeguarding concerns and potential risks to a child.<sup>320</sup> The guidance makes clear that all concerns that a child has been abused or is at risk of abuse, must be reported to the police or social services, including if there is a risk of forced marriage or FGM.

259. In Northern Ireland, section 5 of the Criminal Law Act (Northern Ireland) 1967 requires anyone who becomes aware of violence to report it to the police; failing to do so amounts to a

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315. [www.gmc-uk.org/professional-standards/professional-standards-for-doctors/confidentiality/disclosing-patients-personal-information-a-framework](https://www.gmc-uk.org/professional-standards/professional-standards-for-doctors/confidentiality/disclosing-patients-personal-information-a-framework).

316. [www.iicsa.org.uk/index.html](https://www.iicsa.org.uk/index.html) and [www.gov.uk/government/speeches/tackling-child-sexual-abuse](https://www.gov.uk/government/speeches/tackling-child-sexual-abuse).

317. [www.commonslibrary.parliament.uk/research-briefings/sn06793/](https://www.commonslibrary.parliament.uk/research-briefings/sn06793/).

318. [www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused-2](https://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused-2).

319. GREVIO welcomes the fact that guidance is available for professionals on this reporting duty, available at: [www.gov.uk/government/publications/mandatory-reporting-of-female-genital-mutilation-procedural-information](https://www.gov.uk/government/publications/mandatory-reporting-of-female-genital-mutilation-procedural-information).

320. [www.gov.scot/publications/national-guidance-child-protection-scotland-2021-updated-2023/documents/](https://www.gov.scot/publications/national-guidance-child-protection-scotland-2021-updated-2023/documents/).

relevant offence. GREVIO notes with concern that this extensive obligation may turn women and girls away from seeking help as it equates help-seeking with reporting.<sup>321</sup> GREVIO thus welcomes the related guidance issued by the Northern Ireland Attorney General, which clarifies that in the majority of sexual violence cases, failure to report will not be considered an offence. However, this does not appear to extend to women victims of other forms of violence against women. In addition, the Regional Adult Safeguarding Policy sets out minimum safeguarding expectations, including the expectation that any public or private organisation providing relevant services or activities will be aware of the signs of harm and know how and when to report safeguarding concerns. The policy sets out a clear referral pathway and specifies that if there is a clear and immediate risk of harm or a crime is alleged or suspected, the matter should be referred directly to the PSNI or the Health and Social Care (HSC) Trust Adult Protection Gateway Service. In relation to children, GREVIO notes that Article 66 (9) of the Children (Northern Ireland) Order 1995 places a duty on a number of specified bodies to assist the authority with those inquiries.<sup>322</sup>

260. In summary, GREVIO notes the importance of reviewing the existing reporting possibilities and obligations across the UK in respect of adult victims of any of the forms of violence covered by the Istanbul Convention, in order to harmonise and align national law and practice more closely with the requirements of Article 28. In so doing, it is important to strike a balance between enabling professionals to report and involving victims or seeking their consent to such a step. In line with GREVIO's findings, parties should, as far as possible, make the obligation to report contingent on the prior consent of the victim, unless further acts of serious violence are to be expected or the victim is a minor or is otherwise unable to protect themselves.<sup>323</sup> Failure to do so may undermine women's trust in the authorities and should be avoided, including through making available harmonised criteria and guidance for reporting by professionals, where they do not exist already.

**261. Recalling the principle of women's empowerment mainstreamed throughout the Istanbul Convention, GREVIO strongly encourages the relevant authorities in the United Kingdom, in particular in Northern Ireland, to review and align their system of reporting by professionals in relation to the forms of violence against women covered by the Istanbul Convention, including through making available harmonised criteria and guidance for reporting.**

**262. Where a duty to report is imposed on professionals in relation to victims of violence, GREVIO urges the relevant authorities in the United Kingdom to ensure that this is tempered by full and sensitive information being provided to the victim to allow her to make an informed decision herself, and that informed consent is sought from a victim of violence for the reporting of a suspicion of a criminal act, outside of those cases where there is a reasonable suspicion that there is an imminent danger to the victim or another person, or where the victim is a child or unable to protect themselves.**

321. Similar concerns have been expressed by women's rights organisations. See the NGO submission by Women's Platform Northern Ireland, p. 41.

322. [www.legislation.gov.uk/nisi/1995/755/contents](http://www.legislation.gov.uk/nisi/1995/755/contents).

323. See GREVIO's first thematic evaluation report on Albania, paragraph 98, and on Austria, paragraph 100; and GREVIO's baseline evaluation reports on Estonia, paragraph 141; Cyprus, paragraph 161; and Norway, paragraph 148.

## V. Substantive law

263. Chapter V of the Istanbul Convention covers a range of provisions related to substantive law, in the area of both civil and criminal law. Their aim is to help create, in all parties to the convention, the necessary legislative framework to prevent violence against women, protect them from further victimisation and to ensure robust intervention and prosecution by law-enforcement agencies. In the interest of prioritisation, this section of the report addresses several but not all provisions of Chapter V of the convention.

### A. Civil law<sup>324</sup>

#### 1. Civil remedies against the state – Ensuring due diligence (Article 29)

264. A core aim of the convention is to end impunity for acts of violence against women. This not only requires that individual perpetrators be held accountable through criminal law and other measures but also that legal avenues be available to challenge and address any failure of state actors to comply with their due diligence obligation to prevent, investigate and punish acts of violence (Article 5, paragraph 2, of the convention).

265. In the UK, where an individual has been the victim of an act of violence arising from the failure by state authorities to take necessary preventive or protective measures, a compensation claim may be brought against the relevant authorities under the civil law of negligence. However, GREVIO notes that the UK Supreme Court has repeatedly found the law of negligence does not cover negligent failings by the police and other statutory bodies for omissions, as opposed to positive acts that have caused harm (with some very limited exceptions).<sup>325</sup> GREVIO thus sees the need for legislative or other measures to ensure that women victims of violence can bring civil claims for the negligent failure of state actors to prevent, investigate and punish acts of violence against women.

266. In relation to serious wilful abuse or neglect of the power or responsibilities of a public office, Misconduct in public office is a common law offence. It can be tried only on indictment and the court must be satisfied that it involves a public officer acting as such, who wilfully neglects to perform their duty and/or wilfully misconducts themselves to such a degree as to amount to an abuse of the public's trust in the office holder without reasonable excuse or justification.<sup>326</sup>

267. Pursuing a wilful failure of duty by a public official ordinarily commences with the making of a formal complaint. Where it involves a member of the police force, such a complaint must be made within 12 months of the incident. Where the response of the police is unsatisfactory, an appeal can be made to the Independent Office for Police Conduct and, thereafter, judicially reviewed if adequate procedures have not been followed. Where a case concerns alleged negligence by an officer, which may include an application for compensation from the police, such proceedings must issue within three years of the incident.

268. GREVIO has identified that official data on police misconduct for the 12 months prior to 31 March 2023 show that in the 43 territorial police forces in England and Wales a total of 51 605 complaints against the police by the public, involving 42 854 identifiable police officers, were finalised; these complaints involved 120 243 allegations.<sup>327</sup> The data on the number of complaints of police misconduct currently collected state the overall number of complaints; however, those related to misconduct in relation to cases that concern the types of violence covered by the

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324. While the Istanbul Convention uses the term “civil law”, the corresponding terminology in the UK is “private law/common law”. This report uses the terminology of the convention.

325. *Case of Michael and others (FC) (Appellants) v. The Chief Constable of South Wales Police and another*, where the Supreme Court clarified this point in a case involving a domestic homicide. Available at:

[www.supremecourt.uk/cases/uksc-2013-0043.html](http://www.supremecourt.uk/cases/uksc-2013-0043.html).

326. [www.bailii.org/ew/cases/EWCA/Crim/2004/868.html](http://www.bailii.org/ew/cases/EWCA/Crim/2004/868.html).

327. Police misconduct, England and Wales: year ending 31 of March 2023: [www.gov.uk/government/statistics/police-misconduct-england-and-wales-year-ending-31-march-2023/police-misconduct-england-and-wales-year-ending-31-march-2023](http://www.gov.uk/government/statistics/police-misconduct-england-and-wales-year-ending-31-march-2023/police-misconduct-england-and-wales-year-ending-31-march-2023).

Istanbul Convention are not specified. As a result, it is not possible to assess the level of practical relevance of this avenue of legal redress for women victims of violence.

**269. GREVIO strongly encourages the relevant authorities in the United Kingdom to take legislative and/or other measures to ensure that adequate civil law remedies are in place to claim damages for the failure of state actors to prevent, investigate and punish acts of violence as covered by the scope of the Istanbul Convention, including by negligence, and that the data collected disaggregate the complaints by the different types of violence as covered by the Istanbul Convention.**

## **2. Compensation (Article 30)**

270. In England and Wales, section 134 of the Sentencing Act 2020 allows a court to impose a compensation order on an offender, upon conviction, to make financial reparation to the victim where personal injury, loss or damage has resulted from the offence. While the court is not required to make such an order, it must consider the possibility to do so in all cases. Where an order for compensation is not made, the court is under a statutory obligation to give reasons for that decision.<sup>328</sup>

271. Where the court is of the view that it is appropriate to impose a fine and to make a compensation order, but the offender has insufficient means to pay both, section 135(4) requires the court to give preference to the compensation. The authorities report the issuance of 280 701 Criminal Compensation Orders in the year ending June 2024 with an average order of £138.<sup>329</sup> While it is not possible to assess the number of compensation orders that pertain to cases of violence against women, GREVIO notes with concern the low level of compensation ordered, which may be connected to the issues identified in this report in relation to the restrictive provision of legal aid.<sup>330</sup> Compensation orders are also available under the Criminal Procedure (Scotland) Act 1995 in respect of “personal injury, loss or damage caused directly or indirectly, or alarm or distress caused directly” by the offence.<sup>331</sup> Additionally in Scotland, a victim can secure an order requiring the perpetrator of the abuse to pay compensation by raising a civil action for damages.

272. Separately, state-funded compensation is available to victims injured by violent crime, including sexual assault, in England, Wales or Scotland (where compensation is not available elsewhere) through the government-funded Criminal Injuries Compensation Scheme 2012, provided for under the Criminal Injuries Compensation Act 1995. However, the definition of eligible crimes excludes compensation for impairment of mental health as a result of crimes that do not meet the definition of a “crime of violence”. This means that where there is no physical violence or threat of immediate violence or physical contact, some forms of abuse are excluded, such as controlling or coercive behaviour, harassment and stalking, online sexual offending, disclosing private sexual photographs and films with intent to cause distress and malicious communications offences. GREVIO points out that excluding these forms of violence against women from state compensation is not in line with Article 30 of the Istanbul Convention, which requires compensation to be awarded to those who have sustained serious bodily injury or impairment of health, if the damage sustained is not covered by the perpetrator or other sources. Moreover, in the light of the findings under Article 57 of the convention on the very limited availability of legal aid for victims of domestic violence and violence against women because of the high threshold of the means and merits test, GREVIO notes with concern that obtaining compensation from the perpetrator in civil procedures is made very difficult in practice for victims.

273. In Northern Ireland, the Criminal Injuries (Compensation) (Northern Ireland) Order 1988 and the Criminal Injuries (Compensation) (Northern Ireland) Order 2002 provide for the payment of compensation to persons who have sustained a criminal injury. However, it appears that no data are

328. Section 55 of the Sentencing Act 2020.

329. Information obtained during the evaluation procedure.

330. See Chapter VI, Legal Aid (Article 57).

331. Sections 249-253 Criminal Procedure (Scotland) Act 1995.

available on the number of cases of violence against women where compensation was paid to the victim, or the amount granted.

**274. GREVIO strongly encourages the relevant authorities in the United Kingdom to:**

- a. examine and address the reasons for the low level of payments being ordered where compensation is deemed by the courts to be payable in order to ensure that such monetary orders reflect the physical and/or moral damage suffered by those seeking redress for acts of violence against women covered by the Istanbul Convention;**
- b. ensure the Criminal Injuries Compensation Scheme 2012 (England, Scotland and Wales) is compliant with Article 30 of the Istanbul Convention by expanding its scope to cover all forms of violence against women where the criterion of serious bodily injury or impairment of health is met.**

**3. Custody, visitation rights and safety (Article 31)**

275. Custody and visitation decisions in relation to families with a history of abuse require a careful balancing of the different interests at stake. Article 31 of the Istanbul Convention requires such decisions to take into account any incidents of violence covered by the convention, in particular incidents of domestic violence. Furthermore, it requires parties to ensure that the exercise of any visitation or custody rights does not jeopardise the rights and safety of the victim or children while taking into account the parental rights of the perpetrator.<sup>332</sup> In cases of domestic violence, issues regarding children often represent the only ties that remain between victim and perpetrator. For many victims and their children, complying with contact orders can be seen as a continuation of the violence and can also present a serious safety risk because it means meeting the perpetrator face to face.

276. In England and Wales, the Children Act 1989 sets out that in contact and visitation arrangements after parental separation, the welfare of the child shall be the paramount consideration. Other factors shall be taken into consideration as well, notably the child's ascertainable wishes and feelings, physical, emotional and educational needs, and crucially, any harm the child has suffered or is at risk of suffering. At the same time, the Children Act 1989 sets out in section 1(2A) a presumption of parental involvement in a child's upbringing, which case law has developed into a widespread presumption of contact with both parents. There is no explicit legal requirement to consider a history of domestic violence, including such violence directed towards the victim parent. Where allegations of domestic abuse are made in child contact cases, Practice Direction 12J (PD12J) of the Family Procedure Rules 2010 provides detailed guidelines (updated in 2014 and 2017) on the action a court is required to take. The court must be satisfied that any contact ordered with a parent who has perpetrated domestic violence does not expose the child and/or the other parent to an unmanageable risk of harm. Conditions may be imposed such as supervised contact, engagement in treatment by a parent or for contact to be indirect if safe and beneficial for the child.

277. In Northern Ireland, Article 3 of the Children (Northern Ireland) Order 1995 is equivalent to the respective provisions in England and Wales, elevating the child's welfare to a paramount consideration in any child contact decisions. Article 4 allows courts to have recourse to expert testimony arranged for by "any authority" to report on matters relating to the welfare of the child in question.

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332. In the case of *Bîzdîga v. the Republic of Moldova* (Application No. 15646/18, 17 October 2023, available at: [www.hudoc.echr.coe.int/?i=001-228152](http://www.hudoc.echr.coe.int/?i=001-228152)), the European Court of Human Rights held that in proceedings concerning the custody and visitation rights regarding children in a domestic violence context, the primary focus must be on the best interests of the child, and an assessment of any risks of violence or other forms of ill-treatment therefore has to form an integral part of such proceedings. For this reason, it found that an alleged history of domestic violence was a relevant and even mandatory factor to be weighed in the assessment of domestic authorities when deciding on contact rights (§ 62). In the recent case of *Luca v. the Republic of Moldova* (Application No. 55351/17, 17 October 2023, available at: [www.hudoc.echr.coe.int/?i=001-228151](http://www.hudoc.echr.coe.int/?i=001-228151)), the Court found a violation of Article 8 of the European Convention on Human Rights on account of the failure of the Moldovan authorities to take into account incidents of domestic violence in the determination of child contact rights.

278. In Scotland, a legal basis to consider a history of domestic violence exists, set out in section 11 of the Children (Scotland) Act 1995 (updated in 2020). It provides for the welfare of the child to be the paramount consideration while making specific requirements to protect children from any abuse, risk of abuse and/or the effect of such abuse on the child. At the same time, it must consider whether parents with or without parental rights and responsibilities are willing to co-operate on matters affecting the child. Progressive child participation rights in contact decisions are also provided for, although their implementation seems particularly difficult in child contact decisions linked to domestic violence.<sup>333</sup> Child Welfare hearings may be held, including in cases where allegations of domestic violence are made, during which it is established whether the abuse occurred and the risk of further harm is assessed, for the purpose of determining child contact. GREVIO notes with satisfaction that with the introduction of the Safe & Together Model by the Scottish Government the premise of ensuring children's safety together with that of their non-abusive parent is gaining ground.<sup>334</sup>

279. In England and Wales, family courts are assisted by a range of professionals, for example social workers employed or contracted by the Children and Family Court Advisory and Support Service (Cafcass; in Wales, Cafcass Cymru) and mandated to provide child-focused expertise and to safeguard children. They play an important role through their fact-finding meetings in identifying children's exposure to domestic violence, including abuse committed by one parent against the other. In addition, family court experts, who are frequently psychologists, may be instructed by either of the two parties or the court to provide, under section 25(2) of the Family Procedure Rules, expert evidence. Practice directions exist and court experts may register and comply with the regulations from the Health and Care Professions Council.

280. GREVIO notes that in recent years a series of concerns regarding the experiences of domestic violence victims and their children in the family justice system in England and Wales, and to a lesser degree, in Scotland and Northern Ireland, have been identified through government-commissioned and academic research, as well as through the well-documented lived experience of women and children.<sup>335</sup> These concerns are echoed by numerous women's rights organisations and family law practitioners and result in domestic violence either going entirely unrecognised or its extent and impact severely downplayed, resulting in unsafe contact.<sup>336</sup> In short, they contribute to a situation that runs counter to the requirements of Article 31. It is with grave concern that GREVIO notes the persistence of these shortcomings despite their well-documented nature.

281. In England and Wales, the government-commissioned assessment of the risk of harm of children and parents in private law children cases (hereinafter referred to as the "Harm Panel Report") presented four main barriers "that make it difficult to identify and address domestic abuse in family court proceedings: resource constraints, the court's pro-contact culture, the lack of a joined-up approach (the family court working in a silo), and the adversarial process".<sup>337</sup> These four barriers were found to be particularly pronounced for women at risk of intersecting forms of

333. Morrison F., Tisdall E. K. M. and Callaghan J. E. M. (2020), "Manipulation and domestic abuse in contested contact – threats to children's participation rights", *Family Court Review*, Vol. 58 (2), 403-416.

334. [www.safeandtogetherinstitute.com/scotlands-programme-for-government-commits-to-safe-together-model/](https://www.safeandtogetherinstitute.com/scotlands-programme-for-government-commits-to-safe-together-model/).

335. Assessing risk of harm to children and parents in private law children cases, final report, Ministry of Justice of the United Kingdom, June 2020; Domestic Abuse Commissioner, 2023. *The family court and domestic abuse: achieving cultural change*, Domestic Abuse Commissioner, London; Review of civil and family justice – The review group's draft report on family justice, 2016; Rachael Grey (21 Nov 2023), "'Catastrophic': a qualitative exploration of survivors' experiences of expert instruction in private law child arrangements proceedings", *Journal of Social Welfare and Family Law*, DOI: 10.1080/09649069.2023.2281832; Women's Aid Federation of England, "Two years too long", 2022; Birchall J. and Choudhry S. (2021), "'I was punished for telling the truth': How allegations of parental alienation are used to silence, sideline and disempower survivors of domestic abuse in family law proceedings", *Journal of Gender-Based Violence*, 6 (1), 115-131: DOI: 10.1332/239868021X16287966471815; Monk L. and Bowen E. (2020), "Coercive control of women as mothers via strategic mother-child separation", *Journal of Gender Based Violence*, 5 (1), 23-42: DOI: 10.1332/239868020X15913793920878; Silberg J. and Dallam S. (2019), "Abusers gaining custody in family courts: a case series of overturned decisions", *Journal of Child Custody*, 16 (2), 140-169: DOI: 10.1080/15379418.2019.1613204; Thiara R. and Harrison C. (2016), *Safe not sorry. Supporting the Campaign for Safer Child Contact and Domestic Violence. Key issues raised by research on child contact and domestic violence*, Women's Aid. Bristol.

336. NGO submission by 58 women's rights organisations, pp. 88-90; information obtained during the evaluation visit.

337. Assessing risk of harm to children and parents in private law children cases, cited above, p. 40.

discrimination, including race, ethnic origin and migrant status, but also for women in rural areas and those without legal representation.<sup>338</sup> Important progress has been made in addressing some of the shortcomings identified, in particular the adoption of the Domestic Abuse Statutory Guidance for use by all relevant professionals and the Learning and Improvement Board established within Cafcass to implement the Harm Panel Report's recommendations. One of the more immediate outcomes of this process is the mandatory training that Cafcass employees now receive on domestic abuse, which is coupled with an individual learning plan to improve practice. GREVIO welcomes in particular the progress made by Cafcass Cymru towards achieving a culture change on the basis of newly introduced practice guidance that is perpetrator-focused and has been developed with the help of Welsh Women's Aid. According to the Welsh authorities, this is beginning to result in practice that is trauma-informed, free of victim-blaming attitudes towards mothers and less geared towards a presumption of parental involvement after abuse.<sup>339</sup> In addition, GREVIO notes the promising initial results obtained from the two pilot projects on integrating an investigative approach in family courts. While a formal evaluation is yet to take place, this model appears to result in problem-solving in a holistic manner based on multi-agency information sharing and a comprehensive risk assessment, including the views of domestic violence professionals and the voice of the child.<sup>340</sup> With greater attention placed on safety and on addressing issues of harm, it represents a move away from harmful adversarial approaches, which GREVIO welcomes. It stresses the importance of the pilot scheme's focus on information sharing with family courts as the most important way to enable judges and other family law professionals to identify a history of domestic violence and duly take it into account. A national roll-out as envisaged is therefore of utmost importance.

282. However, until such investigative approaches become the norm and result in the robust identification of risk of harm for women victims of domestic violence and their children, leading to decisions on child custody and visitation rights that respect their rights and safety, GREVIO notes the urgent need for priority action to address the following pressing concerns.

283. First, the level of training and expertise on domestic violence, including manipulative, controlling and coercive behaviour and psychological violence, among judges, social workers, psychologists and any other professional instructed to offer expert evidence in child contact and visitation proceedings must be urgently stepped up. According to academic research and indications from women's rights organisations, the understanding of such violence as a gendered form of abuse and its detrimental impact on women and their children is vastly underdeveloped among professionals in the United Kingdom, as is recognition of the harm experienced by children exposed to such behaviour.<sup>341</sup> Moreover, GREVIO notes that expert evidence in court must be ordered on the basis of sufficient knowledge of the gendered nature of domestic violence, including its post-separation manifestations, which may target a victim's safety, mental health, financial situation or residence status. Importantly, awareness must increase among all family law professionals that post-separation abuse may also target a victim's relationship with her children, notably by invoking "alienating" behaviour to counter the victim's allegations of abuse.

284. Second, and related to the above, GREVIO reiterates that the frequent recourse to concepts such as "parental alienation", "hostile or unco-operative mothers", or the positioning of protective mothers as employing coercive control or suffering from mental health issues in family court result in insufficient investigations into the level of abuse and risks of harm emanating from the abusive parent, and ultimately, in unsafe contact decisions. GREVIO notes with concern that in England and Wales such strategies are being employed by legal counsel for domestic violence perpetrators, assisted by court-instructed evidence drawn up by experts using the unregulated title of psychologist.<sup>342</sup> This is despite important case law and guidance, requiring robust vetting of such

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338. Ibid., p. 41.

339. Information provided during the evaluation visit.

340. For more information on the Pathfinder project in North Wales and Dorset, see:

[www.gov.uk/government/news/pioneering-approach-in-family-courts-to-support-domestic-abuse-victims-better](http://www.gov.uk/government/news/pioneering-approach-in-family-courts-to-support-domestic-abuse-victims-better).

341. Monk L. and Bowen E. (2020), "Coercive control of women as mothers via strategic mother-child separation", *Journal of Gender-based Violence*, p. 16; NGO submission by 58 women's rights organisations, p. 89; information obtained during the evaluation visit.

342. Domestic Abuse Commissioner, 2023, *The family court and domestic abuse: achieving cultural change*, pp. 32-34 and information obtained during the evaluation visit.

experts in view of the difficulties in imposing regulation requirements for this professional group.<sup>343</sup> As GREVIO has had the opportunity to note, “parental alienation syndrome” has been denounced by the scientific community as well as by several national courts as a scientifically unfounded concept that shifts the attention away from the alleged abuse towards the supposedly “alienating” behaviour of a domestic violence victim.<sup>344</sup> Such concepts are often invoked without a proper understanding of the dynamics of domestic violence against women and its effects on children and in the absence of a thorough risk assessment and case-by-case examination of the specifics of each situation at hand.

285. Third, the statutory presumption in favour of contact and parental involvement in England and Wales must be counterbalanced with a legal requirement to give due consideration to a history of domestic violence, including psychological violence and coercive control, by one parent against the other, when deciding on child contact. As GREVIO has had the occasion to note, it fully supports the right of children to maintain ties with both of their parents while, however, stressing that the risks associated with exposure to domestic violence – as a victim or witness thereof – must be fully assessed and taken into account when deciding on custody and visitation and that the safety of children and their mothers must be paramount.<sup>345</sup> GREVIO recalls the case law of the European Court of Human Rights requiring in such cases that the primary focus be placed on the best interests of the child, and an assessment of any risks must form an integral part of such proceedings.<sup>346</sup> For this reason, an alleged history of domestic violence has constituted a relevant and even mandatory factor to be weighed in the assessment when deciding on contact rights, and failure to do so has resulted in a violation of Article 8 of the European Convention of Human Rights.<sup>347</sup> This is in line with Article 31, paragraph 2, of the Istanbul Convention, which emphasises the rights and safety of victims and their children in child contact arrangements. This obligation stems from the realisation that for many victims and their children, complying with contact orders can present a serious safety risk.<sup>348</sup> A robust screening for a history of domestic violence, including intimate partner violence against the other parent, beyond the initial form to be completed by both parties in family law proceedings, and thorough investigations into allegations of abuse coupled with risk-assessment procedures are necessary to ensure that child contact decisions do not facilitate the continuation of abuse and control – for children and their non-abusive parents. These must therefore be an integral part of decision-making processes, including where they are based on an agreement between the parents, so as to ensure that the agreed arrangements are in the best interests of the child and in particular that the safety of the parent victim of violence and the child are protected. While exceptions to parental rights, including visitation rights, are possible on the grounds of abusive behaviour and risk of harm, there are no data to assess to what extent this is done in practice. Instead, GREVIO notes with grave concern the persistent practice among family courts in England and Wales of ordering contact between children and the abusive parent, or the growing number of cases in which children are removed from the non-abusive parent, most often mothers, for a perceived failure to promote contact of their children with their abuser.<sup>349</sup>

286. Fourth, any factor that undermines the ability of abused mothers and their children to obtain safe outcomes in child contact proceedings, whether specifically employed with that aim or resulting in a *de facto* disadvantageous position, must be identified and addressed, in law and in practice.

343. See the judgment by His Majesty's High Court of Justice in England, *Re C* ('Parental Alienation'; *Instruction of Expert*), EWHC 345 (Fam), 21 February 2023, paragraph 102. Available at: [www.judiciary.uk/wp-content/uploads/2023/02/Re-C-Parental-Alienation-judgment-220323.pdf](http://www.judiciary.uk/wp-content/uploads/2023/02/Re-C-Parental-Alienation-judgment-220323.pdf).

344. In its baseline evaluation reports, GREVIO has consistently referred to the statement of December 2017 by the European Association for Psychotherapy (EAP), which draws attention to the fact that the concepts of “parental alienation syndrome” (PAS) and “parental alienation” (PA) are unsuitable for use in any psychotherapeutic practice. This statement by the EAP, which is made up of 128 psychotherapy organisations from 41 European countries, acts as a guiding principle for European psychotherapists. See also the judgment by His Majesty's High Court of Justice in England, *Re C* ('Parental Alienation'; *Instruction of Expert*), EWHC 345 (Fam), 21 February 2023, paragraph 103.

345. GREVIO baseline evaluation report on Switzerland, paragraph 173.

346. *Bîzdîga v. the Republic of Moldova*, cited above.

347. *Luca v. the Republic of Moldova*, cited above.

348. Explanatory Report to the Istanbul Convention, paragraph 176.

349. Right to Equality's report on ending the presumption of contact in family courts, Proudman C. and Barnett A. (14 May 2024), available at [www.righttoequality.org/updates-resources/ending-the-presumption-of-contact-in-family-courts-2024-report/](http://www.righttoequality.org/updates-resources/ending-the-presumption-of-contact-in-family-courts-2024-report/), and information obtained during the evaluation visit.

Among these are the possibility for malicious litigation<sup>350</sup> by the abusive parent through repeat child contact applications. While section 91(4) and section 91 A of the Children Act 1989 make such successive applications dependent on leave to appeal, thereby elevating the threshold for such applications, GREVIO notes the limited use made of this tool, resulting in women victims of domestic violence frequently being unrepresented in cost-intensive private law proceedings. In this context, GREVIO notes the concerns expressed by women's rights NGOs that their requests to accompany women to family court under the McKenzie Friend rule (which applies in England, Wales and Northern Ireland)<sup>351</sup> are frequently refused, especially where such NGOs offer specific expertise in domestic violence and coercive control. Less likely to be represented through legal counsel or under the McKenzie Friend rule, women victims of domestic violence are increasingly likely to be asked to engage in conciliatory conflict-resolution processes aimed at resolving the situation, either bilaterally with the other party or via court-mandated procedures with organisations aimed to reduce "parental conflict". Such processes affect women subject to the No Recourse to Public Funds condition in a particularly pronounced manner, as they find themselves at a comparable disadvantage with the abusive parent on account of their residence status and inability to access counselling services or legal aid.<sup>352</sup>

287. Last, GREVIO notes that while supervised visitation may be ordered to ensure safe contact with the non-resident parent, waiting lists seem to exist in some parts of the UK, resulting in unsafe family-based arrangements to fill the gap.<sup>353</sup> Training of professionals and their awareness of domestic and "honour"-related violence seems to vary, leaving much room for improvement, especially where such visitation centres are run for profit. Moreover, the onus for ensuring visitation in terms of travel and costs is placed on the non-abusive parent and their children, straining tight budgets, especially for victims in the process of rebuilding their lives, including financially.

**288. GREVIO urges the relevant authorities in the United Kingdom to take the following priority action in the area of custody and visitation rights and to guarantee the safety of victims and their children by:**

- a. ensuring that the negative impact that violence against women has on children is reflected in legislation and that incidents of violence against women are a mandatory legal criterion to be taken into account when deciding on custody and visitation rights;**
- b. systematically screening all pending cases on custody and visitation for instances of domestic violence, consulting with all relevant bodies, including on whether criminal proceedings are pending against the perpetrator or have been brought in the past, and requesting the disclosure of risk assessments and safety plans drawn up by the relevant bodies;**
- c. banning the use of the so-called "parental alienation syndrome" by judges and court experts, and raising awareness of the lack of a scientific basis for this and similar concepts;**
- d. ensuring that any mediation procedure carried out in the context of divorce or of custody and visitation proceedings incorporates safeguards to ensure the full and free consent of the victim and a risk-assessment procedure;**
- e. providing safe premises where supervised visits can take place and taking measures to safeguard the safety of both children and victims, along with ensuring that there are a sufficient number of professionals trained in violence against women.**

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350. This term refers to repeat and malicious attempts at litigation, including for far-ranging visitation rights and/or sole custody of children, but also for the purpose of targeting the victim's financial situation. See Gutowski E. and Goodman L. A., "Coercive control in the courtroom: the Legal Abuse Scale (LAS)", *Journal of Family Violence* 38 (3) (April 2023), 527-542.

351. A litigant who is not legally represented has the right to have reasonable assistance from a layperson, sometimes called a McKenzie Friend. They can provide moral support for the applicant, help with case papers and give advice on points of law or procedure. However, they are not usually entitled to address the court directly, save for exceptional circumstances. See [www.judiciary.uk/wp-content/uploads/2022/07/pfd-guidance-mckenzie-friends.pdf](http://www.judiciary.uk/wp-content/uploads/2022/07/pfd-guidance-mckenzie-friends.pdf).

352. Information obtained during the evaluation visit.

353. Information obtained during the evaluation visit.

#### 4. Civil consequences of forced marriages (Article 32)

289. Article 32 of the Istanbul Convention requires that “marriages concluded under force may be voidable, annulled or dissolved without undue financial or administrative burden placed on the victim”. The aim of this provision is to ensure that where women and girls free themselves from marriages concluded without their free consent, they do not have to bear any consequences regarding their civil status or their financial situation.

290. In the United Kingdom, a marriage can be annulled if there is evidence that one party did not freely consent. In England, Wales and Northern Ireland, the law distinguishes between marriages that are not legally valid (“void” marriages) and marriages that are voidable. The law in these jurisdictions states that a marriage is voidable if “either party to the marriage did not validly consent to it, whether in consequence of duress, mistake or unsoundness of mind or otherwise”.<sup>354</sup> Nullification of marriages in England and Wales is also possible under the law, including for forced marriages. In Northern Ireland, a marriage is considered void on the grounds that “it is not a valid marriage by reason of non-compliance with any statutory provision or rule of law governing the formation of marriage”.<sup>355</sup> In Scotland, marriages can be considered legally void if, *inter alia*, a party who purported to give consent to the marriage did so only by reason of duress.<sup>356</sup>

291. GREVIO welcomes the legal possibilities for victims of forced marriage to seek nullification or avoidance of their marriages. A time limit of three years after conclusion of the marriage applies. Thereafter, any exceptions to the rule are possible and at the discretion of the court, for which a further application is required. All procedures require application to a court with associated costs. Although applicants may be eligible to access means-based financial support, in view of the recent limitations placed on legal aid and the severe shortage of legal aid solicitors, this constitutes a barrier for women seeking the dissolution of their forced marriage.<sup>357</sup>

292. GREVIO welcomes the specific provision made in England and Wales of the minimum age of 18 for concluding a marriage, and all marriages below that age are considered a forced marriage, but notes that the minimum age for marriage set in Scotland and Northern Ireland is 16 years.<sup>358</sup> First, this means that a marriage concluded with a 16 or 17 year-old-spouse is legal in Scotland and Northern Ireland, and marriages legally entered into by Scottish and Northern Ireland residents under current marriage law are recognised in England and Wales even if one or both parties was aged 16 or 17 at the time of the marriage, thereby providing a legal possibility to circumvent the prohibition of marriage under the age of 18. . Second, although a distinction can be made between underage and forced marriage, GREVIO has consistently found that in the case of underage marriage, the young age of the spouse means that they are at a higher risk of not being able to express their full and free consent to a marital union or to resist a forced marriage. Early and forced marriages are therefore harmful practices that violate, abuse or impair human rights and that are linked to and perpetuate other harmful practices and human rights violations. Due regard should be given to the fact that an *ex tunc* avoidance of a forced marriage may have detrimental consequences for the victim, for example in relation to their right to alimony or maintenance payments from the former husband.<sup>359</sup>

293. In this context, GREVIO welcomes the establishment of the Forced Marriage Unit (FMU) as a dedicated central government body in the UK providing support to victims and potential victims of

354. Matrimonial Causes Act 1973, section 12(1)(c): [www.legislation.gov.uk/ukpga/1973/18/part/II/crossheading/nullity](http://www.legislation.gov.uk/ukpga/1973/18/part/II/crossheading/nullity); Matrimonial Causes (Northern Ireland) Order 1978, section 14(c): [www.legislation.gov.uk/nisi/1978/1045/part/II/crossheading/nullity](http://www.legislation.gov.uk/nisi/1978/1045/part/II/crossheading/nullity).

355. Matrimonial Causes (Northern Ireland) Order 1978, section 13(1)(c).

356. Marriage (Scotland) Act 1977, section 20A, available at:

[www.legislation.gov.uk/ukpga/1977/15/part/6/crossheading/void-marriages](http://www.legislation.gov.uk/ukpga/1977/15/part/6/crossheading/void-marriages).

357. NGO submission by Women's Platform Northern Ireland, p. 49; and [www.gov.uk/how-to-annul-marriage/apply-for-an-annulment](http://www.gov.uk/how-to-annul-marriage/apply-for-an-annulment). See also Chapter VI, Legal aid (Article 57).

358. See section 11(a)(ii) of the Marriage and Civil Partnership (Minimum Age) (England and Wales) Act 2022; section 22 of the Marriage (Northern Ireland) Order 2003; and section 1(1) of the Marriage (Scotland) Act 1977. See also the submission by the Northern Ireland Commissioner for Children and Young People, pp. 11-12.

359. The German Federal Constitutional Court examined in depth the issue of consequences of the avoidance of child marriages concluded abroad: BVerfG, Order of the First Senate of 1 February 2023, No. 1 BvL 7/18, available in English: [www.bverfg.de/e/ls20230201\\_1bvl000718en.html](http://www.bverfg.de/e/ls20230201_1bvl000718en.html).

forced marriage, both within the UK and as regards UK nationals overseas. In 2022, the FMU dealt with 297 cases of forced marriage and five cases of FGM, assisting women to leave forced marriages and ensuring their repatriation to the UK.<sup>360</sup> While GREVIO considers this a positive approach to assisting women and girls who are at risk or are victims of forced marriage within and outside the UK, it notes the increasing concerns raised by women's rights organisations about the efficacy of the support provided and the costs involved for victims, including in relation to their repatriation.<sup>361</sup>

**294. GREVIO encourages the relevant authorities in the United Kingdom to harmonise the procedures for the voidance, annulment or dissolution of forced marriages throughout the four nations, including the legal age to marry, taking due account of the fact that the young age of the spouse means that they are at a higher risk of not being able to express their full and free consent to a marital union or to resist a forced marriage. Moreover, the procedure should be easily accessible and should not entail an undue financial or administrative burden for the victim, as required under Article 32 of the Istanbul Convention.**

## **B. Criminal law**

295. Numerous innovative legislative developments in recent years across the United Kingdom have led to a comprehensive approach to criminalising the conduct set out in Articles 33 to 40 of the Istanbul Convention enacted across various pieces of legislation, with England and Wales forming one jurisdiction, and Scotland and Northern Ireland each forming separate jurisdictions. This section offers an assessment of the three jurisdictions, highlighting differences where relevant. GREVIO welcomes several criminal law provisions that go beyond the requirements of the Istanbul Convention, notably the firm approach to criminalising domestic violence as a stand-alone offence in Scotland and Northern Ireland, as well as the introduction of offences such as coercive control and non-fatal strangulation in all three jurisdictions. The latter two are of growing importance, and continuous innovation in this regard can be witnessed by the Domestic Abuse (Scotland) Act 2018 and the Domestic Abuse Act (England and Wales) 2021, which extend the controlling or coercive behaviour offence to cover post-separation abuse.

296. Moreover, important legislative changes, notably the Online Safety Act 2023, the Criminal Justice and Courts Act 2015, the Abusive Behaviour and Sexual Harm (Scotland) Act 2016, and the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022, account for the increasing relevance of the digital dimension of violence against women, which GREVIO welcomes as corresponding largely with its interpretation of the Istanbul Convention as set out in its General Recommendation No. 1 on the digital dimension of violence against women.<sup>362</sup> GREVIO notes with interest the ongoing discussions in the United Kingdom to treat extreme misogyny as a form of extremism, and the recommendation by the Law Commission to "extend ... the offence of stirring up hatred to cover stirring up hatred on the grounds of sex or gender", with the aim of "tackling the growing threat of extremist misogynist 'incel' ideology, and its potential to lead to serious criminal offending".<sup>363</sup>

### **1. Psychological violence (Article 33)**

297. Article 33 of the Istanbul Convention requires the criminalisation of the intentional conduct of seriously impairing a person's psychological integrity through coercion or threats. In all the four nations that constitute the UK, psychological violence forms part of the domestic abuse criminal offences, and criminalisation extends to psychological violence perpetrated in the digital sphere.

360. [www.gov.uk/government/statistics/forced-marriage-unit-statistics-2022/forced-marriage-unit-statistics-2022](https://www.gov.uk/government/statistics/forced-marriage-unit-statistics-2022/forced-marriage-unit-statistics-2022).

361. NGO submission by 58 specialist VAWG organisations across England and Wales, p. 91; CEDAW Concluding Observations for the United Kingdom (2019) includes a recommendation to "consider alleviating the costs for the repatriation of [forced marriage] victims". See: [www.tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FGBR%2FCO%2F8&Lang=en](https://www.tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FGBR%2FCO%2F8&Lang=en), p. 15.

362. [www.rm.coe.int/grevio-rec-no-on-digital-violence-against-women/1680a49147](https://www.rm.coe.int/grevio-rec-no-on-digital-violence-against-women/1680a49147).

363. See [www.lawcom.gov.uk/project/hate-crime/](https://www.lawcom.gov.uk/project/hate-crime/) and [www.bbc.com/news/articles/c15gn0lq7p5o](https://www.bbc.com/news/articles/c15gn0lq7p5o).

298. Additionally, in England and Wales this conduct is criminalised through two different provisions. Section 76 of the Serious Crime Act 2015 (as amended by section 68 of the Domestic Abuse Act 2021) criminalises repeated or continuous controlling or coercive behaviour within an intimate or family relationship that has a serious effect on the victim.<sup>364</sup> The offence can only be committed against a current or former partner or spouse, a co-parent to a child, a family relative or within an intimate personal relationship. Since the amendment of the Serious Crime Act 2015, there is no longer a requirement for the perpetrator and victim to cohabit for offences against previous partners and family members to meet the definition. The maximum penalty is five years' imprisonment. Section 4 of the Protection from Harassment Act 1997 criminalises conduct that causes another to fear, on at least two occasions, that violence will be used against them.<sup>365</sup> Here, no family or intimate relationship is required. The maximum penalty is 10 years' imprisonment.

299. Section 1 of the Domestic Abuse (Scotland) Act 2018 criminalises abusive behaviour towards a partner or ex-partner that is intended to, or reckless as to whether, the victim suffers physical or psychological harm (that includes fear, alarm and distress).<sup>366</sup> The offence relates to a course of conduct, capturing an ongoing pattern of violent, threatening, intimidating, controlling and/or coercive behaviour (section 2). The maximum penalty is 14 years' imprisonment. Alternatively, threatening or abusive behaviour (outside of a partner relationship) that is likely to cause fear or alarm by way of things said or done in a single act or a course of conduct is criminalised by section 38 of the Criminal Justice and Licensing (Scotland) Act 2010.<sup>367</sup> The maximum penalty is five years' imprisonment.

300. In Northern Ireland, section 1 of the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 criminalises a course of behaviour that is abusive towards a person with whom the perpetrator is personally connected that is likely to or intended to cause harm, or reckless as to whether physical or psychological harm is caused (including fear, alarm and distress).<sup>368</sup> Abusive behaviour includes sexual and physical violence, threats or behaviour that is controlling of day-to-day activities, depriving the victim of freedom of action, or conduct that is intended to make the victim dependant or subordinate, isolated from friends, family and social interaction, or feel frightened, humiliated, degraded, punished or intimidated.<sup>369</sup> The maximum penalty is 14 years' imprisonment.

## 2. Stalking (Article 34)

301. Article 34 of the Istanbul Convention requires the criminalisation of intentional, repeated and threatening conduct directed at another person to cause them to fear for their safety. All the four nations that constitute the UK have enacted stand-alone criminal offences for stalking, extensively covering the behaviour set out in Article 34, including in its digital dimension.

302. In England and Wales, section 2A of the Protection from Harassment Act 1997 criminalises the offence of stalking. Conduct amounts to stalking if it involves harassment or acts or omissions associated with stalking such as following a person, contacting or attempting to contact a person, publishing a statement or material relating or purporting to relate to a person or purporting to originate from a person, monitoring the communication of a person, loitering, interfering with the property of a person, watching or spying on a person. The offence is understood to also cover stalking via digital means. It is punishable by up to 51 weeks' imprisonment. Section 4A of the same act provides for an offence of stalking that is more serious, involving fear of violence or serious alarm or distress. This offence is punishable by up to 10 years' imprisonment.

303. In Scotland, section 39 of the Criminal Justice and Licensing (Scotland) Act 2010 criminalises the offence of stalking, including cyberstalking. The definition of stalking in section 39 encompasses

364. Serious Crime Act 2015: [www.legislation.gov.uk/ukpga/2015/9/contents/enacted](https://www.legislation.gov.uk/ukpga/2015/9/contents/enacted) (section 76 was amended by section 68 of the Domestic Abuse Act 2021). "Serious effect" is defined as causing the victim to fear, on at least two occasions, that violence will be used, or causing serious alarm or distress that has a substantial adverse effect on the victim's day-to-day activities.

365. Protection from Harassment Act 1997: [www.legislation.gov.uk/ukpga/1997/40/contents](https://www.legislation.gov.uk/ukpga/1997/40/contents).

366. Domestic Abuse (Scotland) Act 2018: [www.legislation.gov.uk/asp/2018/5/contents/enacted](https://www.legislation.gov.uk/asp/2018/5/contents/enacted).

367. Criminal Justice and Licensing (Scotland) Act 2010: [www.legislation.gov.uk/asp/2010/13/contents](https://www.legislation.gov.uk/asp/2010/13/contents).

368. Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021: [www.legislation.gov.uk/nia/2021/2/contents](https://www.legislation.gov.uk/nia/2021/2/contents).

369. Defined in section 2 of the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021.

a course of conduct causing the victim to suffer fear or alarm where the accused either intends to cause such fear or alarm, or else knew, or ought to have known, that their behaviour would be likely to have this effect on the victim, including by entering premises, giving anything to the person or leaving it where it may be found by, given to or brought to the attention of the person or acting in any other way that a reasonable person would expect would cause the person to suffer fear or alarm. The offence is punishable by up to five years' imprisonment.

304. In Northern Ireland, the Protection from Stalking Act (Northern Ireland) 2022 provides for the recently enacted offence of stalking.<sup>370</sup> An offence of threatening or abusive behaviour causing fear or alarm and triggered by a single incident or course of conduct is punishable by up to five years' imprisonment (section 2). A more serious offence of stalking is defined in identical terms to the offence in Scotland (section 39 of the Criminal Justice and Licensing (Scotland) Act 2010), save for the requirement of the conduct occurring on two or more occasions and the addition of causing "substantial distress" in addition to fear or alarm (section 1). It includes acts of stalking via digital means and is punishable by up to 10 years' imprisonment. This legislation extends to behaviour undertaken outside of Northern Ireland where the defendant is a UK national or habitually resident in Northern Ireland. It also introduces stalking protection orders and notices and criminalises breaches thereof.

### **3. Physical violence (Article 35)**

305. A range of offences, common law and statutory offences, exist in England and Wales as well as in Northern Ireland and Scotland encompassing physical violence, including manslaughter and murder, grievous bodily harm, actual bodily harm and common assault. GREVIO notes with satisfaction that in addition to these general offences of bodily harm, the typical course of conduct of domestic violence is criminalised in a specific, stand-alone offence in Scotland and in Northern Ireland.<sup>371</sup>

306. GREVIO notes with grave concern, however, that in England and Northern Ireland, children under the age of 16 do not enjoy the same protection from physical domestic violence as adults.<sup>372</sup> Abuse against a child under 16 years of age by a person who has parental responsibility for that child is excluded from the scope of the definition of domestic abuse in Domestic Abuse Act (England and Wales) 2021 and the Domestic Abuse and Civil Proceedings Act 2021 in Northern Ireland, despite the fact that the very same laws expressly recognise children as victims of domestic violence where they see, hear or witness the effects of the abuse. What is more, parents continue to have a defence of "reasonable punishment" of their children for acts of common assault, where the injury to the child is minor and as long as they do not cause grievous or actual bodily harm.<sup>373</sup> While it is a criminal offence for teachers, nursery workers and other childcare workers to physically discipline another person's child, parents may give a private childminder permission to physically discipline their child. Scotland and Wales abolished this defence in 2020 and 2022, respectively, which GREVIO notes with satisfaction. The fact that children under 16 are excluded from the definition of domestic abuse in England and Northern Ireland and that "reasonable punishment" remains an acceptable defence for parents in England and Northern Ireland constitutes a severe gap in the implementation of Article 35 of the Istanbul Convention, which should be remedied as a matter of utmost urgency, in order to afford children the same protection from physical abuse as adults. In addition, GREVIO underlines that the definition of "domestic violence" in Article 3b of the Istanbul Convention does not allow for an age limit for those included in this definition.

307. As an example of the innovation referred to above, and in view of the growing experiences women and girls have of unwanted strangulation during sexual encounters, GREVIO welcomes the criminalisation of non-fatal strangulation as a specific offence in all the four nations that constitute

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370. Protection from Stalking Act (Northern Ireland) 2022: [www.legislation.gov.uk/nia/2022/17/enacted](http://www.legislation.gov.uk/nia/2022/17/enacted).

371. See Chapter I, Scope of the Convention (Article 2) and Definitions (Article 3).

372. In Northern Ireland, acts of physical violence against children can in theory be dealt with under child-protection provisions such as section 20 of the Children and Young Person Act (Northern Ireland) 1968, but it is unclear whether they are made use of in practice.

373. Section 58 of the Children Act 2004 (England), and Section 2 of the Law Reform (Miscellaneous Provisions) (Northern Ireland) Order 2006.

the UK, in recognition of the pervasiveness of this form of physical violence. The Domestic Abuse Act 2021 (England and Wales) inserted a new provision in the Serious Crime Act 2015 at section 75A creating a specific offence of strangulation and suffocation where a person intentionally strangles another person or does anything to affect a person's ability to breathe and that act constitutes a battery, punishable by up to five years' imprisonment. This offence is mirrored in section 28 of the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022 and the Domestic Abuse (Scotland) Act 2021.<sup>374</sup> GREVIO notes with concern, however, that the law provides for a defence of the victim having consented to strangulation or suffocation. It considers that such a defence must be most thoroughly scrutinised in practice, including from a gendered perspective of violence against women, and given that, under international law, no consent can be given for acts of torture, inhuman and degrading treatment. As has been addressed earlier in this report, violent practices in mainstream pornography include "choking", which affects young women disproportionately and often without warning or their consent sought.<sup>375</sup> A gendered perspective on such practices, as required under Article 49, paragraph 2, of the convention, is necessary when examining such cases.

308. In a similarly innovative development, Article 71 of the Domestic Abuse Act (England and Wales) 2021 and Article 27 of the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022 stipulate that alleged consent by the victim to the infliction of serious harm for the purposes of obtaining sexual gratification does not constitute a defence, which GREVIO welcomes. Previously, so-called "rough sex" defences have been used by men who subjected their partners to violent sexual practices and severely injured or killed them during sex.<sup>376</sup> GREVIO regrets that in Scotland such defences have not been outlawed, and an accused in a homicide case may seek to reduce a charge from murder to culpable homicide by arguing that the victim had consented to the assault. GREVIO thus stresses the need for utmost scrutiny and the thorough application of a gendered perspective as required by Article 49, paragraph 2, of the Istanbul Convention and as called for in recent case law by the European Court of Human Rights.<sup>377</sup> Rape and sexual assault are crimes that are most often perpetrated by men against women: In 86% of sexual offences, and in 91% of rapes recorded by the police, the victim was a woman;<sup>378</sup> and 98% of persons convicted for sexual offences are male.<sup>379</sup> It is therefore of utmost importance to take a firm stand against defences of consent to serious bodily harm across the four nations.

**309. GREVIO urges the relevant authorities in the United Kingdom, in particular in England and Northern Ireland, to remove any and all exceptions from the application of offences of physical violence committed by parents against their children with a view to ensuring due regard for the scope of application of the Istanbul Convention and the offences set out therein.**

**310. Furthermore, GREVIO urges the relevant authorities in the United Kingdom, in particular in Scotland, to prohibit any defence of consent to acts of physical violence against women, in particular in the context of sexual violence.**

374. Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022:

[www.legislation.gov.uk/nia/2022/19/contents/enacted](http://www.legislation.gov.uk/nia/2022/19/contents/enacted).

375. See Chapter III, Participation of the private sector and the media (Article 17).

376. For more information, see the We Can't Consent To This campaign, which compiled cases of women being murdered by their partners, where so-called "rough sex" defences have been used during trial, sometimes leading to a conviction for manslaughter rather than murder, or an acquittal of the accused, despite the severe injuries the victim had suffered at the hands of the abuser: [www.wecantconsenttothis.uk/](http://www.wecantconsenttothis.uk/).

377. *X v. Greece*, Application No. 38588/21, § 87, 13 February 2024, which concerned the reported rape of the applicant, an 18-year-old woman from the United Kingdom, by a bartender while on holiday in Greece: "neither the prosecution nor the court analysed the circumstances of the case from the perspective of gender-based violence".

378. See Office for National Statistics, data for the twelve months prior to 31 March 2022, available at: [www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/sexualoffencesvictimcharacteristicsenglandandwales/yearendingmarch2022](http://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/sexualoffencesvictimcharacteristicsenglandandwales/yearendingmarch2022).

379. UK Ministry of Justice, Statistics on Women and the Criminal Justice System 2021, p. 56, available at: [www.gov.uk/government/statistics/women-and-the-criminal-justice-system-2021](http://www.gov.uk/government/statistics/women-and-the-criminal-justice-system-2021).

#### **4. Sexual violence, including rape (Article 36)**

311. GREVIO notes with satisfaction that in all the four nations that constitute the UK, criminal provisions on sexual violence and rape are based on the lack of consent of the victim, in line with Article 36 of the Istanbul Convention.<sup>380</sup>

312. In England and Wales, sections 1 to 4 of the Sexual Offences Act 2003 criminalise rape, assault by penetration, sexual assault and causing a person to engage in sexual activity without consent.<sup>381</sup> Whether a belief that a person has given consent is reasonable must be determined with regard to all the circumstances, including any steps the accused has taken to ascertain whether the victim has consented. The maximum sentences for the offences contained in sections 1, 2 and 4 are life imprisonment, and the maximum penalty for section 3 (sexual assault) is 10 years' imprisonment.

313. In Scotland, the offences of rape and sexual assault are contained in Part 1 of the Sexual Offences (Scotland) Act 2009 and are based on the absence of consent.<sup>382</sup> Moreover, the following conduct is criminalised: causing another person to engage in a non-consensual sexual act (sexual coercion); coercing a person into being present during a sexual activity or looking at a sexual image; and administering a substance for sexual purposes. Part 2 defines consent as meaning "free agreement". Rape and sexual assault by penetration are deemed to be continuing acts from penetration until withdrawal, and even where consent was initially given, the law expressly stipulates that it can be withdrawn at any moment. The maximum penalty for rape, sexual assault by penetration, sexual assault and sexual coercion is life imprisonment (Schedule 2 of the act).

314. In Northern Ireland, the relevant offences in the Sexual Offences (Northern Ireland) Order 2008 are enacted in identical terms to England and Wales's Sexual Offences Act 2003. Rape, assault by penetration and causing a person to engage in sexual activity without consent are punishable by custodial sentences up to life imprisonment and sexual assault by up to 10 years' imprisonment. The Sexual Offences (Northern Ireland) Order 2008 defines "consent" as [a person] "agrees by choice, and has the freedom and capacity to make that choice" (Article 3).<sup>383</sup>

315. "Stealthling" (the removal of a condom against the consent of the sexual partner during otherwise consensual sexual relations) falls under the provisions for sexual offences in all four nations, which GREVIO welcomes, noting that a number of criminal convictions have already been secured in this context.<sup>384</sup>

316. GREVIO thus considers that Article 36 of the Istanbul Convention is adequately implemented in the United Kingdom, and the applicable sanctions are commensurate with the gravity of the offences covered. However, despite the comprehensive consent-based approach in criminal law to sexual violence and rape, GREVIO points to the urgent need to ensure holistic and trust-based investigations and prosecutions of such acts, as is detailed throughout this report.<sup>385</sup>

#### **5. Forced marriage (Article 37)**

317. Forced marriage is criminalised in England and Wales under section 121, and in Scotland under section 122 of the Anti-Social Behaviour, Crime and Policing Act 2014. Similar legislation applies for Northern Ireland under section 16 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015. GREVIO notes with satisfaction that the above provisions define "marriage" as any religious or civil ceremony of marriage, whether or not it is legally binding. In Scotland, it also covers forced civil partnerships. In all three jurisdictions, it

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380. Upon ratification of the Istanbul Convention, the Government of the United Kingdom reserved the right not to apply the provisions laid down in Article 44, paragraph 3, of the convention in respect of offences under Article 36 of the convention when committed by a person who has his or her habitual residence in the United Kingdom and is not a United Kingdom national.

381. Sexual Offences Act 2003: [www.legislation.gov.uk/ukpga/2003/42/contents](http://www.legislation.gov.uk/ukpga/2003/42/contents).

382. Sexual Offences (Scotland) Act 2009: [www.legislation.gov.uk/asp/2009/9/contents](http://www.legislation.gov.uk/asp/2009/9/contents).

383. Sexual Offences (Northern Ireland) Order 2008: [www.legislation.gov.uk/nisi/2008/1769/contents](http://www.legislation.gov.uk/nisi/2008/1769/contents).

384. [www.theguardian.com/uk-news/article/2024/jun/13/london-man-jailed-stealthling-removing-condom-without-consent](http://www.theguardian.com/uk-news/article/2024/jun/13/london-man-jailed-stealthling-removing-condom-without-consent).

385. See Chapter VI, General obligations (Article 49) and Immediate response, prevention and protection (Article 50).

covers the act of a causing someone to enter into marriage by means of violence, threats or any other form of coercion, and in the absence of the victim's free and full consent. The respective legislation further clarifies that the offence includes conduct directed at the victim of the offence or another person, therefore covering threats against, for example, family members of the victim. A person is also deemed to commit the offence if they practise any form of deception intending to cause someone to leave the United Kingdom with the intention of subjecting them to forced marriage abroad. Luring someone to travel to the UK with the intention of subjecting them to a forced marriage is covered by the general offences.

318. The Marriage and Civil Partnership (Minimum Age) Act 2022 amended the Section 121 of the Anti-social Behaviour, Crime and Policing Act 2014 to reflect that any child marriage is unlawful in England and Wales, "whether or not the conduct amounts to violence, threats, any other form of coercion or deception, and whether or not it is carried out in England and Wales", thus further aligning with the requirements set out under Article 37 of the convention. In Scotland and in Northern Ireland, the general offence on forced marriage equally covers children. The requirements under Article 37 are thus fully complied with and the applicable sanctions are commensurate with the gravity of the offences covered.

## **6. Female genital mutilation (Article 38)**

319. In England, Wales and Northern Ireland, section 1 of the Female Genital Mutilation Act 2003 makes it a criminal offence to carry out FGM on a girl, which corresponds to Article 38, paragraph a, of the convention.<sup>386</sup> Section 2 makes it an offence to aid, abet, counsel or procure a girl to carry out FGM on herself. The offence extends to aiding, abetting, counselling and procuring a non-UK national or resident to carry out FGM outside the UK. All offences are punishable by up to 14 years' imprisonment.

320. In England and Wales, intentionally encouraging or assisting an offence, and encouraging or assisting an offence believing it will be committed, are criminalised pursuant to sections 44 to 46 of the Serious Crimes Act. Under general provisions of the law which apply to all criminal offences, it is an offence to aid, abet, counsel or procure a person to commit FGM, encourage or assist a person to commit FGM, attempt or conspire to commit such an offence. Any person found guilty of such an offence faces the same maximum penalty for these offences under the FGM Act 2003.<sup>387</sup>

321. GREVIO notes with interest that under the Female Genital Mutilation Act 2003, parents/persons responsible for a girl under 16 years of age are held responsible for an act of FGM carried out on her, unless it can be established in defence that they did not consider there was a significant risk of FGM or that they took reasonable steps to protect her (section 3A). The maximum penalty is seven years' imprisonment. The act also provides for FGM protection orders to protect a girl at risk of or who has been subjected to FGM (Schedule 2).

322. In Scotland, section 1 of the Prohibition of Female Genital Mutilation (Scotland) Act 2005 makes it an offence to carry out FGM.<sup>388</sup> The offence encapsulates all elements of Article 38a of the Istanbul Convention. Section 2 creates an offence of aiding, abetting, counselling, procuring or inciting an offence under section 1, a girl to carry out FGM on herself or a non-UK national or resident to carry out FGM outside the UK, thus corresponding to Article 38, paragraphs b and c, of the convention. The maximum penalty for both offences is 14 years' imprisonment.

323. GREVIO notes that the United Kingdom has reserved the right not to apply Article 44, paragraph 3, of the convention, in respect of FGM.<sup>389</sup> However, extraterritorial jurisdiction is applicable in cases where the act of FGM is carried out outside the UK by a UK national or resident

386. Female Genital Mutilation Act 2003: [www.legislation.gov.uk/ukpga/2003/31/contents](http://www.legislation.gov.uk/ukpga/2003/31/contents).

387. Recently, and for the first time in England and Wales, a man has been convicted of conspiracy to commit female genital mutilation, see [www.cps.gov.uk/east-midlands/news/jail-legal-first-female-genital-mutilation-conspiracy](http://www.cps.gov.uk/east-midlands/news/jail-legal-first-female-genital-mutilation-conspiracy).

388. The Prohibition of Female Genital Mutilation (Scotland) Act 2005: [www.legislation.gov.uk/asp/2005/8/contents](http://www.legislation.gov.uk/asp/2005/8/contents).

389. This provision requires states parties to ensure that, for the prosecution of certain offences such as FGM, their jurisdiction is not subordinated to the principle of dual criminality.

(section 4 of Female Genital Mutilation Act 2003 and section 4 of Prohibition of Female Genital Mutilation (Scotland) Act 2005).

## **7. Forced abortion and forced sterilisation (Article 39)**

324. None of the four nations that constitute the UK have specifically criminalised forced abortion or forced sterilisation. In England and Wales, the offences of grievous bodily harm with intent,<sup>390</sup> maliciously administering a “noxious thing” (such as poison) so as to endanger life or inflict grievous bodily harm or to injure another person (sections 23 and 24 of the Offences against the Person Act) and child destruction (section 1, paragraph 1, of the Infant Life (Preservation) Act 1929, though only applicable if the child is already capable of being born alive) can be applied to criminally sanction forced abortion and forced sterilisation and carry maximum sentences of between five years and life imprisonment.

325. In Scotland, the common law offence of assault applies to the offences as set out in Article 39 of the convention and can be sanctioned with life imprisonment as a maximum penalty.

326. In Northern Ireland, criminal offences such as bodily harm can be used to sanction forced abortion and forced sterilisation. Moreover, the offence of child destruction is relevant in the context of forced abortion, but only applies at more advanced stages of pregnancy, when the foetus is already viable outside the womb.

327. First, GREVIO notes that the “child destruction” offences applicable in England, Wales and Northern Ireland do not apply to a forced abortion before the foetus is viable outside the womb, thus only partially covering this offence.<sup>391</sup> Second, GREVIO underlines that offences such as bodily harm are not appropriate to capture the full nature of the offences under Article 39 of the convention, including their distinctly gendered nature, and therefore considers that legislative measures are necessary to ensure that the performance of an abortion or the termination of a woman’s capacity to reproduce without her prior and informed consent are specifically criminalised.

328. As regards forced sterilisation, GREVIO notes with grave concern two recent cases in England and in Northern Ireland, where medical doctors sterilised women during caesarean sections without the women’s knowledge or consent. It appears that no criminal investigations were launched, and the only sanctions applied were of a disciplinary nature.<sup>392</sup> The fact that these cases were not recognised in practice as falling under other criminal provisions points towards the need for a stand-alone criminal offence of forced sterilisation in these jurisdictions, in order to convey the firm message that sterilising a woman without her consent is a criminal act and a grave violation of her human rights. Since no information is available in any of the four nations on criminal prosecutions of cases of forced sterilisation, it appears that there have been none.

329. In addition, it is unclear whether informed consent procedures exist for women with disabilities who undergo sterilisation. GREVIO considers that in view of the far-ranging implications of sterilisation, the reproductive rights of women with intellectual disabilities need to be respected by offering them the full range of birth control options without resorting to invasive and permanent measures such as sterilisation. This would require training for all professionals involved (medical and legal professionals) in order to challenge assumptions that sterilisation is in the best interests of the woman concerned. In this context, GREVIO stresses the importance of ensuring that the existing

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390. See Chapter V, Physical violence (Article 35).

391. In the case of Wilson [2017] 1 Cr App R (S), section 1 of the Infant Life Preservation Act has been used to prosecute a forced abortion. The offender together with another person attacked the pregnant girlfriend of the offender, kicking and stamping on her stomach in a deliberate attempt to abort the foetus. The victim was 32 weeks pregnant at the time. The child was delivered stillborn, and the victim required life-saving surgery. The offender was convicted of causing grievous bodily harm with intent and child destruction. He received a life sentence (on appeal) with a minimum term of 14 years. However, GREVIO notes that at 32 weeks, the child would have been viable outside the womb, which is why the Infant Life Preservation Act was applicable to this case. According to official information on the NHS website, a foetus is viable from around 24 weeks (see [www.nhs.uk/pregnancy/week-by-week/13-to-27/24-weeks/](http://www.nhs.uk/pregnancy/week-by-week/13-to-27/24-weeks/)), meaning that a forced abortion before 24 weeks of gestation would likely not fall under the Infant Life Preservation Act.

392. See [www.bbc.com/news/uk-northern-ireland-67625473](http://www.bbc.com/news/uk-northern-ireland-67625473) and [www.dailymail.co.uk/news/article-13390125/gynaecologist-suspended-sterilised-patient-csection.html](http://www.dailymail.co.uk/news/article-13390125/gynaecologist-suspended-sterilised-patient-csection.html).

safeguards are applied in line with the standards set out in the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine (ETS. No. 164).<sup>393</sup> In order to be able to exercise free will on their sexuality and family planning, women with intellectual disabilities, including those assigned a court-appointed representative, should be informed, in a language that is easy to understand or in an otherwise disability-accessible manner, of their various options for contraception.

**330. GREVIO urges the relevant authorities in the United Kingdom to take legislative or other measures to fully criminalise the conduct of forced abortion and forced sterilisation as set out in Article 39 of the Istanbul Convention, and to ensure that these forms of violence against women are prosecuted in practice.**

**331. GREVIO strongly encourages the relevant authorities in the United Kingdom to ensure that in any procedures for the authorisation of the sterilisation of legally incapacitated women, less invasive birth control options are prioritised, with due regard for the best interests and self-determination of the women concerned.**

**332. GREVIO encourages the relevant authorities in the United Kingdom to ensure that women with intellectual disabilities can give their prior free and informed consent before undergoing sterilisation, on the basis of sufficient information designed in a disability-accessible manner, presented to them by professionals who are trained on gender and disability issues.**

## **8. Sexual harassment (Article 40)**

333. The criminal and civil legislation related to unwanted verbal, non-verbal or physical conduct of a sexual nature with the purpose or effect of violating the dignity of a person, when creating an intimidating, hostile, degrading, humiliating or offensive environment, are spread across several statutes within the four nations that constitute the UK. GREVIO commends the United Kingdom for the comprehensive legal framework that is in place to sanction sexual harassment, including in the digital sphere.

334. In the criminal law context in England and Wales, pursuant to section 4A of the Public Order Act 1986, it is an offence to intentionally cause harassment, alarm or distress in a public or private place. The maximum penalty is six months' imprisonment. GREVIO notes, however, that this offence does not specifically incorporate harassment that is of a sexual nature.<sup>394</sup> Section 4B of the same Act (introduced by the Protection from Sex-Based Harassment in Public Act 2023), pertaining to committing an offence under section 4A because of the victim's sex or presumed sex, is intended to close this gap, but is not yet in force. GREVIO notes that this offence relates narrowly to the sex of the victim rather than the sexual conduct of the perpetrator and retains the requirement under section 4A of the Public Order Act that an "intention to harass" by the perpetrator must be proven. It may therefore not fully address the gap relating to the sanctioning of sexual harassment.<sup>395</sup>

335. The Protection from Harassment Act 1997 (England and Wales) provides for a further general offence of harassment that is punishable by up to six months' imprisonment (sections 1 and 2). Harassment, in the context of this Act, encompasses sexual harassment and bullying behaviour whether committed directly or online. In the civil law context, section 3 of the Protection from Harassment Act 1997 enables a victim to apply for an injunction against a perpetrator of harassment, and section 5A makes provision for a restraining order to be made where a person is acquitted of a crime of a harassment. Breaching such orders amounts to a criminal offence.

336. In relation to the digital dimension of sexual harassment, GREVIO welcomes the UK's recent enactment of the Online Safety Act 2023, which, in England and Wales, creates new offences of

393. Explanatory Report to the Istanbul Convention, paragraph 205.

394. Public Order Act 1986: [www.legislation.gov.uk/ukpga/1986/64](http://www.legislation.gov.uk/ukpga/1986/64).

395. Section 4B was inserted into the Public Order Act 1986 by the Protection from Sex-based Harassment in Public Act 2023.

“cyberflashing”, “intimate image abuse” and sharing “deepfakes of intimate images”, taking into account the steep rise in these harmful online phenomena.<sup>396</sup> GREVIO commends the UK on the explicit criminalisation of these offences, including their equivalents that apply in Scotland and in Northern Ireland (see further below).

337. (Sexual) harassment in the workplace is prohibited under section 26 of the Equality Act 2010 (that applies to England, Wales and Scotland).<sup>397</sup> In October 2023, the Worker Protection (Amendment of the Equality Act 2010) Act 2023 was enacted and was due to come into force in October 2024.<sup>398</sup> It introduces a new duty on employers to take reasonable steps to prevent sexual harassment of their employees and gives tribunals the power to increase sexual harassment compensation by 25% where the employer is found to have breached this duty. However, it remains to be seen whether the forthcoming code of practice for employers supporting the new legislation will be sufficiently robust to address the previous legislation that, to date, has had limited effect in tackling widespread sexual harassment against women.

338. Under the Equality Act 2010, public employers in England, Wales and Scotland are subject to a Public Sector Equality Duty (PSED) (section 149). This requires all public authorities to exercise their functions with due regard for the need to eliminate discrimination and harassment, advance equality of opportunity and promote good relations between different groups based on protected characteristics, which include sex. Although harassment, and therefore sexual harassment, fall within the ambit of the PSED, compliance seems low.

339. In Scotland, several provisions exist that criminalise conduct towards women that may amount to sexual harassment. These include threatening or abusive behaviour,<sup>399</sup> sexual offences such as sexual assault, coercing a person to be present during sexual activity, coercing a person into looking at a sexual image, communicating indecently, sexual exposure and voyeurism,<sup>400</sup> disclosing or threatening to disclose an intimate photograph or film,<sup>401</sup> stalking,<sup>402</sup> improper use of a public electronic communications network<sup>403</sup> or the common law offences of threats and breach of the peace. GREVIO notes that these criminal offences are either generic offences that do not contain an element of “sexual” conduct, or despite incorporating conduct that is sexual in nature and involves the humiliation, distress and alarm of the victim, their disparate nature spread across several pieces of legislation means that they do not equate to a single and identifiable offence of sexual harassment that would enable a victim to effectively seek justice. The offence of stalking comes the closest, but GREVIO recalls that the drafters of the Istanbul Convention intentionally separated the parties’ substantive law requirements in relation to the offence of stalking in Article 34 and sanctioning sexual harassment pursuant to Article 40, thereby requiring distinct legal protection for women and girls from sexual harassment.

340. GREVIO notes with interest the Scottish Government’s consultation on drafting a new law intended to criminalise misogyny within the proposed Misogyny and Criminal Justice Bill.<sup>404</sup>

341. In Northern Ireland, the Sexual Offences (Northern Ireland) Order 2008 criminalises non-consensual sexual conduct. Further, according to the authorities, the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022 addresses behaviour that may be considered as sexual harassment, such as voyeurism, sending unwanted sexual images, sexual grooming and threatening to disclose private sexual images. It also introduces new offences of “upskirting” and “downblousing”.

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396. GREVIO General Recommendation No. 1 on the digital dimension of violence against women, adopted on 20 October 2021, Council of Europe, 2021, available at: [www.rm.coe.int/grevio-rec-no-on-digital-violence-against-women/1680a49147](http://www.rm.coe.int/grevio-rec-no-on-digital-violence-against-women/1680a49147).

397. Equality Act 2010: [www.legislation.gov.uk/ukpga/2010/15/contents](http://www.legislation.gov.uk/ukpga/2010/15/contents).

398. Worker Protection (Amendment of the Equality Act 2010) Act 2023: [www.legislation.gov.uk/ukpga/2023/51/contents](http://www.legislation.gov.uk/ukpga/2023/51/contents).

399. Section 38 of the Criminal Justice and Licensing (Scotland) Act 2010.

400. Contained in the Sexual Offences (Scotland) Act 2009.

401. Section 2 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016.

402. Section 39 of the Criminal Justice and Licensing (Scotland) Act 2010.

403. Section 127 of the Communications Act 2003.

404. [www.gov.scot/publications/reforming-criminal-law-address-misogyny-scottish-government-consultation/](http://www.gov.scot/publications/reforming-criminal-law-address-misogyny-scottish-government-consultation/).

342. In the civil law context, the Sex Discrimination (Northern Ireland) Order 1976 (as amended) prohibits discrimination and sexual harassment on the grounds of a person's sex in the areas of employment, training, education, provision of goods, facilities and services, and the disposal and management of premises.<sup>405</sup>

## **9. Unacceptable justifications for crimes, including crimes committed in the name of so-called honour (Article 42)**

343. GREVIO welcomes the fact that across the jurisdictions in England, Wales, Scotland and Northern Ireland, culture, custom, religion, tradition or so-called honour cannot be regarded as justification for reduced sentences in criminal proceedings initiated following the commission of any of the acts of violence covered by the Istanbul Convention.<sup>406</sup>

## **10. Sanctions and measures (Article 45)**

344. The range of sanctions provided for in the legislation in the United Kingdom giving effect to the offences set out in the Istanbul Convention, as discussed above, appropriately reflect the seriousness of the respective offences. From the information obtained on the actual use of the sentencing range, however, it appears that judges tend either to apply a low sanction or resort to suspended or conditional sentences, in particular for domestic violence-related offences.<sup>407</sup>

345. In view of the limited data available on the length of sentences for offences of relevance to the Istanbul Convention, the full level of dissuasiveness of sentences imposed is difficult to assess.<sup>408</sup> GREVIO therefore points to the need to ensure adequate sentencing practices in order to send a message of zero tolerance for all forms of violence against women, including their digital dimension. GREVIO draws attention to a recent judgment of the European Court of Human Rights, finding that the commutation of a 10-month prison sentence to community service for serious sexual violence violated the victim's rights under Articles 3 and 8 of the European Convention on Human Rights. The Court observed that while community service has become an integral and useful component of modern penal policy, there was also a broad international consensus on the need to stand firm on sexual abuse and violence against women, which is why domestic courts need to pay particular attention when deciding to apply community service instead of prison for such crimes.<sup>409</sup> It is in this context that GREVIO points to the need to ensure effective, proportionate and dissuasive sanctions as required by the Article 45 of the Istanbul Convention in any discussions around replacing custodial sentences of 12 months and less by community-based service.

346. An open letter from the Victims' Commissioner and the Domestic Abuse Commissioner highlighted systemic misogyny in the criminal justice system and concerns about disparity in sentencing where a weapon is used in a domestic context and also in the sentencing of women guilty of murder who have been victims of domestic abuse and coercive control. In response to the letter, an Independent Review into Sentencing for Domestic Homicide was commissioned by the government, which resulted in several recommendations that are currently under consultation. These include, notably, that murder following the victim ending a relationship and murder involving

405. Sex Discrimination (Northern Ireland) Order 1976: [www.legislation.gov.uk/nisi/1976/1042/contents](http://www.legislation.gov.uk/nisi/1976/1042/contents).

406. House of Commons, Women and Equalities Committee, So-called honour-based abuse, 19 July 2023, paragraphs 88-89, available at: [www.publications.parliament.uk/pa/cm5803/cmselect/cmwomeq/831/summary.html](http://www.publications.parliament.uk/pa/cm5803/cmselect/cmwomeq/831/summary.html).

407. Information provided during the evaluation visit.

408. See Chapter VI, General obligations (Article 49) and Immediate response, prevention and protection (Article 50).

409. *Vučković v. Croatia*, Application No. 15798/20, § 56, 12 December 2023, available at: [www.hudoc.echr.coe.int/eng?i=001-229399](http://www.hudoc.echr.coe.int/eng?i=001-229399). The Court noted that the domestic courts never took into consideration the consequences of the offences on the victim – PTSD and the resulting long periods of sick leave – or the perpetrator's threats and demeaning behaviour towards her and his apparent lack of remorse or any effort to compensate her for the damage caused. The Court found it "concerning that despite the repeated nature of the serious sexual violence suffered by the applicant, the appeal court chose to replace [the perpetrator's] prison sentence with community service without giving adequate reasons and without considering in any way the interests of the victim, which the domestic courts are obliged to take into account when deciding on the sentence to be imposed in a particular case ... Such an approach by the domestic courts, in the Court's view, may be indicative of a certain leniency in punishing violence against women, instead of communicating a strong message to the community that violence against women will not be tolerated. Such leniency may in turn discourage victims from reporting such acts, whereas according to the scarce data available in this context, violence against women is worryingly common and remains seriously underreported".

strangulation should be formally recognised as aggravating factors, and coercive control of a victim who commits murder be a mitigating factor.<sup>410</sup>

347. Monitoring and supervision of convicted perpetrators exists in various ways across the UK. In England and Wales, the multi-agency public protection arrangements (MAPPA) referred to later in this report seek to manage risks after release from custody by supervising violent and sexual offenders in the community.<sup>411</sup> In Scotland, a court may order the monitoring or supervision by a justice social worker or Police Scotland of a violent offender. Alternatively, the independent Parole Board may direct supervision of an offender as part of the prison release terms and electronic monitoring may be ordered.

348. In Northern Ireland, offenders can only be supervised as part of a community-based sentence imposed by a court, a probation order or combination order, or as part of a post-custodial licence period. The court may require an offender to undertake specified activities to manage their risk such as attending an offender behaviour programme, residing at a certain address, avoiding a certain area or wearing an electronic tag. A breach of these conditions can result in enforcement action.

349. Last, GREVIO notes with satisfaction that with the passing of “Jude’s Law” in 2024, contained in section 18 of the Victims and Prisoners Act, a Crown Court must restrict parental responsibility for a child of a parent who killed the other parent.<sup>412</sup>

350. **GREVIO encourages the relevant authorities in the United Kingdom to ensure that sentences and measures imposed for domestic violence and the different forms of violence against women are effective, proportionate and dissuasive, as required by Article 45, paragraph 1, of the Istanbul Convention.**

## **11. Aggravating circumstances (Article 46)**

351. GREVIO notes with satisfaction that, with one important exception, all of the aggravating circumstances enumerated in Article 46 of the Istanbul Convention either form part of the constituent elements of offences of violence against women, are contained in relevant statutory provisions or sentencing guidelines, and/or can otherwise be taken into account by courts in England, Scotland, Wales and Northern Ireland. GREVIO welcomes in particular the possibility of imposing increased prison sentences for offences committed in a “domestic abuse context”. The exemption concerns acts of domestic violence committed by parents against a child under 16 in England and Northern Ireland, which represents a mitigating rather than an aggravating circumstance, contrary to the requirement under Article 46, paragraph *d*, of the Istanbul Convention.<sup>413</sup>

352. In Scotland, GREVIO welcomes the high practical relevance in domestic violence sentencing of the recently introduced aggravating factor where the offence was committed in the presence of a child. For the period 2020-21, 90 out of 381 convictions for domestic abuse under the Domestic Abuse (Scotland) Act resulted in an aggravated sentence because the domestic abuse was committed in the presence of a child. In the same period, the statutory domestic abuse aggravation was applied to 86% of convictions with a domestic identifier.<sup>414</sup> However, elsewhere in the UK, data are unavailable, making it impossible to assess the use made of such aggravating factors in practice.

353. **GREVIO urges the relevant authorities in the United Kingdom, in particular in England and Northern Ireland, to ensure that violence against a child under 16 can be taken into account as an aggravating factor regardless of the relationship of the perpetrator to the child.**

410. Domestic Homicide Sentencing Review (March 2023): [www.gov.uk/guidance/domestic-homicide-sentencing-review](https://www.gov.uk/guidance/domestic-homicide-sentencing-review).

411. See Chapter VI, Risk assessment and risk management (Article 51).

412. [www.legislation.gov.uk/ukpga/2024/21/contents/enacted](https://www.legislation.gov.uk/ukpga/2024/21/contents/enacted).

413. State report, p. 45.

414. [www.gov.scot/publications/criminal-proceedings-scotland-2020-21/pages/17/](https://www.gov.scot/publications/criminal-proceedings-scotland-2020-21/pages/17/).

354. **GREVIO invites the relevant authorities in the United Kingdom to take the necessary steps to ensure that in all jurisdictions the aggravating circumstances set out in Article 46 of the Istanbul Convention are applied in practice in the determination of a sentence in relation to the offences provided for in the Istanbul Convention.**

## **12. Prohibition of mandatory alternative dispute resolution processes or sentencing (Article 48)**

355. Article 48, paragraph 1, of the Istanbul Convention requires parties to prohibit the mandatory participation in any alternative dispute resolution processes, including mediation and conciliation, in relation to cases of all forms of violence against women covered by the convention. This provision stems from the principle that violence against women is a manifestation of unequal power relations and that victims of such violence can never enter the alternative dispute resolution processes on an equal footing with the perpetrator. To avoid the re-privatisation of such violence and to enable the victim to seek justice, it is the responsibility of the state to provide access to adversarial court proceedings on the basis of robust criminal law provisions.

356. In England and Wales, alternative dispute resolution processes in criminal proceedings are not mandatory. The Victims' Code, providing statutory guidance for victims of crime, stipulates that there is a right for victims to receive information about the possibility of restorative justice mechanisms. GREVIO welcomes the clear statement in the code that participation in any such mechanism is voluntary for all parties and must first be assessed as safe in order to proceed.<sup>415</sup> In civil proceedings, however, including in family law proceedings concerning custody and visitation rights, there is a legal requirement to attend a Mandatory Information Assessment Meeting before being able to apply to a family court. Screening procedures exist, asking victims of domestic violence to tick a box, thereby exempting them from this requirement.

357. In Scotland, there are no mandatory mediation or alternative dispute resolution processes in either criminal or civil law, as such processes are generally considered inappropriate in cases of domestic violence, sexual violence or other forms of gender-based violence against women. A scheme of mandatory information meetings about alternative dispute resolution in cases concerning custody and visitation rights is due to be piloted in Scotland, but exceptions exist for cases with allegations of or a proven history of abuse.

358. Similarly in Northern Ireland, there are no mandatory mediation or alternative dispute resolution processes in operation. However, GREVIO notes that voluntary restorative justice concepts are being explored in relation to rape and sexual violence. The Gillen Review Report into the law and procedures in serious sexual offences in Northern Ireland recommended the Department of Justice to give consideration to victim-led restorative justice concepts in such cases.<sup>416</sup> In this context, GREVIO reiterates that exerting pressure on victims of violence to agree to such mechanisms, is not in line with Article 48 of the convention.

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415. [www.gov.uk/government/publications/the-code-of-practice-for-victims-of-crime/code-of-practice-for-victims-of-crime-in-england-and-wales-victims-code](https://www.gov.uk/government/publications/the-code-of-practice-for-victims-of-crime/code-of-practice-for-victims-of-crime-in-england-and-wales-victims-code).

416. Available at: [www.justice-ni.gov.uk/publications/gillen-review-report-law-and-procedures-serious-sexual-offences-ni](https://www.justice-ni.gov.uk/publications/gillen-review-report-law-and-procedures-serious-sexual-offences-ni).

## **VI. Investigation, prosecution, procedural law and protective measures**

359. Full accountability for all acts of violence against women requires an adequate response from law-enforcement agencies and the criminal justice sector. Chapter VI of the Istanbul Convention establishes a set of measures to ensure criminal investigations, prosecutions and convictions of the various forms of violence covered therein.

### **A. General obligations, immediate response, prevention and protection (Articles 49 and 50)**

360. A key principle of an adequate response to violence against women is that of swift and effective investigations and judicial proceedings that are based on a gendered understanding of these types of offences and that take into consideration the rights of the victim during all stages.

#### **1. Reporting to, immediate response and investigations by law-enforcement agencies**

361. In recent years, important steps have been taken with a view to improving police responses to the different forms of violence against women and domestic violence across the United Kingdom. The widely criticised police culture and manifestations of misogynist and racist behaviour described earlier in this report has resulted in highly traumatising experiences for women and girls reporting to police. These include experiences of disbelief, active discouragement, intrusive data protection and racism, as well as responses by police officers clearly lacking sufficient training and awareness of the different forms of violence against women, notably where they interlink with “honour”-related concepts of gender norms.<sup>417</sup> The NPCC’s declaration in July 2024 that violence against women is a national emergency, the adding of violence against women and girls to the Strategic Policing Requirement in 2023 and the recognition by the NPCC and the College of Policing of the need to rebuild victims’ trust in the police as a key pillar for tackling violence against women and girls are steps in the right direction.<sup>418</sup>

362. However, these will require resources, not only financial but also human resources. The 2023 Violence against Women Strategic Risk Assessment carried out by the NPCC concluded that demand for police action persistently exceeds capacity and that demand was likely to increase further.<sup>419</sup> This evidently has an impact on the ability of the police to respond swiftly and without delay to call-outs for domestic violence and violence against women, and to engage in meaningful case building to secure prosecutions of reported crimes. The significant reduction in the number of police officers resulting from the austerity measures is beginning to be addressed, which GREVIO welcomes, but this process will need to be accelerated urgently. In this context, GREVIO welcomes the fact that among all serving police officers, around one third are women.<sup>420</sup>

363. Resourcing was also identified as a key problem in police responses to rape in a 2021 thematic inspection of the police and the Crown Prosecution Service (CPS).<sup>421</sup> The same report also found inappropriate references in police and CPS case files to rape myths and stereotypes about victim behaviour, indicating a lack of awareness of the effect trauma can have on victims of rape.

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417. NGO submission by 58 specialist VAWG organisations across England and Wales, p. 98, and information obtained during the evaluation visit.

418. See the national policing statement issued by the National Police Chiefs’ Council on 23 July 2024, available at [www.news.npcc.police.uk/releases/call-to-action-as-violence-against-women-and-girls-epidemic-deepens-1](http://www.news.npcc.police.uk/releases/call-to-action-as-violence-against-women-and-girls-epidemic-deepens-1) and [www.npcc.police.uk/SysSiteAssets/media/downloads/our-work/vawg/policing-vawg-national-framework-for-delivery-year-1.pdf](http://www.npcc.police.uk/SysSiteAssets/media/downloads/our-work/vawg/policing-vawg-national-framework-for-delivery-year-1.pdf).

419. [www.hmicfrs.justiceinspectorates.gov.uk/publications/police-response-to-violence-against-women-and-girls/](http://www.hmicfrs.justiceinspectorates.gov.uk/publications/police-response-to-violence-against-women-and-girls/).

420. Information obtained during the evaluation visit.

421. [www.hmicfrs.justiceinspectorates.gov.uk/publications/a-joint-thematic-inspection-of-the-police-and-crown-prosecution-services-response-to-rape/](http://www.hmicfrs.justiceinspectorates.gov.uk/publications/a-joint-thematic-inspection-of-the-police-and-crown-prosecution-services-response-to-rape/). The HMICFRS is the body mandated to monitor police response to crime, through regular inspections of individual forces and thematic inspections.

364. Further challenges to investigating violence against women have been identified when it comes to its digital dimension. In its VAWG strategic risk assessment, the NPCC in 2023 noted that the increasing volume of digital evidence has placed challenges on policing, both in capability and capacity, and has led to a considerable backlog.<sup>422</sup> GREVIO concludes that the police would require more specialist knowledge and capacities to be better equipped to deal with the digital dimension of violence against women and girls.

365. On a more general note, GREVIO notes with concern that contrary to developments in other parties to the Istanbul Convention, specialist investigation units and the concentration of expertise on violence against women as a gendered form of violence have been removed over the last few years in large parts of England, Wales and Northern Ireland. While they are slowly being reinstated, at least for domestic and sexual violence, GREVIO cannot but note that heightened degrees of skills, knowledge and expertise are needed across all police forces, coupled with specialist investigation units that have the necessary specialisation to identify and respond to highly sensitive and complex cases. Specialist skills are required in particular in relation to sexual violence and domestic violence, including non-fatal strangulation, coercive control, stalking, forced marriage, FGM and the various digital manifestations of abuse.

366. Data show that in the 12 months prior to 31 March 2022, the police in England and Wales flagged up 2 887 offences of abuse as being related to so-called honour, 141 of which related to forced marriage and 77 to FGM.<sup>423</sup> In the same time period, they also recorded 1 871 “honour”-related incidents of abuse that had not resulted in the recording of a notifiable crime. These numbers appear low, in particular when contrasted with the number of protection orders issued for forced marriage and FGM.<sup>424</sup>

367. On a positive note, GREVIO welcomes innovative police practices, such as the introduction of the use of body cameras by police when attending to a domestic violence case for use as evidence in court. Moreover, police in England have access to various databases that contain details of known domestic violence perpetrators, for example the Police National Computer, Police National Database and the Violent and Sex Offender Database (ViSOR), the data storage and sharing system that the police, prison and probation services use to discharge their responsibilities as part of the multi-agency public protection arrangements (MAPPA). ViSOR will soon be replaced by the multi-agency public protection system, with the aim of facilitating information sharing between criminal justice agencies, contributing to improving risk-assessment processes and risk management in connection with MAPPA. GREVIO further welcomes innovative and time-sensitive strategies to respond to an anticipated rise in violence against women and girls during major football events, such as the European football championships in summer 2024, and the awareness that this testifies to.<sup>425</sup>

368. GREVIO further welcomes the fact that in England and Wales victims and witnesses of crimes have access to a joint police/Crown Prosecution Service (CPS) Witness Care Unit, which constitutes a single point of contact informing victims of the progress of their case. A code of practice for victims of crime (Victims’ Code) gives an easily accessible and easy-to-understand summary of victims’ rights in criminal proceedings, such as the right to be able to understand and to be understood, to be provided with information when reporting a crime, to be referred to support services for victims, to receive information on compensation and to make a Victim Personal Statement.<sup>426</sup> A dedicated Witness Charter sets out the standards of care a victim or witness of a crime can expect.<sup>427</sup> GREVIO notes with satisfaction that a complaints procedure is in place for alleged violations of victims’ rights, though no information has been made available to GREVIO about

422. [www.npcc.police.uk/SysSiteAssets/media/downloads/our-work/vawg/violence-against-women-and-girls---strategic-threat-risk-assessment-2023.pdf](https://www.npcc.police.uk/SysSiteAssets/media/downloads/our-work/vawg/violence-against-women-and-girls---strategic-threat-risk-assessment-2023.pdf).

423. [www.publications.parliament.uk/pa/cm5803/cmselect/cmwomeq/1821/report.html](https://www.publications.parliament.uk/pa/cm5803/cmselect/cmwomeq/1821/report.html).

424. See Chapter VI, Restraining and protection orders (Article 53).

425. [www.news.npcc.police.uk/releases/police-to-target-domestic-abusers-during-euros](https://www.news.npcc.police.uk/releases/police-to-target-domestic-abusers-during-euros).

426. [www.gov.uk/government/publications/the-code-of-practice-for-victims-of-crime/code-of-practice-for-victims-of-crime-in-england-and-wales-victims-code](https://www.gov.uk/government/publications/the-code-of-practice-for-victims-of-crime/code-of-practice-for-victims-of-crime-in-england-and-wales-victims-code).

427. [www.gov.uk/government/publications/the-witness-charter-standards-of-care-for-witnesses-in-the-criminal-justice-system](https://www.gov.uk/government/publications/the-witness-charter-standards-of-care-for-witnesses-in-the-criminal-justice-system).

how many such complaints are lodged each year, or how many of the complainants are victims of violence against women.

369. In Scotland, a specialist National Domestic Abuse Taskforce has been in operation within the police since 2013, which takes on investigations into domestic abuse offences. A National Advocacy Project is also in place, which provides victims of sexual violence and rape with 24-hour support for initial reporting to the police. Sexual Offence Liaison Officers receive specific training on sexual violence and rape and are the only officers mandated to interview victims of these forms of violence against women, which GREVIO welcomes. Moreover, the police in Scotland use the interim Vulnerable Persons Database (iVPD) to collate disparate pieces of information about incidents of domestic violence, which regarded alone may not amount to criminal behaviour but which allow the police to build a wider picture of a suspected domestic violence offender.<sup>428</sup> GREVIO commends this approach as an example of a comprehensive and holistic understanding of such violence and an offence requiring innovative investigative strategies.

370. However, civil society stakeholders in Scotland indicated to GREVIO that progress in enforcement of the offence of domestic abuse (section 1 of the Domestic Abuse (Scotland) Act) is slow and prosecution rates remain low due to serious failings by police in the identification of risk, especially in the context of coercive and controlling behaviour.<sup>429</sup> GREVIO thus welcomes the undertaking by His Majesty's Inspectorate of Constabulary in Scotland (HMICS), a body that provides independent scrutiny of the police in Scotland, of a domestic abuse inspection in January 2023 to assess the effectiveness of the police response to this form of violence.<sup>430</sup>

371. In Northern Ireland, while the police receive a good amount of training on issues related to violence against women, they are severely understaffed and underfunded following the absence of a government in Northern Ireland for two years. This inevitably impacts on their ability to deal with cases of violence against women, including in their digital dimension, and to prepare high-quality case files for courts and prosecution services.<sup>431</sup> Moreover, women's rights NGOs indicated to GREVIO that while the police in Northern Ireland are required to have bodycams switched on during call-outs, they do not always follow this rule, which potentially deprives women victims of violence of important evidence against their abuser.

372. In addition, GREVIO received indications that when a woman reports abuse by a paramilitary, the police will focus predominantly on obtaining information from her on the perpetrator and his friends, which puts her at risk and does not adequately address the violence she is exposed to. GREVIO is concerned that the police prioritise combating paramilitary violence over domestic violence.<sup>432</sup> While GREVIO fully recognises the public security requirements and the specific post-conflict situation in Northern Ireland, it nonetheless insists that equal attention should be given to a woman victim of violence and her safety.

373. Last, GREVIO notes with concern that reporting and investigation in relation to sexual violence and rape on university campuses seem to be hampered by the policies put in place by higher education institutions. In 2023, the Office of Students conducted a survey to better understand the prevalence of sexual misconduct in the higher education sector and the manner in which their institutions deal with sexual violence. It highlighted the inappropriate use of non-disclosure agreements across the sector, which have been criticised as being routinely used in cases of staff sexual misconduct in higher education.<sup>433</sup> In view of the highly increased prevalence of sexual assault of university students in England and Wales compared to any other occupational group, such practices must be reconsidered and addressed in order to ensure young women's access to justice for instances of sexual violence and rape.

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428. [www.gov.scot/publications/domestic-abuse-scotland-act-2018-interim-reporting-requirement/pages/17/](https://www.gov.scot/publications/domestic-abuse-scotland-act-2018-interim-reporting-requirement/pages/17/).

429. HM Inspectorate of Constabulary in Scotland Report (January 2023), available at: [www.hmics.scot/publications/hmics-thematic-review-of-domestic-abuse-phase-1/](https://www.hmics.scot/publications/hmics-thematic-review-of-domestic-abuse-phase-1/).

430. [www.hmics.scot/publications/scrutiny-plan-review/](https://www.hmics.scot/publications/scrutiny-plan-review/).

431. Criminal Justice Inspection NI, "File quality, disclosure and case progression and trial recovery from the COVID-19 pandemic", 2023.

432. Information obtained during the evaluation visit.

433. Written submission to Parliament: [www.committees.parliament.uk/writtenevidence/99178/html/](https://www.committees.parliament.uk/writtenevidence/99178/html/).

## 2. Effective investigation and prosecution

374. At the level of prosecution, GREVIO welcomes the trend towards training and specialisation within the prosecution services to ensure solid case building, in particular in the areas of domestic violence, sexual violence and rape, including through Operation Soteria (see below). Efforts have been made to reduce the reliance on victims' testimony and to focus more on the perpetrator's pattern of behaviour, as well as the prosecution of non-fatal strangulation and coercive and controlling behaviour, which is a welcome development.<sup>434</sup> GREVIO commends the CPS for their prosecution of cases of historical sexual abuse and rape,<sup>435</sup> and securing convictions despite the difficulties of such cases in terms of evidence.<sup>436</sup> Moreover, the police and the CPS issued a joint national action plan on rape and serious sexual offences, updated in 2022. These efforts require consolidation, as shortcomings in the quality of investigative and prosecutorial practices persist.

375. While individual cases currently cannot be traced through the criminal justice system from first report to conviction or acquittal, as has been set out earlier in this report,<sup>437</sup> GREVIO welcomes the issuance by the Office for National Statistics of a yearly publication on domestic abuse, which contrasts the data from the Crime Survey for England and Wales, the number of police-recorded offences and the number of suspects referred, charged and convicted for this form of violence.<sup>438</sup> This publication shows chronically low charging rates (around 6.8% for domestic abuse-related cases in the 12 months prior to March 2023), which demonstrates that there is still a long way to go to deliver justice to victims of violence against women. While there were an estimated 2.1 million victims of domestic abuse between April 2022 and March 2023 in England and Wales (with women representing 73% of all victims) only around 890 000 offences related to domestic abuse were reported to the police. Less than 70 000 suspects were referred to prosecution, and around 47 000 were charged. Finally, about 39 000 suspects were convicted. It is important to point out that direct comparisons between data from different stages in the criminal justice chain cannot be made.

376. When looking at long-term trends in the prosecution of domestic violence, the picture is even worse. Data show that the number of prosecutions for domestic abuse decreased from 93 593 in the period 2016-17 to 51 288 for 2022-23 – even though the number of recorded cases of domestic abuse more than doubled within that time frame, from around 400 000 in the 12 months prior to March 2016, to almost 890 000 in the 12 months prior to March 2023. In other words, prosecution of domestic violence has almost halved since 2017, while the number of reported cases has doubled.

377. GREVIO welcomes an analysis of the reasons for attrition carried out by the Office for National Statistics, which could contribute to tackling attrition rates through targeted measures. Of the 12 000 cases that did not result in a conviction, some 5 800 were a result of either the victim retracting the accusation, the victim not attending trial or the evidence of the victim not supporting the case. Moreover, data available show that in 22% of domestic abuse cases, no charge was brought against the perpetrator because of evidential difficulties, despite the victim supporting a prosecution. Therefore, more effort needs to go into case building and the collection and documentation of evidence other than the victim's statement, while the available victim support and protective measures discussed below must be more systematically applied.

378. When it comes to rape, a similar dynamic can be observed. In the period from April 2015 to March 2016, around 35 800 cases of adult<sup>439</sup> rape were recorded in England and Wales.<sup>440</sup> In 2016, there were 2 097 prosecutions for adult rape. Between October 2023 and September 2024

434. Information obtained during the evaluation visit.

435. [www.cps.gov.uk/crime-info/sexual-offences](http://www.cps.gov.uk/crime-info/sexual-offences).

436. See, for example, [www.cps.gov.uk/london-south/news/man-jailed-historic-sexual-offences](http://www.cps.gov.uk/london-south/news/man-jailed-historic-sexual-offences) and [www.cps.gov.uk/east-midlands/news/rally-official-jailed-non-recent-child-abuse](http://www.cps.gov.uk/east-midlands/news/rally-official-jailed-non-recent-child-abuse).

437. See Chapter II, Administrative data collection (Article 11).

438. [www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/domesticabuseinenglandandwalesoverview/november2023](http://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/domesticabuseinenglandandwalesoverview/november2023).

439. Note that the data are not disaggregated by sex, and the data includes victims aged 16 and older.

440. [www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingmar2016](http://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingmar2016).

almost 70 000 cases of adult rape were recorded.<sup>441</sup> However, in 2023, only 2 558 prosecutions were sought. In other words, while reports nearly doubled, prosecutions for adult rape increased only slightly. Moreover, despite the rise in the number of recorded offences, GREVIO notes with grave concern that rape and sexual assault by penetration remain severely under-reported in England and Wales: fewer than one in six victims report these crimes to the police.<sup>442</sup>

379. Because of the number of prosecutions in rape cases plummeting after the 2016-17 period in England and Wales, Operation Soteria was devised by academics and Avon and Somerset Police, following the End-to-End Review of the Criminal Justice System Response to Rape (the “Rape Review”).<sup>443</sup> Operation Soteria aims to transform the way the police approach and investigate cases of rape and sexual violence by requiring them to focus on the actions of the suspect rather than the victim. A progress report on the Rape Review from July 2023 showed some improvements, with more cases now reaching court.<sup>444</sup> However, prosecutions are still at a very low level. The latest data show that only 6% of police investigations into adult rape resulted in a charge between October and December 2023.<sup>445</sup> During the same time span, 59% of adult rape investigations were closed because the victim did not support police action, and 19% of cases were stopped after the defendant had been charged because the victim no longer supported the prosecution.<sup>446</sup> Reports of CPS lawyers using victim-blaming language, replicating rape myths and gender stereotypes explain why so many victims decide to stop their support for a prosecution and demonstrate that a culture change is required within the CPS.<sup>447</sup>

380. Concerning cases of stalking, GREVIO notes with concern that between April 2021 and March 2022, only 6.6% of reports of stalking resulted in the CPS charging a suspect, and only 1.4% of cases resulted in a conviction.<sup>448</sup> This points to a lack of sufficient training of police and of Crown prosecutors in case building and evidence collection in such cases, and a lack of understanding of the often severe psychological consequences for victims.

381. The above data indicate that as a matter of urgency, much more needs to be done to build victims’ trust in the criminal justice system and bring perpetrators to justice, through victim support measures and more investment in the criminal justice system in terms of human and material resources. In addition, GREVIO points to the need to ensure that in practice, investigation and prosecution of all forms of violence are gender-sensitive, child-sensitive and culture-sensitive, including in relation to forced marriage and FGM.<sup>449</sup>

382. In Scotland, 30 139 charges of domestic abuse were reported to the Crown Office and Procurator Fiscal Service (COPFS) between April 2022 and March 2023, with high charging rates, as an initial decision to proceed to court was made in around 94% of cases relating to domestic abuse in the period 2022-23. A total of 921 stalking charges were reported to the COPFS in the same period.<sup>450</sup> Almost four in five cases of domestic abuse are prosecuted at sheriff summary level.<sup>451</sup>

383. In Northern Ireland, data show low prosecution levels for sexual violence. While the public prosecution service (PPS) received 1 858 files concerning a sexual offence in the 12 months prior to 31 March 2023, only 27.3% of the cases passed the evidential test for prosecution and went to

441. [www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingseptember2024](https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingseptember2024).

442. [www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingseptember2023#domestic-abuse-and-sexual-offences](https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingseptember2023#domestic-abuse-and-sexual-offences). Similar concerns have been expressed by the Victims’ Commissioner for England and Wales. [www.victimscscommissioner.org.uk/news/the-distressing-truth-is-that-if-you-are-raped-in-britain-today-your-chances-of-seeing-justice-are-slim/](https://www.victimscscommissioner.org.uk/news/the-distressing-truth-is-that-if-you-are-raped-in-britain-today-your-chances-of-seeing-justice-are-slim/).

443. [www.gov.uk/government/publications/end-to-end-rape-review-report-on-findings-and-actions](https://www.gov.uk/government/publications/end-to-end-rape-review-report-on-findings-and-actions).

444. [www.gov.uk/government/publications/rape-review-progress-report-two-years-on](https://www.gov.uk/government/publications/rape-review-progress-report-two-years-on).

445. [www.criminal-justice-delivery-data-dashboards.justice.gov.uk/overview](https://www.criminal-justice-delivery-data-dashboards.justice.gov.uk/overview).

446. [www.openaccess.city.ac.uk/id/eprint/31310/](https://www.openaccess.city.ac.uk/id/eprint/31310/).

447. [www.theguardian.com/law/2024/mar/11/cps-lawyers-in-england-and-wales-trivialise-teen-sexual-abuse-report-says](https://www.theguardian.com/law/2024/mar/11/cps-lawyers-in-england-and-wales-trivialise-teen-sexual-abuse-report-says).

448. [www.suzyplamplugh.org/news/press-release-stalking-victims-experiences-of-the-cps-hmcts-and-the-judiciary](https://www.suzyplamplugh.org/news/press-release-stalking-victims-experiences-of-the-cps-hmcts-and-the-judiciary).

449. A tool to end female genital mutilation (Council of Europe), p. 51.

450. [www.copfs.gov.uk/about-copfs/news/domestic-abuse-and-stalking-charges-in-scotland-2022-23/](https://www.copfs.gov.uk/about-copfs/news/domestic-abuse-and-stalking-charges-in-scotland-2022-23/).

451. Information obtained during the evaluation visit.

court. The conviction rate for sexual offences was 69.3%.<sup>452</sup> It appears that statistical bulletins by the PPS on other forms of violence against women are not available. However, GREVIO received information that more than 170 people had been charged with coercive control in Northern Ireland by October 2022, just over six months after the legislation had come into force in February 2022.<sup>453</sup> GREVIO welcomes the enforcement of the new domestic abuse offence and encourages ongoing training of police officers to recognise the signs of this form of abuse.

### 3. Conviction rates

384. As has been set out in the previous paragraphs, only a small fraction of cases of domestic violence, sexual violence and stalking ever reach a courtroom, and these are the cases where the prosecution assumes that a conviction is more likely than an acquittal. Conviction rates are nonetheless rather low (around 55% of cases that have made it to trial end in a conviction in England and Wales, according to data provided by the authorities), which can be linked to the fact that there is no mandatory training for judges and magistrates on all forms of violence against women and domestic violence.<sup>454</sup> General issues related to sentencing guidelines have been addressed above.<sup>455</sup>

385. Moreover, recent data show significant delays in the criminal justice system in England, Wales and Northern Ireland, including for cases of rape. The most recent statistics for England and Wales show that the overall outstanding caseload for the Crown Court was 67 573 at the end of 2024.<sup>456</sup> Data for October to December 2023 show that it takes, on average, 393 days from a case of adult rape arriving at the Crown Court to reach completion.<sup>457</sup> In addition, GREVIO notes with concern that a shortage of prosecution barristers for cases of rape compound the problem of delays for such cases in the justice system.<sup>458</sup> In Northern Ireland, a programme is underway to reduce delays in the criminal justice system, including through the establishment of Case Progression Officers in Crown Courts. A project aimed at expediting cases of sexual violence against children who are under the age of 13 managed to achieve a 70% reduction in the time taken to complete cases.

386. While GREVIO notes with interest the introduction of a specialist domestic abuse court in Scotland and its high rate of convictions reached, it notes that in total only 420 criminal prosecutions were instituted for domestic abuse in Scotland in the period 2020-2021.<sup>459</sup> In view of 60 000 annually recorded incidents of domestic abuse, the focus must be on ensuring effective prosecution and robust case building across the whole of Scotland in order to hold perpetrators to account.

387. The conviction rate for rape and attempted rape in Scotland has been the lowest out of all criminal offences there for the past 10 years and amounted to 48% for the period 2021-22.<sup>460</sup> The lowest conviction rate was recorded in the 2016-17 period, 39%.<sup>461</sup> Sexual assault saw a decline in conviction rates from 69% in the period 2011-12 to 66% in the period 2020-21. The acquittal rate for rape and attempted rape was 48% in the same period, and 29% for sexual assault. When taking into account that only a small percentage of rape and sexual assault is reported, and only a small fraction of the reported cases are being charged, the overall picture points to low accountability for sexual crimes in Scotland. What is more, only 30% of persons convicted of a sexual crime received a custodial sentence, compared to 48% of those convicted for non-sexual crimes, indicating that courts

452. [www.ppsni.gov.uk/publications/statistical-publication-cases-involving-sexual-offences-2022-23](http://www.ppsni.gov.uk/publications/statistical-publication-cases-involving-sexual-offences-2022-23).

453. Information obtained during the evaluation visit.

454. See Chapter III, Training of professionals (Article 15).

455. See Chapter V, Aggravating circumstances (Article 46).

456. [www.gov.uk/government/statistics/criminal-court-statistics-quarterly-october-to-december-2023/criminal-court-statistics-quarterly-october-to-december-2023](http://www.gov.uk/government/statistics/criminal-court-statistics-quarterly-october-to-december-2023/criminal-court-statistics-quarterly-october-to-december-2023).

457. [www.criminal-justice-delivery-data-dashboards.justice.gov.uk/improving-timeliness/courts?offence=Adult%20rape&area=National&time=Rolling%20annual&custody=both](http://www.criminal-justice-delivery-data-dashboards.justice.gov.uk/improving-timeliness/courts?offence=Adult%20rape&area=National&time=Rolling%20annual&custody=both) and [www.thetimes.com/uk/article/crime-by-unpunished-crime-the-charts-that-show-justice-is-too-slow-dtbw9wrtj](https://www.thetimes.com/uk/article/crime-by-unpunished-crime-the-charts-that-show-justice-is-too-slow-dtbw9wrtj).

458. Information obtained during the evaluation visit.

459. [www.gov.scot/publications/domestic-abuse-scotland-act-2018-interim-reporting-requirement/pages/5/](http://www.gov.scot/publications/domestic-abuse-scotland-act-2018-interim-reporting-requirement/pages/5/).

460. [www.gov.scot/publications/conviction-rate-data-for-rape/](http://www.gov.scot/publications/conviction-rate-data-for-rape/). N.B. The conviction rate is for offences that have made it to trial.

461. [www.gov.scot/publications/criminal-proceedings-scotland-2020-21/pages/6/](http://www.gov.scot/publications/criminal-proceedings-scotland-2020-21/pages/6/).

consider sexual crimes less serious. This is supported by the fact that sexual assault and other sexual offences top the list of crimes for which community sentences are most commonly given (in 59% and 67% of cases, respectively).

388. GREVIO has previously voiced its concerns over jury trials or lay participation in cases concerning sexual violence and rape, as the laypersons will not usually be specifically trained on issues related to sexual offences, in particular possible responses by victims, the effect of trauma on witness statements, the different possible reactions to rape (“fight, flight, freeze, flop, befriend” and others) and other issues relevant to assessing witness statements in such cases.<sup>462</sup> GREVIO thus welcomes the requirement under the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 for judges to give juries specific direction when dealing with sexual offences, but regrets that no such requirements can be found in criminal procedure in England, Wales or Northern Ireland. GREVIO underlines in this context that the training of professional judges on sexual violence against women is all the more important.

389. The Gillen Review Report into the law and procedures in serious sexual offences in Northern Ireland was published in 2019 and made a large number of recommendations to the authorities to improve the processing of such cases, which are currently being implemented.<sup>463</sup> Among other things, research recommended by the Gillen Review is currently underway and includes a project to consider the extent of and reasons for high attrition in serious sexual offence cases. PPS research revealed that 40% of victims of sexual violence and rape who reported the crime later withdraw.<sup>464</sup> One of the reasons is likely to be the fact that the duration of proceedings for adult rape and child sexual abuse cases has been found to be untenably long, according to the Gillen Review. The average time the police takes to charge a case of domestic violence is around six weeks, and the average time from reporting to trial for domestic violence is well over one year. Conviction rates for domestic abuse are also rather low when compared with the number of such offences reported to the police.<sup>465</sup> GREVIO notes positively that in Londonderry/Derry, since 2011 all domestic violence cases are heard by a specialised judge and on specific days of the week, which is a welcome degree of specialisation.<sup>466</sup> As a result of this success, Domestic Abuse Contest Courts have since been introduced in Belfast and in Enniskillen.

390. In summary, GREVIO notes that despite a high prevalence of domestic and sexual violence in all the four nations that constitute the UK, the charging rates for these forms of violence against women are still critically low, despite efforts to increase them. GREVIO considers that urgent and sustainable efforts are needed to increase charging rates for cases of all forms of violence against women, but in particular for sexual violence and rape.

391. **With a view to reducing secondary victimisation and under-reporting, GREVIO urges the relevant authorities in the United Kingdom to:**

- a. **increase the degree of specialisation of law-enforcement and prosecution services across the United Kingdom and ensure their sensitivity towards women and girl victims of violence, including those at the intersection of discrimination, such as migrant and asylum-seeking women, women belonging to ethnic minorities and women with disabilities;**
- b. **take measures to reduce the high levels of attrition in relation to all offences covered by the Istanbul Convention, including by implementing all relevant findings from recent practice reviews and independent inquiries;**
- c. **take legal or other appropriate measures to reduce the processing time at all stages of the procedure (reporting, investigation, prosecution and starting of the trial), in particular by equipping all relevant law-enforcement and criminal justice authorities with sufficient human, financial and technical resources, and by addressing the shortage of prosecution barristers.**

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462. GREVIO First thematic report on Austria, paragraph 62.

463. [www.justice-ni.gov.uk/publications/gillen-review-report-law-and-procedures-serious-sexual-offences-ni](https://www.justice-ni.gov.uk/publications/gillen-review-report-law-and-procedures-serious-sexual-offences-ni).

464. Gillen Review Northern Ireland, 2019, p. 579.

465. Information obtained during the evaluation visit.

466. NGO submission by the Northern Ireland Human Rights Commission, p. 54.

## **B. Risk assessment and risk management (Article 51)**

392. Concern for the victim's safety must lie at the heart of any intervention in cases of all forms of violence covered by the Istanbul Convention. Article 51 thus establishes the obligation to ensure that all relevant authorities, not just law-enforcement authorities, effectively assess and devise a plan to manage the safety risks a victim faces on a case-by-case basis, according to standardised procedures and in co-operation with each other.

393. GREVIO commends the authorities of the United Kingdom for their long-standing practice of conducting MARACs (multi-agency risk assessment conferences), where information on a specific person at risk can be shared among relevant authorities and a risk-management plan is drawn up to protect a victim from further abuse. Another form of risk assessment, which is more perpetrator-centred, are MAPPAs (multi-agency public protection arrangements), established across England and Wales, Scotland and Northern Ireland. These are put in place prior to release from prison in order to allow prison and probation services, law enforcement and other relevant entities to assess risks emanating from high-risk violent offenders or sexual violence perpetrators. They also apply to offenders that have received a suspended or non-custodial sentence. MAPPAs include the drawing up of risk-management plans and safeguarding advice to family and friends. A secure database, ViSOR, has been set up to hold information on those offenders deemed likely to pose a risk to society. Statutory guidance on MAPPAs is available and regularly updated, which GREVIO welcomes. Moreover, volumes of sexual harm prevention orders made and breaches thereof are published in the MAPPA annual statistics.<sup>467</sup>

394. In England and Wales, statutory agencies, such as the police, and the NGO sector mostly use the Domestic Abuse, Stalking and Honour Based Violence (DASH) risk-assessment tool. To identify high-risk cases of stalking and harassment, the police have the S-DASH tool available. Police are required to share the results with the CPS, as they form part of the evidential material to inform charging decision.<sup>468</sup> If the assessment shows a high risk, the victim is referred to a MARAC and receives support from an Independent Domestic Violence Adviser (IDVA). The IDVA ensures the task of devising a safety plan for the victim and carries out further risk assessments, where necessary. Following a pilot project and an ensuing evaluation by the College of Policing, the Domestic Abuse Risk Assessment (DARA) tool has been recommended for use by all frontline police officers when conducting a risk assessment in cases of domestic violence and is currently being rolled out. However, it appears that the DARA tool does not contain questions that would allow officers to identify potential "honour"-based abuse.<sup>469</sup> Noting the overall need to integrate the perspective of women and girls at risk of "honour"-related forms of violence against women into policies and responses across the UK, GREVIO points to the importance of ensuring that any risk-assessment tools used are capable of identifying risk of "honour"-based abuse. According to the authorities, DARA has shown to be effective when it comes to this form of violence, as it covers the patterns of behaviours better (such as coercive and controlling behaviour, isolation, harassment).

395. In Scotland and in Northern Ireland, the police and other organisations equally use the DASH risk-assessment tool, including in connection with MARACs. If the tool shows a medium or high risk in a given case, a special investigator will be assigned to the case. Moreover, in Scotland, the online resource Domestic Abuse Awareness Raising Tool (DAART) is regularly updated and available to all relevant professionals. It assists them in responding to situations of domestic violence, including coercive control.

396. However, GREVIO notes the growing concerns expressed by women's rights organisations and experts in the field regarding increasingly high caseloads and an overall weakening of effective risk-assessment procedures and subsequent protection measures.<sup>470</sup> Because of reduced resources, the focus is on "high-risk" cases, excluding many victims of domestic violence who are

467. [www.gov.uk/government/statistics/multi-agency-public-protection-arrangements-mappa-annual-2023-to-2024](https://www.gov.uk/government/statistics/multi-agency-public-protection-arrangements-mappa-annual-2023-to-2024).

468. CPS, Director's Guidance on Charging, sixth edition, December 2020, available at: [www.cps.gov.uk/legal-guidance/directors-guidance-charging-sixth-edition-december-2020-incorporating-national-file](https://www.cps.gov.uk/legal-guidance/directors-guidance-charging-sixth-edition-december-2020-incorporating-national-file).

469. NGO submission by 58 specialist VAWG organisations across England and Wales, p. 103.

470. Ibid., p. 37.

equally in need of a safety plan but who are assessed as medium or standard risk. According to the Femicide Census, 62% of men who killed a woman in 2021 were known to have a history of violence against women and/or were subject to monitoring or restrictions by a statutory agency at the time they committed the act.<sup>471</sup> This points to insufficient risk assessment, which is corroborated by indications received from women's rights NGOs who noted incomplete risk assessments by police, the omission of certain questions or sometimes no risk assessment at all.

397. GREVIO notes with satisfaction the introduction of an innovative practice in England and Wales called "Clare's Law", a domestic violence disclosure scheme. It gives (potential) victims of domestic abuse the "right to ask" about their partner's possible history of abusive or violent offending and allows the police to disclose this information under certain conditions, including upon their own initiative ("right to know").<sup>472</sup> Section 77 of the Domestic Abuse Act 2021 placed the guidance supporting this disclosure scheme on a statutory footing, which GREVIO welcomes. The guidance clearly states that if a disclosure is made, a robust safety plan tailored to the needs of the victim must be drawn up by police. GREVIO welcomes the growing use made of this scheme. The number of applications under the "right to ask" rose from 11 556 in 2020 to 27 419 in 2023, following which 9 829 disclosures were made.<sup>473</sup> Some 17 925 applications under the "right to know" were made in the same period, 7 609 of which were granted.

398. Similar domestic violence disclosure schemes are in operation by the Police Scotland and the Police Service of Northern Ireland, which GREVIO welcomes.<sup>474</sup> However, in relation to Northern Ireland, civil society has drawn GREVIO's attention to issues identified in the practical implementation of the scheme. First, as the system relies on the accuracy of the information held by the police, it may give applicants a false sense of security, if no record has been made or records are incomplete. Second, the scheme does not apply after a relationship has ended, despite the high level of risk during and after separation. Third, where disclosures are made, there is no mandatory police follow-up on the case.<sup>475</sup> GREVIO takes the view that where a disclosure is made, a risk assessment should be carried out, followed by preventive operational measures if a risk is identified.

399. As regards Article 51, paragraph 2, in relation to perpetrators of violence with access to firearms, GREVIO welcomes the piloting of a new initiative called "Project Titanium" in England and Wales. Before a firearm licence is issued, the applicant's partner is asked to complete a questionnaire, which helps to flag risk factors, such as a history of abuse.<sup>476</sup> GREVIO notes that the replies to these questionnaires should also be used to identify any risk to the partner or spouse filling in the questionnaire, and lead to protective measures if a risk is identified.

**400. GREVIO strongly encourages the relevant authorities in the United Kingdom to ensure that in cases of all forms of violence covered by the Istanbul Convention, including "honour"-based violence, systematic and gender-sensitive risk assessment and safety management are carried out by all agencies involved and repeated at all relevant stages of the proceedings. GREVIO further strongly encourages all relevant authorities in the United Kingdom to ensure that an effective multi-agency approach is taken to such risk assessment in order to ensure the human rights and safety of the individual victim while giving due consideration to the rights and needs of child witnesses of intimate partner violence.**

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471. [www.femicidecensus.org/reports/](http://www.femicidecensus.org/reports/).

472. [www.gov.uk/government/publications/domestic-abuse-bill-2020-factsheets/domestic-violence-disclosure-scheme-factsheet](http://www.gov.uk/government/publications/domestic-abuse-bill-2020-factsheets/domestic-violence-disclosure-scheme-factsheet).

473. [www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/domesticabuseandthecriminaljusticesystemappendixtables](http://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/domesticabuseandthecriminaljusticesystemappendixtables).

474. See [www.scotland.police.uk/secureforms/disclosure/](http://www.scotland.police.uk/secureforms/disclosure/) and [www.psnipolice.uk/safety-and-support/keeping-safe/domestic-abuse/domestic-violence-and-abuse-disclosure-scheme-dvads](http://www.psnipolice.uk/safety-and-support/keeping-safe/domestic-abuse/domestic-violence-and-abuse-disclosure-scheme-dvads).

475. NGO submission by the Northern Ireland Human Rights Commission, pp. 53-54.

476. [www.theguardian.com/world/2024/apr/09/gun-survivors-create-scheme-to-stop-violent-partners-owning-firearms](http://www.theguardian.com/world/2024/apr/09/gun-survivors-create-scheme-to-stop-violent-partners-owning-firearms).

### C. Emergency barring orders (Article 52)

401. For the time being, domestic violence protection notices (DVPNs), which are the equivalent of police emergency barring orders as set out in Article 52 of the convention, can be issued by the police in England and Wales to expel a perpetrator of domestic violence from the joint residence that he shares with the victim(s). They are embedded in multi-agency co-operation mechanisms such as MARACs. The notice takes effect immediately. After issuance, the police must apply to a magistrate's court, which has to hold a hearing within 48 hours for the issuance of a domestic violence protection order (DVPO).<sup>477</sup> The latter is valid for 28 days. Guidance on DVPNs and DVPOs is available, which GREVIO welcomes.<sup>478</sup>

402. DVPNs will soon be replaced by domestic abuse protection notices (DAPNs), and pilot schemes are being tested in selected regions across England and Wales.<sup>479</sup> The related draft statutory guidance for the police is being updated, which GREVIO considers an important opportunity to ensure wider use is made of this important tool. As it currently stands, however, GREVIO notes with grave concern that evictions of domestic violence perpetrators are only rarely ordered by police in England and Wales, suggesting a hesitation that must be urgently addressed. Only 11 886 DVPNs were issued in England and Wales in the 12 months before 31 March 2023,<sup>480</sup> compared to around 890 000 offences related to domestic violence that are reported to the police on average per year.<sup>481</sup> Even in cases where MARACs come to the conclusion that a DVPN is necessary, the relevant authorities do not always issue them.<sup>482</sup>

403. GREVIO sees a much greater potential for the use of these orders, which would allow victims of domestic abuse and their children to remain in their home rather than having to flee to a shelter – especially as there are not enough shelter spaces available, as noted earlier in this report.<sup>483</sup> While it notes the frequent use made in domestic violence cases of the power to arrest, GREVIO recalls that the purpose of emergency barring orders is to ensure the safety of domestic violence victims in full respect of their right to remain in their own home.<sup>484</sup> The aim of such orders is to ensure the physical distance between victims and perpetrator by removing the perpetrator instead of uprooting victims and their children. As a measure of protection, emergency barring orders must be ordered *ex officio* as part of the state obligation to prevent any act of violence covered by the Istanbul Convention that are perpetrated by non-state actors (Article 5, paragraph 2). Moreover, where children are present in a household, care must be taken to ensure that they are included in emergency barring orders. It is not clear whether this is currently done in practice.

404. Against this backdrop, GREVIO notes with concern the high number of domestic violence-related child-protection referrals in the 12 months prior to March 2023. With 276 000 referrals made compared with 320 000 domestic violence-related arrests in the same period, very little emphasis seems to be placed on ensuring and enforcing, in situations of immediate danger, evictions of perpetrators of domestic violence from the common home. GREVIO notes a striking absence of interventions seeking to ensure the right of victims to remain in their own home and stay safe together with their children. It is of paramount importance to ensure, with the roll-out of the new DAPNs, a shift in understanding of emergency barring orders among the various police forces in

477. See Chapter VI, Restraining or protection orders (Article 53).

478. [www.gov.uk/government/publications/domestic-violence-protection-orders/domestic-violence-protection-notices-dvpns-and-domestic-violence-protection-orders-dvpos-guidance-sections-24-33-crime-and-security-act-2010](https://www.gov.uk/government/publications/domestic-violence-protection-orders/domestic-violence-protection-notices-dvpns-and-domestic-violence-protection-orders-dvpos-guidance-sections-24-33-crime-and-security-act-2010).

479. See Part 3 of the Domestic Abuse Act (England and Wales) 2021, and [www.gov.uk/government/publications/domestic-abuse-bill-2020-factsheets/domestic-abuse-protection-notices-orders-factsheet](https://www.gov.uk/government/publications/domestic-abuse-bill-2020-factsheets/domestic-abuse-protection-notices-orders-factsheet).

480. Not all police forces supplied adequate data, which is why this number only comprises data from 31 police forces across England and Wales:

[www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/domesticabuseandthecriminaljusticesystemaappendixtables](https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/domesticabuseandthecriminaljusticesystemaappendixtables).

481. [www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/domesticabuseinenglandandwalesoverview/november2023](https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/domesticabuseinenglandandwalesoverview/november2023).

482. Information obtained during the evaluation visit.

483. See Chapter IV, Shelters (Article 23).

484. In the 12 months prior to March 2023, 320 000 domestic violence-related arrests were made in England and Wales, which amounts to 36 arrests per 100 cases.

England and Wales and that it is the responsibility of the law-enforcement agencies to instil trust in such measures by positively promoting and vigilantly enforcing them.

405. In Scotland, a system of domestic abuse protection notices (DAPNs) and domestic abuse protection orders (DAPOs) is outlined within the Domestic Abuse (Protection) (Scotland) Act 2021. DAPNs and DAPOs are structured in a similar way to their equivalents being rolled out in England and Wales. One of the differences is that DAPNs can only be issued by senior police officers, which may prove to be too limiting in practice. However, GREVIO is severely concerned that secondary legislation has not been passed to implement them, which is why no such notices and orders are currently available in Scotland.<sup>485</sup> No similar system of emergency barring orders was operative in Scotland before the introduction of the above law, either. GREVIO considers it of utmost importance to start implementing DAPNs and DAPOs without delay, rigorously train all relevant police officers on the new notices and orders, on their importance in allowing victims of domestic abuse and their children to remain in their own home, and of the cycle and dynamics of domestic violence.

406. In Northern Ireland, no emergency barring orders are available in law or in practice, which GREVIO notes with concern. Among the few alternative measures available to the police in Northern Ireland when faced with a situation of imminent risk for a victim of domestic violence is the arrest of the perpetrator, or a court-ordered non-molestation order and/or occupation order, which, however, cannot be issued on the spot, as required under Article 52 of the convention. Indications from women's rights organisations suggest that while arrests are made in practice, perpetrators are frequently released after 24 hours, which may even escalate the situation with no protection afforded to the victim and her children.<sup>486</sup> GREVIO thus underlines the urgency of introducing emergency barring orders in Northern Ireland. It notes, in this context, that the authorities are working on introducing DAPNs and DAPOs in Northern Ireland, informed by best practice and the experience of piloting DAPNs and DAPOs in other jurisdictions.

**407. GREVIO urges the relevant authorities in the United Kingdom to ensure the introduction and the rigorous implementation of emergency barring orders where they are currently underused (England and Wales) or lacking in primary/secondary legislation (Northern Ireland and Scotland), in order to protect the right to safety of women victims of domestic violence and their children in their own homes, in particular where multi-agency co-operation concludes this is necessary.**

**408. GREVIO strongly encourages the relevant authorities in the United Kingdom to ensure that children who are affected by domestic violence are systematically included in police barring orders.**

#### **D. Restraining or protection orders (Article 53)**

409. In the four nations that constitute the UK, a wide range of restraining and protection orders exist, covering various forms of violence against women. In England and Wales, these range from domestic violence protection orders (DVPOs) to non-molestation orders (NMOs), and specific stalking protection orders (SPOs) to sexual risk orders (SROs) and sexual harm prevention orders (SHPOs).<sup>487</sup>

410. Statistically, NMOs are the most-used protection orders for cases of domestic violence in England and Wales, with 36 952 such orders having been issued in 2020.<sup>488</sup> They are defined under section 42 of the Family Law Act and provide protection from deliberate conduct with a high degree of harassment, both to the victim and relevant children, where indicated. GREVIO underlines, in this context, that children who have been exposed to domestic violence should systematically be

485. [www.legislation.gov.uk/asp/2021/16/contents/enacted](http://www.legislation.gov.uk/asp/2021/16/contents/enacted).

486. Information obtained during the evaluation visit.

487. [www.gov.uk/government/publications/domestic-abuse-act-2021/domestic-abuse-statutory-guidance-accessible-version#annex-d--list-of-protective-orders](http://www.gov.uk/government/publications/domestic-abuse-act-2021/domestic-abuse-statutory-guidance-accessible-version#annex-d--list-of-protective-orders).

488. [www.gov.uk/government/publications/domestic-abuse-bill-2020-factsheets/domestic-abuse-protection-notices-orders-factsheet](http://www.gov.uk/government/publications/domestic-abuse-bill-2020-factsheets/domestic-abuse-protection-notices-orders-factsheet).

included in protection orders. NMOs are issued by family courts upon application – typically by victims of domestic abuse – and can be issued with or without notice to the perpetrator.

411. Even though breaches of NMOs are a criminal offence, GREVIO notes with grave concern that a 2021 inspection by Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services found that in just over half of cases, the police took longer than 24 hours to respond to reports of breaches.<sup>489</sup> Immediate measures are required to ensure that reports for breaches of NMOs are responded to by law enforcement without delay.

412. DVPOs can be issued by courts in England and Wales to expel a perpetrator of domestic violence from the joint residence that he shares with the victim and are valid for between 14 and 28 days. All DVPOs are issued following a DVPN being authorised by the police and then presented to a magistrate court within 48 hours. In theory, this should be done after every issuance of a DVPN. However, the incomplete data available do not allow for an analysis of whether this is always the case in practice, or whether gaps in protection arise for the victim because of an omission by the police to present a DVPN to a magistrate.<sup>490</sup> Between April 2019 and March 2020, 4 468 DVPNs were issued (data from 25 police forces) and 6 267 DVPOs were granted (data from 37 police forces).<sup>491</sup> Breaches of DVPOs are not a criminal offence, but constitute contempt of court – which may be the explanation for why on average one quarter of all such orders are breached annually, without any tangible sanctions for the perpetrators. One of the reasons why sanctions are rarely applied is the reluctance of the CPS to charge a breach of a DVPO if no further substantive offence has been committed.

413. Because of the limited effectiveness and use of DVPOs, mainly due to the practical absence of sanctions for breaches,<sup>492</sup> there are plans to replace them with DAPOs, which are intended to be used instead of NMOs, occupation orders and restraining orders in all cases of domestic violence.<sup>493</sup> NMOs will remain available for other forms of violence against women.

414. GREVIO welcomes the availability in England and Wales of specific protection orders for stalking, sexual violence, forced marriage and FGM. In relation to stalking and sexual violence, the police can apply to a magistrates' court for an SPO or an SRO if they consider that there is a reasonable risk of stalking or sexual offending against a specific person, irrespective of other legal proceedings. However, GREVIO regrets that victims cannot make applications for such orders themselves. Moreover, GREVIO is concerned about the extremely low use of SPOs – while in the year to January 2021, 98 534 reports of stalking were made to the police in England and Wales, only 431 SPOs were granted – a drop in the ocean, as one women's rights NGO called it.<sup>494</sup> GREVIO thus notes with interest plans by the Government to lower the threshold for the issuance of SPOs, to also vest courts with the power to issue them, and to give victims the right to know the identity of their stalker as soon as he is arrested. Breaches of these orders are criminalised and carry sanctions of up to five years' imprisonment, but women's rights NGOs indicated that reported breaches are not always taken seriously by law enforcement, leaving women unprotected.<sup>495</sup>

415. With regard to forced marriage and FGM, GREVIO notes that 4 126 forced marriage protection orders (FMPOs) were issued between 2008 and 30 September 2024 in England and Wales, and 902 FGM protection orders were made between 2015 and 30 September 2024.<sup>496</sup> Issues in relation to FMPOs have been reported, in particular that the Forced Marriage Unit cannot make applications for such orders itself.<sup>497</sup> Instead, it engages with statutory professionals from law

489. [www.hmicfrs.justiceinspectorates.gov.uk/publications/police-response-to-violence-against-women-and-girls/](https://www.hmicfrs.justiceinspectorates.gov.uk/publications/police-response-to-violence-against-women-and-girls/).

490. See Chapter VI, Emergency barring orders (Article 52).

491. [www.gov.uk/government/publications/domestic-abuse-bill-2020-factsheets/domestic-abuse-protection-notices-orders-factsheet](https://www.gov.uk/government/publications/domestic-abuse-bill-2020-factsheets/domestic-abuse-protection-notices-orders-factsheet).

492. For more detailed information, see the NGO submission by 58 specialist VAWG organisations across England and Wales, p. 105.

493. See Part 3 of the Domestic Abuse Act (England and Wales) 2021.

494. [www.suzylamplugh.org/news/super-complaint](https://www.suzylamplugh.org/news/super-complaint).

495. Information obtained during the evaluation visit.

496. [www.committees.parliament.uk/publications/41432/documents/203672/default/](https://www.committees.parliament.uk/publications/41432/documents/203672/default/) and [www.gov.uk/government/statistics/family-court-statistics-quarterly-july-to-september-2024](https://www.gov.uk/government/statistics/family-court-statistics-quarterly-july-to-september-2024).

497. NGO submission by 58 specialist VAWG organisations across England and Wales, p. 108.

enforcement agencies, social services and the education sector to support and advise them in making an FMPO. Other forms of violence against women fall under NMOs or restraining orders, but no data are available as to whether they are actually made use of in practice for that purpose.

416. GREVIO notes with interest that restraining orders can be issued by courts in England, Wales and Northern Ireland against a person who has been convicted of a criminal offence, if the court considers it necessary to afford additional protection for the victim and/or the public in general. Pursuant to section 5A of the Protection from Harassment Act 1997, such an order can even be made by a court against a person who was acquitted of an offence. Similarly, sexual harm prevention orders (SHPOs) can be issued in England, Wales and Scotland against a person who has been criminally convicted or acquitted for a sexual offence and if, in the view of the competent court, there is a risk of reoffending or a risk to the public in general. The police equally can apply for such an order to be issued, and breaches of SHPOs are criminalised.<sup>498</sup>

417. In Scotland, as noted above, secondary legislation has not been progressed to date to enable the implementation of DAPOs as outlined within the Domestic Abuse (Protection) (Scotland) Act 2021. Once commenced, they can be applied for by the police after issuance of a DAPN. Other types of protection orders available in Scotland include FMPOs, introduced by the Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011 to protect people from being forced to marry, or who are already in a forced marriage.<sup>499</sup> An FGM protection order was created in 2020 but is not yet operational. There are no fees for applying for these orders; either the police apply for them, or the competent court issues them when sentencing a perpetrator for sexual violence. A breach of a SHPO is a criminal offence and punishable with imprisonment of up to five years and/or a fine. Other (civil) protection orders available in Scotland are non-harassment orders, interdicts and exclusion orders.<sup>500</sup> Civil protection orders such as interdicts, civil non-harassment orders and exclusion orders can be applied for by the victim and there are around 1 200 applications per year. They can also be applied for by the police.

418. Criminal orders are issued directly by the sentencing courts. Interdicts are court orders that prohibit a person doing something specific and can also be used in a domestic violence context.<sup>501</sup> Exclusion orders can be used by courts against perpetrators of domestic abuse to order them to leave the family or shared home.<sup>502</sup>

419. Despite the multitude of orders available in Scotland, their practical use remains low. In the period 2019-2020, only one civil court issued a non-harassment order. During the same period, 220 breaches of such orders resulted in convictions. Only limited data on the use made of other forms of protection orders are available, suggesting the need for more systematic and regular data collection, disaggregated by relevant factors as required under Article 11 of the Istanbul Convention.<sup>503</sup>

420. In Northern Ireland, non-molestation orders and occupation orders can be issued by courts *ex parte* and take immediate effect, until there is a full hearing into the case. They must be applied for by the police, which is an issue in practice, as the police must bear the costs of the application. As the PSNI is chronically underfunded, police are reluctant to apply for NMOs, according to indications from women's rights NGOs. Moreover, there appears to be a reluctance by courts to expel a perpetrator of violence from the home they own.<sup>504</sup>

421. If granted, NMOs are usually issued for a maximum of 18 months and can be prolonged, if necessary. NMOs are intended to prevent a perpetrator from using (any form of) further violence, and occupation orders state who may occupy a property. They can be issued in combination in order

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498. For more information, see the state report, pp. 50-53.

499. [www.legislation.gov.uk/asp/2011/15/contents/enacted](http://www.legislation.gov.uk/asp/2011/15/contents/enacted).

500. [www.digitalpublications.parliament.scot/ResearchBriefings/Report/2020/12/9/9aebc876-0895-11eb-83ec-000d3a23af40-1#fec16216-0a2a-11eb-956e-000d3a23af40.dita](http://www.digitalpublications.parliament.scot/ResearchBriefings/Report/2020/12/9/9aebc876-0895-11eb-83ec-000d3a23af40-1#fec16216-0a2a-11eb-956e-000d3a23af40.dita).

501. [www.mygov.scot/legal-protection-against-abuse-and-harassment/domestic-abuse-interdict](http://www.mygov.scot/legal-protection-against-abuse-and-harassment/domestic-abuse-interdict).

502. [www.mygov.scot/legal-protection-against-abuse-and-harassment/exclusion-order](http://www.mygov.scot/legal-protection-against-abuse-and-harassment/exclusion-order).

503. [www.scotlawcom.gov.uk/files/9017/2959/8708/Discussion\\_Paper\\_on\\_Civil\\_Remedies\\_for\\_Domestic\\_Abuse\\_DP\\_N\\_o\\_178.pdf](http://www.scotlawcom.gov.uk/files/9017/2959/8708/Discussion_Paper_on_Civil_Remedies_for_Domestic_Abuse_DP_N_o_178.pdf).

504. Information obtained during the evaluation visit.

to expel a perpetrator of domestic violence from a shared home. NMOs are applicable to adults and any relevant children, where indicated. Non-means tested legal aid, which includes legal advice, assistance and representation, is available for victims applying for such protection orders. According to data provided, the number of non-molestation orders granted in Northern Ireland has generally been decreasing since 2016 (from around 2 500 in 2016 to 1 600 in 2022). GREVIO notes with grave concern that the number of occupation orders was extremely low between 2016 and 2022 – the biggest number of orders being granted in a year being a mere 17 in 2017.<sup>505</sup> In the light of the fact that no emergency barring orders are available in Northern Ireland, the authorities must step up their efforts to keep women and their children safe in their own homes through more frequent use of NMOs and occupation orders. Even though breaches of such orders are criminalised, civil society organisations indicated that reports of breaches of NMOs are not always taken seriously by the police and sometimes not even recorded, which is of concern to GREVIO.<sup>506</sup>

422. From the data provided, it is not clear for which forms of violence NMOs are usually granted in Northern Ireland. GREVIO underlines the need to ensure that, in practice, they are made use of for all forms of violence as covered by the Istanbul Convention. On the other hand, GREVIO welcomes information suggesting that when breaches of NMOs and occupation orders are recorded, they often seem to lead to prosecutions and convictions.<sup>507</sup> The introduction of specific stalking protection orders in Northern Ireland is a measure foreseen under the draft Domestic and Sexual Abuse Strategy but has yet to be implemented. FGM protection orders are also available, which GREVIO welcomes.

**423. GREVIO strongly encourages the relevant authorities in the United Kingdom to take legislative and other measures to ensure that:**

- a. **the full range of protection orders are made use of in practice and in relation to all forms of violence against women covered by the Istanbul Convention;**
- b. **applications for the different restraining and protection orders can be made both *ex parte* and *ex officio* for all forms of violence against women, where this is not yet the case.**

## **E. Investigations and evidence (Article 54)**

424. Pursuant to Article 54 of the Istanbul Convention, evidence relating to the sexual history and conduct of the victim shall be permitted only when it is relevant and necessary. GREVIO commends the authorities in the United Kingdom for having statutory restrictions placed on the use of the sexual history of a rape victim through sections 41-43 of the Youth Justice and Criminal Evidence Act 1999 (England and Wales), sections 247 and 275 of the Criminal Procedure (Scotland) Act 1995<sup>508</sup> and section 28 of the Criminal Evidence (Northern Ireland) Order 1999.<sup>509</sup> The aim of these provisions is to prevent the defence from resorting to rape myths and gender stereotypes. They prohibit the defence from adducing evidence or asking questions during cross-examination about any sexual behaviour of the complainant, unless leave of the court is granted to do so, for which there are narrow grounds and detailed guidance for prosecutors, which GREVIO welcomes.<sup>510</sup>

425. However, these are not always respected in practice. An analysis of 14 court cases showed that in almost all of them, rape myths such as rapes being unlikely in a relationship have been found.<sup>511</sup> The Gillen Review equally found evidence of undue use of sexual history and the

505. See the state report, pp. 73-75.

506. NGO submission by the Northern Ireland Human Rights Commission, p. 52.

507. See the state report, p. 76.

508. For a good example of relevant case-law, see [www.lawscot.org.uk/news-and-events/legal-news/full-bench-restates-limits-of-sexual-history-evidence/](http://www.lawscot.org.uk/news-and-events/legal-news/full-bench-restates-limits-of-sexual-history-evidence/).

509. For more information, see Ministry of Justice, Limiting the use of complainants' sexual history in sex cases, 2017, available at: [www.assets.publishing.service.gov.uk/media/5a81ed82ed915d74e3400cf1/limiting-the-use-of-sexual-history-evidence-in-sex\\_cases.pdf](http://www.assets.publishing.service.gov.uk/media/5a81ed82ed915d74e3400cf1/limiting-the-use-of-sexual-history-evidence-in-sex_cases.pdf).

510. [www.cps.gov.uk/legal-guidance/rape-and-sexual-offences-chapter-11-sexual-history-complainants-section-41-yjcea](http://www.cps.gov.uk/legal-guidance/rape-and-sexual-offences-chapter-11-sexual-history-complainants-section-41-yjcea).

511. Victim Support NI, "Bearing witness: report of The NI Court Observer Panel 2018-2019", (VSNI, 2021), p. 31.

reproduction of rape myths in court proceedings and issued recommendations, which indicates the need for further steps to fully implement Article 54 of the convention in practice.

**426. GREVIO strongly encourages the relevant authorities in the United Kingdom to ensure that, in practice, evidence relating to the sexual history and conduct of the victim shall be permitted only when it is relevant and necessary, and that measures are taken to combat rape myths used in courts.**

## **F. *Ex parte* and *ex officio* proceedings (Article 55)**

### **1. *Ex parte* and *ex officio* proceedings**

427. GREVIO notes with satisfaction that the legal frameworks in all three jurisdictions of the United Kingdom provide for the initiation of legal proceedings *ex officio* for all the forms of violence against women required by the convention.<sup>512</sup> Domestic law in all four nations equally provides for the possibility of a continuation of criminal proceedings, even if the victim withdraws her statement.

### **2. Victim support in legal proceedings**

428. With a view to empowering victims and to encouraging them to go through with criminal proceedings, paragraph 2 of Article 55 requires parties to ensure that victims' organisations, specifically trained domestic violence counsellors or other types of support/advocacy services may assist and support victims during investigations and judicial proceedings.

429. In England and Wales, Independent Domestic Violence Advisers (IDVAs) and Independent Sexual Violence Advisers (ISVAs) are a single point of contact for information on the criminal justice processes for victims of domestic and sexual violence. GREVIO welcomes the expansion of the well-established system of IDVAs to all victims of sexual violence. IDVAs and ISVAs may also provide emotional support to victims in court, arrange pretrial visits or access to special measures of protection. Given the importance of these measures of support, GREVIO welcomes that there are specialist IDVAs for young people, Independent Stalking Advocacy Caseworkers (ISACs) for stalking victims, and IDVAs for victims of forced marriage and so-called honour-based abuse. Victims of other forms of violence against women can be supported by the Witness Service, run by Citizens Advice, which helps victims and witnesses attending court.<sup>513</sup> The service provides information on what witnesses can expect when going to court, organises pretrial visits and can be present at court to provide support (but no legal advice).

430. A number of issues in the practical application of IDVAs/ISVAs have been identified. First, IDVAs are only available to victims of domestic violence who have been assessed as high risk. In the light of the very limited provision of legal aid, this results in a large number of women victims of domestic violence being entirely unsupported or represented in criminal proceedings related to their experience of domestic violence.<sup>514</sup> Second, women's rights NGOs active in the field have indicated to GREVIO that IDVAs and ISVAs are sometimes not allowed by judges to be present at the trial to provide emotional support to the victim. Third, in several areas across England and Wales, ISVA services are severely understaffed, leading to months-long waiting lists for victims of sexual violence to access their services.

431. In Scotland, the Criminal Procedure (Scotland) Act 1995 gives vulnerable victims and witnesses the right to have a person of support present in the courtroom or at the remote evidence location when testifying, including representatives from specialist support services. GREVIO notes that the charity SafeLives is in the process of providing IDVA training with a view to promoting this model across the nation. Some of the services that ISVAs provide in the other nations are ensured by Rape Crisis Scotland and the Sexual Assault Referral Centres.

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512. The exceptions are the forms of violence not criminalised in some jurisdictions; see Chapter V of this report.

513. [www.adviceguide.org.uk](http://www.adviceguide.org.uk).

514. See Chapter VI, Legal aid (Article 57).

432. GREVIO notes with interest that Northern Ireland is currently in the process of evaluating a pilot programme called “My justice journey”. This is an on-going project to develop a new digital information portal, to help victims and witnesses to understand and navigate the criminal justice process better. It is hoped that it will ensure victims of violence are informed how the justice system works, what they can expect at each stage, what support they can get, and how sentencing works, including information on advocacy, and help to access to publicly funded legal advice for adult sexual violence survivors. Moreover, many women’s rights NGOs are equally available to support victims of violence against women during investigations and criminal proceedings.

## **G. Measures of protection (Article 56)**

433. In England and Wales, the Domestic Violence Crime and Victims Act 2004 stipulates numerous rights for victims of crime, including protection against harassment or intimidation by an accused during an investigation or trial, the right to be informed about the progress of their case and the possibility of obtaining a restraining order against an accused who is convicted or even acquitted. GREVIO commends the authorities in the UK for having introduced a domestic violence sanctuary scheme for high-risk victims of violence, which pays for the installation of a “panic room” in their own home.<sup>515</sup> GREVIO commends the authorities in the United Kingdom for these promising practices in victim and witness protection and advice.<sup>516</sup>

434. Section 35 of the Domestic Violence Crime and Victims Act 2004, which applies to England and Wales, stipulates that the Probation Service must contact victims of offenders convicted of a specified violent or sexual offence who are sentenced to 12 months or more imprisonment.<sup>517</sup> Victims have the right to be informed about key developments in the offender’s sentence and the criminal justice process. To this end, a statutory Victim Contact Scheme has been established, where Victim Liaison Workers are employed and specially trained for the sensitive task of communicating with victims of crimes. They also bring victims’ voices to the MAPPAs, as victims have a statutory right to request that certain conditions are attached to an offender’s licence conditions.<sup>518</sup> While GREVIO welcomes this proactive approach to informing victims, it regrets that it only applies for sentences of 12 or more months’ imprisonment. As many convictions, in particular for domestic violence, remain at the lower end of the sentencing range, many women victims are effectively barred from accessing this support.

435. When it comes to special measures in court for victims of rape, the Victims’ Commissioner for England and Wales has issued concrete recommendations for the relevant authorities, including making the criminal justice process easier for victims, for example through the audiovisual recording of the victim’s statement and the cross-examination by the defence, which can then be used in court without the victim having to testify again. GREVIO welcomes such measures and considers that following these recommendations is a matter of urgency.

436. In Scotland, the Vulnerable Witnesses (Scotland) Act 2004, the Victims and Witnesses (Scotland) Act 2014, the Vulnerable Witnesses (Criminal Evidence) (Scotland) Act 2019 and the Victims’ Code for Scotland set out numerous rights and support services for victims and witnesses in the criminal justice system and in civil proceedings. Special measures are in place to help vulnerable witnesses give their best evidence in court and to reduce associated stress. They include measures such as using a screen in court, giving evidence via web link from another location or have their evidence pre-recorded, having an in-court supporter and giving evidence by commissioner (where the witness gives their evidence before the court case has started). Moreover, a police pilot project visually records rape victims’ first statement to the police, which can then be used in court, and immediately refers them to a victim advocacy worker. GREVIO notes that legislative reform

515. For a detailed description of the scheme, see the European Court of Human Rights judgment in the case of *J.D. and A. v. the United Kingdom*, [www.hudoc.echr.coe.int/eng?i=001-196897](http://www.hudoc.echr.coe.int/eng?i=001-196897).

516. For more details on available measures for victim protection in the four nations that constitute the United Kingdom, including for child victims and witnesses, see the state report, pp. 55-58.

517. [www.legislation.gov.uk/ukpga/2004/28/section/35?view=extent](http://www.legislation.gov.uk/ukpga/2004/28/section/35?view=extent).

518. See Chapter IV, General obligations (Article 18).

relevant to measures of protection is underway with the Victims, Witnesses and Justice Reform (Scotland) Bill.<sup>519</sup> It seeks to introduce, among other things, a Victims' Commissioner, a principle of trauma-informed practice in civil and criminal courts, and other special measures for vulnerable witnesses in civil proceedings.

437. In Northern Ireland, the Criminal Evidence (Northern Ireland) Order 1999 sets out a number of measures to ensure that vulnerable victims and witnesses are protected, including the video-recording of evidence to spare the victim from testifying in the courtroom, screening the witness from the accused, the removal of wigs and gowns and the provision of an intermediary to assist witnesses with communication difficulties. GREVIO notes that a range of measures intended to increase the confidence of victims of domestic and sexual violence in the criminal justice system are being brought forward, including through remote evidence facilities that will allow victims to testify from a different place than the court building, and measures around anonymity and excluding the public from court hearings.

438. While victims and witnesses have the right to be informed about the progress of their case, the 2022/23 Northern Ireland Victim and Witness Survey showed that this was the case for 71% of the victims and witnesses, while 17% stated that they did not know the outcome of their case.<sup>520</sup> The Prisoner Release Victim Information Scheme gives victims the possibility to receive information, upon application, about prisoners who have been convicted of a crime against them.

439. While GREVIO welcomes the numerous measures in place in all four nations in the United Kingdom to protect the rights, interests and safety of victims of domestic violence and violence against women, it has received indications from women's rights NGOs and legal practitioners that these measures are not always used in practice or are not applied consistently.<sup>521</sup> GREVIO notes with particular concern that despite the overall recognition for the vulnerable position of women in investigations and judicial proceedings in relation to violence against women, very little emphasis is placed on ensuring these are available, and adapted, to the specific needs of women and girls with disabilities. Women's rights NGOs active in the field indicated that meaningful participation of this group of women in criminal proceedings is particularly difficult, not only because of physical barriers, but also because of language barriers for women who require sign language interpretation or information and questioning in easy-to-understand language.<sup>522</sup> Language barriers have also been identified for women who do not sufficiently speak one of the official languages of the UK. GREVIO therefore considers it necessary that the relevant authorities in the United Kingdom, including the devolved governments of Scotland and Northern Ireland, increase their efforts to ensure that all of the provisions contained in Article 56 of the convention are consistently applied in practice, including for women with disabilities and women with interpretation needs. It welcomes, in this context, the possibility to provide witnesses who are vulnerable due to their age, or because of a learning, mental or physical disability or disorder with support by a Registered Intermediary. These are impartial, self-employed, communication specialists who enable vulnerable witnesses and complainants to give evidence to the police and to the court in criminal trials.<sup>523</sup>

**440. GREVIO strongly encourages the relevant authorities in the United Kingdom to take legislative and other measures to ensure the effective use of protective measures for all victims of violence against women, including women with disabilities, in line with Article 56 of the Istanbul Convention, including where the perpetrator was sentenced to less than 12 months' imprisonment.**

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519. [www.parliament.scot/bills-and-laws/bills/victims-witnesses-and-justice-reform-scotland-bill](http://www.parliament.scot/bills-and-laws/bills/victims-witnesses-and-justice-reform-scotland-bill).

520. [www.justice-ni.gov.uk/publications/victim-and-witness-experience-northern-ireland-criminal-justice-system-key-findings-202223](http://www.justice-ni.gov.uk/publications/victim-and-witness-experience-northern-ireland-criminal-justice-system-key-findings-202223).

521. Information obtained during the evaluation visit.

522. Information obtained during the evaluation visit.

523. [www.gov.uk/guidance/ministry-of-justice-witness-intermediary-scheme](http://www.gov.uk/guidance/ministry-of-justice-witness-intermediary-scheme).

## H. Legal aid (Article 57)

441. In civil law cases in England and Wales, legal aid is available for low-income applicants, who must pass both a means and a merits test. The merits test assesses the likelihood of success and the benefit to the applicant. Certain cases are exempt from the means test.<sup>524</sup> Legal aid is equally available for applicants in asylum proceedings, including at the appeals stage.<sup>525</sup> In criminal law cases, there is no provision of secondary legal aid (in the form of representation) for victims, as they are not considered parties to the proceedings.

442. GREVIO notes with concern that legal aid in England and Wales was severely cut following the enactment of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO). The LASPO Act removed large areas of law from legal aid, including legal support for victims of domestic violence, except where an applicant manages to adduce evidence for domestic violence, for example by providing letters from professionals. Given that victims of domestic abuse often do not report the violence suffered to the police, and do not disclose it to relevant professionals either, this constitutes a barrier for them accessing legal aid.<sup>526</sup> This high threshold of the merits test has resulted in many women victims of violence with low income no longer being able to receive legal aid to help them navigate the courts. Between the period 2011-12 and 2015-16, applications relating to domestic violence decreased by 16%, and applications granted fell by 17%.<sup>527</sup>

443. In addition, because of issues raised in relation to the means test in the Post-Implementation Review of LASPO,<sup>528</sup> the Ministry of Justice announced the Legal Aid Means Test Review,<sup>529</sup> as part of the Legal Support Action Plan.<sup>530</sup> However, as of 2024, no update on improvements for victims of domestic violence has been published and no changes to their eligibility for legal aid have been made.

444. Moreover, disputes regarding contact arrangements for children between separated parents are not included in the scope of application of the LASPO Act, contrary to the previous legal situation. The fact that a significant number of people are not represented in family court anymore led to an increase in the length of proceedings. This problem is compounded by the UK Government closing many courts, creating longer waiting times for cases to be processed.<sup>531</sup> A review of civil legal aid has recently been launched, but the results are outstanding.<sup>532</sup>

445. Another issue of concern is that many legal aid providers had to close down after the enactment of the LASPO Act and the Covid-19 pandemic, leaving more and more areas of England and Wales without legal aid providers.<sup>533</sup> Women's rights NGOs indicated to GREVIO that this shortage makes it more difficult for women victims of violence who are eligible for legal aid to actually find a lawyer to take on their case.

446. In Scotland, victims in criminal proceedings can access publicly funded primary legal aid called "advice and assistance", subject to a statutory eligibility test.<sup>534</sup> To support access to free legal services, the Scottish Legal Aid Board provides funding to organisations such as the Scottish Women's Rights Centre and to Edinburgh Women's Aid to tackle violence against women and girls, including domestic abuse. There is no provision of secondary legal aid for representation in criminal proceedings for victims of crime, including victims of domestic violence or violence against women.

524. [www.gov.uk/government/consultations/legal-aid-means-test-review/legal-aid-means-test-review#chapter-1-the-current-legal-aid-means-tests](http://www.gov.uk/government/consultations/legal-aid-means-test-review/legal-aid-means-test-review#chapter-1-the-current-legal-aid-means-tests).

525. [www.gov.uk/government/consultations/legal-aid-means-test-review/legal-aid-means-test-review#chapter-5-immigration-and-asylum-under-18s-and-non-means-tested-cases](http://www.gov.uk/government/consultations/legal-aid-means-test-review/legal-aid-means-test-review#chapter-5-immigration-and-asylum-under-18s-and-non-means-tested-cases).

526. NGO submission by 58 specialist VAWG organisations across England and Wales, p. 114.

527. [www.publications.parliament.uk/pa/jt201719/jtselect/jtrights/669/66906.htm#](http://www.publications.parliament.uk/pa/jt201719/jtselect/jtrights/669/66906.htm#).

528. [www.gov.uk/government/publications/post-implementation-review-of-part-1-of-laspo](http://www.gov.uk/government/publications/post-implementation-review-of-part-1-of-laspo).

529. [www.gov.uk/government/consultations/legal-aid-means-test-review/legal-aid-means-test-review](http://www.gov.uk/government/consultations/legal-aid-means-test-review/legal-aid-means-test-review).

530. [www.gov.uk/government/publications/legal-support-action-plan](http://www.gov.uk/government/publications/legal-support-action-plan).

531. Information obtained during the evaluation visit.

532. [www.gov.uk/guidance/civil-legal-aid-review](http://www.gov.uk/guidance/civil-legal-aid-review).

533. [www.lag.org.uk/article/209941/thirty-seven-and-rising-the-number-of-legal-aid-providers-lost-since-the-early-days-of-the-pandemic](http://www.lag.org.uk/article/209941/thirty-seven-and-rising-the-number-of-legal-aid-providers-lost-since-the-early-days-of-the-pandemic) and information obtained during the evaluation visit.

534. [www.mygov.scot/legal-aid/advice-and-assistance](http://www.mygov.scot/legal-aid/advice-and-assistance).

However, a proposal for state-funded legal representation for victims of sexual violence is currently being discussed for cases where applications are made by the defence to introduce evidence of the victim's sexual history or their character.<sup>535</sup>

447. In civil proceedings, both primary and secondary legal aid are available in Scotland, subject to a means test. Women's rights NGOs and legal professionals have raised concerns about the low remuneration of legal aid lawyers leading to severe difficulties in finding legal representation for women victims of violence who are eligible for legal aid.<sup>536</sup>

448. In Northern Ireland, legal aid is available to all individuals who are party to public and private family law proceedings, subject to a means and merits test. Victims of violence who apply for a non-molestation order and require representation are granted legal aid without a means test. If an abusive partner brings proceedings against a victim for contact rights with children, no means test for legal aid is applied either. However, NGOs indicated that, in practice, solicitors often do not accept the domestic abuse waiver in the context of family law proceedings, requiring victims of abuse to pay £350 before being able to see them.<sup>537</sup>

449. In the context of criminal cases, the Legal Aid Board provides legal advice free of charge for victims of rape and certain cases of sexual assault (non-means tested). However, if the case goes to trial, the victim can no longer be represented for free, except in cases where personal records, such as counselling records are sought. In that case, Sexual Offences Legal Advisers (SOLAs) provide publicly funded, independent and free legal advice to adult victims of serious sexual offences, in order to assist them in the protection of their right to private life and if their previous sexual history is introduced as evidence by the defence. Over 2 000 adult complainants have benefited from the service since its launch and feedback has been very positive in terms of supporting and empowering victims of rape and sexual violence and increasing confidence in the criminal justice system.<sup>538</sup>

450. Following a strike of legal aid barristers in November 2023, a review of legal aid was instituted and is ongoing. NGOs working with victims of violence have indicated that any reduction in the number of barristers available for legal aid would hinder victims' access to justice, which is why GREVIO considers that issues with legal aid in Northern Ireland should be addressed as soon as possible.<sup>539</sup>

**451. GREVIO strongly encourages the relevant authorities in the United Kingdom to take legislative and other measures to increase, on the one hand, the accessibility of legal aid for women victims of the forms of violence covered by the Istanbul Convention, and to ensure, on the other hand, the availability of legal aid solicitors and barristers in sufficient numbers across the United Kingdom, for example by providing incentives.**

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535. [www.parliament.scot/bills-and-laws/bills/victims-witnesses-and-justice-reform-scotland-bill/introduced](https://www.parliament.scot/bills-and-laws/bills/victims-witnesses-and-justice-reform-scotland-bill/introduced).

536. NGO submissions by Scottish Women's Aid, p. 26, the Scottish Human Rights Commission, pp. 49-50, and information obtained during the evaluation visit.

537. Information obtained during the evaluation visit.

538. Information obtained during the evaluation visit.

539. NGO submission by the Northern Ireland Human Rights Commission, p. 56.

## VII. Migration and asylum

452. In the area of migration and asylum, the main requirement of the Istanbul Convention is to ensure that residence status laws and asylum procedures do not turn a blind eye to the realities of women living in abusive relationships or subjected to sexual violence and exploitation and other forms of gender-based violence. Residence status laws shall provide for the possibility of obtaining autonomous residence permits for women in specific circumstances (Article 59). Asylum procedures, on the other hand, must be gender-sensitive and allow women to disclose their stories in full, and grounds for persecution shall be interpreted in a gender-sensitive manner. This can only be achieved if, in turn, reception procedures and support services for asylum seekers are sensitive to the needs of women victims or those at risk of violence (Article 60). Finally, the convention reinforces respect for the principle of *non-refoulement*, particularly for women in need of protection (Article 61).

453. Immigration and nationality are reserved matters, meaning that the government of the United Kingdom centrally governs all related law and policy, and the devolved governments of Scotland, Wales and Northern Ireland cannot legislate in this area.

### A. Residence status (Article 59)

454. In accordance with Article 78, paragraph 2, of the Istanbul Convention, the United Kingdom reserved the right not to apply Article 59 of the convention. The reservation was entered upon ratification in 2022 with a legal validity until 1 November 2027. GREVIO's assessment of the level of implementation of Chapter VII of the convention hence is limited to its Articles 60 and 61, while noting nonetheless the numerous measures of law and policy in existence across the United Kingdom that would render it compliant with many of the obligations set out in Article 59.

### B. Gender-based asylum claims (Article 60)

455. Between July 2023 and June 2024, 75 658 asylum applications (relating to 97 107 people) were lodged.<sup>540</sup> 67 978 asylum applications were granted during that same period. In addition, 93 342 people were granted a legal route to enter the UK, which mostly consisted of Ukrainian nationals and British Nationals Overseas from Hong Kong. The data are not disaggregated by reasons for applying for asylum. It is therefore unclear how many women and girls are granted asylum or international protection on the basis of gender-based persecution.

456. GREVIO notes that the UK Government has recently introduced a new Border Security, Asylum and Immigration Bill 2025 (which at the time of the adoption of this report was not yet in force) that seeks to formally repeal the Safety of Rwanda Act 2024 and certain provisions of the Illegal Migration Act 2023 ("IMA 2023").<sup>541</sup>

#### 1. Gender-sensitive asylum determination procedure

457. Article 60, paragraph 1, of the convention requires parties to take legislative or other measures to ensure that gender-based violence is recognised as a form of persecution, within the meaning of Article 1, A(2), of the 1951 Convention relating to the Status of Refugees and as a form of serious harm giving rise to complementary/subsidiary protection. Article 60, paragraph 2, requires a gender-sensitive interpretation to be applied to all grounds of persecution.

458. In the UK, the Nationality and Borders Act 2022 ("NABA 2022") defines key concepts of the Refugee Convention. Part 11 of the Immigration Rules sets out the provisions for considering asylum claims and reflects the UK's obligations, including in relation to the limb of the Refugee Convention

540. Home Office, National Statistics, How many people do we grant protection to? (August 2024):

[www.gov.uk/government/statistics/immigration-system-statistics-year-ending-june-2024/how-many-people-do-we-grant-protection-to](https://www.gov.uk/government/statistics/immigration-system-statistics-year-ending-june-2024/how-many-people-do-we-grant-protection-to).

541. [www.gov.uk/government/collections/border-security-asylum-and-immigration-bill-2025](https://www.gov.uk/government/collections/border-security-asylum-and-immigration-bill-2025).

that relates to membership of particular social groups.<sup>542</sup> The Home Office's policy entitled "Gender issues in the asylum claim" provides more detail on how gender-based harm and sexual violence are considered when assessing asylum claims (see below).<sup>543</sup> GREVIO welcomes such policy guidance and the fact that section 31 of NABA 2022 expressly recognises that "an act of physical or mental violence, including an act of sexual violence" may amount to persecution.

459. Anyone seeking asylum is required to claim asylum at the earliest possible opportunity after arrival in the UK. Failure to do so could adversely affect credibility. If asylum is claimed at the port of entry, an immigration officer from the UK Border Force may conduct a screening interview. For those seeking asylum elsewhere, an appointment with the Intake Unit is necessary. After the registration of the asylum claim a substantive interview is held, where deemed relevant. An information booklet informs applicants that if the claim involves gender-based persecution, questions will be asked sensitively.<sup>544</sup> Applicants may be accompanied to the interview by a friend, companion or supporter in exceptional circumstances, such as experiences of sexual violence. The booklet also contains a brief section on gender-based violence and abuse, encouraging early disclosure and providing details of support organisations as well as details of FGM support organisations. While GREVIO welcomes these steps, it notes the official information booklet's availability in English only, which significantly limits its use. The charity Migrant Help has made an information booklet on the asylum procedure available in a number of languages other than English.<sup>545</sup>

460. As regards the screening and registration process, an applicant will be fingerprinted and have a registration interview during which general questions will be asked, *inter alia*, about identity, travel to the UK, why they left their country of origin and cannot return and whether they have any disabilities, medical or health conditions. GREVIO notes that the screening interview and registration stage does not amount to an in-person vulnerability screening that seeks or serves to elicit information about vulnerability and/or experiences of sexual and gender-based violence. GREVIO regrets that this places the onus on asylum-seeking women to self-report any experiences of gender-based violence. Early identification of vulnerability in women and girls seeking asylum is essential for two reasons: (i) it supports identification of individual reception needs, including access to appropriate and safe accommodation and specialist services to support disclosure relevant to their protection claim; and (ii) it supports the implementation of gender-sensitive procedural safeguards throughout the asylum process to support disclosure. Failure to undertake a proper vulnerability screening process at the earliest possible opportunity deprives women and girls of important gender-sensitive substantive and procedural protections required by Article 60, paragraph 3, of the Istanbul Convention.

461. Applicants have the right to an interpreter and women are entitled to request a female interpreter. This right appears in policy but is not enshrined in law. Interpreters are expected to follow a code of conduct and are subject to a quality assurance process managed by the Interpreter and Language Services Unit. Indications received by GREVIO from NGOs active in the field suggest, however, that very few interpreters have received any training on gender-based violence or trauma and express concerns about poor-quality interpretation.<sup>546</sup>

462. The Home Office's policy "Gender issues in the asylum claim" mentioned above contains detailed guidance for decision makers on how to apply a gender-sensitive interpretation to all forms of persecution. The policy also provides guidance on gender-specific forms of harm and discrimination based on gender, and on how decision makers should consider cases involving FGM, forced marriage and so-called honour-based claims. Further, it contains guidance on how to assess credibility in cases involving delayed disclosure of gender-based violence, stating that late disclosure should not count against credibility and highlighting the impact of trauma on memory and

542. Part 11 of the Immigration Rules – asylum: [www.gov.uk/guidance/immigration-rules/immigration-rules-part-11-asylum](https://www.gov.uk/guidance/immigration-rules/immigration-rules-part-11-asylum).

543. Gender issues in the asylum claim policy guidance (version 3.0, 10 April 2018):

[www.assets.publishing.service.gov.uk/media/5ac9250ed915d32a65dba29/gender-issues-in-the-asylum-claim-v3.pdf](https://www.assets.publishing.service.gov.uk/media/5ac9250ed915d32a65dba29/gender-issues-in-the-asylum-claim-v3.pdf).

544. Information booklet about your asylum application: [www.gov.uk/government/publications/information-leaflet-for-asylum-applications/information-booklet-about-your-asylum-application](https://www.gov.uk/government/publications/information-leaflet-for-asylum-applications/information-booklet-about-your-asylum-application).

545. [www.migranthehelpuk.org/advice-and-guidance](https://www.migranthehelpuk.org/advice-and-guidance).

546. Information obtained during the evaluation visit.

recollection, which GREVIO welcomes. Moreover, GREVIO welcomes the guidance it provides on the need to avoid substantive asylum interviews in the presence of children, either by providing childcare or offering an alternative appointment.

**463. GREVIO strongly encourages the authorities in the United Kingdom to introduce vulnerability screening procedures for all women and girl asylum seekers at various stages of the procedure that are carried out in a manner that allows their identification as victims of gender-based violence and persecution and hence in need of international protection.**

## **2. Accommodation**

464. In accessing accommodation, asylum-seeking women (and any dependent children) fall within the responsibility of the Home Office. Unaccompanied asylum-seeking girls are placed in the care of the local authority who are under corporate parenting duties to look after them.<sup>547</sup> Some age-disputed asylum-seeking children may be placed with the local authority pending completion of a lawful age assessment, or otherwise, if they have been subject to an initial cursory assessment of their physical appearance and demeanour by Immigration Officers, will be placed in adult asylum accommodation if assessed to be an adult. GREVIO notes with concern reports of age-disputed unaccompanied children, including girls, being required to share a room with unrelated adults.<sup>548</sup> It notes with equal concern the high number of unaccompanied children, including girls, who have gone missing from their assigned asylum accommodation, in particular hotels.

465. Asylum seekers who would otherwise be destitute can apply for accommodation and subsistence. Following a grant of asylum support (provided pursuant to Section 98 of the Immigration and Asylum Act 1999 ("IAA 1999")), the asylum seeker will be placed "initial accommodation" pending a financial assessment and determination of their eligibility for ongoing support.<sup>549</sup> For destitute asylum seekers whose asylum claims remain outstanding (or whose appeals are pending), accommodation and financial support are granted pursuant to section 95 of the IAA 1999. The individual is "dispersed" from the initial accommodation to longer-term accommodation, if suitable accommodation becomes available. Migrant Help is a charity contracted by the Home Office and assists with asylum support services but does not provide specific counselling or support to asylum-seeking women victims of gender-based violence.

466. The Home Office is under a duty to ensure that accommodation provided is "adequate" for the needs of the person and must take into account their special needs and vulnerability.<sup>550</sup> A vulnerable person is defined in law as a child, a person with disabilities, an elderly person, a pregnant woman, a single parent or a person who has been subjected to torture, rape or other serious forms of psychological, physical or sexual violence.<sup>551</sup> However, in the absence of vulnerability screenings for gender-based violence from their arrival, women and girls victims of violence may remain undetected and therefore unable to access adequate accommodation.

467. Moreover, GREVIO notes with concern the impact on women and children of the chronic shortage of asylum accommodation in the UK. The Home Office has resorted to placing substantial numbers of individuals, including women and families, in hotels for prolonged periods of time. According to Home Office data, at the end of June 2024, there were 100 995 individuals in receipt of asylum support (14% fewer than at the end of June 2023), of which 29% were in hotel accommodation.<sup>552</sup> GREVIO notes with grave concern the conditions that asylum-seeking women and girls find themselves in non-specialist and/or mixed asylum accommodation, mostly hotels or

547. Children Act 1989, section 20: [www.legislation.gov.uk/ukpga/1989/41/contents](http://www.legislation.gov.uk/ukpga/1989/41/contents).

548. [www.independent.co.uk/news/uk/home-news/children-asylum-seekers-age-assessments-home-office-uk-b1992680.html](http://www.independent.co.uk/news/uk/home-news/children-asylum-seekers-age-assessments-home-office-uk-b1992680.html). See also [www.theguardian.com/uk-news/2023/oct/30/child-asylum-seekers-in-uk-forced-to-share-hotel-rooms-with-adults](http://www.theguardian.com/uk-news/2023/oct/30/child-asylum-seekers-in-uk-forced-to-share-hotel-rooms-with-adults).

549. Immigration and Asylum Act 1999: [www.legislation.gov.uk/ukpga/1999/33/contents](http://www.legislation.gov.uk/ukpga/1999/33/contents).

550. See section 96 of the IAA 1999 when read together with Regulation 5 of the Asylum Seekers (Reception Conditions) Regulations 2005.

551. Regulation 4 of the Asylum Seekers (Reception Conditions) Regulations 2005.

552. Home Office, National Statistics, How many people do we grant protection to? (August 2024) [see section 4]: [www.gov.uk/government/statistics/immigration-system-statistics-year-ending-june-2024/how-many-people-do-we-grant-protection-to#support-provided-to-asylum-seekers](http://www.gov.uk/government/statistics/immigration-system-statistics-year-ending-june-2024/how-many-people-do-we-grant-protection-to#support-provided-to-asylum-seekers).

bed and breakfasts, without any security measures and an increased exposure to abuse. Reports of asylum-seeking women being raped, sexually assaulted or harassed in hotels, followed by an inadequate response from the authorities, are alarming.<sup>553</sup> Additionally, many of the hotels are run by private individuals or companies that do not have the specialist experience and training to adequately support women victims of violence and respond to their needs. More measures need to be taken to mitigate the risks arising from mixed accommodation, such as separate and secure floors that are women-only, on-site protection or trained on-site staff able to respond to the specific safety concerns and needs of women.<sup>554</sup> GREVIO notes the prevailing view among women's rights organisations that women asylum seekers are not safe in hotel accommodation.<sup>555</sup> It considers the widespread and prolonged use of hotel accommodation wholly inappropriate for vulnerable and traumatised women and girls who are victims of gender-based violence. Immediate measures are necessary for the UK to comply with its obligations to provide gender-sensitive accommodation to asylum-seeking women and girls. This is notwithstanding the limited arrangements in place that enable NGOs and civil society entities to support women asylum seekers, including victims of violence.

468. In a positive development, GREVIO notes that the Home Office has published policy - "Domestic violence: responding to reports of domestic violence and abuse from asylum seekers" – that gives guidance to staff and accommodation providers on how to respond to reports of domestic violence.<sup>556</sup> It is victim-centred and provides clear guidance on how to respond appropriately to reports of domestic abuse to ensure that the victim is safe and referred to the appropriate services. GREVIO notes with regret, however, that this policy is rarely implemented and, for lack of staff specifically trained on gender-based violence-related issues in hotel accommodation, many women assigned to asylum hotel accommodation do not sufficiently benefit from it.<sup>557</sup>

**469. GREVIO urges the authorities in the United Kingdom to take legislative or other measures to ensure access to adequate and safe accommodation for all women and girls during the asylum procedure and that universal gender-sensitive standards are implemented in all reception facilities, including temporary facilities and placements in hotels.**

### **C. *Non-refoulement* (Article 61)**

470. Article 61 of the convention entails the obligation under international law for states to respect the principle of *non-refoulement* in relation to women victims of gender-based violence who may fear persecution if returned. According to this principle, states shall not expel or return an asylum seeker or refugee to any country where their life or freedom would be threatened. Article 3 of the European Convention on Human Rights also prevents a person being returned to a place where they would be at real risk of being subjected to torture or inhuman or degrading treatment or punishment. The obligation to respect the *non-refoulement* principle applies equally to victims of violence against women who are in need of protection, irrespective of the status or residence of the women concerned.<sup>558</sup>

471. In the UK, for asylum claims made on or before 27 June 2022, paragraphs 345A to 345D of the Immigration Rules set out the applicable inadmissibility procedure for asylum claims made by individuals who have travelled to the UK through a safe third country or have a connection to a safe third country. For claims made on or after 28 June 2022, these provisions are now on a statutory

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553. [www.rapecrisis.org.uk/get-informed/not-safe-here/](http://www.rapecrisis.org.uk/get-informed/not-safe-here/).

554. Information obtained during the evaluation visit.

555. Information obtained during the evaluation visit, and numerous media reports, for example: [www.bbc.com/news/uk-66386310](http://www.bbc.com/news/uk-66386310); [www.theguardian.com/uk-news/article/2024/jun/03/asylum-seekers-report-widespread-abuse-in-home-office-accommodation](http://www.theguardian.com/uk-news/article/2024/jun/03/asylum-seekers-report-widespread-abuse-in-home-office-accommodation); [www.infomigrants.net/fr/post/30413/uk-asylum-seekers-report-prisonlike-conditions-abuse](http://www.infomigrants.net/fr/post/30413/uk-asylum-seekers-report-prisonlike-conditions-abuse); [www.redcross.org.uk/about-us/what-we-do/we-speak-up-for-change/womens-experiences-of-seeking-asylum-in-the-uk](http://www.redcross.org.uk/about-us/what-we-do/we-speak-up-for-change/womens-experiences-of-seeking-asylum-in-the-uk).

556. Domestic abuse: responding to reports of domestic abuse from asylum seekers (v 2.0, 21 January 2022): [www.gov.uk/government/publications/domestic-abuse-responding-to-reports-of-domestic-abuse-from-asylum-seekers](http://www.gov.uk/government/publications/domestic-abuse-responding-to-reports-of-domestic-abuse-from-asylum-seekers).

557. Information obtained during the evaluation visit.

558. Explanatory Report to the Istanbul Convention, paragraph 322.

footing in sections 80B and 80C in the Nationality, Immigration and Asylum Act 2002.<sup>559</sup> These provisions empower the authorities to deem these asylum claims inadmissible, barring their assessment on merits, and allowing affected individuals to be removed to a safe third country. Whilst the Government is seeking to repeal some sections of the IMA 2023 through the Border Security, Asylum and Immigration Bill 2025 (which at the time of the adoption of this report was pending before the Parliament), GREVIO notes that section 29 of the NABA 2022 remains unaltered and allows for removal to a safe third country whilst an asylum claim is pending. According to the authorities, consideration for humanitarian protection needs is made before removal, or whether the removal would breach the European Convention on Human Rights, which includes an assessment of any risk of torture, inhuman or degrading treatment or punishment in the country of destination. Such an assessment includes the perspective of the risk of gender-based persecution of women and girls.

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559. Section 16 of the NABA 2023 inserted sections 80B and 80C into the Nationality, Immigration and Asylum Act 2002. Transitional provisions made by the Nationality and Borders Act 2022 (Commencement No. 1, Transitional and Saving Provisions) Regulations 2022, SI/2022/590, provide that asylum claims made before 28 June 2022 remain subject to paragraphs 345A-D of the Immigration Rules.

## Concluding remarks

472. Numerous legislative and policy measures adopted in all four nations that constitute the United Kingdom over the last decades clearly demonstrate their commitment to preventing and combating violence against women and domestic violence. Most notably, action plans and strategies are in place in England, Scotland, Wales and Northern Ireland; most of the forms of violence as covered by the Istanbul Convention are covered by their respective criminal laws; and some criminal provisions in place even go beyond the requirements of the convention.

473. Moreover, GREVIO has witnessed a great number and variety of initiatives, projects and promising practices to prevent and combat violence against women in the United Kingdom, which are being implemented at all levels of government as well as by civil society organisations. Large amounts of data are being collected and published by the administrative authorities; policies and measures are routinely evaluated as to their impact; and studies are being commissioned on a regular basis on most forms of violence covered by the Istanbul Convention, underlining the strong emphasis the authorities place on evidence-based policy-making.

474. Against this backdrop of a solid legal framework, holistic policy initiatives and innovative measures and projects, areas remain where progress is still needed. For example, the national co-ordinating body is not fully institutionalised or equipped with the necessary financial and human resources to ensure the co-ordination and implementation of measures taken under the Istanbul Convention across and between the four nations. The provision of specialist support services for women victims of violence is uneven across the United Kingdom, and the shortage in places offered in domestic violence shelters persists. In the area of family law, further measures are required to ensure that the convention's principle of "safety first" is fully respected in practice in proceedings concerning custody and visitation rights where there is a context of domestic violence. In the area of criminal law, while the numbers of reports for domestic violence, sexual violence and stalking have risen significantly in recent years, prosecution rates have not caught up with this trend, and attrition rates for these forms of violence against women are high. These and other points have been further developed in this report in order to provide guidance for the further implementation of the provisions of the Istanbul Convention.

475. With the present report, GREVIO wishes to support the authorities in the United Kingdom in the further implementation of the convention and invites them to keep it regularly informed of developments. GREVIO looks forward to continuing its fruitful co-operation with the authorities in the United Kingdom.

476. With a view to facilitating the implementation of its suggestions and proposals, GREVIO requests the national authorities to translate this report into their official national language(s) and to ensure that it is widely disseminated, not only to the relevant state institutions at all levels (national, regional and local), in particular to the government, the ministries and the judiciary, but also to NGOs and other civil society organisations that work in the field of violence against women.

## **Appendix I**

### **List of proposals and suggestions by GREVIO**

#### **I. Purposes, definitions, equality and non-discrimination, general obligations**

#### **B. Scope of application of the convention (Article 2) and Definitions (Article 3)**

1. GREVIO urges the relevant authorities in the United Kingdom, in particular in England and Northern Ireland, to take legal and other measures to ensure that children under the age of 16 are fully covered by the respective definitions of domestic violence, in line with Article 3b of the Istanbul Convention (paragraph 19).

2. With a view to ensuring greater legal certainty and enhancing the implementation of the Istanbul Convention, GREVIO strongly encourages the relevant authorities in the United Kingdom to harmonise, where necessary, the existing legal definitions across all areas of law and practice, in line with the definitions as set out in Article 3 of the Istanbul Convention (paragraph 20).

3. GREVIO strongly encourages the relevant authorities in the United Kingdom to:

- a. ensure a gender-sensitive implementation of laws and policies on all forms of violence against women covered by the Istanbul Convention;
- b. review any gender-neutral policies and service commissioning;
- c. apply a gendered perspective when evaluating policies. (paragraph 21)

#### **C. Fundamental rights, equality and non-discrimination (Article 4)**

#### **2. Intersectional discrimination**

4. GREVIO urges the relevant authorities in the United Kingdom to take measures to:

- a. ensure that the provisions of the Istanbul Convention are implemented without discrimination on any of the grounds listed in Article 4, paragraph 3, in particular on the grounds of residence or migrant status, and that measures are taken to offer equal levels of access to support and protection measures;
- b. integrate the perspectives and needs of women who are or may be exposed to intersectional discrimination, including women with disabilities, women belonging to ethnic minorities, LGBTI women, migrant and asylum-seeking women, Roma and Traveller women, elderly women, women with a history of substance abuse and women in prostitution, into the design, implementation, monitoring and evaluation of comprehensive and co-ordinated policies for preventing and combating violence against women, in partnership with relevant women's rights NGOs and by including their representatives in these processes. (paragraph 31)

#### **D. State obligations and due diligence (Article 5)**

5. GREVIO urges the relevant authorities in the United Kingdom to take legislative and other measures to swiftly ensure among public officials in the law-enforcement, healthcare and judicial sectors greater awareness of and respect for the need to act in full compliance with their due diligence obligation to prevent, investigate, punish and provide reparation for victims of any of the forms of violence covered by the Istanbul Convention and without discrimination on the basis of any of the grounds listed in Article 4, paragraph 3. This includes the need to diligently implement without delay the findings from the various reviews and inquiries into police misconduct and violence perpetrated against women, as well as those made by domestic homicide reviews, and hold to account all state actors who, in failing to fulfil their duties, engage in any act of violence, tolerate or downplay violence, fail to respond to reports of violence against women or blame victims. (paragraph 39)

## **II. Integrated policies and data collection**

### **A. Comprehensive and co-ordinated policies (Article 7)**

6. GREVIO encourages the relevant authorities in the United Kingdom to take measures to:
- a. reduce existing disparities in policies and their implementation on the different forms of violence against women across the four nations, notably by conducting an independent comparative analysis of national and regional measures on violence against women, including domestic violence, with a view to identifying gaps, as well as promising practices that can be recommended throughout the four nations;
  - b. model action plans and strategies more closely on the requirements of the Istanbul Convention, in terms of their comprehensiveness, definitions and aims, to ensure greater coherence and interconnectedness;
  - c. address all forms of violence against women as covered by the Istanbul Convention in strategies and action plans in a comprehensive manner, including in particular forced abortion and forced sterilisation;
  - d. have due regard for the interrelatedness of the different forms of violence against women and domestic violence, and the specific experiences of women and girls at risk of intersectional discrimination. (paragraph 50)
7. GREVIO strongly encourages the relevant authorities in the United Kingdom, in particular in Northern Ireland, to take measures to address the long-term consequences of the widespread institutional violence perpetrated against women in Magdalene Homes and similar institutions in the past. (paragraph 51)

### **B. Financial resources (Article 8)**

8. GREVIO urges the relevant authorities in the United Kingdom to ensure appropriate, sustainable and long-term financial resources for all policies, measures and legislation at all levels and across the four nations aimed at preventing and combating violence against women and domestic violence and for the institutions and entities mandated for their implementation, including all relevant statutory agencies. (paragraph 61)
9. GREVIO urges the relevant authorities in the United Kingdom to ensure sustainable funding levels for women's rights organisations specialised in preventing and combating violence against women by providing them with appropriate and multi-annual funding that is commensurate with their estimated needs, through transparent and accountable public procedures. Procurement procedures should tap into and privilege the extensive victim-centred expertise of specialist women's rights NGOs and ensure that civil society is not put in a position whereby it needs to compete for funds with for-profit organisations, which may lack a gendered understanding of violence against women. Due regard should be paid to funding women's rights organisations operating in rural areas, community-based organisations and those serving hard-to-reach groups of women and girls. (paragraph 62)
10. To achieve the above, GREVIO encourages the relevant authorities in the United Kingdom to introduce, in all relevant sectors of government, separate budget and funding lines for all policies and measures that form part of the required comprehensive and co-ordinated approach to combating violence against women and domestic violence, in order to be able to monitor government efforts in that respect. (paragraph 63)

**C. Non-governmental organisations and civil society (Article 9)**

11. GREVIO strongly encourages the relevant authorities in the United Kingdom to establish or reinforce at all levels of government, in particular the local and regional level, recognition of the expertise of specialist women's rights organisations, including community-based and grass-roots NGOs and those representing specific groups of women such as migrant women, women belonging to minorities, women with disabilities, women in rural areas and Roma and Traveller women, through equipping them with the necessary means to carry out their specialist support work for women victims of all forms of violence. (paragraph 66)

**D. Co-ordinating body (Article 10)**

12. GREVIO urges the authorities in the United Kingdom to equip the national co-ordination body with the necessary mandate, competences and financial and human resources to ensure its sustainable functioning, and to ensure that it works towards more cohesion of policy aims established for the implementation of the Istanbul Convention across the United Kingdom, in co-operation with the devolved governments of Scotland, Wales and Northern Ireland. (paragraph 72)

13. Moreover, GREVIO strongly encourages the authorities in the United Kingdom to ensure, on the one hand, the co-ordination and implementation of policies and measures to prevent and combat all forms of violence against women, and, on the other hand, their independent monitoring and evaluation, supported by relevant data. (paragraph 73)

**E. Data collection and research (Article 11)****3. Research**

14. GREVIO strongly encourages the relevant authorities in the United Kingdom to:

- a. adapt the data categories in use by the criminal justice sector and law-enforcement agencies to ensure harmonisation across these sectors, with a view to allowing cases of violence against women to be tracked throughout the different stages of the criminal justice system and rates of conviction, attrition and recidivism to be established;
- b. systematically collect data on the number of breaches of a police barring order or a civil protection order;
- c. ensure, as a matter of priority, the systematic collection of comparable data on all forms of violence against women from all relevant administrative sources, including the law-enforcement and justice, healthcare and social services sectors;
- d. collect and publish the number of asylum claims made by women and girls on the basis of gender-related persecution, and their outcomes;
- e. ensure that all data collected are disaggregated, at the minimum, by the sex and age of both the victim and the perpetrator, the type of violence, the relationship of the perpetrator to the victim and the geographical location;
- f. ensure that the collection, storing and processing of data complies with standards on data protection, as contained in the Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, to ensure confidentiality and respect for the privacy of victims, perpetrators and other persons involved. (paragraph 103)

15. GREVIO strongly encourages the relevant authorities in the United Kingdom to ensure that prevalence data are regularly collected on all forms of violence covered by the Istanbul Convention. (paragraph 104)

16. GREVIO strongly encourages the relevant authorities in the United Kingdom to conduct qualitative and quantitative studies on FGM, forced marriage, forced abortion and forced sterilisation. (paragraph 105)

### **III. Prevention**

#### **A. General obligations (Article 12)**

17. GREVIO strongly encourages the relevant authorities in the United Kingdom to increase their efforts to eradicate prejudice, harmful gender stereotypes and all forms of violence against women across society, through wider prevention measures on violence against women and girls that form part of a comprehensive and holistic approach as required by the Istanbul Convention, with a view to the measures set out in Recommendation CM/Rec(2019)1 of the Committee of Ministers of the Council of Europe to member States on preventing and combating sexism. (paragraph 111)

#### **B. Awareness raising (Article 13)**

18. Welcoming the strong focus on challenging, through awareness-raising campaigns, men and boys' harmful attitudes towards women and girls, GREVIO strongly encourages the relevant authorities in the United Kingdom to:

- a. carry out, on a regular basis, awareness-raising campaigns on all forms of violence against women and girls covered by the Istanbul Convention;
- b. devise long-term campaigning strategies to reach groups of women and girls that are subject to intersectional discrimination and are more likely to become victims of violence;
- c. increase the level of awareness of the impact and harm caused to children who witness domestic or other forms of violence. (paragraph 118)

#### **C. Education (Article 14)**

19. Welcoming the various initiatives across the United Kingdom to equip pupils with knowledge and skills in relation to the topics identified in Article 14 of the Istanbul Convention, GREVIO strongly encourages the relevant authorities in the United Kingdom to:

- a. explore, in full respect of its national legal framework, a common baseline approach on education policies for the age-appropriate compulsory teaching of these subject matters by tapping into any existing co-operation structures and the potential offered by the role of the national co-ordinating body set up under Article 10; this approach should include information for parents about the education of their children on these topics;
- b. provide adequate public financing and ensure the regular monitoring of the use that teachers make of existing teaching material, to ensure more even levels of teaching, in practice, of the principles set out in Article 14, including in informal educational settings as required by Article 14, paragraph 2, of the Istanbul Convention. (paragraph 130)

20. GREVIO strongly encourages the relevant authorities in the United Kingdom, in particular in Scotland and Northern Ireland, to increase efforts to ensure that all issues covered in Article 14, paragraph 1, which include gender stereotypes, gender equality and the various forms of violence against women, are included in the mandatory school curriculum and taught, in practice, to all pupils, and are adapted to the evolving capacity of learners. Such efforts should include the notion of freely given consent in sexual relations and should raise their awareness of the harmful effects of violent pornography and the implications of the sharing of intimate images of oneself and others. (paragraph 131)

#### **D. Training of professionals (Article 15)**

21. In the light of the findings in Chapter VI of this report, GREVIO urges the relevant authorities in the United Kingdom to ensure mandatory initial and in-service training for law-enforcement officers in order to equip them with the knowledge and skills to adequately respond to and investigate all forms of violence against women in a manner that establishes victims' trust. (paragraph 147)

22. GREVIO further urges the relevant authorities in the United Kingdom to introduce systematic and mandatory initial and in-service training for judges, magistrates/sheriffs, and Crown prosecutors on all forms of violence covered by the Istanbul Convention, including in their digital dimension. (paragraph 148)

23. GREVIO strongly encourages the relevant authorities in the United Kingdom to provide mandatory initial and in-service training on all forms of violence covered by the Istanbul Convention for all other relevant professionals, in particular healthcare professionals, social workers, those involved in family law proceedings, teachers and educational staff, as well as professionals working for and with asylum seekers. This training should be devised in close co-operation with relevant stakeholders, including independent women's rights NGOs providing specialist support to women victims of violence. (paragraph 149)

## **E. Preventive intervention and treatment programmes (Article 16)**

### **2. Programmes for perpetrators of sexual violence**

24. GREVIO strongly encourages the relevant authorities in the United Kingdom to ensure that:
- a. organisations working with perpetrators of domestic violence adhere to the available standards for perpetrator programmes, in line with the principles of the Istanbul Convention and recognised best practices;
  - b. programmes for perpetrators of domestic violence are also made available in community settings in Northern Ireland;
  - c. both mandatory and voluntary attendance are possible for perpetrator programmes, in prison settings as well as in community settings, and all available means are used to promote and increase their attendance;
  - d. data are collected on the overall number of places and the number of perpetrators who completed the programmes, in order to assess to what extent work with perpetrators is contributing to reducing recidivism. (paragraph 163)

## **F. Participation of the private sector and the media (Article 17)**

25. GREVIO invites the relevant authorities in the United Kingdom to:
- a. actively encourage the private sector, the information and communication technology (ICT) sector and the media to participate in the creation and implementation of policies to prevent violence against women;
  - b. further promote the development by the media and journalists of self-regulatory standards referencing best international practices to ensure the appropriate reporting on violence against women;
  - c. further develop and promote, in co-operation with the private sector and the media, skills among children, parents and educators on how to deal with degrading content in the ICT environment that is of a sexual and/or violent nature. (paragraph 172)

## **IV. Protection and support**

26. GREVIO strongly encourages the relevant authorities in the United Kingdom to set up multi-agency co-operation structures among the relevant statutory and other agencies in relation to sexual harassment and the digital dimension of violence against women, forced marriage, FGM and forced abortion/sterilisation, as required by Article 18, paragraph 2, of the Istanbul Convention, and to ensure their approach to service provision is based on a gendered understanding and other principles on which support and protection services should be based, such as being aimed at empowerment and avoiding secondary victimisation (Article 18, paragraph 3) and operating on a one-stop-shop basis, where possible. (paragraph 18)

27. In addition, GREVIO strongly encourages the relevant authorities in the United Kingdom to take measures to ensure that the numerous existing domestic violence multi-agency co-operation mechanisms are more robustly put to use for the prevention of further acts of violence, including gender-related killings of women and girls, and that they include specialist support services in their implementation. Adequate and systematic training of all professionals involved in these mechanisms should be ensured. (paragraph 187)

28. GREVIO strongly encourages the relevant authorities in the United Kingdom to reinvigorate the mandate and its implementation of the Forced Marriage Unit to offer effective, comprehensive and co-ordinated responses to women and girls at risk of or victims of forced marriage, including residents and nationals of the United Kingdom forced into marriage abroad. (paragraph 188)

## **B. Information (Article 19)**

29. GREVIO strongly encourages the authorities in the United Kingdom to expand their efforts to provide easily accessible information on available general and specialist services by devising all possible means to ensure the proactive and systematic outreach to women victims of all forms of violence, in particular asylum-seeking and migrant women, women with disabilities and women from minority and hard-to-reach communities. (paragraph 191)

## **C. General support services (Article 20)**

### **1. Social services**

30. GREVIO urges the authorities in the United Kingdom to remove legal and other barriers to accessing general support services, in particular barriers created by the “no recourse to public funds” condition, from women and girls victims of violence lawfully residing in the United Kingdom, including on a temporary residence permit. (paragraph 204)

31. GREVIO strongly encourages the authorities in the United Kingdom to build on and expand their efforts to provide support through general support services to women victims of any of the forms of violence covered by the Istanbul Convention and to firmly anchor their perspectives and needs in any forthcoming plans to improve the provision of public support services, notably in the areas of social benefits, employment, training and housing, thus ensuring their recovery and their economic independence and empowerment. (paragraph 205)

### **2. Healthcare services**

32. GREVIO strongly encourages the authorities in the United Kingdom to introduce, across the full range of health services provided by the NHS, standardised care paths that include the proactive detection of women victims of violence, diagnosis, treatment, description of circumstances of violence experienced (past and present) and documentation of injuries (such as photographs), and referral to the appropriate general and specialist support services, and to promote and institutionalise multi-agency co-operation between the healthcare sector and specialist services, involving also general practitioners where this is not currently the case. Barriers to accessing healthcare services should be removed, including for migrant women. (paragraph 215)

## **D. Specialist support services (Article 22)**

33. GREVIO urges the relevant authorities in the United Kingdom to ensure the provision of adequately staffed and funded specialist support services to victims of all forms of violence against women covered by the Istanbul Convention in an appropriate geographical distribution, while catering to the specific needs of women subject to intersectional discrimination. (paragraph 224)

**E. Shelters (Article 23)**

34. GREVIO urges the relevant authorities in the United Kingdom to:

- a. increase the number and capacity of appropriate, easily accessible and specialist shelters providing safe accommodation in relation to all forms of violence covered by the Istanbul Convention, in line with the standards set by the convention and in an adequate geographical distribution, with the aim of achieving the standard set in the Explanatory Report to the Istanbul Convention of one family place per 10 000 head of population;
- b. ensure the provision of safety-oriented and empowering domestic violence shelters for all women, including women with disabilities, Roma women, LGBTI women, women belonging to minorities, migrant and asylum-seeking women, women with multiple children and women with teenage male children, and irrespective of local residency. (paragraph 234)

35. GREVIO strongly encourages the relevant authorities in the United Kingdom to provide sufficient, sustainable, long-term and dedicated funding throughout the entire territory of the United Kingdom to support the establishment and operation of domestic abuse shelters run by specialist providers, including shelters for women with no recourse to public funds. (paragraph 235)

36. GREVIO further encourages the relevant authorities in the United Kingdom to develop clear pathways from shelters to longer-term accommodation, suitable for ensuring the lasting safety of women victims of violence and their children. (paragraph 236)

**F. Telephone helplines (Article 24)**

37. GREVIO encourages the relevant authorities in the United Kingdom to ensure that in addition to the many different and specialist helplines there is a state-wide helpline that serves as a single first point of contact providing advice to women victims of all forms of violence against women and domestic violence and that operates throughout the whole territory, round the clock, free of charge and with due regard for the language barriers that deaf women, migrant women and other callers may face, as well as with due respect for the confidentiality and anonymity of all callers. In addition, sustainable funding levels for the available helplines must be ensured. (paragraph 243)

**H. Protection and support for child witnesses (Article 26)**

38. GREVIO strongly encourages the authorities in the United Kingdom to ensure the availability of age-appropriate specialist counselling and support for children who have been exposed to any of the forms of violence covered by the Istanbul Convention. (paragraph 253)

**I. Reporting by professionals (Article 28)**

39. Recalling the principle of women's empowerment mainstreamed throughout the Istanbul Convention, GREVIO strongly encourages the relevant authorities in the United Kingdom, in particular in Scotland and Northern Ireland, to review and align their system of reporting by professionals in relation to the forms of violence against women covered by the Istanbul Convention, including through making available harmonised criteria and guidance for reporting. (paragraph 261)

40. Where a duty to report is imposed on professionals in relation to victims of violence, GREVIO urges the relevant authorities in the United Kingdom to ensure that this is tempered by full and sensitive information being provided to the victim to allow her to make an informed decision herself, and that informed consent is sought from a victim of violence for the reporting of a suspicion of a criminal act, outside of those cases where there is a reasonable suspicion that there is an imminent danger to the victim or another person, or where the victim is a child or unable to protect themselves. (paragraph 262)

## **V. Substantive law**

### **A. Civil law**

#### **1. Civil remedies against the state – Ensuring due diligence (Article 29)**

41. GREVIO strongly encourages the relevant authorities in the United Kingdom to take legislative and/or other measures to ensure that adequate civil law remedies are in place to claim damages for the failure of state actors to prevent, investigate and punish acts of violence as covered by the scope of the Istanbul Convention, including by negligence, and that the data collected disaggregate the complaints by the different types of violence as covered by the Istanbul Convention. (paragraph 269)

#### **2. Compensation (Article 30)**

42. GREVIO strongly encourages the relevant authorities in the United Kingdom to:

- a. examine and address the reasons for the low level of payments being ordered where compensation is deemed by the courts to be payable in order to ensure that such monetary orders reflect the physical and/or moral damage suffered by those seeking redress for acts of violence against women covered by the Istanbul Convention;
- b. ensure the Criminal Injuries Compensation Scheme 2012 (England, Scotland and Wales) is compliant with Article 30 of the Istanbul Convention by expanding its scope to cover all forms of violence against women where the criterion of serious bodily injury or impairment of health is met. (paragraph 274)

#### **3. Custody, visitation rights and safety (Article 31)**

43. GREVIO urges the relevant authorities in the United Kingdom to take the following priority action in the area of custody and visitation rights and to guarantee the safety of victims and their children by:

- a. ensuring that the negative impact that violence against women has on children is reflected in legislation and that incidents of violence against women are a mandatory legal criterion to be taken into account when deciding on custody and visitation rights;
- b. systematically screening all pending cases on custody and visitation for instances of domestic violence, consulting with all relevant bodies, including on whether criminal proceedings are pending against the perpetrator or have been brought in the past, and requesting the disclosure of risk assessments and safety plans drawn up by the relevant bodies;
- c. banning the use of the so-called “parental alienation syndrome” by judges and court experts, and raising awareness of the lack of a scientific basis for this and similar concepts;
- d. ensuring that any mediation procedure carried out in the context of divorce or of custody and visitation proceedings incorporates safeguards to ensure the full and free consent of the victim and a risk-assessment procedure;
- e. providing safe premises where supervised visits can take place and taking measures to safeguard the safety of both children and victims, along with ensuring that there are a sufficient number of professionals trained in violence against women. (paragraph 288)

#### **4. Civil consequences of forced marriages (Article 32)**

44. GREVIO encourages the relevant authorities in the United Kingdom to harmonise the procedures for the voidance, annulment or dissolution of forced marriages throughout the four nations, including the legal age to marry, taking due account of the fact that the young age of the spouse means that they are at a higher risk of not being able to express their full and free consent to a marital union or to resist a forced marriage. Moreover, the procedure should be easily accessible and should not entail an undue financial or administrative burden for the victim, as required under Article 32 of the Istanbul Convention. (paragraph 294)

#### **B. Criminal law**

#### **3. Physical violence (Article 35)**

45. GREVIO urges the relevant authorities in the United Kingdom, in particular in England and Northern Ireland, to remove any and all exceptions from the application of offences of physical violence committed by parents against their children with a view to ensuring due regard for the scope of application of the Istanbul Convention and the offences set out therein. (paragraph 309)

46. Furthermore, GREVIO urges the relevant authorities in the United Kingdom, in particular in Scotland, to prohibit any defence of consent to acts of physical violence against women, in particular in the context of sexual violence. (paragraph 310)

#### **7. Forced abortion and forced sterilisation (Article 39)**

47. GREVIO urges the relevant authorities in the United Kingdom to take legislative or other measures to fully criminalise the conduct of forced abortion and forced sterilisation as set out in Article 39 of the Istanbul Convention, and to ensure that these forms of violence against women are prosecuted in practice. (paragraph 330)

48. GREVIO strongly encourages the relevant authorities in the United Kingdom to ensure that in any procedures for the authorisation of the sterilisation of legally incapacitated women, less invasive birth control options are prioritised, with due regard for the best interests and self-determination of the women concerned. (paragraph 331)

49. GREVIO encourages the relevant authorities in the United Kingdom to ensure that women with intellectual disabilities can give their prior free and informed consent before undergoing sterilisation, on the basis of sufficient information designed in a disability-accessible manner, presented to them by professionals who are trained on gender and disability issues. (paragraph 332)

#### **10. Sanctions and measures (Article 45)**

50. GREVIO encourages the relevant authorities in the United Kingdom to ensure that sentences and measures imposed for domestic violence and the different forms of violence against women are effective, proportionate and dissuasive, as required by Article 45, paragraph 1, of the Istanbul Convention. (paragraph 350)

#### **11. Aggravating circumstances (Article 46)**

51. GREVIO urges the relevant authorities in the United Kingdom, in particular in England and Northern Ireland, to ensure that violence against a child under 16 can be taken into account as an aggravating factor regardless of the relationship of the perpetrator to the child. (paragraph 353)

52. GREVIO invites the relevant authorities in the United Kingdom to take the necessary steps to ensure that in all jurisdictions the aggravating circumstances set out in Article 46 of the Istanbul Convention are applied in practice in the determination of a sentence in relation to the offences provided for in the Istanbul Convention. (paragraph 354)

## **VI. Investigation, prosecution, procedural law and protective measures**

### **A. General obligations, immediate response, prevention and protection (Articles 49 and 50)**

#### **3. Conviction rates**

53. With a view to reducing secondary victimisation and under-reporting, GREVIO urges the relevant authorities in the United Kingdom to:

- a. increase the degree of specialisation of law-enforcement and prosecution services across the United Kingdom and ensure their sensitivity towards women and girl victims of violence, including those at the intersection of discrimination, such as migrant and asylum-seeking women, women belonging to ethnic minorities and women with disabilities;
- b. take measures to reduce the high levels of attrition in relation to all offences covered by the Istanbul Convention, including by implementing all relevant findings from recent practice reviews and independent inquiries;
- c. take legal or other appropriate measures to reduce the processing time at all stages of the procedure (reporting, investigation, prosecution and starting of the trial), in particular by equipping all relevant law-enforcement and criminal justice authorities with sufficient human, financial and technical resources, and by addressing the shortage of prosecution barristers. (paragraph 391)

### **B. Risk assessment and risk management (Article 51)**

54. GREVIO strongly encourages the relevant authorities in the United Kingdom to ensure that in cases of all forms of violence covered by the Istanbul Convention, including “honour” based violence, systematic and gender-sensitive risk assessment and safety management are carried out by all agencies involved and repeated at all relevant stages of the proceedings. GREVIO further strongly encourages all relevant authorities in the United Kingdom to ensure that an effective multi-agency approach is taken to such risk assessment in order to ensure the human rights and safety of the individual victim while giving due consideration to the rights and needs of child witnesses of intimate partner violence. (paragraph 400)

### **C. Emergency barring orders (Article 52)**

55. GREVIO urges the relevant authorities in the United Kingdom to ensure the introduction and the rigorous implementation of emergency barring orders where they are currently underused (England and Wales) or lacking in primary/secondary legislation (Northern Ireland and Scotland), in order to protect the right to safety of women victims of domestic violence and their children in their own homes, in particular where multi-agency co-operation concludes this is necessary. (paragraph 407)

56. GREVIO strongly encourages the relevant authorities in the United Kingdom to ensure that children who are affected by domestic violence are systematically included in police barring orders. (paragraph 408)

### **D. Restraining or protection orders (Article 53)**

57. GREVIO strongly encourages the relevant authorities in the United Kingdom to take legislative and other measures to ensure that:

- a. the full range of protection orders are made use of in practice and in relation to all forms of violence against women covered by the Istanbul Convention;
- b. applications for the different restraining and protection orders can be made both *ex parte* and *ex officio* for all forms of violence against women, where this is not yet the case. (paragraph 423)

**E. Investigations and evidence (Article 54)**

58. GREVIO strongly encourages the relevant authorities in the United Kingdom to ensure that, in practice, evidence relating to the sexual history and conduct of the victim shall be permitted only when it is relevant and necessary, and that measures are taken to combat rape myths used in courts. (paragraph 426)

**G. Measures of protection (Article 56)**

59. GREVIO strongly encourages the relevant authorities in the United Kingdom to take legislative and other measures to ensure the effective use of protective measures for all victims of violence against women, including women with disabilities, in line with Article 56 of the Istanbul Convention, including where the perpetrator was sentenced to less than 12 months' imprisonment. (paragraph 440)

**H. Legal aid (Article 57)**

60. GREVIO strongly encourages the relevant authorities in the United Kingdom to take legislative and other measures to increase, on the one hand, the accessibility of legal aid for women victims of the forms of violence covered by the Istanbul Convention, and to ensure, on the other hand, the availability of legal aid solicitors and barristers in sufficient numbers across the United Kingdom, for example by providing incentives. (paragraph 451)

**VII. Migration and asylum****B. Gender-based asylum claims (Article 60)****1. Gender-sensitive asylum determination procedure**

61. GREVIO strongly encourages the authorities in the United Kingdom to introduce vulnerability screening procedures for all women and girl asylum seekers at various stages of the procedure that are carried out in a manner that allows their identification as victims of gender-based violence and persecution and hence in need of international protection. (paragraph 463)

**2. Accommodation**

62. GREVIO urges the authorities in the United Kingdom to take legislative or other measures to ensure access to adequate and safe accommodation for all women and girls during the asylum procedure and that universal gender-sensitive standards are implemented in all reception facilities, including temporary facilities and placements in hotels. (paragraph 469)

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## **Appendix II**

### **List of the national authorities, other public bodies, non-governmental organisations and civil society organisations with which GREVIO held consultations**

#### **National authorities and public bodies**

##### **United Kingdom**

Department for Culture, Media and Sport  
Department for Education  
Department for Levelling Up, Housing & Communities  
Department for Science, Innovation & Technology  
Department for Work and Pensions  
Department of Health and Social Care  
Home Office  
Ministry of Justice  
OFCOM  
UK House of Commons Home Affairs Committee  
UK House of Commons Women and Equalities Committee

##### **England**

Children's Commissioner for England  
College of Policing  
Crown Prosecution Service (CPS)  
Domestic Abuse Commissioner for England and Wales  
Equality and Human Rights Commission for England, Scotland and Wales  
Greater Manchester Combined Authority  
Greater Manchester Police  
HM Inspectorate of Probation  
London Metropolitan Police  
National Health Service (NHS) England  
Police and Crime Commissioner (PCC) for London  
Prison and Probation Service  
St Mary's Sexual Assault Referral Centre  
Young Offenders Service

##### **Scotland**

Association of Directors of Education in Scotland  
Association of Local Authority Chief Housing Officers  
Centre for Excellence for Children's Care and Protection  
Children and Young People's Commissioner Scotland  
Colleges Scotland  
Community Justice Scotland  
Convention of Scottish Local Authorities (COSLA)  
Crown Office and Procurator Fiscal Service (COPFS)  
Education Scotland  
Gender Based Violence Network  
Health and Social Care Scotland  
Judiciary of Scotland

Police Scotland  
Public Health Scotland  
Scottish Government  
Scottish Human Rights Commission  
Scottish Prison Service  
Sexual Assault Response Co-ordination Service (SARCS)  
Social Work Scotland  
Stirling University

## **Wales**

Cafcass Cymru  
Crown Prosecution Service (CPS)  
National Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASV) advisors  
NHS Wales  
South Wales Police  
Welsh Government

## **Northern Ireland**

Department for Communities  
Department for the Economy  
Department of Education  
Department of Finance  
Department of Health  
Department of Justice  
Judiciary of Northern Ireland  
Northern Ireland Commission for Children and Young People  
Northern Ireland Executive Office  
Northern Ireland Human Rights Commission  
Northern Ireland Prison Service  
Police Service Northern Ireland  
Probation Board for Northern Ireland  
Public Prosecution Service  
Rowan Sexual Assault Referral Centre

## **Non-governmental organisations and civil society organisations**

### **England**

Advance  
African Women's Care  
Apna Haq  
Ashiana Network  
Centre for Women's Justice  
End Violence Against Women Coalition  
GALOP  
Hull Sisters  
Human Rights Watch  
HUMRAAZ  
IKWRO – Women's Rights Organisation  
Imkaan  
Karma Nirvana  
Kiran Support Services  
Latin American Women's Aid  
Latin American Women's Rights Service

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LGB Alliance  
LGBT Foundation  
London Black Women's Project  
Micro Rainbow  
National Ugly Mugs  
Project Resist  
Rape Crisis England & Wales  
Refuge  
Rights of Women  
SafeLives  
Safety4Sisters  
Saheli women's shelter  
Sex Matters  
SignHealth  
Sikh Women's Aid  
Southall Black Sisters  
Staying Put  
Suzy Lamplugh Trust  
The First Step  
The Pankhurst Trust (Inc Manchester Women's Aid) - PTMWA  
The River Manchester  
Traveller Movement  
TRC Sexual Abuse and Rape Support Greater Manchester  
Women's Aid Federation England  
Women's Declaration International  
Women's Resource Centre  
Women's Rights Network

### **Scotland**

Edinburgh Rape Crisis Centre  
Engender  
GALOP  
Just Right Scotland  
LGBT Youth Scotland  
Loving Me  
Right to Equality  
Scottish Commission on People with Learning Disabilities  
Scottish Women's Aid  
Scottish Women's Convention  
South Lanarkshire and East Renfrewshire Women's Aid  
Star Support  
Zero Tolerance

### **Wales**

BAWSO  
Bristol University  
Cardiff Students Union  
Cardiff University  
Cardiff Women's Aid  
Dewis Choice, Centre for Age Gender and Social Justice  
IRISi  
Merched Cymru  
National Federation of Women's Institutes Wales  
Swansea Women's Aid  
Wales Assembly of Women  
Welsh Women's Aid

**Northern Ireland**

Alliance for Choice  
Assist NI  
Belfast & Lisburn Women's Aid  
Disability Action  
Foyle Women's Aid  
HERe NI  
Nexus  
North Down & Ards Women's Aid  
Northern Ireland Women's Budget Group  
Reclaim the Agenda  
The Rainbow Project  
Victim Support Northern Ireland  
Women's Aid Federation NI  
Women's Platform  
Women's Resource and Development Agency  
Women's Support Network

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GREVIO, the *Group of Experts on Action against Violence against Women and Domestic Violence*, is an independent human rights monitoring body mandated to monitor the implementation of the *Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence* (Istanbul Convention) by the Parties.

The Istanbul Convention is the most far-reaching international treaty to tackle violence against women and domestic violence. Its comprehensive set of provisions spans far-ranging preventive and protective measures as well as a number of obligations to ensure an adequate criminal justice response to such serious violations of human rights.

This report contains an overall analysis of the implementation of the provisions of the Istanbul Convention. It highlights positive initiatives in preventing and combating all forms of violence against women at national level and provides suggestions and proposals to improve the situation of women facing such violence.

[www.coe.int/conventionviolence](http://www.coe.int/conventionviolence)

**www.coe.int**

The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.