



Module 1

OVERVIEW AND INTRODUCTION

Essential Services Package for
Women and Girls Subject to Violence
Core Elements and Quality Guidelines





MODULE 1

Introduction

The Essential Services Package comprises five Modules:

| Module 1. Overview and introduction | Module 2. Health | Module 3. Justice and policing | Module 4. Social services | Module 5. Coordination and governance of coordination |
|---|--|--|--|---|
| <p>Chapter 1: Introduction to essential services package</p> <p>1.1 Introduction 1.2 Context 1.3 Purpose and scope 1.4 Language and terms</p> | <p>Chapter 1: Introduction to essential health services</p> <p>1.1 Introduction 1.2 Purpose and scope 1.3 Language and terms</p> | <p>Chapter 1: Introduction to essential justice and policing services</p> <p>1.1 Introduction 1.2 Purpose and scope 1.3 Language and terms</p> | <p>Chapter 1: Introduction to essential social services</p> <p>1.1 Introduction 1.2 Purpose and scope 1.3 Language and terms</p> | <p>Chapter 1: Introduction to essential coordination and governance actions</p> <p>1.1 Introduction 1.2 Purpose and scope 1.3 Language and terms</p> |
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CHAPTER 1:

INTRODUCTION TO ESSENTIAL SERVICES PACKAGE

1.1 Introduction

The **United Nations Joint Global Programme on Essential Services for Women and Girls Subject to Violence** (the “Programme”), a partnership by UN Women, UNFPA, WHO, UNDP and UNODC, aims to provide greater access to a coordinated set of essential and quality multi-sectoral services for all women and girls who have experienced gender based violence.

The Programme identifies the **essential services** to be provided by the health, social services, police and justice sectors (the “Essential Services”) as well as guidelines for the coordination of Essential Services and the governance of coordination processes and mechanisms (the “Coordination Guidelines”). Service delivery guidelines for the core elements of each essential service have been identified to ensure the delivery of high quality services, particularly for low and middle income countries for women and girls experiencing violence. Taken together, these elements comprise the “**Essential Services Package**”.

The Essential Services Package comprises five overlapping modules:

- Module 1: Overview and Introduction
- Module 2: Health Essential Services
- Module 3: Justice and Policing Essential Services
- Module 4: Essential Social Services
- Module 5: Essential Actions for Coordination and Governance of Coordination

The Essential Services Package reflects the vital components of coordinated multi-sectoral responses for women and girls subject to violence. The provision, coordination and governance of essential health, police, justice and social services can significantly mitigate the consequences that violence has on the well-being, health and safety of women and girls’ lives, assist in the recovery and empowerment of women, and stop violence from reoccurring. Essential services can diminish the losses experienced by women, families and communities in terms of productivity, school achievement, public policies and budgets, and help break the recurrent cycle of violence. The Essential Service Package also plays a key role in poverty reduction and development and efforts to achieve the newly agreed 2015 Sustainable Development Goals.

The Essential Services Package aims to fill the gap between the agreements and obligations made at the international level for the provision of services for VAW, including the agreed conclusions of the 2013 Commission on the Status of Women, and country level activity by providing technical guidance on how to develop quality essential services.” services-responses. These obligations are detailed in human rights instruments, international agreements and accompanying declarations and policies that provide global norms and standards upon which to build the Essential Services Package. While extensive commitment to respond to, and prevent violence against women and girls has occurred at a global level over

the last decades, many women and girls have inadequate or no access to the range of supports and services that can protect them, assist in keeping them

1.2 Context

Violence against women and girls is widespread, systemic and culturally entrenched. The United Nations Secretary-General has described it as reaching pandemic proportions.¹ Violence against women consists of “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivations of liberty, whether occurring in public or in private life.”² Gender-based violence, violence that is directed against a woman because she is a woman or which affects women disproportionately,³ takes many forms. In addition to physical and sexual violence, violence against women and girls includes psychological and emotional harm and abuse, sexual harassment, female genital mutilation, abuse resulting from allegations of sorcery and witchcraft, so-called honour killings of women and girls, trafficking of women and girls, female infanticide and other harmful practices. Intimate partner violence and non-partner sexual violence are among the most pervasive and insidious forms of violence against women and girls. The term ‘violence against women’ includes violence against girls, particularly girls that could use the essential services provided for women.

According to a 2013 global review by the World Health Organization (WHO), 35 percent of women worldwide have experienced physical and/or sexual

safe, and support them to address the short and long term consequences of experiencing various forms of violence.

intimate partner violence or non-partner sexual violence.⁴ More than seven percent of women globally reported ever having experienced non-partner sexual violence.⁵ Some country studies show that up to 70 percent of women experience physical or sexual violence from men in their lifetimes, the majority by a husband or other intimate partner.⁶ It is estimated that one in five girls has been abused in childhood with estimates from some countries as high as one in three.⁷ Gender based power relations within society put many girls at a much higher risk than boys for some forms of violence, and sexual violence in particular. A study of men’s use of violence in selected sites in seven countries in Asia and the Pacific revealed that 26-80 percent of men reported having perpetrated physical and/or sexual intimate partner violence, and 10-40 percent of men reported committing non-partner rape, citing sexual entitlement as the most common motivation.⁸

1 United Nations (2006) Secretary-General’s In-depth Study on Violence Against Women A/61/122/Add.1.

2 Declaration on the Elimination of Violence against Women, Article 1, retrieved from [http://www.unhchr.ch/huridocda/huridoca.nsf/\(Symbol\)/A.RES.48.104.En?Opendocument](http://www.unhchr.ch/huridocda/huridoca.nsf/(Symbol)/A.RES.48.104.En?Opendocument).

3 See for example, the Committee on the Elimination of All Forms of Discrimination against Women (CEDAW), General Recommendation No. 19, retrieved from <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm>.

4 WHO, Global and Regional Estimates of Violence against Women, p. 2 (“Only women aged 15 years and older were included, to differentiate violence against women from child sexual abuse.” p. 12), retrieved from http://apps.who.int/iris/bitstream/10665/85239/1/9789241564625_eng.pdf.

5 *Ibid*, p. 18.

6 UN Women “Violence against Women: Facts and Figures” SAY NO UNITE TO END VIOLENCE AGAINST WOMEN, retrieved from www.saynotoviolence.org/issues/facts-and-figures. Population surveys have found that between 10-70% of women report being physically assaulted by an intimate male partner at some point in their lives, see Heise, L, Ellsberg, M. and Gottemoeller, M. (1999) Ending Violence against Women (Baltimore, MD: John Hopkins University School of Public Health). The UN Secretary-General’s Study, *supra* note 1 states that violence against women affects one third of all women in their lifetime.

7 http://www.who.int/violence_injury_prevention/violence/status_report/2014/en/ p. 14

8 UN Women (2013) Why do some men use violence against women and how can we prevent it? Quantitative findings from the United Nations Multi-country Study on Men and Violence in Asia and the Pacific (UN Women, UNFPA, UNDP and UN Volunteers).

Several studies suggest that, globally, half of all female homicide victims are killed by their current or former husbands or intimate partners.⁹

Violence against women and girls has detrimental and long lasting consequences to the well-being, health and safety of women and girls, along with economic consequences, effects on educational outcomes, and impact on the productivity and development of societies and countries. While extensive commitment to respond to, and prevent violence against women and girls has occurred at a global level over the last

9 See for example, UNODC, Global Study on Homicide 2013, p. 14, available at http://www.unodc.org/documents/data-and-analysis/statistics/GSH2013/2014_GLOBAL_HOMICIDE_BOOK_web.pdf.

1.3 Purpose and scope

The purpose of the Essential Services Package is to support countries as they work to design, implement and review services for all women and girls who are victims and survivors of violence, in a broad range of settings and situations. The Package is a practical tool for countries setting out a clear roadmap on how to ensure the provision and coordination of quality services of all sectors. It is designed to ensure that the services of all sectors are coordinated and governed to respond in a comprehensive way, are women-centred and where necessary, child-centred, and are accountable to victims and survivors and to each other. The guidelines for each core element of the essential services are designed to ensure a quality response to violence against women and girls.

The way in which essential services are implemented will vary from one country to another. Some countries may already have the described services in place; others may need to adapt existing services or progressively implement new services, or take additional measures to meet these standards. It is critical that each country has a plan in place to achieve identified standards, and to ensure that measurement and accountability processes and mechanisms are in

place to ensure that services are being delivered and are of the required quality.

decades, many women and girls have little or no access to the support and services that can protect them, assist in keeping them safe, and address the short and long-term consequences of experiencing violence. Thus, government commitment to addressing violence against women and girls is critical to achieving the goals of these Guidelines.

The international obligation to exercise due diligence requires States to establish effective measures to prevent, investigate and prosecute cases of violence against women. This includes effective means to respond to each case of violence, as well as address the structural causes and consequences of the violence, by ensuring comprehensive legal and policy frameworks, gender sensitive justice systems and police, available health and social services, awareness raising activities and ensuring the quality of all measures.

place to ensure that services are being delivered and are of the required quality.

While the Guidelines may be applied to other forms of violence against women and girls, they are primarily intended for situations of intimate partner violence, and non-partner sexual violence. The focus is primarily on responding to violence by taking action at the earliest stages of violence, and intervening to prevent the reoccurrence of violence. These guidelines focus on services and responses designed for women but take into consideration the needs of those girls who are of an age where they may use such services. Where relevant, these guidelines also highlight what needs to be considered for women and girls who are accompanied by their children when using essential services. Not only are women and girls overwhelmingly the victims of male violence and abuse, the United Nations acknowledges that violence against women “is a manifestation of the historically unequal power relations between men and women which have led to domination over and discrimination against women by men”.¹⁰ As a result, the dynamics of violence

¹⁰ United Nations Declaration on the Elimination of Violence against Women.

against women, the forms of violence that women experience, the severity, frequency and consequences are very different from violence experienced by men.

The scope of the Essential Services Package is complemented by the focus of UNICEF, which, among other things, works to ensure all children live free from violence. UNICEF will continue to develop significant guidance and responses for children as

1.4 Language and terms

Coordination is a central element of the response to violence against women and girls. It is required by international standards that aim at ensuring that the response to violence against women and girls is comprehensive, multidisciplinary, coordinated, systematic and sustained. It is a process that is governed by laws and policies. It involves a collaborative effort by multi-disciplinary teams and personnel and institutions from all relevant sectors to implement laws, policies, protocols and agreements and communication and collaboration to prevent and respond to violence against women and girls. Coordination occurs at the national level among ministries that play a role in addressing this violence, at the local level between local-level service providers, stakeholders and, in some countries, at intermediate levels of government between the national and local levels. Coordination also occurs between the different levels of government.

Core elements are features or components of the essential services that apply in any context, and ensure the effective functioning of the service.

Essential Services encompass a core set of services provided by the health care, social service, police and justice sectors. The services must, at a minimum, secure the rights, safety and well-being of any woman or girl who experiences gender-based violence.

Formal justice systems are justice systems that are the responsibility of the State and its agents. They include government supported laws, and institutions such as police, prosecution services, courts, and prisons that have the responsibility to enforce and apply the laws

victims of violence. The Guidelines, while universally applicable, have been developed specifically with consideration for low to medium income countries. It is also important to note that these guidelines do not focus on interventions in crisis or humanitarian settings. However the responses described within these guidelines are complementary, to the extent possible within current guidelines, to those that focus on crisis/humanitarian settings.

of the State and to administer the sanctions imposed for violations of laws.

Gender based violence is “any act of violence that is directed against a woman because she is a woman or that affects women disproportionately”.¹¹

Governance of coordination has two major components. The first component is the creation of laws and policies required to implement and support the coordination of Essential Services to eliminate or respond to violence against women and girls. The second component is the process of holding stakeholders accountable for carrying out their obligations in their coordinated response to violence against women and girls and ongoing oversight, monitoring and evaluation of their coordinated response. Governance is carried out at both the national and local levels.

Health system refers to (i) all activities whose primary purpose is to promote, restore and/or maintain health; (ii) the people, institutions and resources, arranged together in accordance with established policies, to improve the health of the population they serve.¹²

Health care provider is an individual or an organization that provides health-care services in a systematic way. An individual health-care provider may be a health-care professional, a community health worker; or any other person who is trained and knowledgeable in health. Organizations include hospitals, clinics,

¹¹ CEDAW, General Recommendation No. 19, para 6.

¹² WHO, Health System Strengthening: Glossary, found at www.who.int/healthsystems/Glossary_January2011.pdf.

primary care centres and other service delivery points. Primary health care providers are nurses, midwives, doctors or others.¹³

Intimate partner violence is “the most common form of violence experienced by women globally . . . and includes a range of sexually, psychologically and physically coercive acts used against adult and adolescent women by a current or former intimate partner, without her consent. Physical violence involves intentionally using physical force, strength or a weapon to harm or injure the woman. Sexual violence includes abusive sexual contact, making a woman engage in a sexual act without her consent, and attempted or completed sex acts with a woman who is ill, disabled, under pressure or under the influence of alcohol or other drugs. Psychological violence includes controlling or isolating the woman, and humiliating or embarrassing her. Economic violence includes denying a woman access to and control over basic resources.”¹⁴

Justice service provider includes State/government officials, judges, prosecutors, police, legal aid, court administrators, lawyers, paralegals, and victim support/social services staff.

The **Justice continuum** extends from a victim/survivor’s entry into the system until the matter is concluded. A woman’s journey will vary, depending on her needs. She may pursue a variety of justice options, ranging from reporting or making a complaint which initiates a criminal investigation and prosecution or seeking protection, and/or pursuing civil claims including divorce and child custody actions and/or compensation for personal or other damages, including from State administrative schemes, concurrently or over time.

Multi-disciplinary response teams are groups of stakeholders who have entered into agreements to work in a coordinated manner to respond to violence against women and girls within a community. These teams are focused on ensuring an effective response to individual cases and may contribute to policy making.

13 WHO (2013) Responding to intimate partner violence and sexual violence against women: WHO clinical and policy guidelines at page vii.

14 UN Secretary-General’s Study, supra note 1, para 111- 112.

Non-partner sexual violence “refers to violence by a relative, friend, acquaintance, neighbor, work colleague or stranger”.¹⁵ It includes being forced to perform any unwanted sexual act, sexual harassment and violence perpetrated against women and girls frequently by an offender known to them, including in public spaces, at school, in the workplace and in the community.

Quality guidelines support the delivery and implementation of the core elements of essential services to ensure that they are effective, and of sufficient quality to address the needs of women and girls. Quality guidelines provide ‘the how to’ for services to be delivered within a human rights-based, culturally-sensitive and women’s-empowerment approach. They are based on and complement international standards and reflect recognized best practices in responding to gender-based violence.

The **social services sector** provides a range of support services to improve the general well-being and empowerment to a specific population in society. They may be general in nature or provide more targeted responses to a specific issue; for example responding to women and girls experiencing violence. Social services for women and girls who have experienced violence includes services provided by, or funded by government (and therefore known as public services) or provided by other civil society and community actors, including non-governmental organizations and faith-based organizations.

Social services responding to violence against women and girls are specifically focused on victims/survivors of violence. They are imperative for assisting women’s recovery from violence, their empowerment and preventing the reoccurrence of violence and, in some instances, work with particular parts of society or the community to change the attitudes and perceptions of violence. They include, but are not limited to, providing psycho-social counselling, financial support, crisis information, safe accommodation, legal and advocacy services, housing and employment support and others, to women and girls who experience violence.

15 *Ibid.* at para 128.

Stakeholders are all government and civil society organizations and agencies that have a role in responding to violence against women and girls at all levels of government and civil society. Key stakeholders include victims and survivors and their representatives, social services, health care sector, legal aid providers, police, prosecutors, judges, child protection agencies, and the education sector, among others.

Victim / survivor refers to women and girls who have experienced or are experiencing gender based

violence to reflect both the terminology used in the legal process and the agency of these women and girls in seeking essential services.¹⁶

Violence against women (VAW) means “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.”¹⁷

¹⁶ UN Secretary-General’s Study, *supra* note 1, notes the ongoing debate the terms victim and survivor. Some suggest that “the term “victim” should be avoided because it implies passivity, weakness and inherent vulnerability and fails to recognize the reality of women’s resilience and agency. For others the term “survivor” is problematic because it denies the sense of victimization experienced by women who have been the target of violent crime”. Therefore, these guidelines use the term “victim/survivor”.

¹⁷ Declaration on the Elimination of Violence Against Women, Article 1.

CHAPTER 2:

COMMON PRINCIPLES, CHARACTERISTICS AND FOUNDATIONAL ELEMENTS

Research and practice suggests that the manner in which services are provided has a significant impact on their effectiveness. Key to responding to violence against women and girls and maintaining women and girls' safety and well-being is an understanding of the gendered nature of the violence, its causes and consequences and providing services within a culture of women's empowerment which assist women and girls to consider the range of choices available to them and support their decisions. In delivering quality essential services, countries must consider the overriding principles that underpin the delivery of all essential services and the foundational elements which must be in place to support the delivery of each essential service. These principles and foundational elements are reflected in common characteristics and activities that cut across the health, social services, police and justice sectors and the coordination and governance mechanisms.

The principles, common characteristic and foundational elements for Essential Services for women and girls subject to violence can also be found within international legal instruments. States around the world have negotiated and agreed to support a set of global norms and standards for addressing violence against women and girls including:

- The 1979 Convention on the Elimination of all Forms of Discrimination against Women¹⁸ and the 1989 Convention on the Rights of the Child¹⁹ provide the human rights based framework.
- The 1993 Declaration on the Elimination of Violence against Women²⁰, the 1995 Beijing Declaration and

Platform for Action²¹, as well as numerous General Assembly and Human Rights Council resolutions, along with General Recommendation No. 19 of the Committee on the Elimination of All Forms of Discrimination against Women, clearly outline what States should be doing to address this issue.

- More recently, the Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice²² provide broad recommendations that cover substantive, procedural, and operational criminal justice issues while recognizing

18 General Assembly resolution 34/180.

19 General Assembly resolution 44/25.

20 General Assembly resolution 48/104.

21 Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995 (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I and annex II.

22 General Assembly resolution 65/457, annex.

the importance of a holistic, coordinated multi-disciplinary response.

- The Agreed Conclusions²³ adopted by the Commission on the Status of Women at its 57th session provides further guidance for establishing comprehensive, coordinated, inter-disciplinary, accessible and sustained multi-sectoral services for all victims and survivors of all forms of violence against women and girls.

2.1 Principles

The following overlapping principles underpin the delivery of all essential services and coordination of those services:

- A rights-based approach
- Advancing gender equality and women's empowerment
- Culturally and age appropriate and sensitive
- Victim/survivor centred approach
- Safety is paramount
- Perpetrator accountability.

A rights-based approach

Rights-based approaches to the delivery of quality essential services recognize that States have a primary responsibility to respect, protect, and fulfill the rights of women and girls. Violence against women and girls is a fundamental breach of women and girls' human rights, particularly her right to a life free from fear and violence. A human rights approach calls for services that prioritize the safety and well-being of women and girls and treat women and girls with dignity, respect and sensitivity. It also calls for the highest attainable standards of health, social, justice and policing services – services of good quality, available, accessible and acceptable to women and girls.²³

A key principle arising from this global normative framework is the obligations for States to exercise due diligence in the areas of prevention, protection, prosecution, punishment, and provision of redress and reparations.

Strong leadership at all levels and an ongoing commitment to the guiding principles, common characteristics and the development and implementation of strong foundational elements are essential for successful design, implementation and review of a sustainable, effective, quality response to violence against women.

Advancing gender equality and women's empowerment

The centrality of gender inequality and discrimination, as both a root cause and a consequence of violence against women and girls, requires that services ensure gender sensitive and responsive policies and practices are in place. Services must ensure that violence against women and girls will not be condoned, tolerated or perpetuated. Services must promote women's agency where women and girls are entitled to make their own decisions, including decisions that refuse essential services.

Culturally and age appropriate and sensitive

Culturally and age appropriate and sensitive essential services must respond to the individual circumstances and life experiences of women and girls taking into account their age, identity, culture, sexual orientation, gender identity, ethnicity and language preferences. Essential services must also respond appropriately to women and girls who face multiple forms of discrimination - not only because she is a woman, but also because of her race, ethnicity, caste, sexual orientation, religion, disability, marital status, occupation or other characteristics – or because she has been subjected to violence.

Victim/survivor-centered

Victim/survivor-centred approaches place the rights, needs and desires of women and girls as the centre of focus of service delivery. This requires consideration of the multiple needs of victims and survivor, the various

23 E/2013/27.

risks and vulnerabilities, the impact of decisions and actions taken, and ensures services are tailored to the unique requirements of each individual women and girl. Services should respond to her wishes.

Safety is paramount

The safety of women and girls is paramount when delivering quality services. Essential services must prioritize the safety and security of service users and avoid causing her further harm.

2.2

Common characteristics of quality essential services

Essential services share a range of common characteristics and common activities. These are applicable regardless of the specific 'sector' that may be responding to women and girls experiencing violence. Service delivery across all essential services and actions should have the following key characteristics:

- Availability
- Accessibility
- Adaptability
- Appropriateness
- Prioritize safety
- Informed consent and confidentiality
- Effective communication and participation by stakeholders in design, implementation and assessment of services.
- Data collection and information management
- Linking with other sectors and agencies through coordination

Availability

Essential health care, social services, justice and policing services must be available in sufficient quantity and quality to all victims and survivors of violence regardless of her place of residence, nationality, ethnicity, caste, class, migrant or refugee status, indigenous status, age, religion, language and level of literacy, sexual orientation, marital status, disabilities or any other characteristic not considered.

Perpetrator accountability

Perpetrator accountability requires essential services, where appropriate, to effectively hold the perpetrators accountable while ensuring fairness in justice responses. Essential services need to support and facilitate the victim/survivor's participation with the justice process, promote her capacity of acting or exerting her agency, while ensuring that the burden or onus of seeking justice is not placed on her but on the state.

Guidelines

- Service delivery must be created, maintained and developed in a way that guarantee women and girl's access to comprehensive services without discrimination in the whole territory of the State, including remote, rural and isolated areas.
- Services are delivered to reach all populations, including the most excluded, remote, vulnerable and marginalized without any form of discrimination regardless of their individual circumstances and life experiences of women and girls including their age, identity, culture, sexual orientation, gender identity, ethnicity and language preferences
- Service delivery is organized to provide women and girls with continuity of care across the network of services and over their life cycle.
- Consider innovative service delivery to broaden coverage of service delivery such as mobile health clinics and courts as well as the creative use of modern IT solutions when feasible.

Accessibility

Accessibility requires services to be accessible to all women and girls without discrimination. They must be physically accessible (services are within safe physical reach for all women and girls), economically accessible (affordability) and linguistically accessible (information is provided in various formats).

Guidelines

- Women and girls are able to access services without undue financial or administrative burden. This means services should be affordable, administratively easy to access, and in certain cases, such as police, emergency health and social services, free of charge.
- Services must be delivered as far as possible, in a way that considers the language needs of the user.
- Service delivery procedures and other information about essential services are available in multiple formats (for example, oral, written, electronically) and user-friendly and in plain language to maximize access and meet the needs of different target groups.

Adaptability

Essential services must recognize the differential impacts of violence on different groups of women and communities. They must respond to the needs of victims and survivors in ways that integrate human rights and culturally sensitive principles.

Guidelines

- Services understand and respond to the individual circumstances and needs of each victim / survivor.
- A comprehensive range of services are provided to allow women and girls to have options to services that best meet their individual circumstances.

Appropriateness

Appropriate essential services for women and girls are those which are delivered in a way that is agreeable to her: respects her dignity; guarantees her confidentiality; is sensitive to her needs and perspectives; and minimizes secondary victimization.²⁴

²⁴ Secondary victimization has been defined in the UN Updated Model Strategies and Practical Measures to be victimization that occurs not as a direct result of the act but by through the inadequate response of institutions and individuals to the victim.

Guidelines

- Efforts are made to reduce secondary victimization, for example, minimize the number of times she has to relay her story; the number of people she must deal with; and ensuring trained personnel are available.
- Women and girls are supported to fully understand their options.
- Women and girls are empowered to feel able to help herself and to ask for help.
- Women and girls' decisions are respected after ensuring she fully understands the options available to her.
- Services should be delivered in a way that responds to her needs and concerns without intruding on her autonomy.

Prioritize safety – risk assessment and safety planning

Women and girls face many risks to their immediate and ongoing safety. These risks will be specific to the individual circumstances of each women and girls. Risk assessment and management can reduce the level of risk. Best practice risk assessment and management includes consistent and coordinated approaches within and between social, health and police and justice sectors.

Guidelines

- Services use risk assessment and management tools specifically developed for responding to intimate partner violence and non-partner sexual violence.
- Services regularly and consistently assess the individual risks for each women and girl.
- Services use a range of risk management options, solutions and safety measures to support the safety of women and girls.
- Service providers should ensure that women and girls receive a strengths-based, individualized plan that includes strategies for risk management.
- Services must work with all agencies including health, social services, justice and policing services to coordinate risk assessment and management approaches.

Effective Communication and Participation by Stakeholders in design, implementation and assessment of services

Women and girls need to know that she is being listened to and that her needs are being understood and addressed. Information and the way it is communicated can empower her to seek essential services. All communication with women and girls must promote their dignity and be respectful of them.

Guidelines

- Service providers must be non-judgmental, empathetic and supportive.
- Women and girls must have the opportunity to tell her story, be listened to, and have her story accurately recorded and to be able to express her needs and concerns according to their abilities, age, intellectual maturity and evolving capacity.
- Service provider must validate her concerns and experiences by taking what she says seriously, not blame or judge her.
- Service providers must provide information and counselling that helps her to make her own decisions.

Informed consent and confidentiality

All essential services must be delivered in a way that protects the woman or girl's privacy, guarantees her confidentiality, and discloses information only with her informed consent, to the extent possible. Information about the woman's experience of violence can be extremely sensitive. Sharing this information inappropriately can have serious and potentially life threatening consequences for the women or girls and for the people providing assistance to her.

Guidelines

- Services have a code of ethics for the exchange of information (in accordance with existing legislation), including what information will be shared, how it will be shared and who it will be shared with.
- Service providers working directly with women and girls are informed about, and comply with, the code of ethics.
- Information relating to individual women and girls is treated confidentially, and stored securely.

- Women and girls are supported to fully understand their options and the implications of disclosure.
- Service providers understand, and comply with, their responsibilities with respect to confidentiality.

Data collection and information management

The consistent and accurate collection of data about the services provided to women and girls is important in supporting the continuous improvement of services. Services must have clear and documented processes for the accurate recording and confidential, secure storage of information about women and girls, and the services provided to them.

Guidelines

- Ensure there is a documented and secure system for the collection, recording and storing of all information and data.
- All information about women and girls who are accessing services is stored securely including: client files, legal and medical reports, and safety plans.
- Ensure accurate data collection by supporting staff to understand and use the data collection systems, and providing them adequate time to enter data in data collection systems.
- Ensure data are only shared using agreed protocols between organizations.
- Promote the analysis of data collection to assist in understanding the prevalence of violence, trends in using the essential services, evaluation of existing services and inform prevention measures.

Linking with other sectors and agencies through referral and coordination

Linking with other sectors and agencies through coordination, such as referral pathways, assist women and girls receive timely and appropriate services. Referral processes must incorporate standards for informed consent. To ensure the smooth navigation of the different essential services for victims and survivors, protocols and agreements about the referral process with relevant social, health and justice services, including clear responsibilities of each service, need to be in place.

Guidelines

- Procedures between services for information sharing and referral are consistent, known by agency staff, and communicated clearly to women and girls.

- Services have mechanisms for coordinating and monitoring the effectiveness of referrals processes.
- Services refer to child specific services as required and appropriate.

2.3 Foundational elements

For services and service delivery to be of high quality, States and the health, police, justice and social services sectors must ensure there are strong foundations in place to support these efforts.

Comprehensive legislation and legal frameworks

States should have a comprehensive legal framework that provides the legal and judicial basis for victims/survivors' seeking health, social services, justice and policing services.

Governance, oversight and accountability

Governance, oversight and accountability are required to ensure that the State's duty to provide quality essential services is met. Elected and government officials are encouraged to support these efforts by facilitating dialogue on whether and how guidelines should be implemented; determining the quality of service standards, and in monitoring compliance with service standards and identifying systemic failures in their design, implementation and delivery. Women and girls need to have recourse when essential services are denied, undermined, unreasonably delayed or lacking due to negligence. Accountability is vital to ensuring essential services are available, accessible, adaptable and appropriate. Accountability is enhanced by participation by stakeholders in design, implementation and assessment of services.

Resources and financing

Resources and financing are required to build and sustain each sector as well as an integrated

coordinated system that has capacity and capability to provide quality essential services that effectively and efficiently respond to violence against women and girls.

Training and workforce development

Training and workforce development ensures that sector agencies and coordination mechanisms have the capacity and capability to deliver quality services, and that service providers have the competency required to fulfill their roles and responsibilities. All service providers require opportunities to build their skills and expertise and to ensure their knowledge and skills remain up to date.

Monitoring and evaluation

Continuous improvement by sectors, informed by regular monitoring and evaluation, is needed to deliver quality services to women and girls experiencing violence. This relies on collection, analysis and publication of comprehensive data on violence against women and girls in a form that can be used to gauge and promote quality service provisions.

Gender sensitive policies and practices

Policies in each sector and for coordination mechanisms need to be gender sensitive as well as integrated into a National Action Plan to Eliminate Violence against Women. For each sector to work with and alongside other services in an integrated way to provide the most effective response to women and girls subjected to violence, each sector policies should be linked with a national policy.

CHAPTER 3:

HOW TO USE THIS TOOL

3.1

Essential services guidelines framework

The Framework for the Essential Services Guidelines for the delivery of quality essential services incorporates four interlinked components:

- **Principles** which underpin the delivery of all essential services.
- **Common characteristics** which describe a range of activities and approaches that are common across all areas and which support the effective functioning and delivery of services.
- **Essential services and actions** which set out the guidelines required for services to secure the human rights, safety and well-being of any woman, girls or child who experience intimate partner violence and or non-partner sexual violence. Essential services are grouped into three sector specific areas: **health, justice and policing and social services**. They are underpinned by a fourth element: essential actions for **coordination and governance of coordination**.
- **Foundational elements** which must be in place to enable the delivery of quality services across all essential services and actions.

Essential Services Package: Overall framework diagram

| | | | |
|------------------------|---|---|--|
| Principles | A rights based approach | Advancing gender equality and women's empowerment | Culturally and age appropriate and sensitive |
| | Victim/survivor centred approach | Safety is paramount | Perpetrator accountability |
| Common characteristics | Availability | Accessibility | |
| | Adaptability | Appropriateness | |
| | Prioritize safety | Informed consent and confidentiality | |
| | Data collection and information management | Effective communication | |
| | Linking with other sectors and agencies through referral and coordination | | |

| | | | |
|--------------------------------|---|---|---|
| Essential services and actions | Health | Justice and Policing | Social services |
| | <ol style="list-style-type: none"> 1. Identification of survivors of intimate partner violence 2. First line support 3. Care of injuries and urgent medical treatment 4. Sexual assault examination and care 5. Mental health assessment and care 6. Documentation (medico-legal) | <ol style="list-style-type: none"> 1. Prevention 2. Initial contact 3. Assessment/investigation 4. Pre-trial processes 5. Trial processes 6. Perpetrator accountability and reparations 7. Post-trial processes 8. Safety and protection 9. Assistance and support 10. Communication and information 11. Justice sector coordination | <ol style="list-style-type: none"> 1. Crisis information 2. Crisis counselling 3. Help lines 4. Safe accommodations 5. Material and financial aid 6. Creation, recovery, replacement of identity documents 7. Legal and rights information, advice and representation, including in plural legal systems 8. Psycho-social support and counselling 9. Women-centred support. Children's services for any child affected by violence 10. Children's services for any child affected by violence 11. Community information, education and community outreach 12. Assistance towards economic independence, recovery and autonomy |

| Coordination and governance of coordination | |
|---|--|
| National level: Essential actions | Local level: Essential actions |
| <ol style="list-style-type: none"> 1. Law and policy making 2. Appropriation and allocation of resources 3. Standard setting for establishment of local level coordinated responses 4. Inclusive approaches to coordinated responses 5. Facilitate capacity development of policy makers and other decision-makers on coordinated responses to VAWG 6. Monitoring and evaluation of coordination at national and local levels | <ol style="list-style-type: none"> 1. Creation of formal structures for local coordination and governance of coordination 2. Implementation of coordination and governance of coordination |

| | | | |
|-----------------------|---|---|---------------------------|
| Foundational elements | Comprehensive legislation and legal framework | Governance oversight and accountability | Resource and financing |
| | Training and workforce development | Gender sensitive policies and practices | Monitoring and evaluation |

CHAPTER 4:

TOOLS AND RESOURCES

United Nations Instruments (treaties and soft law norms)

Commission on the Status of Women 57th Session, Agreed conclusions on the elimination and prevention of all forms of violence against women and girls, available at [www.un.org/womenwatch/daw/csw/csw57/CSW57_Agreed_Conclusions\(CSW_report_excerpt\).pdf](http://www.un.org/womenwatch/daw/csw/csw57/CSW57_Agreed_Conclusions(CSW_report_excerpt).pdf).

Convention on the Elimination of All Forms of Discrimination against Women, available at www.un.org/womenwatch/daw/cedaw/text/econvention.htm.

Convention on the Rights of the Child, available at www.ohchr.org/en/professionalinterest/pages/crc.aspx.

Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, available at www.un.org/documents/ga/res/40/a40oro34.htm.

Declaration on the Elimination of Violence against Women, available at www.un.org/documents/ga/res/48/a48r104.ht.

Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime, available at www.un.org/en/pseataforce/docs/gudelines_on_justice_in_matters_involving_child_victims_and.pdf.

UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems, available at www.unodc.org/documents/justice-and-prison-reform/UN_principles_and_guidelines_on_access_to_legal_aid.pdf.

Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in

the Field of Crime Prevention and Criminal Justice, available at www.unodc.org/documents/justice-and-prison-reforms/crimeprevention/Model_Strategies_and_Practical_Measures_on_the_Elimination_of_Violence_against_Women_in_the_Field_of_Crime_Prevention_and_Criminal_Justice.pdf.

Tools and resources

Special Rapporteur on violence against women, including its causes and consequences – various reports available at www.ohchr.org/EN/Issues?Women?SRWomen?Pages?SRWomenIndex.aspx.

United Nations, Secretary-General's In-depth Study on Violence against Women, available at www.un.org/womenwatch/daw/vaw/SGstudyvaw.htm.

UN Women, Progress of the World's Women: In Pursuit of Justice: 2011-2012, available at www.progress.unwomen.org/pdfs?EN-Report-Progress.pdf.

UN Women, Handbook for National Action Plans on Violence against Women, available at www.un.org/womenwatch/daw/handbook-for-nap-on-vaw.pdf.

UN Women, Handbook for Legislation on Violence against Women, available at www.un.org/womenwatch/daw/vaw/handbook/Handbook%20for%20legislation%20on%20violence%20against%20women.pdf.

UN Women, the various modules and information in the Virtual Knowledge Centre to End Violence against Women, available at www.endvawnow.org.





Module 2

HEALTH

Essential Services Package for
Women and Girls Subject to Violence
Core Elements and Quality Guidelines





MODULE 2

Health Services

The Essential Services Package comprises five Modules:

| Module 1. Overview and introduction | Module 2. Health | Module 3. Justice and policing | Module 4. Social services | Module 5. Coordination and governance of coordination |
|---|--|--|--|---|
| <p>Chapter 1: Introduction to essential services package</p> <p>1.1 Introduction 1.2 Context 1.3 Purpose and scope 1.4 Language and terms</p> | <p>Chapter 1: Introduction to essential health services</p> <p>1.1 Introduction 1.2 Purpose and scope 1.3 Language and terms</p> | <p>Chapter 1: Introduction to essential justice and policing services</p> <p>1.1 Introduction 1.2 Purpose and scope 1.3 Language and terms</p> | <p>Chapter 1: Introduction to essential social services</p> <p>1.1 Introduction 1.2 Purpose and scope 1.3 Language and terms</p> | <p>Chapter 1: Introduction to essential coordination and governance actions</p> <p>1.1 Introduction 1.2 Purpose and scope 1.3 Language and terms</p> |
| <p>Chapter 2 Common principles, characteristics and foundational elements</p> <p>2.1 Principles 2.2 Common characteristics of quality essential services 2.3 Foundational elements</p> | <p>Chapter 2 Framework for essential services package</p> <p>2.1 The overall framework 2.2 Unique features of the framework specific to essential health services</p> | <p>Chapter 2 Framework for essential services package</p> <p>2.1 The overall framework 2.2 Unique features of the framework specific to essential justice and policing services</p> | <p>Chapter 2 Framework for essential services package</p> <p>2.1 The overall framework 2.2 Unique features of the framework specific to essential social services</p> | <p>Chapter 2 Framework for essential services package</p> <p>2.1 The overall framework</p> |
| <p>Chapter 3 How to use this tool</p> <p>3.1 Essential services guidelines framework</p> | <p>Chapter 3 Guidelines for essential health services</p> | <p>Chapter 3 Guidelines for essential justice and policing services</p> | <p>Chapter 3 Guidelines for essential social services</p> | <p>Chapter 3 Guidelines for essential coordination and governance actions</p> <p>3.1. Guidelines for national level coordination and governance of coordination of Essential Services 3.2. Guidelines for local level coordination and governance of coordination of essential services.</p> |
| <p>Chapter 4 Tools and resources</p> | <p>Chapter 4 Tools and resources</p> | <p>Chapter 4 Tools and resources</p> | <p>Chapter 4 Tools and resources</p> | <p>Chapter 4 Tools and resources</p> |

ACKNOWLEDGEMENTS

Development of these guidelines would not have been possible without:

The courage of the many women who experienced violence and have spoken out about their experiences and the activists, especially from women's organizations located across the globe, who have advocated for appropriate service provision and support for women subjected to violence.

The efforts by governments who are taking actions towards ending violence against women through legislative reforms, policy initiatives and implementing prevention and response programmes.

The main donors for the UN Joint Programme on Essential Services for Women and Girls Subject to Violence, the Governments of Australia and Spain.

The cross-sector practitioners, researchers, government representatives who attended and participated in the Global Technical Consultation on the Health Sector's Response to Violence Against Women which contributed to the development of the guidelines and subsequent tools and guidance (details of participants available at www.endvawnow.org and click on Essential Services).

The ongoing commitment of the UN system to develop and support programmes and actions responding to violence against women. The UN agencies engaged in supporting the adaptation and/or development of these guidelines have shared their time and knowledge to ensure that we continue to improve the provision of services for women and girls subject to violence. The agency representatives are thanked for their commitment and input: Tania Farha and Riet Groenen (UN Women), Luis Mora and Upala Devi (UNFPA) and Claudia Garcia Moreno and Avni Amin (WHO). A special mention is made to recognize the long-standing work of WHO in the development of a range of guidance on improving the health sector's response to women and girls subject to violence which has informed the development of this module.

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CHAPTER 1:

INTRODUCTION TO ESSENTIAL HEALTH SERVICES

1.1 INTRODUCTION

This guidance for **essential health services** is based on the World Health Organization (WHO) clinical and policy guidelines on *Responding to intimate partner violence and sexual violence against women*,¹ in keeping with WHO's mandate to set standards in the health system. These evidence-based guidelines were developed following WHO's guidelines development process which included: retrieval of up-to-date evidence through systematic reviews, assessment and synthesis of evidence and formulation of recommendations with inputs from a wide range of experts (Guideline Development Group) and peer review by another group of experts. They provide evidence-based guidance for the design, implementation and review of quality, women-centred health sector responses for women subjected to intimate partner violence and sexual violence, although they can also be useful for other forms of gender-based violence against women and available to girls, particularly girls that could use the essential services provided for women. The guidelines have been developed with a focus on low to middle income countries in stable settings but they are also applicable in high income countries.

Based on these guidelines WHO, UNFPA and UN Women developed a *Clinical Handbook on Health care for women subjected to intimate partner violence or*

*sexual violence*². This is a practical 'how to' manual for health service providers. It includes job aids, tips and practical recommendations. These recommendations form the basis for this Module on Essential Health Service, part of the Essential Services Package which aims to provide all women and girls who have experienced gender-based violence with greater access to a set of essential quality and coordinated multi-sectoral services. This Module should therefore be read in conjunction with the two documents mentioned above.

The **Essential Services Package** reflects the vital components of coordinated multi-sectoral responses for women and girls subject to violence and includes guidelines for justice and policing services, social services, coordination and governance mechanisms as well as health services.

This module for essential health services should be read in conjunction with Module 1: Overview and Introduction which sets out the principles, common characteristics and foundational elements that apply across all essential services. This module is also complementary to the guidelines for justice and policing services (Module 3), social services (Module 4), and coordination and governance of coordination (Module 5).

¹ World Health Organization. *Responding to intimate partner violence and sexual violence against women: WHO clinical and policy guidelines*. Geneva, Switzerland: World Health Organization; 2013.

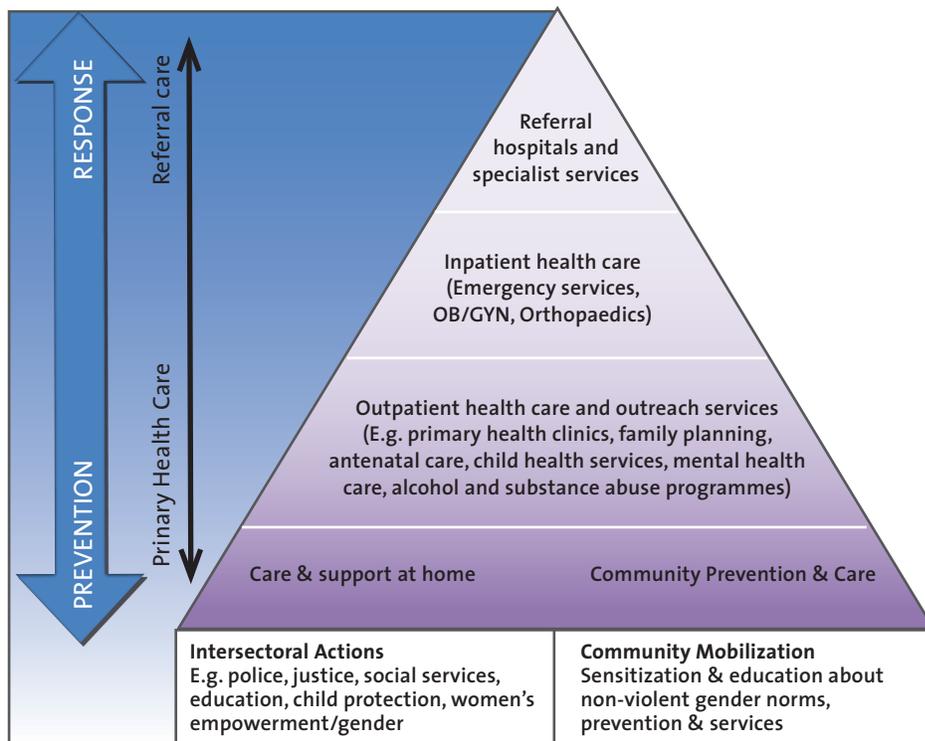
² WHO, UNW, UNFPA. *Health care for women subjected to intimate partner violence or sexual violence. A clinical handbook*. Geneva: WHO, 2014. (WHO/RHR/14.26)

1.2 PURPOSE AND SCOPE

A quality health service response to violence against women and girls is crucial, not only to ensure victims/survivors have access to the highest attainable health standard, but also because health care providers (such as nurses, midwives, doctors and others) are likely to be the first professional contact for women who have been subjected to intimate partner violence or sexual

In order to respond to women’s diverse needs and experiences, this Module addresses all health consequences, including the physical, mental and sexual and reproductive health consequences, of violence against women. As called for in the Agreed Conclusions from the 57th session of the Commission on the Status of Women, and as per the WHO guidelines, this Module covers various

FIGURE 1. Primary health care and the context of the wider health system, community mobilization, and inter-sectoral action.



Source: Adapted from Lawn JE et al, Lancet, 2008 30 years of Alma Ata

violence.³ Women and girls often seek health services, including for their injuries, even if they do not disclose the associated abuse or violence. Studies show that abused women use health care services more than non-abused women do.⁴ They also identify health care providers as the professionals they would most trust with disclosure of abuse.

health interventions: first line support; treatment of injuries and psychological and mental health support; for post rape care: emergency contraception, safe abortion where such services are permitted by national law, post exposure prophylaxis for HIV infections, and diagnosis and treatment for sexually transmitted infections. Training for medical and other health professionals to effectively identify and treat women subjected to violence as well as forensic examinations by appropriately

3 WHO. *Responding to intimate partner violence and sexual violence against women: WHO clinical and policy guidelines*. Geneva, WHO; 2013 at page 1.

4 WHO. *Responding to intimate partner violence and sexual violence against women: WHO clinical and policy guidelines*. Geneva, WHO; 2013 at page 1.

trained professionals are also necessary.⁵ In addition they take guidance from the Agreed Conclusions to ensure that health care services have the following characteristics: accessible; responsive to trauma; affordable; safe; effective and good quality.

Good service delivery is a vital element of any health system. The precise organization and content of health services will differ from one country to another, but the “typical” health provider works across different delivery levels:

- (1) Primary health care, for example, health post, health centres and dispensaries and district hospitals with outpatient general services and basic inpatient services.
- (2) Referral care that includes tertiary hospital with specialized services.

5 Commission on the Status of Women: 57th session (2013) *Agreed conclusions: Elimination and prevention of all forms of violence against women and girls and WHO. Responding to intimate partner violence and sexual violence against women: WHO clinical and policy guidelines.* Geneva, WHO; 2013.

The entry points for providing care to women affected by violence at all levels of service delivery include sexual and reproductive health, including maternal health, family planning, post-abortion care services, HIV and AIDS as well as mental health services, provided either through the government or by non-governmental organizations.

The module focuses on health services that are close to the population, with a point of entry to the health service network at primary care level (rather than at the specialist or hospital level). The Module recognizes that the patient’s primary care provider facilitates the route through the needed services and works in collaboration with other levels and types of provider. Coordination also takes place with other sectors (such as social services) and partners (such as community organizations). The network of service delivery includes preventive, curative, palliative and rehabilitative services and health promotion activities.⁶

6 WHO. *Monitoring the building blocks of health systems: a handbook of indicators and their measurement strategies.* Geneva: WHO: 2010.

1.3 LANGUAGE AND TERMS

Case finding or clinical enquiry in the context of intimate partner violence refers to the identification of women experiencing violence who present to health care settings, through use of questions based on the presenting conditions, the history and, where appropriate, examination of the patient. These terms are used as distinct from “screening” or “routine enquiry”.⁷

Cognitive behaviour therapy (CBT) is based on the concept that thoughts, rather than external factors such as people or events, are what dictate one’s feelings and behaviour. CBT typically has a cognitive component (helping the person develop the ability to identify and challenge unrealistic negative thoughts), as well as a

7 WHO. *Responding to intimate partner violence and sexual violence against women: WHO clinical and policy guidelines.* Geneva, WHO; 2013 at the Glossary page vii.

behaviour component. CBT varies, depending on the specific mental health problems.⁸

Core elements are features or components of the essential services that apply in any context, and ensure the effective functioning of the service.

Essential Services encompass a core set of services provided by the health care, social service, police and justice sectors. The services must, at a minimum, secure the rights, safety and well-being of any woman or girl who experiences gender-based violence.

8 WHO. *Responding to intimate partner violence and sexual violence against women: WHO clinical and policy guidelines.* Geneva, WHO; 2013 at the Glossary page vii.

First-line support refers to the minimum level of (primary psychological) support and validation of their experience that should be received by all women who disclose violence to a health care (or other) provider. It shares many elements with what is being called “psychological first aid” in the context of emergency situations involving traumatic experiences.⁹

Gender based violence is “any act of violence that is directed against a woman because she is a woman or that affects women disproportionately”.¹⁰

Health service provider is an individual or an organization that provides health-care services in a systematic way. An individual health-care provider may be a health-care professional, a community health worker; or any other person who is trained and knowledgeable in health. Health organizations include hospitals, clinics, primary care centres and other service delivery points. Primary health care providers are nurses, midwives, doctors or others.¹¹

Health system refers to (i) all activities whose primary purpose is to promote, restore and/or maintain health; (ii) the people, institutions and resources, arranged together in accordance with established policies, to improve the health of the population they serve¹².

Intimate partner violence is “the most common form of violence experienced by women globally . . . and includes a range of sexually, psychologically and physically coercive acts used against adult and adolescent women by a current or former intimate partner, without her consent. Physical violence involves intentionally using physical force, strength or a weapon to harm or

injure the woman. Sexual violence includes abusive sexual contact, making a woman engage in a sexual act without her consent, and attempted or completed sex acts with a woman who is ill, disabled, under pressure or under the influence of alcohol or other drugs. Psychological violence includes controlling or isolating the woman, and humiliating or embarrassing her. Economic violence includes denying a woman access to and control over basic resources.”¹³

Mandatory reporting refers to legislation passed by some countries or states that requires individual or designated individuals such as health-care providers to report (usually to the police or legal system) any incident of actual or suspected domestic violence or intimate partner violence. In many countries, mandatory reporting applies primarily to child abuse and maltreatment of minors, but in others it has been extended to the reporting of intimate partner violence.¹⁴

Medico-legal evidence is used in this tool as defined by the World Health Organization as “documented extra and ano-genital injuries and emotional state as well as those samples and specimens that are taken from the victim’s body or clothing solely for legal purposes. Such evidence includes saliva, seminal fluid, head hair, pubic hair, blood, urine, fibre, debris and soil”¹⁵.

Non-partner sexual violence “refers to violence by a relative, friend, acquaintance, neighbor, work colleague or stranger”.¹⁶ It includes being forced to perform any unwanted sexual act, sexual harassment and violence perpetrated against women and girls frequently by an

9 WHO. *Responding to intimate partner violence and sexual violence against women: WHO clinical and policy guidelines*. Geneva, WHO; 2013 at the Glossary. For further details, see also, WHO, UNW, UNFPA. *Health care for women subjected to intimate partner violence or sexual violence. A clinical handbook*. Geneva: WHO, 2014.

10 CEDAW, General Recommendation No. 19, paragraph 6, <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm>.

11 WHO. *Responding to intimate partner violence and sexual violence against women: WHO clinical and policy guidelines*. Geneva, WHO; 2013 at the Glossary on page vii.

12 WHO, Health System Strengthening: Glossary, found at www.who.int/healthsystems/Glossary_January2011.pdf.

13 Report of the Secretary-General, In-depth study on all forms of violence against women, United Nations, A/61/122/Add.1, (6 July 2006) paras. 111- 112, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/No6/419/74/PDF/No641974.pdf?OpenElement>.

14 WHO. *Responding to intimate partner violence and sexual violence against women: WHO clinical and policy guidelines*. Geneva, WHO; 2013 at the Glossary on page vii.

15 Du Mont, Janice and D. White (2007), “The uses and impacts of medico-legal evidence in sexual assault cases: A Global Review (WHO: Geneva) and see also WHO. Guidelines for medico-legal care for victims of sexual violence. Geneva: WHO, 2003.

16 Report of the Secretary-General, In-depth study on all forms of violence against women, United Nations, A/61/122/Add.1, (6 July 2006) paragraph 128, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/No6/419/74/PDF/No641974.pdf?OpenElement>.

offender known to them, including in public spaces, at school, in the workplace and in the community.

Quality guidelines support the delivery and implementation of the core elements of essential services to ensure that they are effective, and of sufficient quality to address the needs of women and girls. Quality standards provide ‘the how to’ for services to be delivered within a human rights-based, culturally-sensitive and women’s-empowerment approach. They are based on and complement international standards and reflect recognized best practices in responding to gender-based violence.

Victim / survivor refers to the women and girls who have experienced or are experiencing gender based violence to reflect both the terminology used in the

legal process and the agency of these women and girls in seeking essential services.¹⁷

Violence against women means “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.”¹⁸

17 United Nations (2006) *Secretary-General’s In-depth Study on Violence Against Women A/61/122/Add.1* notes the ongoing debate the terms victim and survivor. Some suggest that “the term “victim” should be avoided because it implies passivity, weakness and inherent vulnerability and fails to recognize the reality of women’s resilience and agency. For others the term “survivor” is problematic because it denies the sense of victimization experienced by women who have been the target of violent crime”. Therefore, these guidelines use the term “victim/survivor”.

18 United Nations 1993, Declaration on the Elimination of all Forms of Violence Against Women, United Nations: Geneva, Article 1.

CHAPTER 2:

FRAMEWORK FOR ESSENTIAL SERVICES PACKAGE

2.1

THE OVERALL FRAMEWORK

The Framework for guidelines for the delivery of quality essential health services incorporates four interlinked components:

- **Principles** which underpin the delivery of all essential services.
- **Common characteristics** which describe a range of activities and approaches that are common across all areas and which support the effective functioning and delivery of services.
- **Essential services** which set out the absolute minimum required services to secure the human rights, safety and well-being of any woman or adolescent girls who experience intimate partner violence and or non-partner sexual violence
- **Foundational elements** which must be in place to enable the delivery of quality services across all essential services and actions.

Essential Services Package: Overall framework diagram

| | | | |
|------------------------|---|---|--|
| Principles | A rights based approach | Advancing gender equality and women's empowerment | Culturally and age appropriate and sensitive |
| | Victim/survivor centred approach | Safety is paramount | Perpetrator accountability |
| Common characteristics | Availability | Accessibility | |
| | Adaptability | Appropriateness | |
| | Prioritize safety | Informed consent and confidentiality | |
| | Data collection and information management | Effective communication | |
| | Linking with other sectors and agencies through referral and coordination | | |

| | | | |
|--------------------------------|---|---|---|
| Essential services and actions | Health | Justice and Policing | Social services |
| | <ol style="list-style-type: none"> 1. Identification of survivors of intimate partner violence 2. First line support 3. Care of injuries and urgent medical treatment 4. Sexual assault examination and care 5. Mental health assessment and care 6. Documentation (medico-legal) | <ol style="list-style-type: none"> 1. Prevention 2. Initial contact 3. Assessment/investigation 4. Pre-trial processes 5. Trial processes 6. Perpetrator accountability and reparations 7. Post-trial processes 8. Safety and protection 9. Assistance and support 10. Communication and information 11. Justice sector coordination | <ol style="list-style-type: none"> 1. Crisis information 2. Crisis counselling 3. Help lines 4. Safe accommodations 5. Material and financial aid 6. Creation, recovery, replacement of identity documents 7. Legal and rights information, advice and representation, including in plural legal systems 8. Psycho-social support and counselling 9. Women-centred support 10. Children's services for any child affected by violence 10. Children's services for any child affected by violence 11. Community information, education and community outreach 12. Assistance towards economic independence, recovery and autonomy |

| Coordination and governance of coordination | |
|---|--|
| National level: Essential actions | Local level: Essential actions |
| <ol style="list-style-type: none"> 1. Law and policy making 2. Appropriation and allocation of resources 3. Standard setting for establishment of local level coordinated responses 4. Inclusive approaches to coordinated responses 5. Facilitate capacity development of policy makers and other decision-makers on coordinated responses to VAWG 6. Monitoring and evaluation of coordination at national and local levels | <ol style="list-style-type: none"> 1. Creation of formal structures for local coordination and governance of coordination 2. Implementation of coordination and governance of coordination |

| | | | |
|-----------------------|---|---|---------------------------|
| Foundational elements | Comprehensive legislation and legal framework | Governance oversight and accountability | Resource and financing |
| | Training and workforce development | Gender sensitive policies and practices | Monitoring and evaluation |

2.2

UNIQUE FEATURES OF THE FRAMEWORK SPECIFIC TO ESSENTIAL HEALTH SERVICES

Principles

In applying the overall principles, health service providers, should keep in mind:

- A rights-based approach includes the right to the highest attainable standard of health and the right to self-determination, which means women being entitled to make their own decisions including sexual and reproductive decisions; entitled to refuse medical procedures and/or take legal action.¹⁹
- Assuring gender equality in health means providing care fairly to both women and men, taking into account their specific health needs and concerns so that they are equally able to realize their rights and potential to be healthy. It requires also being cognizant of inequalities in power relationships between women and men and between providers and patients.

Common Characteristics

In applying the overall principles, health service providers, should keep in mind:

- Informed consent and safeguarding of confidentiality means the provision of health care, treatment and counselling should be private and confidential; information disclosed only with the consent of the women and includes the right to know what information has been collected about their health and having access to this information, including medical records.²⁰

Foundational Elements

In applying the overall principles, health service providers, should keep in mind:

- Violence against women health policies need to be linked to national policy, where it exists; include

addressing workplace / institutional violence and includes companion procedures and protocols. Care for women experiencing intimate partner violence and sexual violence should, as much as possible, be integrated into existing health services rather than as a stand-alone service.²¹

- Workforce development in the health sector includes building capacity on these issues at pre-service, as well as through continuing education and in-service training. It also requires inter-sectoral team building; and health work force supervision and mentoring. While a country needs multiple models of care for survivors for different levels of the health system, priority should be given to building capacity and service delivery at the primary level of care.²² Furthermore, a health care provider (nurse, doctor or equivalent) who is trained in gender sensitive sexual assault care and examination should be available at all times of the day or night (on location or on-call) at a district/area level.²³
- Engaging with the community and advocacy for women and young girl survivors is an important building block to essential health services for victims and survivors.
- Another important building block for health services is the availability of medical products / commodities and technology. This includes reproductive health commodity security and settings to enable confidentiality, privacy and safety.
- Monitoring and evaluation of essential health services requires health information systems; measures of accountability; client feedback and assessments.

¹⁹ WHO, UNW, UNFPA. *Health care for women subjected to intimate partner violence or sexual violence. A clinical handbook*. Geneva: WHO, 2014. (WHO/RHR/14.26) at page 3.

²⁰ WHO, UNW, UNFPA. *Health care for women subjected to intimate partner violence or sexual violence. A clinical handbook*. Geneva: WHO, 2014. (WHO/RHR/14.26) at page 3.

²¹ WHO. *Responding to intimate partner violence and sexual violence against women: WHO clinical and policy guidelines*. Geneva, WHO; 2013. Recommendation 34.

²² WHO. *Responding to intimate partner violence and sexual violence against women: WHO clinical and policy guidelines*. Geneva, WHO; 2013. Recommendation 35.

²³ WHO. *Responding to intimate partner violence and sexual violence against women: WHO clinical and policy guidelines*. Geneva, WHO; 2013. Recommendation 36.

CHAPTER 3:

GUIDELINES FOR ESSENTIAL HEALTH SERVICES

This module should be read in conjunction with WHO Clinical and Policy Guidelines and the WHO, UN Women, UNFPA Clinical Handbook on Health care for women subjected to intimate partner violence or

sexual violence. The information presented below summarizes some of the key points from those documents, particularly the clinical handbook.

| ESSENTIAL SERVICE: 1. IDENTIFICATION OF SURVIVORS OF INTIMATE PARTNER VIOLENCE | |
|--|--|
| <p>It is important for health service providers to be aware that a woman’s health problems may be caused or made worse by violence. Women subjected to violence in relationships and sexual violence often seek health services for related emotional or physical conditions, including injuries. However, often they do not tell the provider about the violence due to shame or fear of being judged or fear of their partner.</p> | |
| CORE ELEMENTS | GUIDELINES |
| 1.1 Information | <ul style="list-style-type: none"> • Written information on intimate partner violence and non-partner sexual assault should be available in healthcare settings in the form of posters, and pamphlets or leaflets made available in private areas such as women’s washrooms (with appropriate warnings about taking them home if an abusive partner is there).(WHO Guidelines Recommendation 4) |
| 1.2 Identification of women suffering intimate partner violence | <ul style="list-style-type: none"> • Health service providers should ask about exposure to intimate partner violence when assessing conditions that may be caused or complicated by intimate partner violence in order to improve diagnosis / identification and subsequent care. (See Box 1, page 19 in WHO Guidelines and page 9 of the Clinical Handbook for a list of clinical and other conditions associated with intimate partner violence) <ul style="list-style-type: none"> • Asking women about violence needs to be linked to an effective response, which would include a first-line supportive response, appropriate medical treatment and care as needed and referral either within the health system itself or externally. • “Universal screening” or “routine enquiry” (i.e. asking women in all health-care encounters) should not be implemented. While it can increase the identification of women suffering violence it has not been shown to improve health outcomes or even referrals. It is challenging to implement in high-prevalence settings with limited resources or referral options. • Before asking about partner violence, the health system should put in place the following minimum requirements: <ul style="list-style-type: none"> • Private setting • Health care providers who have been trained to ask appropriately (for example, in an empathic, non-judgmental manner) and how to respond appropriately • System for referral in place • Protocol / standard operating procedure in place. <p>(See WHO Guidelines recommendations 2 and 3 and pages 10-12 of the Clinical Handbook)</p> |

| | |
|---|---|
| <p>1.2 Identification of women suffering intimate partner violence <i>continued</i></p> | <ul style="list-style-type: none"> • Where health service providers suspect violence but women do not disclose it: <ul style="list-style-type: none"> • Do not pressure her, give her time • Provide information <ul style="list-style-type: none"> - regarding available services - regarding effects of violence on women's health and their children's health • Offer a follow-up visit. <p>(See WHO Clinical Handbook, page 12)</p> |
|---|---|

ESSENTIAL SERVICE: 2. FIRST LINE SUPPORT

When providing first line support to a woman who has been subjected to violence, four kinds of needs deserve attention: (1) immediate emotional / psychological health needs; (2) immediate physical health needs; (3) ongoing safety needs; (4) ongoing support and mental health needs. First line support provides practical care and responds to a woman's emotional, physical, safety and support needs, without intruding on her privacy. Often, first line support is the most important care that can be provided.

| CORE ELEMENTS | GUIDELINES |
|---------------|------------|
|---------------|------------|

| | |
|------------------------------------|--|
| <p>2.1 Women- centred care</p> | <ul style="list-style-type: none"> • Women who disclose any form of violence by an intimate partner (or other family member) or sexual assault by any perpetrator should be offered immediate support. • Health service providers should, as a minimum, offer first-line support when women disclose violence. First line support includes: <ul style="list-style-type: none"> • Being non-judgmental and supportive and validating what the women is saying • Providing practical care and support that responds to her concerns but does not intrude on her autonomy • Asking about her history of violence, listening carefully, but not pressuring her to talk (care should be taken when discussing sensitive topics when interpreters are involved) • Listening without pressuring her to respond or disclose information • Offering information; helping her access information about resources, including legal and other services that she might think helpful, and helping her to connect to services and social supports <ul style="list-style-type: none"> - Provide written information on coping strategies for dealing with severe stress (with appropriate warnings about taking printed material home if an abusive partner is there) • Assisting her to increase safety for herself and her children, where needed • Offering comfort and help to alleviate or reduce her anxiety • Providing or mobilizing social support (including referrals). • Health service providers should ensure: <ul style="list-style-type: none"> • That the consultation is conducted in private • Confidentiality, while informing women of the limits of confidentiality (i.e. when there is mandatory reporting). • If health service providers are unable to provide first line support, they should ensure that someone else (within their healthcare setting or another that is easily accessible) is immediately available to do so. <p>(WHO Guidelines Recommendation 1)</p> |
|------------------------------------|--|

| | |
|--|---|
| <p>2.2 Mandatory Reporting</p> | <ul style="list-style-type: none"> • Mandatory reporting of violence against women to the police by health service providers is not recommended. <ul style="list-style-type: none"> • Health service providers should offer to report the incident to the appropriate authorities, including the police, if the woman wants this and is aware of her rights. • Child maltreatment and life threatening incidents must be reported to the relevant authorities by the health service provider, where there is a legal requirement to do so. <p>(WHO Guidelines Recommendation 36 and 37)</p> |
|--|---|

ESSENTIAL SERVICE: 3. CARE OF INJURIES AND URGENT MEDICAL ISSUES

The examination and care of physical and emotional health should take place together. The services are divided here to provide clear guidance in terms of minimum standards.

| CORE ELEMENTS | GUIDELINES |
|--|--|
| <p>3.1 History and examination</p> | <ul style="list-style-type: none"> • History taking should follow the standard medical procedures, but keeping in mind that women who have experienced intimate partner or sexual violence are likely to be traumatized, so review any papers she may have and avoid asking questions she has already answered. • Explain and obtain informed consent for each aspect: <ul style="list-style-type: none"> • medical examination • treatment • forensic evidence collection • for the release of information to third parties, ie police and courts. • If women want evidence collected, call in or refer to a specifically trained provider who can do this. See Essential Health Service 6. • Conduct a thorough physical examination. Record findings and observations clearly. <ul style="list-style-type: none"> • At each step of the exam, ensure communication and ask for permission first. <p>(See WHO Clinical Handbook for further details, pages 40-49)</p> |
| <p>3.2 Emergency treatment</p> | <ul style="list-style-type: none"> • Where a woman has suffered life threatening or severe conditions, immediately refer the woman to emergency treatment. |

ESSENTIAL SERVICE: 4. SEXUAL ASSAULT EXAM AND CARE

Sexual violence is a potentially traumatic experience that may have a variety of negative consequences on women's mental, physical, sexual and reproductive health, meaning they may require acute and, at times, long term care, particularly mental health care.

| CORE ELEMENTS | GUIDELINES |
|---|---|
| <p>4.1 Complete history</p> | <ul style="list-style-type: none"> • Take a complete history, recording events to determine what interventions are appropriate and conduct a complete physical examination (head-to-toe including genitalia). • The history should include: <ul style="list-style-type: none"> • The time since assault and type of assault • Risk of pregnancy • Risk of HIV and other sexually transmitted infections (STIs) • Mental health status. <p>(WHO Guidelines Recommendation 11. Also see WHO Clinical Handbook for further details, pages 40-48).</p> |

| | |
|---|--|
| <p>4.2 Emergency contraception</p> | <ul style="list-style-type: none"> • Offer emergency contraception to survivors of sexual assault presenting within 5 days of sexual assault, ideally as soon as possible after the assault, to maximize effectiveness. • If a woman presents after the time required for emergency contraception (5 days), emergency contraception fails, or the woman is pregnant as a result of rape, she should be offered safe abortion, in accordance with national law. <p>(WHO Guidelines Recommendations 12-14. Also see WHO Clinical Handbook for further details, pages 49-51).</p> |
| <p>4.3 HIV post-exposure prophylaxis</p> | <ul style="list-style-type: none"> • Consider offering HIV post-exposure prophylaxis (PEP) for women presenting within 72 hours of a sexual assault. Use shared decision-making with the survivor, to determine whether HIV PEP is appropriate and follow national guidelines for prophylaxis. <p>(WHO Guidelines Recommendations 15-18. Also see WHO Clinical Handbook for further details, section 2.4, pages 55-57).</p> |
| <p>4.4 Post-exposure prophylaxis for sexually transmitted infections</p> | <ul style="list-style-type: none"> • Women survivors of sexual assault should be offered prophylaxis for the most common sexually transmitted infections and hepatitis B vaccine following national guidance <p>(WHO Guidelines Recommendations 19-20. Also see WHO Clinical handbook for further details, section 2.3, pages 52-54).</p> |

ESSENTIAL SERVICE: 5. MENTAL HEALTH ASSESSMENT AND CARE

Many women who are subjected to intimate partner violence or sexual violence will have emotional or mental health problems as a consequence. Once the violence, assault or situation passes, these emotional problems will likely get better. Most people recover. There are specific ways health service providers can offer help and techniques to women to reduce her stress and promote healing. Some women, however, will suffer more severely than others. It is important to be able to recognize these women and to help them obtain care.

| CORE ELEMENTS | GUIDELINES |
|---|--|
| <p>5.1 Mental health care for survivors of intimate partner violence</p> | <ul style="list-style-type: none"> • Women experiencing violence should be assessed for mental health problems (symptoms of acute stress/post-traumatic Stress Disorder (PTSD), depression, alcohol and drug use problems, suicidality or self-harm) and be treated accordingly, using the mhGAP intervention guide, which covers WHO evidence-based clinical protocols for mental health problems. • Mental health care should be delivered by health service providers with a good understanding of violence against women. |
| <p>5.2 Basic psychosocial support</p> | <ul style="list-style-type: none"> • After an assault, basic psychosocial support may be sufficient for the first 1-3 months, at the same time monitoring for more severe mental health problems. This includes: <ul style="list-style-type: none"> • Helping strengthen her positive coping methods • Exploring the availability of social support • Teaching and demonstrating stress reduction exercises • Providing regular follow-up |
| <p>5.3 More severe mental health problems</p> | <ul style="list-style-type: none"> • Conduct an assessment of mental status (at same time as physical examination) assessing for immediate risk or self-harm or suicide and for moderate-severe depressive disorder and PTSD. <ul style="list-style-type: none"> • Women with depression and PTSD will still benefit from first- line support, helping them strengthen social support, learning stress management and empathetic and support follow up. Referral to trained therapists if available. • Refer as necessary for brief psychological treatments or cognitive behaviour therapy. <p>(WHO Guidelines Recommendations 24-27. Also see WHO Clinical Handbook for further details, pages 67-83.)</p> |

ESSENTIAL SERVICE: 6. DOCUMENTATION (MEDICO-LEGAL)

Health service providers have a professional obligation to record the details of any consultation with a patient. The notes should reflect what was said, by the patient, in her own words, and what was seen and done by the health care provider. In cases of violence, the taking of accurate and complete notes during the course of an examination is critical as medical records can be used in court as evidence. If the woman consents to a forensic examination, there might be need to call in a registered or official forensic examiner.

For more guidance, see the 2003 WHO *Guidelines for medico-legal care for victims of sexual violence*. These guidelines are complemented by Essential Justice and Policing Service number 3: Investigation, detailed in the Justice and Policing Module. See particularly: 3.3 “Relevant information and evidence is collected from the victim/survivor and witnesses” and 3.4 “A thorough investigation is conducted”.

| CORE ELEMENTS | GUIDELINES |
|--|---|
| 6.1 Comprehensive and accurate documentation | <ul style="list-style-type: none">• Document in the medical record any health complaints, symptoms and signs, including a description of her injuries.• It may be helpful to note the cause or suspected cause of these injuries or other conditions, including who injured her<ul style="list-style-type: none">• Get her permission to write this information in her record• Follow her wishes. |
| 6.2 Collection and documentation of forensic specimens | <ul style="list-style-type: none">• Where a woman has consented to forensic evidence collection, it is critical that the chain of custody evidence is maintained and that everything is clearly labeled. |
| 6.3 Providing written evidence and court attendance | <ul style="list-style-type: none">• Health service providers need to be familiar with the legal system; know how to write a good statement; as a minimum, document injuries in a complete and accurate way; make sound clinical observations; and reliably collect samples from victims for when they choose to follow a legal recourse. |

CHAPTER 4:

TOOLS AND RESOURCES

WHO and UNHCR (2015) *Clinical management of mental, neurological and substance use conditions in humanitarian emergencies: mhGAP Humanitarian Intervention Guide (mhGAP-HIG)*. Geneva: Switzerland.

WHO, UN Women and UNFPA (2014) *Health care for women subjected to intimate partner violence or sexual violence: A clinical handbook*. Geneva: Switzerland.

WHO (2013) *Responding to intimate partner violence and sexual violence against women: WHO clinical and policy guidelines*. Geneva: Switzerland.

WHO, War Trauma Foundation and World Vision International (2011) *Psychological first aid: guide for field workers*.

WHO (2010) *mhGap intervention guide for mental, neurological and substance use disorders in non-specialized health settings*. Geneva: Switzerland.

WHO and ILO (2007) *Joint WHO/ILO guidelines on post-exposure prophylaxis (PEP) to prevent HIV infection (2007)*.

WHO, UNFPA and UNHCR (2004) *Clinical management of rape survivors*.

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Module 3

JUSTICE AND POLICING

Essential Services Package for
Women and Girls Subject to Violence
Core Elements and Quality Guidelines





MODULE 3

Justice and Policing

The Essential Services Package comprises five Modules:

| Module 1. Overview and introduction | Module 2. Health | Module 3. Justice and policing | Module 4. Social services | Module 5. Coordination and governance of coordination |
|---|--|--|--|---|
| <p>Chapter 1: Introduction to essential services package</p> <p>1.1 Introduction 1.2 Context 1.3 Purpose and scope 1.4 Language and terms</p> | <p>Chapter 1: Introduction to essential health services</p> <p>1.1 Introduction 1.2 Purpose and scope 1.3 Language and terms</p> | <p>Chapter 1: Introduction to essential justice and policing services</p> <p>1.1 Introduction 1.2 Purpose and scope 1.3 Language and terms</p> | <p>Chapter 1: Introduction to essential social services</p> <p>1.1 Introduction 1.2 Purpose and scope 1.3 Language and terms</p> | <p>Chapter 1: Introduction to essential coordination and governance actions</p> <p>1.1 Introduction 1.2 Purpose and scope 1.3 Language and terms</p> |
| <p>Chapter 2 Common principles, characteristics and foundational elements</p> <p>2.1 Principles 2.2 Common characteristics of quality essential services 2.3 Foundational elements</p> | <p>Chapter 2 Framework for essential services package</p> <p>2.1 The overall framework 2.2 Unique features of the framework specific to essential health services</p> | <p>Chapter 2 Framework for essential services package</p> <p>2.1 The overall framework 2.2 Unique features of the framework specific to essential justice and policing services</p> | <p>Chapter 2 Framework for essential services package</p> <p>2.1 The overall framework 2.2 Unique features of the framework specific to essential social services</p> | <p>Chapter 2 Framework for essential services package</p> <p>2.1 The overall framework</p> |
| <p>Chapter 3 How to use this tool</p> <p>3.1 Essential services guidelines framework</p> | <p>Chapter 3 Guidelines for essential health services</p> | <p>Chapter 3 Guidelines for essential justice and policing services</p> | <p>Chapter 3 Guidelines for essential social services</p> | <p>Chapter 3 Guidelines for essential coordination and governance actions</p> <p>3.1. Guidelines for national level coordination and governance of coordination of Essential Services 3.2. Guidelines for local level coordination and governance of coordination of essential services.</p> |
| <p>Chapter 4 Tools and resources</p> | <p>Chapter 4 Tools and resources</p> | <p>Chapter 4 Tools and resources</p> | <p>Chapter 4 Tools and resources</p> | <p>Chapter 4 Tools and resources</p> |

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The cross-sector practitioners, researchers, government representatives who attended and participated in the Global Technical Consultation on the Police and Justice Sector's Response to Violence against Women and Girls which contributed to the development of the guidelines (details of participants available at www.endvawnow.org and click on Essential Services).

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CHAPTER 1:

INTRODUCTION TO ESSENTIAL JUSTICE AND POLICING SERVICES

1.1 INTRODUCTION

These guidelines for **essential justice and policing services** aim to provide guidance for the design, implementation and review of quality justice sector and policing service responses for women and girls subject to all forms of gender-based violence. The guidelines have been developed with a focus on low to middle income countries in stable settings but they are also applicable in high income countries.

The guidelines are part of the **Essential Services Package** which aims to provide all women and girls who have experienced gender-based violence with greater access to a set of essential quality and coordinated multi-sectoral services.

The Essential Services Package reflects the vital components of coordinated multi-sectoral responses for women and girls subject to violence and includes guidelines for health services, social services, coordination and governance mechanisms as well as justice and policing services.

The guidelines for essential justice services should be read in conjunction with Module 1: Overview and Introduction which sets out the principles, common characteristics and foundational elements that apply across all essential services. The guidelines are also complementary to the guidelines for health services (Module 2), social services (Module 4), and coordination and governance of coordination (Module 5).

1.2 PURPOSE AND SCOPE

A quality police and justice response is crucial in ensuring that relevant laws against such violence meet international standards: are enforced; keep women and girls safe from violence, including from the re-occurrence of further violence; hold perpetrators accountable; and provide for effective reparations for victims and survivors. Justice systems, and all actors within the system, must be accountable for ensuring that they deliver on their obligations. The purpose of the **Justice and Policing Module** (Module III) in the Essential Services Package is to assist countries ensure the provision of a quality justice response as part of the

holistic, comprehensive and multi-sectoral approach to addressing violence against women.

Despite the progress and improvements to the legal frameworks and justice systems to date, the police and justice sector's response has been notably deficient and is often not functioning at a level required to address the severity, nature and extent of gender based violence; protect the well-being and safety of victims and survivors; and ensure women's access to justice. Studies across the globe illustrate that the vast

majority of perpetrators face no legal consequences.¹ Only a minority of cases of violence against women is ever reported to the police and an even smaller percentage of reported cases result in charges laid against a perpetrator, and in only a small fraction of those cases is there a conviction.² In cases where women choose not to pursue justice through the criminal system, but rather decide to take action under civil, family and/or administrative law, women can face expensive, complicated and lengthy legal processes, limited or no legal aid, and the failure by civil and family courts to take

into account the history of violence when deciding child custody and access³.

In order to respond to all women and girls' diverse needs and experiences, this Module recognizes that a broad range of justice options need to be available to victims and survivors. It covers aspects of the relevant legal domains: criminal law matters, civil law matters (such as personal injury claims / torts), family law matters (such as divorce, child custody and maintenance issues) and administrative law matters (such as state criminal compensation schemes).⁴ It is applicable for countries which have different legal traditions: common law, civil law and religious based justice traditions. Women and girls who experience gender-based violence may also come into contact with the justice system as someone in conflict with the law. The special considerations for victims and survivors of violence against women who have been accused of or charged with criminal offences focus only on women and not girls, as this would involve a review of international standards and norms regarding juvenile justice which is outside the scope of this document.

Essential justice and policing services cover all victim and survivor's interactions with the police and the justice system from reporting or initial contact to ensuring appropriate remedies. The services are grouped according to the broad stages of the justice system: prevention, initial contact; investigation; pre-trial / hearing processes; trial / hearing processes; perpetrator accountability and reparations; and post-trial processes. There are also services that must be available throughout the entire justice system: protection; support; communications; and justice sector coordination.

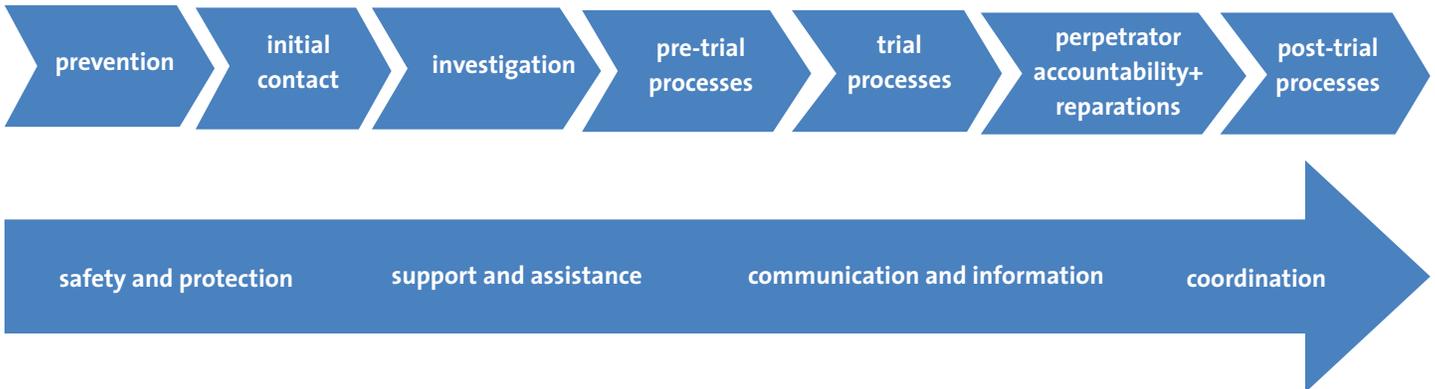
1 Johnson, H., Ollus, N. and Nevala, S. (2008) *Violence Against Women Survey: An International Perspective* (HEUNI) at p. 146; Lovett, J. and UN Women (2013) *Why do some men use violence against women and how we can prevent it? Quantitative findings from the United Nations Multi-country Study on Men and Violence in Asia and the Pacific* (UN Women, UNFPA, UNDP and UN Volunteers).

2 Johnson, H., Ollus, N. and Nevala, S. (2008) *Violence Against Women Survey: An International Perspective* (HEUNI) at p. 146. Generally less than 20% of women reported the last incident of violence they experienced to the police, implying that over 80% of violence against women cases do not even enter the justice system. Physical violence by non-partners is reported at a higher rate than sexual violence (physical assaults ranged from 15% to 27% and sexual violence ranged from 4% to 13%). The likelihood of charges being laid against a perpetrator is between 1% and 7% of all reported incidents. The likelihood that cases will result in a conviction is just 1% to 5%. The latest study on nationally representative studies in 28 European Union countries shows that only 14% of women contacted the police as a result of the most serious incident of violence since the age of 15 years old. See European Union Agency for Fundamental Rights (2014) *Violence against Women: an EU-wide survey* (Luxembourg). See also: Lovett, J. and Kelly, L. (2009) *Different systems, similar outcomes? Tracking attrition in reported rape cases across Europe*. Child and Women Abuse Unit, London Metropolitan University; Triggs, S. Mossman, J.J. and Kingi, V. (2009) *Responding to sexual violence: Attrition in the New Zealand criminal justice system*. New Zealand Ministry of Women's Affairs; and Vetten, L. Jewkes, R. Sigsworth, R. Christofides, N, Loots, L. and Dunseith, O. (2008) *Tracing Justice: The Attrition of Rape Cases through the Criminal Justice System in Gauteng*. Johannesburg: Tshwaranang Legal Advocacy Centre, the South African Medical Research Council, and the Centre for the Study of Violence and Reconciliation.

3 Johnson, H. and Fraser J. (2011) *Specialized Domestic Violence Courts Do They Make Women Safer? Community Report: Phase I* (Department of Criminology, University of Ottawa) and Hudson, V., Lee Brown, D. and Nielsen, P.L. (2011) "What is the Relationship between Inequity in Family Law and Violence against Women? Approaching the Issue of Legal Enclaves" *Politics and Gender* Volume 7, Issue 4, pp 453-492.

4 This document articulates four separate legal domains as this might be the situation in some jurisdictions, whereas in other jurisdictions, family law rests within the civil law domain.

DIAGRAM 1:
The Justice Continuum



Given the varying cultures, traditions, legal systems and diversity of mandates and tasks of the police and justice sector agencies around the globe, this Module uses the broad term of “justice service provider” as it

focuses task and service activities of the formal justice system as opposed to focusing on the specific agencies or officials who may provide those services.

1.3 LANGUAGE AND TERMS

Compensation means quantifiable damages resulting from the violence and includes both pecuniary and non-pecuniary remedies.

Gender based violence is “any act of violence that is directed against a woman because she is a woman or that affects women disproportionately”.⁵

Core elements are features or components of the essential services that apply in any context, and ensure the effective functioning of the service.

Initial contact includes reporting to police, documentation of the report, registration of a criminal case, advisory services provided by lawyers, civil cases registered, or administrative applications made to state compensation schemes, and applications made for separation, custody, and/or urgent/emergency protection measures through criminal, civil, family courts or administrative bodies/mechanisms.

Essential Services encompass a core set of services provided by the health care, social service, police and justice sectors. The services must, at a minimum, secure the rights, safety and well-being of any woman or girl who experiences gender-based violence.

Intimate partner violence is “the most common form of violence experienced by women globally . . . and includes a range of sexually, psychologically and physically coercive acts used against adult and adolescent women by a current or former intimate partner, without her consent. Physical violence involves intentionally using physical force, strength or a weapon to harm or injure the woman. Sexual violence includes abusive sexual contact, making a

Formal justice systems are justice systems that are the responsibility of the State and its agents. They include government supported laws, and institutions such as police, prosecution services, courts, and prisons that have the responsibility to enforce and apply the laws of the State and to administer the sanctions imposed for violations of laws.

5 CEDAW, General Recommendation No. 19, para. 6, <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm>.

woman engage in a sexual act without her consent, and attempted or completed sex acts with a woman who is ill, disabled, under pressure or under the influence of alcohol or other drugs. Psychological violence includes controlling or isolating the woman, and humiliating or embarrassing her. Economic violence includes denying a woman access to and control over basic resources.”⁶

Investigation includes assessment of the case and investigation, generally conducted in the criminal justice systems. It includes scene management; investigation planning, victim/survivor, and witness interviewing; evidence gathering, processing, and analysis; medico-legal examinations; suspect identification, interviewing, arrest and processing; and documentation of findings and actions taken.

Justice service provider includes State/government officials, judges, prosecutors, police, legal aid, court administrators, lawyers, paralegals, and victim support/social services staff.

Justice continuum extends from a victim/survivor’s entry into the system until the matter is concluded. A woman’s journey will vary, depending on her needs. She may pursue a variety of justice options, ranging from reporting or making a complaint which initiates a criminal investigation and prosecution or seeking protection, and/or pursuing civil claims including divorce and child custody actions and/or compensation for personal or other damages, including from State administrative schemes, concurrently or over time.

Legal aid here follows the similar definition found in the *United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems* and refers to legal advice, assistance and representation for victims and survivors at no cost for those without sufficient means or when the interests of justice so requires. Legal aid also includes access to legal information.

Legal service is used in the essential services to include legal aid as well as legal services provided by prosecutors to victims, particularly as in some jurisdictions the victim does not have separate standing in criminal proceedings.

Medico-legal evidence is used in this tool as defined by the World Health Organization as “documented extra and ano-genital injuries and emotional state as well as those samples and specimens that are taken from the victim’s body or clothing solely for legal purposes. Such evidence includes saliva, seminal fluid, head hair, pubic hair, blood, urine, fibre, debris and soil”⁷.

Non-partner sexual violence “refers to violence by a relative, friend, acquaintance, neighbor, work colleague or stranger”.⁸ It includes being forced to perform any unwanted sexual act, sexual harassment and violence perpetrated against women and girls frequently by an offender known to them, including in public spaces, at school, in the workplace and in the community.

Post-trial processes include corrections as it relates to protection of the victim/survivor, minimizing the risk of re-offending by the offender, and the rehabilitation of the offender. It also covers prevention and response services for women who are detained in correctional facilities, and for women in detention who have suffered violence against women.

Pre-trial / hearing processes in criminal justice matters include bail hearings, committal hearings, selection of charges, decision to prosecute and preparation for criminal trial. In civil and family matters they include interim child custody/support orders, discovery procedures in civil cases, and preparation for trial or hearing. In administrative law matters, such as criminal injuries compensation schemes, it is recognized that this can be pursued in the absence of or in addition to criminal and/or civil cases and include providing supporting documentation for applications.

6 Report of the Secretary-General, In-depth study on all forms of violence against women, United Nations, A/61/122/Add.1, (6 July 2006) paras. 111- 112, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/No6/419/74/PDF/No641974.pdf?OpenElement>.

7 Du Mont, Janice and D. White (2007), “The uses and impacts of medico-legal evidence in sexual assault cases: A Global Review (WHO: Geneva).

8 Report of the Secretary-General, In-depth study on all forms of violence against women, United Nations, A/61/122/Add.1, (6 July 2006) paragraph 128.

Prevention measures from a justice service provider's perspective refer to those activities that are primarily focused on interventions to stop violence and prevent future violence and to encourage women and girls to report for their own safety.

Quality guidelines support the delivery and implementation of the core elements of essential services to ensure that they are effective, and of sufficient quality to address the needs of women and girls. Quality guidelines provide 'the how to' for services to be delivered within a human rights-based, culturally-sensitive and women's-empowerment approach. They are based on and complement international standards and reflect recognized best practices in responding to gender-based violence.

Reparations means to wipe out, as far as possible, all the consequences of an illegal act and re-establish the situation which would, in all probability, have existed if that act had not been committed. Reparations cover two aspects: procedural and substantive.⁹ Procedurally, the process by which arguable claims of wrongdoing are heard and decided by competent bodies, whether judicial or administrative need to be women-centered, available, accessible and adaptable to the specific needs and priorities of different women. Procedures need also to counter the traditionally encountered obstacles to accessing the institutions that award reparations. Substantively, remedies consist of the outcomes of the proceedings and, more broadly, the measures of redress granted to victims. This includes reflecting upon effective ways to compensate victims for harms suffered, including tort law, insurance, trust funds for victims and public compensation schemes and including non-economic losses which generally affect women more negatively than men. There are many forms of reparations, including: restitution; compensation; public acknowledgement of the facts and acceptance of responsibility; prosecution of

perpetrators; restoration of the dignity of the victim through various efforts; and guarantees of non-repetition. While the notion of reparation may also include elements of restorative justice and the need to address the pre-existing inequalities, injustices, prejudices and biases or other societal perceptions and practices that enabled violence against women to occur, there was no agreement as to how to reflect the structural transformative reparations in the essential justice services. Reparations measures should ensure that remedies are holistic and not mutually exclusive.

Restitution is defined as those measures to restore the victim to her original situation before the violence.

Trial / hearing processes include presentation of evidence and verdict or civil judgment, as well as submission of evidence to administrative board and the board's final decision.

Victim / survivor refers to women and girls who have experienced or are experiencing gender based violence to reflect both the terminology used in the legal process and the agency of these women and girls in seeking essential services.¹⁰

Violence against women means "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life."¹¹

⁹ Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo, A/HRC/14/22, 19 April 2010.

¹⁰ United Nations (2006) *Secretary-General's In-depth Study on Violence Against Women* A/61/122/Add.1 notes the ongoing debate the terms victim and survivor. Some suggest that "the term "victim" should be avoided because it implies passivity, weakness and inherent vulnerability and fails to recognize the reality of women's resilience and agency. For others the term "survivor" is problematic because it denies the sense of victimization experienced by women who have been the target of violent crime". Therefore, these guidelines use the term "victim/survivor".

¹¹ United Nations 1993, Declaration on the Elimination of all forms of Violence Against Women, United Nations: Geneva, Article 1.

CHAPTER 2:

FRAMEWORK FOR ESSENTIAL SERVICES PACKAGE

2.1 THE OVERALL FRAMEWORK

The Framework for guidelines for the delivery of quality essential justice and policing services incorporates four interlinked components:

- **Principles** which underpin the delivery of all essential services.
- **Common characteristics** which describe a range of activities and approaches that are common across all areas and which support the effective functioning and delivery of services.
- **Essential services** which set out the absolute minimum required services to secure the human rights, safety and well-being of any woman, girls or child who experience intimate partner violence and or non-partner sexual violence
- **Foundational elements** which must be in place to enable the delivery of quality services across all essential services and actions.

Essential Services Package: Overall framework diagram

| | | | |
|-------------------------------|---|---|--|
| Principles | A rights based approach | Advancing gender equality and women’s empowerment | Culturally and age appropriate and sensitive |
| | Victim/survivor centred approach | Safety is paramount | Perpetrator accountability |
| Common characteristics | Availability | Accessibility | |
| | Adaptability | Appropriateness | |
| | Prioritize safety | Informed consent and confidentiality | |
| | Data collection and information management | Effective communication | |
| | Linking with other sectors and agencies through referral and coordination | | |

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|--------------------------------|---|---|---|
| Essential services and actions | Health | Justice and Policing | Social services |
| | <ol style="list-style-type: none"> 1. Identification of survivors of intimate partner violence 2. First line support 3. Care of injuries and urgent medical treatment 4. Sexual assault examination and care 5. Mental health assessment and care 6. Documentation (medico-legal) | <ol style="list-style-type: none"> 1. Prevention 2. Initial contact 3. Assessment/investigation 4. Pre-trial processes 5. Trial processes 6. Perpetrator accountability and reparations 7. Post-trial processes 8. Safety and protection 9. Assistance and support 10. Communication and information 11. Justice sector coordination | <ol style="list-style-type: none"> 1. Crisis information 2. Crisis counselling 3. Help lines 4. Safe accommodations 5. Material and financial aid 6. Creation, recovery, replacement of identity documents 7. Legal and rights information, advice and representation, including in plural legal systems 8. Psycho-social support and counselling 9. Women-centred support 10. Children's services for any child affected by violence 10. Children's services for any child affected by violence 11. Community information, education and community outreach 12. Assistance towards economic independence, recovery and autonomy |

Coordination and governance of coordination

| National level: Essential actions | Local level: Essential actions |
|---|--|
| <ol style="list-style-type: none"> 1. Law and policy making 2. Appropriation and allocation of resources 3. Standard setting for establishment of local level coordinated responses 4. Inclusive approaches to coordinated responses 5. Facilitate capacity development of policy makers and other decision-makers on coordinated responses to VAWG 6. Monitoring and evaluation of coordination at national and local levels | <ol style="list-style-type: none"> 1. Creation of formal structures for local coordination and governance of coordination 2. Implementation of coordination and governance of coordination |

| | | | |
|-----------------------|---|---|---------------------------|
| Foundational elements | Comprehensive legislation and legal framework | Governance oversight and accountability | Resource and financing |
| | Training and workforce development | Gender sensitive policies and practices | Monitoring and evaluation |

2.2

UNIQUE FEATURES OF THE FRAMEWORK SPECIFIC TO ESSENTIAL JUSTICE AND POLICING SERVICES

Principles

In applying the overall principles, justice service providers, should keep in mind:

- The dynamics of inequalities between women and men create gender specific vulnerabilities, such as economic and legal dependency, which among other things, impact on women's use of justice services, create obstacles to accessing justice and even result in some justice remedies negatively impacting women (i.e. fines in intimate partner violence cases).
- Justice and policing services should not compromise the rights of women and girls, be non-coercive and be grounded in a gender transformative approach.
- A women-centred approach to justice and policing service delivery puts the needs and realities of women and girls at the core of any justice service rather than the goals of the justice institutions. This means prioritizing women safety, empowerment and recovery; treating every woman with respect; supporting and keeping them informed throughout the justice process.
- Holding perpetrators accountable requires justice and policing services to support and facilitate the victim's and survivor's participation with the justice process, promote her capacity of acting or exerting her power (woman's agency), while ensuring that the burden or onus of seeking justice is not placed on her but on the state.

Common Characteristics

In applying the overall principles, justice service providers, should keep in mind:

- Failure to continually and consistently consider issues of protection and support, throughout the whole justice process can lead to catastrophic results.
- Systematic, timely, clear and effective communication, coordination of services, referral networks and mechanisms between justice and other service

providers are key to maintaining victim safety and protection, and ensuring the victim/survivor receives the services and supports she deserves.

Foundational Elements

In applying the overall principles, justice service providers, should keep in mind:

- A criminal law framework that criminalizes all forms of violence against women, as well as criminal, civil, family and administrative law frameworks that ensure effective prevention, protection, prosecution, adjudication and provision of remedies in accordance with international standards.
- Regarding training and workforce development, conducting investigations, prosecution and adjudication of violence against women are often complex and require specialist knowledge, skills and abilities. Justice services should consider delivery through specialized and multi-disciplinary units within the justice sector (i.e. specialized domestic violence courts, gender based violence prosecution units, domestic violence units within police forces which include police officers and social workers).

CHAPTER 3:

GUIDELINES FOR ESSENTIAL JUSTICE AND POLICING SERVICES

ESSENTIAL SERVICE: 1. PREVENTION

It is important that justice service providers strongly support initiatives and organizations that seek women's equality; raise public awareness about violence against women, its causes, and the consequences to women, their families and communities as well as punishment that perpetrators will face; and ensure that information about services and how to access them is readily available to all. The development and promotion of institutional cultures founded on gender equality and gender responsiveness and service delivery is crucial to prevention.¹

| CORE ELEMENTS | GUIDELINES |
|---|---|
| 1.1 Promotion and support of organizations and initiatives seeking to end violence and increase women's equality | <ul style="list-style-type: none">• Seek out and establish relationships, and work collaboratively with organizations on long term strategies that seek to end violence and increase the equality of women:<ul style="list-style-type: none">• engage key organizations (such as educational institutions), specific groups (for example, women's groups, men and boys, parents, children, and young people) and the media to advocate for, and take action to reduce violence against women and girls.• Demonstrate gender responsiveness:<ul style="list-style-type: none">• consider the impacts and implications of policies, procedures and practices on women and men in the organization and women, men and children in the community• reinforce the benefits of gender responsiveness to the organization and the community it serves• demonstrate that women are valued employees of the justice system and that the contributions they make to the organization are important for the delivery of quality services.• Ensure there is in place and enforce a zero tolerance policy against violence committed against any person, including victims/survivors of violence against women for all employees of the organization:<ul style="list-style-type: none">• define sanctions for non-compliance with this policy and ensure training and establish processes to ensure implementation of the policy. |
| 1.2 Support efforts to raise awareness and promote the unacceptability of men's and boy's violence against women | <ul style="list-style-type: none">• Contribute to developing and implementing strategies to challenge cultural and social norms, attitudes and behaviours that contribute to the acceptability of violence against women and girls:<ul style="list-style-type: none">• use all available resources, including the media and champions if appropriate, to deliver the message that violence is unacceptable and unjustified.• Affirm that men and boys are a significant part of the solution to addressing violence against women and girls.• Work with others to increase public confidence in the ability of the justice system to respond effectively to violence against women:<ul style="list-style-type: none">• publically reinforce and demonstrate commitment to a victim/survivor centered approach that has at its core the safety, protection, support, privacy, and confidentiality of the victim/survivor, her family and relevant others, and perpetrator accountability. |

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| <p>1.3 Stopping violence and prevent future violence against women</p> | <ul style="list-style-type: none"> • Maintain accurate records and analyze records of reported incidents of violence perpetrated against women to identify trends of reporting to police services. • Promote and implement collection of data to assist in understanding the prevalence of various types of violence against women in the country, and in local jurisdictions. • Analyze national representative data on violence against women (if available) to more fully understand the levels of violence in society. This can be compared to the rates of violence reported to police and other services to aid understanding and response to under-reporting to services. • Based on analysis, take action to prevent further violence through: <ul style="list-style-type: none"> • early intervention • quick response and removal of the victim/survivor and relevant others from violence, and • arrest and removal of the perpetrator from the scene of violence. |
| <p>1.4 Encouraging women to report violence perpetrated against them</p> | <ul style="list-style-type: none"> • Actively encourage reporting of violence: <ul style="list-style-type: none"> • through provision of information to the community on police commitment to effective response to violence against women and girls • by ensuring police can be contacted 24 hours a day, 365 days a year • by working with other service providers and the community to ensure the first door is the right door for reporting incidents of violence, regardless of whether those reports are made: <ul style="list-style-type: none"> - directly to police - to health service providers - to social service providers - to court officials. • Strive to increase women's confidence to report by responding quickly and appropriately to reported acts of violence against them. <ul style="list-style-type: none"> • Ensure policy and practice reflects that the victim/survivor has input into determining whether or not to proceed with an investigation or court process. |

ESSENTIAL SERVICE: 2. INITIAL CONTACT

A positive initial contact experience with the justice system is crucial for victims/survivors of violence. Services must be available and accessible to all women. But most importantly, the initial contact must demonstrate to the victim/survivor that the justice system, and the justice service providers in the system are committed to her health and safety, take her complaint seriously, and want to ensure that she is well supported on her journey through the justice system.²

| CORE ELEMENTS | GUIDELINES |
|------------------------------------|--|
| <p>2.1 Availability</p> | <ul style="list-style-type: none"> • Ensure justice and policing services are available to every victim/survivor regardless of her place of residence, nationality, ethnicity, caste, class, migrant or refugee status, indigenous status, age, religion, language and level of literacy, sexual orientation, marital status, disabilities or any other characteristics that need to be considered. |

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| <p>2.2 Accessibility</p> | <ul style="list-style-type: none"> • Ensure access to police services is: <ul style="list-style-type: none"> • available 24 hours per day, 365 days per year • geographically accessible, and where not geographically accessible, there is a mechanism in place that enables victims/survivors to safely contact/access police services through other available means • user friendly, and meets the needs of various target groups including, for example, but not limited to those who are illiterate, visually impaired, or do not hold citizen or resident status <ul style="list-style-type: none"> -procedures and directions are available in multiple formats to maximize access (for example, written, electronic, oral, via media, via telephone) • signage meets the needs of different target groups • delivered as far as possible, in a way that considers the language needs of the user. • Ensure justice premises are safe and have women and child friendly spaces. • Ensure police services are free of charge and that : <ul style="list-style-type: none"> • accessing service does not place undue financial or administrative burdens on the victim/survivor • all steps are taken to ensure victims/survivors have access to needed "for fee services" (such as, medical examinations, psychological support services). |
| <p>2.3 Responsiveness</p> | <ul style="list-style-type: none"> • Ensure a victim/survivor can make a report at any time, and at a location that is safe, private, and agreeable to her: <ul style="list-style-type: none"> • efforts are made to limit the number of people a victim/survivor must deal with, and to minimize the number of times a victim/survivor has to relay her story, and thereby reduce secondary victimization³ • the victim/survivor and/or the parent/guardian/legal representative in the case of a girl: <ul style="list-style-type: none"> - has the opportunity to decide whether to engage in the justice process - is provided with information to make informed decisions - is not punished for failing to cooperate when her safety cannot be guaranteed or secondary victimization cannot be prevented. • Ensure trained service providers are available to assist and support the victim in filing her complaint. • Ensure all reported incidents of violence against women are documented, whether or not they are a crime: <ul style="list-style-type: none"> • all information obtained and reports made are kept confidential and are stored in a secure location. • Ensure immediate action is instituted when a victim/survivor reports an incident of violence against her. • Ensure justice service providers meeting a victim/survivor: <ul style="list-style-type: none"> • are non-judgmental, empathetic and supportive • proceed in a manner that <ul style="list-style-type: none"> -considers and prevents secondary victimization -responds to the victim/survivor's concerns but is not intrusive -ensures the victim/survivor's privacy is maintained. • Ensure the victim/survivor has the opportunity to <ul style="list-style-type: none"> • tell her story, be listened to, and have her story accurately recorded • be able to tell how the violence has impacted her. • Ensure that girl victims/survivors are able to express their views and concerns according to their abilities, age, intellectual maturity and evolving capacity. |

ESSENTIAL SERVICE: 3. INVESTIGATION

It is crucial that investigations of crimes of intimate partner and sexual violence against women are started in timely fashion, are conducted in a professional manner, meet evidentiary and investigative requirements, and that all available means to identify and arrest the suspect are exhausted. Throughout, the woman's safety, security and dignity are carefully considered and maintained.

These guidelines are complemented by Essential Health Service number 6 – Documentation (medico-legal) detailed in the Health Module, particularly 6.2 Collection and documentation of forensic specimens and 6.3 Providing written evidence and court attendance.

| CORE ELEMENTS | GUIDELINES |
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| <p>3.1 Cases of violence against women are given high investigation priority</p> | <ul style="list-style-type: none"> • Ensure there is a policy in place that requires justice service providers receiving a report of violence to: <ul style="list-style-type: none"> • explain to the victim/survivor the investigative and justice processes, her rights, and the services available to her throughout the justice process • immediately commence a victim sensitive investigation • ensure that reports are immediately investigated and followed up. • Ensure justice actions taken do not cause further harm. Consider: <ul style="list-style-type: none"> • the victim/survivor's context • the physical and mental trauma she has experienced • potential impacts her act of reporting may have on her, her family and relevant others. • Ensure victims/survivors are not deferred or delayed, asked to wait to make a report, or be in any other way impeded in their effort to bring their case to the attention of justice authorities. • Ensure that suspects are arrested as soon as practicable. • Ensure suspects are required to submit to measures implemented for the protection of victims. |
| <p>3.2 Victim / survivor medical and psycho-social needs are addressed</p> | <ul style="list-style-type: none"> • Ensure justice response during investigation focuses on the victim/survivor's needs, keeping in mind the victim/survivor's context, the physical and mental trauma she has experienced, and her medical and social needs: <ul style="list-style-type: none"> • justice service providers respond appropriately to problems that require immediate medical response • medical and psychological needs are addressed by medical and mental health professionals • justice service providers facilitate access to medical assistance and medico-legal examinations. |

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| <p>3.3 Relevant information and evidence is collected from the victim/survivor and witnesses</p> | <ul style="list-style-type: none"> • Ensure a victim statement is taken: <ul style="list-style-type: none"> • promptly, and in a professional, non-judgmental, and victim sensitive manner • recorded accurately, read back to the victim/survivor, and the content is confirmed by the victim/survivor • once only to minimize the impact on the victim/survivor and to prevent secondary victimization • Ensure a medico-legal examination is arranged if appropriate.⁴ Ensure that the medico-legal examination is conducted and documented: <ul style="list-style-type: none"> • in timely fashion • in a gender sensitive manner that takes into account the unique needs and perspectives of the victim/survivor, respect her dignity and integrity and minimize intrusion while abiding by standards for the collection of forensic evidence • where possible, ensure a justice service provider accompanies the victim/survivor to the medical facility for the examination. • Ensure all available evidence that can lend credibility to the allegation is collected, and that it is collected in a respectful manner that maintains the dignity of the victim/survivor. This includes: <ul style="list-style-type: none"> • promoting evidence building that focuses on the credibility of the allegation rather than the credibility of the victim/survivor • consider whether forensic examinations are required and if so they are done in a timely manner. • Ensure the scene is visited in timely fashion: <ul style="list-style-type: none"> • scene is viewed and protected to preserve evidence • if scene viability is confirmed, a thorough crime scene examination is undertaken: <ul style="list-style-type: none"> -evidence is gathered, stored, and processed to meet chain of evidence requirements -arrangements are made for scene and victim evidence analysis -evidence analysis reports are reviewed and used to determine next steps • based on findings, follow-up investigations are conducted and actions taken to conclude the case. • Ensure when working with girl victims/survivors that services are tailored to the unique requirements of the age of the girl, and ensure: <ul style="list-style-type: none"> • interview rooms and interviews are child friendly • procedures are child sensitive • the non-offending parent, guardian, legal representative or appropriate child assistance authority is involved and participates in all actions contemplated or taken • medical, psycho-social, and victim support services are age appropriate, and • confidentiality is maintained and disclosure of information related to the girl is restricted. • Ensure witnesses and other persons who may have relevant information are identified and interviewed as soon as practicable: <ul style="list-style-type: none"> • make every attempt to corroborate the victim/survivor's statement, and document interviews and findings. |
| <p>3.4 A thorough investigation is conducted</p> | <ul style="list-style-type: none"> • Ensure the suspect is identified, interviewed and when appropriate, arrested. • Ensure a thorough and well documented report that details investigations conducted and actions taken is completed and reviewed: <ul style="list-style-type: none"> • reports are reviewed by a senior officer or supervisor to ensure all necessary steps have been taken and recorded • a copy of the report is provided for use by any follow-up investigators and prosecutors • a copy of the report is shared with other relevant service providers. |
| <p>3.5 Professional accountability is maintained throughout the investigation</p> | <ul style="list-style-type: none"> • Ensure organizational accountability is established and maintained throughout the investigation process: <ul style="list-style-type: none"> • a senior investigator or supervisor: <ul style="list-style-type: none"> - ensures the case is properly assessed, an investigation plan is developed and implemented, investigations are appropriately coordinated, and actions and findings are monitored and evaluated on an ongoing basis - holds investigators accountable for their actions throughout the investigative process • the organization ensures that someone is assigned to: <ul style="list-style-type: none"> - conduct ongoing crime analysis to identify any signs of increasing violence, and that history and trends in violence are included in the report - ensure investigations are thorough and meet evidentiary requirements - ensure services are delivered to meet the victim / survivor's needs • a transparent and accountable complaint management system is in place to address service complaints: <ul style="list-style-type: none"> - the system is easily accessible and readily available to all victims/survivors, and is monitored on an ongoing basis. |

ESSENTIAL SERVICE: 4. PRE-TRIAL PROCESSES

Criminal, civil, family and administrative pre-trial/hearing processes that are non-biased and sensitive to the specific needs of victims and survivors of intimate partner violence and sexual violence are essential to guaranteeing their right to justice. Essential pre-trial criminal justice services reflect the international obligation on the state and its justice service providers in exercising primary responsibility for investigation and initiating prosecution while balancing the importance of empowering victims and survivors to make informed decisions regarding their interactions with the criminal justice system. Essential pre-trial/hearing civil, family and administrative justice services emphasize the importance of timeliness, affordability and simplified and easy to use procedures.

| CORE ELEMENTS | GUIDELINES |
|---|--|
| <p>4.1 Coordinated and integrated approaches to criminal, civil, family and administrative law cases</p> | <ul style="list-style-type: none"> • Pro-actively seek information on any other on-going justice procedure (criminal, civil, family, administrative matters) that is relevant. • Check for any outstanding protection and support orders and provide such information to the courts. • Share and utilize information from other proceedings as appropriate within the justice system. |
| <p>4.2 Primary responsibility for initiating prosecution</p> | <ul style="list-style-type: none"> • Ensure the primary responsibility for initiating prosecution rests with the justice service provider and not with the victim/survivor. • Ensure prosecution policies allow for victim agency. This means: <ul style="list-style-type: none"> • informing the victim/survivor of any decisions concerning prosecution, unless she indicates that she does not want this information • providing the victim/survivor with an opportunity to express her story and be listened to before any decisions concerning prosecution are made. • Consider pro-prosecution policies. • Ensure the collection of all available evidence when reviewing the merits of the case for the decision to prosecute. This means: <ul style="list-style-type: none"> • promoting evidence building that focuses on the credibility of the allegation rather than the credibility of the victim/survivor • ensuring that the collection of medico-legal and forensic evidence is done in a timely manner in appropriate cases • ensuring that any decision not to proceed is not based solely on the fact that there is no medico-legal report or that the report is inconclusive, and • referring to complementary guidelines in the Health Module (essential service no. 7). • Ensure experienced prosecutors/judges make all discontinuance decisions. • Reduce barriers that place undue pressure on the victim/survivor to withdraw charges. This means: <ul style="list-style-type: none"> • appreciating and responding to the potential conflict between goals of the criminal justice systems and the wishes of victim/survivor • giving substantial weight to the victim/survivor's views in criminal proceedings. |
| <p>4.3 Correct charge and approval of the charge made quickly</p> | <ul style="list-style-type: none"> • Ensure a decision regarding the correct charge and approval of the charge is made quickly and is based on the application of fair procedures and evidential standards: <ul style="list-style-type: none"> • all required follow-up investigations are completed to substantiate charges • the decision is communicated and explained to the victim/survivor and/or to parents/guardian/legal representative in the case of the girl victim. • Ensure a decision regarding the charge reflects the gravity of the offence. • Regard violence against women as an aggravating or decisive factor in deciding whether or not to prosecute in the public interest. |

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| <p>4.4 Accessible, affordable and simplified procedures to access justice</p> | <ul style="list-style-type: none"> • Ensure accessibility of civil, family and administrative law procedures (family court, tort claims, pre-trial discovery procedure). At a minimum this means: <ul style="list-style-type: none"> • civil, family and administrative law procedures are affordable • procedures are simple and easy to use • providing for a broad range of free legal aid in civil, family and administrative law matters where the plaintiff/applicant is the victim/survivor of violence against women (legal information, legal advice, legal assistance and legal representation) • expansive interpretation of eligibility regarding legal aid (for example, if the means test for legal aid is calculated in the basis of the household income of a family, and the alleged perpetrator is a family member or the victim/survivor does not have equal access to the family income, only the income of the victim/survivor applying for legal aid is used for the purpose of the means test) • gender-, survivor- and child-sensitive procedures (for example, not allowing unrepresented perpetrator to question a victim/survivor plaintiff in examination for discoveries). • Ensure that all family law cases are scanned for domestic violence concerns and treated in a distinct manner. |
| <p>4.5 Prioritization of cases</p> | <p>In criminal justice matters,</p> <ul style="list-style-type: none"> • Develop fast track procedures that can identify cases involving violence against women and prioritize them in court dockets, including bail hearings, committal hearings and for trial. • In cases of girl victims, trials are to take place as soon as practical, unless delays are in the child’s best interest. <p>In civil, family law and/or administrative matters,</p> <ul style="list-style-type: none"> • Ensure timeliness of procedures to ensure timely pre-trial process and trials: <ul style="list-style-type: none"> • cases involving violence against women need to be fast tracked • prioritize cases in the court dockets. |
| <p>4.6 Application of fair procedures and evidential standards in all pre-trial processes</p> | <p>In criminal justice matters,</p> <ul style="list-style-type: none"> • Apply fair burden and evidentiary standards. • Complete all basic evidence collection before any decisions are made about the case: <ul style="list-style-type: none"> • ensure there is a clear and complete a statement from the victim as possible • review all other evidence. • Reduce delay at all stages of the decision-making in the prosecution: <ul style="list-style-type: none"> • limit the number of case continuances/adjournments • allow only reasonable delays, taking into account the impact on the victim/survivor. <p>In civil, family law and/or administrative matters,</p> <ul style="list-style-type: none"> • Pre-trial case management procedures ensure that all relevant information has been gathered. This could include: <ul style="list-style-type: none"> • the psycho-social context of the violence • medical, forensic and other relevant reports and information. |

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| <p>4.7 Victim / survivor centered, empowerment oriented and rights based pre-trial processes</p> | <ul style="list-style-type: none"> • Ensure all service providers are non-judgmental and supportive. • Ensure victims/survivors have a safe and friendly environment when dealing with justice service providers. • Ensure victims/survivors have the opportunity for full participation. • Ensure pre-trial processes validate what has happened to the victim/survivor: <ul style="list-style-type: none"> • victim/survivor feels that her report of violence is taken seriously • her complaint is regarded as credible and valid unless the contrary is clearly indicated • the focus is on the credibility of the allegation rather than the credibility of the victim/survivor. • Ensure all victims/ survivors are treated respectfully. This includes treatment that: <ul style="list-style-type: none"> • prevents secondary victimization • is age appropriate. • Ensure pre-trial processes take into account the unique needs and perspectives of victims/survivors, respect their dignity and integrity and minimize intrusion into their lives. • Ensure that victims/survivors have a sense that their voices are being heard: <ul style="list-style-type: none"> • she has the opportunity to express her story, be listened to and be able to tell how the violence has impacted her, if she wants to do so • provide the environment that is safe where the victim/survivor can give her full account in privacy/in confidentiality and with dignity. • Ensure that the victim/survivor has control to decide whether to engage the justice process and be provided with information to make informed decisions, and has the option to withdraw from the justice process. • Pre-trial release/bail hearings must take into account the risk to the victim/survivor and consider her safety: <ul style="list-style-type: none"> • where there is sufficient risk of violence or concerns that the suspect will not obey imposed release conditions, detention pending trial should be considered • the victim/survivor is informed of any pre-trial release or bail conditions and who to contact if any conditions are breached. |
| <p>4.8 Readiness for trial</p> | <ul style="list-style-type: none"> • Ensure coordination of all key service providers (police, health care providers, etc). • Ensure attendance of critical witnesses. This includes ensuring: <ul style="list-style-type: none"> • victims, witnesses, and suspects are located and served with notices to attend court. • Ensure statements, analyses, and evidence is collected, compiled and is available for court and any additional statements are secured. • Ensure justice service providers are competent to present evidence in court in an ethical, objective, professional manner. • Promote evidence building to ensure credibility of the allegation rather than only focusing on the credibility of complainant. • Ensure access for victim/survivor support, court familiarization and court preparation services is appropriately facilitated. |
| <p>4.9 No forced mediation, alternative dispute resolution in cases involving violence against women</p> | <ul style="list-style-type: none"> • Only allow mediation or restorative justice where procedures are in place to guarantee no force, pressure or intimidation has been used.⁵ Minimum requirements include: <ul style="list-style-type: none"> • the process must offer the same or greater measures of protection of the victim/survivor's safety as does the criminal justice process • the perpetrator has accepted responsibility • the justice service provider approves • the mediators are trained and qualified • a validated risk assessment has determined that the woman is not at high risk • the victim/survivor is fully informed of the process and she approves of the mediation • the victim/survivor consents to participate |

**4.10
Special
considerations for
victims / survivors
who are suspected
or accused of
criminal behaviour**

- Ensure at the time of initial response and evidence gathering, where there are signs that the suspect may be a victim/survivor of violence against women:
 - specific vulnerability of the female accused is recognized and considered when interviewing suspect and before any decisions are made regarding arrests and detention
 - gathering evidence and case building that appreciates the context of the violence she has experienced, for example, evidence that may support a self-defence claim
 - a contextual analysis is conducted, including examination of the entire relationship between the accused and the complainant and the accused's motive and intent in using violence
- Recognizing that violence against women is a continuum and an episode of violence committed by the victim/survivor requires investigation into the circumstances around the aggression, the elements and circumstances of the continuum of such violence, the emotional and psychological impact on the victim/survivor suspect and how these features can affect her behaviour, consider:
 - performing a psychological examination to determine the mental state of the suspect and what factors could be related to the violent behaviour, such as previous violent incidents
 - performing a risk assessment to detect if there are risk factors in the suspect, to see if the aggression was reactive to some circumstances close to the aggression or if the aggression was part of a mental idea built through time.
- In jurisdictions where dual charges are allowed and both parties of domestic violence may be charged with a crime, analyze which party is the predominate aggressor⁶. Consider:
 - offensive and defensive injuries
 - threats made by a party against the other or a family member
 - any history of domestic violence between them, including previous calls to police, charges, protection orders.
- Ensure at the bail hearing the following considerations:
 - the court has all relevant information including the context in which the accused victim/survivor of violence against women has committed the violence
 - when considering the conditions of bail, such conditions do not prejudice the victim/survivor in any civil and family court proceedings, for example impacting on status quo relating to child custody considerations
 - when considering bail conditions, need to ensure that the bail conditions do not expose the accused victim/survivor to further violence.

ESSENTIAL SERVICE: 5. TRIAL / HEARING PROCESSES

Victims and survivors of intimate partner violence and sexual violence who are involved at the trial stages in criminal and civil justice processes can feel vulnerable, overwhelmed by the unfamiliarity of the justice system or re-victimized through the insensitive or discriminatory treatment of justice service providers. International norms and standards call for measures to prevent further hardship and trauma that may result from attending the trial itself and to ensure that trial processes maximize the survivor's cooperation, promote her capacity to exert agency during the trial stage while ensuring that in criminal matters, the burden or onus of seeking justice is on the State. The justice services that are considered essential during the trial processes reflect internationally agreed upon model strategies, including friendly and enabling court environments for survivors to feel safe and comfortable recounting what they have experienced; procedures to minimize re-victimization; and the application of evidentiary rules in a non-discriminatory manner.

| CORE ELEMENTS | GUIDELINES |
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| <p>5.1 Safe and friendly court room environment</p> | <ul style="list-style-type: none"> • Permit a support person such as family member, friend or professionally trained support person to be with the victim/survivor during the trial process. In the case of the girl victim, measures should be taken to appoint specialists and family members to accompany the girl, and a guardian to protect the girl's legal interests. • Provide for user friendly and fit-for-purpose court environments, including waiting areas. • Remove all unnecessary persons, including the alleged offender, whilst the victim/witness gives her evidence. • Take appropriate measures to ensure no direct contact between victim/survivor and accused, using court-ordered restraining orders or ordering pre-trial detention. • Notify appropriate authorities in the case of or suspicion of the victim/survivor being harmed or at risk of being harmed during the trial or hearing process. |
| <p>5.2 Protection of privacy, integrity and dignity</p> | <ul style="list-style-type: none"> • Apply for available measures that can protect the victim/survivor's privacy, integrity and dignity, including: <ul style="list-style-type: none"> • limit or ban public present at the trial, for example, in-camera trials or closed trials • limit or restrict media publishing of personal information of victims/survivors. • Object to or disallow any misstatements or attempts to intrude too far on the witnesses' safety (such as matters that could tend to reveal the witnesses' identity). • Remove any identifying information such as names and addresses from court's public record or use a pseudonym for the victim/survivor. • In the case of the girl victim take appropriate measures to: <ul style="list-style-type: none"> • maintain confidentiality and restrict disclosure of information relating to the girl's identity and involvement in the process • exclude public and media from courtroom during the girl's testimony, where permitted by national law. |
| <p>5.3 Opportunity for full participation</p> | <ul style="list-style-type: none"> • Apply for and/or where possible allow for available measures that can facilitate the victim/survivor's testimony in trial/hearing: <ul style="list-style-type: none"> • measures that permit the victim to testify in a manner that allows her to avoid seeing the accused, for example screens, behind closed doors, closed circuit television (CCTV). • Adopt case management approaches that ensure the victim/survivor has an opportunity to fully participate in the proceedings with the least amount of secondary victimization: <ul style="list-style-type: none"> • reduce unnecessary delays • promote practices that issues not in dispute are agreed upon and admitted at the start of the trial/hearing. • Undertake approaches and ways to reduce the victim/survivor's stress: <ul style="list-style-type: none"> • limit her evidence to relevant evidence • allow for short recess when she is too distressed to proceed • identify options to avoid or minimize direct examination of the victim/survivor by the defendant, where possible • if allowed, have the examination conducted through an intermediary • if allowed, use video-recorded interview as evidence in chief. • In the case of the girl victim, use child-sensitive procedures, including interview rooms, modified court environments and take measures to ensure hearings and interviews are limited and are scheduled at times of the day appropriate to the age of the girl and separate from the accused. |

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| <p>5.4 Opportunity to give details of the impact of the crime</p> | <ul style="list-style-type: none"> • Allow the victim/survivor the opportunity to give details of the impact of the crime if she wishes to do so. • Provide different options for her to submit this information at trial. |
| <p>5.5 Non-discriminatory interpretation and application of evidentiary rules</p> | <p>In criminal justice matters,</p> <ul style="list-style-type: none"> • Ensure all relevant evidence is brought before the court: <ul style="list-style-type: none"> • consider allowing expert witnesses with appropriate experience to provide information about the dynamics and complexities of violence against women and girls. • Complaints are regarded as credible and valid unless contrary is clearly indicated. • Take steps to mitigate the potential impact of existing discriminatory evidentiary rules and procedures: <ul style="list-style-type: none"> • object to or disallow any unfair, unnecessarily repetitive, aggressive and discriminatory questioning by defence • object to or disallow any questioning that relies on myths and stereotyping • object to or disallow questions about the victim /survivor’s sexual history when it is unrelated to the case. • Do not allow any adverse inference to be drawn solely from a delay in reporting or lack of reporting. • If the defence applies to introduce what appears to be highly prejudicial evidence, ensure the following steps are taken: <ul style="list-style-type: none"> • request the defence’s application to be made in writing • ensure such request is made at pre-trial and only allow during trial if defence can show exceptional circumstances (such as they had not been aware of the information until trial) • provide the victim/survivor the opportunity through representation to voice her concerns and arguments against the discriminatory evidence. • Ensure the application of the rules (in particular gender-based cautionary rules) and principles of defence do not discriminate against women or be interpreted in ways that allow perpetrators of violence against women to escape criminal responsibility. <p>In civil, family law and/or administrative matters,</p> <ul style="list-style-type: none"> • Ensure that the civil and family courts have all relevant information before them, including: <ul style="list-style-type: none"> • the psycho-social context of the violence • consider calling an expert witness. • Ensure that civil and family courts do not draw adverse inferences with respect to the victim/survivor’s decisions to avoid further violence or ensure the best interest of the child, for example: <ul style="list-style-type: none"> • in cases of child custody, ensure that the behaviour of the victim/survivor is understood in the context of intimate partner violence. For example, the woman’s decision to flee the home or take other protective measures should not prejudice her civil proceedings • ensure that the impact of the intimate partner violence, such as the victim/survivor’s suicidal thoughts, do not adversely affect her civil and family law case • ensure that the testimony of children in child custody hearings is understood in the context of children witnessing the intimate partner violence of their mother and that any allegation on behalf of the father that the mother is causing the parent-child relational problem be considered in this context. |
| <p>5.6 Special considerations for victims / survivors who have been charged with criminal offences</p> | <ul style="list-style-type: none"> • Ensure at criminal trials, the following considerations: <ul style="list-style-type: none"> • the court has all relevant information, including the social context in which the accused victim/survivor experienced the violence • any claims of self defence by women who have been victims/survivors of violence • sentencing the accused victim/survivor should consider the impact that violence against women has had on the accused. • Take steps to mitigate the potential impact of existing discriminatory evidentiary rules and procedures: <ul style="list-style-type: none"> • object to or disallow any unfair, unnecessarily repetitive, aggressive and discriminatory questioning by the prosecution. |

ESSENTIAL SERVICE: 6. PERPETRATOR ACCOUNTABILITY AND REPARATIONS

The vast majority of perpetrators of intimate partner violence and sexual violence face no legal consequences. When they are held accountable, too often the sanctions, whether criminal, civil, or administrative, are very low. In addition, the reparations that women receive from the perpetrator and/or the state following the violence often do not reflect the realities of the harm suffered by women and girls, particularly the patterned use of coercion, intimidation and the use or threat of violence. From a survivor's perspective, accountability and reparations can mean many things, from a criminal sentence, civil damages, state compensation and public condemnation of the violence, as well as including redress for the state's failure to provide essential justice services. The essential services relating to accountability and reparations reflect the international obligation of due diligence of imposing appropriate sanctions to hold perpetrators accountable for their actions and providing for just and effective remedies to the survivors for the harm or loss suffered by them.

| CORE ELEMENTS | GUIDELINES |
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| <p>6.1 Justice outcomes commensurate with the gravity of the crime and focused on the safety of the victim/survivor</p> | <p>In criminal justice matters,</p> <ul style="list-style-type: none"> • Provide for sentencing policies that ensure consistent sentences commensurate with the gravity of the crime and meet the goals of: <ul style="list-style-type: none"> • denouncing and deterring violence against women • stopping violent behaviour • promoting victim and community safety • taking into account impact on victims/survivors and family. • Consider aggravating factors for sentencing purposes, for example, repeated violent acts, abuse of a position of trust or authority, perpetration of violence against a spouse or a person in a close relationship with the perpetrator and perpetration of violence against a person under 18 years of age. • Inform victims/survivors of any release of the offender. <p>In civil, family law and/or administrative matters,</p> <ul style="list-style-type: none"> • Ensure that court decisions of family law cases that involve violence against women take into account the impacts to the victim/survivor and her family, particularly on the victim's children, and on other relevant persons. • The rules for the assessment of harm in civil judgments are to be interpreted in a non-discriminatory manner. • Avoid, where possible, the application of overly strict or inadequate rules and interpretations of the causality link in the assessment of harms and inadequate evidence standards and procedures for quantifying damages which may have a negative disparate impact on women and girls. • Ensure timely, effective, gender sensitive and age appropriate civil remedies for the different harms suffered by women and girls. |
| <p>6.2 Participation of victims / survivors at sentencing hearings, in applicable jurisdictions</p> | <ul style="list-style-type: none"> • Provide the opportunity for victims/survivors to tell the court the physical and psychological harm and the impact of victimization at the sentencing hearing. • Allow victims/survivors a role in sentencing through a broad range of methods that suit individual needs (for example, written or oral victim impact statements, victim impact reports done by experts such as social workers). • Ensure procedures are simple, accessible and free. • Adapt the timing of the process to the needs of the victim and her recovery. • In the case of girl victims, ensure the procedures are child-sensitive. |

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| <p>6.3 Available and accessible options for reparations</p> | <p>In criminal justice matters,</p> <ul style="list-style-type: none"> • Where applicable, ensure reparations are considered in criminal cases: <ul style="list-style-type: none"> • restitution is considered part of the sentencing hearing • restitution and financial compensation for harms done to the victim/survivor is prioritized ahead of fines and penalties and should not preclude the victim in pursuing civil or other remedies • restitution and financial compensation are not used as a substitute for custodial sentences. <p>In civil, family law and/or administrative matters,</p> <ul style="list-style-type: none"> • In jurisdictions where permitted, provide for compensation by the State, independent of any criminal process. The compensation schemes are to: <ul style="list-style-type: none"> • provide timeliness of compensation to the victim/survivor • have simple application procedures • ensure no fee is charged for application to compensation • make available, where possible, legal aid and other forms of legal assistance. • Existing civil law and other non-criminal remedies are to be affordable and accessible: <ul style="list-style-type: none"> • the application or action for civil suits or other non-criminal applications are to be as simple and easy to use as possible • where possible, legal aid and other forms of legal assistance is made available. |
| <p>6.4 Reparations that cover consequences and harms suffered by victim/survivor</p> | <ul style="list-style-type: none"> • Ensure that the calculation of the victim/survivor’s damage and costs incurred as a result of the violence are as expansively defined as possible and aim to be transformative rather than simply returning them to the position they were in prior to the violence but also redressing inequalities that made them vulnerable to violence. • Consider: <ul style="list-style-type: none"> • assessing physical and psychological harm or damage, including to reputation or dignity, pain and suffering and emotional distress, loss of enjoyment of life • lost opportunities including employment, pension, education and social benefits, including loss of earning potential • assessing damages that take full account of the victim’s unremunerated domestic and caring activities • assessing damages that take full account of the situation of the girl victim, including costs of social and educational recovery/reintegration • expenses for legal, medical, psychological and social service • actual costs of seeking justice and other services as a result of or related to the violence experiences, including transportation. |
| <p>6.5 Enforcement of remedies</p> | <ul style="list-style-type: none"> • Ensure remedies decided upon are effectively enforced. • Adopt measures to monitor the effective enforcement of remedies. |
| <p>6.6 Redress when essential justice services are denied, undermined, unreasonably delayed, or lacking due to negligence</p> | <ul style="list-style-type: none"> • Provide for broad range of damages caused by the denial, undermining or unreasonable delay of justice: <ul style="list-style-type: none"> • damages for lost wages, livelihoods and other expenses caused by the denial or delay • damages for emotional, psychological harm and loss of enjoyment of life caused by the denial or delay • actual expenses in seeking such redress, including transportation. • Provide for damages for additional violence suffered by the victim/survivor as a result of the State’s denial or unreasonable delay. • The process for claiming redress against the State is to be simple, free and safe: <ul style="list-style-type: none"> • ensure a complaint will not hinder a victim/survivor’s access to justice services • complaints must be dealt with in a timely manner. |

ESSENTIAL SERVICE: 7. POST TRIAL PROCESSES

The justice system can play an important role in preventing future violence, both by sending a strong message to the community that violence against women will not be tolerated but also in its role in ensuring the accountability and rehabilitation of perpetrators and reducing recidivism. The international norms and standards urge States to develop and evaluate treatment and reintegration / rehabilitation programmes for perpetrators that prioritize the safety of the victims as well as to ensure that compliance is monitored. These standards also urge States to ensure that there are appropriate measures in place to eliminate violence against women who are detained for any reason.

| CORE ELEMENTS | GUIDELINES |
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| 7.1 Interventions that prevent re-offending focus on victim / survivor safety | <ul style="list-style-type: none"> • When ordering rehabilitation treatment for perpetrators, ensure that the treatment programme reduces recidivism and promotes victim/survivor safety.⁷ • Ensure perpetrators are assessed for suitability prior to acceptance into a rehabilitation programme and that there is on-going risk assessment with the safety of victim/survivor the priority. This means: <ul style="list-style-type: none"> • consulting the victims/survivors at the time the assessment is done when the options for rehabilitation are being considered as well as for the on-going risk assessments • informing the victims/survivors of all post-trial decisions. • Ensure that rehabilitation is part of a conviction rather than an alternative to criminal record. • Ensure supervision of rehabilitation programmes. • Provide for appropriate consequences for perpetrators who do not satisfactorily complete their programmes. |
| 7.2 Prevention of and response to violence of women who are detained for any reason | <ul style="list-style-type: none"> • Ensure services are in place to respond to and prevent violence against women who are detained for any reason. • Ensure services are in place for women in detention who experienced violence against women prior to detention. • Identify and prevent further victimization of female prisoners during visits by abusive intimate or former intimate partners. • Ensure preventive measures by correctional authorities: <ul style="list-style-type: none"> • periodic inspections of prisons are carried out by arms-length body which should include women members • personal searches of female inmates are carried out only by female staff • facilitate contact with outside world, family and/or children, if she chooses to do so • segregation of prison population based on sex and adult/juveniles. • Ensure special measures to protect women who are detained with their children. • Ensure accessible support and measures for redress for violence occurring during detention: <ul style="list-style-type: none"> • information about the victim/survivor's right to make a complaint and the steps and procedures to be taken • the complaint process is simple, safe and confidential • access to legal assistance • immediate and long term protection from any form of retaliation • access to psychological support or counseling • investigate all reports of violence by prisoners by competent and independent authorities, with full respect for the principle of confidentiality. |
| 7.3 Reduction of exposure to violence of female offenders in detention and post detention services | <ul style="list-style-type: none"> • Ensure detention and post detention services are provided for female offenders to reduce their exposure to violence. • Rehabilitation and re-integration programmes to include skills programmes, vocational training and capacity building to ensure female offenders who have been victims of violence can avoid past abusive environments. • Ensure specifically tailored probation and other services providers are aware of dynamics of gender based violence. • Coordination and integration of services to support women who are released from detention. |

ESSENTIAL SERVICE: 8. SAFETY AND PROTECTION

Protection measures for women who have experienced intimate partner violence and sexual violence are critical to stopping the violence and preventing reoccurrence, escalation and threats of violence. Women have the right to live free of violence and free of the fear of violence. This means that protection measures need to be available independent of any initiation of a criminal, civil or family law case and be designed to empower women in their access to justice and enable them to stay safely engaged with the justice process.

| CORE ELEMENTS | GUIDELINES |
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| <p>8.1 Access to immediate, urgent and long term protection measures</p> | <ul style="list-style-type: none"> • Ensure immediate and urgent protection measures⁸ are accessible to all victims/survivors: <ul style="list-style-type: none"> • available free of charge • application procedures are simple and user friendly • justice service providers are obligated to assist in completing the application • courts are accessible after hours • ex parte orders are allowed, where necessary • there is fast track / rapid access to appropriate courts. • Ensure protection is specifically tailored to meet the needs of the victim/survivor, her family and other relevant persons: <ul style="list-style-type: none"> • justice service providers consider the broadest range of protection measures available to them. • Ensure that protection measures are not dependent on initiation of criminal, civil or family law proceedings. • Ensure evidentiary rules in protection hearings are not interpreted in a restrictive or discriminatory manner. • Ensure prompt service of protection orders. • Ensure any modification of protection measures prioritize the safety of the victim/survivor. |
| <p>8.2 Enforcement of protection measures</p> | <ul style="list-style-type: none"> • Ensure roles and responsibilities for enforcement of protection measures (such as protection and related court orders against and/or conditions for release/bail for perpetrators) are clearly defined: <ul style="list-style-type: none"> • protection measures are effective immediately • copies of protection measures are sent by courts to the police • copies of protection measures are shared with and are retained for easy access by frontline officers and dispatch staff. • Ensure appropriate monitoring of protection measures: <ul style="list-style-type: none"> • in situations where the suspect is detained, inform detention facility staff of protection measures and request them to closely monitor any external communications to prevent breaches (for example, telephone, email). • Ensure that any breach is responded to immediately and quickly: <ul style="list-style-type: none"> • the violator is arrested and brought before the courts • breaches of orders are taken seriously, charged criminally where possible, and appropriately sanctioned by the courts • victim/survivors are never held in breach of protection orders, as it is the perpetrator who is the subject of the order. • Hold justice service providers accountable for their action or inaction in enforcement of protection measures. |

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| <p>8.3 Risk assessment</p> | <ul style="list-style-type: none"> • Ensure risk assessment is supported by timely gathering of intelligence: <ul style="list-style-type: none"> • gather intelligence from multiple sources • seek victim/survivor perspective on potential threat • develop and implement strategies to eliminate or reduce victim/survivor risk. • Ensure ongoing risk assessments identify changes in victim/survivor vulnerability and that appropriate measures are taken to ensure the victim remains safe. • Ensure risk assessments are shared with relevant justice service providers for use in decision making. • Ensure risk assessments include at a minimum, an assessment of: <ul style="list-style-type: none"> • lethality risk and risk of repeated violence • level or extent of harm to the victim/survivor, her family or other relevant persons • prior victimization • the threats to which she is exposed and the presence of or threat to use weapons • evidence of escalating violence or intimidation • the status of the relationship. |
| <p>8.4 Safety planning</p> | <ul style="list-style-type: none"> • Ensure timely development, implementation and evaluation of appropriate safety plans: <ul style="list-style-type: none"> • safety plans are based on risk assessment. • Work with the victim/survivor to: <ul style="list-style-type: none"> • identify the options and resources available • plan how she will protect herself and her family and relevant others in a variety of settings and circumstances. • Safety plans are reviewed and updated on an on-going basis. |
| <p>8.5 Prioritization safety concerns in all decisions</p> | <ul style="list-style-type: none"> • Maintaining the safety of the victim/survivor, her family and relevant others is the primary focus of all justice actions. • Ensure all necessary information, including the risk assessment, is in hand before making any decisions pertaining to the arrest, detention, terms of release, probation or parole, of the perpetrator. Relevant information includes: <ul style="list-style-type: none"> • whether there is a history of violence • victim/survivor's fear of future violence and the basis for that fear • victim/survivor's opinion on the likelihood that the abuser will obey the terms of release • any threats of and/or escalation of violence. • Any decision concerning the release of the suspect or offender must take into account the risk to the victim/survivor and consider her safety: <ul style="list-style-type: none"> • where there is sufficient risk of violence or concerns that the suspect will not obey imposed release conditions, detention pending trial should be considered. |
| <p>8.6 Coordinated protection measures</p> | <ul style="list-style-type: none"> • Where other justice proceedings have been initiated, protection measures need to be coordinated between criminal, civil, family law and/or administrative proceedings: <ul style="list-style-type: none"> • consider creating a registration system for protection orders to ensure all justice service providers have quick access to the relevant information • ensure information can be exchanged legally and safely, protecting confidentiality of the victim/survivor |
| <p>8.7 Coordinated protection and support services</p> | <ul style="list-style-type: none"> • Work with other service providers to develop and implement integrated protocols and effective referral networks to: <ul style="list-style-type: none"> • arrange and supervise emergency measures • institutionalize coordinated efforts • develop standards for referral services. • Ensure support measures such as child support or alimony are available to assist the victim/survivor to safely rebuild her life. |

ESSENTIAL SERVICE: 9. SUPPORT AND ASSISTANCE

A crucial element in guaranteeing access to justice for all women is the provision of support and assistance services during the justice process. The international norms and standards refer to the importance of legal assistance, practical, accurate and comprehensive information, victim and witness support services and the need for support from outside the justice sector (such as, health, shelters, social services, counselling).⁹ These services can empower women, allowing them to make their own informed decisions based on knowledge of their rights and justice options.

| CORE ELEMENTS | GUIDELINES |
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| <p>9.1 Practical, accurate, accessible and comprehensive information</p> | <ul style="list-style-type: none"> • Ensure a broad range of information, including, at a minimum: <ul style="list-style-type: none"> • a clear description of justice processes in various languages and formats to meet the needs of different groups of women • the roles and responsibilities of relevant justice sector actors • relevant information on rights and remedies, including restitution and compensation • information on how and where to access legal assistance and advice • information about the types of available support services and service providers and how to access them • available protection measures. • Ensure timely information about victim/survivor’s case is available to her. This includes: <ul style="list-style-type: none"> • her role and opportunities for participating in the proceedings • the scheduling, progress and ultimate disposition of the proceedings • any orders against the suspect/offender. • Ensure that signage at all justice sector offices meets the needs of various target groups. |
| <p>9.2 Legal services</p> | <p>In criminal justice matters,</p> <ul style="list-style-type: none"> • In jurisdictions where the victim/survivor does not have standing in criminal cases, legal services are provided by the prosecution office. • In jurisdictions where a victim/survivor has standing in criminal cases, legal services are affordable and for those without sufficient means or when the interests of justice so requires, legal services are provided at no cost (legal aid): <ul style="list-style-type: none"> • legal services can include legal information, legal advice, legal assistance and legal representation • administrative processes to obtain legal aid are free and simple • if the means test for legal aid is calculated on the basis of the household income of a family, and the alleged perpetrator is a family member or the victim/survivor does not have equal access to the family income, only the income of the victim/survivor applying for legal aid is used for the purpose of the means test. <p>In civil, family law and/or administrative matters,</p> <ul style="list-style-type: none"> • Ensure legal services are affordable. • Provide for a broad range of legal services: legal information, legal advice, legal assistance and legal representation. • Ensure that the administrative processes to obtain legal aid are free and simple. • If the means test for legal aid is calculated in the basis of the household income of a family, and the alleged abuser is a family member or the victim/survivor does not have equal access to the family income, only the income of the victim/survivor applying for legal aid is used for the purpose of the means test. <p>In situations where victims/survivors have been accused of, or charged with a criminal offence:</p> <ul style="list-style-type: none"> • Ensure the accused victim/survivor has access to legal aid from the initial point of contact with the criminal justice system. • Ensure the victims/survivors accused of violence and who are involved in civil /family law matters have access to legal aid. |

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| <p>9.3 Victim and witness support services</p> | <ul style="list-style-type: none"> • Ensure a broad range of support services are available to victims/survivors. Such services can include: <ul style="list-style-type: none"> • information and advice • emotional and psychological support • practical assistance (for example, transportation to and from court) • court preparation and support • protection from secondary victimization. • Ensure support services are accessible and available: <ul style="list-style-type: none"> • support service free of charge • support services are geographically available and where not geographically available there is a mechanism in place to enable victims/survivors' to access resources using alternative methods. • Ensure timely provision of support services throughout the justice continuum. • Ensure support services are tailored to individual victim/survivor's needs. • Ensure child friendly support services for both girl victims and for women victims who have children with them when accessing support services. • Ensure that support persons are professionals or are volunteers trained in the complexity of violence against women and justice systems. |
| <p>9.4 Referrals to health and social service providers</p> | <ul style="list-style-type: none"> • Work with other service providers to develop and implement integrated protocols and effective referral networks to: <ul style="list-style-type: none"> • link victim/survivors with needed health and social services (for example, shelters, medical and psychological care) • institutionalize coordinated efforts • develop standards for referral services. |

ESSENTIAL SERVICE: 10. COMMUNICATION

Communication is a key theme throughout the justice system. The victim / survivor needs to know that she is being listened to and that her changing justice needs are being understood and addressed. Information and the way it is communicated can empower the victim to make informed decisions regarding her engagement with the justice system. Information and communication management amongst the various justice service agencies and non-justice sectors, particularly prioritizing confidentiality and privacy, can contribute to the minimization of the risks victims face when seeking justice.

| CORE ELEMENTS | GUIDELINES |
|---|--|
| <p>10.1 Simple and accessible information about justice services</p> | <ul style="list-style-type: none"> • Ensure adequate and timely information on available services is provided in a manner that considers the needs of various target groups. Information could include: <ul style="list-style-type: none"> • a clear description of justice processes • a clear description of the respective roles and responsibilities of relevant justice sector actors • available justice mechanism, procedures and remedies • information about the victim/ survivor's specific case. • Ensure information is delivered in a way that considers the needs of various target groups: <ul style="list-style-type: none"> • is available, as far as possible, in the language of the user • is available in multiple formats (for example, oral, written, electronically) • is user-friendly and in plain language. • Ensure that signage at all justice sector offices meets the needs of various target groups. |

| | |
|---|---|
| <p>10.2 Communications promote the dignity and respect of victim/survivor</p> | <ul style="list-style-type: none"> • Ensure all communications between justice service providers and the victim/survivors and/or parents, guardian and legal representative: <ul style="list-style-type: none"> • are non-judgmental, empathetic and supportive • validate what has happened to the victim/survivor throughout the process. It is important that: <ul style="list-style-type: none"> - the victim/survivor feels that her report of violence is taken seriously - her complaint is regarded as credible and valid unless the contrary is clearly indicated - she is treated with respect, and as deserving of the best response possible • are respectful • do not contribute to secondary victimization • are age appropriate. • Ensure that a victim/survivor has a sense that her voice is being heard. This means she has an opportunity to: <ul style="list-style-type: none"> • express her story • be listened to and have her story accurately recorded • have a positive experience working with justice service provider • is able to tell how the violence has impacted her. • Ensure communicators use plain language that is patiently explained. • Ensure the victim/survivor's privacy is maintained. • Ensure the confidentiality of all information provided is maintained and restrict disclosure of information relating to the identity and involvement of the victim in the process. |
| <p>10.3 Ongoing communication with the victim/ survivor</p> | <ul style="list-style-type: none"> • Ensure regular communication is maintained with the victim/survivor throughout the justice process, keeping in mind that she may be at significant risk for continuing violence by the perpetrator: <ul style="list-style-type: none"> • victim/survivor risk defines the type and amount of communication required • voice or in-person contact is required when there is: <ul style="list-style-type: none"> - any change in the level of risk she is exposed to identified - the suspect has been apprehended, has escaped, is being considered for release, or has been released and is on bail or parole - a court date has been set or changed • confirm the victim/survivor has been able to access required support services. • Ensure that a justice service provider is assigned to follow-up with the victim/survivor and provides her with contact information for immediate response in the event of anticipated or actual violence or breach of protection order. • Ensure there is a mechanism in place to provide police reports to victim/survivors and/or their legal team to facilitate action in related legal matters. |
| <p>10.4 Regular and effective communication between justice agencies</p> | <ul style="list-style-type: none"> • Ensure effective information sharing amongst justice service providers: <ul style="list-style-type: none"> • information is shared within privacy and confidentiality requirements • disclosure of information is for the purpose for which it was obtained or compiled or for a use consistent with that purpose • informed consent for disclosure of information is sought from the victim/survivor and/or parents/guardians and legal representative, wherever possible. • Promote the effective flow of information: <ul style="list-style-type: none"> • develop protocols and referral mechanisms/pathways that promote timely and efficient flow of information amongst justice service providers. |
| <p>10.5 Communication by justice agencies with other agencies</p> | <ul style="list-style-type: none"> • Ensure that information is shared within privacy and confidentiality requirements. • Informed consent for disclosure is sought from the victim/survivor wherever possible. |

ESSENTIAL SERVICE: 11. COORDINATION AMONG JUSTICE AGENCIES

Given the different mandates of each justice agency and the various tasks of different justice service providers, a coordinated response is essential to ensuring that essential justice and policing services are delivered in a quality and effective manner and delivers the best outcome for victims/survivors. Coordination sets transparent standards and expectations from each justice agency and contributes to better communications and linkages between the different justice agencies and service providers. From the perspective of a victim / survivor, coordination of essential services means that she will be met with the same understanding of her rights and her situation and receive the same, high quality response from all justice service providers.

Justice service providers are valuable members of multi-disciplinary coordination mechanisms, which have discussed in Module 5 on Coordination and Governance.

| CORE ELEMENTS | GUIDELINES |
|--|--|
| 11.1 Coordination amongst justice sector agencies | <ul style="list-style-type: none">• Ensure integrated and coordinated justice responses incorporate:<ul style="list-style-type: none">• broad stakeholder involvement• a consistent and shared understanding of violence against women• shared philosophical framework on violence against women response amongst multi-agencies involved• accountability of all agencies involved<ul style="list-style-type: none">- clear targets and performance indicators- on-going monitoring and assessment of impact• methods for sharing information, within the privacy and confidentiality legal requirements.• Ensure that the goal of coordination is to obtain the best outcomes for victims/survivors.• Ensure a consistent and coordinated approach to:<ul style="list-style-type: none">• case management• risk assessment• safety planning. |

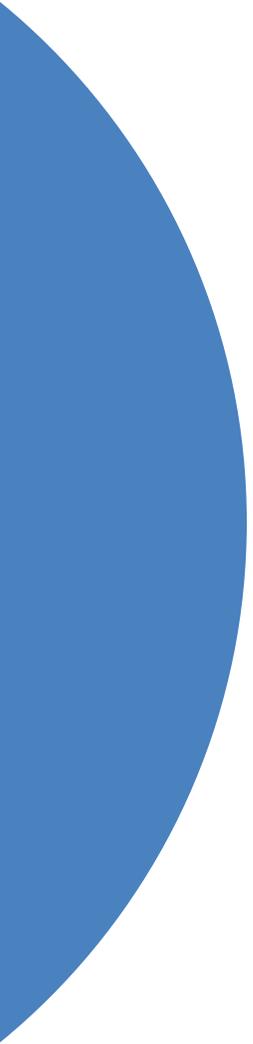
CHAPTER 4:

TOOLS AND RESOURCES

- UNODC, *Strengthening Crime Prevention and Criminal Justice Response to Violence against Women*, available at www.unodc.org/documents/justice-and-prison-reform/Strengthening_Crime_Prevention_and_Criminal_Justice_Response_to_Violence_against_Women.pdf.
- UNODC, *Handbook and Training Curriculum on Effective Police Responses to Violence against Women*, available at www.unodc.org/documents/justice-and-prison-reform/hb_eff_police_responses.pdf.
- UNODC and UNICEF, *Handbook for Professionals and Policymakers on Justice in matters involving child victims and witnesses of crime*, available at www.unodc.org/documents/justice-and-prison-reform/hb_justice_in_matters_professionals.pdf.
- UNODC, *Handbook on effective prosecution responses to violence against women and girls*, available at https://www.unodc.org/documents/justice-and-prison-reform/14-02565_Ebook_new.pdf.
- UN Women, *Handbook for National Action Plans on Violence against Women*, available at www.un.org/womenwatch/daw/handbook-for-nap-on-vaw.pdf.
- UN Women, *Handbook for Legislation on Violence against Women*, available at www.un.org/womenwatch/daw/vaw/handbook/Handbook%20for%20legislation%20on%20violence%20against%20women.pdf.
- UN Women, the various modules and information in the Virtual Knowledge Centre to End Violence against Women, available at www.endvawnow.org.
- Cusack, S. *Eliminating judicial stereotyping: Equal access to justice for women in gender-based violence cases*, available at www.ohchr.org/EN/ISSUES/Women/WRGS/Pages/Documentation.aspx.

(Guideline Endnotes)

- 1 The essential services relating to prevention build upon the model strategies on crime prevention agreed to by the UN General Assembly in the Updated Model Strategies and Practical Measures on the *Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice (General Assembly resolution 65/228, annex) as well as the United Nations Guidelines for the Prevention of Crime* Economic and Social Council resolution 2002/13, annex.
- 2 The essential services and guidelines that relate to girl victims build on the international standards and norms agreed to by the United Nations Economic and Social Council in the *Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime* (ECOSOC Resolution 2005/20).
- 3 “Secondary victimization” is victimization that occurs not as a direct result of a criminal act but through the inadequate response of institutions and individuals to the victim.
- 4 The World Health Organization has developed [guidelines for medico-legal care for victims of sexual violence](#) WHO (2004) *Guidelines for medico-legal care for victims of sexual violence*. (Geneva). Over-reliance on medico-legal evidence should be avoided as not all cases involving intimate partner violence and sexual violence produce conclusive findings. Such cases include delayed reporting; victim/survivor compromising evidence with washing, or the form of violence, such as psychological intimate partner violence may not produce forensic evidence.
- 5 The use of mediation or restorative justice practices to address issues of violence against women is complicated for many reasons but mainly because there is already an unequal power relationship between the victim/survivor and the perpetrator which is often further perpetuated and exploited in such processes. Whilst guidelines have been provided in relation to this process, its use should be carefully considered taking into account the dynamics of intimate partner violence, issues of power and safety concerns.
- 6 A predominant aggressor analysis means an analysis conducted to identify the party who is the most significant or principal aggressor. Domestic violence often involves a series of controlling and intimidating tactics used by the abuser to attain power and control over the victim and may or may not include physical violence. Victims of domestic violence may be aware of, and react to, subtle behaviour indicators of the abuser’s pending violence and therefore, react so that in some domestic violence situations, the predominant aggressor may not be the first party to use violence in a specific incident. The challenge in evaluating these precursors to violence is that they often do not rise to the level of physical violence.
- 7 The global consultation meeting discussed the characteristics to consider when designing rehabilitation / intervention programmes for the prevention of re-offending and prioritization of victim safety. The consensus was not to go into such detail in the essential services but to refer to the work done by UN Women in its Handbook on *National Action Plans and UNODC in its Blueprint for Action: An Implementation Plan for Criminal Justice Systems to Prevent and Respond to Violence against Women and Girls*. Such characteristics for these programmes include: adequate funding; trained staff to ensure timely monitoring and immediate enforcement; accredited with an organization that supports victim feedback as to whether the violence continues; committed to working within a gendered structural analysis of violence against women as opposed to a simplistic or individualized anger management paradigm; and commitment not to engage in any relationship or mediation.
- 8 Protection measures are described as being emergency, urgent or longer term. Emergency measures refer to those measures that can be obtained ex parte, without notice to the perpetrator, not requiring gathering of full evidence and decided on a balance of probabilities. Urgent measures are those that go to court without delay, such as through fast track procedures, but decisions are based on a full hearing of the evidence. Emergency measures are generally for shorter term protection measures whereas urgent protection measures are usually for longer period of time. Longer term protection measures usually require a full hearing allowing the perpetrator to be heard.
- 9 The *United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems (GA res 67/187, annex)*, the *Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice* and the *United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (GA res 40/34, annex)*. In addition to these international standards, the *United Nations Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime* are of particular importance when dealing with girl victims (ECOSOC res 2005/20).





Module 4

SOCIAL SERVICES

Essential Services Package for
Women and Girls Subject to Violence
Core Elements and Quality Guidelines



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MODULE 4

Social Services

The Essential Services Package comprises five Modules:

| Module 1. Overview and introduction | Module 2. Health | Module 3. Justice and policing | Module 4. Social services | Module 5. Coordination and governance of coordination |
|---|--|--|--|---|
| <p>Chapter 1: Introduction to essential services package</p> <p>1.1 Introduction 1.2 Context 1.3 Purpose and scope 1.4 Language and terms</p> | <p>Chapter 1: Introduction to essential health services</p> <p>1.1 Introduction 1.2 Purpose and scope 1.3 Language and terms</p> | <p>Chapter 1: Introduction to essential justice and policing services</p> <p>1.1 Introduction 1.2 Purpose and scope 1.3 Language and terms</p> | <p>Chapter 1: Introduction to essential social services</p> <p>1.1 Introduction 1.2 Purpose and scope 1.3 Language and terms</p> | <p>Chapter 1: Introduction to essential coordination and governance actions</p> <p>1.1 Introduction 1.2 Purpose and scope 1.3 Language and terms</p> |
| <p>Chapter 2 Common principles, characteristics and foundational elements</p> <p>2.1 Principles 2.2 Common characteristics of quality essential services 2.3 Foundational elements</p> | <p>Chapter 2 Framework for essential services package</p> <p>2.1 The overall framework 2.2 Unique features of the framework specific to essential health services</p> | <p>Chapter 2 Framework for essential services package</p> <p>2.1 The overall framework 2.2 Unique features of the framework specific to essential justice and policing services</p> | <p>Chapter 2 Framework for essential services package</p> <p>2.1 The overall framework 2.2 Unique features of the framework specific to essential social services</p> | <p>Chapter 2 Framework for essential services package</p> <p>2.1 The overall framework</p> |
| <p>Chapter 3 How to use this tool</p> <p>3.1 Essential services guidelines framework</p> | <p>Chapter 3 Guidelines for essential health services</p> | <p>Chapter 3 Guidelines for essential justice and policing services</p> | <p>Chapter 3 Guidelines for essential social services</p> | <p>Chapter 3 Guidelines for essential coordination and governance actions</p> <p>3.1. Guidelines for national level coordination and governance of coordination of Essential Services 3.2. Guidelines for local level coordination and governance of coordination of essential services.</p> |
| <p>Chapter 4 Tools and resources</p> | <p>Chapter 4 Tools and resources</p> | <p>Chapter 4 Tools and resources</p> | <p>Chapter 4 Tools and resources</p> | <p>Chapter 4 Tools and resources</p> |

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Development of these guidelines would not have been possible without:

The courage of the many women who have experienced violence and have spoken out about their experiences and the activists, especially from women's organizations located across the globe, who have advocated for appropriate service provision and support for women subjected to violence.

The efforts by governments who are taking actions towards ending violence against women through legislative reforms, policy initiatives and implementing prevention and response programmes.

The main donors for the UN Joint Programme on Essential Services for Women and Girls Subject to Violence, the Governments of Australia and Spain.

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CHAPTER 1.

INTRODUCTION

1.1 INTRODUCTION

These guidelines for **essential social services** aim to provide guidance for the design, implementation and review of quality social service responses for women and girls subject to all forms of gender-based violence. The guidelines focus on low to middle income countries in stable settings. They are also applicable in high income countries.

The guidelines are part of the **Essential Services Package** which aims to provide all women and girls who have experienced gender-based violence with greater access to a set of essential quality and coordinated multi-sectoral services.

The Essential Services Package reflects the vital components of coordinated multi-sectoral responses for women and girls subject to violence and includes guidelines for health services, justice and policing services, coordination and governance mechanisms as well as social sector services.

The guidelines for essential social services should be read in conjunction with Module 1: Overview and Introduction which sets out the principles, common characteristics and foundational elements that apply across all essential services. The guidelines are also complementary to the guidelines for health services (Module 2), police and justice sectors (Module 3), and coordination and governance of coordination (Module 5).

1.2. PURPOSE AND SCOPE OF THE GUIDELINES

The guidelines are designed to be a practical tool to assist countries to meet their extensive international commitments to eliminate and prevent violence

Quality social services

The provision of quality social services forms a vital component of coordinated multi-sectoral responses for women and girls subject to violence. Social services comprise a range of services that are critical in supporting the rights, safety and wellbeing of women and girls experiencing violence including crisis information and help lines, safe accommodation, legal and rights information and advice. Research and practice suggests that the manner in which services are provided has a significant impact on their effectiveness.¹

Key to maintaining women and girls' safety is an understanding of the gendered nature of violence against women and girls, its causes and consequences, and providing services within a culture of women's empowerment. This includes ensuring that services are women-focused, child-friendly, are non-blaming, and support women and children to consider the range of choices available to them, and support their decisions.

¹ <http://www.popcouncil.org/research/expanding-the-evidence-base-on-comprehensive-care-for-survivors-of-sexual-v>
See also: Arango, D, et al, *Interventions To Prevent Or Reduce Violence Against Women And Girls: A Systematic Review Of Reviews*, Women's Voice and Agency Research Series, 2014, No.10, The World Bank, and Issues No. 6 December 2006; Services for victim/survivors of sexual assault Identifying needs, interventions and provision of services in Australia Jill Astbury <http://www.aifs.gov.au/acssa/pubs/issue/i6.html>.

The guidelines define the minimum requirements for a set of essential social services that together provide a quality response.

The scope of these guidelines for essential social services is largely those services that respond to women and girls. Whilst the guidelines may be applicable to other forms of violence against women, they have mainly been developed to respond to those women and girls experiencing intimate partner violence, and non-partner sexual violence, including the specific needs of girl mothers and their children. The focus is

primarily on the response to violence against women and girls (and their children) after the violence has occurred and taking action on the early signs of violence, or intervening to prevent the reoccurrence of violence.

The guidelines are complemented by the focus of UNICEF, which, amongst other things, works to ensure all children live free from violence. There has been significant guidance and responses developed for children as victims of violence.

1.3 LANGUAGE AND TERMS

Coordination is a central element of the response to violence against women and girls. It is required by international standards that aim at ensuring that the response to violence against women and girls is comprehensive, multidisciplinary, coordinated, systematic and sustained. It is a process that is governed by laws and policies. It involves a collaborative effort by multi-disciplinary teams and personnel and institutions from all relevant sectors to implement laws, policies, protocols and agreements and communication and collaboration to prevent and respond to violence against women and girls. Coordination occurs at the national level among ministries that play a role in addressing this violence, at the local level between local-level service providers, stakeholders and, in some countries, at intermediate levels of government between the national and local levels. Coordination also occurs *between* the different levels of government.

Core elements are features or components of the essential services that apply in any context, and ensure the effective functioning of the service.

Essential Services encompass a core set of services provided by the health care, social service, police and justice sectors. The services must, at a minimum, secure the rights, safety and well-being of any woman or girl who experiences gender-based violence

Gender based violence is “any act of violence that is directed against a woman because she is a woman or that affects women disproportionately”.²

Governance of coordination has two major components. The first component is the creation of laws and policies required to implement and support the coordination of Essential Services to eliminate or respond to violence against women and girls. The second component is the process of holding stakeholders accountable for carrying out their obligations in their coordinated response to violence against women and girls and ongoing oversight, monitoring and evaluation of their coordinated response. Governance is carried out at both the national and local levels.

Intimate partner violence is “the most common form of violence experienced by women globally . . . and includes a range of sexually, psychologically and physically coercive acts used against adult and adolescent women by a current or former intimate partner, without her consent. Physical violence involves intentionally using physical force, strength or a weapon to harm or injure the woman. Sexual violence includes abusive sexual contact, making a woman engage in a sexual act without her consent, and attempted or completed sex acts with a woman who is ill, disabled, under pressure or under the influence of alcohol or other drugs. Psychological violence includes controlling or isolating

2 CEDAW, General Recommendation No. 19, para. 6.

the woman, and humiliating or embarrassing her. Economic violence includes denying a woman access to and control over basic resources.”³

Multi-disciplinary response teams are groups of stakeholders who have entered into agreements to work in a coordinated manner to respond to violence against women and girls within a community. These teams are focused on ensuring an effective response to individual cases and may contribute to policy making.

Non-partner sexual violence “refers to violence by a relative, friend, acquaintance, neighbor, work colleague or stranger”.⁴ It includes being forced to perform any unwanted sexual act, sexual harassment and violence perpetrated against women and girls frequently by an offender known to them, including in public spaces, at school, in the workplace and in the community.

Quality guidelines support the delivery and implementation of the core elements of essential services to ensure that they are effective, and of sufficient quality to address the needs of women and girls. Quality guidelines provide ‘the how to’ for services to be delivered within a human rights-based, culturally-sensitive and women’s-empowerment approach. They are based on and complement international standards and reflect recognized best practices in responding to gender-based violence.

The **social services sector** provides a range of support services to improve the general well-being and empowerment to a specific population in society. They may be general in nature or provide more targeted responses to a specific issue; for example responding to women and girls experiencing violence. Social services for women and girls who have experienced violence includes services provided by, or funded by government (and therefore known as public services) or provided by other civil society and community actors, including non-governmental organizations and faith-based organizations.

Social services responding to violence against women and girls are specifically focused on victims/survivors

3 UN Secretary-General’s Study, *supra* note 1, paras. 111- 112.

4 *Ibid.* at para. 128.

of violence. They are imperative for assisting women’s recovery from violence, their empowerment and preventing the reoccurrence of violence and, in some instances, work with particular parts of society or the community to change the attitudes and perceptions of violence. They include, but are not limited to, providing psycho-social counselling, financial support, crisis information, safe accommodation, legal and advocacy services, housing and employment support and others, to women and girls who experience violence.

Stakeholders are all government and civil society organizations and agencies that have a role in responding to violence against women and girls at all levels of government and civil society. Key stakeholders include victims and survivors and their representatives, social services, health care sector, legal aid providers, police, prosecutors, judges, child protection agencies, and the education sector, among others.

Victim / survivor refers to women and girls who have experienced or are experiencing gender based violence to reflect both the terminology used in the legal process and the agency of these women and girls in seeking essential services.⁵

Violence against women (VAW) means “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.”⁶

5 UN Secretary-General’s Study, *supra* note 1, notes the ongoing debate the terms victim and survivor. Some suggest that “the term “victim” should be avoided because it implies passivity, weakness and inherent vulnerability and fails to recognize the reality of women’s resilience and agency. For others the term “survivor” is problematic because it denies the sense of victimization experienced by women who have been the target of violent crime”. Therefore, these guidelines use the term “victim/survivor”.

6 Declaration on the Elimination of Violence Against Women, Article 1.

CHAPTER 2.

FRAMEWORK FOR ESSENTIAL SERVICES PACKAGE

2.1

OVERALL FRAMEWORK

The Framework for guidelines for the delivery of quality essential social services incorporates four interlinked components:

- **Principles** which underpin the delivery of all essential services
- **Common Characteristics which** describe a range of activities and approaches that are common across all areas and which support the effective functioning and delivery of services.
- **Essential services** which set out the absolute minimum required services to secure the human rights, safety and well-being of any woman, girls or child who experience intimate partner violence and or non-partner sexual violence
- **Foundational elements** which must be in place to support the delivery of each essential service.

Essential Services Package: Overall framework diagram

| | | | |
|------------------------|---|---|--|
| Principles | A rights based approach | Advancing gender equality and women's empowerment | Culturally and age appropriate and sensitive |
| | Victim/survivor centred approach | Safety is paramount | Perpetrator accountability |
| Common characteristics | Availability | Accessibility | |
| | Adaptability | Appropriateness | |
| | Prioritize safety | Informed consent and confidentiality | |
| | Data collection and information management | Effective communication | |
| | Linking with other sectors and agencies through referral and coordination | | |

| | | | |
|--------------------------------|---|---|---|
| Essential services and actions | Health | Justice and Policing | Social services |
| | <ol style="list-style-type: none"> 1. Identification of survivors of intimate partner violence 2. First line support 3. Care of injuries and urgent medical treatment 4. Sexual assault examination and care 5. Mental health assessment and care 6. Documentation (medico-legal) | <ol style="list-style-type: none"> 1. Prevention 2. Initial contact 3. Assessment/investigation 4. Pre-trial processes 5. Trial processes 6. Perpetrator accountability and reparations 7. Post-trial processes 8. Safety and protection 9. Assistance and support 10. Communication and information 11. Justice sector coordination | <ol style="list-style-type: none"> 1. Crisis information 2. Crisis counselling 3. Help lines 4. Safe accommodations 5. Material and financial aid 6. Creation, recovery, replacement of identity documents 7. Legal and rights information, advice and representation, including in plural legal systems 8. Psycho-social support and counselling 9. Women-centred support 10. Children's services for any child affected by violence 10. Children's services for any child affected by violence 11. Community information, education and community outreach 12. Assistance towards economic independence, recovery and autonomy |

| Coordination and governance of coordination | |
|---|--|
| National level: Essential actions | Local level: Essential actions |
| <ol style="list-style-type: none"> 1. Law and policy making 2. Appropriation and allocation of resources 3. Standard setting for establishment of local level coordinated responses 4. Inclusive approaches to coordinated responses 5. Facilitate capacity development of policy makers and other decision-makers on coordinated responses to VAWG 6. Monitoring and evaluation of coordination at national and local levels | <ol style="list-style-type: none"> 1. Creation of formal structures for local coordination and governance of coordination 2. Implementation of coordination and governance of coordination |

| | | | |
|-----------------------|---|---|---------------------------|
| Foundational elements | Comprehensive legislation and legal framework | Governance oversight and accountability | Resource and financing |
| | Training and workforce development | Gender sensitive policies and practices | Monitoring and evaluation |

2.2 UNIQUE FEATURES OF THE FRAMEWORK SPECIFIC TO ESSENTIAL SOCIAL SERVICES

Essential social services are also underpinned by important foundational elements that have specific application to social services this includes:

- Referral
- Risk assessment and management
- Appropriately trained staff and workforce development
- System coordination and accountability

Guidelines are provided for these foundational elements in Section 3.2.

CHAPTER 3:

GUIDELINES FOR ESSENTIAL SOCIAL SERVICES

3.1 GUIDELINES FOR ESSENTIAL SOCIAL SERVICES

ESSENTIAL SERVICE: 1. CRISIS INFORMATION

Access to timely, clear accurate crisis information for any woman or girl who has, or is, experiencing physical, sexual or other forms of violence, wherever she is, at whatever time day or night, is vital in supporting her to access services to assist her safety.

Crisis information includes information about the rights of women and girls, the range and nature of services available, and is provided in a non-blaming, nonjudgmental manner. Information must be made available in a way that enables women and girls to consider the range and choices available to them, and to make their own choices. Crisis information must be available for women and children experiencing violence, and for family and friends, work colleagues, police and health services who may have a role in assisting women and girls to safely access services, where they choose to do so.

| CORE ELEMENTS | GUIDELINES |
|---------------------------|--|
| 1.1 Information content | <ul style="list-style-type: none">• Ensure crisis information is clear, concise and accurate• Ensure crisis information identifies and refers to the range of existing services available for women and children |
| 1.2 Information provision | <ul style="list-style-type: none">• Ensure crisis information is widely available and accessible to all women and children• Ensure information is offered in different forms ensuring that it is also suitable for:<ul style="list-style-type: none">• Women and children suffering multiple forms of discrimination• Women and children with disabilities• Children• Ensure widespread distribution of culturally sensitive information through various and relevant media, in a variety of locations and settings throughout the region/ country |

ESSENTIAL SERVICE: 2. CRISIS COUNSELLING

Crisis counselling is essential in assisting women and girls to achieve immediate safety, make sense of their experience, reaffirm their rights and alleviate feelings of guilt and shame.

| CORE ELEMENTS | GUIDELINES |
|-------------------|--|
| 2.1 Availability | <ul style="list-style-type: none">• Provide with crisis counselling free of charge• Ensure women and girls are listened to, and believed• Ensure women and girls are offered a range of options including:<ul style="list-style-type: none">• Immediate access to safe and secure accommodation• Immediate access to emergency and safe medical services such as hospitals⁷• The ability to re-contact the service, even if she chooses not to take up any of the options offered• Ensure women and girls are supported to make informed choices |
| 2.2 Relevance | <ul style="list-style-type: none">• Ensure crisis counselling is appropriate to the various forms of violence experienced by the woman/girl |
| 2.3 Accessibility | <ul style="list-style-type: none">• Provide crisis counselling through a range of methods including in person, via telephone, mobile phone, email• Ensure crisis counselling is provided in various locations and diverse settings |

ESSENTIAL SERVICE: 3. HELP LINES

Help lines provide an essential link to information, counseling and support services for women and girls experiencing violence. Help lines operate separate to, but alongside, law enforcement and other emergency help lines.

| CORE ELEMENTS | GUIDELINES |
|-------------------|--|
| 3.1 Availability | <ul style="list-style-type: none">• Provide telephone help lines free of charge or toll-free• Provide help lines preferably 24 hours a day, 7 days a week, or at a minimum, for four hours per day including weekends and holidays• Ensure that staff answering help lines have appropriate knowledge, skills and are adequately trained• Ensure the help line has protocols connecting it with other social services, and health and justice services to respond to individual circumstances of women and girls• Ensure the help line has access to resources where necessary to ensure the safety of women and girls including:<ul style="list-style-type: none">• To support the emergency transport of women and girls to safe accommodation regardless of location• Provision of immediate basic personal and health care items including food and clothing, either directly or through local services• Links to immediate and appropriate police and justice responses, when requested or when necessary |
| 3.2 Accessibility | <ul style="list-style-type: none">• Ensure information about the service and hours of operation are clearly and accurately communicated in appropriate channels• Ensure the telephone service is accessible via mobile phones |

⁷ See: *Responding to intimate partner and sexual violence against women, World Health Organization Policy and Clinical Guidelines* (http://apps.who.int/iris/bitstream/10665/85240/1/9789241548595_eng.pdf?ua=1) and the supporting clinical instructions for practitioners developed as part of this Joint Programme, http://apps.who.int/iris/bitstream/10665/136101/1/WHO_RHR_14.26_eng.pdf?ua=1

ESSENTIAL SERVICE: 4. SAFE ACCOMMODATION

Many women and girls need to leave their existing living arrangements immediately in order to be safe. Timely access to safe houses, refuges, women's shelters, or other safe spaces can provide an immediate secure and safe accommodation option. Beyond this immediate safe accommodation women and girls may need support toward securing accommodation in the medium to longer term.

| CORE ELEMENTS | GUIDELINES |
|--|--|
| 4.1 Safe houses, refuges, women's shelters | <ul style="list-style-type: none"> • Provide safe and secure emergency accommodation until the immediate threat is removed • Ensure security measures are in place including: <ul style="list-style-type: none"> • Confidential location (where possible) • Security personnel • Security systems • Ensure there is an access protocol for people entering and exiting safe accommodation • Provide basic accommodation needs free of charge • Ensure there is a protocol for unaccompanied children, including for longer-term alternative care where necessary and appropriate, that is aligned to existing national legislation and international standards • Ensure that accommodation is accessible for women and girls with disabilities |
| 4.2 Responsiveness | <ul style="list-style-type: none"> • Provide spaces within the accommodation that ensure privacy and confidentiality for women and girls • Ensure accommodation addresses the needs of children and is child friendly • Provide an assessment of immediate needs • Develop an individualized support plan for the woman/ children, in consultation with them |

ESSENTIAL SERVICE: 5. MATERIAL AND FINANCIAL AID

In the immediate crisis period it should be assumed that women and girls have little or no access to material resources. Material and financial aid includes support and resources to enable access to crisis information and counselling, safe accommodation and food.

| CORE ELEMENTS | GUIDELINES |
|-------------------|--|
| 5.1 Availability | <ul style="list-style-type: none"> • Provide support to access immediate basic individual needs of each woman and girl including access to emergency transport, food, safe accommodation free of charge • Ensure aid provides for the needs of individual children • Provide in-kind and other non-monetary aid such as basic personal and health care items • Facilitate access to social protection such as cash transfers where these are available can be accessed at short notice |
| 5.2 Accessibility | <ul style="list-style-type: none"> • Ensure a range of means for women and girls to safely access material and financial aid |

ESSENTIAL SERVICE: 6. CREATION, RECOVERY, REPLACEMENT OF IDENTITY DOCUMENTS

Identity documents include those required by women and girls to ensure they can travel, maintain or seek employment, access available government benefits and social services, and access bank accounts etc. As many women and girls experiencing violence need to flee without these documents in order to remain safe they may require support to create, recover or replace identity documents.

| CORE ELEMENTS | GUIDELINES |
|------------------|---|
| 6.1 Availability | <ul style="list-style-type: none"> • Assist women and girls to establish or re-establish their identity in accordance with the local legal specifications or international protocols, where necessary • Liaise with appropriate foreign affairs/ consular services, where necessary • Provide assistance to create, recover or replace identity documents free of charge |

ESSENTIAL SERVICE: 7. LEGAL AND RIGHTS INFORMATION, ADVICE AND REPRESENTATION INCLUDING IN PLURAL LEGAL SYSTEMS

Many women and girls are likely to have limited knowledge in relation to their rights and range of options available to them. Accurate and timely information about such matters as divorce/marriage laws, child custody, guardianship, migration status and assistance to navigate justice and policing responses are important in protecting the safety of women and girls.

| CORE ELEMENTS | GUIDELINES |
|-------------------|--|
| 7.1 Availability | <ul style="list-style-type: none"> • Provide information about their rights to women and girls • Provide clear and accurate information about: <ul style="list-style-type: none"> • Available security measures that can prevent further harm by the alleged perpetrator • Procedures and timelines involved in national or traditional justice solutions • Available support where formal legal proceedings or remedies are initiated. • Ensure information and advice includes referral to essential services as agreed by, and with the consent of the woman/girl • Provide legal and rights information, representation and advice free of charge • Provide legal advocacy and representation on behalf of women and girls, where instructed to do so by them • Document all legal advice in order to assist women and girls with any future action she might take |
| 7.2 Accessibility | <ul style="list-style-type: none"> • Provide timely information, advice and representation about options to support women and girl's immediate safety such as an order for the offender to stay away from her • Provide information in a written form (and in a language that the woman/girl can understand), orally, and/or in a form with which the woman is familiar • Provide information and advice in accordance with the availability of the woman/girl, that is, at a time and location that is suitable to the woman/girl |

ESSENTIAL SERVICE: 8. PSYCHO-SOCIAL SUPPORT AND COUNSELLING

Specialist counselling can greatly improve the health outlook for women and girls which can consequently improve their access to education and employment.

| CORE ELEMENTS | GUIDELINES |
|--------------------------------------|--|
| 8.1 Individual and group counselling | <ul style="list-style-type: none"> • Provide individualized and group counselling, where appropriate, by professionals with specialist training in working with women and girls experiencing violence • Ensure women and girls have access to up to a minimum number of support/counselling sessions • Consider providing peer group support • Ensure counselling is informed by the experience of violence • Ensure counselling is human rights-based and culturally sensitive |
| 8.2 Accessibility | <ul style="list-style-type: none"> • Provide support/counselling free of charge • Provide transport options to support women to attend sessions • Provide counselling at a time suitable for the woman/girl |

ESSENTIAL SERVICE: 9. WOMEN-CENTRED SUPPORT

Navigating the range of services, options and decision available can be daunting for women and girls experiencing intimate partner and non- partner sexual violence. Skilled assistance from trained staff can assist women and girls to access the most appropriate services, and to make informed choices that have the best opportunity to ensure her safety, empower her, and uphold her rights.

| CORE ELEMENTS | GUIDELINES |
|------------------|---|
| 9.1 Availability | <ul style="list-style-type: none">• Ensure women and child-centred support is available for women and girls throughout their journey through the system• Ensure staff are trained to work on behalf of, and to represent the interests of, women and girls• Ensure staff respect the expressed wishes and decisions of women and girls• Ensure any representation on behalf of women and girls is carried out with their explicit and informed consent |

ESSENTIAL SERVICE: 10. CHILDREN'S SERVICES FOR ANY CHILD AFFECTED BY VIOLENCE

The effect of experiencing violence directly or indirectly can have a devastating impact on children. Children have the right to access services that are age appropriate, child sensitive and child-friendly.

| CORE ELEMENTS | GUIDELINES |
|--------------------|--|
| 10.1 Availability | <ul style="list-style-type: none">• Provide child-centred rights-based counselling and psycho-social support• Ensure each child has an individualized care plan• Provide services for children free of charge• Facilitate access to emergency and long-term alternative care, if required, with or without a parent/caregiver, as appropriate, in line with the Guidelines of the Alternative Care of Children• Facilitate access to representation for children, where required, for example a (legal) guardian if the child is unaccompanied• Ensure timely referrals and facilitated access to necessary services, for example to child protection to address issues regarding guardianship, health care and education |
| 10.2 Accessibility | <ul style="list-style-type: none">• Provide services that are age appropriate, child sensitive, child friendly and in line with international standards• Ensure staff receive training on child-sensitive and child-friendly procedures |

ESSENTIAL SERVICE: 11. COMMUNITY INFORMATION, EDUCATION AND COMMUNITY OUTREACH

Civil society organizations, women's groups, faith and community leaders often play a key role in mobilizing community efforts to raise awareness about the prevalence of violence against women and girls and the community's role in responding to and preventing violence.

| CORE ELEMENTS | GUIDELINES |
|---|--|
| 11.1 Community information | <ul style="list-style-type: none"> • Ensure community information includes information about the rights of women and girls and the range of services available to support them • At a minimum community information should include: <ul style="list-style-type: none"> • Where to go for help • What services are available and how to access them • What to expect, including roles, responsibilities, confidentiality • Ensure community information is developed and disseminated in a range of formats, a variety of locations and in a culturally appropriate and sensitive manner. For example information should: <ul style="list-style-type: none"> • Be available in local language/s • Include pictorial representation. |
| 11.2 Community education and mobilization | <ul style="list-style-type: none"> • Ensure community education is regular and accurate • Ensure community education includes information about the rights of women and girls • Target specific groups such as community/religious leaders and elders, to support service provision • Provide appropriate training for men who advocate for women's human rights to act as role models and as support systems • Work with families to ensure support and access to services for women and girls • Work with local associations, media, schools, community sport clubs to tailor community education messages and dissemination strategies • Develop clear protocols to support the safety of women where they may be contacted by the media to tell their story |
| 11.3 Community outreach | <ul style="list-style-type: none"> • Services should identify hard to reach and vulnerable groups and understand their specific needs • Tailor community information and education to the specific needs of hard to reach, vulnerable and marginalized groups • Deliver community information and education in ways appropriate for hard to reach, vulnerable and marginalized groups |

ESSENTIAL SERVICE: 12. ASSISTANCE TOWARDS ECONOMIC INDEPENDENCE, RECOVERY AND AUTONOMY

Experiencing violence is known to have long term consequences for the health and well-being of women and girls and to significantly impact on their ability to fully participate in society. Women and girls may require longer term assistance to support their recovery and to lead productive lives.

| CORE ELEMENTS | GUIDELINES |
|--------------------|--|
| 12.1 Availability | <ul style="list-style-type: none"> • Provide sustained support for holistic recovery for a minimum of six months • Facilitate access to income assistance and social protection where required • Facilitate access to vocational training • Provide access to income generating opportunities such as seed funding for business start-up |
| 12.2 Accessibility | <ul style="list-style-type: none"> • Support the safe reintegration of women and girls/children back into the community, where appropriate, according to her express wishes and needs |

3.2

GUIDELINES FOR FOUNDATIONAL ELEMENTS SPECIFIC TO ESSENTIAL SOCIAL SERVICES

| REFERRAL | |
|---|--|
| Description | Standards |
| <p>Referral pathways assist women and girls to receive timely and appropriate support services.</p> <p>Referral processes must incorporate standards for informed consent</p> | <ul style="list-style-type: none"> • Services have protocols and agreements about the referral process with relevant social, health and justice services, including clear responsibilities of each service • Procedures between services for information sharing and referral are consistent, known by agency staff, and communicated clearly to women and girls • Services have mechanisms for coordinating and monitoring the effectiveness of referrals processes • Services refer to child specific services as required and appropriate |

| RISK ASSESSMENT AND MANAGEMENT | |
|--|---|
| Description | Standards |
| <p>Women and girls face many risks to their immediate and ongoing safety. These risks will be specific to the individual circumstances of each woman and girl.</p> <p>Risk assessment and management can reduce the level of risk. Best practice risk assessment and management includes consistent and coordinated approaches within and between social, health and justices service systems.</p> | <ul style="list-style-type: none"> • Services use risk assessment and management tools specifically developed for responding to intimate partner violence and non-partner sexual violence • Services regularly and consistently assess the individual risks for each woman and girl • Services use a range of risk management options, solutions and safety measures to support the safety of women and girls • Women and girls receive a strengths-based, individualized plan that includes strategies for risk management • Services work with other agencies including health and justice services to coordinate risk assessment and management approaches. |

| APPROPRIATELY TRAINED STAFF AND WORKFORCE DEVELOPMENT | |
|---|--|
| Description | Standards |
| <p>Paid and volunteer staff require specialist skills and knowledge to respond appropriately to women and girls experiencing violence.</p> <p>Staff require opportunities to build their skills and expertise and to ensure their knowledge and skills remain up to date.</p> | <ul style="list-style-type: none"> • Paid staff and volunteers demonstrate an understanding of the prevalence, nature and causes of violence against women and girls • Paid staff and volunteers demonstrate an understanding of, and experience in, 'best practice' responses to women and girls experiencing violence • Paid staff and volunteers demonstrate an understanding of appropriate and child sensitive responses to children experiencing violence • Paid staff and volunteers receive induction and ongoing training and professional development • Paid staff and volunteers receive regular support and supervision • Training programs include modules on self-care for staff and volunteers • Services provide a safe, supportive and respectful work environment |

SYSTEM COORDINATION AND ACCOUNTABILITY

| Description | Standards |
|--|---|
| <p>An integrated, multisectoral or systems approach to service delivery brings together a range of services and organizations who have a common set of goals to provide more coordinated responses to violence against women and child protection.</p> <p>Social services must work with and alongside health and justice services to deliver quality responses for women and girls. Social services have a responsibility to, and are accountable to this broader service system.</p> | <ul style="list-style-type: none">• Services operate in a collaborative and supportive manner with and alongside other social services, health, police and justice services• Services develop and regularly review protocols, memorandums of understanding, and agreements that clearly document the roles and responsibilities of each agency• Services seek the engagement of other social services, and health and justice agencies in workforce development and training, and monitoring and evaluation activities• Services document and advocate for women and girls rights and systemic improvements and accountability |

CHAPTER 4.

TOOLS AND RESOURCES

Away From Violence: Guidelines for Setting Up and Running A Women's Refuge, 2004, WAVE Co-ordination Office, Austrian Women's Shelter Network, Vienna

Centre for Excellence for looked after children in Scotland, *Moving Forward: Implementing the Guidelines for Alternative Care for Children* 2012, http://www.unicef.org/protection/files/Moving_Forward_Implementing_the_Guidelines_English.pdf

Centre for Enquiry Into Health and Allied Themes (2012): Ethical Guidelines for Counselling Women Facing Domestic Violence. India.

Department of Social Development, Republic of South Africa (2008): 'Shelters for Victims of Domestic Violence' in Minimum Standards for Service Delivery in Victim Empowerment.

Establishing Gender-based Violence Standard Operating Procedures (SOPs) for multisectoral and inter-organisational prevention and response to gender-based violence in humanitarian settings

<http://gbvaor.net/wp-content/uploads/sites/3/2012/10/Establishing-Gender-based-Standard-Operating-Procedures-SOPs-for-Multi-sectoral-and-Inter-organisational-Prevention-and-Response-to-Gender-based-Violence-in-Humanitarian-Settings-ENGLISH.doc>

Local Government Association, Women's Aid et al. (UK): 'Standards and Services' in Vision for Services for Children and Young People Affected by Domestic Violence. (Pp. 13)

UN Women, Virtual Knowledge Centre to End Violence against Women and Girls <http://www.endvawnow.org/en/>





Module 5

COORDINATION AND GOVERNANCE OF COORDINATION

Essential Services Package for
Women and Girls Subject to Violence
Core Elements and Quality Guidelines





MODULE 5

Coordination and
Governance of
Coordination

The Essential Services Package comprises five Modules:

| Module 1. Overview and introduction | Module 2. Health | Module 3. Justice and policing | Module 4. Social services | Module 5. Coordination and governance of coordination |
|---|--|--|--|---|
| <p>Chapter 1: Introduction to essential services package</p> <p>1.1 Introduction 1.2 Context 1.3 Purpose and scope 1.4 Language and terms</p> | <p>Chapter 1: Introduction to essential health services</p> <p>1.1 Introduction 1.2 Purpose and scope 1.3 Language and terms</p> | <p>Chapter 1: Introduction to essential justice and policing services</p> <p>1.1 Introduction 1.2 Purpose and scope 1.3 Language and terms</p> | <p>Chapter 1: Introduction to essential social services</p> <p>1.1 Introduction 1.2 Purpose and scope 1.3 Language and terms</p> | <p>Chapter 1: Introduction to essential coordination and governance actions</p> <p>1.1 Introduction 1.2 Purpose & scope 1.3 Language and terms</p> |
| <p>Chapter 2 Common principles, characteristics and foundational elements</p> <p>2.1 Principles 2.2 Common characteristics of quality essential services 2.3 Foundational elements</p> | <p>Chapter 2 Framework for essential services package</p> <p>2.1 The overall framework 2.2 Unique features of the framework specific to essential health services</p> | <p>Chapter 2 Framework for essential services package</p> <p>2.1 The overall framework 2.2 Unique features of the framework specific to essential justice and policing services</p> | <p>Chapter 2 Framework for essential services package</p> <p>2.1 The overall framework 2.2 Unique features of the framework specific to essential social services</p> | <p>Chapter 2 Framework for essential services package</p> <p>2.1 The overall framework</p> |
| <p>Chapter 3 How to use this tool</p> <p>3.1 Essential services guidelines framework</p> | <p>Chapter 3 Guidelines for essential health services</p> | <p>Chapter 3 Guidelines for essential justice and policing services</p> | <p>Chapter 3 Guidelines for essential social services</p> | <p>Chapter 3 Guidelines for essential coordination and governance actions</p> <p>3.1. Guidelines for national level coordination and governance of coordination of Essential Services 3.2. Guidelines for local level coordination and governance of coordination of essential services.</p> |
| <p>Chapter 4 Tools and resources</p> | <p>Chapter 4 Tools and resources</p> | <p>Chapter 4 Tools and resources</p> | <p>Chapter 4 Tools and resources</p> | <p>Chapter 4 Tools and resources</p> |

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CHAPTER 1:

INTRODUCTION

1.1 INTRODUCTION

These guidelines for **essential actions for coordination and governance of coordination** aim to provide guidance for essential services to work together both formally and informally to ensure that a comprehensive women and child centered response is provided to all women and girls (and their children when necessary). The guidelines focus on low to middle income countries in stable settings. They are also applicable in high income countries.

The guidelines are part of the **Essential Services Package** which aims to provide all women and girls who have experienced gender-based violence with greater access to a set of essential quality and coordinated multi-sectoral services.

The Essential Services Package reflects the vital components of coordinated multi-sectoral responses for women and girls subject to violence and includes guidelines for health services, justice and policing services, and social services as well as for coordination and governance mechanisms.

The guidelines for essential actions for coordination and governance of coordination should be read in conjunction with Module 1: Overview and Introduction which sets out the principles, common characteristics and foundational elements that apply across all essential services. The guidelines are also complementary to the guidelines for health services (Module 2), police and justice sectors (Module 3), and social service coordination (Module 4).

Coordination and governance of coordination

A cohesive multi-disciplinary cross-agency approach for responding to violence against women and girls is essential to protecting victims and survivors of intimate partner violence and non-partner sexual violence from further harm when responding to violence. Coordinated systems can have a greater impact in responding to violence, as well as greater efficiencies, than agencies working in isolation. These guidelines on coordination and governance of coordination of Essential Services are intended to ensure the benefits of a coordinated approach.

1.2. PURPOSE AND SCOPE OF THE GUIDELINES

The purpose of the Guidelines is to support countries as they work to provide services for all women and girls who are victims and survivors of violence, in a broad range of settings and situations. ¹The Guidelines are designed to ensure that the services of all sectors are coordinated and governed to respond in a comprehensive way, are women and child-centered, and are accountable to victims and survivors and to each other.

The scope of this tool is coordination and governance of coordination of Essential Services at the national and local levels. In some countries certain functions of coordination and governance of coordination may occur at intermediate levels of government but only the national and local levels are referred to herein for clarity and consistency. The Guidelines focus on ensuring a cohesive cross-agency approach for responding to violence against women and girls and protecting victims and survivors from further harm. While the Guidelines may be applied to other forms of violence against women

¹ The elements, quality standards and guidelines do not apply to humanitarian settings, which require a different set of considerations.

and girls, they are primarily intended for situations of intimate partner violence, and non-partner sexual violence, including the specific needs of girls who might access such services. The focus is primarily on

1.3

LANGUAGE AND TERMS

Coordination is a central element of the response to violence against women and girls. It is required by international standards that aim at ensuring that the response to violence against women and girls is comprehensive, multidisciplinary, coordinated, systematic and sustained. It is a process that is governed by laws and policies. It involves a collaborative effort by multi-disciplinary teams and personnel and institutions from all relevant sectors to implement laws, policies, protocols and agreements and communication and collaboration to prevent and respond to violence against women and girls. Coordination occurs at the national level among ministries that play a role in addressing this violence, at the local level between local-level service providers, stakeholders and, in some countries, at intermediate levels of government between the national and local levels. Coordination also occurs *between* the different levels of government.

Core elements are features or components of the essential services that apply in any context, and ensure the effective functioning of the service.

Essential Services encompass a core set of services provided by the health care, social service, police and justice sectors. The services must, at a minimum, secure the rights, safety and well-being of any woman or girl who experiences gender-based violence.

Gender based violence is “any act of violence that is directed against a woman because she is a woman or that affects women disproportionately”.²

Governance of coordination has two major components. The first component is the creation of laws

responding to violence against women and girls (and their children) after the violence has occurred, taking action at the earliest stages of violence, and intervening to prevent the reoccurrence of violence.

and policies required to implement and support the coordination of Essential Services to eliminate or respond to violence against women and girls. The second component is the process of holding stakeholders accountable for carrying out their obligations in their coordinated response to violence against women and girls and ongoing oversight, monitoring and evaluation of their coordinated response. Governance is carried out at both the national and local levels.

Intimate partner violence is “the most common form of violence experienced by women globally . . . and includes a range of sexually, psychologically and physically coercive acts used against adult and adolescent women by a current or former intimate partner, without her consent. Physical violence involves intentionally using physical force, strength or a weapon to harm or injure the woman. Sexual violence includes abusive sexual contact, making a woman engage in a sexual act without her consent, and attempted or completed sex acts with a woman who is ill, disabled, under pressure or under the influence of alcohol or other drugs. Psychological violence includes controlling or isolating the woman, and humiliating or embarrassing her. Economic violence includes denying a woman access to and control over basic resources.”³

Multi-disciplinary response teams are groups of stakeholders who have entered into agreements to work in a coordinated manner to respond to violence against women and girls within a community. These teams are focused on ensuring an effective response to individual cases and may contribute to policy making.

Non-partner sexual violence “refers to violence by a relative, friend, acquaintance, neighbor, work colleague

2 CEDAW, General Recommendation No. 19, para. 6.

3 UN Secretary-General’s Study, *supra* note 1, paras. 111- 112.

or stranger”.⁴ It includes being forced to perform any unwanted sexual act, sexual harassment and violence perpetrated against women and girls frequently by an offender known to them, including in public spaces, at school, in the workplace and in the community.

Quality guidelines support the delivery and implementation of the core elements of essential services to ensure that they are effective, and of sufficient quality to address the needs of women and girls. Quality guidelines provide ‘the how to’ for services to be delivered within a human rights-based, culturally-sensitive and women’s-empowerment approach. They are based on and complement international standards and reflect recognized best practices in responding to gender-based violence.

Stakeholders are all government and civil society organizations and agencies that have a role in responding to violence against women and girls at all levels of government and civil society. Key stakeholders include victims and survivors and their representatives, social services, health care sector, legal aid providers, police, prosecutors, judges, child protection agencies, and the education sector, among others.

4 *Ibid.* at para 128.

1.4

THE IMPORTANCE OF COORDINATION AND GOVERNANCE

Coordination and governance of coordination are intertwined functions that continually inform and contribute to each other. Coordination can be both a formal and informal process that is governed by laws and policies. However, laws and policies should be based on best practices developed using international standards and norms, evidence and lessons learned through the direct experience of coordination. The accountability function of governance should identify strengths and weaknesses of coordination and lead to modifications that enhance laws, policies and practices.

A coordinated response is important because it is more effective in keeping victims/survivors safe from violence and holding offenders accountable than when different sectors of society work in isolation to

Victim / survivor refers to women and girls who have experienced or are experiencing gender based violence to reflect both the terminology used in the legal process and the agency of these women and girls in seeking essential services.⁵

Violence against women (VAW) means “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.”⁶

5 UN Secretary-General’s Study, *supra* note 1, notes the ongoing debate the terms victim and survivor. Some suggest that “the term “victim” should be avoided because it implies passivity, weakness and inherent vulnerability and fails to recognize the reality of women’s resilience and agency. For others the term “survivor” is problematic because it denies the sense of victimization experienced by women who have been the target of violent crime”. Therefore, these guidelines use the term “victim/survivor”.

6 Declaration on the Elimination of Violence Against Women, Article 1.

address the issue. Coordination provides benefits for victims/survivors, for the agencies and institutions that respond to violence against women, and for their communities.

For victims/survivors, a coordinated response results in increased safety, by placing them at the centre of any intervention or institutional response. A coordinated response gives victims/survivors access to informed and skilled practitioners who share knowledge in a dedicated, supportive environment. A coordinated response is able to recognize victims/ survivors’ multiple needs, which can be met through co-locating services and referral networks. Information sharing among agencies can reduce the number of times victims and survivors are asked to tell their stories, thus reducing the risk of

re-traumatization. Integrated care models mean that victim/survivors' psychosocial, sexual health and other health needs are more likely to be addressed holistically. In addition, women's rights to financial and social autonomy, which can reduce their risk of experiencing future abuse and improve their capacity for escaping after it occurs, can be integrated into coordinated responses to violence against women and girls.

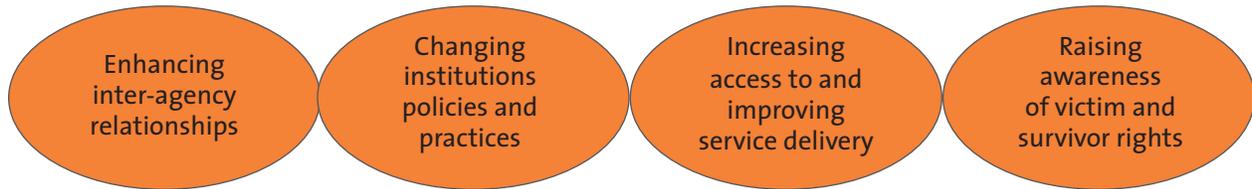
A coordinated response benefits the institutions and agencies that respond to violence against women and makes them more effective. By complying with minimum standards partner agencies can deliver more consistent responses. Clarity about roles and responsibilities means that each sector can excel in its area of expertise, and each professional's work is complemented by that of other agencies and professionals. Coordination with other sectors enhances the ability of the criminal justice system to hold perpetrators accountable. Shared protocols ensure clear and transparent communication and accountability mechanisms among agencies. Coordination means that consistent messages and responses can be given to victims/survivors, perpetrators and communities. Shared data systems can support individual case management, such as ensuring an appropriate response to the results of on-going risk assessment, and can serve as a source of information for monitoring and evaluating the program.

Coordination results in greater impact and reach of programmes, at a lower cost through pooling financial and human resources and by reducing duplication of effort. Coordination provides opportunities for sharing resources, practice-based knowledge, innovation and research.

For communities coordination sends clear, consistent, unified messages that violence against women is being treated seriously, both by protecting and assisting victims/survivors and by deterring and punishing perpetrators. Coordination can result in greater community awareness of the availability of services to support victims/ survivors and send a message that violence against women will not be tolerated. Coordination provides more opportunities to speak out – for women about their experiences of violence, and for community members, including men and boys, about the impact of violence against women on them and their families. Participatory community strategies, where violence against women is framed as a human rights and equality issue, offer opportunities for collaboration with those working on other social justice issues.

1.5

COMMON COMPONENTS OF A COORDINATED RESPONSE



| Coordinated responses usually involve a combination of the following | Partnerships among sectors and agencies are often enhanced through the following means |
|---|--|
| <ul style="list-style-type: none"> • A framework for multi-sectoral collaboration between agencies • A coordinating committee or body to monitor progress and develop policy • Mechanisms to manage, work with, and sanction offenders • Services for survivors, such as health, shelter and advocacy support, including integration of civil protection remedies with the criminal justice process | <ul style="list-style-type: none"> • Regular face-to-face meetings • Shared policies and protocols developed by key agencies • Joint planning of activities and interventions • Joint training of staff in partner organisations/sectors • Sharing information about survivors and perpetrators, while respecting privacy and ensuring safety • Ongoing data collection to monitor case progress and outcomes, and identify good and poor practice |
| Coordinated multi- disciplinary responses require | The body responsible for coordination may be |
| <ul style="list-style-type: none"> • Active participation by a range of stakeholders • Agreement about the most effective way to respond to violence against women • Collaboration, communication and information sharing among agencies | <ul style="list-style-type: none"> • An independent body or specialist agency whose role is coordinating key sectors • A coalition of agencies who meet regularly, also known as a council, committee or task force • A high-level body, including ministers and/or executives of key institutions |

CHAPTER 2.

FRAMEWORK FOR ESSENTIAL SERVICES PACKAGE

The Framework for guidelines for the delivery of quality essential social services incorporates four interlinked components:

- **Principles** which underpin the delivery of all essential services
- **Common Characteristics** which describe a range of activities and approaches that are common across all areas and which support the effective functioning and delivery of services.
- **Essential services** which set out the absolute minimum required services to secure the human rights, safety and well-being of any woman, girls or child who experience intimate partner violence and or non-partner sexual violence
- **Foundational elements** which must be in place to support the delivery of each essential service.

Essential Services Package: Overall framework diagram

| | | | |
|------------------------|---|---|--|
| Principles | A rights based approach | Advancing gender equality and women's empowerment | Culturally and age appropriate and sensitive |
| | Victim/survivor centred approach | Safety is paramount | Perpetrator accountability |
| Common characteristics | Availability | Accessibility | |
| | Adaptability | Appropriateness | |
| | Prioritize safety | Informed consent and confidentiality | |
| | Data collection and information management | Effective communication | |
| | Linking with other sectors and agencies through referral and coordination | | |

| | | | |
|---------------------------------------|--|---|---|
| Essential services and actions | Health | Justice and Policing | Social services |
| | <ol style="list-style-type: none"> 1. Identification of survivors 2. First line support 3. Care of injuries and urgent medical treatment 4. Sexual assault examination and treatment 6. Mental health assessment 7. Mental health treatment 8. Documentation (medico legal) | <ol style="list-style-type: none"> 1. Prevention 2. Initial contact 3. Assessment/investigation 4. Pre-trial processes 5. Trial processes 6. Perpetrator accountability and reparations 7. Post-trial processes 8. Safety and protection 9. Assistance and support 10. Communication and information 11. Justice sector coordination | <ol style="list-style-type: none"> 1. Crisis information 2. Crisis counselling 3. Help lines 4. Safe accommodations 5. Material and financial aid 6. Creation, recovery, replacement of identity documents 7. Legal and rights information, advice and representation, including in plural legal systems 8. Psycho-social support and counselling 9. Women-centred support 10. Children's services for any child affected by violence 10. Children's services for any child affected by violence 11. Community information, education and community outreach 12. Assistance towards economic independence, recovery and autonomy |

Coordination and governance of coordination

| National level: Essential actions | Local level: Essential actions |
|---|--|
| <ol style="list-style-type: none"> 1. Law and policy making 2. Appropriation and allocation of resources 3. Standard setting for establishment of local level coordinated responses 4. Inclusive approaches to coordinated responses 5. Facilitate capacity development of policy makers and other decision-makers on coordinated responses to VAWG 6. Monitoring and evaluation of coordination at national and local levels | <ol style="list-style-type: none"> 1. Creation of formal structures for local coordination and governance of coordination 2. Implementation of coordination and governance of coordination |

| | | | |
|------------------------------|---|---|---------------------------|
| Foundational elements | Comprehensive legislation and legal framework | Governance oversight and accountability | Resource and financing |
| | Training and workforce development | Gender sensitive policies and practices | Monitoring and evaluation |

CHAPTER 3:

GUIDELINES FOR ESSENTIAL ACTIONS FOR COORDINATION AND GOVERNANCE OF COORDINATION

Guidelines for essential actions for coordination and governance of coordination comprise two levels:

- National level – action among ministries that play a role in addressing violence against women and girls
- Local Level – Action between local-level stakeholders.

3.1

GUIDELINES FOR NATIONAL LEVEL COORDINATION AND GOVERNANCE OF COORDINATION OF ESSENTIAL SERVICES

ESSENTIAL ACTION: 1. LAW AND POLICYMAKING

Laws and policies based on best practices and international standards and norms are essential in guiding the formal and informal processes that underpin coordination and governance of coordination. They should also be informed by evidence and lessons learned through the direct experience of coordination.

| CORE ELEMENTS | GUIDELINES |
|--|---|
| 1.1 Laws and policies that address violence against women and girls | <ul style="list-style-type: none">• Ensure all laws and policies on informed understanding of gender equality and non-discrimination.• Ensure responses to violence against women are based on a victim-centered approach and human rights standards of victim safety and offender accountability.• Address all forms of violence against women while ensuring that responses are tailored to specific forms of violence.• Ensure a participatory/inclusive approach to law and policymaking by incorporating knowledge and feedback from victims /survivors, NGOs and others working directly with victim/survivors and perpetrators.• Create and strengthen government agencies and organizations and other structures that have a role in responding to violence against women.• Incorporate the experience of national and local coordination initiatives into national policy-making. |

| | |
|--|--|
| <p>1.2 Laws and policies for coordination of Essential Services at the national and local level</p> | <ul style="list-style-type: none"> • Establish a legal and policy framework for coordination based on best practices that incorporates a common understanding of violence against women that can be adapted to country needs. • Develop and/or update national action plans to specify mechanisms and budgets for coordination of Essential Services. • Require cooperation among agencies that address violence against women. • Identify specific coordination responsibilities of individual agencies, including women’s organizations. • Require appropriate information sharing among agencies that prioritizes offender accountability and confidentiality for victims/survivors. • Define responsibilities for providing financial resources • Prohibit mandatory reporting of individual cases between coordinating agencies except in cases of immediate danger, child victims or special vulnerability.⁷ • Require sufficient availability of police and justice services, social services and health care services to meet the needs of victims and survivors. |
|--|--|

ESSENTIAL ACTION: 2. APPROPRIATION AND ALLOCATION OF RESOURCES

Coordination and governance of coordination require adequate resourcing to ensure they have the technical expertise, systems and processes, and authority to carry out the required functions and actions.

| CORE ELEMENTS | GUIDELINES |
|--|--|
| <p>2.1 Adequate funding and other resources for coordination and governance of coordination</p> | <ul style="list-style-type: none"> • Provide adequate financial support, personnel, expertise, and technical support at the national level to coordinate policymaking. • Provide sufficient resources to national local level for providing, coordinating and funding of services and effectively implementing laws and policies. • Prioritize funding and resources for NGOs and civil society to enable their leadership in providing and coordinating services. • Fund research to monitor and determine effectiveness of coordination mechanisms and outcomes of coordinated service delivery. • Provide guidelines for estimating cost of coordinating services. • Establish mechanisms to ensure timeliness of funding. • Ensure wide participation and transparency in budget allocation process. • Track resource expenditures to promote accountability. • Where key resources are not yet in place, provide specifically for mobilization of resources. |
| <p>2.2 Coordination among relevant policymaking entities at the national level</p> | <ul style="list-style-type: none"> • Promote a common understanding among all providers of essential services of the causes and consequences of violence against women and girls. • Integrate violence against women and girls issues across all relevant policy areas including creating and strengthening public sector entities dedicated to women’s rights. • Identify and address barriers to effective coordination at policymaking and implementation levels. • Align public education messages. |

⁷ See World Health Organization, Responding to intimate partner violence and sexual violence against women, WHO clinical and policy guidelines, p. 40. http://apps.who.int/iris/bitstream/10665/85240/1/9789241548595_eng.pdf.

ESSENTIAL ACTION: 3. STANDARD SETTING FOR ESTABLISHMENT OF LOCAL LEVEL COORDINATION

Standards assist in creating consistent mechanisms and processes that support the accountability of coordinated responses. They are important in clarifying the expectations required of coordinated systems, and the stakeholders involved in coordination efforts.

| CORE ELEMENTS | GUIDELINES |
|--|---|
| <p>3.1 Standards for creating local coordinated response</p> | <ul style="list-style-type: none"> • Participants' agreement on a common understanding of violence against women and girls. • Agreement on primary goals: victim safety, offender accountability, agency accountability. • Role of victims, survivors and their representatives as leaders and/or primary informants to the process without creating a risk to their safety. • Agreement that state institutions and not victims/survivors are responsible for addressing violence. • Basic requirements for formal protocols/MOUs for local coordination, including collaborative relationships, coordination of services. • Roles and responsibilities of agencies and persons involved in coordinated response. • Standards specific to the needs of girls. • Commitment of resources to coordination by participating agencies. • Efficient use of resources by avoiding unnecessary duplication of services. • Participation of all critical parties.⁸ • Role of victims/survivors and their representatives as leaders and/or primary informants to the process without creating a risk to their safety. • Participation by underrepresented or marginalized groups. • Identification of community champions, supporting and strengthening their efforts. • Promotion of community awareness of violence against women and girls and availability of Essential Services. |
| <p>3.2 Standards for agency accountability for coordination</p> | <ul style="list-style-type: none"> • Use strategies and interventions that are safe, effective and based on best practices. • Define roles of participating agencies. • Conduct internal and external audits to ensure agency accountability in implementing coordination. • Include broad stakeholder involvement. • Identify barriers to safety and services and unmet needs, based on victim/survivor feedback. • Monitor the coordination of responses by the police and justice sector, social service and health care sector. • Follow up on cases to learn outcome and improve responses (including review of fatalities to reduce risk of future homicides). • Create inter-agency tracking system to facilitate information sharing among agencies and follow the progress of a victim/survivor through the system. • Adopt and enforce ethical conduct for staff members and volunteers of participating agencies. |
| <p>3.3 Systems for the recording and reporting of data</p> | <ul style="list-style-type: none"> • Agree common terminology for all recording and reporting. • Require each agency to maintain data for monitoring and evaluation. • Obtain consent of victims and survivors before recording personally identifiable information (PII). • Protect confidentiality and privacy of victims and survivors when collecting, recording and reporting PII. • Allow access to PII only to individuals and entities with demonstrated need. • Keep PII data secure. • Anonymize data used for monitoring and evaluation purposes. |

⁸ Critical parties include victims/survivors and their representatives, and social services, health care sector, legal aid providers, police, prosecutors and judges. They may also include other governmental agencies or civil society organizations, such as child protection agencies and the education sector.

ESSENTIAL ACTION: 4. INCLUSIVE APPROACHES TO COORDINATED RESPONSES

Coordinated responses must ensure that they take into account the diversity of experiences and needs of women and girls experiencing violence in the design and monitoring of coordinated responses and by encouraging their participation in such activities.

| CORE ELEMENTS | GUIDELINES |
|---|---|
| 4.1 Mechanisms for participation | <ul style="list-style-type: none"> • Understand how violence against women and girls affects different communities in diverse ways (especially women and girls who suffer multiple forms of discrimination) at all levels of policymaking and coordination. • Develop mapping/inventory models to identify marginalized and vulnerable groups. • Include representation of marginalized and vulnerable groups in all stages of policymaking and coordination (planning, policymaking, implementation, monitoring and evaluation). • Ensure voices of young women and girls are heard with attention to particular vulnerabilities they face. • Tailor strategies aimed at the specific issues experienced by different groups. • Acknowledge and address potential risk of participation by victims/survivors. • Analyze data to identify vulnerabilities of specific groups. • Adopt processes for identifying unintended consequences to ensure accurate assumptions and process development. |

ESSENTIAL ACTION: 5. FACILITATE CAPACITY DEVELOPMENT OF POLICYMAKERS AND OTHER DECISION MAKERS ON COORDINATED RESPONSES

Institutions, organizations and their personell will require support and training to ensure effective coordination efforts. Joint or cross sectoral training can be effective in assisting that professionals across different sectors gain a shared understanding of violence against women, and have access to contemporary evidence about effective responses.

| CORE ELEMENTS | GUIDELINES |
|--|--|
| 5.1 Capacity development | <ul style="list-style-type: none"> • Provide resources and guidance for organizational and financial stability, program quality and growth. • Provide training for national and regional policymakers on coordinated response to violence against women and girls. • Include or combine capacity building on coordination with other on-going capacity-building initiatives, including across sectors. |
| 5.2 Multi-disciplinary training standards and cross sectoral training | <ul style="list-style-type: none"> • Where feasible, give victim/survivor representatives a leadership role in developing and carrying out training of all systems actors and service providers. • Base training on common understanding of violence against women and girls, common definitions, and how intervention from each sector contributes to enhancing victim/survivor safety. • Teach techniques of effective coordination. • Require training to be regular and ongoing to ensure that new knowledge and best practices are incorporated into responses to violence against women and girls. |

ESSENTIAL ACTION: 6. MONITORING AND EVALUATION OF COORDINATION AT NATIONAL AND LOCAL LEVELS

Monitoring and evaluation provide opportunities to understand and learn how coordinated systems are functioning. Sharing the findings of monitoring and evaluation allows coordinated responses to be improved and for stakeholders to participate in and make decisions about improvements.

| CORE ELEMENTS | GUIDELINES |
|---|---|
| 6.1 Standards for monitoring and evaluation for national and local levels | <ul style="list-style-type: none">• Set realistic short, medium and long term goals.• Use qualitative and quantitative indicators of effectiveness of coordination.• Set up systems for measuring achievement of goals.• Include baseline data, where possible, in measurement systems.• Analyse outcomes of coordinated response.• Identify barriers to successful coordination and possible solutions.• Incorporate lessons learned into future policies and practices. |
| 6.2 Sharing and reporting good practice and findings of monitoring and evaluation | <ul style="list-style-type: none">• Identify best practices and lessons learned.• Identify problems and possible solutions.• Apply information learned from local monitoring and evaluation to inform national agenda. |
| 6.3 Transparency whilst maintaining confidentiality and minimising risk | <ul style="list-style-type: none">• Make guidelines, standards and policies widely available.• Use lay language in guidelines, standards and policies.• Make guidelines, standards and policies available in all languages used in the community.• Make results of monitoring and evaluation of coordinating process available to the public.• Make findings on impact of coordination on marginalized and vulnerable groups available in a way that is accessible to those groups.• Identify extent of problem in regularly published reports: For example, availability of victim and survivor services, victim/survivor use of services, how perpetrators are held accountable. |

3.2

GUIDELINES FOR LOCAL LEVEL COORDINATION AND GOVERNANCE OF COORDINATION OF ESSENTIAL SERVICES

ESSENTIAL ACTION: 1. CREATION OF FORMAL STRUCTURE FOR LOCAL COORDINATION AND GOVERNANCE OF COORDINATION

Formal structures for local coordination and governance of coordination support the participation of local institutions and organizations and enable robust mechanisms that can be understood by, and are accountable to the stakeholders and the community.

| CORE ELEMENTS | GUIDELINES |
|--|---|
| 1.1 Standards for coordination | Formal structures must ensure they include standards which: <ul style="list-style-type: none">• Are consistent with international human rights standards.• Take a victim/survivor-centered approach grounded in women and girls' human right to be free from violence.• Include perpetrator accountability. |

ESSENTIAL ACTION: 2. IMPLEMENTATION OF COORDINATION AND GOVERNANCE OF COORDINATION

Effective implementation of local level coordination and governance of coordination should be guided by an action plan that is aligned with national level strategy and developed via consultative processes. Agreements and standard operating procedures that are shared amongst participating organizations and accessible to communities will support the effective functioning of local coordination effort.

| CORE ELEMENTS | GUIDELINES |
|---------------------------|--|
| 2.1 Action plan | Local level action plans should: <ul style="list-style-type: none">• Comply with laws and policies and align with national strategy and standards on coordination and governance of coordination.• Identify local needs and gaps.• Be developed using consultative process in which key stakeholders, especially victims/survivors and their representatives.• Identify priorities.• Define specific activities to be carried out – including timelines, individual agency responsibilities, necessary resources, and indicators for measuring progress.• Identify possible resources and undertake efforts to obtain them.• Create linkages to other local responses to violence against women and girls.• Inform all relevant stakeholders that have not been involved in the development of the action plan. |

| | |
|---|---|
| <p>2.2 Agreements for agency membership and participation in coordination mechanisms</p> | <ul style="list-style-type: none"> • Develop mission and vision of the coordination mechanism on common understanding of violence against women and girls. • Identify composition of the coordination mechanism (including representatives of justice, social services and health care sectors and civil society including marginalized groups and other relevant parties). • Require that agency representatives have decision making authority for their agencies. • Define roles and responsibilities of representatives. • Define chairing arrangements and terms of office. • Establish meeting schedule. • Create decision making process. • Adopt accountability and complaint resolution process. • Create review process for functioning of the coordination mechanism, including timeframes for completion of work. • Create group rules (for example, confidentiality). • Commit to share information with specifically identified relevant stakeholders. |
| <p>2.3 Case management/ case review process</p> | <ul style="list-style-type: none"> • Prioritize victim/survivor safety over preservation of the family or other goals. • Empower victim and survivor participation through informed choices (for example, right to decide what services to access, whether to participate in justice process). • Provide accessible services to victims/survivors taking into account geographic accessibility, affordability, availability of providers, understandable information, etc. • Ensure ongoing risk assessment and safety planning. • Agree on response to heightened risk. • Ensure the creation of processes that recognize the needs of children who are victims of violence, directly or as a result of violence toward a parent. • Ensure service providers are trained and skilled. • Provide opportunities for cross-sector training. • Ensure a swift and appropriate response to violence by services and violation of court orders. |
| <p>2.4 Standard operating procedures for coordination mechanisms</p> | <ul style="list-style-type: none"> • Map local service providers. • Create a common understanding and principles of service delivery among providers. • Create a protocol for referrals and interactions among service providers. • Carry out training across sectors according to agreed standards. • Develop linkages with third parties (for example, schools). • Practice transparency subject to confidentiality requirements. |
| <p>2.5 Community awareness of violence against women and girls</p> | <ul style="list-style-type: none"> • Ensure that community awareness activities are conducted (for example, television and radio public service announcements, social media messages, billboards, publication of reports). |
| <p>2.6 Monitoring and evaluation</p> | <ul style="list-style-type: none"> • Identify purpose, scope, and timeline for monitoring and evaluation. • Focus monitoring and evaluation on the functioning of coordinated response to violence against women and girls. • Align with national monitoring and evaluation framework. • Identify baselines and indicators for measuring progress. • Require agencies to collect and share agreed data. • Develop capacity and resources for monitoring and evaluation. • Include victims/survivors in monitoring and evaluation process. • Track funding. • Report monitoring and evaluation findings to national or regional oversight body. • Comply with reporting requirements of high level entity. |

CHAPTER 4.

TOOLS AND RESOURCES

Multi-Sectoral Programme on Violence Against Women is being implemented jointly by the Government of Bangladesh and Government of Denmark under the Ministry of Women and Children Affairs. <http://www.mspvaw.gov.bd>

The “Duluth Model” is an ever evolving way of thinking about how a community works together to end domestic violence. The Duluth Model. Since the early 1980s, Duluth—a small community in northern Minnesota—has been an innovator of ways to hold batterers accountable and keep victims safe. <http://www.theduluthmodel.org>

National Policy Framework Management Of Sexual Offence Matters, Department of Justice and Constitutional Development, Pretoria, South Africa. <http://www.justice.gov.za/vg/sxo/2012-draftNPF.pdf>

Programming Module on Coordinated Responses (forthcoming) - Virtual Knowledge Centre to End Violence Against Women and Girls, www.endevawnow.org (available January 2016)

