

Response to Call for views on new strategies: Domestic and sexual abuse and Violence against Women and Girls

**The Executive Office, Department of Health and
Department of Justice**

March 2022



1. Introduction

Women's Platform welcomes the call for views as a vitally important and timely initiative to develop effective, gender sensitive and meaningful solutions to gender based violence in all its forms. Women's Platform also welcomes the opportunity to contribute evidence to these calls for views – this response covers both, as the issues implicated cannot be isolated from each other, and also cannot be isolated from wider issues of gender equality.

Women's Platform is the new identity for Northern Ireland Women's European Platform. The new identity is designed to emphasise our focus on ensuring our work is inclusive of and accessible to all women and girls in Northern Ireland, but does not change our work or ethos. Women's Platform is a membership organisation working to promote the implementation of international human rights standards in Northern Ireland, and in particular the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), in line with commitments the UK has made to international human rights treaties. Established in 1988 as the Northern Ireland link to the European Women's Lobby, Women's Platform also represents women and girls in Northern Ireland at the European and international level, including at the UN. Women's Platform is in special consultative status with the Economic and Social Council of the UN.

The work of Women's Platform locally focuses on building the capacity of members and the wider women's sector to utilise international human rights standards and mechanisms for women's rights in their own practice and work to promote gender equality in Northern Ireland. Women's Platform also shares evidence and good practice from international networks locally, and works with members to amplify the voice of women and girls in Northern Ireland internationally. In addition, Women's Platform contributes evidence to consultation processes and engages with policy and decision makers to highlight human rights commitments and evidence of good practice on realising gender equality.

Women's Platform respects and celebrates the right of everyone to define their own identity and applies this to all our work. The comments below are made in light of this.

1.1 Endorsement

Women's Platform endorses the responses of Women's Aid Federation, Women's Support Network and Women's Policy Group to this call for views and calls for evidence generated for and through those responses to inform the development of both the Domestic Violence and Sexual Violence and the Violence against women and girls strategy.

1.2 Concepts of gender equality and gender based violence

Women's Platform employs the term gender based violence in this response, as a concept covering all forms of violence rooted in gender inequality, misogynistic and patriarchal norms and unequal power relations arising from these norms. This implicitly holds that violence is overwhelmingly perpetrated by males against females, which is an important element that cannot any longer be obscured by passive language, but incorporates violence perpetrated by women in same sex relationships and also structural violence experienced by women and girls as a result of inequality and systems engendering misogyny¹ (for example, the current judicial processes in Northern Ireland for dealing with sexual violence cases as well as the lack of implementation of the Abortion (Northern Ireland) Regulations 2020).

It is fundamental to understand gender inequality as a function of power based gender relationships, which are deeply embedded in our culture and view the male perspective as primary and dominant, rendering women 'the other', inferior and powerless, expected to be submissive². As a result of this dynamic, any action that goes against this norm becomes interpreted societally as a threat and a transgression that must be addressed to control women and retain the status quo; violence against women and girls is the mechanism for achieving this^{3,4}. Including these fundamental dynamics is vital to enable addressing gender based violence and gender inequality at the systemic and societal levels, at the root causes of violence⁵.

It should be noted that the concept of patriarchy also incorporates stratification of power and privilege among men and boys; wealthier, older, and white men hold more status and more power than low income, younger and non white men. Therefore, understanding inequality through the lens of power also allows a new analysis of other forms of violence, including hate crime and violence that boys and men experience: this violence is rarely due to their gender *per se*, but may be and often is linked to other forms of power relations.

1.2 Building on CEDAW

Women's Platform welcomes the open approach taken to developing these strategies, in particular the Violence against women and girls (VAWG) strategy. This is a significant opportunity to make a step change in the Northern Ireland response to gender based violence, and effectively implement the recommendation in the CEDAW Concluding Observations 2019⁶ to ensure protections for women in Northern Ireland are put on an equal footing with those elsewhere in the UK.

Women's Platform would also urge for CEDAW to be recognised as an international obligation of the UK⁷ that provides the framework for these strategies. In short, CEDAW requires States Parties to implement a rights based agenda that ensures legislation, policies and programmes are non discriminatory and focus on progressive realisation of equal rights for all. The Concluding Observations provide a roadmap for progressing gender equality, and the most recent set of recommendations emphasises access to justice and support for victims and survivors, as well as increasing action on prevention and culture change. Importantly, this covers action on abuse and violence in same sex relationships, violence

¹ See definition eg. through [European Institute of Gender Equality](#) and the [Istanbul Convention](#).

² See eg Bourdieu, Pierre (1986) *Distinction*

³ See eg. [Patriarchal Society According to Feminism: Feminist Theories of Patriarchy](#), published on Thoughtco.com, last accessed 18 March 2022.

⁴ Also see de Beauvoir, Simone (1949) *The Second Sex*

⁵ See eg Engender (2018) [Making women safer in Scotland](#) for an analysis of hate crime and the need for a stand alone misogyny offence from this perspective.

⁶ CEDAW Committee (March 2019) [Concluding Observations on the 8th periodic report of the UK](#)

⁷ [Convention on the Elimination of All Forms of Discrimination against Women](#) (CEDAW, 1979), articles 1 and 2. The UK signed the Convention in 1981 and ratified in 1986.

against trans and non binary people and action to support Black and minoritised women, including refugee, asylum seeking and undocumented women, who often face specific barriers associated with immigration status and no recourse to public funds (NDPF), in addition to cultural and language barriers as well as previous traumatic experiences creating mistrust in authorities.

Women's Platform believes that recognising CEDAW would also create effective links to the Gender Equality Strategy and indeed the suite of social inclusion strategies, which helpfully can act as a mechanism for creating cross Departmental links and enabling all Departments to contribute to delivering a Northern Ireland where women and girls are safe, feel safe, and where gender based violence is no longer socially acceptable. This, in turn, is vital, as the critical message of this response is that gender based violence is a result and expression of gender inequality and patriarchal norms, and cannot be sustainably addressed in isolation.

2. General comments

2.1 Building on international guidelines

The international law framework, including the Istanbul Convention as well as CEDAW, the Convention on the Rights of the Child (UNCRC), the Convention on the Elimination of All Forms of Racial Discrimination (CERD) and the Convention on the Rights of People with Disabilities (CRPD), provides a clear mandate for these strategies to be put in place. It is particularly vital that the strategies are in line with the Istanbul Convention, as shortfalls in Northern Ireland have in part prevented the UK from ratifying the Convention; this is a major concern for the women's sector UK wide, as it creates disparities between the UK and other European countries.

The Istanbul Convention holds that all state actors are obliged to conform to the requirements of the Convention. Key among these are requirements to implement effective legislation to protect women and girls from violence, ensure adequate resourcing for action, and implement gender sensitive policies. Importantly, the Convention emphasises data collection as the basis of action, and stresses the role on meaningful data in prevention. It also mandates work with men and boys to change cultures, attitudes and behaviours, and provides detailed guidance on development of judicial systems and responses⁸. The Council of Europe has also recently published guidance on education for prevention under the Istanbul Convention, which emphasises gender equality and non violent approaches, and provides examples of good practice from a number of countries as well as a checklist for developing national good practice⁹.

CEDAW General Recommendation 35¹⁰ specifically focuses on gender based violence, and provides guidance on interpretation and implementation of CEDAW in this regard. The CEDAW Committee holds that 'Women's right to a life free from gender-based violence is indivisible from and interdependent on other human rights, including the rights to life, health, liberty and security of the person, equality and equal protection within the family, freedom from torture, cruel, inhumane or degrading treatment, and freedom of expression, movement, participation, assembly and association'¹¹. The Recommendation explicitly includes psychological, sexual, economic and physical harm as well as threats of such acts,

⁸ Council of Europe (2011). [Convention on preventing and combating violence against women and domestic violence](#)

⁹ Council of Europe (March 2022) [Preventing violence against women through formal and informal education: Article 14 of the Istanbul Convention](#)

¹⁰ CEDAW Committee (67th session, 2017) [General Recommendation 35 on gender based violence against women](#)

¹¹ Ibidem, p. 6

harassment, coercion and arbitrary deprivation of liberty in its scope of gender based violence.

The Recommendation clarifies the CEDAW provisions and states that laws prohibiting gender based violence should include sanctions for perpetrators and reparations for victims.¹² It further notes that 'all legal procedures in cases involving allegations of gender-based violence against women are impartial, fair and unaffected by gender stereotypes or the discriminatory interpretation of legal provisions, including international law', and that capacity building is required to ensure that women's right to equality is not affected by the application of preconceived and stereotyped notions of what gender based violence is, how women do and should react and the standard of proof required in proceedings¹³.

2.2 Implementing systemic change

Women's Platform views development of these strategies as a positive opportunity to progress existing initiatives, including implementation of the core recommendations in the Gillen review, as well as effective implementation of the provisions in the Justice Bill. As noted in the introduction, gender based violence is a result and expression of gender inequality and patriarchal culture which normalises violence – in all its forms - as a mechanism for controlling women, and specifically repressing women's exercise of power and agency. Therefore, these strategies must contribute to systemic change in order to be meaningful to women and girls, and to effectively achieve their proposed aims. It would be very important to develop these strategies in conjunction with clear implementation plans for the Gillen Review in particular.

2.3 Domestic Abuse Commissioner

Women's Platform would emphasise the opportunity to explore and pilot a Domestic Abuse Commissioner through these strategies, with a view to introducing relevant legislation in the next Assembly mandate. A Commissioner for England and Wales has recently taken up post¹⁴ and provision for this is included in the Domestic Abuse Act 2021, creating a further example of a gap to England and Wales. The Commissioner was pivotal in ensuring that staff in domestic violence service providers are considered key workers during the COVID-19 pandemic, which demonstrates the value of such a role. In addition, a Commissioner provides an accountability mechanism and can take on a leading role in monitoring legislation to ensure it operates effectively. The Commissioner could also take on a role in communication and information sharing, acting as a conduit between victims and survivors of domestic abuse and justice agencies.

It is accepted that there is a cost associated with the role; however, Women's Platform believes that such an investment would strengthen not only the ability of the justice system to deal with domestic abuse cases, but also a whole of government, whole of society approach to addressing gender based violence in the first place through public engagement, education and capacity building. The Commissioner could also take forward action on domestic violence as a workplace issue¹⁵, and could helpfully take a lead in providing relevant guidance and capacity building, including in relation to paid leave for victims and survivors of domestic abuse.

¹² Ibidem, p. 10.

¹³ Ibidem, p.11.

¹⁴ UK government press release (18 September 2019): '[UK's first Domestic Abuse Commissioner announced as government pledges to tackle crime](#)'

¹⁵ See an overview of issues in eg. ICTU (2014) [Domestic Violence and the Workplace](#)

Section 1. Comments on the Domestic Violence and Sexual Violence strategy

Question 1: What information can you provide on the scope, scale and prevalence of domestic and sexual abuse in Northern Ireland, supported by relevant data and statistics where available, to help underpin workstreams under the new Domestic and Sexual Abuse Strategy?

Women's Platform endorses the survey carried out by the Women's Policy Group into the experience of gender based violence of women and girls in Northern Ireland. This survey, along with the most up to date data from NISRA and PSNI, gives a clear picture of the scale and prevalence of domestic and sexual violence in Northern Ireland and should form the quantitative basis for the strategy. Vitally, engagement with women and girls with lived experience should also be undertaken to inform effective actions and responses.

Women's Platform would emphasise that the strategy must clearly recognise the gendered nature of domestic and sexual violence. While well intentioned, the statement 'anyone can be an abuser and anyone can be a victim' is not accurate, and therefore is not helpful. Rather, it is vital to emphasise that domestic and sexual violence are culturally ingrained, structural forms of violence that are designed to maintain current gender and power structures¹⁶, and in practice therefore are disproportionately offences perpetrated by men against women and girls – often men who actively endorse cultural concepts of male supremacy. For the purposes of the strategy, further, intersectional analysis is also required to understand factors that shape and drive violence: race, class and income are all relevant in this, as are personal histories and social environments¹⁷. Similarly, the concepts of agency and conformity are relevant to understanding the dynamics of domestic and sexual violence: non conforming people and groups, including trans and non binary people, typically are disproportionately targeted by male perpetrators due to the dualistic nature of traditional power structures that are based on male supremacy and the female experience as inferior, other and without independent agency, viewing any other manifestation as an attack on this order.

This does not dismiss violence experienced by men, but places it in its correct context, and enables effective solutions to be designed to support all victims and survivors. Gender neutrality, on the other hand, does not assist in this at all and should be avoided as an ineffective and indeed harmful approach.

Question 2: Are there specific areas where service provision and support could be further improved, and strengthened, in order to most effectively respond to domestic and sexual abuse?

Current service provision is itself a clear example of structural gender based violence. Access to support and refuge for domestic abuse victims/survivors is very limited and significantly underfunded, as can be seen from refuge user statistics provided by Women's Aid¹⁸. There is no publicly funded rape crisis centre¹⁹ and no clear service pathway for victims/survivors of rape and sexual violence. In 2019-20, only 28.7% of all sexual violence cases sent to the Public Prosecution Service led to prosecution. Only 60 cases of rape, out of over 700 reported to PPS (8%), proceeded to prosecution and out of these, 20 cases led

¹⁶ See eg Bourdieu, Pierre (1986) *Distinction*

¹⁷ Crenshaw, Kimberle () "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics," University of Chicago Legal Forum: Vol. 1989: Iss. 1, Article 8. Available at: <http://chicagounbound.uchicago.edu/uclf/vol1989/iss1/8>

¹⁸ Women's Aid Federation (2021) [Annual report 2020-21](#)

¹⁹ The existing [rape crisis centre](#) is a voluntary sector service and focused on support, not direct access to public services

to conviction (3% of all cases reported).²⁰ In addition, many people experiencing homophobic or transphobic incidents and crime also feel unsupported by the judicial system and are reluctant to engage with it²¹. This is addressed further under Q5, but it is important to note that an accessible, responsive judicial system with a strong evidence based understanding of the dynamics of domestic and sexual violence is an essential element of a comprehensive approach.

There are no specialist services for migrant and minority ethnic victims, which is significant as migrant and ethnic minority victims of domestic abuse may be subject to coercive control based on immigration status²², and are more likely to have language barriers and lack of knowledge of the system. No Recourse to Public Funds (NRPF) is a major barrier to accessing support and safety.

Women's Platform urges for a systematic approach to reviewing and reconfiguring future support services. As a first step, a comprehensive needs based assessment of services and support for victims/survivors of domestic and sexual violence should be undertaken, to enable adequate resourcing to be determined. Secondly, meaningful co design mechanisms need to be established to inform development of future services, in order to ensure services meet the needs of all victims and survivors. As a minimum over the first five year period, Northern Ireland requires a publicly funded rape crisis centre and increased capacity for trauma assessment in all emergency departments in Northern Ireland, supported by a communication campaign to ensure all people in Northern Ireland are aware of the services.

Question 3: What activity should be undertaken to aid prevention, and provide for early intervention, in order to help reduce the number of people that become victims in the first place? Linked to prevention, and equally important in preventing crimes, is any evidence that can be provided on abusers, particularly repeat offenders, so that we can gather as much evidence as possible on both who commits these crimes and what works to help them stop.

Women's Platform believes that prevention consists of action across areas from public information campaigns to building capacity of the law enforcement and judicial systems. This is in line with the Istanbul Convention, and new guidance under the Convention that emphasises education in both formal and informal settings. Both this guidance and the Convention text emphasise that engagement with men and boys is essential to achieve culture change, and should encourage individual reflection of structural, cultural norms and inequalities²³. This is part of making it clear that gender based violence is unacceptable in modern society.

However, as highlighted in the Women's Policy Group survey findings and work by Raise Your Voice, a key issue for prevention is lack of trust among women, girls and gender non conforming people in authorities and especially in law enforcement, which is compounded by lack of resources, leading to a tacit message that gender based violence is low priority and therefore acceptable. Rebuilding trust and sufficient services is vital to ensure these strategies can be effective, and should be a core priority over the strategy terms; this is notwithstanding the PSNI's own violence against women and girls strategy.

²⁰ Northern Ireland Statistics and Research Agency (November 2020) [Public Prosecution Service for Northern Ireland: Statistical Bulletin: Cases Involving Sexual Offences 2019/20](#); the statistics also show the time required for a prosecution decision for sexual violence cases has increased from 447 to 666 days

²¹ See eg Victim Support NI (April 2020) [Hate crime review consultation response](#)

²² Specific issues for migrant and ethnic minority women include threats related to immigration status and deportation, and spiritual abuse

²³ Council of Europe (March 2022) [Preventing violence against women through formal and informal education: Article 14 of the Istanbul Convention](#)

As a core priority with short as well as long term outcomes, Women's Platform calls for urgent action on standardised, strengthened, widened and as soon as feasible, mandatory RSE as a central action for long term change on violence against women and girls, and violence in all intimate relationships. This is relevant to domestic and sexual violence, as age appropriate RSE, focused on healthy relationships and respect for self and others, is a critical cornerstone for breaking harmful stereotypes and developing new social norms. There has been no movement on the CEDAW Inquiry recommendation to implement standardised, age-appropriate relationships and sexuality education (RSE), widening the gap with Great Britain²⁴. Decisions continue to be taken at school level, with no systematic guidance²⁵ and participation in often extremely limited content lessons requires parental consent²⁶. The curriculum excludes the experiences of LGBTQI+ pupils, and pupils with disabilities may be withdrawn from lessons²⁷. Young people report that current RSE is 'useless' and 'biased', but feel school is the best place for RSE²⁸.

With regard to offenders, it is important that data and intelligence collection is implemented effectively, to enable women and girls to stay safe and enable meaningful action planning both within law enforcement and wider society. Particularly for planning purposes, data on domestic abuse incidents is vital, and should be used to highlight individuals and/or addresses of concern as well as inform interventions, including preventive work by community and voluntary sector agencies. Consideration should be given to creating a specific role, or responsibility, within the PSNI for appropriately monitoring such information.

In Wales, national standards for working with perpetrators have been developed as part of implementation of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015²⁹. These provide detailed guidance on selection into treatment programmes, progress monitoring and follow up³⁰, and may offer relevant options for Northern Ireland. Models may also be available from the College of Policing in England, which has implemented risk assessment tools found in evaluation to be helpful.³¹ Avon and Somerset Police has also implemented a domestic abuse delivery plan focused on addressing perpetrators, working with partners to protect women and children from perpetrators and in particular what the force terms 'prolific offenders'.³² Outside the UK, the City of Reykjavik in Iceland has introduced a collaborative model where police work with social services and child protection, which has been found effective and has contributed to more effective working practices.³³ Similarly, the Icelandic version of the Barnahus (children's house) movement focuses on collaborative working to take a child centred approach to addressing domestic abuse. It has contributed to ending the need for children to

²⁴ CEDAW Committee (2018) [Inquiry into abortion legislation in Northern Ireland under Article 8 of the Optional Protocol to CEDAW](#)

²⁵ Council for Curriculum, Examinations and Assessment (2019) [Relationships and Sexuality Education Guidance: Post-Primary](#); Teachers report feeling ill-equipped to deliver RSE.

²⁶ Lessons are often based on religious concepts, the charity [Love for Life](#) reports that as many as 70 per cent of post primary schools engage its services

²⁷ In particular LGBTQI+ pupils report poor experiences with bullying and harassment in school, including lack of expertise handling issues. New legislation in autumn 2021 provided a legal definition of bullying and strengthened duties of schools (Department of 4 March 2021 '[Weir announces new legislation to address bullying in schools](#)'). Legislation on issues such as upskirting is not yet in place - Department of Justice 5 July 2021 '[Long introduces legislation to strengthen law on sexual offences and trafficking](#)'.

²⁸ Belfast Youth Forum, Common Youth and Queen's University Belfast (2019) [Any Use?](#)

²⁹ [Violence against women, domestic abuse and sexual violence \(Wales\) Act 2015](#)

³⁰ Welsh Government (2018) [Violence Against Women, Domestic Abuse and Sexual Violence \(VAWDASV\) Perpetrator Service Standards](#)

³¹ College of Policing (2021) Vulnerability and Violent Crime Programme [Evaluation of using the Spousal Assault Risk Assessment \(SARA\) v3 and the Stalking Assessment and Management \(SAM\) tools to assess and manage risk Key findings and implications for practice](#)

³² [Avon and Somerset Police Domestic Abuse Delivery Plan](#), last accessed 14 March 2021.

³³ Institute for Gender, Equality and Difference, University of Iceland (2016) [Review of Together Against Violence](#). For an outline of how the project works, see Observatory on the European Charter of Equality between Women and Men in Local Life [website](#), last accessed 14 March 2021

attend court directly to give evidence, and enabled pre recorded witness statements to be given instead, reducing stress and potential harm to children.³⁴

However, it is important that any model implemented is introduced on a regional and consistent basis, to ensure equity in access to services across Northern Ireland and encourage trust building among all victims and survivors.

Question 4: How best can we take account of the needs of specific groups of victims, including, for example: women; men; LGBTQIA+ individuals; minority ethnic communities; children and young people; older people; and those with a disability? This should include consideration of how the experience of these groups of victims could be improved, including how to overcome any barriers to accessing services and reaching support.

Women's Platform endorses the responses of HereNI and Migrant Centre NI to these questions.

The core response to this is meaningful, systematic and ongoing engagement with all stakeholder groups, with specific focus on groups normally marginalised in policy making and service delivery planning. As noted above, lack of trust is a key issue and meaningful engagement with victims/survivors as well as wider stakeholder groups is critical to rebuilding trust. Most importantly, this engagement should focus on listening to those with lived experience, and utilising this qualitative evidence to shape services and initiatives. Recent evidence by the Rainbow Project shows that over 70 per cent of LGBTQIA+ individuals experiencing domestic abuse do not report it to police, for reasons including concerns about how this would be perceived and how they would be met.³⁵

With regard to minority ethnic communities, women with no recourse to public funds are among the most vulnerable in relation to domestic violence. The vast majority of women with no recourse to public funds are BAMER women and women with insecure immigration status, who without access to emergency support often have no choice but to remain in abusive relationships or face destitution. It is important to note that CEDAW General Recommendation 35 specifically states that access to "all legal proceedings, protective and support measures and services concerning victims/survivors respect and strengthen their autonomy" should be available 'irrespective of residency status'.³⁶ While it is recognised that NRPF is a reserved matter, these strategies should seek to focus on building relationships with women from migrant, minority ethnic, refugee and asylum seeking backgrounds to ensure needs are fully understood and outreach services developed to enable early intervention. Options to offer basic support without reference to immigration status should be explored to address a core fear, which is often used as a means for controlling victims/survivors. This applies in particular to basic healthcare and public health initiatives, which can act as important entry points to seeking protection and support, as well as offer vital services for women who may be unable to access any other form of healthcare and support.

Women's Platform would urge for engagement to be built through existing platforms, such as specialist organisations working with the groups outlined above. This ensures that the expertise of organisations can contribute to the strategies, while existing trusted channels are utilised to reach out to relevant groups, avoiding duplication and confusion. It might be relevant to establish consultative groups for each of these protected characteristics, which

³⁴ <https://www.barnahus.eu/en/about-barnahus/>, last accessed 18 March 2022.

³⁵ *Belfast Telegraph* 20 February 2022 '[Most same-sex domestic abuse victims in Northern Ireland refuse to report violence](#)'

³⁶ CEDAW Committee (67th session, 2017) [General Recommendation 35 on gender based violence against women](#), p.16

can provide direct insight into the priorities and needs of each specific groups. If considered, such groups should be appointed for the duration of the strategy and take on a role in monitoring and evaluation, and it would be vital to ensure members of such groups receive appropriate training, on public policy making structures as well as core evaluation techniques. Participants should, wherever possible, also receive compensation for out of pocket expenses, such as travel and childcare costs; this is particularly important to enable those on lower incomes to participate.

For clarity, Women's Platform is not opposed to a consultative group for men; this may be important to strengthen understanding of the specific patterns of violence experienced by men and boys, specific services needed to support men and boys and contribute to dispelling myths and concerns of men not being taken seriously. However, it is essential that any and all consultative groups have clear terms of reference and sign up to a set of core values, which include recognising that domestic and sexual violence is gendered and in an overwhelming majority of cases, a manifestation of deeply rooted in unequal power relations and gender inequality.

Question 5: How best can protection and justice be secured, in responding to domestic and sexual abuse, so that we protect those that are affected by abuse, address abusive behaviour to reduce numbers of victims and effectively hold offenders to account for their behaviour?

The points regarding addressing lack of trust through engagement of victims and survivors and securing adequate resourcing apply as an overall framework for effective protection and justice. This lack of trust draws significantly from the shortcomings of the judicial process and an experience of not being believed and taken seriously by law enforcement, and therefore meaningful action on justice is a critical driver for success. Recent revelations of unacceptable conduct in law enforcement, both locally³⁷ and across the UK^{38,39}, have further eroded trust in service provision, and recognising this is vital as a basis for meaningful strategy development and engagement with victims and survivors.

The Gillen Review sets out key recommendations and critical reforms necessary to improve access to justice, and Women's Platform urges for implementation of these recommendations. These strategies can effectively contribute to implementation of key reforms, in particular those associated with culture change and capacity building.

Alongside implementation of the Gillen Review, Women's Platform would emphasise the importance of creating consistent, evidence based and trauma informed protocols for meeting all victims/survivors reporting gender based violence, vitally including capacity building for professionals across the justice system to address myths and stereotypes. This includes enforcement agencies, including PSNI officers dealing with domestic and sexual violence incidents and crimes at all levels, as well as PPS case handlers, barristers and the judiciary. In addition, further development of mechanisms supporting victims and survivors, including court attendants, witness support services and independent sexual violence advocates, is essential. Victims and survivors must feel believed and supported, with access to relevant support throughout proceedings. While it is understood that the protocols and procedures of the PPS may be outwith the scope of these strategies, it is also vital to engage the PPS in dialogue as a means of addressing myths and developing evidence based, inclusive and respectful protocols for domestic and sexual violence case handling.

³⁷ See eg. *Belfast Telegraph* 7 February 2022 '[Nineteen PSNI officers suspended amid sexual misconduct investigations](#)'

³⁸ *The Law Society Gazette* 11 March 2022 '[Police acted unlawfully over Everard vigil, court rules](#)'

³⁹ See eg. *The Guardian* 11 October 2021 '[At least 750 sexual misconduct claims against UK police officers in five years](#)'

Existing organisations in the domestic abuse sector, including voluntary sector organisations providing support to victims and survivors of domestic abuse, would be well placed to either provide capacity building or at the least contribute to the development of capacity building programmes and materials. An approach including these elements is also in line with the Istanbul Convention and General Recommendation 35 of CEDAW. The latter states that State Parties should provide 'mandatory, recurrent and effective capacity building, education and training for members of the judiciary, lawyers and law enforcement officers, including forensic medical personnel, legislators and health-care professionals... all education, social and welfare personnel, including those working with women in institutions, such as residential care homes, asylum centres and prisons' to enable professionals to deal effectively with gender based violence against women. General Recommendation 35 further clarifies that "capacity building should include:

- (i) How gender stereotypes and bias lead to gender-based violence against women and inadequate responses to it
- (ii) Trauma and its effects, the power dynamics that characterize intimate partner violence and the varying situations of women experiencing diverse forms of gender-based violence, which should include the intersecting forms of discrimination affecting specific groups of women and adequate ways of interacting with women in the context of their work and eliminating factors that lead to their revictimization and weaken their confidence in State institutions and agents;⁶⁰
- (iii) National legal provisions and national institutions on gender-based violence against women, the legal rights of victims/survivors, international standards and associated mechanisms and their responsibilities in that context, which should include due coordination and referrals among diverse bodies and the adequate documentation of such violence, giving due respect for women's privacy and right to confidentiality and with the free and informed consent of the victims/survivors;⁴⁰

Question 6: How best can linkages within the justice system be strengthened in order to most effectively deal with domestic and sexual abuse more widely?

Women's Platform endorses the response of Victim Support NI to this question.

More effective communication is critical for improved linkages within the justice system. This is in line with requirements in the Istanbul Convention, and also follows guidance in CEDAW General Recommendation 35. This can be achieved through capacity building, as described above, and also through collaborative structures that support streamlining of cases and avoid delays, duplication and the need for victims/survivors to repeat their story, increasing revictimisation.

Question 7: Do you agree with the following proposed workstreams suggested for the new Domestic and Sexual Abuse Strategy? Have you any comments about how best these workstreams can be progressed as well as their content?

Workstream 1: Driving change

Collaboration is critical

This is an important workstream, as collaboration across sectors is vital to ensure sustainable change. In particular, it is critical that all actions across both strategies are joined up and collaborative across Departments and also with civil society, which has significant expertise as well as strong links to grassroots women and girls, including victims and

⁴⁰ CEDAW Committee (67th session, 2017) [General Recommendation 35 on gender based violence against women](#), p.14

survivors. However, as has been highlighted in debate around the Irish violence against women strategy, it is important that one Department takes a clear leadership role in order to ensure effective action can be taken and indeed driven forward. In Ireland, a new agency is being established to achieve this.⁴¹ Women's Platform appreciates that this is challenging to achieve in the current situation in Northern Ireland; however, a steering group consisting of representatives from all Departments, and key civil society organisations, would be a useful way to begin developing and strengthening coordination and effective collaboration. As housing is a key issue for victims and survivors leaving abusive relationships, NIHE and housing associations also need to play a role in developing and implementing action directly, not only through the Department for Communities.

Workstream 2: Prevention and early intervention

Prevention requires collaboration

As emphasised throughout this response, prevention and early intervention is crucial. It is essential to involve the Department of Education in this to help develop new approaches to teaching mutual respect and healthy relationship in schools, building on the CEDAW Optional Inquiry recommendations and ultimately seeking to modernise RSE into an age appropriate, standardised and mandatory curriculum for all ages. PSNI as well as civil society organisations working with victims and survivors also play a crucial role in informing, shaping and implementing both of these strategies. As noted above, strengthened data collection and capacity building across the judicial and law enforcement systems are vital for achieving improved outcomes for victims and survivors; particular emphasis needs to be placed on reaching out to groups including women and girls, LGBTQI+ people, people with disabilities and people from migrant, refugee and asylum seeking backgrounds to ensure inclusive and sensitive practices and protocols are developed. Detailed guidance on this has been developed for example by UN Women, through a project engaging law enforcement with gender equality approaches and standards.⁴²

Workstream 3: Responsive services

Services need to build on engagement with victims/survivors and stakeholders

This workstream is equally vital as the previous ones, and key issues and potential solutions have been highlighted throughout this response. Service development needs to build on engaging those with practical and lived expertise, including specialist organisations such as Women's Aid and victims/survivors from all backgrounds. As suggested above under Q4, consultative groups might be an option to meaningfully develop this.

Also as indicated throughout this response, emergency and floating support is not enough to meet the needs of victims and survivors; services must constitute a holistic wraparound service that includes housing and provide signposting to wider support needs, such as access to training and employment. The latter is vital, as many victims and survivors remain in abusive relationships for financial reasons, and need reassurance that leaving the relationship does not automatically lead to destitution, which is a common control tactic used by perpetrators. Employers will also need strong guidance on addressing domestic and sexual violence as workplace issues, particularly in light of the Safe Leave (Domestic Abuse) Bill currently passing through the Assembly.

Workstream 4: Supporting different needs

⁴¹ *The Irish Times* 15 February 2022 '[State's response to domestic and sexual violence to be overseen by new agency](#)'

⁴² UN Women (2021) [Handbook on gender-responsive police services for women and girls subject to violence](#)

Front line services should build on lived experience and flexibility

The responses given above under Q4 and in response to workstream 2 also apply to this question. Expertise and capacity on supporting different needs exists, in particular within civil society organisations working with specific groups, and it is important to harness this expertise and experience to tailor services to local needs. The importance of direct engagement cannot be overestimated, and is particularly important to shape capacity building approaches that effectively support front line services and contribute to developing inclusive, needs and culture sensitive care and service pathways. This does not necessarily require different services, but may focus on reasonable adjustment and meeting individuals in inclusive ways. Increased access to interpretation and information in different languages is also likely to be vital, and will require a level of investment to ensure equity for all survivors.

Workstream 5: Protection and Justice

Long term change to build on myth busting

This is likely to be a long term workstream, which initially may helpfully focus on myth busting and capacity building. Long term, the legal system needs an overhaul based on strengthened understanding of domestic and sexual violence, in order to address structural forms of violence inherent in current inaccessible prosecution approaches, low prosecution and conviction rates and investigation systems that incorporate victim blaming and retraumatisation. The relevant solutions, as noted above, are largely set out in the Gillen review, and it would be important to begin addressing these through both of these strategies.

Question 8: Are there any other key issues, on the specific area of domestic and sexual abuse, which you would like to raise?

The core issues have been raised above, and in the introductory sections. Women's Platform would like to emphasise that achieving sustainable change on domestic and sexual violence requires a long term focused effort, and it is important to be clear and honest about this within these strategies. The initial five year period may most effectively be used on rebuilding trust and building capacity of stakeholders across sectors, and utilising this to prepare more wide ranging reforms in service provision, which will be significantly easier to achieve following a sufficient period of reflection, debate and evidence gathering. The first five year period could also helpfully focus on securing a new approach to gender equality in schools, focused on healthy relationships as a basis for better outcomes for all young people.

Question 9: How best can we engage with, and draw from, the experience of those affected by domestic and sexual abuse going forward?

The response under Q4 applies also to this question.

Section 2. Comments on Equally Safe strategy call for views

Question 1: We are inclined to the view that this new Equally Safe Strategy should focus on women and girls. This reflects the different forms of violence and unwanted behaviour against women and its impact within the gendered reality of men's and women's lives. We welcome your views on whether this approach or another approach is more appropriate?

Women's Platform strongly supports this approach. Northern Ireland remains the only devolved administration in the UK without a strategy on violence against women and girls, which has been noted with concern by the CEDAW Committee in a series of Concluding Observations⁴³. In Wales, there is legislation on violence against women and girls since 2015⁴⁴, which places a duty on authorities to publish and review local strategies, which includes annual reporting to the Senedd. The Act has created an impetus for implementation of strategies, and has in particular strengthened capacity building, while it also led to the development of national standards for working with perpetrators.⁴⁵ This demonstrates the importance of dedicated legislation and strategy as a driver for change, and provides a clear rationale why a dedicated strategy on violence against women and girls is crucial for Northern Ireland.

Question 2: We would like to hear your views on whether the draft vision set out below, or different words would best catch the ambition of what we want to do. Every woman and girl is safe in our communities, feels safe and can reach their potential. We have a society in which violence against women is not tolerated in any form, in which all victims are supported, and perpetrators are held to account.

Women's Platform strongly supports this vision, which incorporates the structural elements of violence encompassed in the gender based violence definition set out in the context for this response. To further strengthen the vision, it might be helpful to include reference to gender equality as a wider aim, which would be a positive outcome and would also help underline that gender based violence is the result of misogynistic cultural norms and wider gender inequality. This could be worded for example as 'Every woman.. We have a society *in which gender equality is achieved*, where violence against women and girls is no *longer accepted as normal/normalised*, in which all victims *and survivors* are supported and perpetrators are held to account.'

Women's Platform would welcome some further discussion on the proposed name for the strategy. 'Equally safe' implies that men and boys are safe in society, which is accurate with regard to gender based violence, as noted in the introduction. However, in particular young men do experience violence in society, and are the primary victims of all types of assault. Therefore, it could be argued that 'equally safe' in this context does not constitute safety for women and girls, while it sets up the risk for division and debate regarding the relative priority given to different groups of victims and survivors. A better approach might be naming the strategy for what it is, along the lines of 'Creating a safe Northern Ireland – a strategy to address violence against women and girls'.

Question 3: Do you agree with the draft objectives suggested for the new strategy? Are there any other objectives that should be included? • Understanding the scope and scale of the problem the strategy is seeking to tackle. • Prevention - Early

⁴³ [Concluding Observations](#) 2019, 2013, 2008 on examinations of the UK under CEDAW

⁴⁴ [Violence against women, domestic abuse and sexual violence \(Wales\) Act](#) 2015

⁴⁵ Welsh Cabinet Statement (December 2020) [Written Statement: Violence against women, domestic abuse and sexual violence: five-year anniversary of the Violence against Women, Domestic Abuse and Sexual Violence \(Wales\) Act 2015](#)

intervention to get upstream of violence. • A co-designed strategy which is delivered in a collaborative manner and is based on local and international evidence. • Responsive services to ensure women and girls are equally safe.

Women's Platform agrees with the broad objectives set out for the strategy, and particularly welcomes reference to international evidence, as these strategies provide an opportunity to build on existing good practice to make a major change in Northern Ireland. The objectives also align with international human rights frameworks including CEDAW and the Istanbul Convention, and importantly align with the Domestic and sexual violence strategy.

With regard to objective 1, Women's Platform would note that the scope and scale of the problem is already well documented, with a wealth of evidence, data and experience within the women's sector, and also within existing civil service structures. It would be helpful if this objective would focus on analysis of existing evidence, to identify patterns and key trends to address, while also strengthening focus on learning from UK and Ireland wide as well as international good practice. Women's Platform would be pleased to support this objective through our links to international networks.

Robust, high quality data is essential both for monitoring how legislation is being implemented, and for developing appropriate policy responses and services. Women's Platform would urge that objective 1 also includes a focus on strengthened data collection on all forms of violence against women, applications for protection orders, cases brought and convictions, along with monitoring the length of judicial processes and the effectiveness of case handling procedures and protocols. Vitality, this should include qualitative work with victims and survivors to develop an understanding of their experience and enable systematic development of responsive judicial processes.

Development of robust data and potentially a domestic abuse register is entirely in line with CEDAW General Recommendation 35⁴⁶, which sets out clear requirements for a robust data collection and monitoring system. It would also significantly strengthen the ability of legislators and policy makers to monitor the effectiveness of legislation, while also reassuring victims and survivors that support is available. It is critical, however, that data are broken down by gender and if possible, age to enable monitoring of how women of all ages are protected. A gender neutral approach to data collection is unhelpful and masks the core dynamics of gender based violence, which contributes to reinforcing a culture where violence against women and girls is normalised and the harms viewed as unimportant or minimal.

For example in Sweden, an indicator set relating to violence against women and girls has been agreed at national level, against which activity is reported annually. Indicators include the reported number of attacks on a woman's integrity, number of assaults and number of rapes and the number of persons with legal proceedings taken against them. Sweden also collects survey based data on the number of persons exposed to sexual offences and assaults, by relation to perpetrator and age.⁴⁷

Denmark operates a system of national data registries, which include a register for criminal statistics and a register for victims. These collect data both on incidents reported to police as well as hospital visits due to exposure to violence.⁴⁸ Such registries offer official data sources that support effective policy development and analysis. However, it is important that indicators are developed for psychological harm and coercive control, to avoid creating a hierarchy of offences and better understand the full scale of harm caused by gender based violence.

⁴⁶ CEDAW Committee (67th session, 2017) [General Recommendation 35 on gender based violence against women](#), p.18

⁴⁷ [Information](#) drawn from the European Institute for Gender Equality, accessed 17 March 2022

⁴⁸ [Information](#) drawn from the European Institute for Gender Equality, accessed 17 March 2022

Question 4: What information can you provide on the scope, scale and prevalence of acts or threats of gender based violence (apart from that addressed by the Domestic and Sexual Abuse Strategy) that result in, or are likely to result in physical, sexual or psychological harm or suffering to women and girls?

The scale and prevalence of violence, in all its forms, is highlighted in the survey undertaken by the Women's Policy Group to inform its response to this Call for views. While formal data on online violence is lacking in Northern Ireland, evidence of online violence experienced by elected representatives, journalists and human rights activists has been highlighted by Amnesty International⁴⁹. The former First Minister Arlene Foster and deputy First Minister Michelle O'Neill have also publicly spoken of violence they have experienced while in office⁵⁰, while a Belfast Telegraph survey in 2021 found that three quarters of female MLAs have experienced sexist harassment online or in person and a quarter have experienced sexual harassment from male perpetrators.⁵¹

Women's Platform would emphasise that both CEDAW and the Istanbul Convention stress that violence against women and girls takes a multitude of forms, all of which are rooted in the same gender inequalities, patriarchal norms and misogynistic practices that are embedded in society. This is evidenced for example in the 2019 Concluding Observations, which call for action on sexual harassment of women and girls in public places, including workplaces and schools.⁵² Therefore, seeking to disentangle different forms is both difficult and unnecessary, as actions must address all forms of violence in a consistent manner in order to effectively begin addressing the root causes of gender based violence.

Everyday, 'low grade' discrimination and harassment creates significant mental and emotional harm, which permeates women's entire lives: current evidence shows 97 per cent of women in the UK have experienced gender based violence, including sexual harassment in public spaces⁵³. Official statistics for Britain show that two thirds of women aged 16-24 experienced gender based violence in public spaces in Britain in June last year alone⁵⁴. Meanwhile, a global survey of over 14,000 girls by Plan International showed that 58 per cent of girls had experienced violence online, and this led to almost half of those affected to lose self confidence while a quarter were left feeling physically unsafe⁵⁵. A recent study by the Inter Parliamentary Union highlights that 85 per cent of female MPs in the study, which included the UK, have experienced psychological violence, while 58 per cent have experienced online violence and practically half (47%) have received death and rape threats. A quarter have experienced sexual violence⁵⁶.

Other impacts have been widely evidenced just recently in the aftermath of the murders of Sarah Everard, Sabina Nessa and Aisling Murphy. In addition, it is this type of violence, which is increasingly the norm online⁵⁷, that normalises violence and misogyny in society.

⁴⁹ Amnesty International (2018) [Toxic Twitter](#)

⁵⁰ *The Irish News* 10 May 2021 '[Arlene Foster and Michelle O'Neill outline online abuse experienced as women in leadership](#)'

⁵¹ *Belfast Telegraph* 20 September 2020 '[NI female MLAs daily battle with sexism revealed with quarter victim of harassment](#)'

⁵² CEDAW Committee (March 2019) [Concluding Observations on the 8th periodic report of the UK](#)

⁵³ All Party Parliamentary Group on UN Women (2021) [Prevalence and reporting of sexual harassment in UK public spaces](#)

⁵⁴ Office of National Statistics (2021) [Perceptions of personal safety and experiences of harassment, Great Britain](#), 2-27 June 2021

⁵⁵ *Ibidem*

⁵⁶ Inter Parliamentary Union and Council of Europe (2018) [Sexism, harassment and violence against women in parliaments in Europe](#)

⁵⁷ Plan International (2020) [Free to be online?](#)

There is also ample evidence that violent acts follow violent, sexist words⁵⁸, and it is this permanent risk that shapes women's behaviour: four in five women have concerns about or avoid walking alone in open spaces after dark⁵⁹. In England, street harassment has been recognised as gender based violence since 2019⁶⁰ in response to statistics like these.

Question 5: We want to understand the “unwanted” behaviour or actions (including on-line) that emanate from an attitude to, or perception of, women and girls that lacks respect. What information can you provide on the scope, scale and prevalence of such behaviour?

With reference to Q4 above, Women's Platform believes seeking to disentangle different forms of violence is unhelpful, and goes against current human rights standards. It also fails to understand the pervasive nature of gender based violence, which includes the threat of violence, on women's lives. Women's Platform urges for a reframing of this question as an analysis of the broad spectrum of violence experienced by women and girls on a daily basis. This includes naming the problem as violence, rather than seeking to trivialise it, which is the unfortunate consequence of the wording above.

A clearer understanding of the full spectrum also allows for identification of relevant solutions. It is accepted that not all incidents can be criminalised, but this is not sufficient reason to create a hierarchy of violence with some effectively deemed tolerable or trivial. In addition, it is important to note that the ongoing work on hate crime legislation may change the situation regarding offences and protected characteristics. It is therefore vital that development of these strategies is undertaken in collaboration with and cognisant of the developing hate crime legislation.

The UN Generation Equality campaign to accelerate action on gender equality incorporates gender based violence as one of the priority areas for action. The priority is being driven by an Action Coalition⁶¹ consisting of governments, civil society and supported also by private sector commitments; the UK government is one of the governments leading this Action Coalition which also is led by the European Women's Lobby. The priority areas for action include effective legislation, comprehensive access to support for victims and survivors, and funding for women's sector organisations. This includes capacity building for law enforcement and action on harmful social norms and practices. As such, the five year action plan for this Action Coalition might helpfully guide comprehensive action on all forms of gender based violence.⁶²

Question 6: We want to understand the root causes of violence against women and girls, and would especially welcome learning on intersectional approaches and on what works in promoting behavioural and attitudinal change.

The discussion at the outset of this response applies to this question. Violence against women and girls is a result of gender inequality, which in turn stems from patriarchal cultural norms and practices. Discrimination of women and girls is a deeply ingrained feature of the majority of cultures worldwide, and this is associated with misogynistic attitudes and practices, which continue to be normalised in modern society. These practices – which are more than individual behaviours, as they are tacitly or indeed overtly accepted culturally –

⁵⁸ See eg Kendja, A (2021) [Catcalling kills: Defining the impacts of street harassment](#). Published at garbo.io, 2 August 2021

⁵⁹ Office of National Statistics (2021) [Perceptions of personal safety and experiences of harassment, Great Britain](#), 2-27 June 2021

⁶⁰ See eg. Plan International [evidence on street harassment](#), last accessed 15 March 2022.

⁶¹ See an overview of the process at <https://www.unwomen.org/en/news-stories/news/2021/11/action-coalition-on-gender-based-violence-calls-on-all-actors-to-join-the-five-year-collective-drive-to-eradicate-violence-against-women-and-girls>, last accessed 18 March 2022

⁶² UN Generation Equality Action Coalition on Gender Based Violence (2021) [Five year action plan](#)

range from misogynistic language and sexist behaviour in everyday life, controlling women's life choices and movements through gender stereotypes and societal judgement, to online violence, coercive control and domestic abuse in all its forms, stalking, sexual violence and femicide. As also noted in the introduction, unequal pay structures, lack of childcare and flexible workplace policies, lack of access to sexual and reproductive healthcare and sidelining or stereotyping women from public life and media also constitute violence embedded into societal structures through patriarchal cultural norms⁶³.

This is recognised in the Istanbul Convention, which emphasises that all of the Convention and its directions are intended to eliminate discrimination against women and girls that leads to violence.⁶⁴ As such, ratifying and subsequently implementing the Istanbul Convention is a vital primary means for creating change, and there is a role for the Northern Ireland Assembly and Executive to urge for ratification of the Convention as soon as possible. In addition, a succinct overview of key areas for action has recently been published by Women's Platform's Scottish sister organisation Engender, which sets out five key areas for ending discrimination of women effectively. The key ask is ending gender blind policy making, which fails to enable analysis of the gendered impacts of policies and thus fails to deliver justice for anyone. In addition, this list highlights protecting women's human rights, creating opportunities for women and girls, and creating public spaces that work for women and girls, including trans and gender non conforming people⁶⁵. Engaging men and boys in debates about respect, consent and equality is another key area of work.⁶⁶

Women's Platform would reiterate here the response made also under Q3 on the Domestic and sexual violence strategy. Standardised, strengthened, widened and as soon as feasible, mandatory RSE is a central action for long term change on violence against women and girls, and violence in all intimate relationships. This is relevant to domestic and sexual violence, as age appropriate RSE, focused on healthy relationships and respect for self and others, is a critical cornerstone for breaking harmful stereotypes and developing new social norms. It is also urgent, as there has been no movement on the CEDAW Inquiry recommendation to implement standardised, age-appropriate relationships and sexuality education (RSE), widening the gap with Great Britain⁶⁷. Decisions continue to be taken at school level, with no systematic guidance⁶⁸ and participation in often extremely limited content lessons requires parental consent⁶⁹. The curriculum excludes the experiences of LGBTQI+ pupils, and pupils with disabilities may be withdrawn from lessons⁷⁰. Young people report that current RSE is 'useless' and 'biased', but feel school is the best place for RSE⁷¹. There is therefore now an opportunity to develop innovative and inclusive practices for effectively supporting and developing mutual respect and healthy relationships through schools, as a means for driving wider attitudinal change.

⁶³ See eg. London School of Economics Commission on Gender, Inequality and Power () [Confronting gender inequality](#)

⁶⁴ Council of Europe (2011). [Convention on preventing and combating violence against women and domestic violence](#), preamble.

⁶⁵ Engender (March 2022) [Parliamentary Briefing: International Women's Day 2022 #BreaktheBias](#)

⁶⁶ See eg the United Nations [HeforShe](#) campaign, website last accessed 17 March 2022

⁶⁷ CEDAW Committee (2018) [Inquiry into abortion legislation in Northern Ireland under Article 8 of the Optional Protocol to CEDAW](#)

⁶⁸ Council for Curriculum, Examinations and Assessment (2019) [Relationships and Sexuality Education Guidance: Post-Primary](#); Teachers report feeling ill-equipped to deliver RSE.

⁶⁹ Lessons are often based on religious concepts, the charity [Love for Life](#) reports that as many as 70 per cent of post primary schools engage its services

⁷⁰ In particular LGBTQI+ pupils report poor experiences with bullying and harassment in school, including lack of expertise handling issues. New legislation in autumn 2021 provided a legal definition of bullying and strengthened duties of schools (Department of 4 March 2021 '[Weir announces new legislation to address bullying in schools](#)'). Legislation on issues such as upskirting is not yet in place - Department of Justice 5 July 2021 '[Long introduces legislation to strengthen law on sexual offences and trafficking](#)'.

⁷¹ Belfast Youth Forum, Common Youth and Queen's University Belfast (2019) [Any Use?](#)

Question 7: We want to understand whether there are particular groups of women and girls, including those with specific vulnerabilities, who are more at risk of particular offences or 'unwanted' behaviour or actions.

Violence against women and girls is driven by unequal power relations, as emphasised throughout this response. Therefore, all women and girls are at potential risk of violence, as the structural and cultural misogyny inherent in our society views women as legitimate targets due to the inferior status assigned to women. This also means that women who have particularly limited power, due to intersecting factors such as age, disability, race and sexuality, are often targeted as perpetrators seek powerless victims. Evidence on this is set out in detail in the Women's Policy Group response. Intersectional gender analysis also provides detailed analysis of how power based discrimination operates to sideline in particular women of colour, and explains why women of colour are most at risk of poverty and gender based violence, and least likely to attain high level positions and public influence.⁷²

However, it must be noted that the structural, patriarchal nature of gender inequality and misogyny also normalises violence as a means for controlling women, in order to retain traditional gender roles and norms. This means that women perceived by men to deviate from these norms also are at increase risk of violence. Reasons for perpetrators (men) to identify a woman or girl as a transgressor are wide ranging, from women claiming power and agency in their own lives, their communities or in society at large, to behaving in ways a male perpetrator finds unacceptable, whether at work, in their home and personal lives, or sexually. A key example of this is the online violence experienced by women elected into or seeking political office, as well as women human rights defenders and women's and LGBTQI+ rights activists. Girls similarly report discrimination and abuse for such 'non conforming' behaviour, including choosing STEM subjects at school.⁷³

It is vital that these strategies are based on comprehensive analysis of the dynamics of misogyny leading to gender based violence. Focusing solely on vulnerabilities unwittingly plays into the stereotypes and tropes of patriarchal culture of women as vulnerable and needing protection, which prevents action on the root causes of violence and can contribute to limiting agency of women and girls already limited due to their personal characteristics.

Question 8: We want to understand whether there are any aspects of the experience of women and girls who are victims of crime (apart from that addressed by the Domestic and Sexual Abuse Strategy) in the criminal justice system that you would like to draw to our attention.

The same responses are relevant both here and in relation to the Domestic and Sexual Abuse Strategy. Therefore, the key elements of responses made above are reiterated here, for ease of reference.

The Gillen Review sets out key recommendations and critical reforms necessary to improve access to justice, and Women's Platform urges for implementation of these recommendations. These strategies can effectively contribute to implementation of key reforms, in particular those associated with culture change and capacity building.

Alongside implementation of the Gillen Review, Women's Platform would emphasise the importance of creating consistent, evidence based and trauma informed protocols for meeting all victims/survivors reporting gender based violence, vitally including capacity

⁷² For an overview, see UN Women website blog '[Intersectional feminism: what it means and why it matters right now](#)'

⁷³ See eg Engender (2018) '[Making women safer in Scotland](#)' for an analysis of sexual harassment in schools.

building for professionals across the justice system to address myths and stereotypes. This includes enforcement agencies, including PSNI officers dealing with domestic and sexual violence incidents and crimes at all levels, as well as PPS case handlers, barristers and the judiciary. In addition, further development of mechanisms supporting victims and survivors, including court attendants, witness support services and independent sexual violence advocates, is essential. Victims and survivors must feel believed and supported, with access to relevant support throughout proceedings. While it is understood that the protocols and procedures of the PPS may be outwith the scope of these strategies, it is also vital to engage the PPS in dialogue as a means of addressing myths and developing evidence based, inclusive and respectful protocols for domestic and sexual violence case handling.

Existing organisations in the domestic abuse sector, including voluntary sector organisations providing support to victims and survivors of domestic abuse, would be well placed to either provide capacity building or at the least contribute to the development of capacity building programmes and materials. An approach including these elements is also in line with the Istanbul Convention and General Recommendation 35 of CEDAW. The latter states that State Parties should provide 'mandatory, recurrent and effective capacity building, education and training for members of the judiciary, lawyers and law enforcement officers, including forensic medical personnel, legislators and health-care professionals... all education, social and welfare personnel, including those working with women in institutions, such as residential care homes, asylum centres and prisons' to enable professionals to deal effectively with gender based violence against women. General Recommendation 35 further clarifies that "capacity building should include:

- (i) How gender stereotypes and bias lead to gender-based violence against women and inadequate responses to it
- (ii) Trauma and its effects, the power dynamics that characterize intimate partner violence and the varying situations of women experiencing diverse forms of gender-based violence, which should include the intersecting forms of discrimination affecting specific groups of women and adequate ways of interacting with women in the context of their work and eliminating factors that lead to their revictimization and weaken their confidence in State institutions and agents;⁶⁰
- (iii) National legal provisions and national institutions on gender-based violence against women, the legal rights of victims/survivors, international standards and associated mechanisms and their responsibilities in that context, which should include due coordination and referrals among diverse bodies and the adequate documentation of such violence, giving due respect for women's privacy and right to confidentiality and with the free and informed consent of the victims/survivors;⁷⁴

Question 9: We want to understand whether there are any aspects of the treatment of perpetrators of violence against women and girls by the criminal justice system or other public services which reflect good practice, or which could be improved.

As above, the response should be the same here as for domestic and sexual violence.

Question 10: We want to understand whether there are any aspects of the experience of women and girls, or of men and boys, in the community, which you would like to draw to our attention in understanding violence against women and girls and how it can be combatted.

⁷⁴ CEDAW Committee (67th session, 2017) [General Recommendation 35 on gender based violence against women](#), p.14

The responses made to questions 5-7 apply also to this question. Women's Platform would like to emphasise that patriarchal structures also harm men and boys, and that action is therefore required to highlight how action on these norms is supportive for all. Therefore, it is important to reiterate that while the strategy should focus on women and girls, the debate must cut across society and identify inequality as an issue for everyone. Men and boys similarly have a role to play in supporting and implementing change. Otherwise, there is a risk that gender based violence is seen solely as a women's issue, which is to fundamentally miss the pervasive nature of the issues and dynamics at work, and effectively perpetuates divisions that underlie gender based violence.