



INTRODUCTION

Chapter 1 Introduction

“Family violence is one of the most insidious forms of violence against women. It is prevalent in all societies. Within family relationships women of all ages are subjected to violence of all kinds, including battering, rape, other forms of sexual assault, mental and other forms of violence, which are perpetuated by traditional attitudes. (...) These forms of violence put women’s health at risk and impair their ability to participate in family life and public life on a basis of equality”¹

in Committee for the Elimination of Discrimination Against Women [CEDAW],
1992, para. 23

Intimate Partner Violence (IPV) is one of the most widespread forms of domestic violence and has complex and negative consequences that affect the physical, psychological and socio-economic condition of a victim/survivor. It also impacts her family and the community in which she lives. Intimate Partner Violence occurs in all societies and is transversal to all ages, social and economic status, religious, ethnic and cultural groups. IPV also occurs in the context of lesbian, gay, bisexual and transgender – LGBT - (long term) relationships. However, it mostly affects and has impact on women and girls, children, disabled (women and children), elder women or other persons in vulnerable situations.

For the purpose of this manual, we address only violence perpetrated by men against women and children, hereafter called Intimate Partner Violence (IPV), which is one of the many forms of gender-based violence and as such is addressed by several international and national instruments.

IPV is a serious human rights violation and requires that Member States assume their responsibility in the elimination of violence against women, protection of victims/survivors and accountability of perpetrators. To successfully combat and eliminate IPV and DV, the involvement of all relevant actors that constitute a national referral mechanism and the development of systematic measures both for prevention and elimination of violence and protection of victims/survivors are essential.

¹ Committee for the Elimination of Discrimination Against Women [CEDAW], 1992. *General Recommendation No. 19*. Para. 23. Available at: www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm#recom19

1.1 E-MARIA Project

The E-MARIA project intends to contribute towards improving interventions in domestic violence, developing innovative approaches and instruments for risk assessment in order to more accurately assess the likelihood of re-assault and to promote the safety and security of victims/survivors of violence.

Safety and security are basic conditions for victims/survivors to recover from their abusive relationship and to (re)-build their lives violence free.

The main objectives of the project are:

- to create instruments and tools that allow a high level of efficiency in the protection and safety of the victims/survivors and to prevent further victimisation;
- to promote the recovery of victims/survivors of domestic violence, and consequently their empowerment and autonomy, and to prevent further victimisation;
- to promote the collaboration among stakeholders involved in the support and safety planning of women and children, as well as to develop formal and informal networks.

The project is composed by a partnership of four entities from four different countries, namely: AMCV – Association of Women Against Violence (PT) as project coordinator, BUPNET GmbH – Bildung und Projekt Netzwerk (DE), die Berater (AT) and SIF – Social Innovation Fund (LT).

1.2 Need Analysis²

Primarily, all partners implemented a need analysis, the main aim of which was to assess the current state of risk assessment and management in domestic violence at a European level, focusing on existing risk assessment and management tools and practices, safety planning, legal aspects and implications as well as available training for professionals and women victims/survivors.

Within this context, beyond the research and the data gathering, professionals from different fields, such as law enforcement, legal practitioners and social workers, as well as women victims/survivors of IPV have participated in this activity through interviews, questionnaires and focus groups.

²For more information consult the **Need Analyses Final Report** available at www.e-maria.eu

The main results of the Need Analysis were:

European Context

According to the European Women's Lobby (2011) "*political responses and resources allocated to this issue have been piecemeal, unequal and mostly inadequate at both national and European level*"³. In some countries, plans exist only on paper but are never implemented or do not lead to concrete action. Nevertheless, the differences in tackling male violence against women by governments have resulted in different levels of domestic violence intervention, namely on protection of women and children, prosecution of perpetrators, prevention and support provided.

The data on women's shelters on the WAVE (2011) indicates that in 2011 there were "*2,349 women's shelters in the whole of Europe, providing approximately 28,000 shelter places to women and children survivors of violence. According to the minimum standard of one place per 10,000 inhabitants, a total of approximately 82,000 places would be needed in Europe. Thus, there is a shortage of approx. 53,800 places. The average rate of women's shelter places is 0.34 per 10,000 inhabitants*"⁴.

Professionals' Needs

- Most professionals are aware of the existing international legal instruments, which guide their professional practice;
- Most of them are familiar with risk assessment tools; nevertheless they have a lack of procedures to support their practice and/or multi-agency intervention. The same applies to the development of safety plans without established coherent procedures;
- The majority of the participants expressed the desire to take part in specific training courses on risk assessment and management and its procedures, as well as on professional/organisational roles.

³ European Women's Lobby [EWL], 2011. *National Action Plans on Violence Against Women in the EU - EWL Barometer*. (p.4). Available at www.womenlobby.org/spip.php?article2480&lang=en

⁴ Women Against Violence Europe [WAVE], 2011. *Country Report: Violence against women and migrant and minority women - 2011*. (p. 15) Austria. Available at: http://www.aeof.at/cms/doc/CR_komplett_2011_NEU.pdf

Women's Needs

The majority of women victims/survivors expressed also the desire to participate in training courses that support them in order to:

- Recognise the specificity of the situation of domestic violence that they are living in;
- Identify the signs of violence and be aware of the violence and its various types, available resources and existing support;
- Be aware of their rights;
- Recognise and assess the actual risk when experiencing violence;
- Develop and apply individual protection strategies aimed to increase their safety while living with the perpetrators, as well as after leaving them;
- Strengthen their process of autonomy.

The Need Analysis Report confirms that there is a deficiency on knowledge and training on risk assessment and management (tools and their application, legal measures, procedures etc.), safety planning and DV intervention and professional roles. It also showed that there is a need for training programmes on risk assessment.

The Report also confirmed the lack of coherent and sustainable training for women victims/survivors, the need to understand and contextualise the DV situations, as well as to get more information about their rights and how to protect themselves.

1.3 Why a European Manual

This European Manual focuses on the needs of women and girls and follows a human rights-based approach. We consider that it will be an important contribution for the safety and security of women victims/survivors of Intimate Personal Violence (IPV) taking into account the gap between the daily reality of women's lives, national laws and international state commitments in this field.

Issues like those listed below must be recognised and become part of our concerns and integrated into the design of future interventions. For example:

- Women are still being killed by their partners or former partners, despite the increase of awareness regarding IPV.
- The efforts and commitment of professionals in the protection of women and children, victims/survivors of violence, are still not wholly effective.

- The involvement of several key agencies at community level is still lacking.
- An integrated and coherent approach, between the different professionals, public services, NGOs and other entities intervening in IPV situations, is still missing.
- A common understanding about domestic violence, IPV, gender violence and risk language is yet to be built.
- The promotion of the victim/survivor recovery through the empowerment and educational approach is not a common culture yet.

Considering the current mobility of citizens within the EU, it is clear that a more coherent approach with common guidelines is crucial in order to ensure a better protection of victims/survivors and the accountability of perpetrators.

This Manual on Risk Assessment is meant to provide guidance to support the practice of professionals, with a special focus on law enforcement, legal practitioners and frontline professionals, as well as other professionals that intervene directly on women and children victims/survivors of violence. It also intends to contribute to their intervention processes in order to build a common language, embrace and reinforce common principles of intervention on risk assessment and management.

Consequently, the final result should contribute towards the prevention of re-victimisation and a decrease in the number of women killed in the context of gender-based violence, particularly intimate partner violence.

Along this Manual, examples of good practices in the risk assessment and management process will be presented in order to establish proposals contributing to the adoption of a common approach at local, national and European levels, and an effective and quality intervention model in view of the protection of the victim/survivor's rights.

1.4 How to Use the Manual

The main focus of the Manual is risk assessment and management in the context of Intimate Partner Violence as a gender-based violence. Therefore, its approach is centred on women and children victims/survivors of violence.

In this Manual, children are all girls and boys under 18 years old, as defined by the United Nations. There is no chapter dedicated to children, but their specificities and needs are taken into account.

The Manual has an **Introductory Chapter** and five core chapters:

- **Chapter 2: Women Human Rights Context** – provides an overview of women human rights landmark documents, work and progress with specific reference to violence against women (VAW) and IPV;
- **Chapter 3: Risk Language** – gives an overview of intimate partner violence (basic understanding), risk definitions and dynamics as well as basic assumptions of the intervention in this field;
- **Chapter 4: Risk Assessment** – offers practical tools for understanding myths, indicators, methods, procedures and professionals roles;
- **Chapter 5: Risk Management** – outlines the intervention process, safety plans, multi-agency approach and information-sharing;
- **Chapter 6: Community Networks** – includes the construction of a coordinated and integrated response on IPV.

For a broader understanding of the topic, the consultation of additional documents and information, presented in the end of the Manual, is advised.

It is crucial that professionals working on a daily basis with victims/survivors keep the strong link with researchers and academics and link “women voices” to women movements work and research for a more comprehensive and tailored response.

1.5 Principles

The Manual is based on a set of principles, as follows:

- It has a human rights-based approach;
- It focuses on women and girls' needs;
- It recognises violence against women and girls as a human rights violation;
- It recognises Intimate Partner Violence as a gender-based violence;
- It recognises that many abusive behaviours are crimes and therefore punishable by law;
- It recognises that the majority of perpetrators are men and that they should be held accountable for their acts;
- It defends that the EU Member States must guarantee the protection of women, girls and children;
- It recognises that women and children have the right to be safe and live a life without violence;
- It defends that women have the right to confidentiality and safe intervention;
- It advocates that professionals should respect women's decisions and validate their experience of violence;
- It claims that, in order to make an informed decision, professionals must inform women about their rights and options;
- It is based on the principle of empowerment and encourages professionals and agencies to adopt this approach, in order to empower and strengthen victims/survivors of violence;
- It proposes that interventions should support women and children to (re)build their lives;
- It recognises women as agents of their own change;
- It recognises that IPV occurs in all societies;
- It recognises that IPV is transversal to all ages, social and economic stages, religious, ethnic and cultural groups;
- It recognises that IPV occurs within in the context of LGBT relationships;
- It recognises that IPV affects and has impact on women, young people, children, disabled women and children, older women or other people in vulnerable situations.

1.6 Target Group

The Manual is designed for professionals intervening in the field of Intimate Partner Violence, with a special focus on:

- legal practitioners;
- law enforcement professionals;
- professionals from frontline services, and
- all those responsible for the implementation of risk assessment and risk management procedures.



E-MARIA

www.e-maria.eu

EUROPEAN MANUAL FOR RISK ASSESSMENT

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