



Llinell Gymorth Camdriniaeth yn y Cartref
a Thrais Rhywiol Cymru Gyfan
All Wales Domestic Abuse and Sexual
Violence Helpline

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Welsh Women's Aid Briefing

Joint Committee on Human Rights: Violence against women and girls report

April 2015

This report from the UK Government's Joint Committee on Human Rights highlights progress made to date in relation to violence against women and the extent in which the UK Government and each devolved administration meet the Istanbul Convention, which the UK signed up to in June 2012, but has still not yet been ratified.

The report is split in to seven sections, which are detailed below. The report highlights some great practice from Governments in relation to ending violence against women, but details many areas in which improvement is vital. There is also special consideration for the effects of devolution and the ability to evidence commitment and practice from each devolved state.

You can access the full report here;

<http://www.parliament.uk/business/committees/committees-a-z/joint-select/human-rights-committee/news/violence-against-women-and-girls-report/>

1. Integrated policies

- This report commends the UK Government for having a violence against women and girls action strategy which appropriately links violence to gender and inequalities. However, it has concerns with how the UK Inter-Ministerial group co-ordinates and secures actions across UK Government departments.
- The Report commends the Prime Minister for retaining the position of Minister for Women at UK cabinet level (albeit combined with a broader portfolio). However, it recommends the Minister for Women role be more focussed on the UK Government strategy by becoming a joint signatory of the UK Government Action Plan, and that the Minister explicitly be given responsibility for co-ordinating UK Government work in this area – along with the Home Secretary.
- It recommends that the work of the UK Inter-Ministerial group broadens to include questions of asylum and immigration rules and practice, as well as the compliance of devolved policy with the Istanbul Convention.
- It recommends the UK Minister for Women holds UK Government departments to account for delivering against the UK Governments Action Plan, supported by the Prime Minister to display clearer leadership on this issue.

2. Prevention

2.1 Awareness raising

- The report commends the Governments in the UK for awareness raising initiatives undertaken, but notes that a lack of coordination across departments reduces potential reach, delivery and (ultimately) success of initiatives. It recommends the UK Inter-Ministerial group monitor the success and effectiveness of campaigns to ensure that future campaigns are evidence based.



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- It recommends that campaigns sometimes need to be targeted specifically to help reach communities with particular needs.
- It recommends that Governments should support charities and organisations that could raise awareness amongst women within communities, rather than targeting faith and community based leaders.

2.2 Education

- The report says there is no evidence to suggest that the UK Department for Education has pursued any channels for dissemination of information on violence against women and girls and safeguarding issues. It also states that it has not produced materials for schools on consent and that this must be published before the UK Government is deemed to be fulfilling its obligations.
- It recommends that the UK Department of Education goes further than just consent and includes other issues relating to violence against women and girls – i.e. FGM, Forced Marriage etc.
- It recommends that Governments would be in a stronger position if PSHE was standardised and all schools taught the same curriculum, which must include issues relating to violence against women and girls.
- It recommends that Higher Education establishments should reinforce this education within Higher Education systems.

2.3 Training of professionals

- The report welcomes the requirement for judges who hear rape cases to have been trained to do so and the scope to educate judiciary system on domestic abuse. It states that this training should be available to criminal and civil judges and magistrates.

2.4 Participation of the private sector and media

- The Istanbul Convention invites media to self-regulate to help violence against women and girls, but the report states that in the UK there are clear examples that reporting has been inappropriate and insensitive. It recommends editors take a proactive approach to educating their teams about sensitively reporting violence against women and girls.
- It recommends regulators have the confidence to use their powers to sanction broadcasters or press who have fallen short of the Ofcom code or editor's code of guidance.
- Due to the number of media and press regulators, the report points out that it is not easy for victims to understand their rights and routes for redress. It recommends community liaison officers be trained in this so they can explain this process if necessary.



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3. Protection and support

3.1 Specialist support services

- The report welcomes ring-fencing of funding to ensure adequate numbers of bed spaces per Local Authority.
- It recommends that Governments issues guidance to all Local Authorities on the correct application of law on equality to the services required under the Istanbul Convention.
- It recommends that the Local Government Authority (or WLGA in the case of Wales) be given resources to analyse and monitor the number of refuge spaces to ensure adequate provision, which fulfils its obligation under the Istanbul Convention.

3.2 Cross charging

- It recommends that Governments in the UK consider enabling Local Authorities to cross-charge for providing services to non-constituents to allow for women to move to different Local Authorities to access distant services.

3.3 Specialist services for specific groups

- The report states that the localism model for commissioning could have consequences disproportionately effecting the provision of refuge services for women from specific groups with very special needs. Governments therefore need to take responsibility for collecting data on national coverage of specialist services and ensure specialist services remain available to all.

3.4 Spare room subsidy

- The report recommends Governments exclude sanctuary scheme properties from the size criteria of the spare room subsidy. The report states that if Governments are unwilling to do this, Local Authorities should do so and make discretionary housing payments for sanctuary scheme properties affected by the subsidy.

4. Substantive Law

4.1 Psychological Violence

- The report commends the UK Government's actions to include a specific criminal offense regarding coercive control, but was not convinced that this alone would adequately change culture and may lead to unintended consequences for victims of domestic abuse. The report urged Governments to consider awareness raising campaigns and review training for criminal justice professionals to accompany any change is legislation.

4.2 Legal Aid

- Due to barriers for women in accessing Legal Aid the report recommends that before the coercive control offence was introduced (this has since passed into law



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through the Serious Crime Act (2015), the Ministry of Justice review the requirements for evidence of domestic abuse for access to Legal Aid.

4.3 Universal Credit (UC)

- The report recommends the UK Government review payment of Universal Credit to couples in light of recognition of effects of coercive control.
- It notes that there had been a previous recommendation that Universal Credit payments be amended to allow payments to be labelled as such and paid to a main carer. The UK Government argued that this would not be possible and was potentially unlawful.
- This approach is not accepted within the report and states that as Universal Credit is rolled out, the 'wait and see' approach is not acceptable. It recommends that during this period of roll-out a number of options of delivery should be tested in line with providing the option most likely to provide financial autonomy to individuals and their children if domestic abuse occurs.
- It recommends all Department for Work and Pensions staff be given domestic abuse training in order to handle situations correctly and sensitively.

4.4 Unacceptable justifications for crimes, including crimes committed in the name of so-called 'honour'

- The report commends the Governments' stances on tackling these issues.
- It states that the issue regarding the role of women and equality between the sexes across many cultures needs further investigation and recommends a standalone inquiry in to this issue.

5. Investigation, prosecution, procedural law and protective measures

5.1 Immediate response prevention and protection

- The report states that this is one area where guidance is good but practice is not.
- It states that evidence suggests a lack of cultural literacy amongst front-line staff in responding to domestic abuse.
- It recommends Chief Constables need to educate front-line staff, which includes all types of violence against women. It says they should also urgently address concerns that specialist units aren't adequately resourced.

5.2 Risk assessment and risk management

- The report looks for the development of publications of best a practice toolkit provided by chief constables which address immediate response and risk assessment.
- Due to legislative changes, the report states that Police are likely to have to award compensation for negligence if their response does not improve.



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5.3 Investigations and evidence

- The report recommends judicial training for judges in violence against women and girls cases which should include application of section 41 of the Youth Service and Criminal Evidence Act (1999), which protects complainants in proceedings involving sexual offences by restricting evidence or questions about their previous sexual history subject to exceptions.

5.4 Ex parte and ex officio proceedings

- The report says that a failure of police to competently carry out an initial response following a report of violence against women and girls means that the Crown Prosecution Service could be left unable to proceed with evidence-led prosecutions as required by the Istanbul Convention.
- It recommends, if a pilot is successful, the use of body worn video cameras by front-line officers in responding to domestic abuse cases, with guidance on appropriate use.

6. Immigration and asylum

6.1 Residence status

- The report is hugely concerned by policy on immigration and domestic abuse, and the cause and consequence they can have on each other.
- It demonstrates the need for better coordinated domestic and international policies across UK Government departments on asylum and immigration processes.
- It recommends that the UK Government addresses the issue of who bears responsibility for providing refuge space for women and girls with no recourse to public funds.
- It recommends that the UK Government ensures sufficient financial provision is given to support these victims.

6.2 Gender-based asylum claims

- The committee was disturbed by evidence of routine use of male interpreters, operation of fast track detention systems and a culture of disbelief within the Home Office, which it concluded often caused victims further trauma.
- It was concerned that those who are victims of violence against women and girls are being detained through fast track processes and recommend a review of the screening process as a matter of urgency.
- It recommended the UK Government amend guidance for interviews to raise the importance of making female interpreters available for cases of violence against women and girls. It says that the current system is not satisfactory and clearly does not reflect a priority need for support.
- It recommends amendments are made to guidance to ensure responsibility for childcare provision whilst screening is taking place.



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- It states that the UK Government should monitor training, the number of reversal decisions made, and the extent to which the guidance is followed to ensure a change in culture.

7. Ratification of the Istanbul Convention

- The Committee was concerned by the UK Government's lack of engagement with devolved administrations regarding ratification of the Istanbul Convention, due to their responsibility to implement the same positive obligations in their territories. The report recommends the work of the UK Inter-Ministerial group should be broadened to include questions of compliance of devolved policy with the Istanbul Convention.
- There was a concern that a delay in ratifying the Istanbul Convention could harm the UK's reputation as a leader in ending violence against women and girls.
- The report recommends that the UK Government bring forward the necessary primary legislation regarding jurisdiction before the end of this parliament and that devolved administrations also bring forward any legislative measures considered necessary.

If you have any comments or questions about this briefing, please don't hesitate to get in touch:

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