



Recommendations of EU-Expert Meeting, Jyväskylä

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Workshop 1

Recommendations on criminal proceedings in cases of domestic violence

The working group endorsed the recommendations of the Vienna Conference of 1998 and accepted the following additional recommendations:

1. Referring to the UN General Assembly Resolution 52/86 (1997) which accepts the model strategies on violence against women prepared by the UN Commission on Criminal Justice and Crime Prevention that state that the responsibility for initiating the procedures lies with the prosecution and not with the women subjected to violence, the working group recommends that the practices of prosecutors in cases concerning domestic violence be monitored.
2. The victims of violence should be entitled to free legal advice - including legal aid - and other support services. Such services should include a possibility to get information about the proceedings, about victims' rights during the trial, and about possibilities to get financial compensation. The victim should also be accompanied by a support person in the police interrogation and at the trial. Such services should be funded by the state.
3. Home should be a place of safety. Therefore the fact that a crime is committed in the home should be regarded as an aggravated factor.
4. Standards for medical examinations and documentation of assaults should be set up. Standards should include standards for minimum protocols and forensic kits. Physicians shall be trained in performing medicolegal examinations, in documentation of violence, and in issuing medicolegal reports.
5. For further elaboration of recommendations and as a preparation for the conference in Portugal, all Member State representatives should give a report and provide information about what steps they have taken to implement the guidelines or otherwise improve the rights and position of victims.
6. The European Campaign Against Domestic Violence website - http://europa.eu.int/comm/dg10/women/violence/index3_en.html - which provides information about violence against women, should be maintained.

Workshop 2

Recommendations on standards for shelters/refuges

Prerequisites

Laws to protect women and children are essential. Victims should have the right to stay in the home in cases of domestic violence; it is the perpetrator who should be removed from the residence in such cases. If the woman prefers to leave, accommodation in a shelter/refuge should be guaranteed.

Objectives

Prevention - the ultimate goal is the prevention of violence

Protection - protection of the victims (stop the present violence)

Provision - the provision of services and the empowerment of women

Principles

The empowerment of women is essential.

Victims' confidentiality must be guaranteed.

No victim's right to stay in a shelter/refuge should be dependent on her financial situation, and the stay should be as long as needed for the woman to evaluate her options.

Shelters/refuges should be open to all women, including women with no children and women of minority groups, who are victims of any form of violence.

Children must be protected from violence and from the perpetrators.

Shelters/refuges should be run by women's NGOs that have a feminist perspective and believe in women helping women. However, there are also other models organised from the perspective of women's and children's rights.

Services

Refuges/shelters for victims of men's violence should be easily accessible.

Advocacy and support services should include help lines, drop-in centres, women's groups, self-help, proactive services (outreach work on awareness-raising), aftercare, and free legal aid.

Availability

At least 1 family refuge space per 10 000 population and 1 drop-in centre per 50 000 population are required.

Staff

The staff working in shelters should have an understanding of the dynamics of domestic violence and receive ongoing training.

The staff should be properly remunerated for their work.

Among staff there should be one qualified child care worker for each shelter/refuge (as at any given time about 2/3 of all residents at a shelter/refuge are children).

Training and research

All staff who come into contact with victims of domestic violence, including social workers, health service workers, police, etc., must receive specialized training in working with victims of domestic violence.

Ongoing training must be made available for all staff working with victims of men's violence.

Those providing legal aid for victims must be specialized in family law.

More research into all forms of violence against women and children is needed.

Monitoring and evaluation of existing services should be ongoing.

Funding

Governments are obliged to establish and to finance a comprehensive and cost-free offer of support for abused women and their children, regardless of their legal status.

The responsibility for the violence should always be placed solely on the perpetrator.

Women should be able to directly access refuge/shelter accommodation.

Workshop 3

Recommendations for good practice in developing programs for perpetrators of domestic violence

Women's needs and safety must be the first priority in perpetrators' programs for men. All aspects of development and management of projects should be monitored to ensure that they do not endanger the safety or well-being of victims/survivors of domestic violence.

The perpetrator is responsible for the abuse, not the survivor/victim. Perpetrators must be held accountable for their violent and abusive behavior.

Perpetrators' programs should be only set up if there are local independent refuge and support services for women and children. Programs must be developed in consultation with these services. Where there are no services for survivors/victims of domestic violence, refuge and outreach services must be developed first, as well as multiagency responses, and only afterwards should programs for perpetrators be developed. Mens programs should work in cooperation with women's services.

Domestic violence is a criminal offense and the appropriate laws should be used. Perpetrators' programs should not replace effective action against perpetrators under criminal law, and must not be a diversion from the court process.

All programs should be monitored and evaluated to ensure that they improve women's safety and are effective in changing men's beliefs. The evaluation must not rely on self-reports but where possible should be checked against women (ex)partner's accounts and other evidence.

The definition of domestic violence in work with men should recognize that violence against women includes psychological, sexual, economic, as well as physical abuse. It can involve a range of controlling behaviors that are not overtly violent.

Programs should be committed to reeducating violent men to change their beliefs that they have a right to control and abuse their (ex)partners. If the perpetrator has a need for other types of interventions (e.g., treatment for alcohol abuse) these must not replace the main reeducation program.

Perpetrators programs should be part of a coordinated multiagency approach to violence against women that involves police, criminal justice and social welfare agencies. There should be written policy agreements between agencies, and practitioners from every agency should receive training in understanding domestic violence.

Women survivors must be given complete confidentiality and kept informed about sources of help, the program structure, and the progress and attendance of the perpetrator. Women's and children's safety overrides any guarantee of confidentiality to the perpetrator. If there is any perceived risk the projects must inform anyone at risk as well as law enforcement and other agencies. Protocols must be developed among agencies for sharing information about the perpetrator.

Mechanisms must be established to ensure that survivors/victims are given full information about how the perpetrators' programs work and must have the opportunity to give feedback on the effect of the program and any concerns they have.

Child protection must be integrated into all programs.

The funding for perpetrators' programs should not be given at the expense of services for survivors and victims. Men's programs should

be funded under a different budget line from funding for victim's services.

Programs should only be developed after proper investigation to establish the most effective methods and approaches that have been monitored and evaluated in other programs. The minimum length of programs should be 12 months and the minimum frequency of meetings should be once per week. Short-term programs are not enough and may be actively dangerous. Programs need to include both individual and group work: groups work must be a mandatory part of the program.

Perpetrators programs are only a small part of the work to change men's attitudes towards violence against women. Public awareness and education campaigns must also be developed locally and nationally.

Domestic violence is a public not a private matter. The safety and welfare of the survivors must take precedence over attempts to maintain the family as a unit. The human rights of women to have freedom from violence and from abuse must be recognized as their rights as individuals, not just as the mothers of children.

We recommend that all future EU expert conferences recognize that

violence against women is a much broader area than domestic violence,

women and girls are most likely to be violated/abused/sexually exploited by a known man whether the issue is rape, sexual abuse, sexual harassment, pimping, or domestic violence,

and there are important connections between forms of violence against women and girls which are being lost, such as that in the majority of incest cases the mother is also being abused, and that girls are introduced to prostitution by boyfriends who are both their pimp and a perpetrator of intimate violence.

We, therefore propose that this wider integrated agenda be reflected in the program and content of all future expert conferences.

Workshop 4

Recommendations on research into difficult and sensitive subjects

We recommend that the EU recognize the need for wider and comparative research, data collection, translation, and information dissemination in all areas of violence against women, and dedicate adequate resources towards this end.

Implementing this resolution should be based on an advisory group consisting of researchers, policy-makers and women's NGOs with extensive experience in the field of combating men's violence against women. An interim group has been set up and will present a proposal for the possible structure and agenda for this advisory group at the next conference on violence against women to be held in Portugal.