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Joint Committee on Human Rights

Oral evidence: [Violence against women and girls](#), HC 1044

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Written evidence from witnesses:

- [Equality and Human Rights Commission](#)

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Members present: Dr Hywel Francis (Chair); Baroness Berridge; Mr Robert Buckland; Gareth Johnson; Lord Lester of Herne Hill; Baroness Lister of Burtersett; Baroness O’Loan; and Sarah Teather

Questions 20-33

Witness[es]: Rebecca Hilsenrath, Chief Legal Officer, and Anna Henry, Director of Human Rights and Respect Programme, Equality and Human Rights Commission; and Dr Joanna Goodey, Head of Freedoms and Justice Department, European Union Agency for Fundamental Rights, gave evidence.

Q20 The Chair: Good morning and welcome to the second evidence session of the Joint Committee on Human Rights Inquiry into violence against women and girls. For the record, could the witnesses introduce themselves please?

Rebecca Hilsenrath: I am Rebecca Hilsenrath, Chief Legal Officer at the Equality and Human Rights Commission.

Anna Henry: I am Anna Henry, Director of the Human Rights Programme at the Equality and Human Rights Commission.

Dr Goodey: Hello. My name is Joanna Goodey. I am Head of one of the two research departments at the European Union Agency for Fundamental Rights in Vienna.

The Chair: Thank you very much. Could you ensure that we can hear you very clearly? Do not be afraid to shout at us; the acoustics are not wonderful in these rooms. To begin with, Dr Goodey, we give you a particularly warm welcome, given that you have come from Vienna; we are very grateful to you for that. Can you explain your role and the work of the European Union Agency for Fundamental Rights with regards to violence against women and girls?

Dr Goodey: Thank you very much. First, I thank the Committee for having invited me here today to give evidence with the Equality and Human Rights Commission. The Agency for Fundamental Rights is an EU agency based in Vienna. We are not a standard-setting body; we are very different from the Council of Europe. Our mandate is to collect data on the situation of fundamental rights in the EU member states, and we do this in areas where there is often a lack of data.

In the area of violence against women, we were requested by the European Parliament, and that request was reiterated by the Council of the European Union, to collect data on violence against women in the 28 member states of the EU. The situation currently in the EU is that most EU member states do not have robust, comprehensive data on violence against women. For example, in England and Wales, as you are well aware, the Crime Survey for England and Wales does collect such data, but it is not the case in most EU member states that this kind of survey exists, by which you can compare official criminal justice data on reported incidents of violence against women with what is underreported, and with what people often do not bring to the attention of the police or other authorities.

Basically, as an EU agency we were asked to collect data, and we did this by carrying out a survey of 42,000 women, who we randomly sampled in the European Union member states. It was a random sample of the general population of women in the European Union, so we did not go to NGOs, where women might report violence; we did not go to police; we did not look at case law. It is based on a robust methodology, similar to what is used for the Crime Survey for England and Wales. As a result of that, we published the survey findings on 5 March this year in Brussels, and they received a lot of attention, because, of course, it is the first survey of its kind in the European Union and the largest international survey to date on violence against women. It presents the biggest survey in the world to date on violence against women by which you can look at the situation in different countries.

We have the data for 28 member states, and what they show is women's experiences of violence in their lifetime, since the age of 15, and, importantly, their experiences of violence in childhood, so we also ask women to talk about what happened to them in childhood. We have data on women's experiences of violence from physical and sexual violence in a domestic setting, in intimate partner relationships, and in other settings where it is nothing to do with domestic violence, where it can be a stranger or, indeed, sexual harassment in the workplace. We also looked at stalking, and at psychological harassment. We have a lot of data that we can break down according to women's age, their occupation and their educational levels in a variety of ways to give us a rich source of information. We also have data on the perpetrators. We always asked in the survey, "Who did this to you? Was it a man or a woman?" We always checked whether it was a man or a woman, so we have the data for all of that. We also asked, "What was your relationship to the perpetrator? Was it a client, a customer or a partner?"

We have that richness of data, and these data are very much being used by member states when they look, for example, to ratify the Council of Europe's Istanbul Convention in terms of violence against women. Member states are asking us to give evidence, provide information to them, and to support them to look at what the legislation demands and the actual situation as reported in the survey.

Finally, the interviews were very in depth. They averaged about one hour, depending on the extent of violence women had experienced in their lives. Many women had not experienced violence, but if they had experienced violence, there were detailed follow-up questions in relation to that.

Q21 Baroness O'Loan: Dr Goodey, the observations in your main survey results you have described to a degree there, but you have a recommendation for targeted prevention and awareness-raising for young women, and also the converse to that: positively engaging men in initiatives that confront men's violence against women. It does not sound as if this is the case from what you have just said, but did you observe any examples of good practice in other countries from which this country could learn?

Dr Goodey: You are absolutely right; we did not ask women in the survey about their awareness of campaigns for boys and men, but as a follow-up from the survey one of our key recommendations is that you have to engage boys and men in combating and addressing violence against women. In June this year we will be having an expert group meeting, a small meeting, with organisations in the EU that engage men and boys in addressing violence against women. That meeting will take place in Vienna.

There are some very good examples of existing practice, which we highlighted in the report. The report did not only talk about data; the report contained opinions and recommendations, as you point to. One of these campaigns is the White Ribbon Campaign. It exists in a number of member states, and it is initiated by men to address men's violence against women, so it is a proactive, positive initiative in that regard.

Surveys such as ours have a depth of information about who the perpetrators are, not only their gender but their relationship to the victim: were they a stranger? Was it a former partner? Was it a client, a boss, or a colleague? If you have very good data, you can then target campaigns. If you are going to intervene with men, rather than having a global campaign that might not hit the right spot, the right target, you really need good, robust data if you are going to have campaigns, particularly directed at men and boys. The White Ribbon Campaign and other campaigns can benefit from these examples.

People are often surprised that in countries like Spain there are very progressive initiatives—TV campaigns, media slots—where men speak against violence against women. Spain is very much in the lead on this, and has been for a number of years now, so the stereotypes that exist about how certain member states respond to violence against women are often proven not to be correct. There are other good examples, for example, in Ireland, not too far away from here, of the National Office for the Prevention of Domestic, Sexual and Gender-based Violence: they have some good examples of initiatives in Ireland, as well as Spain and other member states. Only last week you may be aware that the USA launched a huge campaign with Barack Obama, the Vice-President and also prominent film stars—our very own Daniel Craig, for example. You had the political and the populist response, where you had men, including the President, in a slot speaking out against violence against women. That was only launched last week in the US, so there are some very good examples out there.

I think the new take on violence against women is that it is not only an issue for women. That was how we addressed it perhaps from the 1970s and 1980s, but you have to engage

men—you have to recognise that most men are not violent against women, and therefore they need to speak up and to address the fact that this behaviour cannot be condoned.

Q22 Lord Lester of Herne Hill: I was wondering whether, when you were looking at the UK in terms of good practice, you identified particular good practices that should be commended. I am thinking, for example, of the court's role in making marital rape a crime and then in statute, or forced marriage being made something to be dealt with by the civil courts, and so on. Can you tell us what good and less good practices you found in the UK?

Dr Goodey: I am speaking mostly about the data we collected from women; women in a random sample could not speak themselves about good practices, which you need specialist knowledge of. In the UK, although there are good practices, for example, looking now at forced marriage, or, for example, female genital mutilation and other issues such as that, again, the key message from our survey is that, if you focus on specific issues, like female genital mutilation or forced marriage, you might lose the wider picture in terms of violence against women impacting on women in the general population. Although there are some good practices in the UK, the current focus in the UK and in many EU member states tends to look at specific issues that predominantly affect certain minority groups. This is all well and good, and should continue as a good practice, but we also need to look at how we are dealing, in the UK and other member states of the EU, with violence against women more broadly, so I give that example.

I can give some examples from the data that might be a little surprising to some, because I followed some of the comments recently on reporting to the police in the UK, which has been critiqued recently in terms of how they deal with cases of domestic violence. We asked women who had been victims of violence whether they reported it to the police. When we looked at the data for the UK, and compared it with other EU member states, we found the UK is doing rather better than some EU member states in terms of women reporting to the police. When we look at the police practices in the UK in isolation, we also have to acknowledge that they are doing certain things that might be quite good, and we need to look at the positive as well as the negative. When you compare the UK to some member states, it is doing a bit better in terms of the extent to which women said they were victims of violence and reported it.

I will just give you one example here. We asked those women who said they were victims of violence in the UK about the most serious incidents; we are not talking about things that people might assume are trivial. We asked them about the most serious incident of violence perpetrated by a non-partner, so somebody who is not your partner. In the case of the UK, 26% of women who said they were victims of violence by a non-partner reported to police; the EU average is 19% when we looked across the rest of the EU. Although there need to be significant improvements in how the police respond to certain types of violence, in relation to specific types of violence, you have to acknowledge the UK might be doing okay.

You can look at different things in terms of positive and negative practices, but it is very healthy to look at how other EU member states are doing in this regard, because the picture might be a little bit better for some areas and in some areas rather surprising. I would just like to underline the fact, if I may, that the UK had some of the highest rates of violence against women when we compared the figures with those of other EU member states. That is the background in terms of the reporting.

Baroness Lister of Burtersett: Before we move on to the next question, I wonder if I could also just ask you about young women, because there is a big emphasis in the report on how they are particularly vulnerable to victimisation, and you argue we need targeted prevention and awareness-raising on violence against young women. Is there anything you can add on that in terms of what we might learn from other countries?

Dr Goodey: A couple of things came out very much in the survey: first, the extent to which women are experiencing some form of abuse or violence in childhood, and the figures for the UK are high in comparison with other member states in that regard. Part of that might be the effect of the Jimmy Savile inquiry and the fact that more women in the UK during the time of the survey were willing to talk about these most intimate and disturbing incidents that happened to them; that could have affected the results. What we found across the EU, and it also relates to the UK too, is the significance of cyberharassment and cyberstalking. What I mean by that is the use of mobile phones or the internet, through which you can then psychologically harass somebody or, indeed, threaten them, or send misogynistic messages. It disproportionately affects young women; that is hardly a surprise, because younger women are more likely than the older generation to be engaging in social media, the internet, and using mobile phones more.

One of the key findings we had from the survey is, if you are looking at violence against women, do not look at violence against women only in a traditional sense, because a lot of psychological harassment and violence, which is covered by the Istanbul Convention and which can be linked to actual physical violence, is taking place on the internet. We really need to wake up and think in terms of legislation and policy, and there has been a lot of attention on that in the UK, because of the high-profile media cases in terms of politicians and other figures receiving misogynistic hate e-mail. We need to recognise it is happening to everyday women and particularly young women, so that is a factor that we highlight.

There is also the question in relation to children witnessing domestic violence. We found that, of those women we surveyed who said they had been victims of partner violence, three-quarters said that their children were aware of what was going on, so there is an obvious link here. We found in the data a very neat correlation or relationship between children witnessing or experiencing violence in the home and women who experienced violence in their adult lives. This is written about a lot in terms of research, but you need to tackle violence in childhood, and also to educate boys and girls in that regard, in terms of what a healthy relationship is, because there is a definite neat correlation in the figures between violence in childhood and the experience of women in adulthood. It is almost like a cycle of repeating violence.

Q23 Baroness Lister of Burtersett: Thank you for that. We have received evidence that the impact on cuts to services is disproportionately affecting specialised women's services, and this is something that the UN Special Rapporteur on Violence Against Women picked up as well in her preliminary observations. She also noted that women from black and minority ethnic communities, women belonging to the LGBTI community, and women with disabilities are especially affected by these cutbacks. We are just wondering whether your survey looked into the needs of particularly marginalised groups of women in the UK and how well they felt services were meeting those needs?

Dr Goodey: First of all, in a random sample you only pick up on the numbers of ethnic minorities or persons with disabilities according to their proportion in the population. If 5% or 10% of your population in a member state is from a minority background, you will only pick up on those. Only some of those people will then have been victims of violence. When we looked at the global picture for the EU and some background differences in experiences of violence—and this is also reflected in the UK—one of the most striking relationships across all the areas we surveyed is that women who indicated they had some form of disability or a serious health problem, or some limitation in their everyday activities because of that, also indicated that they experienced more abuse and violence than the general population. There is a definite relationship there, so we need to look at vulnerable women, disabled women and people with serious health problems, who are particularly affected by violence.

Another area, of course, is, as you say, the lesbian, gay, bisexual and transgender community. It is the case that, again, in the survey women who are non-heterosexual—so lesbian women—are saying they experience heightened levels of violence. Of course, this can be because of their gender and their sexuality, so they can be vulnerable to hate crime. These data are supported by another survey we did, where we had 93,000 respondents on lesbian, gay, bisexual and transgender persons. We found from that survey that lesbians experienced the highest levels, if you like, of harassment, in comparison, say, with homosexual men. It is the combination of being a woman and your sexuality that makes you particularly vulnerable in that regard, so I think that is reflected in terms of the UK needing to look at that.

In terms of women from an ethnic minority or migrant background, we did not find striking differences in the survey. The more striking differences were in relation to disability and sexuality in that regard, but, of course, that can change from member state to member state. I would say that you need more targeted surveys to focus in on specific communities.

One other thing I would like to briefly mention is the impact of austerity, as you referred to. We asked women about their current income and if they were coping with their current income. There is a very striking result in the survey. We found that women who said they were not coping under their current income were experiencing higher levels of violence. Women who said they were coping under their current income had half the level of violence of women who said they were not coping under their current income. There is strong evidence there that if you are finding it difficult economically, if you are struggling, it makes you vulnerable. It also makes you vulnerable, of course, if you are economically struggling and you have a health problem or a disability. It is these multiple factors that have to be looked at, so it is not just ethnicity, because you can be from an ethnic minority and be affluent; you can be from an ethnic minority and have the economic means to leave an abusive relationship or a household and set up on your own. We need to look at the multiplicity of how women experience violence.

The final thing in this regard is that we asked women about their awareness of specialist services, and in the UK it was a kind of average figure in comparison with some member states: 67% of women said they had heard of Women's Aid, 56% said they had heard of Refuge. There are still a lot of women in the general population who have not heard of specialist services, which might suggest that they need to be advertised more and they

need to be better resourced. In some member states women had heard about specialist services to a higher degree than in the UK.

Q24 Lord Lester of Herne Hill: Could I just ask a bit about your methodology, because obviously you want to guard against overly broad generalisations or stereotypes in what you do, and a mere statistical survey by itself is valuable but not conclusive. To go back to the question you have just been asked about ethnic and religious minorities and domestic violence, what is your methodology in looking at that in a sensitive way? What do you do to try to discover whether women are more subject to domestic violence if they are from a particular religious or ethnic background? How do you go about that?

Dr Goodey: We are conducting surveys throughout the EU on different subjects—very sensitive surveys too. We have done a parallel survey on lesbian, gay, bisexual and transgender persons.

Lord Lester of Herne Hill: I am not asking about them; I am asking about ethnic and religious minorities.

Dr Goodey: Right. In terms of ethnic and religious minorities, we have also conducted another survey on anti-Semitism among Jewish communities in the European Union. In terms of ethnic minorities, you have to understand that this is a survey of the European Union member states, so when we go into it, the same survey questions have to be asked throughout the EU member states for purposes of comparability. In terms of sensitivity of the survey, we have very extensive training of interviewers. The survey took two years to develop: it took a year in the field to gather the data and a year for analysis.

In terms of the experts, we had an expert working group working with us. These considerations of the sensitivities of the questions have to be applied in France, Germany, Poland and Estonia, and they have to be sensitive to not only the ethnicity or migrant background but the cultural differences within the European Union. In answer to your question, the survey was two years in development with an expert group; the experts that worked with us with our own experts in-house had conducted surveys in different EU member states. We consulted widely with different stakeholders, including representatives of groups from minority backgrounds. The interviewers had to be very well trained and had to be sensitive in the questioning they directed, but because you need comparability, every single woman was asked the same questions. However, the interviewers were trained to a high level to make sure that they were culturally sensitive to certain issues. For example, they were trained on basic things like not having children present in the room and creating a private space and environment where a woman felt safe to give evidence. Women could also select the time to be interviewed, so there was no threat that a potential perpetrator could be in the home, and that applies to women if they are from ethnic minorities or non-ethnic minority groups.

In answer to your question, the survey was thoroughly researched; it had the best methodology that exists currently on conducting surveys on violence against women. We had people from the UK also involved in that. Professor Sylvia Walby and Professor Liz Kelly worked with us, who are renowned experts in this field.

Q25 Mr Buckland: Just to finish on methodology, I think apart from Luxembourg you had a minimum of 1,500 respondents in each member state.

Dr Goodey: Yes.

Mr Buckland: I have been looking for the UK figure. You have mentioned the figure in Estonia—1,500. Do you have the UK figure to hand?

Dr Goodey: The figure is 1,500, because it is not proportional to population. In statistics, if you were to do a survey proportional to population, there comes a point at which it does not make any statistical sense. The minimum baseline number for international surveys is usually 1,000 per member state, so we went to 1,500, which is agreed by statisticians as the baseline number. If you did it proportional to population you would interview thousands in Germany and maybe 50 in Luxembourg. There comes a point beyond which, if you increase the size of the sample beyond, say, 1,000 or 1,500 persons, you do not get more statistical reliability. It is not a fact that, when you increase the sample size, you increase the statistical reliability. You need 1,000 as a minimum in a member state. If you wanted to look at differences regionally within a country, you need a survey at the member state level where you can look in depth at regional differences.

Mr Buckland: You have already touched upon psychological partner abuse, or coercive control, as some of us call it, and in the report you helpfully point out that, in a nutshell, responsible agencies with a duty of care should do more training and awareness. I think that is a very important point to make. Scotland, and now England and Wales, have reformed the criminal law of harassment to now define stalking in a much more sensible and contemporary way, which I think is a very important step forward for us here. What more do you think that national Parliaments need to do in order to not just improve the law but set new standards to encompass the varying types of psychological abuse that we know exist?

Dr Goodey: As you have said, because national Parliaments are standard-setting, they need to lead by example as well. On the one hand, they have to have the legislation and on the other hand they have to look at the practice on the ground. They need to lead by example themselves too. There are some good examples from the UK. For example, there is promising practice in a non-governmental organisation, the Corporate Alliance Against Domestic Violence. That is a group of companies in the UK that have looked at the impact on employees of domestic violence; that could also be transferred to psychological violence. They have a duty of care to say, if you are a large company, you may have employees who are victims of domestic violence or, indeed, psychological harassment. That affects their work; that affects the company. They may be suffering from depression. They may not be turning up for work. A good example from this NGO is that they have companies that say, “We need to address these issues.” It is not only about sexual harassment in the workplace, which we can look at; it is also the impact of violence on both men and women as employees. That NGO is a good example in the UK—Corporate Alliance Against Domestic Violence.

It is a bit like the example of involving boys and men. It is not only an issue that women should have a duty to go and report, and the police to investigate. You can go out to the private sector; you can get companies to be involved in that regard. Again, it is going back to the data. If you do not have good data, you really do not know the extent of the problem and what you need to tackle. Basically, we found in our survey that half of all women said they had experienced some form of sexual harassment since the age of 15 in the EU, and the figures are very similar for the UK. That is 21%, so one in five women

said in the last 12 months they had experienced sexual harassment. In terms of the duty of care, you need that data. You could also have regular surveys, say, within companies or within institutions where they say, “Well, we have legislation in place: we have a national action plan; we have a policy.” “But what are people actually experiencing? Is it getting better or worse?” You have to do it regularly.

You need that kind of example of what people actually experience on the ground. What is their awareness of company policy? What is their awareness of a national action plan to address psychological harassment or sexual harassment? If you do not do that, you simply do not know if people are aware of their rights, if they know where to go, and if there are structures in place that can assist them. It is about rolling out a kind of joined-up response and not only thinking, “Well, this is an issue for policing,” or, “This is an issue only for a counsellor to deal with.” It is about a more comprehensive response.

Q26 Baroness Lister of Burtersett: I was interested in what the report said about economic violence, and I wondered if you could say a bit more about that and what factors you found were associated with it. Is there a link there between that and what you said earlier about women who are finding it hardest to cope financially being more vulnerable to violence generally?

Dr Goodey: What a survey is only able to show is that relationship between women struggling on their current income and their experience of violence, so there was that very clear example. I cannot say much more than that, because you would then have to look at other factors that might influence women’s experience of violence. There are also some very interesting findings from the survey, because if we therefore assume that women who are suffering economically experience to a greater extent violence, that is true, but there are also some surprises—maybe surprises for some and not for others. When we looked at educational background and employment, and we were asking this block of questions on sexual harassment, women with higher levels of education—higher degrees, degrees, and women in the professions—were reporting higher levels of sexual harassment. That came out very clearly in the survey. Some people were surprised by that finding: why is it that women who are well educated with a good income are reporting higher levels of sexual harassment? We looked at that, and some of the explanation for that is not only about austerity; it is about exposure to risk. They may be working in environments that are more male dominated perhaps and do not have a culture of accountability of these kinds of things. It might also be the case that women with high levels of education, and we are talking about the EU here, are more aware of their rights, so are more aware of what they could construe as acceptable behaviour.

There are different ways you can look at the data. The point that we try to make is that violence against women, sexual harassment or stalking, or whatever you look at, is not only an issue for certain groups in the population. When you dig into the data, you will find some surprises, or things you had not thought about. For example, the stereotype is of the relationship between a male boss and a female subordinate in sexual harassment. It is also the case, when you look at the figures, that well educated women in higher positions are experiencing sexual harassment.

Although you asked about austerity, we need to open our eyes to what the data tell us, because if you do not collect the data, you might go down the same path of maybe not thinking about other avenues where other women are also experiencing abuse.

Baroness Lister of Burtersett: I was asking more about economic violence where women are being controlled economically.

Dr Goodey: Okay; yes, I understand your question now. We had questions about psychological abuse. Within intimate partnerships we asked different questions; one of those was on whether they could control the family income, but also whether they were allowed to leave the home. There is a clear relationship between women who say that they are not allowed to control the family income themselves and experiencing high levels of abuse, and this is often linked also to physical abuse. There is a clear relationship, so you need to look for the signs of controlling, abusive behaviour.

One recommendation that we have from the survey is that doctors and healthcare providers should also look for these signs. We asked women: “When you are a victim of violence, where do you report?” The vast majority of them are reporting to healthcare providers; they are not reporting to the police, and they are not going to specialist services, because specialist services are underresourced. They are going to doctors and healthcare providers, because they are more widely available, and so one key recommendation we have in the findings is that doctors and nurses should be more thoroughly trained to look for signs of, say, psychological abuse or controlling behaviours. If a woman displays, say, depression, there may be factors behind that that could be trigger factors also saying she could vulnerable to other forms of abuse. That is a clear recommendation we have in the report.

We asked women, “Would you be willing for doctors to routinely ask these types of questions?” 87% of all women said they would be willing for that to happen. We need to think about questions about how the health services are trained, because that is where most women go when they report any type of violence.

Sarah Teather: You have covered an awful lot of ground, so the last two questions are really just an opportunity for you to summarise for the Committee to make sure that we are really clear about what you want us to come away with. Can you summarise what you believe the priorities are coming out of the survey for national governments?

Dr Goodey: It is one thing to have legislation in place. You have to make it work on the ground, so it is about implementation, and it is about monitoring of implementation. A key recommendation we have is, of course, the ratification of the Istanbul Convention; it is the most comprehensive regional instrument that exists on violence against women. Again, underlining the point I made earlier about violence against women being widespread, our figures show that in the EU one in three women have experienced violence against women in their lifetime. It is not an issue that only affects certain groups in the population, so the recommendation to national governments and the EU is to recognise violence against women as a comprehensive problem. Therefore, you need national action plans that are comprehensive. If you focus only on specific groups and issues, you must not lose sight of the wider picture; you have to focus on both specific groups and the wider picture in itself.

Also another recommendation we have is the need to recognise the role of new technologies in relation to women’s experiences of abuse, as I mentioned in relation to younger women. Regarding text messages and social media, there needs to be a responsibility of the private sector, working with government, to say, “How can we tackle

this kind of abuse?” because it is very striking in the survey findings. Another recommendation to governments is if you focus only on reporting to the police, you miss the bigger picture that women are reporting to the health services and to other areas, as I mentioned in my previous response. Violence against women is not just a matter for policing and criminal justice; it is a broader matter. When one considers legislation or national actions plans, and when governments are rolling that out, one has to have a joined-up response.

Finally, one cannot ignore that violence as experienced in childhood has an impact on violence experienced by women in adulthood, and these cycles of violence need to be broken. If you have a policy that relates to children, one has to link that up with any policy, of course, that relates to violence against women. Here one can draw on the UN Convention on the Rights of the Child as well as the Istanbul Convention, and there are many areas where we need to join up responses in terms of legislation policy.

Q27 Baroness O'Loan: In the context of cyberbullying, very often the bullying is done by young women of young women. Have you asked any questions in that context or do you have any observations to make in that context?

Dr Goodey: Throughout the survey, we always asked who was the perpetrator: disproportionately the perpetrators were men.

Baroness O'Loan: In the context of cyberbullying only is that the case?

Dr Goodey: We were asking questions in relation to gender-based violence, so, for example, we asked questions in relation to unwanted text messages of a sexual nature as opposed to bullying that is not of a sexual nature. In response to your point there, if you are looking at intra-sex bullying, or girls sending bullying or hateful text messages to girls, of course that is high between girls. It was a survey trying to distinguish between the gendered elements of violence and everyday interaction, which may not be intra-sex. When you look at elements of sexual images, or sexually threatening or misogynistic commentary, it is disproportionately male dominated in the case of cyberbullying or cyberharassment of a sexual nature.

Q28 Lord Lester of Herne Hill: You mentioned rightly the importance of the Istanbul Convention. Article 37 of the Convention, as you know, requires the criminalisation of forced marriage. I do not know whether you know also that in this country we use the civil law and the family courts, and many of the lawyers who specialise in domestic violence involving ethnic and religious minorities have been extremely concerned that, if you criminalise it in a broad way, it will deter the victims and their friends from coming forward and seeking civil protection, because it will mean dishonouring their families in a criminal process. What do you think about that?

Dr Goodey: I think it is up to each member state to respond as they see fit. They have to respond in terms of what they regard as the best practice for that. I cannot really comment on what the UK should be doing in relation to the Istanbul Convention.

Lord Lester of Herne Hill: I am not asking about the UK. I am asking in general about the relationship under the Istanbul Convention between criminal and civil—that is a general question.

Dr Goodey: I am not going to comment on whether I think criminal or civil response is best. I think the proof is when you have the practice on the ground, and I get back to that point. However a member state decides to respond, be it criminal or civil, the proof will be the situation in a couple of years' time, if legislation is or is not in place. Is more forced marriage being prevented? That is the bottom line for this. You can only know that if you have robust data with those communities about the experience of girls and women, so that is all I am going to say on that.

The Chair: Dr Goodey, thank you very much. Your answers have been very full and very comprehensive, so much so that we dropped some of our questions, because you covered the area very well.

Dr Goodey: Apologies for speaking too long.

The Chair: Not at all, not at all. It has been extremely helpful to us. Could we now move on to the witnesses from the EHRC, and could I first thank you for your written evidence? Before we turn to that written evidence, could I ask you about the Commission's current and upcoming work on issues relating to violence against women and girls? Could you give us a survey of that work?

Rebecca Hilsenrath: Thank you, and I would like to thank you very much for inviting us here today to give further evidence—a personal thank you from me for my first appearance here as Chief Legal Officer. Can you hear me, by the way?

The Chair: Yes, indeed.

Rebecca Hilsenrath: I will get a bit further towards the mike. I am hoping this will be the first of a number of occasions that we and I am able to be here. I am new in post, so I am still very much in listening mode rather than talking too much. One of the things that I will be doing is reviewing many of the ways that we operate, including, for example, our strategic litigation policy. I would like to make an opportunity to come back and talk to you perhaps informally about what that should look like in my journey around various stakeholders that I am in the process of meeting.

By way of a quick summary, violence against women and girls is, of course, one of the most pervasive human rights violations in the country, and it is very much along the lines of what Dr Goodey was saying. From our perspective, it is very much about looking at the range of violence across its various permutations. That includes, for example, bullying and sexual harassment of girls at school; the increased phenomenon of cyberbullying, which Dr Goodey alluded to at length; domestic violence and rape; trafficking of women and girls for sexual exploitation and forced labour, very much chiming in with what Dr Goodey was saying about the necessity of focusing on the range and not a very specific example of violence. It is also an equality issue, where multiple forms of discrimination will impact on any particular women's vulnerability to victimisation and violence, and on women's experience of accessing support and justice.

I will touch briefly on three areas where we think the UK has more to do at Government level on a number of issues, including ratification of the Istanbul Convention, and also where the Commission has plans to help: prevention, protection and prosecution. In terms of prevention, I have a couple of statistics: evidence from our measurement framework

shows that young women aged 16 to 19 are three times more likely than any other age group to have experienced sexual assault or emotional domestic abuse. Another statistic is that in 2011-12 there were more than 3,000 temporary and fixed-term exclusions for sexual misconduct in schools in England, and those are Department for Education statistics where the exclusions are ranked with reference to the reason for it.

Those stats talk about the beginning of a journey and what happens to younger women, again, very much chiming with what Dr Goodey was talking about. We, and also the CEDAW committee, are therefore concerned that the Government does not support inclusion in the national curriculum of personal social and health education, PSHE, which includes education on relationships. We do welcome the Welsh Government's proposed Bill, which includes a commitment to ensure that education on healthy relationships is delivered in all schools. We think that it is in PSHE classes that children, and that is boys as well as girls—coming back to what Dr Goodey was saying—can be taught about the subjects that are envisaged under Article 14 of the Istanbul Convention, which talks about education. In Scotland at the moment the Commission is conducting research into pupils' experience of identity-based bullying, where there is a focus on the LGBT community, and also sexual harassment. We are going to use this evidence to establish an improvement model for reducing such harassment, and we will pilot it in a sample of schools and local authorities. We are also scoping research to explore the nature and incidence of sexual harassment and bullying in secondary schools across Great Britain, and that is going to be with a view to extending effective approaches to other types of identity-based bullying in other school settings.

On protection, there are three stats on issues that arise for the Government. One is that, in the first three months of the new civil legal aid regime, more than half of women affected by violence did not have access to the necessary evidence to support an application for legal aid. Further reforms, such as the residence test, are going to detrimentally affect some women and girls, including trafficking victims. There are exceptions in relation to domestic violence and forced marriage, but we are concerned that they may have been drawn too narrowly. Evidence submitted to the CEDAW committee and raised, again, by the UN Special Rapporteur suggests that there may be shortfalls in the funding of some specialist support services. One example of this is Scottish Women's Aid, which reports that 84% of its members are operating with a reduced or standstill budget; that means that one in five have had to cut services, and one in three women are being turned away from shelters.

Against that, the Commission has contributed to this Committee's forensic analysis of the Government's agenda to transform access to justice, and we have raised concerns at the UN, including most recently in relation to the UN's compliance with the Optional Protocol on the Sale of Children. The CEDAW committee has asked the UK to report back to it next year on the impact on women of civil legal aid cuts, and we will be producing a shadow report. Thirdly, at the end of this month, we will be producing a report following up on our formal assessment of the spending review in 2010, and that will include the work that we have been doing with the Treasury and other departments to ensure that the equality implications of future spending decisions are properly considered.

Coming on to prosecution, as we heard, the UK Government is taking steps to criminalise specific forms of violence against women in order to comply with the Istanbul

Convention, and that includes a prohibition on simulated rape pornography, a Criminal Justice and Courts Bill, and forced marriage; again, that was just recently discussed under the Anti-social Behaviour, Crime and Policing Act. There are issues to do with implementation; even with that, the UK is falling short of standards for implementation. Her Majesty's Inspector of Constabulary has found that, although domestic abuse is a priority on paper, the majority of police forces are still not implementing that in practice, and there is still a level of frustration in terms of implementing Baroness Stern's recommendation on the handling of rape complaints, and those touched on awareness-raising, on the NHS taking responsibility for forensic medical examiners, and on reports from Government back to Parliament on an annual basis. We are currently bidding for additional funding from Government to work with the College of Policing, in fact, in relation to providing human rights education on stop and search, but we are hoping that will move forward into violence against women in future years. Anna?

Anna Henry: I do not have anything to add to that summary.

The Chairman: You have been very comprehensive, so much so, again, you are anticipating a lot of the questions, so please be a little more brief in your answers.

Q29 Baroness O'Loan: You have touched on this, talking about the shortfall in funding, but can you provide some further detail about the Commission's view that there are potential risks to securing the effective implementation of the Government's national strategy on violence against women, because of the lack of a central budget and the Government's emphasis on local decision-making? Further, can you explain how this might impact on the Government's ability to discharge its responsibility to secure the safety of women across the UK? Thank you.

Anna Henry: I would like to echo Dr Goodey's point that the Istanbul Convention is an opportunity to work towards a comprehensive and integrated strategy to tackle violence against women, which is what is really needed. Currently we do not have that mechanism in place. I think we would welcome in the most recent national action plan on violence against women, which was published this March, the commitment to work towards ratification of the Istanbul Convention. Under Article 10 of that Convention there is the obligation that the state party acts as a co-ordinator, as well as the monitor of progress in terms of ratification. From our perspective, that requires greater overall co-ordination and clearly adequate funding of that strategy.

There are some steps in the new action plan that indicate notice of the recommendations made by CEDAW last year for greater co-ordination. There are moves towards standardisation in training on commissioning, for example, a sexual assault services specification, which looks like it aims to standardise, but there is still a commitment to devolved power and local decision-making. It does not yet quite meet the specification of the convention, and we will continue to work with Government to encourage that co-ordination and that greater focus. I echo the point made by Dr Goodey that there is clearly a great focus at the moment on FGM, for example, which is important and has long been campaigned on by many groups but, none the less, significant effort is still needed to combat the wider issue, as shown in the FRA evidence and our domestic evidence. An overall strategy and an effective co-ordinating body would ensure that there were not only

the systems and the objectives in place but also the monitoring to check on progress and to ensure that initiatives were being effective.

Q30 Baroness Berridge: Could you explain the Commission's view concerning the failings of the inter-ministerial group chaired by the Home Secretary and explain further the recommendation for a specific UK-wide co-ordinating body?

Anna Henry: This continues the same concern. While I think it is important there is responsibility at ministerial level—that is clearly an important element—it does not meet particularly often. The members obviously have a range of responsibilities outside of that particular group and, as in my previous point, the need for national co-ordination goes beyond something that such a group could put in place.

We have an action plan at England and Wales level. We also have action plans at the Scottish and Welsh government levels, but that leads to potentially fragmented approaches and is, in the end, not necessarily going to be helpful at particularly identifying good practice and making sure that it is embedded in a unified way. To reiterate one of our main concerns, there is a role specified under the Istanbul Convention for some form of co-ordination to make sure that initiatives are being effective, they are being monitored and, as has been very well set out by the Agency for Fundamental Rights, the complexities, for example, of multiple identities, such as violence experienced by disabled women or those experiencing poverty, are dealt with and are monitored so that we are all assured that the initiatives in place are effective.

Q31 Baroness Lister of Burtersett: I would like to ask some questions about statistics and research. Dr Goodey talked about the inadequacy of statistics across the EU, although actually the UK I think came out relatively well, but I would just like to hear the Commission's views on the inadequacy of the clarity of the statistics that are available. Are there any recommendations you would make for improving data collection analysis, and is there anything you can say about work the Commission itself may be doing or commissioning in this area?

Anna Henry: In work that we have been doing with the Agency for Fundamental Rights for a number of years, we are aware of the fact that our data collection in this country is quite often well advanced in comparison to other European countries. I think we always need to look to how we can improve, and this is an area where there are some gaps and some inconsistencies that are not helping in the development in policy. One particularly is in the experience of violence for those under 18; this is shown, for example, in the work of the Office for the Children's Commissioner, as well as the data that my colleague outlined. The experience of violence within relationships, within schools and within the cyber environment by young people is clearly of great concern. It is somewhere we need to continually seek to improve the way we get the information about what children are experiencing. The ONS Crime Survey for England and Wales is excellent in the European context. It can none the less be improved. We are encouraged to see, in the new national action plan on violence against women, a commitment to working further with the ONS to improve data and also a commitment to undertaking research—for example, to understand women's experience through the pipeline of the criminal justice system. I think these will be very important sources of information. We have set out in our written submission just some areas where data could be improved. There could be better disaggregation, for

example, of data on FGM and on experiences of different types of sexual exploitation and labour exploitation.

I want to reiterate the necessity of that analysis. It is set out in the Istanbul Convention that the Government should be seeking to understand in depth the phenomenon of violence against women in order to be able to target services and measure the effectiveness of services. That is key. In terms of the work that we are doing, we do sustain a measurement framework, as my colleague has said. This includes indicators on violence, and where possible it includes indicators on children's experiences of violence. We will continue to develop this, and work with the ONS ourselves to make sure that it is as effective as it can be.

We are also going to be doing some work on the experience of young people in school environments to understand better the data that were outlined about the numbers of school exclusions that are as a consequence of sexual misconduct, and to understand what is happening on the ground in a more qualitative way and target our work accordingly.

Q32 Baroness Lister of Burtersett: Thank you. Could you also elaborate on the observation you made in your written submission that the research proposals and the action plan are not sufficient to satisfy the relevant article of GR19 with regard to understanding root causes, et cetera?

Anna Henry: Absolutely. It has been made very clear by the presentation of the Agency for Fundamental Rights what a complex and pervasive issue this is. So, I think it is interpreting that obligation at its highest level, because of the need to understand the phenomenon better. What is needed is a range of both qualitative and quantitative understanding of violence against women that will directly inform a strategy. What we do have is data collected in various surveys—not necessarily specifically about violence against women but sometimes just more broadly about the experience of crime. We would want to see, wherever possible, surveys to be developed to make sure that a body of evidence specifically on the causes of violence against women is developing, so that an action plan or initiatives can then be evaluated to see progress.

It not always straightforward; I do accept that. In a way, I think it is very encouraging to hear that our reporting of violence against women is increasing, and is good in comparison to many other European states. That is, no doubt, as a consequence of campaigning that has been going on for a long time to improve that. However, it is clear that we have very high rates of violence and, as I said, violence experienced by those who are under 18. So, I think we have to continually strive to improve the data that is collected and analysed, and also—more importantly—actually used for policy-making.

The Chair: Mr Johnson, do you want to ask a supplementary?

Gareth Johnson: Yes. Thank you very much for your evidence. It has been very interesting. Do you feel, on behalf of the Commission, that there is a danger that we are missing a huge part of violent crime in the country? This is an inquiry into violence against women and girls; it misses out completely violence against men and boys. We know there are huge problems with domestic violence in the gay community, for example. There is an awful lot of non-domestic violence that is committed against men and boys. Do you feel there is a danger that we will not fully understand violence against women and girls until we

get a further understanding of the whole picture here—and that by concentrating purely on one issue of violence, by its very nature the investigation will not fully get to the root causes of the problems?

Anna Henry: We have been discussing the ratification of the Istanbul Convention, which clearly sets out a definition of the issue of violence against women. That is what its provisions seek to challenge. As a Commission, our obligations go beyond violence against women. We have briefly outlined some planned work that we have that particularly looks at the violence experienced by LGB groups. We are planning to develop our understanding of that, and our understanding of what good practice is and the policy recommendations that might be needed—both in terms of the experience of harassment by LGB young people within schools but also much more widely within the community. That is a very important area that has, as Dr Goodey has outlined, significant overlaps with the phenomenon of violence against women.

Secondly, an issue of great concern for us is hate crime directed against disabled people. We have a long-standing piece of work that has investigated the experience of disabled people and shown what a hidden and unrecognised issue that is. We have a very comprehensive set of recommendations that we are working with authorities to implement. We are glad to see, for example, the review by the Law Commission two years ago into the definition of hate crime, which recognised that it could encompass gender but also gender orientation and sexual orientation. That is very important, and it is something that we seek to build on across all of our work.

That is not to negate the experience of violence by men. In our 2010 state of the nation report we did see the levels of violence that were particularly experienced, for example, by some ethnic minority young men. We will continue to monitor that as part of our indicator framework, in an effort to track it along with a number of other experiences of violence.

Mr Buckland: Can I come back to prevention? I am very grateful for your oral and written evidence. Article 16 of the convention, of course, talks about the requirement to set up training programmes for perpetrators. It is a difficult subject; if it is done badly, it can have really adverse consequences for everybody in the family or wider unit. However, if it is done well, I think perpetrator engagement can really deal with some of the root causes of the violence and abuse that occurs in the first place. What particular proposals do you have about the advancement of the aims of Article 16?

Anna Henry: I mentioned this briefly, but I will reiterate that there is a piece of work that we are now just at the beginning of developing. This is a very important element of the convention, and I hope that our work will inform us and provide us with recommendations that are broad and useful. We are going to be focusing on the phenomenon of bullying and sexual harassment in schools. As I say, we are concerned by the numbers of exclusions in schools that are for sexual misconduct, and we want to understand much better what reasons are behind those. We hope that, by tracking and understanding that, we can start to work closely with those local authorities where they have the highest rates. I think it ranges from between one in 1,000 exclusions being for that reason up to 10 in 1,000. This links in to our recommendations about the nature of education and, for example, the role of PSHE. So, we would be seeking to work with those authorities with the highest rates to understand, at that young level, what is happening. That, we hope, will

actually have wider implications, and it could be useful for the wider application of that particular element of the convention.

Q33 Sarah Teather: I just wanted to move on to migration and asylum. Your submission highlighted a number of shortcomings in regard to gender-sensitive procedures in the asylum system. I wondered if you would expand a bit further on the Commission's concerns and particularly how these relate to violence against women, and what action, in your view, is required by the government to remedy these deficiencies?

Anna Henry: There are a number of issues relating to violence against women. First of all, there are obviously the needs of women who are migrants or asylum seekers who have experienced violence. That might potentially be part of the reason that they are here. Secondly, there is the potential that women in this system may experience violence by the nature of the way the system is organised. There are two different concerns there. The issues that we have outlined in our submission pick up on the way in which women in detention may be housed, and whether the system is gender-sensitive enough to provide them with the protection that they need. We are sorry that the Special Rapporteur on violence against women was not able to visit institutions to enable her to get more information about our concerns in that area.

The second issue is around the provision of support for women—for example, for asylum seekers with no recourse to public funds, and for women who are pregnant or who have health needs. For those who may be survivors of domestic violence, that is particularly important. Secondly, again, the practice of dispersal for women who have the need of particular health services can sometimes be negative because it means that they are moving away from where limited support services are available.

Sarah Teather: Can I just ask a supplementary on that?

The Chair: Very quickly.

Sarah Teather: On the detention point, what work do you think the Government should do to increase the transparency of women's experience in Yarl's Wood, for example? They are held in other detention centres but Yarl's Wood is, I imagine, the one that is particularly in your mind given the recent allegations. What would be a practical solution to that?

Anna Henry: This is something that has been in discussion for a long time, but I think one of the most important things is the quality of training and support provided to the staff in those institutions. That is key. It is an action that has been ongoing in terms of the national action plan for violence against women. Coming back to earlier discussions around understanding need and monitoring the effectiveness of policy initiatives, if that training is in place, it needs to be evaluated. We need to be able to see indicators that show it is being effective, and that it is resulting in the protection and support of women—both those who are survivors of domestic violence or other forms of violence and those who may experience violence in the system.

The Chair: Could I thank you all for the comprehensive way in which you have answered all our questions and, again, Dr Goodey particularly for travelling all the way from Vienna to come to appear before us. Thank you all. I apologise to my colleagues who wanted to ask questions; we will write to you with additional questions, and I hope that you will be able to

respond to those questions—particularly those that have not been covered. Time does not allow us to cover any more questions. We have to move to private session now. So, once again, thank you very much.