

## *Summary*

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This conference focused on four areas pertinent to the subject of violence against women: criminal proceedings in cases of domestic violence, standards for shelters for battered women, treatment programs for men who use violence, and doing research on difficult and sensitive topics. In the two former areas, existing guidelines or recommendations were reviewed, accepted, and expanded upon, while in the two latter areas, preliminary recommendations were formulated. This publication contains the observations and recommendations of each of the conference work groups, as well as appendices with the recommendations and statements of the other two European Union expert conferences (Baden bei Wien, 1998; Cologne, 1999) and the statements drafted at the international conference in Lisbon (2000), making it a reference source on the recommendations drawn up under the European Commission's Campaign Against Violence Against Women.

One recurring theme in the conference was that there are existing useful laws, recommendations, and other guidelines on how to deal with certain aspects of violence against women, and that the challenge in these cases is to ensure that they are followed through. This may mean seeing that the conditions (including but not limited to funding, resources, changes in organizational structures, and training) are met for the implementation of these tools, and once conditions are filled, that those in positions to implement such tools are fulfilling their mandates. The last will require at this time the monitoring of responsible organizations, institutions, and individuals.

Another recurring theme was the necessity of putting first the needs of women who experience violence, of using survivors as the yardstick against which activities to combat violence against women are measured. This applies to activities as diverse as police investigations and legal efforts, the running of women's shelters, and programs for men who use violence. It is pertinent for issues such as information flow, safety arrangements, child custody, victims' rights, services for immigrant women, court proceedings, and so on. In nearly every discussion at the conference there were points highlighted where survivors' needs or views were not being taken into account, and suggestions were given on how to better do so in the future. As corollaries to this theme stand the observations that services for survivors/victims should be offered free of charge, that services and funding for them are woefully insufficient in the face of current need, and that men who use violence, not women survivors, should be held accountable for the costs society pays due to violence against women.

Several other important topics were raised in the course of the conference, these including the importance of addressing the needs of immigrant women who experience violence, and the need for broader approaches to the prevention of violence in

societies. Several participants called for wariness against taking too narrow a view of violence against women: the tendency to reduce it to domestic violence encourages blindness to the systematic and pervasive nature of violence against women in societies, and to its many forms.

**Key words:** violence against women, domestic violence, shelters/refuges, legal proceedings, police investigations, survivor/victim safety, women's rights, survivor's/victim's rights, immigrant women, research, intervention, men's violence, perpetrator programs, prostitution, standards, recommendations, evaluation, European Union, European Union policy.

## *Tiivistelmä*

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Konferenssissa keskityttiin neljään naiseen kohdistuvaan väkivaltaan liittyvään aihealueeseen: perheväkivaltaan liittyvät oikeudenkäynnit, turvakoteja koskevat vaatimukset, ohjelmat väkivaltaan syyllistyvien miesten hoitamiseksi sekä vaikeiden ja arkaluontoisten asioiden tutkimus. Kahdella ensiksi mainitulla aihealueella tarkistettiin, hyväksyttiin ja laajennettiin nykyisiä ohjeita tai suosituksia ja kahdella viimeksi mainitulla laadittiin alustavia suosituksia. Julkaisu sisältää konferenssin kaikkien työpajojen esittämät huomiot ja suositukset. Sen liitteenä ovat myös Euroopan unionin kahden muun asiantuntijakonferenssin (Baden bei Wien, 1998; Köln 1999) antamat suositukset ja lausunnot sekä Lissabonin kansainvälisessä konferenssissa (2000) laaditut suositukset. Julkaisua voidaankin käyttää apuna etsittäessä tähän mennessä EU:ssa annettujen suositusten viitetietoja.

Konferenssissa todettiin toistamiseen, että jo nyt on olemassa hyviä lakeja, suosituksia ja muita ohjeita siitä, kuinka naiseen kohdistuvan väkivallan tiettyihin puoliin on suhtauduttava. Haasteena onkin varmistaa, että näitä lakeja, suosituksia ja ohjeita noudatetaan. Tämä saattaa myös tarkoittaa, että on huolehdittava näiden välineiden käyttämisen edellytyksistä (esimerkiksi rahoitus, resurssit, organisaatorakenteen muutokset ja koulutus). Lisäksi on varmistettava, että edellytysten täytyessä näitä välineitä käyttävät kaikki ne, joilla on siihen oikeus. Tämä taas edellyttää toimivaltaisten järjestöjen, toimielinten ja yksittäisten henkilöiden valvontaa.

Toinen toistuvasti esille tullut asia oli, että väkivallan kohteeksi joutuneiden naisten tarpeet on asetettava etusijalle ja käytettävä väkivallan uhreja apuna arvioitaessa toimia naiseen kohdistuvan väkivallan torjumiseksi. Tämä koskee hyvin erilaisia toimenpiteitä, kuten poliisitutkimuksia ja oikeudellisia toimia sekä naisten turvakotien ylläpitoa ja väkivaltaan syyllistyviin miehiin kohdistettavia ohjelmia. Tämä on tärkeää sellaisten asioiden kannalta kuin tiedonkulku, turvallisuusjärjestelyt, lasten huolto, uhrien oikeudet, siirtolaisnaisille suunnatut palvelut, oikeudenkäynnit jne. Lähes kaikissa konferenssissa käydyissä keskusteluissa tuotiin esiin asioita, joissa väkivallan uhrien tarpeita tai toivomuksia ei ollut otettu huomioon ja ehdotettiin parannuksia tulevaa toimintaa varten. Tässä yhteydessä katsottiin myös, että väkivallan uhreille suunnattujen palvelujen olisi oltava ilmaisia, että palvelujen tarjonta ja rahoitus ei mitenkään vastaa nykyistä tarvetta ja että väkivallan kohteeksi joutuneiden naisten sijasta väkivaltaa käyttävien miesten olisi oltava vastuussa väkivallasta yhteiskunnalle aiheutuvista kustannuksista.

Konferenssissa käsiteltiin myös muita tärkeitä aiheita, kuten väkivallan kohteeksi joutuneiden siirtolaisnaisten tarpeiden huomioonottaminen ja laajempien näkökulmien välttämättömyys väkivallan torjumisessa yhteiskunnassa. Useat osallistujat kehittivät

varomaan liian suppeaa näkemystä väkivallasta: pyrkimys rajoittaa perheväkivaltaan saattaa estää näkemästä, että naisiin yhteiskunnassa kohdistuva väkivalta on luonteeltaan järjestelmällistä ja yleistä ja että sitä esiintyy monissa eri muodoissa.

**Avainsanat:** naisiin kohdistuva väkivalta, perheväkivalta, turvakodit, oikeudenkäynnit, poliisitutkimukset, uhrien turvallisuus, naisten oikeudet, uhrien oikeudet, siirtolaisnaiset, tutkimus, toimet, miesten väkivaltaisuus, väkivaltaan syyllistyneisiin kohdistetut ohjelmat, prostituutio, vaatimukset, suositukset, arviointi, Euroopan unioni, Euroopan unionin politiikka.

## *Sammandrag*

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Vid konferensen koncentrerade man sig på fyra områden med relevans för temat våld mot kvinnor: rättegångshandlingar som behandlar familjevåld, normer ifråga om skyddshärbärgen för kvinnor, behandlingsprogram för män som brukar våld samt svårigheterna i att forska kring svåra och känsliga frågor. Ifråga om de två förstnämnda granskade, antog och vidareutvecklade man existerande riktlinjer och rekommendationer, medan man ifråga om de två sistnämnda formulerade preliminära rekommendationer. Denna publikation innehåller de synpunkter som framfördes och de rekommendationer som godkändes i varje enskild workshop. Därtill finns som bilaga de rekommendationer och uttalanden som gjorts vid de två övriga av EU arrangerade expertkonferenserna (Baden bei Wien, 1998; Köln, 1999) samt de uttalanden som gjordes vid den internationella konferensen i Lissabon (2000). Denna rapport innehåller följaktligen samtliga rekommendationer som till dags dato har godkänts på EU-nivå.

Ett återkommande tema på konferensen var att det nog finns helt användbara lagar, rekommendationer och andra riktlinjer angående hur man bör gå till väga ifråga om vissa bestämda former av våld mot kvinnor, och att utmaningen därför snarare blir att se till att man också utnyttjar dem. Det här kan innebära att man ser till att det skapas förutsättningar för att dessa instrument skall kunna tas i bruk (vilket inkluderar avsevärda ekonomiska och andra resurser, förändringar i organisationsstrukturerna samt utbildning). Och att, sedan dessa villkor blivit uppfyllda, de som innehar positioner där man kan använda sig av dessa instrument faktiskt också gör det. Det sistnämnda kräver i det här skedet att man gör en kartläggning av ifrågavarande organisationer, institutioner och enskilda personer.

Ett annat återkommande tema var vikten av att man som första prioritet har de kvinnliga våldsoffrens behov, och använder deras erfarenheter som måttstock då man dimensionerar de åtgärder man vidtar. Det här gäller allt från polisundersökningar och rättsliga åtgärder till kvinnohärbärgen och behandlingsprogram för män som brukar våld. Det gäller vidare sådant som informationstillgång, säkerhetsarrangemang, barnavård, offrens rättigheter, service för invandrarkvinnor, domstolsprotokoll etc. I så gott som varje diskussion på konferensen gavs exempel på hur våldsoffrens behov och perspektiv inte hade beaktats, och man framförde förslag till hur dessa i framtiden bättre kunde beaktas. Som komplement till detta framfördes att de tjänster man erbjuder våldsoffren borde vara avgiftsfria, att de resurser som finns för ändamålet är bedrövtligt underdimensionerade i förhållande till behovet, och att det är de män som är våldsamma, och inte deras kvinnliga offer, som borde göras ekonomiskt ansvariga för de kostnader samhället åsamkas av detta våld.

Men också många andra viktiga teman lyftes fram under konferensen, såsom vikten av att man beaktar behoven hos de invandrarkvinnor som blir offer för våld, och nödvändigheten av ett bredare perspektiv i strävan att förebygga våld i samhället. Flera deltagare varnade för att man inte får se alltför snävt på frågan, eftersom tendensen att reducera våldet mot kvinnor till enbart familjevåld gör oss blinda inför den systematiska, mångfacetterade och allt genomträngande typ av våld mot kvinnor som finns överallt i samhället.

**Nyckelord:** våld mot kvinnor, familjevåld, skyddshärbärgen, rättegångshandlingar, polisundersökningar, offrets trygghet, kvinnans rättigheter, offrets rättigheter, invandrarkvinnor, forskning, intervention, manligt våld, behandlingsprogram för män som brukar våld, prostitution, normer, rekommendationer, utvärdering, Europeiska unionen, EU-policy.

# *Preface*

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Men's violence against women is a serious threat to women's health. Violence also has social, legal and economic consequences. It is a violation of human rights that must not be permitted and which we must fight against on both the national and the global level. The Commission of the European Communities and the European Parliament have kept this theme on the political agenda during the last several years. Finland organised a meeting for experts on violence against women during its EU Presidency. The earlier meetings on the same theme were organised by Great Britain, Austria and Germany, and the meeting during the Portuguese Presidency was last in this series.

The aim of the meeting during the Finnish Presidency was to find concrete methods to combat violence and to ensure that the existing legislation in each country is used effectively in the prevention of violence against women. Research and multiprofessional co-operation between authorities and NGOs were emphasised. The criminal process, shelter standards, treatment programmes for men and difficult and sensitive research subjects were discussed during the meeting in the working groups.

The Ministry of Justice, the Ministry of the Interior, the Ministry of Social Affairs and Health and the National Research and Development Centre for Welfare and Health (STAKES) were responsible for the arrangements at the meeting. The Commission contributed to the financing for the meeting.

This report has been prepared by Laura Keeler at STAKES. Hopefully the report will be beneficial in the prevention of violence against women.

Helsinki, December 2000

Jarkko Eskola, Director General  
Ministry of Social Affairs and Health



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## *Introduction and Overview*

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# **Finding Our Humanity**

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The women of the world of today and of yesterday bear and have borne a great burden; that burden is the violence of men. Women are both direct and collateral targets of men's violence. Lest the reader object that men commit violence against men which does not affect women, I ask that you search back in your memory to some of the last scenes you witnessed about a war or ongoing conflict. Many of them probably showed men, and maybe boys, going about the business of violence, directing acts of aggression against each other in the form of exchanges of bombs, bullets, stones, and blows with knives, clubs, or fists. When women and girls were shown, they were probably weeping, grieving at the loss of a father, brother, husband, son, or lover. Such images of women depict a truth about the effects of men's violence on women, but it is only a partial truth, since they neglect the rape, gang rape, sexual slavery, and murder of women that tend to accompany conflict between groups of men. The full and horrible truth is that to some degree or another, women bear the brunt of all violence, whether it is violence visited upon their persons, upon their children, upon their other beloved ones, or upon their communities.

We might ask ourselves at some point what the relationship is between violence and humanity, that is, between violence and being human. One common response is that "violence is part of human nature" or "the capacity for violence is part of human nature".<sup>1</sup> Here the readers may find themselves nodding sedately, the result of educations that teach us that violence is part of ourselves in the form of the id, or in service to our genes, etc. It may be true that we have the capacity for violence since the word "capacity" has the rather unspecific meaning of "the actual or *potential* ability to

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<sup>1</sup> For an example of a "great thinker" of Western culture who thoroughly endorsed this view, we can turn to Freud (*Civilization and Its Discontents* [J. Strachey, Ed. and Trans.], 1961, pp. 62-69). Interestingly, in the course of his argument Freud quotes an ancient Roman playwright (Plautus, who wrote "*homo homini lupus*", meaning "man is a wolf to man"). However, according to at least one historical philosopher all the early moral philosophers believed evil was a result of ignorance. It was not until the Christian philosophers that man was seen to have the will and inclination to evil (G. Reale [Ed. and Trans. J.R. Catan], *From the Origins to Socrates: A History of Ancient Philosophy* [Albany, N.Y.:State University of New York Press, 1987]).

perform”.<sup>2</sup> But true or not, it has obscured a critical point, since most of our anecdotal as well as officially validated evidence clearly suggests that violence is an outstanding *actual* part of *men’s* nature.

So how is it that we very easily find ourselves endorsing the statement that the capacity for violence is part of human nature? A starting point the referent of the word “human”. Mary Daly and other feminist writers (Daly, 1978; Black & Coward, 1990; Cameron, 1990; Bodine, 1990; Romaine, 1999) have pointed out the deceptiveness of generic terms such as “man”, “mankind”, “he”, and even “people” and terms rooted in “human”. Daly calls them “pseudogenerics” since users of these terms often claim that they refer to both men and women, when in fact they don’t, or readers assume that they refer to both men and women, when in fact they don’t. Actually, they are elastic, referring to men and women when it is convenient, and only to men the rest of the time. It is due to the latter that we see assertions that “women’s rights are human rights”, a statement that is apparently absurd until we realize that women are frequently not included in the term “human” and that “human rights” often are not applied to women. In the case of our statement about human nature, it is the former function of the word that is being asserted: women expect to be included in any statement that refers to humans, and in this case it is convenient that women believe that they are included, that they agree that all people (humans) are violent or potentially violent. This keeps women from their rightful outrage, because if women think that they are, as humans, violent or potentially violent in the same way as men are, they are more likely to keep quiet and not pass judgement on men’s behavior.

Also of interest is the effect of phrasing the answer in terms of human “nature”; when we speak about the nature of something or someone, as in “it is in their nature”, we do not mean that they exhibit a characteristic, behavior, or talent today or once and could just as well exhibit another tomorrow. We mean that we expect them to behave this way consistently, and would definitely expect them to behave the same way in the same context tomorrow. When we speak about human nature we affirm that the characteristics that make us human form a fixed entity, a pre-given. This negates the possibility of a human being, of “being human”, in the sense that there is a reduced capacity for “be-ing” in an active, dynamic, creative sense. The proposition of a fixed state of being both is and prepares the way for a status quo. Whose interest does such a status quo serve? Who benefits from constructing a human nature that is violent? If we blindly confirm that the potential for violence is part of human nature, we lose the realities that “potential” and “actual” violence are vastly different, that violence as a response to violence is different from violence as a response to anything else, that violence is not every person’s automatic response to everything threatening, that people change, and that most violence is committed by men.

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<sup>2</sup> The definitions and etymological information given here derive from *Webster’s Encyclopedic Dictionary of the English Language* (1983. Avenel, New Jersey: Grammercy Books) and from the *Shorter Oxford English Dictionary* (1973. Oxford: Clarendon Press).

Another way to look at human beings and violence is through our reactions to and how we talk about a particularly heinous crime, like murder committed out of bloodlust, or someone being tortured. We look away, or wince, or sigh, and use words like “inhuman” and “brutal”,<sup>3</sup> meaning that such violence is not of human nature; few of us are overjoyed to see Freud and company’s theory of human nature seemingly confirmed. One meaning of the word “human” when it is used as an adjective is “sympathetic” or “humane”. The word “humane”, once the original form of the word “human”, encompasses all that is refined about modern *Homo sapiens*, including a benevolence that should motivate the treatment of one’s fellow human beings. One meaning of the word “humanity” is “the quality of being humane; benevolence; kindness”. Benevolence and kindness, rather than a violent nature, are assumed to be part of our heritage as human beings. We sometimes forget that there are views of human nature that are more in accord with these meanings.

Yet, although for many people the capacity for empathy or compassion is a core component of the definition of “human”, it seems to be this same capacity that is lacking when one part of the population of the earth looks at the other part: when men look at women and the various kinds of violence that women experience in their lives, mostly at the hands of men. Significant collective damage is done to the female psyche on a daily basis: it ranges from the microcosmic level of an individual woman’s fearful hesitation when deciding whether or not it is safe to take public transportation home late on Friday night, to the macrocosmic level of the suppression of one half of the population’s cognitive and creative power as a result of fear, humiliation, and so forth. One would think that this is not to be underestimated or indifferently shrugged off, but it often is, and usually by men. It is ironic that on the one hand the word “human” is considered suspect as a pseudogeneric and because of its link to “man”,<sup>4</sup> while on the other hand it is exactly some **men** who lack the very qualities that are the essence of the meaning of “human”.

This understanding of the word “human” implies a lack of humanness not only on the part of those who perpetuate violence against women and the rest of human kind, but also on the part of those who turn away from the victims of violence. To turn a blind eye to another person’s suffering is not an act motivated by benevolence. At best it is an act born of indifference. It is therefore very heartening to see so many individuals, groups, and governments begin to come into their humanity by not only ending the tendency to look away from violence against women, but by turning critical eyes in that direction. There is now an increasing willingness to look unflinchingly at violence against women, and people are voicing their reactions to the scene before them, lamenting or raging (or pontificating) at how women are hurt and humiliated.

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<sup>3</sup> “Brutal”, derived from the word “brute”, means “savage; cruel; inhuman...irrational; unreasoning...of or pertaining to lower animals”. This is an interesting assignation of meaning given that one would be hard pressed to find a species other than *Homo sapiens* in which aggression of one member against another is such a frequent cause of morbidity and mortality.

<sup>4</sup> While the morphological similarity is a coincidence (“hu – man”) just as it is with the word “history” (“his – story”), the etymological link is there.

However, the first step of “breaking the silence” is the easy part: women have been breaking the silence for decades with the result that now only hardened patriarchalists can look at a beaten woman and risk their humanity by saying “She deserved it, let her live with it”. But unfortunately it seems to be the case that for unscrupulous decision- and policy-makers words are cheap. It is easy these days to *say* “She did not deserve it, she is not to blame, she is entitled to society’s support”. The next step in fulfilling our humanity, that of *acting* towards hurting women out of benevolence, out of kindness, out of compassion, is the step that is hardest and taking the longest.

The recognition, the words, are there in the flurry of papers, conferences, expert meetings, speeches, and so on, on violence against women. This literature already provides some excellent analyses of and recommendations on what to do about violence against women. Considering the history of the problem and its intractability up to this point, there is a truly surprising amount of consensus on what needs to be done for women who experience violence. There is even some consensus on what needs to be done to end men’s violence: women, and some men, have considered the disadvantages of patriarchy for decades, and have given us plenty of remedies to consider, as have abused women themselves as they have found their voices. Although women’s legal status clearly needs improvement in the European Union Member States, the current necessity is not the generation of more paper trails, but putting into action the solutions already recommended.

The trick now, here, in addressing violence against women at the level of the Member States, is to keep moving forward instead of getting stuck in a rut, to make sure that movement happens in the actual ways that real women are treated in the real world. We must not fall into the trap of thinking that just because something has been said, just because it is codified, it will happen. It will *not* unless there is enough will in enough places to make it happen. Therefore we must start generating will and action, not only in ourselves, but also in others.

There is yet another danger that we must avoid, and that is the risk that our own demands for more information, for more knowledge, act as a doubled-edged sword. There is no question that there is a deep need for more research and more analysis on the bases of patriarchy, of men’s violence, and of violence against women. But I must pose the question of how much we need to know before we feel justified in reaching out to more women who experience violence and to start preventing more women from experiencing violence in the first place. Do the statistics need to be more accurate before we help women? Do we have to know exactly why men are violent before women can be offered refuge, or before laws against assault are applied without prejudice to both male and female victims? Can we honestly say that a lack of information at this point justifies withholding resources from women survivors of abuse? Women need to be sure that this sword only cuts in one direction. We have already been bloodied enough by patriarchy, we don’t need to fall on our own blade.

Some of the biggest barriers to action are bureaucracy, the unwillingness of many to put their money where their mouths are, and those in power who still secretly believe that women are whining inferior creatures that really do belong barefoot and pregnant

in the kitchen, or “between a fist and the stove”, to use the local parlance of Finland. We have a tendency to want to forget that the opposition of individuals in the ranks, even at the level of supervisors and managers, not to mention at the level of national decision-makers, can be a serious barrier for a researcher, a project worker, a writer, etc., especially when that opposition holds the stamp of approval or the purse strings. We need to shame those who harbor sexist attitudes and beliefs into fulfilling the mandates of those in society who want to reach out to women who have experienced violence. We need to do mental accounting to prevent ourselves and others from falling into the traps of racism and nationalism: when we discount these we risk adding to many women’s difficulties by marginalizing them or offering them inappropriate forms of support, while with too much of the wrong kinds of attention on race and nationality we can demonize certain groups of women, constructing them as Other. We also need to grasp all the power that democratic systems offer us by voting for representatives who have women’s concerns at heart, and by selecting feminists for influential positions. In this way we become cultivators of woman-friendly societies.

## **Highlights of the Expert Meeting**

Several recurring themes became apparent in the keynote and guest speakers’ addresses. As I mentioned above, one of these was that there are some good tools in the form of recommendations and directives that already exist; the problem is how and whether they are implemented. Two other frequently heard themes were that women’s rights are human rights, and that prostitution and trafficking in women are a facet of violence against women. However, the speakers also grimly reminded us of existing poor laws, of indifference in the application of existing useful laws to help women who experience violence, and even of new laws that put women at risk for violence and manipulation at the hands of violent men.

The results of the work groups are given in this publication in the form of recommendation lists. This being the case, I will refrain from reiterating them here. Instead I would like to draw the readers’ attention to a couple of points about the work groups themselves, and then point out overriding themes that emerge from the work group reports. One is that the expert meeting resulted in recommendations on some areas very pertinent to but not strictly consisting of support for women survivors of violence, these being reeducation programs for men who commit violence against women, and research on violence against women. These recommendations are first of all outstanding because to my knowledge they are the first E.U. recommendations on these issues. And, as regards the recommendations on reeducation programs, it is further noteworthy that the workshop participants were able to endorse so many concrete statements on how the programs should be run, such as those on the issue of client confidentiality, the content of the programs, and a minimum length and number of program sessions. Recognition should go to those workshop participants who themselves have a vested interest in such programs but who refrained from false optimism about the efficacy and importance of them. It was also encouraging to see the standard therapeutic stance on client confidentiality firmly rejected in the context of ensuring women’s safety: the repudiation of this powerful and entrenched tradition

shows that the consideration of the needs of women and children survivors is moving past mere lip-service to taking its rightful place as a central factor in activities that have an impact on survivors. This particular workshop had a high potential to become contentious and therefore ineffective, but instead produced a solid set of recommendations consistent with the goals of both respecting women and protecting them from exposure to further violence.

It is unfortunate, or perhaps to be expected, that such dynamics did not characterize all of the workshops. A notable example was the workshop on standards for shelters (refuges). As evident from the workshop report, and seen in the general forum where the recommendations were presented, the participants came to loggerheads over what the preferred model is to run shelters, and specifically over what (if any) role men should have, including that of client. Emotions ran quite high. Liz Kelly deserves recognition for her mediation efforts, as does Rapporteur Natalia Ollus for producing a diplomatic statement that reflected both perspectives.

The work group reports, recommendations, and presentations also exhibit some common and recurring themes. The training of professionals who come into contact with women who have experienced violence was heavily emphasized as regards law enforcement, legal services, and shelter and other support services. Another strong theme was that of information flow, both between those providing services to survivors as well as to the survivors themselves. This includes ensuring that victims are accurately informed of their rights, that they are kept informed about court and other legal proceedings, and that if they wish they receive information about the perpetrator if he is in a reeducation program. This flow of information, however, is not meant to go freely in both directions: for the woman's protection it is important that she be entitled to complete confidentiality in relation to the perpetrator if she desires it.

The protection and safety of survivor/victims were perhaps the most salient themes in materials of the work groups on legal issues, on perpetrator programs, and on shelters. The fact that this was so vigorously promoted in the work groups unfortunately suggests that survivors are *not* properly protected from further victimization. This further victimization might be at the hands of the perpetrator, but it might also result from legal procedures that force the woman to repeatedly recount painful experiences, that pressure her to have further contact with the perpetrator, or that put her at other kinds of risk such as losing her job or losing her home to the perpetrator. Protection and safety efforts should extend from the courtroom, to those who work with violent men, to the functioning of shelters. There was a general sense that circumstances that require a survivor/victim to parley with the perpetrator are not acceptable. Protection should also extend to the children of women victims so that the children are not forced to have contact with a perpetrator, especially in service of parental rights.

Two more aspects of services that were mentioned repeatedly were that support services for women who experience violence should be offered to them free of charge, regardless of the woman's civil or civic status, and that women should be helping women. The latter was mentioned not only in connection with shelters/refuges, but also in connection with certain kinds of police work. A related concern was that about the

lack of sufficiency of services and funding for such services: At the moment, there is not the money to generate enough services to go around, and many countries do not even meet the minimum requirements for shelter places per a certain population size. Women are not to be blamed for the expenses accrued in providing support services for survivors. In a more general but associated vein, several work groups expressly noted that women should not be held accountable for the violence they experience or for the consequences that follow. Any demands for accountability should be directed at the perpetrators.

The special situation of immigrant and migrant women was brought up in relation to some of these themes, and deserves still further emphasis: in many Member States the legal status of immigrant women is such that they are especially vulnerable to manipulation and violence at the hands of men and by the societies in which they live. They may have difficulties in accessing existing services because they speak a different language. They may not know their rights. They may be afraid to approach criminal justice institutions for help. Their own ethnic communities, if they have them, may be more or less supportive of an abused woman than is the society overall, which means the community may be an extra source of strength, but might also be a special source of hindrance to a woman's leaving an abusive situation. Migrant women who are trafficked across borders for prostitution face unique problems because their activities may be illegal, or their pimps may be men who go beyond pimping, for example, to ruthlessly hold ransom the lives of the women's family members as security to ensure that she returns with money. Prostituted migrant women and immigrant women in general have to face the prejudices of people who work in institutions that should otherwise offer them support.

A final aspect of all the different services discussed in the meeting that appeared repeatedly was that of monitoring and assessment. This ranged from monitoring the activities of prosecutors in abuse cases, to assessing the effectiveness of perpetrator programs and the quality of shelters and hot lines, to following up on how Member States are implementing recommendations pertaining to violence against women.

There were several calls for a wider response to violence in the sense that patching up the survivors and punishing and/or reeducating the perpetrators is not enough. It is not reasonable to expect that violence against women will end when violence and sexism are endemic to our societies in general. Broader reeducation and preventative approaches need to be taken in schools and in the media. As pointed out by the work group on research into sensitive topics, this front in the battle against violence against women without question requires some solid research, including research on the sex trade and pornography, as well as on male culture and identities.

There were also warnings of the need for a wider view on violence against women: participants in the work groups and in the general forum noted that there has been a great deal of emphasis on domestic violence, and relative silence on the issues of rape, incest, marital rape, prostitution, and other forms of sexual violence. The parable about the blind men who all touch different parts of an elephant and give (erroneous) descriptions of the whole animal is appropriate in this situation. If we limit our focus

only to physical abuse in domestic violence, we lose a very big part of the picture of the content of men's violence. We will not only be unable to develop an overall accurate understanding of violence against women, but will contribute to the invisibility of one or more aspects of it and continue to create and revamp institutions so that they cannot effectively respond to violence against women in its myriad forms. The danger in taking too narrow a view of violence against women is that of contributing to the victimization of women.

In closing, as the editor of this publication I wish to personally thank all of the presenters and the participants in this expert meeting for their efforts, for their endurance, and for their bravery. Certainly all three of these are required in working in any occupation where one personally confronts violence against women since it makes the pain of those involved so acutely clear, and forces a person to constantly assess aspects of themselves, of their society, and of their peers. In this case your labors have resulted in what I believe will be a work of reference for those who deal with violence against women in the European Union, as well as a work of interest abroad.

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## *Acknowledgments*

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Laura Keeler, Editor

Leena Ruusuvuori, on behalf of the  
Prevention of Prostitution and  
Violence Against Women project



## *Opening Address*

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**Eva Biaudet**

**Minister of Health and Social Services, Finland**

Distinguished Guests, Ladies and Gentlemen,

Home should be the safest place in the world for all of us. The workplace should be safe for all of us. It should be safe to walk on the streets and in the woods. But is it? Especially if you are a woman? As a politician I do not accept the fact that in my country 40% of the women say that they have experienced male violence. The Finnish national survey in 1998 reported also other shocking results on the prevalence of male violence against women; for example, 20% of all cohabiting or married women have been victims of physical violence at the hands of their present partner.

Violence against women is a serious human rights violation which must be tackled using various methods. In 1993 at the Vienna United Nations Conference on Human Rights, women's rights were acknowledged as human rights for the first time. Finland has during its EU presidency emphasised the point that women's rights are a universal and unalienable part of human rights.

Violence against women is a multifaceted phenomenon. It is based on and perpetuated by prevailing unequal socially and culturally defined gender and power relations. Therefore, measures to combat violence against women are needed on various levels – global, international, regional, local and even individual levels. According to Nordic thinking, prostitution and trafficking in women form an essential but many times neglected manifestation of violence against women.

As regards violence against women, it is important to strengthen attitudes opposed to violence, to make violence visible and to make the public aware of its extent and impact on society, to reduce the incidence of violence and to ensure that easily accessible services are available for the victims and the male perpetrators.

Breaking the silence around violence must be considered the main task in preventing violence against women. The secret nature of violence hinders the victims from seeking and getting help and has resulted in many myths around violence against women. Breaking the silence means changing attitudes, which is a slow process. Each and every one of us has to think about our attitudes towards woman battering. This is essential for those professionals who are in contact with victims of violence, especially the police and health and social care workers, not to forget the judiciary.

We have to fight violence against women nationally, globally and at the EU level. Thanks to the commitment of the European Commission and European Parliament, and of the British, Austrian and German Presidencies, the issue of violence against women will continue to be on the European political agenda. The Campaign Against Violence Against Women was launched by the European Commission during the British Presidency in 1998 and will go on until March 2000 under the Portuguese Presidency.

During the Austrian Presidency, 52 standards and recommendations to combat male violence were adopted in Vienna – the main themes being the role of the police, and violence against migrant women. During the German Presidency in Cologne ten more recommendations were adopted on the reasons for and consequences of violence, on legal remedies for combating violence, on prevention, on help organisations and co-operation with institutions and on work with perpetrators. I am both glad and proud to further this work during the Finnish Presidency. Now we know where to aim. The real task today is to implement these standards and recommendations.

European action is definitely needed to combat violence. The commitment of the European Parliament in raising the issue of violence against women on the European political agenda has been crucial. I want to thank you, Ms Theorin, for the work you have done.

The complexity of the issue of violence is such that European-wide exchange of information and experiences, networking, innovative action and awareness-raising will help all of us in our national work. The Daphne programme will open new possibilities for such action. I want to see the programme start with the new millennium. The Finnish Presidency is working closely with the European Parliament to reach the final decision on the programme before the end of the year.

We have here a splendid opportunity to make full use of the possibilities created by the Amsterdam Treaty for close co-operation between the Council and the European Parliament. I am glad that we can use these new mechanisms for a common, urgent goal: to prevent violence against children, young people and women.

The goal of this meeting is to find concrete methods and measures to ensure the implementation of the national legislation that already exists in our countries. We also focus on finding the best practices for helping and taking care of victims as well as for helping perpetrators to break out of the cycle of violence. This demands multi-professional co-operation between authorities and non-governmental organisations.

How can we focus on these goals? We have found it important to concentrate on four topics. Firstly, we will deal with violence against women cases in criminal proceedings. In order to proceed in this area we shall discuss how the criminal justice systems in different EU countries deal with cases in which women have been victims of violence. We will also discuss the legal means by which to improve the status of victims in criminal proceedings. What steps have different countries taken to implement the EU recommendations or otherwise to improve the rights and position of victims? The starting point is the set of standards accepted in Vienna.

From the legal point of view an important issue in this area is the role of the police and prosecutors as regards violence against women. In many countries the legislation would enable more efficient intervention, but the police and the judiciary system do not in all cases interfere in violence within the family as effectively as in other violent offences. Issues to be discussed also include procedures concerning restraining orders.

Secondly, we will discuss standards for shelters for abused women and their children. This issue was taken up in Cologne, and now the aim is to encourage a model based on best practices to support victims of male violence in the European Union. We aim at bringing about a comprehensive set of guidelines to be launched at the conference in Portugal next year.

Thirdly, we will discuss treatment programmes for men who use violence against women and children. How should the treatment be organised to reach violent men and what kind of treatment should be offered to these men? We aim to develop standards and recommendations that can be used in all EU countries.

Fourthly, we will discuss research on difficult and sensitive subjects such as sexual violence, prostitution and violent men. Such research faces various obstacles. We will concentrate on analysing political, social and emotional barriers to research carried out on buyers of sex, and on methods used in surveys on violence against women and in studies on sexual violence.

An important issue that can never be too much emphasised is the protection of children living in violent families. Facing violence is always a traumatic experience and can lead to a cycle of violence. I want to strengthen the focus on children when discussing violence.

Violence is a complex issue and there are many approaches to it. Let me mention some Finnish approaches: We believe in multiprofessional work which brings together training and educational service professionals, the media and telematics, research and monitoring, and legislative and criminal justice measures. We have also created 12 regional multiprofessional teams in different parts of Finland to co-ordinate the work in their own areas. Non-governmental organisations play a vital role in this work.

Attitude education has to start early. We have launched several projects at schools to affect people's attitudes at an early age. Also parishes in various cities have been interested in including violence against women in the programmes of confirmation classes. Because of compulsory army conscription, the majority of young men can be reached through this institution. That is why we are working also with army officials to actualise our goals.

Prostitution and trafficking in women are cruel forms of violence. It seems that in most considerations and control policies on the sex trade, the focus has been limited to women who sell sex. However, in order to prevent prostitution, it is vital to understand and rearrange the social and cultural patterns and structures that perpetuate the sex

trade. Clients, procurers and indirect profiteers need to be targeted. Preventive actions and control have to be directed to this 'invisible' side of the sex industry.

I hope that during this meeting we will be able to find useful tools and methods for our future work. I am glad that our common efforts can continue under the Portuguese Presidency.

## *Statement*

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### **Maj Britt Theorin Committee on Women's Rights and Equal Opportunities of the European Parliament**

Ms. Chairperson,

First, I would like to thank you very much for inviting the European Parliament to take part in this important dialogue.

Imagine that tomorrow's newspapers announced the spread of a new disease that in one year will affect approximately a *fifth* of the E.U. population. This disease quickly becomes a leading cause of hospitalization, causes prolonged human suffering, and leads to chronic injuries and sometimes death.

Certainly, there would be decisive action to combat this plague. Any government that failed to dedicate sufficient funds and launch major programs to stop the spread of this disease would surely not be re-elected.

Yet, although the plague I am describing is as old as human civilization, effective responses have never been taken. The reason is that the plague is not random: women and girls are victims because they are female. The plague, of course, is violence against women, ranging from sexual harassment and battering to rape and trafficking in women.

An historical analysis of murders at the end of the nineteenth century in England and Wales showed that about 50% of the victims were murdered by their husbands, lovers, or boyfriends. The comparison with official figures in the United Kingdom today shows that the pattern has not changed.

Why has nothing been done? Why have politicians and policy-makers for centuries ignored violence against women? Why is violence against women by male partners the single largest injury to women – more so than mugging and automobile accidents combined? Why are between 15% and 25% of women battered during pregnancy? Why are large numbers of women trafficked across borders for prostitution? Why do only 2% to 3% of men who rape go to prison?

There are a number of complex explanations for this gender blindness. First, the true level of violence against women has remained concealed. Violence against women remains widely unreported, and therefore its incidence is not officially recorded.

Economic and social dependence upon the men who are abusing them prevent many women from reporting the violence they suffer.

In many instances, when violence is reported legal officials regard it as a private matter and fail to respond as they would to public violence and other forms of criminal assault. Even when attempts are made to measure violence against women the lack of common definitions prevents effective research. For example, the Commission's 1991 definition of sexual harassment is not accepted in all Member States and is not used in most surveys. In fact, one Member State has concluded that the definition, which includes sexual discrimination, is too broad.

This silence about violence against women and the scarcity of data obscure the reality that this is an international problem. Therefore, the first and continuing task is to collect data and statistics to make it impossible to shrug off violence against women as an issue of personal or statistical irrelevance.

In line with this goal, the E.U. Committee on Women's Rights and Equal Opportunities is conducting a study to be able to propose indicators to be used to systematically record incidences of domestic violence against women in the E.U. Similar indicators will have to be developed for several other areas, such as trafficking of girls and women. In this regard, an initiative by the Committee on Women's Rights is under way, requiring Member States to develop systematic indicators on trade routes, legislation, and implementation efforts. Continuous systematic data collection based on these indicators is required. If this is not done, the E.U. statistics on gender violence will continue to be uncoordinated and ad hoc.

Long-term precise studies in all spheres of society will unveil that violence against women is not random, accidental, or a private matter. Rather, it is structural. It is both a manifestation of the power balance between women and men, and a social mechanism which forces women into continuing subordination.

Another reason for the historic failure to effectively combat violence against women is the nature of international and domestic legal systems. Laws related to violence have traditionally been formulated to guarantee protection against wrongful action within the public arena. But, many acts of violence against women are committed by private individuals, most notably members of families and the community. Indeed, the concept of right to privacy has protected the family unit from government intrusion. Even acts by public agents tend to be legally considered as private acts. For example, rape in detention can be passed off as a private act by a police official, rather than perceived as an incidence of detention, or as a form of torture.

Also many international human rights documents fail to acknowledge violence against women. The rape of women, for example, is not even mentioned in the Geneva conventions, and women seeking asylum in E.U. Member States on the basis of gender-based persecution are often rejected on the grounds that the violence is a side consequence of war, and so does not amount to "persecution on the grounds of political beliefs."

Despite this historical failure, in recent years there have been a few milestones in the movement to achieve a powerful international legal response to violence against women. The assertion that the human rights of women and girl-children are an indivisible part of universal human rights was made at the international conferences in Vienna in 1993, in Cairo in 1994, and in Beijing in 1995. In 1999, the creation of the International Criminal Court has for the first time stated that rape, sexual slavery, enforced prostitution, and forced pregnancy are war crimes and crimes against humanity.

In spite of these achievements, the international community has work to do if violence against women is to be recognized fully as a human rights issue. International legal standards must be incorporated into domestic legal systems if they are to become available to women. Several Member States still do not recognize marital rape as a criminal act. And in most Member States the penalty for smuggling drugs is much higher than the penalty for trafficking in women.

Another reason for the tacit approval of violence against women is the belief that the subordination of women is a necessary part of the societal structure. As an example, the Vatican recently insisted that the concept of “gender” threatened the very existence of civilization by challenging the concept that different treatment is justified based on biological differences.

At the domestic level, there appears to be a general fear in society that if we admit that family violence occurs, we are also challenging the very idea of what family means. The word “family” suggests a place of safety and security where its members can find comfort from the pressures and difficulties of the outside world. It is thought to be a place where all live in harmony. As a result, we can observe a general aversion to discussing domestic violence.

Even when violence against women is discussed in the international arena it is often seen as important only because it is an act committed by a man, or men, from an alien group against the “property” of the other community. It could be argued that the reason why rape now has a public profile in former Yugoslavia is only because of its use as a weapon of propaganda. It seems that it is not the right of women to protection from sexual violation that is important, but the wider political objectives that can be achieved through using women’s experiences of violation.

Where there are no political benefits from discussing the issue of violence against women – as is the case with the tens of thousands of women who are raped in the E.U. Member States each year – there is silence on this issue. The same is true for the women who are smuggled into the E.U. for the purpose of forced prostitution.

It must be realized that what is required are fundamental changes in social attitudes and practices. The Committee on Women’s Rights has launched the European Campaign Against Violence Against Women, which seeks to raise the awareness of this problem among the public and to combat the tolerance of gender-based violence. Concurrently,

through the Daphne initiative, the Women's Rights Committee has funded transnational projects throughout Europe for preventing violence against women and children. These initiatives include information exchange between women's organizations, shelters, research on male violence, legal literacy, and public awareness-raising. In addition, an initiative by the Committee that is underway seeks to raise public awareness about and to combat trafficking in women.

Similarly, in a forthcoming report to the European Parliament I seek to ensure that E.U. policy toward armed conflict effectively combats violence against women. Despite conventions on the treatment of civilian populations, effective steps have not been taken to prevent widespread violence against girls and women in situations of armed conflict. In the midst of conflict, specific community-based measures are necessary to monitor the situation and needs of girls and women, and especially to ensure their security because of the terrible threat of sexual violence and rape that they face.

Also, after armed conflicts traumatized girls and women urgently need education, support, and counseling, but the international community has failed to meet this need. Most recently, the international community failed in this effort when the International Criminal Tribunal for the former Yugoslavia did not provide protection for witnesses when they needed it most – before and particularly after testifying about sexual violence. The report I am drafting seeks to address these and the other multiple needs of women in situations of armed conflict. In particular, I highlight the importance of not only viewing women as victims, but involving women in conflict resolution.

Although important first steps, these measures are far from enough. Much more funding must be provided for the education of men and women about the destructive impact of violence against women, and for the training of public officials, including national and Europol police agents. It is also critical that concrete measures to combat violence against women become high priority items in the application process as Central and Eastern European states seek membership in the European Union.

In conclusion, something is sick in our societies when the single greatest threat to a woman's health is violence from men. The task of eliminating and preventing violence against women is, therefore, one of the Women's Rights Committee's priorities.

The articulation of legal principle is an important first step. It places the issue outside the discourse on morality and justice into that on rights. In demanding the right to be free from violence, women are claiming what they are entitled to and what men have long assumed as a right. This recognition is in itself empowering.

But, legislation alone cannot change the power imbalances between women and men, and will inevitably be applied and administered by men. The next step is to make these instruments work and not to allow governments to sit back and ignore the commitments they have made. The challenge of the Women's Rights Committee is to convince Member States that these instruments must be accompanied by other measures, including the systematic and continuous collection of data, and initiatives

aimed at the transformation of attitudes and power relations among women and men. Both our resolve and our laws must change if women are to live free and equal lives.

## *Statement*

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### **Angela Beausang National Organization for Battered Women, Sweden**

First of all I would like to express my feeling of honor at being asked to participate and talk to you at this most important conference on men's violence against women.

At an important conference like this, trying to tackle this violence, I think it's essential to deal with the definitions.

In the Swedish feminist shelter movement, the first shelters were founded in 1978, and today we have 140 shelters of which 120 are members of ROKS, the Swedish National Organization for Battered Women. It did not take us long to realize that in order to combat men's violence against women we had to include all forms of sexual violence. We soon saw the impact of pornography, we made the connection between rape, sexual assault, prostitution, and sexual harassment. Women told us about the rapes following the physical abuse, men's use of pornography to show the woman what sex should be like. We have listened to stories from grown-up women about the sexual abuse they lived through as children that was committed by their fathers or some other close relative. We could conclude from all these stories and by looking at the way our society treated women that it all described a pattern; all this degradation of women was considered not serious and not really a problem.

We have been working hard and we have been rather successful in making this connection in Sweden. For years we have been lobbying the Swedish government on these issues and last year we got the reward of seeing several laws come into effect on the subject. One of these defines the *gross violation of a woman's integrity* – a new offense.

The law's purpose is to deal with repeated punishable acts directed by men against women who have a close relationship with the perpetrator. If a man commits certain criminal acts (assault, unlawful threat or coercion, sexual or other molestation, sexual exploitation, etc.) against a woman to whom he is or has been married, or with whom he is or has been cohabiting, he shall be sentenced for gross violation of the woman's integrity, instead of for the crime that each of the acts comprise. The penalty is at least six months of imprisonment and at the most six years.

It is commonly believed that women's struggle for equality has been quite successful in Sweden. But when we look at women's specific oppression as women, we see that women's situation in Sweden is very similar to that of women in other countries. Men's violence against women is endemic in Sweden just as elsewhere in the world.

In Sweden it is estimated that a man batters a woman every 20 minutes, and according to The National Swedish Council for Crime Prevention, once every tenth day a man kills a woman with whom he has a close relationship. According to a U.N. report, men's violence against women is the largest threat against women's health all over the world. It costs society an enormous amount of money in medical care, and in terms of mental suffering.

In recent years we have also noticed young girls' vulnerable situation. Young girls are beaten by their boyfriends, raped, and gang-raped by boys in school. They are called all kinds of degrading names and on top of all that, they are made to believe they have to look a certain way to please. That results in self-starvation and causes ill health. The shelters have long recognized this and have since some years back worked on ways to help young women. As of today we have 11 shelters for young women. Most of them have been started within the ordinary shelters and a few have been started independently. ROKS is very engaged in this development and we have a lot of new training programs for young women.

As long as we live in a patriarchal society and as long as women have next to nothing when it comes to power, men will continue to regard women as being of a lower class. A class which is there for them to exercise power over and to use for their own pleasure. To treat in whatever way they choose.

This becomes very evident when it comes to the prostitution issue. Men have exercised the right to use women's bodies for their pleasure for thousands of years. It has almost become a law of nature. In the '70s we "learned" that if men were not allowed to use women in prostitution, they would turn into rapists and child molesters.

That brings me around to the second, and maybe most important law that came into effect the first of January 1999: *the prohibition on the purchase of sexual services*. In Sweden, the obtainment of casual sexual services against payment (prostitution) is prohibited. The punishment for this offense is a fine or imprisonment for up to six months. The attempted offense has also been made punishable. The offense encompasses all forms of sexual services, whether they are purchased on the street, in brothels, in so-called massage parlors, etc. The women who are prostituted are not charged with a crime.

We are particularly proud of this law. The shelter movement has been lobbying for this since 1987 officially, although it has been on our agenda as a form of men's violence against women since the beginning of the movement in 1978. Buying women's bodies is not O.K.

It is empowering to have a state that believes that women are humans too, that Sweden has the integrity to follow the conventions that most countries in Europe have signed, such as the Universal Declaration of Human Rights of 1948 and the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others.

Today women's bodies are more than ever a consumer product in Europe. To even think that to be prostituted by men could or should be a woman's own choice is not worthy of a modern society.

I think the E.U. nations can talk all they like about how to combat trafficking in women: it won't mean a thing if at the same time member countries legalize brothels, as Holland recently did. The supporting argument is that the women are in a safer environment and get regular medical checkups. This arrangement is also said to diminish drug addicts and minors in prostitution. It did not do so in Australia: In the states where the Australians legalized brothels, illegal prostitution increased even more. That goes without saying really, given the fact that men prefer minors and that women who abuse drugs are desperate. It's also interesting that it's the women who are getting the medical checkups. How about putting the men in quarantine to check that they are healthy?

Pornography and prostitution are big business, one of the fourth largest industries in the world. No wonder its lobbying groups are very strong and powerful in Brussels. But it should be possible for the E.U. countries to follow Sweden and say "NO" to the exploitation of women's bodies for the pleasure of men. Otherwise we will be forced to recognize that it is all right for a member country to be a pimp!

But, this law is not the only one concerning women's safety that has been passed this year. And in this case this is bad news: We have a new law on custody, passed on the first of October 1998, that really puts women and children in great danger.

The law on custody is based on the U.N. Declaration of Children's Rights, which is something that I do not think any of us here consider to be bad. The problem is that the new law is really more about fathers' rights. In 1995 a commission was put together by the Swedish government to look at the fact that fathers need to be more active in children's lives. To be sure, a group of "good fathers" was appointed to give expert advice to the lone investigator. Need I say that no one thought about appointing a "mothers' group".

The new changes in the custody law emphasize the child's need for close and good contact with both parents. This is not new, this is stated in the old law, but the wording was moved up in the paragraph, which makes it more important. This paragraph has become known as the "sabotage paragraph". If, for example, a mother refuses to let the father see the child, afraid of his abuse, the authorities can use the paragraph as justification to hunt the mother down, saying she is not thinking of the child's best interest. The second part of the paragraph addresses the risk of the child being harmed and that this should also be taken into consideration. As in the old law, only the writing was moved to the above-mentioned paragraph. The risk to the child's well-being was not been taken into account before, and nothing tells us it will be now.

Another even more serious change is that the court can force joint custody on the parents although one parent is opposed. We have already seen how lawyers advertise to help fathers to get joint custody.

The shelter movement has repeatedly warned against the new law and asked for an analysis of the old one. We have been asking for research to be done on women's and children's situations. From the shelters we know that the authorities have no or little knowledge about the fact that men who abuse and/or sexually abuse both women and children use the custody laws to continue the abuse. The authorities are failing to recognize that violence against the mother is harmful for the child. "Just because he abuses you doesn't mean that he is a bad father", is a common response to the mother's anguish. In the paperwork proceedings for the changes in the law one can read that the fact that there has been abuse in the family does not necessarily mean that joint custody has to be ruled out.

Last fall ROKS published a translation of Marianne Hester and Lorraine Radford's research "Domestic Violence and Child Contact Arrangements in England and Denmark". Their conclusion is that where the father has abused the mother one cannot assume that contact with the father will be for the good of the child.

We within the shelter movement are deeply concerned for the safety for women and children with this new law. We are afraid that mothers will be put under even more pressure to have to deal with their abusers. We have had several mothers during the past year sent to prison for trying to protect their children. When the mothers file a complaint with the police about sexual abuse, most of the time the cases are dropped because of a lack of evidence. The child will tell the mother what has happened to him or her, but when the mother tells the authorities she will be called revengeful and hateful.

Marianne and Lorraine's research shows that the abuse directed at the mother severely damages the child. It is also a hazardous situation when the authorities force the mothers to meet with their abusers to talk about the future of the child. Those talks take place in the social welfare offices. They are not compulsory, but very heavy pressure is put on the mothers to participate. If the mothers won't participate they are not considered to be working for the best interest of the child.

More than 80% of parents that have separated have joint custody today, so this new law is apparently for those 20% that do not. Why? We still haven't been given an answer.

Another change in the law is that the social authorities will be able to write legally binding agreements for child custody if the parents agree. The case will not go to court. This sounds good, but we know that a frightened woman will agree to a lot and that her fear will go undetected. The knowledge the social authorities have of the reactions of a woman who has been abused is very low. In the social workers' welfare education plan there is nothing about men's violence and its effect on women.

It is sad to have one law that emphasizes the importance of the safety of women, and another one that puts women and children's safety in jeopardy. ROKS has protested in every way possible to stop the law. Unfortunately we haven't gotten support from either the children's organizations or from any other groups that say they work in the best interest of the child. But we will not stop fighting! We hope that the research from England we have published will help women and children to be better treated, and we will continue to fight to have this new change in the law be withdrawn.

## *Keynote Address*

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# **The Seven Ps of Men's Violence**

**Michael Kaufman**

**White Ribbon Campaign, Canada**

For a moment my eyes turned away from the workshop participants to look out through the windows of the small conference room and towards the Himalayas, north of Kathmandu. I was there, leading a workshop, largely the outgrowth of remarkable work by UNICEF and UNIFEM which, a year earlier, had brought together women *and* men from throughout South Asia to discuss the problem of violence against women and girls, and, most importantly, to work together to find solutions.<sup>1</sup>

As I turned back to the women and men in the group, it felt more familiar than different: women taking enormous chances – in some cases risking their lives – to fight the tide of violence against women and girls. Men who were just beginning to find their antipatriarchal voices and to discover ways to work alongside women. And what pleasantly surprised me was the positive response to a series of ideas I presented about men's violence: until then, I wasn't entirely sure if they were mainly about the realities in North and South America and Europe – that is, in largely Europeanized cultures – or whether they had a wider resonance.

Here, then, is the kernel of this analysis.

### **Patriarchal Power: The First “P”**

Individual acts of violence by men occur within what I have described as “the triad of men's violence.” Men's violence against women does not occur in isolation but is linked to men's violence against other men and to the internalization of violence, that is, a man's violence against himself.<sup>2</sup>

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<sup>1</sup> This workshop was organized by Save the Children (U.K.). Travel funding was provided by Development Services International of Canada. Discussion of the 1998 Kathmandu workshop is found in Ruth Finney Hayward's book *Breaking the Earthenware Jar* (forthcoming 2000). Ruth was the woman who instigated the Kathmandu meetings.

<sup>2</sup> Michael Kaufman, “The Construction of Masculinity and the Triad of Men's Violence”, in M. Kaufman (Ed.) *Beyond Patriarchy: Essays by Men on Pleasure, Power and Change*. Toronto: Oxford University Press, 1985.

Indeed, male-dominated societies are not only based on a hierarchy of men over women but also one of some men over other men. Violence or the threat of violence among men is a mechanism used from childhood to establish that pecking order. One result of this is that men “internalize” violence – or perhaps, the demands of patriarchal society encourage biological instincts that otherwise might be more relatively dormant or benign. The result is not only that boys and men learn to selectively use violence, but also, as we shall later see, to redirect a range of emotions into rage, which sometimes takes the form of self-directed violence, as seen, for example, in substance abuse or self-destructive behavior.

This triad of men’s violence – where each form of violence helps create the others – occurs within a nurturing environment of violence: the organization and demands of patriarchal or male-dominant societies.

What gives violence its hold as a way of doing business, what has naturalized it as the de facto standard of human relations, is the way it has been articulated into our ideologies and social structures. Simply put, human groups create self-perpetuating forms of social organization and ideologies that explain, give meaning to, justify, and replenish these created realities.

Violence is also built into these ideologies and structures for the simpler reason that it has brought enormous benefits to particular groups: first and foremost, violence (or at least the threat of violence), has helped confer on men (as a group) a rich set of privileges and forms of power. If indeed the original forms of social hierarchy and power are those based on sex, then this long ago formed a template for all the structured forms of power and privilege enjoyed by others as a result of social class or skin color, age, religion, sexual orientation, or physical abilities. In such a context, violence or its threat become a means to ensure the continued reaping of privileges and exercise of power. It is both a result and a means to an end.

### **The Sense of Entitlement to Privilege: The Second “P”**

The individual experience of a man who commits violence may not revolve around his desire to maintain power. His conscious experience is not the key here. Rather, as feminist analysis has repeatedly pointed out, such violence is often the logical outcome of his sense of entitlement to certain privileges. If a man beats his wife for not having dinner on the table right on time, it is not only to make sure that it doesn’t happen again, but is an indication of his sense of entitlement to be waited on. Or, say a man sexually assaults a woman on a date; it is about his sense of entitlement to his physical pleasure even if that pleasure is entirely one-sided. In other words, as many women have pointed out, it is not only inequalities in power that lead to violence, but a conscious or often unconscious sense of entitlement to privilege.

## **The Third “P”: Permission**

Whatever the complex social and psychological causes of men’s violence, it wouldn’t continue if there weren’t explicit or tacit permission in social customs, legal codes, law enforcement, and certain religious teachings. In many countries, laws against wife assault or sexual assault are lax or nonexistent; in many others laws are barely enforced; in still others they are absurd, such as in those countries where a charge of rape can only be prosecuted if there are several male witnesses and where the testimony of the woman isn’t taken into account.

Meanwhile, acts of men’s violence and violent aggression (in this case, usually against other men) are celebrated in sports and in the cinema, in literature and warfare. Not only is violence permitted, it is glamorized and rewarded. The very historic roots of patriarchal societies is the use of violence as a key means of solving disputes and differences, whether among individuals, groups of men, or, later, between nations.

I am often reminded of this permission when I hear of a man or women who fails to call the police when they hear a woman neighbor or child being beaten. It is deemed a “private” affair. Can you imagine someone seeing a store being robbed and declining to call the police because it is a private affair between the robber and the store owner?

## **The Fourth “P”: The Paradox of Men’s Power**

It is my contention, however, that such things do not in themselves explain either the widespread nature of men’s violence, or the connections between men’s violence against women and the many forms of violence among men. Here we need to draw on the paradoxes of men’s power or what I have called “men’s contradictory experiences of power”.<sup>3</sup>

The very ways that men have constructed our social and individual power is, paradoxically, the source of enormous fear, isolation, and pain for men ourselves. If power is constructed as a capacity to dominate and control, if the capacity to act in “powerful” ways requires the construction of a personal suit of armor and a fearful distance from others, if the very world of power and privilege removes us from the world of child-rearing and nurturance, then we are creating men whose own experience of power is fraught with crippling problems.

This is particularly so because the internalized expectations of masculinity are themselves impossible to satisfy or attain. This may well be a problem inherent in patriarchy, but it seems particularly true in an era and in cultures where rigid gender boundaries have been overthrown. Whether it is physical or financial accomplishment,

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<sup>3</sup> Michael Kaufman, *Cracking the Armour: Power, Pain and the Lives of Men* (Toronto: Viking Canada, 1993 and Penguin, 1994) and “Men, Feminism, and Men’s Contradictory Experiences of Power,” in Harry Brod and Michael Kaufman (Eds.), *Theorizing Masculinities* (Thousand Oaks, CA: Sage Publications, 1994).

or the suppression of a range of human emotions and needs, the imperatives of manhood (as opposed to the simple certainties of biological maleness), seem to require constant vigilance and work, especially for younger men.

The personal insecurities conferred by a failure to make the masculine grade, or simply, the threat of failure, is enough to propel many men, particularly when they are young, into a vortex of fear, isolation, anger, self-punishment, self-hatred, and aggression.

Within such an emotional state, violence becomes a *compensatory mechanism*. It is a way of re-establishing the masculine equilibrium, of asserting to oneself and to others one's masculine credentials. This expression of violence usually includes a choice of a target who is physically weaker or more vulnerable. This may be a child, or a woman; or it may be social groups such as gay men or a religious or social minority, or immigrants, who seem to pose an easy target for the insecurity and rage of individual men, especially since such groups often haven't received adequate protection under the law. (This compensatory mechanism is clearly indicated, for example, in that most "gay-bashing" is committed by groups of young men in a period of their life when they experience the greatest insecurity about making the masculine grade.)

What allows violence as an individual compensatory mechanism has been the widespread acceptance of violence as a means of solving differences and asserting power and control. What makes it possible are the power and privileges men have enjoyed, things encoded in beliefs, practices, social structures, and the law.

Men's violence, in its myriad of forms, is therefore the result both of men's power, the sense of entitlement to privilege, the permission for certain forms of violence, and the fear (or reality) of not having power.

But there is even more.

### **The Fifth "P": The Psychic Armor of Manhood**

Men's violence is also the result of a character structure that is typically based on emotional distance from others. As I and many others have suggested, the psychic structures of manhood are created in early child-rearing environments that are often typified by the absence of fathers and adult men – or, at least, by men's emotional distance. In this case, masculinity gets codified by absence and constructed at the level of fantasy. But even in patriarchal cultures where fathers are more present, masculinity is codified as a rejection of the mother and femininity, that is, a rejection of the qualities associated with care-giving and nurturance. As various feminist psychoanalysts have noted, this creates rigid ego barriers, or, in metaphorical terms, a strong suit of armor.

The result of this complex and particular process of psychological development is a dampened capacity for empathy (to experience what others are feeling) and an inability

to experience other people's needs and feelings as necessarily relating to one's own. Acts of violence against another person are, therefore, possible. How often do we hear a man say he "didn't really hurt" the woman he hit? Yes, he is making excuses, but part of the problem is that he truly may not experience the pain he is causing. How often do we hear a man say, "she wanted to have sex"? Again, he may be making an excuse, but it may well be a reflection of his diminished ability to read and understand the feelings of another.

## **Masculinity as a Psychic Pressure-Cooker: The Sixth "P"**

Many of our dominant forms of masculinity hinge on the internalization of a range of emotions and their redirection into anger. It is not simply that men's language of emotions is often muted or that our emotional antennae and capacity for empathy are somewhat stunted. It is also that a range of natural emotions has been ruled off limits and invalid. While this has a cultural specificity, it is rather typical for boys to learn from an early age to repress feelings of fear and pain. On the sports field we teach boys to ignore pain. At home we tell boys to not cry and to act like men. Some cultures celebrate a stoic manhood. (And, I should stress, boys learn such things for survival: hence it is important we don't blame the individual boy or man for the origins of his current behaviors, even if, at the same time, we hold him responsible for his actions.)

Of course, as humans, we still experience events that cause an emotional response. But the usual mechanisms of emotional response, from actually experiencing an emotion to letting go of the feelings, are short-circuited to varying degrees among many men. But, again for many men, the one emotion that has some validation is anger. The result is that a range of emotions get channeled into anger. While such channeling is not unique to men (nor is it the case for all men), for some men, violent responses to fear, hurt, insecurity, pain, rejection, or belittlement are not uncommon.

This is particularly true where the feeling produced is one of not having power. Such a feeling only heightens masculine insecurities: if manhood is about power and control, not being powerful means you are not a man. Again, violence becomes a means to prove otherwise to yourself and others.

## **The Seventh "P": Past Experiences**

This all combines with more blatant experiences for some men. Far too many men around the world grew up in households where their mother was beaten by their father. They grew up seeing violent behavior towards women as the norm, as just the way life is lived. For some men this results in a revulsion towards violence, while in others it produces a learned response. In many cases it is both: men who use violence against women often feel deep self-loathing for themselves and their behavior.

But the phrase "learned response" is almost too simplistic. Studies have shown that boys and girls who grow up witnessing violence are far more likely to be violent

themselves. Such violence may be a way of getting attention; it may be a coping mechanism, a way of externalizing impossible-to-cope-with feelings. Such patterns of behavior continue beyond childhood: most men who end up in programs for men who use violence either witnessed abuse against their mother or experienced abuse themselves.

The past experiences of many men also include the violence they themselves have experienced. In many cultures, while boys may be half as likely as girls to experience sexual abuse, they are twice as likely to experience physical abuse. Again, this produces no single fixed outcome, and, again, such outcomes are not unique to boys. But in some cases these personal experiences instill deep patterns of confusion and frustration, where boys have learned that it is possible to hurt someone you love, where only outbursts of rage can get rid of deeply-imbedded feelings of pain.

And finally, there is the whole reign of petty violence among boys which, to a boy, doesn't seem petty at all. Boys in many cultures grow up with experiences of fighting, bullying, and brutalization. Sheer survival requires, for some, accepting and internalizing violence as a norm for behavior.

## Ending the Violence

This analysis<sup>4</sup>, even presented in such a condensed form, suggests that to challenge men's violence requires an articulated response that includes the following:

- Challenging and dismantling the structures of men's power and privilege, and ending the cultural and social permission for acts of violence. If this is where the violence starts, we can't end it without support by women and men for feminism and the social, political, legal, and cultural reforms and transformations that it suggests.
- The redefinition of masculinity or, really, the dismantling of the psychic and social structures of gender that bring with them such peril. The paradox of patriarchy is the pain, rage, frustration, isolation, and fear among that half of the species to whom relative power and privilege are given. We ignore all this to our peril. In order to successfully reach men, this work must be premised on compassion, love, and respect, combined with a clear challenge to negative masculine norms and

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<sup>4</sup> My thanks to those with whom I discussed a number of the ideas in this text: Jean Bernard, Ruth Finney Hayward, Dale Hurst, Michael Kimmel, my colleagues in the White Ribbon Campaign, and a woman at Woman's World '99 in Tromsø, Norway, who didn't give her name but who, during a discussion period of an earlier version of this paper, suggested it was important to explicitly highlight "permission" as one of the "Ps". An earlier version of this paper was published in a special issue of the magazine of the International Association for Studies of Men, v.6, n.2 (June 1999) ([www.ifi.uio.no/~eivindr/iasom](http://www.ifi.uio.no/~eivindr/iasom)).

their destructive outcomes. Profeminist men doing this work must speak to other men as our brothers, not as aliens who are not as enlightened or worthy as we are.

- Organizing and involving men to work in cooperation with women in reshaping the gender organization of society, in particular, our institutions and relations through which we raise children. This requires much more emphasis on the importance of men as nurturers and caregivers, fully involved in the raising of children in positive ways free of violence.
- Working with men who commit violence in a way that simultaneously challenges their patriarchal assumptions and privileges *and* reaches out to them with respect and compassion. We needn't be sympathetic to what they have done to be empathetic with them and feel horrified by the factors that have led a little boy to grow up to be a man who sometimes does terrible things. Through such respect, these men can actually find the space to challenge themselves and each other. Otherwise the attempt to reach them will only feed into their own insecurities as men for whom violence has been their traditional compensation.
- Explicit educational activities, such as the White Ribbon Campaign,<sup>5</sup> that involve men and boys in challenging themselves and other men to end all forms of violence. This is a positive challenge for men to speak out with our love and compassion for women, boys, girls, and other men.

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<sup>5</sup> White Ribbon Campaign, 365 Bloor St. East, Suite 1600, Toronto, Canada M4W 3L4. Phone: 1-416-920-6684. Fax: 1-416-920-1678. Email and Internet: whiterib@idirect.com, www.whiteribbon.ca



## *Work Group One: Domestic Violence Against Women – Cases in Criminal Proceedings*

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The aims of the work group are 1) to explore and discuss how the criminal justice systems in different E.U. states deal with cases in which a woman or girl has been the victim of violence, and 2) to explore and discuss the legal and other possibilities to improve the status of victims in criminal proceedings.

The work group will take as its starting point the set of guidelines accepted at the Vienna Conference in 1998. Work group participants will discuss and provide information on what steps their countries have taken to implement the guidelines or to otherwise improve the rights and position of victims of violence.

Chair:	Johanna Niemi-Kiesiläinen, Finland
Rapporteur:	Minna Ruuskanen, Finland
Speakers:	Rosa Logar, Austria
	Petri Jääskeläinen, Finland

# *Proposed Measures to Preserve the Rights* **and Dignity of Survivors in Criminal Proceedings**

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**Rosa Logar**

**Vienna Intervention Centre Against Violence in the Family, Austria**

I would first like to express my thanks to the Finnish Government for having invited me to attend this important conference. I come from Austria, and have worked in the field of combating violence against women and children for more than 20 years now. For more than ten years I have been involved in the training and advanced training of police officers, social workers and other vocational groups dealing with domestic violence. I have held seminars for judicial professionals for about three years now. I am one of the founders of the WAVE (Women Against Violence Europe) Network, which came into being during the United Nations World Conference on Women in 1995 and the purpose of which is to work towards the elimination of violence against women at the European level. I was involved in drawing up Austria's new federal law on domestic violence (Protection From Violence Act) which came into force in 1997. I also run the Vienna Intervention Centre. The Intervention Centre is an NGO that works in close collaboration with state bodies, primarily the police, to fulfil its functions of providing active assistance to survivors of violence, supporting them in securing their rights and enhancing co-operation between all the bodies involved in the issue of domestic violence (Logar, 1999). The Centre was established as one of the back-up measures accompanying the Protection from Violence Act.

There are currently nine intervention centres in Austria, one in each federal province. They are financed by the Federal Minister for Women's Affairs and Consumer Protection and by the Federal Ministry of the Interior. In addition, 20 women's shelters and several counselling centres provide accommodation and counselling for women and children who have been exposed to domestic violence (Egger et al., 1995). Austria has a population of some 8 million.

Another of the responsibilities of the intervention centres is to counsel and support women survivors of violence in the course of criminal proceedings. I thus have a great deal of second-hand experience with the way such women feel during criminal proceedings. In my paper I want to focus on the plight and the needs of such women.

I will not, then, consider the situation of the survivor from the legal point of view but from the perspective of the survivor herself. I do so not just because I am not qualified to discuss legal technicalities, but also because I feel strongly that in a democratic constitutional state the law should be there for the people and not vice versa, and that it

is always important to consider the viewpoint of the individuals concerned. Especially the rights and needs of women are easily ‘overlooked’ because women are under-represented in political bodies. It is still true to say that our laws are made primarily by men.

I want to invite you to join me in viewing the situation from this perspective and then, during the working session, to exchange experiences, report on models in our respective countries and jointly draw up measures which address the rights and the needs of women survivors of violence.

In the course of my remarks I want to concentrate on the following questions:

- Why should women who have been exposed to violence turn to the police and the judicial system? In what ways does this help them?
- What are their rights, concerns and needs?
- How should court proceedings be conducted if they are to address these rights, concerns and needs?
- How can the constitutional state enlist the co-operation of women who have been exposed to violence?

Sadly, I have encountered a large number of women who have told me after court proceedings that they would not bring charges another time. They said that the proceedings had been a gruelling and shocking experience and that all they had gotten out of it were problems. Reactions like this should make us sit up and listen, because they prove that our judicial system is grossly inadequate where the concerns of battered women are the issue. One result is that women tend to have little confidence in the rule of law. This has grave implications for our democratic institutions, but it is also highly detrimental to the safety of the survivors themselves. If they again find themselves subjected to violence, they will think twice before calling the police or turning to the courts, and this only aggravates their exposure to the threat of violence.

What I – and I trust you, too – hope to achieve is for women who have been exposed to violence and been involved in court proceedings to say afterwards, ‘I would bring charges again. Yes, it was a taxing and tough experience, but I was treated respectfully, my needs were taken seriously and my rights were safeguarded.’

This goal is especially pertinent as regards migrant women, who are in many cases completely dependent on the perpetrator. For these women, too, protection from violence and personal safety must be priority issues. This also means that they must have the secure knowledge that they will not be extradited immediately upon contacting authorities, but can expect a constitutional state to recognise their special rights as survivors of violence. What I envision is a situation in which migrant women need never be apprehensive of calling the police if they require protection. In fact, migrant women who have committed no other offence than being in the country without a valid residence permit should have nothing to fear from the judicial system.

Tragic cases like that of Esperanza in Austria, who panicked when the police entered the apartment in which she was staying, jumped out of the window and died, should never be allowed to recur. Human rights are indivisible and must apply to everyone – otherwise they don't apply at all.

I maintain that survivors of violence have been and still are marginalised in many countries and by many legal systems. This is particularly true of women and children who have been subjected to acts of violence. The approach which I recommend presupposes that we position the survivors of violence not on the periphery but in the centre. This is no easy task considering that it will require not only a new way of thinking, but also structural changes and different patterns of behaviour in many areas of the law enforcement and judicial systems.

However, I believe that such efforts would be worthwhile – indeed, that they are indispensable for the rule of law in a democratic society. Only if we can get women to feel confidence in the legal system will we manage to combat and ultimately to eliminate violence against women. It therefore seems to me that one of the prime tasks of state institutions in the struggle against violence is to gain and maintain the trust of women who have been subjected to violence.

In any discussion of the formulation and above all the implementation of effective measures to combat violence against women, I think it is important not to start from scratch every time but to build on the existing international documents and recommendations which have been ratified by our countries.<sup>1</sup> I would therefore like to proceed on the basis of the recommendations of the preceding EU expert conferences in Austria (December 1998) and Cologne (March 1999) (Dearing & Förg, 1999).

## **Background to the Problem**

Some 170 million women and girls live in the Member States of the European Union. Empirical studies on the degree to which they are subjected to violence are sparse.

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<sup>1</sup> United Nations: Declaration on the Elimination of Violence Against Women, New York / December 1993; United Nations / Commission on Human Rights: Report of the Special Rapporteur on Violence Against Women, Its Causes and Consequences, Ms. Radhika Coomaraswamy, submitted in accordance with Commission on Human Rights resolution 1995 / 85. A framework for model legislation on domestic violence, Geneva 1996 (E / CN.4 / 1996 / 53 Add.2); United Nations: The Beijing Declaration and the Platform for Action, Fourth World Conference on Women, Beijing, China, September 4-15, 1995, New York 1996; United Nations / General Assembly Resolutions: Resolution on Crime Prevention and Criminal Justice Measures to Eliminate Violence Against Women, New York, December 12, 1997; United Nations Commission on Human Rights: Resolution on the Elimination of Violence Against Women, Commission on Human Rights 52<sup>nd</sup> meeting, Geneva, April 17, 1998; Council of Europe Committee of Ministers: Recommendation on Violence in the Family, Recommendation No. R (85) 4, 1985; Council of Europe Committee of Ministers: Recommendation on Social Measures Concerning Violence Within the Family, Recommendation No. R (90) 2, 1990; European Parliament: Resolution on Violence Against Women, July 14, 1986.

Those that exist suggest that between one quarter and one third of them are exposed to male violence (Canadian Centre for Justice Statistics, 1994; Heiskanen & Piispa, 1998; Schweizerische Konferenz der Gleichstellungsbeauftragten, 1997). This would mean that at any given time approximately 42 to 56 million women and girls in the EU suffer from violence. Most acts of violence are committed within the family and in the immediate social environment. Children are always affected by violence, either directly or – as witnesses of violent acts committed against their mothers – indirectly. An American study has shown that in 70% of cases in which a woman is abused the children are also directly subjected to violence (Bowker, Arbitell, & McFerron, 1988).

These figures make it clear that violence against women, far from being a minor issue, is a grave social problem which inflicts massive psychological and also economic and social damage. A Dutch study puts the total costs caused by violence against women at more than 200 million ECU annually. In Switzerland it is estimated that violence against women costs the federal, cantonal and municipal authorities approximately 400 million Swiss francs per year (Korf et al., 1997; Godenzi & Yodanis, 1998).

The relevant United Nations documents define violence against women in both private and public environments as a violation of human rights, for the elimination of which each state bears the responsibility. The Platform for Action, the final document of the United Nations Fourth World Conference on Women (United Nations, 1996a), states that ‘The term “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 private life’ (p. 73f). And on the causes of violence the Platform asserts the following:

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 and to the prevention of women’s full advancement. (p. 75)

## **Domestic Violence Against Women: Not Isolated Acts but a Pattern of Violence**

I wish to concentrate on male-perpetrated domestic violence against women and its impact on children. Not that it is my intention to trivialise other manifestations of violence against women such as rape in public spaces. However, there is a specific background to acts of violence within the family which needs to be taken into consideration in any discussion of criminal proceedings if the further traumatising of the survivor (secondary traumatising) is to be avoided. The majority of acts of violence against women are committed not in public spaces but in the immediate social context. This is another reason for focussing on this specific manifestation of violence against women.

In the vast majority of cases, acts of violence against women in the domestic context are committed by members of the family: a husband or common-law partner, or in some cases a brother, son or father. One typical feature of such cases is that the survivor is almost always dependent on the perpetrator in economic, social or emotional terms, and is thus especially vulnerable and exposed.

**Definition of domestic violence.** Acts of domestic violence are not isolated physical attacks but a pattern of abuse that includes

- physical abuse (slapping, hitting, kicking, burning, threatening with a weapon), destroying objects or mutilating pets;
- sexual abuse (coercing the woman to have sex, forcing sex on her in front of the children, rape);
- emotional abuse (name-calling, humiliation, isolation, threats, accusations of infidelity, deprivation of sleep, demonstration of power);
- economic abuse (withholding money, lying about money, stealing money from the victim, spending all the money on himself, gambling) and
- use of the children (forcing children to abuse their mother, to spy on their mother, to witness the degradation and abuse of their mother, assault on the children or threatening the children in order to coerce the mother).

The ‘goal’ of violence is to gain and maintain power and control over the victim(s). The physical abuse reinforces the non-physical abuse by showing ‘this is what I will do to you if you oppose my orders’. Thus it is not always ‘necessary’ to use physical abuse, as non-physical violence has the same effect on the victim and is much more difficult to ‘prove’.

**Assessing dangerousness.** Domestic violence can result in severe physical injury and death. This fact is unfortunately often ignored as domestic violence is trivialised and treated as ‘domestic quarrelling’. Separation and divorce are the most dangerous times for women with violent partners: the risk of being killed is five times higher during these periods (Crawford & Gartner, 1992).

Most of the severe and lethal assaults by men against female partners are linked with the following risk factors:

- threats to kill the partner and/or the children,
- use of weapons or threats to use weapons,
- serious injuries,
- frequent violence,
- drug / alcohol abuse,
- separation / divorce,

- suicide attempts or threats,
- history of criminal violence in the community,
- history of criminal violence in the family,
- violation of police or court orders.

It is difficult and dangerous to leave a violent relationship. If the risk of further violence is high and the prospects of escaping are poor, victims tend to stay in the relationship in order to avoid more severe and possibly life-threatening violence. This phenomenon has been described by psychologists as the ‘Stockholm syndrome’ (Graham, Rawlings, & Rimini, 1988).

Unfortunately, victim-blaming, prejudice and myths like ‘women enjoy being beaten’, ‘they provoke the violence’, ‘alcohol is to blame’ or ‘it only happens in poor families’ are widespread, and an understanding of the problem and the effects of violence on the survivor is still elusive for many. This makes it even more difficult for survivors to report the violence and to seek help.

## **Ten Key Points in Criminal Proceedings on Violence Against Women**

I would now like to discuss ten points which in the context of criminal law seem to me to play an important part in combating violence.

### **Point One: The State as Prosecutor**

It is the state, not the survivor, which must have the responsibility to bring charges and prosecute. Generally speaking, when criminal offences occur in public spaces, the police and the courts can count on the victims wanting to see the perpetrator prosecuted and thus co-operating with the authorities. This is frequently not the case with women who have been subjected to violence and are afraid of being treated as the accused rather than as the victim in criminal proceedings; this especially applies in cases of domestic violence against women. Here the fear of prejudice and victim-blaming is compounded by the intimate relationship between the survivor and the perpetrator. The complex fabric of dependencies and the danger of further violence tend to prevent survivors of violence from turning to the police or the courts for help.

Then again, bringing charges against a member of your own family is a taboo, and to break it requires a great deal of determination and courage. I ask you to imagine that you have been beaten by your own brother. Would you go straight to the police and bring charges? Please raise your hands if you think you would. One wonders how frequently and severely a woman has to be beaten before she will report what has happened to her. As you can see, as soon as we start seeing the issue in terms of our

own person, then we get a clearer sense of the plight and needs of women in such a situation.

It would be quite wrong, though, to conclude that we are powerless to halt violence, that our hands are tied because the survivors themselves are not willing to act. It is not always the case that women refuse to bring charges or make a statement. Any generalisation along these lines is tantamount to a prejudice towards the women concerned. Experience gained and studies carried out to date show that survivors of violence are prepared to take legal steps (like bringing charges) provided that they perceive the prospect of an alternative life to that which they have led so far, and provided that they receive legal and social assistance and support during the court proceedings.

But the most important reason why we have to take action is that a constitutional state simply cannot afford to allow violence to be perpetrated in any area, least of all where the survivor lives in a state of dependence and fear. To do nothing would be tantamount to giving free rein to the rule of force within the family. For survivors of domestic violence it is crucial that they are not left to take the initiative and bring charges themselves, but that the state indicts and prosecutes the perpetrators.

There is a tendency for the responsibility to press charges to be shunted onto the survivors, so that if they do not bring charges they are viewed as being to blame for the continuation of the violence. This is typical of that attitude which can be summed up as 'the victims are always to blame'. From our point of view, it is a convenient attitude in that it relieves us of the obligation to take action. But it not only fails to halt violence, it positively encourages it. If I am a perpetrator, the fact that the police and the courts will not intervene as long as I can bring pressure to bear on the victim and prevent her from bringing charges against me means I can go on doing what I want.

In combating domestic violence against women, we must therefore bear in mind two considerations and objectives which are not necessarily the same: our responsibility to take action against violence and protect the survivors, and our responsibility to address the survivors' needs and plight.

The principle that it is incumbent on the state and not on the survivor to initiate proceedings against the perpetrator has been enshrined in numerous international documents. The United Nations Commission on Crime Prevention and Criminal Justice has developed model strategies which have been endorsed by the General Assembly (United Nations, 1997). The resolution states:

The primary responsibility for initiating prosecutions lies with the prosecution authorities and does not rest with women subjected to violence. (Resolution 52 / 86, Section II, Criminal Procedure)

## **Point Two: Guiding Principles for Intervention**

The goals of intervention in all cases of domestic violence should be the following:

1. to increase the safety of the survivors and their children;
2. to respect the right of the adult survivor to run her own life and make her own decisions;
3. to hold the perpetrator, not the victim, responsible for the violent and abusive behaviour and for halting this behaviour.

### **Point Three: Protection, Safety and Information Throughout the Proceedings**

The survivor's protection and safety, the primary concern, must be safeguarded throughout the legal proceedings, from the police intervention up to the end of the court proceedings and/or the perpetrator's sentencing.

It is absolutely essential that survivors receive protection and support in the immediate wake of an act of violence. The police must be empowered to bar a perpetrator from the dwelling straight away – as provided for in Austria's new federal law on protection from domestic violence. At the same time there must be adequate safe accommodation in women's shelters, because in cases of acute danger it is not enough to bar the perpetrator from the dwelling. The survivors must be housed in a safe place, at least for a while. However, it would be wrong to regard women's shelters as a substitute for inadequate legal protection for women subjected to violence. Survivors must be allowed to choose between staying in their own homes or going to a safe house. In any event the perpetrator must bear the consequences.

After the police have issued barring orders, the survivor must have an opportunity to seek a prompt injunction through the civil court which will remain in force as long as the threat of violence persists. In the absence of immediate protective measures, criminal proceedings can constitute an added threat and endangerment for the survivors, with the high probability that they will then be reluctant to give testimony in court.

The principle of protection and safety also entails keeping the survivors informed about the proceedings from the onset. The information could be supplied in collaboration with victims' protection centres. Here again, Austria offers a good practice model. Intervention centres were set up as a back-up measure in conjunction with the Protection From Violence Act. The police automatically notify these centres within 24 hours of the issue of barring orders. The intervention centres then offer the survivors active assistance, counselling and support in securing their rights. Austria is planning to enlarge this system so that the intervention centres are notified not only about barring orders but also about all criminal offences committed against women and about potential threats to women.

## **Point Four: Safety and Support for Child Survivors**

Domestic violence against women always affects any children that the women have, too, so it would be appropriate to refer to violence against women *and* children. In many cases the children are also abused. But even when they are ‘merely’ witnesses of violence against their mothers, this constitutes massive psychological violence. They see or hear the abuse, they hear the father threatening to kill the mother and the children and so on. Recent research shows that people who witnessed the abuse of their mother in childhood run the greatest risk of becoming either victims or perpetrators themselves (Jasinski & Williams, 1998).

It is therefore vital to consider child survivors and their safety at every stage of criminal proceedings. As I pointed out, children may themselves be subjected to violence or witness violence being inflicted on their mothers. So police officers and judicial professionals need to be trained in dealing with children in such cases. And support centres for women survivors of violence should also provide support for their children. This should be a matter of course in women’s shelters: these shelters are in effect also children’s shelters because at any given time more than half of the occupants are children.

Violent fathers should not be given custody of the children and for at least six months after the last act of violence should not be granted visiting rights – even when they have ‘only’ abused the mother.

## **Point Five: Survivors’ Rights in the Context of Police Intervention**

The police play a key role in preventing domestic violence. As a rule, the family calls the police when they are unable to calm down the perpetrator themselves and the threat has grown excessive. In many cases the family is unable to call the police because the perpetrator prevents them from doing so. Sometimes it is the neighbours who contact the police.

In an acute instance of violent behaviour, the victims’ primary concern is that the violence be halted and further violence be prevented. In such situations the survivor is unlikely to want to bring charges, so it is important that the police initiate legal proceedings against the perpetrator regardless of the survivor’s wishes. As I explained earlier, this avoids the survivor coming under even greater pressure. Survivors should, then, never be asked whether they want to bring charges.

It would go beyond the scope of this paper to elucidate police intervention procedures in detail. The important thing is that in each country the police be given exact guidelines on intervention in cases of domestic violence and that they always conform with these guidelines. Obviously, the guidelines should focus primarily on measures to protect the survivor.

Below are listed some of the principal criteria for police guidelines:

- All police officers who intervene in cases of domestic violence must have training in dealing with the people concerned and possess at least a rudimentary knowledge of how to handle survivors of violence.
- Survivors and perpetrators must always be questioned separately.
- Survivors should be questioned by specially trained officers.
- The interrogation of perpetrators should also be carried out by officers trained to understand the dynamics of violent behaviour patterns and to detect the strategies perpetrators use to justify their actions.
- Survivors should be questioned in a specially equipped room reserved for the purpose.
- Wherever possible, the police's questioning of the survivor should be dealt with in such a way that the survivor no longer needs to give testimony in court.
- Survivors must be informed of their rights, in their mother tongue where necessary.
- Migrant women must have the right to an interpreter.
- Women survivors of violence should have the right to be questioned by a woman and to be accompanied at the questioning by a person of their choice.
- Each police intervention and questioning must end with the drawing up of a safety plan. This includes making provision for safe accommodation at a women's shelter.
- Hostile behaviour towards the survivor, victim-blaming and sexist or racist remarks on the part of police officers must be penalised. The survivor must be informed where complaints can be lodged.
- The police should provide active assistance to the survivor – for instance, by notifying an intervention centre.
- If the law gives the survivor the right to refuse to make a statement, she must be told this and her right must be respected.
- The police and the judicial authorities must bear in mind that the survivor of domestic violence may claim her right to refuse to make a statement, so it is extremely important to collect and secure other evidence (photos, hospital reports, eye-witness statements, damage to property etc). The prosecution should not rest solely on the survivor's statement, which may not be forthcoming. If the sentencing of the perpetrator depends solely on the survivor's statement, this substantially increases the pressure on the survivor.

## **Point Six: The Situation of the Survivor in Criminal Proceedings**

In criminal proceedings, the survivor of violence should not be treated as an object and as 'a piece of evidence' (as still happens in Austria, unfortunately) but as a legal entity with her own rights and needs.

Acts of violence constitute traumatic experiences which can continue to cause emotional disturbance (post-traumatic stress symptoms) long after the event. Recounting what happened under circumstances of stress can bring the experience back. A typical reaction is the sense of being powerless, which is exacerbated by situations in which the survivor feels helpless and exposed. Psychiatrist J.L. Herman (1992) says that the damage inflicted by violence can be healed only if conditions of safety are restored. This also means the safety inherent in being informed about what is happening in the criminal proceedings and being able to assert individual rights and needs.

In the below is a clarification of points that need to be observed if the survivor is not to be further traumatised.

### **Psycho-social and legal support**

- Women who have been subjected to violence must be informed of the possibility of criminal proceedings as soon as possible, the procedures involved should be explained to them and they should be told what to expect.
- Survivors should have the right to have free legal assistance and a lawyer of their choice, irrespective of their income situation.
- In addition to legal assistance, all survivors of violence should also receive free psycho-social support during the court proceedings.

### **Status during legal proceedings**

- Survivors should have the right to bring a private case against the perpetrator in the same proceedings to secure compensation and damages.
- In the course of the legal procedures survivors should be entitled to read the files, to apply for evidence to be produced and to ask questions during the trial.
- Women who have been subjected to domestic violence should have the right to refuse to give evidence. At the same time it is important that the judicial authorities consider the reasons why the survivor is reluctant to make a statement and that they respond by providing support and encouragement – this increases the likelihood that the survivor will dare to testify after all.

**Support and protection during legal procedures.** Several measures are necessary to support the survivor and safeguard her personal safety:

- The survivor and the police must be notified before the perpetrator is released from custody or prison. The perpetrator's release must be tied to certain conditions designed to safeguard the survivor's safety (e.g. a ban on contacting the survivor).
- The state prosecutor's office and the criminal court must take the survivor's safety into account in planning the legal proceedings and the trial.
- Survivors must be given the right to have a person of their choice present during questioning.
- Survivors should be called upon to give evidence only once or at the most twice during the criminal proceedings in order to minimise the trauma of reliving the experience at each telling.
- Survivors should have the right to not have to meet the perpetrator. In planning the court proceedings, then, arrangements should be made to ensure that the survivor does not encounter the perpetrator in front of the courtroom.
- Survivors should also enjoy the right to not have to give evidence in the perpetrator's presence. Austria provides for separate court questioning: the survivor's testimony is relayed by closed-circuit video from a separate room. However, this right is accorded automatically only to persons under 14 years of age. Anyone over 14 must explicitly apply for it. Experience has shown that the court frequently ignores such applications; this is not considered to be improper judicial procedure.

Survivors' rights in criminal proceedings only rank as worthy of the name 'rights' if they are guaranteed and respected. Otherwise they are no more than patronising concessions which may or may not be granted.

**Damages and compensation.** Women who have been subjected to violence must be eligible for compensation for damages. This is an important part of the process by which the trauma heals: the granting of restitution and the sentencing of the perpetrator by the state establish that the survivor has been wronged and that this injustice entails rightful compensation and sanctions.

The payment of compensation should be dealt with as promptly and unbureaucratically as possible. Austria has a Victims of Crime Act, but few women who are subjected to acts of violence make use of the rights which this act accords them, partly because they are unaware of their rights and partly because these rights fail to address their real needs. For instance, the state does not cover the survivor's legal costs, so if a survivor engages the services of a lawyer, she has to pay the lawyer's fee herself. The Victims of Crime Act does, however, enable survivors of violence to receive free psycho-therapeutic treatment (as of January 1, 1999).

In Austria, survivors of violence are entitled to claim damages during the criminal court proceedings. Unfortunately, the criminal courts generally decline to pass verdict on such applications and refer the survivors to the civil courts. Many survivors prefer to forego their claims to damages rather than face a second court hearing in which they again have to recount their experiences.

Survivors of violence again and again come to realise that it takes a great deal of time and (their own) money to secure their rights. They begin to feel that the judicial system takes scant interest in their plight and their rights.

## **Point Seven: Penal Sanctions**

**The legal situation.** Individual women who have been subjected to violence may not primarily be interested in seeing the perpetrator sentenced under penal law. But for the totality of women survivors of violence and for women as a whole it is important that acts of violence committed against women be prosecuted by the state and that perpetrators be punished. In a constitutional state, the rule of law implies that whatever is not expressly prohibited and defined as a punishable offence ranks as permissible. It is, then, essential to classify the greatest possible number of acts of violence as punishable offences and to put domestic violence on the same footing as other punishable acts of violence. In many European countries, domestic violence against women is dealt with differently from other acts of violence.

**Marital rape.** Marital rape is not yet punishable or equated with extra-marital rape in every European country. Austria did not make marital rape an offence until 1989, and even then it was not classified as an *ex officio* offence (i.e. an offence prosecuted by the state) in cases of ‘lesser gravity’ – the survivor has to take the initiative by bringing charges. In many countries sexual violence against women does not rank as a violation of personal integrity but rather as an ‘offence against public decency’. This again shows that there are still countries in which women have not yet acquired the status of legal entities.

**Stalking.** Criminal codes constantly need to be brought up to date to meet survivors’ changing needs for personal safety. It frequently happens, for instance, that after a woman has separated from a violent man he subjects her to weeks or even months of abuse, threats, harassment, stalking and psychological terror. This amounts to a significant curtailment of a woman’s freedom and forces her to live in fear. To make matters worse, the police and judicial authorities are often less than supportive. The woman is required to bring charges for each individual offence, which takes a great deal of time and effort. Women will often prefer not to bring charges or initiate legal proceedings simply because they do not have the time to go to the police or the court so often. In most cases their employer will have little understanding for frequent absences, and many women are reluctant to speak about their supposedly ‘private’ problems. Not infrequently, the harassment and abuse even continue at the woman’s place of work, and I have known of several cases in which a woman lost her job because the perpetrator’s behaviour was ‘bad for business’.

Here again, it is not enough simply to leave it up to the woman to take the initiative in bringing charges against the perpetrator. It must be possible for the police to take steps under civil and also criminal law to stop the perpetrator immediately. A good example is Sweden's new law which defines the offence of 'gross violation of a woman's integrity' and allows acts of violence to be dealt with not individually but collectively, entailing tougher sentences. Every country ought to have anti-stalking laws along these lines.

**Do survivors want the perpetrators punished? – Does punishing them do survivors more harm than good?** I should preface my remarks here by pointing out that I do not feel that exploring this question will get us anywhere. I include it only because the question is often used – or misused – as a way of supposedly demonstrating that penal sanctions are an inappropriate approach in dealing with domestic violence against women. I do not share this view. I am convinced that we should make distinctions between domestic violence and other acts of violence neither in the law nor in the punishment. The argument that fines have to be paid out of the family budget and thus affect the whole family also seems to me untenable – after all, the same is true of all fines, even a speeding fine. As to whether or not prison sentences are an apt form of punishment, I have to say that in Austria prison terms are very rarely – only in cases of extreme severity – handed down for domestic violence against women.

There is currently a tendency in Austria to handle cases of domestic violence against women out of court. I have a problem with this. A major reform of the Austrian Criminal Code will come into force on January 1, 2000. This will make it possible to deal out of court, and thus avoid criminal proceedings, for offences entailing sentences of under five years of imprisonment. Women's and children's organisations protested unsuccessfully against the amendment, fearing that the new legislation would further trivialise violence against women and children. The Ministry of Justice ignored the protests but did undertake to involve the survivors' support organisations and intervention centres in the state prosecutors' decisions.

Out-of-court measures like mediation pose problems in connection with domestic violence against women because they involve the participation of the survivors, and this can prove an additional strain, as well as appearing to put some of the responsibility on the survivors. Of course, criminal proceedings are also a strain for the survivors, but because the survivor plays a relatively small role in criminal proceedings in Austria, they cannot be perceived as bearing responsibility for the proceedings or for the outcome. Moreover, out-of-court settlements often fail to take due account of the survivors' protection and safety.

**Injunctions and decrees as preventive measures, treatment of perpetrators.** The purpose of penal sanctions in cases of domestic violence should not, however, be merely repressive but also preventive. Every opportunity should be taken to combine court sentences with injunctions and conditions to safeguard the survivor's safety and protection – such as an injunction against the perpetrator seeking contact with the

survivor. Court instructions that the perpetrator should undergo treatment can be helpful, but only provided that adequate steps are taken to ensure the survivor's safety. What is more, the prospects for treatment and therapy to produce positive results need to be viewed with due scepticism. Only very few perpetrators are willing to undergo treatment, the drop-out rate is high and the effectiveness of the treatment is doubtful. Recent studies have failed to detect a difference in the incidence of recurrent violent behaviour between men who had received treatment and those who had not (Jasinski & Williams, 1998; Burton, Regan, & Kelly, 1998). The results of such studies indicate that the factors contributing to the termination of violent behaviour are primarily social regulatives and co-ordinated interventions, not perpetrators programmes.

**Guidelines for the work of the state prosecutor's offices and the courts, special departments.** Guidelines for dealing with cases of domestic violence should be drawn up for state prosecutor's offices and for criminal courts along the lines of the guidelines for the police. Notably in larger urban areas, not all professionals involved can be trained in handling violence against women; it would therefore be advisable to set up special departments. Where this has been done – as in Berlin, for instance – domestic violence tends to be taken more seriously and greater consideration is given to the survivor's situation and the background to the offence.

### **Point Eight: Co-operation Between Police, Criminal Courts, Civil Courts and Survivors' Support Organisations**

To protect women and children who have been subjected to violence, it is vital that the police, the state prosecutor offices and the criminal courts as well as civil courts and survivors' support organisations work closely together. An analysis of several domestic murder cases in Austria has shown that important information gets lost when the police pass the material on to the State Prosecutor's Office, and that the State Prosecutor's Office and the police make divergent assessments of the dangerousness of situations. Such mistakes and discrepancies can have lethal consequences for the victims.

Co-operation with the civil courts and the exchange of information are also extremely important. For instance, a violation against an injunction issued by the police or a civil court should weigh against the perpetrator in criminal proceedings or rank as a punishable offence in its own right. Anybody in the police or the judicial system should have rapid and straight-forward access to information on existing injunctions in the case concerned.

The criminal courts and survivors' support organisations also need to work together. On the one hand, it takes some of the strain off the criminal courts to know that the survivor is being cared for and supported, and on the other hand information on the background to the offence can be an important aid in the courts' decision-making processes.

This scheme of co-operation among all the bodies involved in dealing with the issue needs to be institutionalised and should take place on a regular basis, both to handle

individual cases and – at an institutional level – to monitor and discuss the status quo and carry out modifications where necessary. This will necessitate the involvement of persons with decision-making powers in these bodies, otherwise there is a danger that the working groups will end up being little more than mere ‘talk shops’, which would not be conducive to producing positive results and would only frustrate the members who wanted to see something done.

## **Point Nine: Training**

Training in dealing with the problem of violence against women should be an integral part of training and advanced training courses for the police and for judicial professionals. In Austria such training courses are part of police training at every level and have formed a part of the regular training syllabus since 1992. The courses are held jointly by trainers from women’s support organisations and from the police. In the judicial field, seminars – run as advanced training courses – have also been held in the last three years, but the situation is more difficult here because judges and state prosecutors are not obliged to undergo further training. We are trying to have seminars on violence against women included in the regular training curriculum for judges and state prosecutors.

The United Nations General Assembly’s resolution on Model Strategies and Practical Measures in the Field of Crime Prevention and Criminal Justice makes the following training recommendations:

Member States, in co-operation with non-governmental organisations, including organisations seeking women’s equality, and in collaboration with relevant professional associations, are urged, as appropriate:

(a) To provide for or encourage mandatory cross-cultural and gender-sensitivity training modules for police, criminal justice officials, practitioners and professionals involved in the criminal justice system that deal with the unacceptability of violence against women, its impact and consequences and that promote an adequate response to the issue of violence against women;

(b) To ensure adequate training, sensitivity and education of police, criminal justice officials, practitioners and professionals involved in the criminal justice system regarding all relevant human rights instruments;

(c) To encourage professional associations to develop enforceable standards of practice and behaviour for practitioners involved in the criminal justice system, which promote justice and equality for women.

(see United Nations / General Assembly Resolutions 1997, Section VII)

## Point Ten: Statistics, Evaluation

In Austria – and presumably in many other countries – the statistics and data relating to acts of violence against women and the legal sanctions imposed for such offences are inadequate and uninformative. The criminal statistics, for example, do not reveal how many perpetrators of acts of violence against women were actually sentenced, because the figures are broken down neither in terms of the victim's gender nor in terms of the relationship between victim and perpetrator. The above-mentioned UN resolution makes the following recommendations under the heading of research and evaluation:

Member States and the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, relevant entities of the United Nations system, other relevant international organisations, research institutes, non-governmental organisations, including organisations seeking women's equality, are urged, as appropriate:

- (a) To develop crime surveys on the nature and extent of violence against women;
  - (b) To gather data and information on a gender-disaggregated basis for analysis and use, together with existing data, in needs assessment, decision-making and policy-making in the field of crime prevention and criminal justice, in particular concerning:
    - (i) The different forms of violence against women, its causes and consequences;
    - (ii) The extent to which economic deprivation and exploitation are linked to violence against women;
    - (iii) The relationship between the victim and the offender;
    - (iv) The rehabilitative or anti-recidivistic effect of various types of intervention on the individual offender and on the reduction of violence against women;
    - (v) The use of firearms, drugs and alcohol, particularly in cases of violence against women in situations of domestic violence;
    - (vi) The relationship between victimisation or exposure to violence and subsequent violent activity;
  - (c) To monitor and issue annual reports on the incidence of violence against women, arrest and clearance rates, prosecution and case disposition of the offenders;
  - (d) To evaluate the efficiency and effectiveness of the criminal justice system in fulfilling the needs of women subjected to violence.
- (see United Nations / General Assembly Resolutions 1997, Section VIII)

## **Résumé: Implementation of Measures, Action Plans at the National Level**

Every country should draw up an action plan which also documents the status quo in the field of criminal law and details judicial measures to prevent violence against women and to protect the survivors. These action plans should be formulated in collaboration with NGOs, and they need to be reviewed on a regular basis.

At the European level, guidelines for the elimination of violence against women should be issued for the Member States of the European Union and the Council of Europe, and the Member States should be obliged to implement them. The special area of the human rights of migrant women must be accorded priority status.

In the membership negotiations with applicant countries, the EU should stipulate as a condition of accession that each country concerned implement or have plans to implement measures to combat violence against women and to safeguard the human rights of women. National agencies and organisations should collaborate with NGOs working in the field of violence against women and governments should provide these NGOs with financial and immaterial support.

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# *Domestic Violence Against Women:*

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## **Cases in Criminal Proceedings in Finland**

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Criminal proceedings in cases of violence against women is a large subject, only a few aspects of which can be taken up here. As I am a state prosecutor, my point of view is that of a public prosecutor. However, I do not approach the theme from the viewpoint of a prosecutor's daily work. I work as head of the Development Unit of the Office of the Prosecutor General, and one of my duties is to attend to the training of prosecutors and to follow up and supervise the prosecutors' work. For this reason, it is natural for me to raise some principal structural and ethical aspects and some problems in Finland as regards the formal prosecution of acts of violence against women.

To begin with, I intend to give a general picture of the procedural position of the victim in the Finnish legal system. I will examine Finnish criminal proceedings from this point of view step by step, that is, first the pre-trial investigation, then the consideration of charges, the legal proceedings and finally the appeal. I will then go on to deal with those problems which to my mind are the most central ones in dealing with cases of violence against women in Finland. However, I must first clarify the classification of offences into complainant offences on the one hand and offences subject to public prosecution on the other hand, which is decisive for the institution and progress of criminal proceedings in Finland. This classification is also of central importance to the theme, as we will see.

### **Complainant Offences and Offences Subject to Public Prosecution**

We know from the history of procedural law in Sweden and Finland that the authority in the prosecution of offences originally belonged to the victim of the offence, that is, to the injured party or complainant. As the social importance of punishment and of the penal system increased, the victim's authority diminished by and by, while the public prosecutor's power grew. Nowadays the public prosecutor's right to institute criminal proceedings is the main rule, that is, offences are subject to public prosecution unless the law provides otherwise. In offences subject to public prosecution the prosecutor may institute criminal proceedings irrespective of the wishes of the victim.

However, there are quite a few types of offences where the prosecutor may institute criminal proceedings only if the complainant has made a so-called request for

prosecution, that is, has demanded that the offender be prosecuted. These so-called complainant offences are usually minor ones or of a nature mainly violating private interests.

Since in regard to some types of offence the extent of private and public interest may vary greatly from one case to another, there are also some intermediate forms between complainant offences and those subject to public prosecution. In principle, offences of this kind are complainant offences, but the prosecutor may institute criminal proceedings should a 'very important public interest' so demand. For example, some sex offences belong to this category.

In Finland, the penal code provisions concerning assault and the right to institute criminal proceedings were reformed in the year 1995. According to the old law, an assault committed in a private place was a complainant offence, whereas an assault committed in a public place was an offence subject to public prosecution.

It was said in the preamble to the legislative reform bill that the distinction between private and public places meant that most cases of domestic violence were treated as complainant offences. The old law thus reflected the opinion that domestic violence is a private affair in which the penal system will not interfere at the instigation of any authority. According to the preamble to the bill, public opinion in the 1980s turned towards defining domestic violence as a social problem. It was emphasised that in assaults within the family, conciliation is often the result of pressure, which is simply a continuation of the use of violence in domestic relations. According to a generally accepted opinion, the private character of the family must not mean that the use of violence is acceptable in internal domestic relations.

In order to make it clear that violence cannot be accepted even in the family circle, assault was made an offence which is subject to public prosecution. Only petty assault of an over 15-year-old person remained a complainant offence. Aggravated assault for its part was subject to public prosecution even under the old law.

## **Procedural Position of the Victim of an Offence in Finland**

**Pre-trial investigation.** The carrying out of a pre-trial investigation is a central issue in how victims secure their rights. If no pre-trial investigation is carried out, there are preconditions neither for criminal proceedings nor for claiming damages in many cases, if the course of events is not sufficiently clarified.

In a complainant offence a pre-trial investigation is carried out only if the complainant has made a request for prosecution. If a request for prosecution is made or if the offence is subject to public prosecution, then compulsory pre-trial investigation is the main rule in Finland: if a cause exists for suspecting an offence, the police are obliged as a matter of principle to perform a pre-trial investigation. In practice, the 'cause for suspicion' threshold for starting a pre-trial investigation is very low.

Under the conditions mentioned in the law, the police may refrain from carrying out a pre-trial investigation in case of an obviously minor offence. However, no such possibility exists if due to the act the victim of the offence has a claim to punishment or damages. Correspondingly, in some circumstances the prosecutor has the power to interrupt a pre-trial investigation, but even the prosecutor's power is restricted by the victim's claims: if it is important to the victim's interest that a pre-trial investigation be carried out, even the prosecutor may not interrupt the investigation.

Complainants can also influence the contents of the pre-trial investigation. Among other things, they have the right to know what has emerged in the pre-trial investigation. Additional investigation measures requested by complainants must be performed if they can affect the matter and do not cause unreasonable costs. Thus, if the complainant desires a pre-trial investigation, as a main rule they can be sure that one will take place.

**Consideration of charges.** The principle of compulsory prosecution is in force as a main rule in Finland: the public prosecutor is obliged to bring charges if this can be supported by evidence based on 'probable causes'. However, under conditions mentioned in the law the prosecutor may drop charges even in a solved offence. This can be based, for example, on the triviality of the offence, on the young age of the offender, on unreasonableness or lack of purpose of a punishment and legal proceedings, or on concurrence of offences.

The victim of an offence can influence the prosecutor's decision either to bring charges or to drop charges on some grounds prescribed by the law. In practice the victim's demands have considerable effect on the bringing of charges. On the other hand, the victim's request to drop charges also carries much weight in the other direction. The possibility to influence the prosecutor's decision can be regarded as a good thing from the victim's viewpoint. However, especially in cases of domestic violence, this possibility to exert an influence can easily turn against the victim's interests.

If the public prosecutor decides to drop charges, the victim of an offence in Finland always has the right himself or herself to bring charges. In practice, charges brought by the victims themselves are rare in Finland, but this possibility is important in principle: victims have legal means of seeking compensation for the wrongs they have suffered. A complainant may also appeal the prosecutor's decision to the Prosecutor General, who has the right to reconsider a case already considered by a lower prosecutor.

**Legal proceedings.** If a public prosecutor has brought charges, the complainant may in the same legal proceedings also present a demand for punishment that differs from the public prosecutor's charges. If, on the other hand, the prosecutor has not brought charges, the complainant may bring charges himself or herself, as noted above.

Finnish criminal proceedings are characterised not only by the complainant's own right to prosecute, but also by the so-called adhesion principle: private-law claims based on an offence, in practice meaning the victim's claim for damages, may be considered in

connection with the case under prosecution. In accordance with a legislative reform carried out in the year 1997, the prosecutor is obliged to present the claim for damages of the victim of an offence unless this will result in essential inconvenience or the claim is obviously without grounds. Complainants may also present their claims for damages themselves, either in connection with the matter under prosecution or in separate legal proceedings. In practice, prosecutors present three quarters of complainant private-law claims.

Besides the assistance given by the prosecutor, complainants may have a legal adviser of their own, whose fee is paid out of government funds when complainants themselves are unable to pay the fee. Victims of domestic violence and sex offences have the right to have a legal adviser or an assistant free of charge even at the pre-trial investigation stage.

**Appeal.** In Finland, the right to appeal a judgement made by a lower court to a court of appeals is unlimited. Complainants have an independent right to appeal a judgement by a lower court, even if they have not availed themselves of their right to be heard in the lower court and even if the prosecutor would not appeal the judgement. If the prosecutor appeals, his obligation to present the victim's claims for damages still applies in the court of appeals.

**Uniting aspects.** The procedural position of victims of offences is strong in Finland. This does not mean that the victim's position is good in all respects. Obviously, victims are not in all cases even aware of all the rights they have. In some cases victims of offences may receive compensation from government funds, but usually victims themselves must attend to the often fruitless attempt to enforce the compensation granted in the judgement.

Problems may also result from the complainant's strong position. In violent offences against women in particular the strong possibility to exert an influence may turn against the victim's interest, as seems to have happened in Finland.

## **The Finnish Prosecution Practice in Assault Offences**

In Finland, the police are informed of approximately 25 000 assault offences each year (the figure includes petty, ordinary and aggravated acts). Each year the police succeed in solving close to 20 000 assault offences, and of these about 15 000 cases are brought to the prosecutor for consideration. Of these more than 10 000 offences lead to prosecution and judgement. Each year assault charges are dismissed in approximately 500 cases.

Thus, the prosecutor makes a non-prosecution decision in nearly 5 000 assault offences each year. Insufficient evidence is the reason in nearly 2 000 cases. Nearly 3 000 cases are such where preconditions would exist for bringing charges, but where the prosecutor drops charges at his discretion. In Finland, a clear majority of these non-prosecution decisions of a so-called consequential character concern assault offences.

At present there is no statistical information available to show how many of these decisions concern assault against women, but it is obvious that also as regards these the relative share of consequential non-prosecution cases is at least the same. What grounds can there be for such a practice?

In some cases non-prosecution is based on the factual triviality of the assault, but the most common reason is that the victim of the offence presents no claims. As noted above, since the legislative reform in the year 1995 the public prosecutor has the right to institute criminal proceedings also in these cases, but in practice the victim's opinion will to a high degree decide whether or not charges are brought.

In the consideration of the 1995 legislative reform, in Parliament it was considered that to make assault subject to public prosecution must not mean that the victim's opinion is without importance in the consideration of charges. For this reason, the following special provision was added to the law:

If in an assault the victim of the offence of his/her own serious will requests that charges are not to be brought, the public prosecutor has the right to drop charges, unless an important public or private interest demands bringing of charges.

This provision has turned the legislative reform against its original aims. As the opinion of the victim of an offence carried much weight in the prosecutors' consideration even before the reform, the new special provision has added to its weight. Of course, it is a central problem in the application of the provision that the prosecutor has no means of knowing with certainty whether the victim's request for non-prosecution is made 'of his/her own serious will'. Since the significance of the victim's request is emphasised by the special provision, it can be thought to increase the offender's temptation to press the victim to give up her claims.

## **A Case by Way of Example**

I will make this problem more concrete by relating a real case. A man had assaulted his common-law wife in their common home by hitting and kicking the victim in the head. As a result of the assault the victim got lacerations and a broken jawbone, among other things. The public prosecutor did not bring charges because the victim requested that charges not be brought.

The Office of the Prosecutor General came to know about the case from a newspaper, and the Deputy Prosecutor General decided to reconsider pressing charges. When an opportunity was reserved for the victim of the offence to respond to the possibility of bringing charges, she asked several times that no charges be brought. However, the Deputy Prosecutor General held that in such a serious offence public interest demands the institution of criminal proceedings, even if the victim requests non-prosecution.

The matter was considered by a court of justice and the offender was sentenced to three months of unconditional imprisonment, instead of which the court ordered 90 hours of

community service, in accordance with the custom adopted in Finland. It is a noteworthy fact that the victim presented a claim for damages in the legal proceedings, which indicates that her request for non-prosecution may not have been so genuine after all, nor made of her own serious will.

## **Conclusions**

The Finnish practice of non-prosecution in violent offences, and especially in violent offences against women, is not right. In these cases in particular it would be important to institute criminal proceedings *ex officio*, in spite of the victim's opinion.

It is obvious that punishment and other measures of the penal system are not the only way of opposing violence against women. Punishment and the threat of punishment have only a limited direct deterrent effect on potential violent offences. Assaults often take place when the offender is intoxicated or in an agitated state of mind, where the risk of punishment is not even thought of let alone calculated. Direct prevention may in fact be less important than indirect general prevention, the moral effect of punishment. In the long term, punishments can support attitudes which are negative to violence and they can show that domestic violence is not a private affair. As the victims of domestic violence often tend to blame themselves, the punishment also shows who is the guilty party.

Efforts have been made for quite a long time in the training of prosecutors to change the described practice, which we find to be wrong. With this same objective in view, prosecution orders have been issued in assault cases where a lower prosecutor has dropped charges. However, it has not proved an easy task to change practices. This may be due, e.g. to the fact that Finns have traditionally had a lenient attitude towards violence, which also emerges as lenient penal practice in courts of justice.

In the year 2000 in Finland, the Office of the Prosecutor General will pay special attention to non-prosecution practices in assault cases. One objective that the Prosecutor General has set up for the prosecuting authority next year is to harmonise the practice of non-prosecution in violent offences and to make prosecution practices correspond with the underlying values and objectives of the reform made in 1995. In this context, this year the Prosecutor General will provide prosecutors with general instructions concerning non-prosecution of assault offences.

## *Findings of Work Group One*

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# **Domestic Violence Against Women – Cases in Criminal Proceedings**

**Minna Ruuskanen, Rapporteur  
University of Helsinki, Finland**

The working group endorsed the recommendations of the 1998 Vienna Conference and made additional recommendations as follow below.

The quality of the investigation of crimes involving violence against women was emphasized. This includes the training of both doctors and members of the police force. The members of the working group agreed that doctors should have training in examining victims of all types of physical and sexual violence. This is important because medical documents produced by doctors are used as evidence in criminal trials and are in many cases the only evidence the victim can present. Doctors should be acutely aware that physical and sexual assault are traumatizing, and should know where to refer the patient for psychological help and support. It was also stated that the function of the health care system as a whole is important and training should also be given to nurses, etc.

Police investigations should be conducted in such a way that as much evidence as possible other than the story given by the victim is collected. This would include photographs of the victim, photographs of the crime scene, etc. Members of the police force should receive training in investigating cases of (domestic) violence. The model used in Austria since 1997 where the perpetrator is immediately removed from the household was widely discussed after the presentation by Ms. Rosa Logar. It was concluded that the efficiency of any system is difficult to measure since the number of calls to the police increases every time a new measure is introduced.

Regarding investigation by the police it was also noted that gender parity in the police force is important since many investigation methods advised by the working group, such as taking photographs of the victim, require a female police officer.

The role of the prosecutor was widely discussed in the group. It became clear that mandatory prosecution would cause legal problems and be counterproductive in Anglo-American legal systems. It was, however, agreed that the decision to prosecute the perpetrator should be made by the public prosecutor, not by the victim. The victim should never be put in a position where her willingness and/or ability to testify in the trial is decisive. It should be taken into account that 1) the prosecutor cannot know if the victim's desire to not go forward with the prosecution is genuine and formed without pressure and threat, and that 2) the prosecutor cannot guarantee the safety of the victim. Therefore it

should be noted that prosecution without the victim's cooperation highlights the need for services for victims. Such services should include the possibility to get information about the proceedings and about the rights of the victim during and after the trial. It was also pointed out that when police pay attention to gathering all corroborating evidence that is available, less emphasis is put on the victim and her testimony.

The use of out-of-court settlements in order to achieve an agreement about compensation for the victim was also widely discussed in the working group. The working group agreed that the term "out-of-court settlements" should be preferred to the use of "mediation" or "reconciliation" since these terms refer also family therapy and civil proceedings.

Part of the members of the group felt that as a matter of principle out-of-court settlements should never be used in cases of domestic violence because of the power imbalance that always exists between the parties. On the other hand a few of the participants, especially the members of the Finnish delegation, felt that out-of-court settlements could be used in minor cases, if the parties themselves are willing to settle the matter out of court and if the case does not call forth the public interest. As a counterargument to this it was pointed out that any act of violence is in many cases only one incident in a series of violent acts and that the reality of the situation is not known to the authorities. Therefore any act of violence requires that the society send a clear message that violence is not tolerated in any of its forms, and this message is best sent in a criminal trial. No agreement on this issue was reached. However, it was agreed that if out-of-court settlements are used, workers involved with the process should be trained in taking into account the issues surrounding domestic violence.

Concerning the trial process it was acknowledged that even though it is necessary to hear the testimony of the victim during the proceedings, repeated testimony of the victims should be avoided if possible. This could best be achieved by being thorough in collecting other kinds of evidence. It was emphasized that in order to guarantee the safety of the victim and to minimize the trauma caused to the victim it should be possible for the victim to testify at the trial without the presence of the perpetrator.

For the reasons mentioned above there should be separate waiting rooms in the courthouse for the victims and for the perpetrators. The safety of the victim should also be guaranteed when the trial is over. Often the ways of doing this require no additional funding or facilities. As an example it was mentioned that the perpetrator could be allowed to leave the courthouse only after the victim has left the building.

Regarding public awareness about domestic violence the working group agreed that the Internet should be utilized. As an example of this the English Government Web site was mentioned: [www.homeoffice.gov.uk/domestic violence](http://www.homeoffice.gov.uk/domestic%20violence). The European Campaign Against Domestic Violence Web site is also accessible through this address.

## *Work Group Two: Standards for Shelters for Abused Women and Their Children*

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The aim of the work group is to encourage the development and adoption of a model of good practice for supporting the victims of male violence across the European Union. As part of the European Union Campaign Against Violence Against Women, guidelines for standards for shelters for abused women and their children were drawn up by the expert group in Cologne.

In this work group all of these recommendations will be discussed in detail and further information will be added if it is felt that this is required. The outcome of the work group will be a comprehensive set of guidelines for standards for services for abused women and their children, to be launched at the final conference in Portugal next year.

Chair: Sirpa Taskinen, Finland  
Rapporteur: Natalia Ollus, Finland  
Speakers: Margaret Costello, Ireland  
Marita Vanemaa, Finland

# *The National Network of Services*

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## **for Women Victims of Violence in Ireland**

**Margaret Costello**  
**National Network of Women's Refuges**  
**and Support Services, Ireland**

I would like to begin today by telling you a little bit about myself and the role I have in relation to violence against women. I began working as a volunteer at the Navan Refuge in 1989 and then progressed to part-time paid work. In 1991 funding was secured to employ a co-ordinator full time. I applied for the job and got it. I remained as co-ordinator of that service until March 1997. My involvement in the National Network of Women's Refuges and Support Services began in 1991 when I started to attend meetings.

The National Network had its beginning as the Federation of Refuges, formed in 1979 to strengthen and support the work of individual refuges. At that time there were only four refuges in Ireland. But as all of you here can understand, due to the immediacy and urgency of the work, and also to the dependence on volunteers, developing a federation was not easy. Attempts to do so were always responded to positively, but it was not until 1990 that the work began in a more focussed way.

In 1995 I became chairperson of the national organisation, and by 1997 my role as chairperson was actually taking more time than my paid job. I made a decision to take a six-month career break from the Navan Refuge and to look at the national organisation and develop a strategy to move its agenda forward.

At the end of the six months I had secured a private grant to develop the organisation over a period of three years. I then hired an independent consultant to assist the board of management and myself to develop a three-year strategic plan. This process took a further six months. At this stage I decided to continue in my role as national co-ordinator.

Part of the strategic plan included (1) changing the name of the organisation to the National Network of Women's Refuges and Support Services, (2) changing decision-making structures to reflect the diversity of the Network's membership, (3) legally incorporating the organisation into a company limited by guarantee with charitable status and (4) recruiting additional staff. There are now three posts. Today the National Network includes 26 member groups; 15 refuges and 11 support services.

I would like now to tell you a little bit about the status of women in Ireland. Ireland has a population of 3.5 million people. Originally a largely agricultural nation, over the past 30 years or so the economy has transformed. While agriculture still plays an important role, the vast majority of the population is employed in industrial and service jobs.

Traditionally Irish women ceased to work after they were married, and even today the participation of women in the Irish workforce is relatively low in the European context. Less than one third of married women work outside the home. From a society of families where four or five or more children were commonplace the overall birth rate in Ireland has fallen below the replacement level. The average family today has two children.

I believe that the National Network is now at a pivotal point in its development. Our strategic plan will determine whether we can meet the challenges of the next three to five years. I see these challenges also as opportunities to develop models of best practice in supporting abused women and children, and I hope that the guidelines that come from this expert group will be an opportunity for all us to ensure that we have sufficient well-funded services available for women and children in our countries. I think it is the responsibility of every individual, every community and every government of our respective countries to work together to ensure that responsibility for violence is placed solely with the perpetrator, and that the elimination of male violence in our countries is the ultimate goal for all of us. I would like to open the workshop for discussion on standards for services that were agreed upon by the expert group in Cologne.

# *The Finnish Response to Domestic Violence*

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**Marita Vannemaa**

**Federation of Mother and Child Homes and Shelters, Finland**

## **Brief Historical Background on Shelters**

Violence against women and domestic violence became a part of public debate in Europe in the latter half of the 1960s. The discussion on the status of women in society in general also revealed that the home was in fact the most dangerous place for a woman to be. Most of the violence against women was, and still is, inflicted at home, by a familiar person – the present or former male partner. People began to talk about an issue that used to be taboo and confined to the family; the private became public. Women who had suffered violence felt encouraged to speak out when they noticed that they were not alone.

The public debate on domestic violence was the first step towards the prevention of violence and the construction of support systems for survivors. The idea of shelters and help lines for women quickly spread from London all around Europe. The first Finnish shelter was founded in 1978. Shelters have been established in Finland under one of two systems. The member associations of the League of Finnish Feminists founded a new kind of shelter that operated based on feminist ideology. The other chain of shelters has its roots in the organisation for which I work, the Federation of Mother and Child Homes and Shelters. In the late 1970s shelters began to be established either as independent units or as units adjoining mother and child homes. The system began as a three-year project financed by the Slot Machine Association (RAY) out of gambling profits. The shelters soon proved just how necessary they were, and the Federation at present oversees 14 shelters throughout Finland. In total there are currently about 25 shelters in Finland. The local authorities buy services from the shelters, and new services are still being tried out with the help of funding from RAY.

## **The Finnish Model: Collaboration, Primary Service Know-How and Special Support for All Domestic Violence Victims**

The Finnish Government decided in summer 1996 to implement the UN Beijing action programme. At the same time it approved the general principles of a national anti-violence programme. The equality programme approved by the Government in February 1997 included a national five-year programme for the prevention of violence that was initiated by the National Research and Development Centre for Welfare and Health (STAKES) in spring 1998.

The aim of the national programme for the prevention of violence is for all the Finnish municipalities to adopt a clear model for intervention in family violence. Finland is a welfare state that guarantees anyone living in Finland social security and basic welfare and health services. The municipalities are responsible for providing the services.

Domestic violence is still a problem that we do not know how to solve. The professionals do not know enough about it or about its consequences. They feel doubtful about recognising it and about intervening and helping. We clearly need more shelters and other support services specialising in domestic violence than we have at present. The project for the prevention of violence is developing training and teaching materials for all welfare and healthcare workers, the police, prosecutors, teachers and other professionals who encounter victims and perpetrators of violence in their work. Communication and the furthering of research are focal items in the project, which also encourages local innovation and new forms of work.

## **From Shelters to Local Centres of Excellence in the Prevention of Domestic Violence**

Over the past 20 years or so the shelters have built up considerable know-how on domestic violence, its consequences and prevention. In developing their work they have operated on the understanding that all the parties involved in the violence suffer: the victims, perpetrators and witnesses. Most of the violence happens to women and children, and ensuring their safety is the first and most important job. Almost all violent men also suffer from the act and need help. We know from experience that each of the parties involved needs a different form of assistance. The shelters can offer each party individual help while still conforming to the same objectives.

The shelters help people at the crisis stage and provide support at the coping stage. We are developing this work into a 'service menu'. The menu should include a crisis and counselling telephone, 24-hour support and accommodation, and a wide range of community services: personal sessions with workers specialised in helping the various parties involved, home visits and closed and open groups for women, children and men (discussion and action groups). The aim is to create a care programme to help people in the coping stage by offering sustained, systematic and multiform support for all involved in the domestic violence.

## **Recent and Ongoing Projects**

Several development projects have been carried out with funding from RAY. One of these has been the Mixeri Project (1996-1999), the aim of which was to support immigrants and multicultural families and to reduce family violence. The objectives were

- to support immigrants and multicultural families to cope in their daily living,
- to support families with babies,

- to reduce and prevent family violence,
- to develop methods for working with immigrants and multicultural families.

Child's Time: Helping Children Traumatized by Family Violence (1997-2001) is a national project with 13 participating member associations. The project objectives are to develop child-focussed practices in the context of the Federation's services by

1. developing a semi-structured assessment procedure for children who enter shelters, community services and mother and child homes. The assessment is a part of crisis intervention for the whole family;
2. developing a group intervention model for children who have been traumatized by family violence and
3. training professionals working with children traumatized by family violence to gain new tools to help these children.

Research and training should be more closely integrated with practical domestic violence work than they are at present. Far too little basic and applied research has been carried out into domestic violence. The shelters could, being local centres of excellence, stimulate, support and conduct research and act as training experts in their region. The prevention and treatment of domestic violence call for specialised knowledge and know-how.

## *Findings of Work Group Two*

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# **Standards for Shelters for Abused Women and Their Children**

**Natalia Ollus, Rapporteur  
The European Institute for  
Crime Prevention and Control, Finland**

The working group discussed and further developed the guidelines for shelters for abused women drawn up by the expert group meeting in Cologne in 1999. The result was a set of recommendations for services for abused women and their children to be launched at the expert meeting in Portugal in 2000.

The guiding principle for all shelter/refuge work should be the safety of the victims, i.e. the women and children. It was commonly agreed that the number and capacity of the existing refuges/shelters in the European Union are not sufficient. According to British legislation, a woman who leaves her home due to violence is by definition homeless and thus eligible for accommodation and assistance. The workshop participants called for similar legislation in other EU countries. The British delegate called for clarification regarding the terminology and expressed a wish that the term 'refuge' should be used rather than the American and European term 'shelter'. Thus, both terms were used in the workshop.

It was highlighted that there should be no time limit on a woman's stay in any shelter/refuge. It was also argued, contrary to the conclusions of the Cologne expert group, that the length of stay should not be subject to finances. Following the Austrian legislation, it was discussed that there should be a possibility to remove the violent perpetrator from the common home and that the victim should have the opportunity to stay in the home. Participants agreed that legislation needs to be developed to enable this practice. Participants also called for sufficient government funding for shelters/refuges, and argued that shelters/refuges should be in buildings expressly designed and constructed for that purpose.

The majority of the participants in the workshop agreed with the principles set in Baden bei Wien and Cologne that shelters/refuges should be run by women-to-women and feminist-oriented women's non-governmental organisations. However, some participants disagreed with this view, arguing that men should have the possibility to be both clients of shelters/refuges (when necessary) as well as workers. In this view, men are seen as essential to the work done with battered women, although it is recognised that women can, and must, help each other. The counterpart argued that women cannot support both men and women in the shelter/refuge service and, in

accordance with Michael Kaufman's view, men should be supporting men rather than women. It was also argued on the basis of experience with feminist-oriented shelter/refuge work that women prefer to be in a women-only organisation where the service is provided to them by women. Victimised women and their children cannot overcome the effects of men's violence if they have to encounter representatives of the male sex also at the shelter/refuge. Feminist-run, women only shelters/refuges also aim at showing victimised women that women themselves are plenipotent and capable of handling economic, judicial and social issues. Therefore, in this view, men should be excluded from shelter/refuge work. As a result of the discussion, the principles agreed upon in Cologne on how shelters/refuges should be run were broadened to include a principle that shelters/refuges can also be run based on women's and children's rights.

One representative wanted the principles to include a recommendation that mothers should automatically be entitled to guardianship of their children while they are staying at a shelter/refuge. Instead of having to cope with issues of guardianship, social and shelter workers should focus on the best interest of the child, and not force the child to meet the violent father. There was also a pledge to add a recommendation that the women who come to shelters/refuges should not be blamed for the expenses they cause due to the violence they have suffered.

Some delegates pointed out that there is a need for training and education, both in school curricula and in academia, as a measure against violence.

Special skills and on-going training are required for those working with abused women and their children. There is a need for specialists who work with children and a need for outreach workers. One delegate noted that shelters/refuges should also have voluntary staff, arguing that it is important to respect those women who want to help other battered women on a voluntary basis. However, it was highlighted that professionals are essential in shelter/refuge work and should be properly remunerated for their work. There must also be a sufficient number of staff at each shelter/refuge.

Minority groups and their special needs also received attention in the workshop. It was brought up that immigrant women, women who have experienced sexual violence, prostitutes and other women with special needs should be taken into account in the normal shelter/refuge work. Juridical aid and telephone hotline services should be made available to all victims of violence, including special groups. To ensure the quality of all services provided, it is crucial to have on-going assessment of the services.

## *Work Group Three: Treatment Programs for Men Who Use Violence*

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In this work group the participants will discuss treatment programs for men and how to guarantee the safety of perpetrators' victims. One target is to determine how to best organize treatment programs so that they reach violent men. Both voluntary and mandatory treatment will be discussed. Another target is to determine what kind of treatment should be offered to these men. Under special consideration is whether the treatment should be family centered or individual, and if it should focus on violence or take a more holistic perspective. Of special concern is taking the safety of women and children into account in the programs. The aim is to develop standards and recommendations on the treatment of violent men for potential integration into treatment models in all E.U. countries.

Chair:	Jukka Aaltonen, Finland
Rapporteur:	Juha Holma, Finland
Speakers:	Calvin Bell, U.K. Liz Kelly, U.K. Petteri Sveins, Finland Sirkka Perttu, Finland

## *Primum Non Nocere ('First Do No Harm'):*

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### **Developing Corrective Programmes for Perpetrators of Domestic Violence Against Women**

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I am the co-ordinator of Ahimsa (*ahimsa* is the Sanskrit word Gandhi used to describe his campaign of non-violence), which is a small NGO established in 1989 and located in Plymouth in South West England. The organisation's overall aim is 'By working in partnership, to contribute to public protection (the safeguard of women and children in particular) and to the elimination of violence.' Our core services are the provision of corrective programmes for men who are violent with their female partners, integrated support services for women partner/victims, individually tailored interventions for other individuals who are violent, risk assessments for family law and child protection practitioners and the delivery of supervision, consultancy and training (in the UK and overseas). We hope next year to begin work with children. In recognition of the need to address the social as well as the individual factors that support men's violence against women, staff are also regularly involved in various multiagency initiatives to promote the active opposition of abuse against women and to develop safe models of working with violent men.

My awareness is growing of the need to locate domestic violence against women within a wider framework of (extramarital) rape, sexual abuse and harassment, prostitution, trafficking and other forms of violence against women. By focussing on partner abuse, it is not my intention to deny, minimise or trivialise such other abuses of women by (largely known) men. Concentrating solely on *domestic* violence and the implications of violence for the integrity of the family risks reinforcing society's concerns about the welfare of women only as *mothers* as opposed to individuals in their own right. It also seems important to acknowledge that domestic violence is not entirely confined to heterosexual couples: Various reports refer to its existence within both lesbian and gay relationships (e.g. Jasinki & Williams, 1998; Merrill, 1998). As Mullender (1997) reminds us, it would be surprising *not* to find homosexual partner assault since 'we are still in the lifetime that is making the first real attempts at developing cohabitations of any kind on something approaching an egalitarian basis' (p.16). However, for this conference, I have been asked to describe some of Ahimsa's work in tackling domestic violence and my experiences of attempting to engage domestically violent men in the process of change.

When this organisation first began accepting referrals for domestic violence perpetrators, its approach was in my view well intentioned but rather naïve and potentially dangerous (not unlike many such men's initiatives I have seen elsewhere). Ahimsa was first set up in London by an all-male team (mainly social workers), in the belief that men's violence, whatever its context, was primarily men's responsibility to address. The reservations expressed by some women's organisations about the theoretical underpinnings of the centre's early methods and about the risks of its practice were listened to but not really heard. There was then no mechanism for accountability to women; I suspect 'we know best' was the most likely refrain of the staff at the time. Since those early years, however, Ahimsa and its practice have been considerably reconfigured. I am pleased to have this opportunity to be able to speak to you about our current model and about our experience of working with both perpetrators who attend voluntarily and those whose attendance is court mandated. I would however emphasise that it is clear to me that we still have a long way to go in knowing how to do this work effectively. We are still operating at the very forefront of our knowledge.

### **The Potential of Perpetrators Programmes to Increase Risk for Victims/Survivors**

If there is anything I have learned during the seven years I have been working for change with men who are violent with their partners, it is that practitioners' overriding responsibility must be that of *primum non nocere* ('first do no harm'). In other words, the provision of 'therapy', 'treatment', 're-socialisation', 'rehabilitation' or 're-education' to an abusive man must never compromise the partner/victim's needs for safety. This is more easily said than done! There is little doubt, for example, that *the very provision of a programme for domestically violent perpetrators can potentially put some women at additional risk*, especially if such services develop in isolation from other agencies that share a responsibility for women's safety. It is not at all uncommon for perpetrators who have had no contact whatsoever with a programme (as well as clients and prospective clients who have) to make fraudulent claims about their attendance and outcomes. Only last week, the police from a city some 300 kilometres away from the centre telephoned to ask if we would be prepared to discuss the progress of a client whom they were considering charging for the attempted rape of his ex-partner. The woman was on the point of withdrawing her evidence because the man concerned had allegedly told her that he had started attending our programme whilst supposedly working in our area during the week, and that the prospects of him changing were good. I was able to confirm that we had never even seen the man for assessment let alone offered him a place in the programme. Others lie about the outcome of assessments. From time to time, we offer a man a programme place only to find that he has later told his partner that Ahimsa staff have told him that he 'doesn't have a problem.' *She*, he alleges, is the one who needs to change. Others drop out or have their place terminated and yet continue to tell their partners that they are still attending. Yet others return home from a programme session and allege that their counsellor has advised them to recommend to their partner that she comply with his demands for sex or improve her catering to 'help him overcome his violence'. For this

reason, whilst Ahimsa respects a man's right to privacy, we regard his partner's right to safety, and therefore to information about his attendance and progress, as paramount. See Bell (1998) for a fuller exploration of the management of these dilemmas.

Purchasers of corrective services for offenders (especially Probation Service managers) as well as providers have at times been guilty of the mistaken belief that to concentrate efforts on the perpetrator *automatically* equates to the improved safety of his (ex-)partner. However, women's advocates and our experience support the notion that *the very offer of a service to a perpetrator can in fact expose his partner to additional risk*. Though the majority of the over 2000 domestically violent men who have been referred to us have attended on a voluntary basis, because of shame, denial, ambivalence, embarrassment and the cultural imperative for men to be seen as self-sufficient, few do so without considerable *external* pressure. By far the most common precipitant motivating a man to participate in a programme is his partner's ultimatum or his attempt to encourage her to return when she has already left him. Women's advocates, researchers (e.g. Gondolf, 1988a) and our own experience suggest that a client's attendance is indeed likely to be the most significant factor in the partner's decision to remain with him or even to return in situations where she has already managed to leave. Merely to accept an abusive man into a programme therefore exposes a proportion of partner/victims to risks that they would have otherwise avoided by leaving or staying away. Moreover, many partners may *feel a false sense of security* from the not unreasonable assumption that acceptance of her abusive partner into a programme implies that he is safe to be 'treated' within the community (as opposed to in prison) and that the prospects of change are reasonably good. Our 'quick-fix' culture, the growing 'therapeutic society' and the, at times, magical powers attributed to professionals can all conspire to promote unrealistic expectations (of partners and referrers) of success being either guaranteed or reasonably certain. I recently spoke to one woman who had just been assaulted for the first time by her fiancé. She had broken off their engagement but had informed her abuser that she would reconsider if he sought help. When I confirmed that her partner had in fact just approached Ahimsa to be assessed, she told me with relief that she could now resume their wedding arrangements. I explained that only those men who *completed* our 14-month-long programme showed positive signs of real change. I told her that many men did not attend at all despite making initial contact with the centre, and that of those who did, most dropped out during the first few months. Ahimsa therefore regards the provision of information about programme protocols and the prospects of change in her abuser as an essential first step in considering a partner's welfare and in empowering her to make informed decisions. Knowledge, after all, is power.

## **The Best Source of Reliable Information Is the Victim/Survivor**

Whilst it is by no means unique to this population, the tendency for domestically violent men to represent themselves in an exculpatory manner which favours themselves and minimises their violence and abuse or projects the blame onto their victims is well known. However, the sheer extent of the discrepancy between their self-

reports and the accounts of their partners or of third parties is at times a phenomenon to behold. In my view, effective practitioners need to develop a ‘psychotic scepticism’ about perpetrators’ presentations. Without safe access to partner corroboration, *programme staff can easily be seduced into believing that the incident of violence which precipitated the referral was isolated and uncharacteristic* (which research suggests is common enough in many relationships) or into attributing cause to ‘dysfunctional’ relationship dynamics. Invariably, however, partner contact reveals or confirms suspicions that a single assault is but part of a long-lasting litany of physical, psychological and frequently sexual and financial abuse. The best source of information as to whether a referred client is an eligible, suitable or safe-enough candidate for any programme is the partner/victim herself. Ignoring the partner’s feedback risks leaving her with the impression that programme facilitators have been duped by her abuser and that the degree of risk she may face has been underestimated. It is perhaps also worth noting here that the prioritisation of partner safety in the assessment phase of working with men who are violent to known women clearly has value beyond its immediate importance to victim/survivors. The emphasis on partner welfare also establishes a project’s values and reminds programme participants about the central aim of the intervention.

One of the many struggles that the Centre has faced in negotiating service contracts with statutory purchasers has been competing priorities for ‘treatment targets’. The Probation Service, for example, ever keen to justify its existence by confirming its effectiveness in reducing the general recidivism of offenders, has until recently been solely concerned with reducing the reconviction rate of domestically violent offenders. Yet there is much anecdotal evidence from short-term programmes that *some perpetrators merely shift their coercive tactics from physical violence to more extreme emotional abuse*. Arguing over programme performance indicators recently with a senior probation officer, I was informed that a participating offender who refrains from beating his partner but who instead locks her under the stairs would be regarded as a ‘success’ in that he is considerably less likely to be arrested or charged with a criminal offence. Ahimsa’s programme, on the other hand, regards the level of risk and quality of life of the victim/survivor as the primary outcome measure. Thus, where possible, further contact with the partner is essential if the centre is to gauge the extent to which it meets its core aim of maximising partner safety and reducing repeat victimisation.

It is my contention, therefore, that in order to minimise inadvertent collusion, programmes for perpetrators of domestic violence should be developed only after collaboration with advocates from the women’s shelter movement. This applies especially where programme facilitators are all male. Furthermore, initiatives should be evaluated from the perspective of whether, in attempting to provide help for the instigators of the violence to change, they do more to enhance or to endanger the safety of women.

## **The Importance of Perpetrators Programmes Can Be Overstated**

It is clear that many women who experience domestic violence want help for their abusers rather than punishment (Hoyle, 1998; Burton et al., 1998), and whilst there is some evidence that arrest and criminal prosecution coupled with mandatory programme attendance may deliver better results than other forms of sentencing disposal (e.g. Dobash, Dobash, & Lewis 1996; Healey et al., 1998), it is hard to remain optimistic about the contribution that prosecution alone makes to the elimination of domestic violence against women. In Plymouth (England) with a population of some 350 000, there are approximately 101 000 women over the age of 16 (according to 1991 census data). Applying a conservative domestic violence prevalence rate of 11%, these figures mean that there are some 11 000 women who are likely to have been assaulted in their own homes last year. In 1998/1999 there were 3288 incidents of domestic conflict reported to the dedicated Domestic Violence Unit of the local police force. Of these, there were 224 prosecutions, 98 of which ended in convictions. Of this number only seven offenders were sentenced to community-based behavioural change programmes (0.06% of the estimated total) of whom not all will complete their programmes. With attrition rates of this magnitude, this hardly represents a major contribution to the elimination of domestic violence.

Though the commitment to change in some of the men who attend the centre is very encouraging, I also find it hard to remain optimistic about the impact of our general efforts with male perpetrators. While it seems clear that perpetrators programmes are here to stay, outcome studies continue to show very mixed results. Some studies in fact suggest that perpetrators who are arrested but not sentenced to a domestic violence programme resume their violence no more frequently than those who are (see Rosenfeld, 1992). Even the celebrated Duluth programme at five-year follow-up showed *worse* outcomes for programme completers than for a control group (She, 1990). Very few evaluations alleging high success rates have withstood even the most basic scrutiny for methodological soundness. Drop-out rates are also universally high, even when offenders' attendance is court mandated (despite the obvious leverage provided by criminal justice sanctions, research suggests that programme attendance when participation is court mandated is generally no better than when men self-refer; see for example Rosenfeld, 1992). It appears also that 'treatment' outcomes depend upon prevailing partner and community sanctions for recidivism and that 'success' is heavily influenced by programme acceptance criteria; for example, some projects only work with those men with the highest motivation to change.

## **Bad Apples Versus Social Problem**

The provision of corrective programmes for domestically violent men, whatever the setting, can also collude with the 'bad apple' mentality regarding domestic violence, where the public and social-policy makers seek solutions to identify and treat and/or punish individual men (symptoms) rather than engage with the wider social and cultural phenomena which continue to support men's use of violence (causes). We

cannot rely solely upon individual solutions to redress widespread social problems. Complex problems require complex solutions. The most promising prescriptions for change lie in multiagency initiatives which acknowledge the historical and social roots of men's violence and the familial and institutional subordination of women, and which harness community resources to provide the necessary collective momentum to hold perpetrators accountable and to overhaul the cultural values and norms which maintain the status quo (Shepard & Pence, 1999). We need also to find creative ways of mobilising the substantial majority of men who are not violent. I am committed to the concept of men's perpetrators programmes, but only as a (modest) contribution to a co-ordinated multiagency endeavour. Moreover, where resources are rationed, perpetrators programmes should not take precedence over the provision of shelter and effective support services for women, which must be regarded as the primary task when setting out to counteract domestic violence. Whilst there are considerable savings in human suffering (and financial) terms to be derived from the very real change we are able to facilitate in even only one perpetrator of violence, I sometimes consider the greatest contribution our project has made in tackling domestic violence to be the experience we have brought to bear in motivating other agencies in our city to participate in collective action.

### **'The Shoe That Fits One Person Pinches Another' – Carl Jung**

Finally, as a result of the need to establish minimum standards for corrective services for perpetrators in order to prioritise victim/survivor safety, in the US and more recently in the UK there is a growing trend towards the *standardisation* of programme design (Austin & Dankwort, 1999; Healey et al., 1998) This has been particularly true within criminal justice settings, despite the absence of any supportive comparative evaluation to favour one intervention model over another. The latest research suggests that corrective programmes in fact show better results if intervention modalities are fashioned to match offender characteristics. Not all violence is the same (Pence & McDonnell, 1999). Men are violent not merely in pursuit of their expectations of entitlement to domestic, emotional or sexual services from women, but also to fend off fear and vulnerability, to discharge stress, to deny dependency, to communicate anguish, to promote or restore an image of stoicism and so on. Domestically violent men constitute a diverse and markedly heterogeneous population, and the growing typology literature (e.g. Dutton, 1995; Holtzworth-Munroe & Stuart, 1994; Dutton & Starzomski, 1994; Johnston & Campbell, 1993; Saunders, 1992; Gondolf, 1999, 1988b; Bell, 2000) questions dominant epistemological assumptions that partner abuse is a unitary phenomenon predicated *entirely* on sexism and the patriarchal domination of women, thus posing challenges to the predominance of the sole use of standardised educational group work as the universal intervention of choice.

Traditional psychological perspectives on domestic violence adopted an androcentric and individualistic bias which obscured the very gendered nature of domestic violence, the various ways in which so many men have abused their power over women and its widespread extent. However, the influence of feminist scholarship in psychology (Walker, 1989) may help us avoid losing the baby with the bathwater. If we are to

avoid the appealing but reductionist one-size-fits-all mentality towards the design and development of corrective programmes for domestic violence perpetrators, we must confront and grapple with the complexity of the aetiological, cultural and motivational differentiators among abusers. Failure to take into account this taxonomic diversity of abusive men will perpetuate ignorance and methodological guesswork, and will inevitably condemn projects to continue to deliver poor results. The discipline of psychology has shown us that understanding the typology of a population is the cornerstone of effective intervention. The pressing question at this time is not so much whether perpetrators programmes work, but what approaches work with which men, at what time and under what conditions.

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# *Evaluation of Programmes for* **Perpetrators of Domestic Violence**

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The purpose of my brief today is to discuss evaluation issues, based on our experiences with evaluating two perpetrators programmes in the UK. Before I do that, however, I want to say something about how the EU expert conferences have been framed: whilst ostensibly about violence against women, they are increasingly limited to the problem of domestic violence. If we were discussing perpetrators of violence against women and girls we would have to discuss how rapists, child abusers, sexual harassers, stalkers, traffickers and pimps are dealt with – there are many issues and questions about each category, both from the perspective of research and from that of policy development. I would be interested to explore some of these in discussion and to say something in our workshop report about the narrowing of the agenda – and about the dangers of doing so.

If we were thinking about all perpetrators of violence against women and girls would we be talking about programmes as a route forward? Would we be so sanguine and hopeful if we were talking about rapists? Would we be proposing diversion from the criminal justice system so uncritically? I suspect not, because we understand sexual violence as serious crime, but despite the rhetoric it is my contention that domestic violence is neither defined nor responded to as serious crime, or even as crime at all by police, lawyers, judges and magistrates, other professionals and policy-makers.

And if we looked a little more closely at those committing sexual crimes, would we make distinctions between men who rape their wives, daughters and sons from men who rape women and children to whom they have no family connection? Research evidence suggests we do still make these distinctions; in legal terms marital rape is considered less serious, less traumatic than rape in any other context, yet research tells us that women raped by current or ex-partners are more likely to be injured, and that these instances are only second to stranger rapes in terms of the presence of a weapon (Easteal, 1998). The same kind of hierarchy of seriousness is also made with respect to incestuous rape. This is without taking into account that both marital rape and incestuous rape are likely to be repeated, that we are talking about serial rapists, rapists who sexually assault the same woman or child on a number of occasions. So currently in many of our legal systems, factors which in other crimes (or even the same crime in different contexts) are taken as aggravating factors – injury, use of weapons, repetition

and breach of trust – are not understood as aggravating factors in domestic violence, and may even appear to be a form of mitigation.

I have made this introduction because it sets the context in which programmes for perpetrators are operating, a context which sets the framework for those delivering the programmes and those evaluating them – a context in which our rhetoric says violence against women is serious crime, but where the same crimes are less serious if committed in the context of family/intimate relationships. This tension and paradox is played out in many ways through perpetrators programmes, and we all need to be aware of the implicit messages we are giving to victims, perpetrators and the community with these kinds of distinctions.

The remainder of this paper concentrates on what we have learnt about men's programmes through evaluation, and the lessons for researchers, practitioners and policy-makers. I outline some of the critical questions which evaluators have to contend with in conducting this work and that are also issues for programme workers.

## **Issues for Evaluators**

There is now an increasingly extensive literature on programmes for perpetrators of domestic violence, or men's programmes as they are often called, mainly from North America and Australia. Much of this is evaluative, and it has been noted recently, at least in the context of the UK (but probably more widely), that men's programmes have been evaluated much more than women's services (Mullender & Burton, forthcoming).

**How to define domestic violence.** Most definitions of domestic violence include the trio of physical, sexual and psychological abuse. Most programmes, however, pay most if not all attention to physical violence, and many shy away from addressing sexual assault explicitly.

If the programme is drawing on the Duluth model then an emphasis will be placed on violence in the context of power and control. This is a wider framework which includes patterns of coercive control which may not in themselves be seen as 'violent' but which in combination, and when linked to threats, entrap women and limit their room for making choices.

There is a further issue of whether physical and sexual abuse of children should be included – either within the term domestic violence, or in recognition of the links which have now been documented between woman abuse and child abuse in the same household (Department of Health, 1995; Hague et al., 1996; Mullender & Morley, 1994).

Evaluators need to explore for themselves which definition they adhere to, and assess programme content in light of this, as well as look at the definitions programmes themselves use.

**What data reflect effectiveness?** The central question in any research project is what data should be collected to answer the research question, and in the case of evaluation, to assess the effectiveness of the intervention. Most evaluations of men's programmes use more than one kind of data, but few use all the potential sources. As a rule of thumb, the more extensive data you collect and analyse the better a picture you are able to construct. Some prospective data sources and their drawbacks are as follows:

- men's accounts, problematic because we know men underestimate, minimise and even lie about their behaviour;
- reports to the police, problematic because the majority of assaults are not reported, and moreover a recent project in Leeds (Curteis et al., 1996) found that police recording lost half of reported cases;
- workers' assessments, which run the danger of the 'rule of optimism', meaning that investment in the work leads to over-optimistic assessments of change;
- women's/victims' accounts. These are considered the most accurate measure, but there are complex ethical issues about involving women in assessing men's progress. Also, women may try to cope by minimising the extent and seriousness of violence;
- children's accounts. I am not aware of any evaluation involving children, but they may know things which are important and relevant, especially with respect to how they are treated. Again, however, there are complex ethical issues about involving children.

The kind of data you collect also influences what methods you use, whether you rely on quantitative or qualitative methods, or a combination of them.

Quantitative measures, often in the form of tick boxes for a range of forms of violence, are frequently used. What is included will depend on the definitions of violence being used by programmes and evaluators: it is not fair, for example, for the success of a programme which states its focus is only to end physical violence to be evaluated using measures of psychological abuse. It is, however, appropriate for evaluators to highlight that programmes are not addressing forms of abuse which are reported by women to be ongoing.

Quantitative measures are necessary in some form since they do allow a tracking of changes over time and ensure internal validity in that each participant is asked about the same things. Such measures must also assess frequency of use and the impacts of abuse. The danger here is in presuming that they constitute everything that needs to be known – there will always be forms of violence and abuse that are not listed. At the very least there should be an opportunity to report these, otherwise we run the risk of false positives – men who do not use the forms violence listed, but use other forms which are not, would without the additional question appear as 'non-violent'.

Qualitative methods – interviews and observation – allow a deeper exploration of context, of the relationship, of the experience of being in a men’s programme and how the content is delivered.

These methods need not be mutually exclusive: for example, it is possible to include open-ended questions in questionnaires. Using both methods can result in interesting findings, such as those by Sarah Jo Lee who evaluated Agenda, an NGO in Nottingham, UK, that provides both a programme for perpetrators and services for their (ex-)partners (Lee, 1998). When she used quantitative measures that drew on those used by Rebecca and Russell Dobash in their work in Scotland (Dobash et al., 1996) she found a reduction in violence. But when she used the interview data with (ex-)partners as her baseline, additional examples of violence and control strategies which were not in the questionnaire suggested that the levels of change were much smaller.

There is now considerable consensus internationally that the most accurate and reliable measure of change has to come from women. But it is ethically problematic for researchers to ask women to participate in such assessments when the women have no access to support themselves (just as it is unethical for men’s programmes to be set up without linked support for women). However careful evaluators and programmes are, however, some women will not be contactable (due to having disappeared for their own safety) and others will choose not to participate. This means evaluations will almost inevitably have stronger data for some men than for others.

## **How to Work With Programmes**

Evaluation requires complex negotiations between researchers and practitioners and there are inevitable tensions and dilemmas to be addressed. Evaluation of one’s work is frightening since it is likely to expose weaknesses and gaps at minimum. For practitioners their jobs, politics and practice are on the line. These are delicate issues which have to be constantly negotiated. Evaluation also necessitates a change in policies and understandings about confidentiality, which is also a serious issue for men’s programmes regardless of research.

Some of the practices we have developed for working on evaluation and their advantages and disadvantages are outlined below.

**Staff involvement and dynamics.** There are often different orientations and commitments to an evaluation between project management, funders and staff. Moreover, it is not unusual for issues about power and control to be present within programmes, within acknowledged and informal hierarchies. The challenge for evaluators is to be able to recognise and understand these, without getting caught up in them.

Involving the workers in developing the research tools is a way of promoting communication and co-operation. It helps both sides be clearer about what is being

looked at and why, and the possibility exists to design tools which are useful for the project, enabling workers to continue internal monitoring.

Often money is limited for evaluation, meaning it is necessary to involve staff in some of the administration of research instruments. Whilst this makes projects possible, and prompts links between staff and researchers, cases can be lost, especially where the programme uses volunteers and is itself under-funded.

In our experience men's programmes are places where 'gender agendas' are evident (Burton et al., 1998). The project is working with issues of gender and power, and these may be further reflected in differences between those working with men and women, between men and women working in the project and between staff and evaluators. Again it is the (difficult) task of evaluators to observe, negotiate and analyse these, without themselves becoming players.

**Measuring success.** The interest of everyone regarding men's programmes is whether they are effective, but what should count as success? Is it enough for there to be less physical violence? Or must physical violence be stopped altogether? Should a wider definition of no abuse be used (on the basis that domestic violence is a 'pattern of coercive control', so whilst there may be no assaults, the woman and children may still be being terrorised by threats and other forms of control)? Should the ambition of projects be to create 'new men'?

These are all different standards, and programmes set themselves different aims and objectives. Whilst it is unfair to set a higher standard than the project sets itself for evaluation, it may be the case that the standard itself is problematic, either in that the extent of change expected is minimal or that the programme has set impossibly high standards to achieve in a short programme.

One way out of this conundrum that some projects and evaluators have chosen is to make the assessment of success in terms of women's safety. But this is not always possible, since women choose not to participate, and tensions can arise where women say they *feel* safer when there has been minimal change in the man's behaviour. Few, if any, evaluations to date have attempted to assess children's safety.

One of the things we found in our evaluation of the Domestic Violence Intervention Project, a provider of services for perpetrators and for abused women in West London, was that men's programmes which had linked support for women appeared to enable safer separation (Burton et al., 1998). Given that separation is a time of heightened risk for women and children, this is some form of success. Men's programmes can only achieve this, however, if they include linked pro-active support services for women (Burton et al., 1998).

**Examining programme integrity.** There has been limited evaluation to date on programme integrity. Too many projects have no written manual or guidance notes, meaning that there is not even basic documentation to use. This also implies that there

is little consistency in content or presentation, so it becomes impossible to assess which parts of programmes are most effective.

One route through this is participant observation, for evaluators to observe programme delivery. But there are questions to be asked here. Should they be present during sessions? How does this change them? The one researcher so far in the UK to do this (Lee, 1999) discovered that programme materials and messages were not always followed, and that some group leaders identified strongly with the men, and others experienced a tension between wanting to engage with the men and wanting to challenge them. Some sense of programme delivery can be obtained from tape recordings of sessions.

In our second evaluation (Burton et al., 1999) we were unable and unwilling to evaluate success, since the conditions in which the programme was delivered and implemented undermined the programme's integrity.

**Addressing the wider context.** All men's programmes are positioned within a local and national context. An outline of this ought to be part of any evaluation. At minimum this should include: the relationship to women's services; the location in multiagency groupings; the status and authority accorded to the project (it is our observation that those which state that they work from a pro-feminist position are accorded less status and authority than programmes which eschew the framework which made their work possible and necessary); local support and funding for the project (some projects have been established to work through the criminal justice system, but judges and magistrates are not using them).

## **A Few Basic Findings**

Findings from evaluations to date, which have used measures in addition to whether there was a subsequent police report, are equivocal. It does seem that 20% to 50% of men completing programmes are less violent, and some significantly so. The main problem is attrition, with between 30% and 75% of initial participants not completing the programme – this is true for men who enter voluntarily and those whose participation is mandated by court. The challenge to programmes, therefore, is how to keep men in the programmes to the end.

These data show that whilst men's programmes have a place in integrated responses to domestic violence (not least because they affirm that it is men who are the problem, not women) they are not a solution for it, and they certainly should never be viewed as a cheaper alternative to funding adequate support services for women and children.

## Conclusions

Men's programmes and evaluations of them are a form of risk management/assessment. It is useful to remind ourselves what the word risk means.

As a verb it means 'to take a chance'.

As a noun it means 'a source of danger'.

Other related words include 'imperial', 'expose', 'endanger', 'threaten'.

It is not evaluators, policy-makers or programme-deliverers who bear the consequences of a miscalculation of risk, but women and children. We already know that a man's involvement in a programme is the strongest factor influencing a woman's decision to stay in, rather than leave, a violent relationship. This is the context in which we are doing this work and it places serious responsibilities on researchers and programmes not to make over-exaggerated claims; it demands that they be honest about the limits of the data/information they have.

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## *The Jyväskylä Model: A Crisis Intervention*

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### **Model for Breaking the Cycle of Violence**

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Domestic violence is a widespread phenomenon to which existing social and health services have difficulties in responding. In particular it has proven difficult to motivate abusive men in treatment and to get them to take responsibility for their behaviour. In this model the core of the intervention is multiprofessional co-operation and very close co-operation with the police. It is important that services be accessible 24 hours a day, seven days a week, and to secure the safety of women and children subjected to domestic violence.

#### **The Contents of the Intervention Model**

A key part of the Jyväskylä model is the crisis centre named 'Mobile'. Mobile was launched by the Jyväskylä Mental Health Association, the city of Jyväskylä and six rural municipalities of Jyväskylä. The municipalities together with the Finnish Slot Machine Association finance the centre. The staff of the centre is comprised of social and health care professionals, a total of about 23 workers. Four workers are always on duty during any given work period. The centre is open 24 hours a day. The clients can contact the centre for all kinds of difficult life situations of their own, or if they are worried about their relatives, friends or another person they know. Mobile's work happens through three main avenues: a hotline for the victims and abusers, home visits and appointments at the centre. Domestic violence remains a taboo subject in Finnish society. As a result, those guilty of domestic violence as well as their victims and others with indirect experience with violence need a place where they can seek help for all sorts of problems; they must be able to do so anonymously, regardless of their age and even if they are in a state of intoxication. It is also important that in the middle of acute crisis situations the clients themselves need not diagnose their situation and search for a place where they can obtain help. We have sometimes seen cases where people who are faced with violence often experience this situation as so difficult that when making contact they cannot readily admit that violence was the reason for this contact. The real reason for the contact often does not become apparent until later during the assessment of the general situation.

Because of this taboo, crisis centres in Finland must be able to offer their services without the need for an appointment and without victims needing to explain why they

have contacted the centre. It is enough that a victim wants to come to Mobile, calls the centre or requests a house call, without any need for detailed explanations. What is important is that contact is made with the victim and further work may be begin. For the victims the centre can offer debriefing, safety planning, shelter, group therapy, individual therapy, women's advocacy and childrens groups.

**Individual and group work with abusers.** In this model we use male workers in the work with abusers. With the victim's permission the workers contact the abuser immediately after the violent incident. The treatment starts with an assessment period. The purpose of assessment is to raise the abuser's motivation to get help, and to assess his situation. The work at the centre emphasises the importance of the assessment period, which is a fundamental part of the treatment for the abusers. One purpose is to get the abuser himself to understand that his violent behaviour is a problem. Another important aim is the safety planning for victims.

**The psychotherapy clinic and rehab centre.** Jyväskylä University is responsible for offering group therapy for the abusers. After their assessment periods, five to seven men are selected for a group, which is led by two qualified male therapists. The composition of the group remains the same throughout the entire period of therapy. The therapy consists of 15 group sessions. The rehabilitation centre, an established part of the mental health services provided by the municipalities, is responsible for the assessment and treatment of the abuser's alcohol or substance problem, if necessary.

**Law enforcement.** In acute domestic violence incidents the police are responsible for the intervention and if needed request that Mobile staff members follow along in order to assist the abusers, their victims and other parties involved. If there is a need to take the abuser into custody the police will tell him of the abuser treatment programme and refer him to the crisis centre for continued work. Prosecutors work closely with the police and the crisis centre, and consider whether or not to waive prosecution of the abuser on charges of domestic violence if the abuser is willing and motivated to enter treatment. Each case is assessed in detail and participation is monitored in order to prevent further domestic violence.

## **Next Steps**

The constant need to continue developing the Jyväskylä model has not abated. One topic that has been discussed is the type of violence for which these programmes are helpful. The most cruel and difficult cases of violent behaviour are often beyond the reach even of these networks established in Finland. This means that one of the most central goals should be maintaining the networking and co-operation with courts, prosecutors and other authorities. It would be helpful to have legislation that allows for convicted abusers to be mandated to attend treatment programmes. It is important that we have specialised agencies for men who have used violence, too. A further task is to consider how to integrate treatment for violent behaviour into the already existing social and health care services and psychiatric treatment. At minimum we must address the need for specific training and sufficient support and supervision for professionals.

Dealing with violence as a phenomenon calls for special skills. Without proper training and information it is impossible to recognise those features which are connected with avoiding responsibility, and degradation and blaming of the victim.

# *Assessment of Perpetrators Programmes in* **Finland From the Point of View of the Battered Woman**

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**Sirkka Perttu**

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In assessing the programmes for violent men being carried out in Finland, I have used international criteria and recommendations for programmes for perpetrators (the sources quoted are at the end of this paper). I have also used the experiences of battered women and the feedback received through intervention work with them. The assessment has been done at a general level. I primarily give attention to the basic issues on perpetrators programmes in Finland and I estimate the impact of these programmes on the women and children victims.

## **Perpetrators Programmes in Finland and the Safety of the Victim**

The safety and security of women and children is the primary issue in many European programmes for batterers. The workers in charge of the groups are under obligation to protect the woman during and after the programme. Being responsible for the woman's safety places certain qualifications on the programmes.

**Co-operation between support services for women and programmes for perpetrators.** The programmes must not become isolated from the support provided for women; the two sides must be integrated. This will improve the chances of guaranteeing the safety and well-being of the women and children. The risk of the woman's becoming the victim of violence again should be constantly assessed throughout the programme and also when the programme is over. This means that the workers working with the man and those working with the woman must be in constant touch with each other. Any feedback from the woman is valuable.

The Finnish work with perpetrators is a male world in which women victims have no place: It is carried out among men without any contact with the services for women victims or with the victims themselves. The programmes for perpetrators pay no special attention to the safety of the woman while the man is in the programme or afterwards. The special services for batterers consist of man-to-man work, men helping men. The emphasis is on men learning from men, with the male workers acting as mirrors for the batterers to examine themselves and their behaviour. Working in this

way removes the attention from what should be the main focus of the programmes, the woman.

**Giving attention to women's experiences and feedback during and after the programmes.** It is also important to give attention to the experiences and feedback of the women victims concerning the men's groups. Women in Finland seem to be under the impression that the programmes for men do not concern them at all. The man is neither accountable to the woman for his violent behaviour or any changes in it, nor is he under any obligation to inform her how he is trying to change his behaviour. He may even use his programme as a new means of eliciting submission: 'You just keep quiet and be pleased that the problem is being solved.'

In general the women feel relieved when the men seek help. They feel safe, because an outsider is now intervening in the violent behaviour. But soon they begin to notice that men's programmes and any changes in men's behaviour are a world unto itself to which women do not belong. If men are violent or threaten women during the programme, it comes as a shock to the women and they are disappointed. They feel they need to contact the men helping their husbands, but these men cannot discuss the matter with the women because the work is confidential.

All sorts of questions form in the women's minds when the men who are violent towards them are in perpetrators programmes: Are the programmes dealing at all with men's violent behaviour and control, or are the batterers misusing the assistance they are receiving, and even using it in some way as justification for their behaviour? There is no one with whom the women can discuss the matter. They are alone and know nothing but whatever the batterers choose to tell them. These women do not ask out of curiosity; they are worried about their safety and their lives.

The man-to-man practice in the work, the isolated nature of the programmes and the lack of protection for victims are a threat to the safety of women and children. What is more, they give the woman the impression that the man at least does not consider the violence to be as serious or dangerous as it seems to her, because no one takes any notice of her feedback. The programmes must be safe from the women's and children's points of view. At the moment the Finnish programmes for batterers, both for individuals and for groups, do not in general satisfy this fundamental criterion.

**Synchronising the programmes for men with those for women.** At the same time as programmes for violent men are necessary, even more importantly the victims need support for the trauma caused by violence, and they need empowerment and practical assistance, regardless of whether or not the couple remain together. This is important for the safety of the women and children involved. Furthermore, if the couple do remain together, the man's participation in the programme will introduce new elements and changes in the man's behaviour towards the woman. These changes may be either positive or negative. The man may stop using violence and control tactics, physical violence may give way to psychological violence or he may use aspects of his programme as a way to gain the woman's submission.

The battered woman needs support of her own in order to process the changes taking place in her relationship and in herself. As she begins to feel safe and trusting, she will become aware of the emotions caused by the violence. She often wants to discuss these and tell the man about them, especially if their relationship continues. This may come as a surprise to the man. Too often the men think everything is fine once they have sought help. It is useful in situations such as this to provide programmes for the man and the woman simultaneously but independently.

**Linking perpetrators programmes with penal systems.** The safety of the victim can also be increased by establishing links between perpetrators programmes and law enforcement agencies, the public prosecutor and the probation system. Unlike in some other countries, in Finland a man guilty of violence cannot be ‘ordered’ to attend a programme; it is purely voluntary. I feel that participation in programmes has to be linked with the penal system in Finland, too. The programme should in no way be an alternative to a criminal sentence; programme participation should be mandated as an addition to penal consequences.

This is an essential issue for the victims. From the point of view of the battered woman, the Finnish system of punishment and programmes should intervene more actively in cases of violence. It is not the women’s responsibility to ensure that the men participate in the programmes; it is up to the system dealing with him. As in most European countries, domestic violence is no longer a private matter in Finland, and the authorities and society are under obligation to intervene. Linking the programmes with the penal system would also be a signal to victims that the authorities and society regard domestic violence as a heavy offence to be taken seriously. Right now the message is the opposite: mediation is the only process that links the police and the public prosecutor.

## **Assessment of Finnish Perpetrators Programmes by International Criteria**

**The philosophical orientation of the programmes.** The roots of the violence inflicted by men on women lie in the history of the social and cultural life of societies in which women have traditionally been subordinate to men. Violence against women is a product of (men’s) habits and beliefs surrounding male-female relationships and involves the use of power and control. The violence used by men should therefore be broadly viewed within its social context, not simply as a personal problem. The programmes designed to end violence against women must therefore pay attention to the roots of this violence and the factors that cause it. These considerations should also be part of the philosophical premises of programmes.

Women experience male violence and control as sexist, and as an attempt to gain and boost male dominance. This view should be visible at all stages of a programme’s process and in the programme workers’ attitudes. The Finnish programmes are in general based on the following statements: Violence is the perpetrator’s personal problem; the man is solely responsible for his violent behaviour; violence is wrong and

never justified. These statements are acceptable but they pass over the basic issue: the roots of violence. It seems to be hard for Finnish male programme workers to see violence in its social context and associate it with male-female relationships.

The fact that the Finnish work does not usually recognise the social and cultural background of battering is visible in all stages of the programmes. Violence is not in general seen as a form of intentional behaviour or as the exercise of power, but rather as an expression of the man's personal problems, frustration or aggression. The view that violence is the perpetrator's personal problem is very apparent in Finnish programmes. The violent man is regarded as an individual injured by his own childhood, by his personal life problems and by his own violent behaviour. The approach to the programmes is therapeutic and focussed on anger management and time-out techniques. The view of violence is, furthermore, rather narrow and simplified. The various forms of control used by the perpetrator, which are contingent upon his violent behaviour so as to be a kind of violence in themselves, are not recognised.

The Finnish programmes also work on the premise that the violence springs from the couple's relationship. Couples counselling or couples therapy are often proposed as a remedy. The women usually agree, because they often want to keep on with the relationship and feel it is their duty to try to put it right. They likewise believe that the professionals know the best. The women usually have extremely poor experiences with marital and family therapy. They feel the discussions are often dominated by the perpetrator and make them feel the violence is their fault; that they must understand the perpetrator because he has so many problems. The Finnish work for violent men is also marked by the extensive use of mediation.

**Well-defined objectives and clear structure.** The primary objective of many perpetrators programmes outside Finland is re-education: to make the man redefine his relationship with the woman, to recognise his subordinating, controlling attitudes towards women and to replace these with respect for women. The objectives of the Finnish programmes are formulated as putting an end to the violence and motivating the man to participate in a perpetrators programme. The intervention aims to stimulate the perpetrator's motivation and to make him committed to the programme. It also stresses his accountability for his violent behaviour. While these are important objectives, they are not enough. The programmes should also seek a more profound change in the man's attitudes, beliefs and views about women.

The Finnish programmes do not go into the sociocultural structures that maintain violence, nor do they have a clear content structure. The work is carried out very much on the perpetrator's terms and according to the issues that the perpetrators themselves produce. This is typical of the therapeutic approach to work. The Finnish interventions generally do not systematically go through the main issues related to the use of violence. The intervention should be founded on clearly constructed treatment programmes that are known from experience to be effective and that are internationally recognised (such as the Duluth model in the United States and some of the very similar programmes used, e.g. in the UK and Ireland).

All programmes should, for example, cover issues such as the following: the use of control and power (for example, according to the Duluth power and control wheel); the purpose of violence; the beliefs, attitudes and values about gender that underlie the violent behaviour; the man's (sexist) expectations and their connection with his violent behaviour; the denial and minimising of violence, justifications given for it and the perpetrator's accusation of the victim; the effect of the violence on victims; violence as a criminal act; accountability. If the programme is not carefully constructed, the risk that the victim will experience further violence may even grow during and after the perpetrator's attendance in the programme.

**The criteria for participation in a programme.** The only criterion for participation in a programme in Finland is the willingness of the man to participate in it. There are of course all sorts of motives behind this willingness – fear of losing his family, the desire to solve his own problems or his awareness of the consequences of violence, for example. Failure to recognise the man's motives to change his attitudes and behaviour may, in assessing his participation in a group, endanger the safety of the victim. In such cases the man may, after attending a programme, even devise new means of subordination and control.

**Ongoing monitoring and evaluation.** The Finnish programmes for perpetrators are, generally speaking, short-sighted and there is no systematic assessment by means of, for example, monitoring. Any follow-up that does take place is founded on the man's own assessment. Outside Finland, feedback from the women is considered important in assessing the success of programmes. The monitoring should also assess forms of subordination and control that are more difficult to recognise. The men usually feel their behaviour has improved more than is indicated from the women's feedback. Monitoring and assessment should be carried out throughout the programme and continue after it has finished.

## **Conclusion**

Interest in programmes for violent men seems to be increasing in Finland; this in itself is a positive development. It is, however, worrying to note that the workers do not put in enough study on the different perpetrators programmes, their criteria, focus and effectiveness before beginning their work. Often, it seems, they start to work using the old, familiar methods without questioning their ability to influence the men's attitudes and stop the violence. There is thus a danger that the programmes will generate a false sense of security in both the victims and the perpetrators. This may put the victims at risk for renewed violence.

Workers starting programmes for violent men should first undergo specialist training, think about the principles and orientation to which it is best to subscribe and study the programmes on which there is material available. It would also be good to have female and male group counsellors working together, so that the men in the groups can mirror their relationships with a woman.

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## *Findings of Work Group Three*

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# **Treatment Programmes for Men Who Use Violence**

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The topic of this workshop was treatment programmes for men who use violence in the family (perpetrators), but the working group was of the opinion that violence against women should not be defined only as domestic violence.

Women's and children's safety was seen as an essential priority for perpetrators programmes for men. These programmes must work in close co-operation with women's support systems and the whole social work network. Evaluation and monitoring procedures should be integral parts of these programmes. These approaches are necessary because of the potential for abuse of the services by the perpetrator. Many abused partners stay in a relationship with their abuser once their abuser accesses help; the simple act of offering programmes for perpetrators has a built-in risk of raising in the victim a false hope for an abuse-free relationship. The promise of change might further endanger women and children. Programmes must make provision for contacting partners to discourage unrealistic expectations about the potential for change in violent partners as a result of their attendance in perpetrators programmes.

The victims should be provided information about the men's programmes and the perpetrator's performance. A man's partner must be informed that he has started a programme, and of his attendance, absences and when he leaves and why. Sanctions must apply to breaches of control. Victims should also be informed about their own rights and about resources and services available, and be offered support and counselling. This must be done with concern for the risk of implicating the victim. The separate provision of enough independent women's services and refuges must be ensured.

Clear guidelines on confidentiality must be given to all parties in the beginning of the programmes. If there is any concern for another's safety, other agencies and the woman herself must be informed and warned. Partners and others at risk must have complete confidentiality unless they expressly give permission for information to be communicated. Women partners must be given the opportunity to have confidential contact and consultation with the project at every stage of the process, if they so choose.

Offenders must be held accountable for their abusive and violent behaviour. It should be understood that violent behaviour is not limited to physical violence, but also includes psychological, sexual and economic violence and involves a range of controlling behaviours that are not overtly 'violent'. These other forms of violence must also be targeted in perpetrators programmes. The issue is about power and control in the family. It is crucial that violence be seen in its social context and as associated with gender relationships, not as a personal problem. Programmes should be committed to re-educating violent men to change their beliefs that they have the right to control and abuse their partners.

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

It is also essential to provide immediate responses and help to the victims, offenders and others who are involved, within the same day if 24-hour crisis services are available. Immediate involvement is especially important to offenders, because just after committing a violent act they more easily assume liability for their actions. It was proposed that all services should be free of charge.

Children's safety and need for help must be raised as a special issue. They and their position are most easily forgotten. Child protection must be integrated into perpetrators programmes.

Many speakers stressed the lack of evaluation of effectiveness in these programmes. To measure effectiveness there must be many sources of data on programme outcomes: men's accounts, women's accounts, children's accounts, workers' assessment, police reports etc. Effectiveness can be measured as less physical violence, no physical violence, no abuse, change in the perpetrator's attitudes, and in terms of the woman's safety, children's safety and safe separation from the perpetrator.

Couples therapy, anger management and mediation are not appropriate means by which to address men's abusive behaviour towards women. It is not appropriate to offer or suggest couples therapy, except subsequent to a man completing a perpetrators programme and after a suitable period where the man exhibits no violent behaviour such that his partner can enter couples counselling without fear for her safety.

There was also discussion about the danger of redirection of resources from under-funded women's services into untested men's programmes.



## *Work Group Four: How to Research Difficult and Sensitive Subjects*

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Violence is a multifarious problem, the extent, forms, and consequences of which have not been studied in depth. Research brings the needed tools for preventive work and social change to combat the violence of men in its various manifestations. However, doing research on powerful and sensitive issues such as men's violence against women, including sexual violence, prostitution, and the violence in male culture, meets various obstacles in societies and academia. These obstacles represent the resistance of patriarchal societies against de facto equality and women's human rights.

The first objective of this work group is to map and analyze the political, social, and emotional barriers that often collided with in doing research on these kinds of difficult and sensitive topics. Secondly, the work group will focus on the research done on buyers of sex, giving some of the latest examples of applied knowledge. Finally, work group members will present examples of methods and practices used in surveys on violence against women and in studies on sexual violence. In summary, the work group will analyze and further develop ideas on the applicability of research results in the prevention of all forms of violence against women.

Chair:	Merja-Maaria Turunen, Finland
Rapporteur:	Marjut Jyrkinen, Finland
Speakers:	Jalna Hanmer, U.K. Suvi Ronkainen, Finland Gun Heimer, Sweden Markku Heiskanen, Finland

# *Buying Sex: Responding to Kerb-Crawlers*

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To research gender is to research a sensitive subject. Inherent in gender relations are differential powers to name, to explain, to define, to determine where and how resources are allocated and how much. Nowhere is the subject of research more sensitive than in the study of the exchange of money for sex.

Violence against women in prostitution is relatively well documented in the sense that we have information from many countries. Descriptive data are available, but not necessarily quantitative data that can be compared and statistically analysed.

The exchange of money for sex can be organised in many different ways. It can involve trafficking across national borders, the movement of women within national borders, and a very local involvement by women and by the men who pay and those who organise the business. Receiving money for sex can be a regular or irregular activity, a main source of income or a top-up. It can be a survival strategy or done for 'love' of a boyfriend/pimp or through a form of slavery, either against a woman's will or with different conditions than anticipated, i.e. no payment, loss of passport and so forth.

Today I want to present a view of the issues involved in prostitution of which I am particularly aware of because of a small, pilot programme in which the Research Centre on Violence, Abuse and Gender Relations has had major involvement. The Kerb-Crawler Re-education Programme began to be offered through the Centre in 1998 as a diversion from court for men reported for the offence of kerb-crawling. In response a national organisation, Cause for Concern, was set up by other groups to oppose this small pilot programme. Cause for Concern is made up of pro-prostitution groups, a few academics and health-service funded HIV/AIDS groups aimed at both men and women in prostitution. This organisation made vigorous attempts to obtain media and other publicity, including sending letters to employers and others to denigrate and misrepresent the Programme and those involved in it.

First I want briefly to review some of the literature on prostitution and some of the major issues that are frequently brought up.

## Justifications and Theoretical Points of View

Perspectives on prostitution reveal points of view. Because explanations and justifications of prostitution cannot sustain a 'victimless' analysis, the discussion often turns on who objects, why they object and the futility of their objections. The legitimacy of the points of view of those who object is under attack and the status quo is being defended.

Theoretical perspectives define objections to prostitution as the result of

1. moral panic,
2. puritanism or anti-sex views,
3. 'othering' or scapegoating prostitutes as polluting,
4. identifying commercial sex work as a cause of crime such as illegal drug sales, or as environmental degradation or an ethnic problem, rather than as a symptom of the problems affecting marginal inner-city areas and,
5. as a result of protests of Muslim communities in the UK, community protest can be described as 'masculinist claims to public space'. The views and role of women disappear in this analysis.

Or the focus is on the assumed result of objections to prostitution, such as

6. never achieving any real results. Displacement or deflection of women is said to be the overwhelming result of anti-prostitution measures. Another 'result' of objecting to prostitution is that it
7. makes things worse for women. The vulnerability of prostitutes to violence and exploitation is said to be heightened by forcing them to work more covertly in isolated areas away from residential populations. Pro-prostitution forces have resisted attempts to define prostitution as violence against women by arguing that it is sex work, an occupation like any other, and at the same time demand better policing and community toleration so that violence decreases. To attempt to intervene in anyway to reduce the amount of street prostitution or to interfere with a man's purchasing of women is seen as increasing violence against women.

These defensive theoretical strategies raise fundamental issues about developing better theory based on an analysis of the activity and on incorporating the actors involved and social, cultural, political and economic contexts. More adequate theoretical explanations will require a fully gendered analysis of prostitution.

A human rights violation approach begins this analysis by incorporating both violence and gender. Violence against women in prostitution takes all forms and is at least twice if not three or four times as great as violence against women who are not in prostitution. While statistics vary, approximately one in three women in the UK not in prostitution will experience domestic violence sometime during their lifetime. Physical, sexual and emotional violence are even more commonplace from boyfriends/husbands who actively pimp or more passively financially live off women.

Men who buy sex commit sufficient physical, sexual and emotional violence that any woman in prostitution for any length of time will be able to recount one or more of these experiences. Women also face harassment and, on occasion, violence from the communities in which they are located. The experience of violence is endemic for women in prostitution.

## **Structuring Prostitution**

Prostitution has three points for intersection – the woman herself, the man who buys her and the person who organises the business (who can be male or female, but with street prostitution, it is men who organise the business). In the UK statutory agencies come into contact with these three dimensions in different ways, and differentially. The greatest contact is with the woman herself through policing, social services and health services. Men, either those who purchase sex services or those who organise the business, whether this is an individual pimp or the manager or owner of brothels, are often absent from the discussion or are only marginally present.

**Policing.** With the police, spatial isolation is the most common form of regulation of prostitution (Symanski, 1981). Surveillance and separation practices of the police contain prostitution in specific locales where they seek to monitor and control the situation. Social services have mandatory child protection responsibilities that can result in social workers responding to girls or to the children of older women in prostitution. Health authorities fund groups to distribute free condoms and needles for drug users as a public health initiative to control HIV/AIDS.

In the UK anti-prostitution law mainly focusses on the prostitute woman. The 1959 Street Offences Act makes it illegal for a common prostitute (labelled as such following two uncorroborated police cautions) to loiter or solicit for the purposes of prostitution. Women are repeatedly arrested and fined, and may be sent to prison for the non-payment of fines. Women in prison for many different offences have often engaged in prostitution.

The only law directed at men who buy women is the 1985 Sexual Offences Act. This targets ‘persistent’ kerb-crawlers or those whose behaviour is deemed as likely to cause ‘annoyance’. Men are reported, not arrested, for a nuisance offence. It is much more difficult for the police to establish the legal offence of the man who seeks the sexual services of women, either in his car or by foot, than to arrest a woman.

Benson and Matthews draw attention to the selective and ad hoc manner in which these powers are used by the police (1995). While ostensibly responding to public complaints, there are wide disparities between the policing of prostitutes and kerb-crawlers in different police forces. Police adopt a laissez-faire attitude to prostitution in some areas, which serves to spatially constrain street prostitution and makes it easier to arrest women and the men who buy them if public complaints precipitate a crackdown. This common policing response leads to the view that ‘the policing of prostitution has been fundamental in the creation of red-light districts, by effectively making it

impossible for clients and prostitutes to meet elsewhere' (Lopez-Jones, 1990, p. 658). The aim of the Home Office is not to eradicate prostitution, but to 'prevent the serious nuisance to the public caused when prostitutes ply their trade in the streets' (Edwards, 1987, p. 928).

Men who live off the immoral earnings of women, a legal offence in the UK, are almost never prosecuted, even when there is systematic and extensive violence. As with domestic violence, the lack of prosecution is seen as a problem caused by the victimised woman as she refuses to give evidence in court. There is law to protect vulnerable witnesses, i.e. the crime is against the state, not the individual, but this is difficult to implement. Actions to systematically and pro-actively target prostitutes, kerb-crawlers and pimps at the same time are rare, if this ever occurs.

Given this situation it is inevitable that from time to time local communities take the initiative in attempting to drive out the women and the kerb-crawlers through a variety of activities. The most notorious in the UK have taken place in Muslim areas where men in the community have attacked women in prostitution. Other more peaceful means of protest include taking registration numbers of kerb-crawlers' cars and handing these to local police, and forming community-watch pickets and street patrols aimed at disrupting the work of street prostitutes, with local media reports on community actions. As community activity increases, the police increase their policing of community activists and become more pro-active in relation both to the women and to the men who buy them.

Community activity can substantially reduce the number of women on the street and the number of kerb-crawlers, but to maintain a reduction, the pressure has to continue (Hubbard, 1998). The burden of continuous action is on members of the community. Both residential and business areas object to the presence of street prostitution. Local businesses, whether offices or service industries, object because street prostitution adversely affects their trade. Public institutions, such as universities, will object when the local street scene is too close to the campus. Problems for businesses and for residential communities include sweeping up condoms and needles at the start of the day, putting up with excessive noise, litter, pollution from increased traffic from kerb-crawlers, harassment and threats to women and restrictions on children's outdoor play.

While it is said that the differential ability of social groups to control space means that prostitutes are forced to live and labour among those with minimal social and political power (ethnic-minority residential areas), the street scenes in West Yorkshire do not totally conform to this pattern. Two of the street prostitution scenes conform to the view that vice and ethnic 'otherness' go together, while three are in business areas.

When local communities or businesses increase the pressure, displacement is the usual response by those who organise the business and by any women not being pimped. Women in prostitution are regularly moved in any case, from the north to the south and back. Over time many women will have worked in many UK cities and in both indoor and outdoor locations.

**Social services.** The criminal justice system's response to child prostitution has altered in the UK. Children in prostitution, particularly those under 16 years of age (the legal age of consent), should receive child protection interventions rather than undergo criminal prosecution. They are to be seen as sexually abused children and not sex offenders. This puts an additional focus on social services, as children in public care are particularly vulnerable to grooming by pimps for prostitution. In the UK pimps recruit from local authority children's homes. Children previously unknown to social services picked up by the police are to be processed in the same way as other child abuse cases (see the Appendix for examples of how children are inducted into prostitution). This Government has acted to raise the standards of social services by requiring that the outcome for children in care should be no different from the outcome for children not in care. Achieving this standard, however, is another issue.

**Health.** Health authorities in the UK provide funding for the distribution of free condoms and sterile needles for drug users. The voluntary groups in receipt of these funds are not required to assist women to leave prostitution. As with policing this is a strategy of control, this time to curtail sexually transmitted disease, in particular to prevent the spread of HIV/AIDS. These groups may adopt the view that any attempt to reduce street prostitution is retrogressive.

There are a few voluntary agencies that offer practical responses to children in prostitution, but services to assist women to exit prostitution are very marginal and poorly funded, if at all. In practice, little is available to assist girls and their families to prevent a girl's entry into prostitution. Good practice guidance on how to assist women in prostitution is just beginning to be offered to professional and other workers (see FRANKI, 1999).

In conclusion, neither violence against women in prostitution nor the fact that so many of the women being recruited are under the age of 18 has been decisive in establishing consistent pro-active agency responses to protect the vulnerable or to pursue those who commit crimes against the person.

## **Who Uses Prostitutes?**

The idea that street prostitutes cater solely for a local market, with off-street workers catering for tourists or visitors, has been challenged as erroneous (O'Neill, 1997). For example, regarding one area of London the police profiles suggest that the men who buy women there live from within four to six miles of the street scene (Matthews, 1993). However, the West Yorkshire data suggest that local street scenes primarily draw men who are resident in the same small city or town. This suggests that easy availability increases the use of prostitutes by men. Personal and demographic data gathered from men in the kerb-crawler diversion-from-court programme replicate data from other studies, although no precise measurement is possible given small sample sizes and the ways in which samples have been obtained. For example, data on age, marital status, children and occupation suggest that any man may be a kerb-crawler.

The 70 men who attended the kerb-crawler diversion-from-court programme in the first 11 months had the following characteristics:

**Age.** Three out of every ten men were 19 to 30 years of age. Four of every ten men were 31 to 40 years old and there was one of every ten men in each of the following ten-year age groups: 41 to 50, 51 to 60, and 61 onwards. While men from all communities were reported for kerb-crawling, the 20% who were Asian men were disproportionately represented (40%) in the younger age-group, 19 to 26. This may reflect the stricter sexual moral code for women in their communities.

**Marital status.** Six out of every ten men were either married or cohabiting at the time of the offence. One out of every ten were separated or divorced, while the remaining three out of ten were single.

**Children.** Eight out of every ten men had children. The children ranged in age from 3 months to 31 years. Men were more or less equally represented according to the gender mix among their children.

**Occupations.** The men had both manual and non-manual occupations. More were drivers of taxis and heavy goods vehicles than were in any other single occupational category. Other occupations of one or more men were: analyst, builder, butcher, chemist, director/manager, engineer, gardener, labourer, landlord, mechanic, metal worker, printer, prison officer, retailer, retired, sales representative, security guard, self-employed, shopkeeper, social worker, student, technician, tool maker, unemployed, waiter.

## Research Issues

If, therefore, we are researching and attempting to make a practical response to ordinary men in the community, what are the issues for research and for practice? Men are silent about forms of violence against women generally (Hearn, 1998). Gaining good data from men who buy prostitutes' services is more difficult than obtaining good data from women in prostitution. Gaining good data on criminal behaviour directly from the criminal, particularly prior to their arrest and incarceration, is even more difficult. Researching the powerful is always a minority activity; in this instance it is complicated by criminality and the involvement of many men from all levels of society and from all ethnic and other groupings. Access is a major issue, as is funding.

To adopt a critical stance in research or in practice regarding prostitution is to be critical about men's behaviour. It has taken 25 years for the state in the UK to accept more or less fully that violence in a domestic setting is unacceptable. We must expect an equally long haul on the exploration of men's involvement in the commercial business of prostitution. A decision to find it unacceptable will free funds to provide services for women to exit prostitution and encourage approaches to men that aim to reduce or prevent their engagement with paid sex.

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## Appendix

These two case studies were taken from a guide on good practices produced by a voluntary organisation named FRANKI (1999).

**Case Study 1.** Jane was placed on the ‘at risk’ register, and when she disclosed sexual abuse, she was taken into the care of the local authority. She went from care homes to foster homes and back to care homes over the next few years. During one of her stays in a foster home she was again abused, this time by the foster father, and was taken by him to be abused by other men. She disclosed this abuse despite threats of violence towards her by the man. She was sent to another care home, but by now she had a reputation for being ‘difficult’. She absconded on a regular basis and had secretly started to cut herself and to sniff glue. During one of her periods of abscondment, she met a group of young people who introduced her to drugs and for the first time she felt as though she had a family, people who cared about her and, she felt, looked out for each other. She also began to ‘do’ the odd punter to gain some cash or even a bed for the night. Her use of drugs escalated so she had to work almost continually. She acquired a boyfriend who was a heavy drug user, after which she needed to work to buy drugs for him. If she did not, he would hit her and tell her how useless she was. Jane is now 19 and heavily addicted to crack cocaine. She has a new boyfriend who expects her to work to maintain his habit. Jane’s only contact with any care-providing agency is with a health project that supplies her with free condoms.

**Case Study 2.** Louise, an intelligent girl of nearly 15 years studying for her GCSEs, lived with her parents and two brothers in a quiet suburb. She was quiet and shy, not very good at socialising. One of her few friends invited Louise to visit a club with her and other young women. Her parents agreed. While there she met a man who seemed very sophisticated. He was older, attractive, with money to spend. He offered her a lift home and Louise, flattered by his attentions, was thrilled to accept. She could hardly wait to tell her friends about this new boyfriend. She did not tell her parents, as she knew they would think he was too old for her and would not approve. She began to tell lies about where she was going and with whom. He laughed at her and told her she was a baby when she said she had to be in by a certain time, and he introduced her to alcohol and soft drugs. Relations with her parents became strained with Louise coming home late, drunk, and her lies became known. Her schoolwork suffered, she started to be truant and to stay out some nights. By now she was having a sexual relationship with her boyfriend and was totally in love. Friends and family warned her she was heading for trouble, but she would not accept any criticism of him. After another row at home she left and moved in with him. Her parents were frantic, but did not want the police involved and could not obtain help from social services.

Louise’s boyfriend now told her of ‘cash flow’ problems and that she would have to help him out; after all, he had spent a lot of money on her. She was to be ‘nice’ to a business acquaintance visiting on the weekend. Louise was horrified, but because she loved him she agreed. Afterwards his attitude changed radically; he was cold to her and started to hit her if she did not do as she was told. This included having sex on a more and more regular basis with his ‘business’ friends. Louise discovered she was not his

only girl, but he told her he loved her and the others were just business. Eventually he had her working the streets along with his other girls. She moved onto hard drugs to help her cope with the life she was living. Since he was the local drug dealer, she gave him all her money in exchange for drugs. If she did not do enough business he would cut her drug supply. Louise is still on the street and her parents know where she is, but have little contact with her.

# *Why Does Gender Matter*

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## **in the Web of Power and Violence?**

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‘Looking back, it’s hard to understand how it happened that I was living in a marriage in which I was beaten. You can still hear women say that if their husband hit them once they would end the marriage. But everybody who has undergone a violent relationship knows that it’s not as simple as that.’

The above quote comes from an autobiographical piece of writing in which a woman who previously lived in a violent relationship takes a backward glance at a violence-ridden phase in her life.<sup>1</sup> How did it all happen? The same question also puzzles psychologists, social workers and researchers, who, despite the scientific explanations, still remain almost as bewildered as the first-person narrator in the fragment above. I can share their puzzlement and do not venture to answer that question in this article. Instead, I will examine the various ways and viewpoints through which gender matters in the phenomena and actions that in gender-neutral terms are called violence and power. What are the different ways of analysing gender and violence – sexualised violence? At the end of the article, I will take a stand on the term ‘violence against women’. I will explore what this phrase and the viewpoints opened by it encompass and exclude.

Throughout the text, I discuss the paradox of violence targeted at women: the gendered structure of violence has been known for centuries. It is one of the cold facts of life which already distressed grandmothers and great-grandmothers when they warned against taking a husband who was a drunk or had a temper, and with which the first-generation feminist movement and women MPs concerned themselves when in the early 20th century they proposed statutes to protect women in public places. In the autobiographies of ordinary Finns, such as those compiled by the Finnish Literature Society, depictions of childhood ordeals in the family are commonplace. Nonetheless, in public, violence against women has been passed over in silence. There is hardly another question whose gendered nature, or, rather, sexedness, is so widely documented, but which causes such uproar when the sexedness of the phenomenon is discussed. It is my intention, then, to answer the question of why is it so difficult to

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<sup>1</sup> The autobiographical quotes that I use in the text have been collected by the Council for Equality and have been partly published in the book *Väkivallasta vapaaksi. Naiset kertovat kokemuksistaan* edited by M. Kuivaniemi (Helsinki: Kirjayhtymä, 1996).

accept that violence is sexualised and why, if this is denied, it leads to asking the wrong or even harmful questions about power and violence.

## **Empirical Actors and Gender**

The most obvious way of analysing the connection between gender and violence is to examine violence in terms of the gender of the empirical actors: How are women and men divided as perpetrators and victims of violence? In terms of exercising violence, manifesting violence and asserting oneself through violence there is a clear division of labour between the sexes. When it comes to violence, men are the experts. After the legal term ‘infanticide’ – specifically referring to the killing of a newborn by its mother – was excluded from the statistics, male dominance in all documented forms of violence in Finland has become unquestionable: manslaughter, assault and battery, sexual violence, domestic violence, sexual exploitation of children, sexual harassment and abuse as well as aggravated violence against children. Over 90% of the perpetrators suspected of sexual and violent crimes are men. The difference is so overwhelming that even if you take into account the male victims of family violence who are too ashamed to report the offence, it is hard to believe that this would explain away the disparity. Male expertise is further highlighted when one looks at violent professions and taking pleasure in violence or in continued violence. People parading in the boots of a police officer, guard or soldier tend to be men, and persons indulging in violent entertainment, pornography and prostitution often comprise young boys and men. The role of girls and women is to attend to the resulting wounds and in practice to shoulder the responsibility for the implications of violence as professional caregivers and as mourners. Not infrequently, they are also the real or symbolic victims, expendable and anonymous bodies, especially as regards sexual violence.

Constructed through empirical actors, the connection between gender and violence reflects the general and the typical. Gender is simply understood as a background variable consisting of men and women. This level of sexualisation tells us nothing about individuals or meanings, or about the scope and strength of sexualisation. This general description based on statistics does not give an accurate picture of male or female nature, either, if indeed such things exist. It is as misleading as drawing conclusions about the Finnish character by saying that statistically 80% of Finns eat ham on Christmas Eve. Nevertheless, as a relatively recurrent and universalistic description, it refers to the sexualised structure of violence, the central position of which is not challenged by the fact that an individual woman may kill or sexually abuse somebody. Such instances are exceptions that prove the rule. What is a pertinent question is why this irrefutable male expertise has not been critically discussed in theories on violence and ways of trying to understand it, and what this, in turn, tells about the meanings attached to violence. Has it been so self-evident that it has escaped detection or does it tell something about the power structure through which the question is examined?

## **Ignoring Gender and Violence as a Manifestation of Androcentrism**

An examination of Finnish criminal history and criminological research further reinforces the notion of the self-evident masculinity of violence. The forms of violence that have been analysed happened in public places, involving village brawls, peasants' unrest, murder and conflicts between men or groups of men; manifestations of 'male culture' without any special attention paid to the word 'male' (Ronkainen, 1998, pp. 6-8). Taking things for granted is also reflected in news on violent acts. When a man kills another human being the newspapers do not call him a killer man, but if a woman kills somebody she will be dubbed as a killer lady.

Given that violence is a serious social problem, this obvious truth does not, however, explain why people fail to proceed by asking what is wrong with men and manhood.<sup>2</sup> Why is it that men in particular are incapable of controlling their violent behaviour, and why do they consider it their right to trespass on another person's body and exploit it? Crucial and obvious though it is, this question has not been posed in Finland as a public concern until now, in the late 1990s. On the other hand, the question of what is wrong with women who 'seek' or 'cling to' violent relationships, or how this 'female masochism' is constituted, belong to the canon of psychological literature on relationships. By the same token, an effort has traditionally been made in criminology and psychology to ponder what exposes a person (i.e. a woman) to sexual exploitation. Therefore, one must ask whose gaze or viewpoint, and, as a result, hidden interests, are intertwined within the ways in which various institutions and perhaps culture in its entirety conceptualise violence. This question leads to the analysis of gender and violence through gendered cultural practices.

So, what would happen if the question were asked in some other way? At the least, it would lead to the critical assessment of manhood and masculinity. If this were to happen it would abolish the symbolic privilege associated with manhood. It is a question of a cultural subject that determines, or the viewpoint through which things are looked at and the criteria which are used to determine the important and unimportant. The subject who sets the criteria for hierarchy and evaluation remains outside criticism and actions. A term often used in this connection is androcentrism, which already includes the answer to the question of which gender is inherent in it: Western culture, especially in its ways of discussing and defining the general, the public or the human, is androcentric. We look at society and phenomena in it through an 'androcentric prism', as Anneli Anttonen (1997) puts it in her doctoral dissertation.

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<sup>2</sup> For the sake of comparison, take the socio-political debate on motherhood, for example. Mothers are self-evidently women to the extent that no mention is made to their gender. And equally self-evidently they are treated as the principal caretakers of their children. This has not prevented socio-political conventions and the flourishing psychological literature from examining motherhood and womanhood in a critical light. Who, then, are problem mothers, unable to rear their children, how do disturbances in womanhood lead to problems in accepting motherhood etc?

Androcentrism should not be understood as a patriarchal conspiracy or a mystical power dimension; it is about self-evident truths established in thinking and speech patterns. The easiest way to understand androcentrism is to examine it through the historical construction of the public sector. In practice, the public, state, municipal and political sectors have constituted a domain of masculine actors. While this public field has subsequently become more equitable and feminine, it would be ill-advised to think that the relevant practices – i.e. ways of understanding and imagining solutions – do not reflect the history underlying them. This history takes a clear stand on what is important and what is not, where to find solutions, who are the targets of the measures taken, e.g. who are the people that should be taught. In this history, men who determine possess no gender; they are the neutral we, people, the people consisting of gender-neutral individuals. Two things will happen: on the one hand, masculinity and men as a group escape unscathed by criticism in the same way as the elite are excluded from research in Western social sciences. On the other hand, the historically constructed male viewpoint appears unsexed and neutral: non-viewpoint, non-experience, non-particular. Thus what is supposed to be gender neutral incorporates a hidden and perhaps also unacknowledged gender interest. One manifestation of androcentrism is that the issue of gender is always one involving women – not men – and also a specific issue which does not concern general procedures.

In practice, androcentrism is seen, for example, in the criteria whereby something is defined as a social problem and in the ways of finding and motivating solutions. While family violence has been known to be a problem for a long time, and while it is common knowledge that the male is the violent party in the relationship, it was not until the 1990s that groups were established for violent men and demands were made that the perpetrators must face the consequences. By the same token, over the centuries the treatment of some issues, such as prostitution, has been dominated by measures targeted at women and by a debate on the sexual rights of men. Even today, there is no such discussion on pornography or on its detrimental impact – the negative effects of the pornographic industry, such as the violation of femininity – that would challenge men's immemorial right to this masculine pastime. Instead, women are required to change and even give up their rights so that violence would stop: avoid dark allies so that you will not be raped; keep an open mind on sexuality so that you are not offended by so-called erotic advertising; cultivate your sense of humour so that you can find sexually explicit jokes amusing; practise self-defence, determination and verbal skills so that you can defuse threatening situations etc. However, it has not been equally self-evident that such demands to readjust and adapt could be placed on men, a fact that is only understandable when we recognise that the public viewpoint is that of men. Androcentrism has guaranteed it that men and manhood have escaped demands for change.<sup>3</sup>

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<sup>3</sup> I will present the logic of androcentrism very briefly here. A deeper analysis requires examination of which men and what kind of masculinity provide the determining viewpoint. Race, social class, sexual orientation and ethnic differences, let alone, e.g. physical differences, also affect the viewpoint.

The dissection of androcentrism leads through an examination of the connection between violence and gender on the actor level to that of the gender of cultural praxis and discourse, which can be understood as the gender of the defining subject, as in my example, or as the power dimension of so-called discursive practices. Proceeding further, one ends up analysing meanings through representations, i.e. through ideas, conventional descriptions and the symbolic order of culture. The latter is hard to conceptualise and describe linguistically, a fact that as such tells something about symbolic order. It refers to the culturally unacknowledged, the fundamental symbols and categories based on which culture, and language in particular, are organised. Symbols are recognisable: for example, the cross symbolises the church, blood stands for life, food often symbolises a woman, etc. But at the same time the meaning of the symbols cannot be articulated. Anthropologically, symbols are often understood as metacommunication underlying meaning and which in itself is beyond communication. So, although we use symbols in interaction, and as embodied persons symbolise certain things ourselves, we do not speak at the level of symbols but of meanings (Solheim & Botchgrevink, 1993). The term ‘order’, in turn, refers to the fact that symbols are not haphazard but construct order, such as hierarchical order. In the next chapter, I will proceed to analyse the sexualised meanings of violence by starting with representations and moving on to an example of how symbolic order functions, thinking about what the corporeality of the actors symbolises in connection with an act of violence.

## **Meanings, Representations and Lived Symbols**

Gender cannot be reduced to the actions performed by actors called men and women, but what is central is the way in which meanings associated with femininity and masculinity are intertwined within power and violence. It is a question of the gender of culture and its symbolic order. One aspect of it, easily recognisable in everyday settings, includes the representations of masculinity, femininity and violence. Representations can be understood as established, culturally shared ideas through which meanings are performed and performances are signified. Representations constitute a part of our social skills, or shared conventional ways of understanding and explaining the world. Therefore, they provide guidelines for what can be expected of certain actors in given situations and how to interpret what has happened. The most important representations are exactly those used to signify social categories: people and groups of people as well as their relationships.

Masculinity, strength and power – with violence as one manifestation of it or an instrument for gaining power – and, connected to this, womanish behaviour as cowardice, as the antithesis of masculinity, are dominant ways of signifying action and actors. This signification makes violence sexualised, even in a group comprised of just one sex. Signification is also otherwise detached from so-called biological gender. Therefore, a girl who has the ‘balls’ to resist is totally different from the girls who fight like women (see Honkatukia, 1998, p. 202). The sexualisation of the meanings of violence is particularly clear in the key division of labour between the sexes: motherhood and fatherhood. A mother who beats her child is simply a bad, unfit mother instead of the caregiver and protector, the source of comfort, that she is

supposed to be. A father who bashes the child is not applauded, either, but in cultural understanding paternal authority includes disciplinary action, so that unlike the mother who hits, a 'stern' father does not fail in his role as a parent. The emphases and focal points are subject to change but they are there. A recurrent question in incest cases is how it is possible that the mother did not notice anything – she failed in her duty to protect the child, making her almost as accountable as the father. The attributes attached to womanhood and motherhood transcend a woman's violent behaviour as a mere act – they start to determine her as a woman and mother, and at the same time conceptions of womanhood, motherhood and her position in the family often make the woman – in practice and ideologically – accountable for violence in the family. And this is what happens – even inadvertently – when gender is ignored in connection with violence.

I will not proceed further on the representations of masculinity and violence, as Arto Jokinen's article ('Cultural Construction of Men's Violence' in this publication) is rich in examples of how these two are linked in Finnish culture. Instead, I will give an example of how these cultural meanings, which intertwine between the power and violence of masculinity on the one hand and femininity, weakness and powerlessness on the other, intersect in actual life. Although cultural meanings are in a sense 'bodiless' and at everyone's disposal, the actors are not bodiless but embodied as they possess female or male bodies, which are symbols as such. Therefore, the cultural strength of symbolic order resonates with the embodied actor. From representations I move on to lived symbols, which I analyse through the viewpoint of positioning oneself as a subject in the next example.<sup>4</sup> This interview fragment, quoted from a study by Kirsten Skjørten (1988), leads to this analytical level. In the fragment a woman, who has experienced a violent relationship, describes an incident after which she felt really oppressed and raped.

He'd been very quarrelsome. In the midst of all his ranting and raving he said abruptly: 'Go wash yourself.' – 'No,' I said. 'I don't think I want it now. It doesn't feel right, now that we've had a fight.' -- Well, he took a chair and cornered me against the bookshelf so that I thought it'll collapse on me. He asked me, 'Do you dare give me a hard time, to resist me?' -- 'No, no, no' -- 'Damn, you're wretched,' he said, 'Letting me scare you.' But he'd have hit me if I'd have said yes, you see.

The interviewee said that she went to the bathroom to wash up and that she burst into hysterical tears there. She just stayed there lying on the floor and crying until her spouse entered, yelling 'Stop pretending. I'm getting sick and tired of you!' They took a shower together. Later, as she was drying herself, he said, 'Darling, I was really mean to you.' He comforted and caressed her, and she started crying again. And abruptly – after all that had happened – he said that he wanted her to give him a blowjob. He says, 'Now I'm being really mean.' 'Yes you are,' she said, 'Why?' (Skjørten, 1988, p. 150).

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<sup>4</sup> The analytical level of symbolic order would also lead us to think about the unconscious and the birth of self, too broad a subject to address here.

Basically, nothing much ‘happens’ in this fragment, yet it is full of ways in which sexualised meanings and symbolic order are combined, constructing a hierarchy between the sexes through violence. In it, both symbolically and practically, womanhood is turned into the antithesis of being a subject. At the same time, both symbolically and practically, hierarchy is created in order to legitimise the exclusion of femininity from the domain of the subject’s rights. So, what does actually happen in the fragment?

The context of this fragment is a heterosexual relationship. In the context of romance and love this heterosexual relationship should be a union between two equal partners. In the fragment, this is not the case. The man is physically stronger. He threatens the woman, who is afraid of him and who cries in front of him. Because she is frightened, she does not say what she thinks, she loses her resolve and submits. However, she is not a heroic victim who suffers, gnashing her teeth; she cries. Crying does not amount to a protest. It is an unintelligible language, which nevertheless reveals weakness and submission. So the woman is telling a lie, thus giving the man an opportunity to project his fears, shame and sense of guilt on her. It gives licence to hold the woman in contempt. Shame, like many other emotions, is interactive. Thus contempt and disgust also spawn shame.

The woman does not escape, does not leave; instead, she places her reliance on her tormentor. She submits to intimacy despite what has happened, she surrenders under the spell of promised love. She trusts the hand that now caresses instead of hitting. A hand that punishes and rewards, the hand of God (Lundgren, 1993, pp. 99-111)? Instead of making contact, the man detaches himself. He shows his detachment by disgracing the woman and by penetrating her mouth in a situation where the woman, who is vulnerable, would need comforting. It is especially pertinent that this fragment concerns the mouth, the channel for voicing one’s opinion. By demanding a blowjob, he openly despises her only way to become a subject and defend herself. The woman submits in the face of (physical) strength, and is deprived of her voice and right to speak. The shame is devastating. The protest has been eliminated. Therefore, there is no point in protesting against the act and insult. You can only ask, rhetorically, why?

And so the woman is revealed as an object in the eyes of the subject who would never be an object.<sup>5</sup>

What makes this description so violent is that it shows how the significance of gender, of power and of violence – as means to disgrace – are interlinked in a way that renders the woman and person in a female body a bad subject. This process was analysed by

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<sup>5</sup> The devastating and godly aspects of shame are connected in Jean-Paul Sartre’s thinking. It (the other) that sees, an external authority which assigns value and defines, is based on an ontological character. It is about shame before the eyes of God and recognition of one’s objecthood before a subject that can never be an object (Sartre, 1956, *Being and Nothingness*, p. 290, ref. Schneider, 1992, p. 132).

Ullaliina Lehtinen (1993; 1995). She links shame with femininity and with the way in which femininity is symbolically represented in constructing symbolic order and hierarchy. A special space has been reserved for femininity as a source of shame in Western culture.<sup>6</sup>

Subjecthood is a key factor in defining symbolic order, the psychological self and citizenship in a modern society. The term 'subject' is hard to translate into everyday language or to define. Grammatically, the subject is a syntactic element denoting the operator. In a legal connection, the subject refers to parties which have rights under the rule of law, such as civil rights associated with citizenship. In psychology, 'subject' refers to the self that is acting. In general communication, the difference between the subject and object is clear enough – the actor and the target. The common denominator for all these interpretations is that subjecthood resembles a position which enables one to control one's self and one's fate. Subjecthood appears to be void of content and to be neutral, and everybody seems to be eligible for the position of a subject. Nevertheless, openness and neutrality become inaccessible in the discursive practices and representations that determine subjecthood. You must be a subject in a particular way in order to qualify as one (Gatens, 1996, pp. 22-26). A subject such as this is separate, having solid boundaries and an ability to defend them. A subject such as this controls his or her life, makes choices with the self as a starting point and does not submit to slavery. Such a person is an individual actor, who is active, wants things and makes choices. Such a subject deserves a position as a subject with a right to speak, know and act. A position that constitutes a part of his privacy, a space of his own. A position from which to perceive, assess and define. By capturing this position an individual has rights.

Subjecthood does not merely constitute characteristics that somebody does or does not have. Subjecthood is about a construction of discursive power, which qualifies, defines and standardises the signs of subjecthood. And there is no reason for these signs other than power itself. Therefore the female body and female subject do not easily match the definitions of a subject. Their meanings and representations are wrong. Descriptions of womanhood build up a narrative emphasising that a woman is unable to control her body, even her blood, let alone her fate. The boundaries of a woman's body are porous and transcendable. She is penetrable and unable or unwilling to protect her boundaries. Thus, womanhood, weakness and victimisation are mutually associated. In a culture appreciating a strong and self-sufficient subject, this association suggests that weakness is the victim's own fault. Therefore the victim, rather than the victimiser, is responsible for the victimisation. She is an incomplete subject – given the terms used to reassure people about subjecthood. Shame on her.

In shame – if a person internalises its message of self-repulsion – there is nothing else to do but to give up one's rights, eventually including the right to exist. For it would be better if I did not exist (see Heller, 1985). This is why questions such as who is to

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<sup>6</sup> The dictionary of the Finnish language associates the female genitalia with shame. In Finnish, the connection between shame and femininity manifests itself at an etymological level as well.

blame and who has to feel ashamed do matter in analysing violence and gender. What happens in violence is that the perpetrator is the guilty one, but it is the victim who feels ashamed and afraid. Guilt is an active emotion. It tells about trespass and wrongful acts. But at the same time it tells nothing about the person himself. Moreover, Western culture is replete with customs to atone for guilt, to make it go away, to justify it: it was an accident, the result was worse than intended, I blew my top etc. Thus for guilt there is always a reason to be found outside the perpetrator. But for ending up as a victim there is no reason. Instead, the experience is easily transformed into shame: you were careless in protecting yourself, you were unable to safeguard your boundaries, you were weak – in short, you were a woman (Ronkainen, 1999). In dealing with domestic violence, as is the case with sexual violence, such as incest, this means that shame must be taken seriously. The victim's sense of shame will not go away simply by saying that it was not her fault. That is exactly the key to shame. Therefore, feelings of limited guilt – guilt for which you can assume responsibility – may sometimes provide relief. It may also be in order to think about how the perpetrator's guilt, which is easily reduced to a narrowly defined act, could be turned into reflective shame through accountability. At least it is fair to say that if the pattern of sexualised meanings is reduced to shame on the victim and guilt in the perpetrator, this also helps the latter to get away scot-free, while the victim is further victimised.

## **The Gendered World and Gendered Experiences**

The deep-rooted sexualisation of meanings and their connection to symbolic divisions of power are partly based on sexualised empirical worlds. As sexualised actors, women and men have different experiences of violence. Perhaps young boys, who engage in pushing and shoving, scuffles and other kinds of horseplay – acts regarded as normal developmental phases in many books on boys' psychology (e.g. Sinkkonen, 1990) – will perceive violence as a simple instrument, the use of which may be reprehensible yet effective. Thus different meanings are constructed concerning violence and one's own body as an actor in relation to it. This is also reflected in the norms associated with violence. In principle, an expert on violence – man or boy – violates the norm if he bashes a woman or girl (Honkatukia, 1998). In practice, however, this norm does not override the fact that when violence becomes an accepted instrument there will be reasons found to use it. Further, girls and boys, women and men, have different notions of how competent they are to face violence, consequently affecting the ways they perceive violence and fear (Crawford et al., 1992, pp. 93-109). If you perceive yourself as incapable of resisting or protecting yourself physically, so that you simply cannot manage, a violent experience is far more threatening to your ontological security and selfhood than if you are competent in violence. Being experts on violence gives men, both symbolically and practically, a notion, however fictional, that they can cope in the world of violence.

The sexualised meanings of violence are also a part of the way in which a person involved assesses the experience. I only need to say that the metaphors of violence – such as the idea of a victim – are always sexualised. So, what is a real victim like and what is the real agency required of a victim? A religious victim who is sacrificed for

atonement and to appease gods is innocent, powerless and not a party to the action. In the real world, the 'victims' are never that pure, but in many ways are involved in the action. But does this make them accomplices or non-victims? Is it not so that, irrespective of the impurity of the perpetrator and victim, we should be able to discuss and understand the depth of a violent experience without denying agency? When analysing linguistic usage and thought patterns through these profound metaphors, one ends up thinking about the relation of metaphorisation, i.e. the metaphors guiding our thinking, to sexualised actors and their interrelationship. And how is basic symbolism in a culture a part of metaphorisation?

A gendered world is both reflected and repeated in the types of violence experienced by men and women. Typically, aggression faced by men is street violence instigated by more or less perfect strangers. The type of violence that women face, in contrast, is perpetrated by somebody they know – a colleague, spouse or ex-husband. Such violence does not constitute an incident or an isolated brawl; it is a part of her everyday life that should offer her security, love and joint caring, and a part with which she must continue to live, such as in work or intimate relationships. Furthermore, aggression against women is violence which incorporates sexuality as a component: the meanings and acts associated with femininity and sexuality that make it possible to hurt a woman through her body. Sometimes – as in rape – sexuality is violence, an avenue whereby to control and attack. The set phrases – it is impossible to refuse love-making or that love-making is a form of conciliation in a relationship – will perpetuate abuse, albeit unintentionally (Hyden, 1994).

'These actions took place in such a short time that I perceived them as one single activity, the love-making and the assault. I can't see how he could do a thing like that,' says a Finnish woman who lived in a violent relationship.

Different types of violence experienced by women and men lead us to examine violence in situations where it should not occur. This also leads to an area which constitutes the intimate core of heterosexuality and perhaps of communal life as well. What is the sexual agreement in a relationship, and how are love and violence linked? And, if gender is ignored, how can we help people living in violent relationships? Is it the case that gender-neutral discussion about relationships constructs an understanding of violence as a problem shared by the spouses, whose happiness depends on the woman, as suggested by the study on relationship therapy by Lappalainen, Mäntynen and Wahlström (1995)?<sup>7</sup> As both parties must commit themselves to stopping the violence, the responsibility must also be shared. If a relationship has – as is usually the

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<sup>7</sup> The notion of romantic love is characterised by a complementary ideal: two separate individuals become one, *us*. Such an ideal also incorporates a rather exact notion of what the responsibilities of the woman or wife and the man or husband are. The woman is an interpreter of emotions, in charge of the well-being of others, maintaining 'us-ness' with her social skills. The man, for his part, sets the practical goals, balances unnecessary sentimentality with his everyday practicality and optimism. Albeit stereotypical, the notion is recurrent: the stuff of which romances are made.

case – a division of labour in which the emotional responsibility for happiness and well-being rests with the wife, what happens in practice is that the victim must assume the responsibility for the violence as well, although this was nobody's intention.

The questions do not end here: What is the relationship between eroticism and violence, or that between heterosexual pleasure and violence? What are the relationships of love, of trust and of hope to violence? What is the presence of the recurrent narrative of romantic love concerning a woman whose love and trust saves a man (who, in turn, saves the world) in the ways of understanding the position of the female spouse and of the male spouse in a relationship? How is it possible that women have the courage to love and care, because it is exactly love that renders them vulnerable? How is it possible that two are united as one, *us*, if the conditions of 'us-ness' are laden with power or at least intertwined within the asymmetry of meanings? What is the mental landscape that entitles one party to wield control and violence – how is it possible that it makes more sense to hit and abuse a lover than to attack a stranger? These questions are painful because they breach gender consensus and the romantic promise of a love forever after, uniting the two.

One explanation why drawing attention to the connection between violence and gender causes resentment is the asymmetry that characterises sexualisation, apparently shattering the dream of unity between woman and man. Kenneth and Mary Gergen (1987) suggest that the idea of a heterosexual relationship, where woman and man complement each other, symbolises the Western-world myth of creating a whole through unity. The asymmetry of violence appears to shatter hope for unselfish love and being loved in return. Unity and hope are replaced by power and fear. Indeed, this is what partly happens in violent relationships. But their violent character actually stems from the fact that unity and hope are still present. And if we, as researchers, neighbours, workers, friends etc fail to grasp this unity and hope as a part of the asymmetry of violence, fear and power, we will uphold the structures in which love and hope are the woman's responsibility and risk. This is what happens when violence is conceptualised without gender, as violence without the relationship.

## **Sexualisation of Violence, and Violence Against Women**

The answers given above and the related examples of how gender matters in the web of power and violence can be understood as examples of violence against women. Currently, the term 'violence against women' is in official use, although its usage divides the users. It is pertinent to ask what is achieved by including the analytical level and forms of violence discussed above in this term. What does it explicate and describe?

The UN Declaration on the Elimination of Violence Against Women definition emphasises that 'any act of gender-based violence that results in...physical, sexual or psychological harm or suffering to women...whether occurring in public or in private life' constitutes violence against women. Such forms of violence are understood to include physical, sexual or psychological violence that takes place in the family or

society at large, such as assault on women, child abuse, rape – also in marriage – sexual harassment, trade in female sexuality and (coerced) prostitution (see also Söderholm, 1996, p. 1580).

In this form, the concept ‘violence against women’ is essential because it opens up an avenue of analysis, interconnecting the forms of violence otherwise kept separate, and thus it is able to illustrate the practical and symbolic structure that constructs inequality and hierarchy in intersexual relationships. The term ‘violence against women’ not only refers to violence targeted at women but to *violence built on the asymmetrical relationship between the sexes in which this relationship and the meanings of manhood and womanhood are constructed and used.*

The common denominator of these forms of violence is that their target is an actual or symbolic female body, turned into material to be exploited and controlled. The female body is a natural resource, as it were, possessed by others, not exclusively by the woman or women themselves. This body is assigned to serve the master and the meanings of manhood. This is what happens in domestic violence, one clear function of which is to control the woman or to achieve a sense of control through abuse. In light of what we know about it (male groups, middle-aged women), violence in a relationship is not emotional, impulsive, uncontrollable aggression between individuals, but a systematic part of constraining the psychological, social and physical space of the woman. In the same way, sexual violence infringes on the woman’s right to her own space and control of her own body: another example is pornography, which systematically produces meanings where the female body is sliced material under the penetrating male gaze. Prostitution in its entirety – even given that prostitution in individual cases may be a choice providing better income – works towards building up the economy of male lust, based on users’ rights. The only legitimacy given to wife trade is the man’s right to a wife, but this does not apply the other way round – a woman’s right to a husband.

The concept ‘violence against women’ opens a possibility to analyse structural violence – and this is what makes it valuable. However, its usefulness may not be great on a personal level. Somebody who is caught up in domestic violence is not likely to find solace in knowing that her experiences belong to a larger entity, sexualised violence or violence against women. But it is important when we try to dismantle the power mechanisms based on repression, objectivisation and producing otherness. These mechanisms are not individual – involving random actors – but are a question of institutionalised practices. Therefore, critical analysis of them requires a viewpoint that can show the systematic nature of violence and link together otherwise seemingly isolated phenomena. The term ‘violence against women’ links different incidences, highlighting the factors that connect them: the structural hegemony of certain meanings and symbolic order. This way the concept ‘violence against women’ opens a viewpoint, but, like other viewpoints, it also overlooks parts of a complex phenomenon. For example, it disregards how men are victims of violence against women in a different way than are women, and disregards what kinds of violence occur between men.

The term 'violence against women' is an umbrella term in the same way as the concept 'domestic violence', which is rhetorically located in the realm of objective and neutral description, although it, like any other concept, cannot genuinely be such. Each term opens and blocks certain views, and each concept integrates a viewpoint. The term 'domestic violence' narrows violence down to the family and its dynamics, but it also opens up an interactive view on the family. But what is different in these terms is the way in which 'domestic violence' is used, hiding its viewpoint. In comparison, 'violence against women' openly integrates a viewpoint. This also means that it does not claim to be an all-embracing term. Thus, the problem inherent in the term 'domestic violence' is not how it defines violence but the fact that in Finnish debate it has a predominant position and it purports to be objective and neutral. This has precluded research into the questions hidden by the term 'domestic violence' and into the particularity of the concept.

An openly opinionated concept similar to the term 'violence against women' is 'the violences of men' (Hearn, 1998). I understand this term to be a part of the same problem of sexualisation as violence against women, but through this concept violence is analysed in terms of male culture, masculinity and hierarchy between men rather than as a construction of the male-female relationship. At the analytical level of symbolic order, both are nonetheless linked by interest in the ways in which womanhood and feminisation constitute one element in constructing hierarchies.

In this article, I have used the terms 'sexualised violence' and 'gendered violence' instead of 'violence against women'. In principle, all these concepts refer to the same phenomena but on different analytical levels. The term 'violence against women' refers to the institutionalisation of violence based on gender at a general level. The use of the term 'gendered violence' emphasises empirical actors and their life histories, which are gendered in the world, that are based on the self-evidence of gender, while sexualisation rather refers to the dynamics of meanings. In the latter case, the gender division is not simple either, but, in addition to the actors' gender also sexuality, cultural sexualisation and representations of femininity and masculinity are part of the dynamics of sexual construction and living as a gender. Sexualised violence is about violence which emerges and derives meanings from the power relationship between the sexes, but here power is understood not only as structural power but also as the power of symbolic meanings and symbolic order. This means, e.g. power to signify. Thus, the accent is on sexualisation as an aspect of violence, the dynamics of asymmetrical meanings through which women's sexuality is linked to a possibility to disgrace and degrade (see also Ronkainen, 1998, p.22).

## **The Power of the Similarisation of Sexualised Violence**

I am not suggesting that approaches focussing on gender or sexualisation are the only keys to solving the problem of violence. However, they open new possibilities and viewpoints that have been overlooked in the apparently neutral androcentric practices reflected in public activities. The strength and stability of androcentrism, rooted in thought and speech patterns as well as in institutionalised conventions, are connected

to gender-neutral language. ‘General’, ‘all’, ‘individual’ etc. represent categories repeatedly spoken about in a way that is gender neutral but which represents rather ‘male-general’, ‘us men’ or ‘masculine individual’.

As a form of power, androcentrism works through similarisation and by denying differences. Such similarisation happens when psychological and physical violence are regarded in equivalent terms. For example, psychological violence is used to legitimise physical violence. In the process, one ignores the question of from which viewpoint these forms of violence are equal and how they differ. What are the consequences of similarisation? One forgets that nagging is not a crime but violence is.<sup>8</sup> Furthermore, we lose sight of who is the actor and who has the responsibility. Another example of similarisation is revealing, especially in the sense of agency and responsibility. It is often said that a man who hits and rapes is a victim not unlike the object of his aggression. But in what respect is the victimisation of the aggressor equal to that experienced by the target? What are the differences? Is it not the case that the perpetrator works out his victimisation by victimising others? He can and must find better ways to deal with his trauma. Can erstwhile victims legitimise their actions as present-day victimisers? Is it not an excuse to avoid responsibility?

Similarisation hides the fact that the parties have different degrees of power and possibilities to act otherwise. This also overlooks the fact that acts have culturally different meanings. From this viewpoint, the term ‘domestic violence’ – which includes all violence in the family, be it scuffles among children, cruelty against the elderly or wife battering – is a classical example of similarisation, making it ambiguous as to who is the actor, how the acts are different and, consequently, who is accountable.

Gender-neutral concepts represent women and men as the same in the web of violence. It is about adopting a viewpoint but doing so in a way that hides the viewpoint. To complement and replace these terms, concepts analysing violence from the gender viewpoint are needed, because violence is

1. heavily institutionalised based on the actor’s sex;
2. sexualised according to the meanings and representations attached to violence, to power as well as to femininity and masculinity;
3. signified according to how sexualised bodies and symbolic order are encountered;
4. intertwined within the differences in sexualised actors’ empirical worlds;
5. determined based on the cultural expectations placed on women and men;
6. framed by the expectations and hopes associated with heterosexual relationships;
7. part of the division of labour between the sexes.

When approaching a phenomenon that is as sexualised as this through apparently gender-neutral thinking and speech patterns, one ends up asking the wrong questions. Paradoxically, the use of violence becomes rational and explicable, unlike victimisation and the love and hope that are linked to it.

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<sup>8</sup> An example presented by Kevät Nousiainen at the women’s studies seminar in Helsinki, 1998.

## Conclusion

At the beginning of this article, I quoted the thoughts of a woman who had faced violence. I was born in the 1960s, and so I belong to the generation that believes in equality, self-evident sexual emancipation and individuality. However, I must admit that, looking back, it is hard to understand how it happened that, despite all rhetoric I have heard in my life in Finland about equality and the emphasis on individuality, I one day noticed that I was living in a society so full of violence against women and womanhood.

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## *Education, Cooperation, and Research –*

# **Important Means to Counteract Violence Against Women. Experiences From the National Center for Battered and Raped Women, Uppsala University Hospital, Sweden**

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To be subjected to men's violence – battery, rape, threat, and other kinds of abuse – means being subjected to criminal acts. The perpetrator is often a person with whom the woman has or has had a close relationship, and the violence occurs in her home, a place where she ought to feel safe and secure. This may lead to a subsequent loss of trust.

The violence is used to control and dominate the woman, and the torture-like process she goes through – where violence and tenderness alternate – gradually breaks her down psychologically to the point where the violence becomes a “normal” part of her everyday life. Her strategy at first is to try to avoid the violence by adjusting to the man's demands and rules – but gradually, it changes into a strategy of survival.

Children who witness their mother being abused are, of course, in a very vulnerable situation – psychologically violated, deprived of a happy and carefree childhood, they run the risk of further complications in the form of psychosomatic diseases and false notions about love, relationships, and gender issues.

This is the situation for millions of women and their children all over the world, irrespective of age, religion, social class, or ethnic group. Some of them do not survive, they are murdered (in Sweden more than 20 women are killed every year). Some even choose to take their own lives, since they do not see any other solution to their problems.

On an international level, e.g., on the United Nations agenda, violence against women is focused on as a matter of human rights but also as a women's health issue. It is considered the number-one threat to women's health – and thus a hindrance to full citizenship and a state of well-being.

## Sweden Today

Over the past 20 years in Sweden, the response to violence and threats against women has varied considerably. Women subjected to men's violence have been treated in an unsatisfactory way when seeking professional help from different authorities. This is an additional violation, a hindrance to rehabilitation, and it may also jeopardize potential future legal processes.

Today an increased awareness of violence against women can be noticed. It is considered a serious social problem which severely undermines women's possibilities to enjoy human rights and fundamental liberty, originating from and finding support in myths and fallacies about men's superiority and women's subordination. Many steps have been taken already, but there is still much to do before the authorities concerned can offer resources which correspond to the needs and legitimate demands of violated women.

To fulfill the obligations arising from the Fourth World Conference on Women held in Beijing in 1995, the Swedish Government presented a bill for action against violence against women, which was passed in spring 1998. The bill dealt with a number of issues and entailed three essential points of departure:

- new and more rigorous legislation,
- preventive measures,
- improved ways and means of supporting women victims.

**New and more rigorous legislation.** A new offense, "gross violation of a woman's integrity", has been introduced into the Swedish Penal Code. Its purpose is to deal with repeated punishable acts directed by men against women who have a close relationship with the perpetrator. It also covers children and other closely related persons (gross violation of integrity).

A necessary condition for sentencing (for prison terms from six months to six years) for the new offense is that the acts be part of a repeated violation of the woman's integrity and serve to seriously damage her self-confidence. The new criminal code makes it possible for the courts to increase the penalization for many acts in situations where they are part of a process which constitutes a violation of integrity, as is often the case with domestic violence. It is thus possible, in a better way than with previous legislation, to take the entire situation of the abused woman into account. The new criminal code does not exclude the perpetrator being simultaneously indicted for, e.g., aggravated assault or rape, and it marks a breakthrough in modern Swedish legislation.

Furthermore, the definition of rape has been broadened, the purchase of sexual services has been prohibited, the social welfare legislation has been supplemented, and the punishment for genital mutilation has been increased. Provisions on sexual harassment at work are now more rigorous.

**Improved statistics.** The government has charged the National Council for Crime Prevention to improve statistics-keeping on violence against women. The Office of the Public Prosecutor must present regular reports on the number of restraining orders issued and suggest how such statistics can be coordinated with statistics concerning breaches of restraining orders.

**Improved ways and means of supporting women victims.** The National Police Board has an administrative duty to carry out nationwide further training for professionals among the police, the prosecution, the social services, and the medical and health services. The National Center for Battered and Raped Women is involved in this project as an expert unit.

Improved legislation is an important way to counteract violence against women. It is a policy instrument in modern democracies and it also legitimates the authorities concerned to take action. The recognition of violence against women as an area of competence also implies that new demands will be put on professionals. However, changes in attitudes and values about violence against women cannot be achieved only through legislation and other measures taken at the top level of society. The main work must be done on an operational level by the women's shelters and by professional helpers.

## **National Center for Battered and Raped Women**

In 1994, the National Center for Battered and Raped Women was founded at Uppsala University Hospital, which was an important step in authorizing more resources for violated women. The Center is a joint venture between the government and the County of Uppsala, and it has three main tasks which will be discussed below.

**Medical and psychosocial treatment.** The Center provides around-the-clock services for battered and/or raped women with a focus on the woman's needs and with a comprehensive view and psychosocial approach. A telephone hot-line with an advisory service, primarily for violated women but also for various agencies, operates on a 24-hour basis. The patient services are mainly for women from the Uppsala region but patients from other parts of the country are also accepted upon referral.

The medical treatment includes a thorough documentation of injuries, sampling of evidence, blood tests, treatment and, on request from the police, the issue of a medicolegal certificate. An essential part of the psychosocial treatment is to support the woman, to emphasize her resources and strength, and to help her find strategies for survival. After investigation and assessment a working method for the treatment is chosen – motivation work, crisis counseling, support counseling, or therapeutic counseling with or without a combination of social information/social support measures. The fact that many women are subjected to multiple traumas necessitates cooperation with women's shelters and the authorities concerned.

The Center will also create models of good practice for other units within the medical and health services in Sweden (National Center for Battered and Raped Women I, II, III, 1999; Nylén & Heimer, 1999).

**Education.** One of the Center's national-level tasks is to provide education for professionals working in medical and health services who are likely to meet violated women in their practice. Women with experiences of violence and/or sexual abuse will sooner or later get into contact with medical and health services. The medical staff have a great responsibility not only to carry out medical and psychosocial treatment in emergency situations, but also to disclose violence as an underlying cause when it is not the immediate reason for the contact. This calls for thorough knowledge. The Center has designed, carried out, and evaluated an educational program with the purpose to increase competence through knowledge, insight, improved proficiency, and altered values and behavior that influence practitioners on a professional as well as a personal level when put into practice. The training method is problem-oriented learning, which can be briefly described as an interaction between theory and practice with continuous feedback from practice to theory. Self-study is thus not recommended.

The program starts with underlying causes of violence against women – gender issues, women's living conditions in general (past and present) – and then focuses on the characteristics, dynamics, and effects of domestic violence, especially the process of normalizing violence. It is only after understanding the consequences of these special mechanisms that professional competence can be improved and vocational training can start. In addition to general knowledge about treatment and approaches, professionals in specific fields need specialized training.

The Center deals with educational planning and implementation both on a regional and national level, not only for the medical professions but also for social workers, psychologists, the police, and legal professionals. Representatives from the Center also lecture, on a regular basis, in senior high-school and university programs for medical students, nurse trainees, physiotherapist students, and law students. Furthermore, a great deal of education is provided in the form of visiting lectures in various courses and seminars all over the country (National Center for Battered and Raped Women IV, 1999; Posse & Heimer, 1999).

**Research and development.** The research and development work that is done at the faculty of medicine of Uppsala University and on an interdisciplinary basis is of vital importance for the Center. Several research projects have been started, some of which are described below.

**A national prevalence study.** The Center and the Department of Sociology at Uppsala University are currently investigating the occurrence of violence against women in Sweden. Questionnaires have been sent out to 10 000 women. The results will be compared with those from the prevalence studies performed in Finland and Canada.

**Violence against pregnant women.** The prevalence of previous and current violence against women during pregnancy has been studied. All women (1 308) registered in the

Uppsala urban district during a 12-month period were assessed for abuse and compared to nonabused women. The results show that routine assessment is essential as violence is a serious threat to women's health. Compared to nonabused women, women who were abused during pregnancy also reported having more diseases and abortions before they became pregnant (Stenson et al., unpublished data).

**Violence against women and primary health care.** In this survey questionnaires were given to health care professionals over a period of two years; the response rate was 80%. The results showed that 75% of the physicians and 40% of the nurses had met abused women. The results emphasized that a lack of knowledge and of resources are factors that hinder good health-care for exposed women (Tønnesen, Lundh, & Heimer, 1999).

**Patient data compilation.** Data from the patient work at the Center have been collected and compiled, e.g., statistics from the emergency hot-line, rape verdicts, medicolegal certificates, and records on the panorama of injuries in cases of battering and rape (Danielsson et al., 1998; Cederholm & Heimer, 1999).

**National survey.** A national survey investigating the resources for violated women seeking help within medical and health services was completed in 1998. The survey, in which questionnaires were sent to all county councils, also covered the occurrence of further training for hospital staff (Björck, Hedlund, & Heimer, 1998).

## Cooperation

Being violated physically, psychologically, socially, and even economically means that the victim has experienced multiple traumas, and to address this involves many actors. This necessitates cooperation between various professional categories and authorities/organizations on an operational level. The Center, for example, has established cooperative groups on various levels that have regular meetings with women's shelter organizations, the local police, and social services.

The basis of good and successful cooperation is knowledge about and respect for other units' methods of working. Similarities and differences in organization and methods of working create certain possibilities for and limits on cooperation. The starting point must always be to put the violated women in the focus and create a useful network of helpers around them, carefully using the power of authority and never taking any further steps without their consent. For safety and security reasons, any communication between different authorities, written as well as oral, must be carried out with utmost caution.

Cooperation is known to be easier said than done. To proceed successfully requires taking a lot of time to keep the chain of help providers well oiled. But it is useful time because with one break in the chain the whole of the aid being offered can collapse, with vast consequences for the violated woman.

The experiences from the Center clearly show that a comprehensive view is crucial. Education, research, and close operational cooperation between women's shelter organizations, health and medical services, the police, judicial authorities, and social services stand as the surest ways to eliminate violence against women.

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# *How to Study Sensitive Topics*

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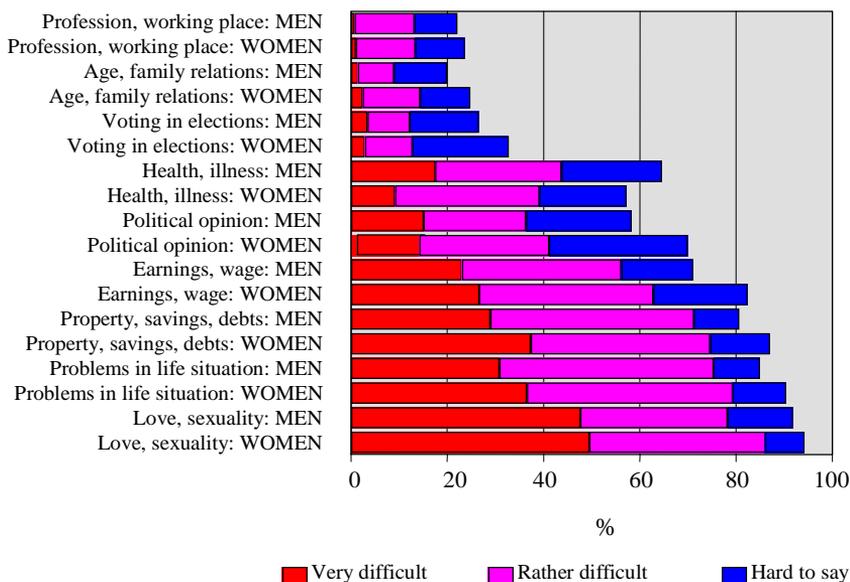
It is not clear which research topics are sensitive, and in which situations, but many of us probably have our own opinions or presumptions on the matter. I have worked with some sensitive topics in population surveys, so I will start by discussing survey studies and what they reveal of the sensitiveness of a topic. I will also consider response rates, which can be regarded as one indirect indicator of sensitiveness. The interesting questions are whether the results of surveys on sensitive topics can be relied upon and what topics can be studied using the survey method. Because we are interested in violence against women in this meeting, I will also try to say something about victimisation studies. Unfortunately, I probably have more questions than answers.

A population survey, although analysed as an impersonal data matrix, is in itself a sensitivity measure of many short meetings. Two unknown persons meet incidentally, one being the interviewer and the other the interviewee – in a postal survey, the unseen researcher represents the interviewer. The interaction takes the form of an interview which must follow generally accepted social rules. If confidence between the partners breaks down, the interview fails.

*Some years ago I worked as a Gallup interviewer in a household budget survey. I asked an old woman about her savings. She did not remember how much money she had in her bank account; she could not even estimate it. Although I resisted, she suddenly got up and brought her bankbook from a hidden place, which I saw because it was in the same room. She told me the amount of her savings, which was quite a lot of money, and I wrote it down on the questionnaire. When I was asking the next question, she interrupted me and said, frightened, ‘Now you’ve seen my bankbook, wouldn’t it be possible that you could try to steal all my savings?’ The confidence between us had been lost, and I had to leave immediately.*

One Finnish postal survey looked at people’s understanding of sensitive issues. Respondents were asked: Are questions on some topics difficult for Finns to answer in surveys? They were then given a list of topics (see Figure 1 below) and asked about the ease or difficulty with which they felt a Finn could give information on each.

Figure 1. Difficult topics for Finns to address in surveys (% of men and women).



First, a word of warning: these kinds of questions should not be interpreted too literally and independently of the context of the study.<sup>1</sup> Second, there is wide deviation in the answers to the different items: only a few Finns are presumed to have great difficulty in answering questions on some topics, while on some other topics half of the population are expected to have difficulties and nearly everyone will hesitate in some way or other. Could this mean that, e.g. labour force surveys, studies on families or even surveys about voting in elections, are preferred by the public while love, sexuality and problems in one’s life situation are topics people would rather not be questioned about? At the same time newspapers, magazines, radio and TV overflow with news about the kinds of subjects about which people do not want to answer questions in survey interviews.

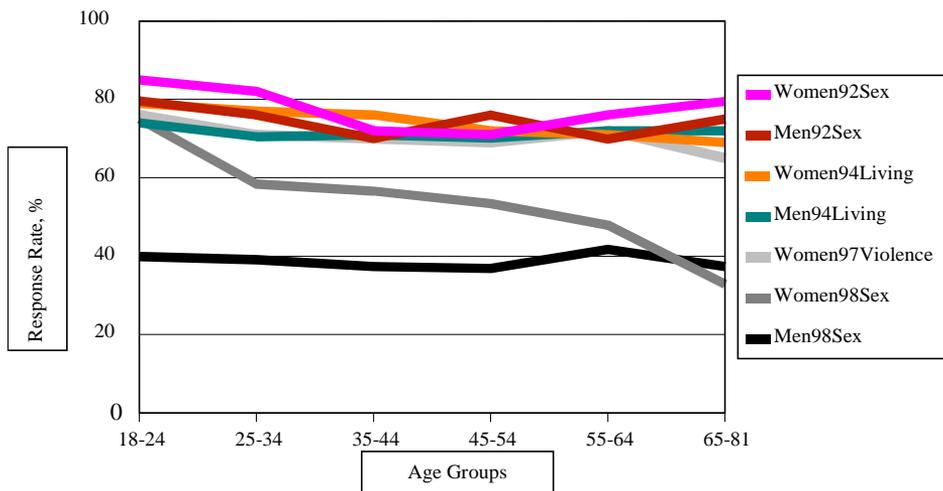
Violence most probably comes under the heading ‘problems in life situation’. Is it possible to get information on topics that nearly everyone finds it hard to talk about at the personal level? Is a formal, standardised, structured survey a good tool for it?

Let’s look at the response rate, which is the first tool the survey analyst uses to evaluate the results. The response rate means the relative number of persons in the sample population who have contributed to the survey. We may think that people do

<sup>1</sup> E.g. difficulties in answering financial questions (property, savings etc) were probably overestimated because these questions were put in a follow-up postal survey to a household budget survey.

not want to participate in surveys in which they are asked questions that they find difficult to answer. At Statistics Finland we have to tell to the interviewees in advance what topics are dealt with in the interview.

Figure 2. Response rates from four surveys in Finland (%).



1992,1994 = personal interview; 1997,1998 = mail survey

Figure 2 shows the response rates for men and women in a face-to-face interview survey about sexual behaviour and lifestyles, and in a ‘middle sensitivity level’ living conditions survey. It also depicts the response rates of a survey on violence against women and a study on sexual behaviour and lifestyles. The two latter ones were postal surveys.

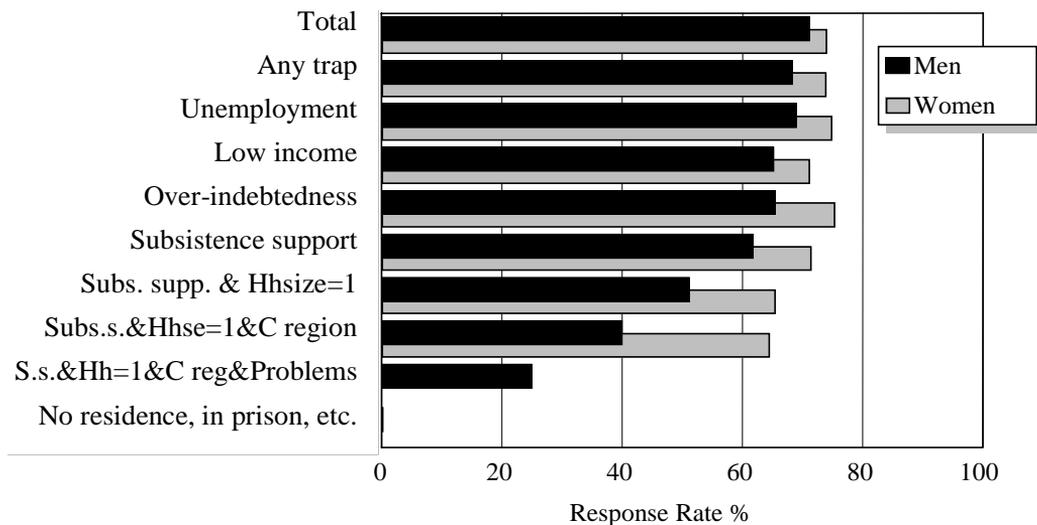
We can see that the five top lines proceed together while the bottom two divert from the composition. The two that differ are the men’s (the lowest line) and women’s response rates in the postal survey on sexual behaviour and lifestyles. It seems that except for with young women, the postal questionnaire mode may not be the best method for surveying sexual behaviour. However, those data still suggest that it is possible to get responses on sensitive topics by using survey methods: when an even more detailed survey of sexual behaviour was conducted using the face-to-face method (which included a self-filled questionnaire for the most sensitive topics), the response rate was about the same as for other topics in the figure. Nevertheless, the postal survey mode may also function very well: for example, the survey about violence against women succeeded about as well as did the face-to-face interview survey about living conditions.

The survey method is sometimes claimed to be a masculine method by arguing that stating standardised questions with short, structured (yes/no) answers corresponds better with men's way of communicating, while women think more holistically and encounter problems in answering sudden, atomistic and formal survey questions. In spite of this I have found that women are more careful, conscientious and more willing to participate, especially in postal surveys, of which the survey of violence against women was an example. I would be quite hesitant to recommend the postal survey method for a survey directed to men about violence.

This figure showing response rates leads me to consider survey methods in general. Quite some time ago, Johan Galtung (1970) produced a comprehensive list of the limitations of survey methods, so we do not need to go into detail about them. However, some points are important when we try to understand victimisation surveys. According to Galtung, a survey operates in the middle range of social positions. Some victim groups may live outside the middle range, and if they are not represented in the response, the results will be biased. The groups outside the middle range may consist of people who belong to sexual minorities, have problems in their life situation, low earnings, no savings, poor health, no family, no occupation, i.e. persons living in the margins of our welfare societies. Do they answer our surveys?

In our survey on living conditions (Heiskanen & Laaksonen, 1996) we used administrative register data to find out how certain 'poverty traps' are connected with the response rate. The poverty trap variables were unemployment in the family, low income (less than one half of the median income of Finnish households) and receiving subsistence support (financial support from the state for living costs). We also used certain other, additional factors to study the response rate: e.g. persons living in one-member households, and in the capital region (which is the most urbanised living area in Finland). As seen in Figure 3, the response rate of women did not decline much after the indicators were added, but men's response rate fell drastically. We could think of still more poverty traps, like alcohol-related problems, and extrapolate the response rate to a very low level. And, obviously, people without a permanent place of residence, like prisoners, persons in institutions and those without a home address in the register from which the sample is picked, are left completely outside the sampling frame. Victimisation is, thus, probably underestimated in our surveys. This underestimation also becomes dilated for many other reasons, like concealment: e.g. a jealous and violent partner may listen to and control the other partner's answers or even prevent him or her from participating in the interview.

Figure 3. Response rates and the 'poverty traps' in the Survey on Living Conditions, 1994.



Participation in an interview survey reveals little of the truthfulness of the answers but does, however, give some indication of it because the interviewer has some control over the answers in the interview situation. And, one of the pitfalls with postal questionnaires can be avoided, where data has to be rejected because reluctant participants do not return the questionnaire or give glib or unthinking responses. I must emphasise here that the presence of an interviewer has mainly positive effects on the interview situation. He or she can help the interviewee with different questions, and the two can discuss the answers. This is allowed in respect to questions concerning facts. The interviewer has a negative effect on the response if the interviewee interprets the interview situation in a way that leads him or her to give socially acceptable answers, or if the interviewer tries to lead the interviewee in his or her answers. In Western countries, the eventual choice of survey method, i.e. face-to-face, telephone or postal, often depends on one parameter only, and that is money. Edith de Leeuw (1992) has studied different survey modes and come to the conclusion that a properly conducted postal survey may give even better results than more expensive methods.

Sometimes the results of a survey can be validated with data from other sources. For example, in the sex survey the response to the question about the number of abortions corresponded rather well with official hospital statistics. Equally, the number of crimes reported to the police obtained from a survey may correspond with the data in police registers etc. Discrepancies still often remain; these discrepancies may become a burden to the survey researcher if he or she insists on the traditional stimulus-response-fact frame: the estimates may be interpreted as biased or wrong.

Can men have twice as many sexual partners as women? No, they cannot, but men and women may have interpreted the question in different ways, and knowing their

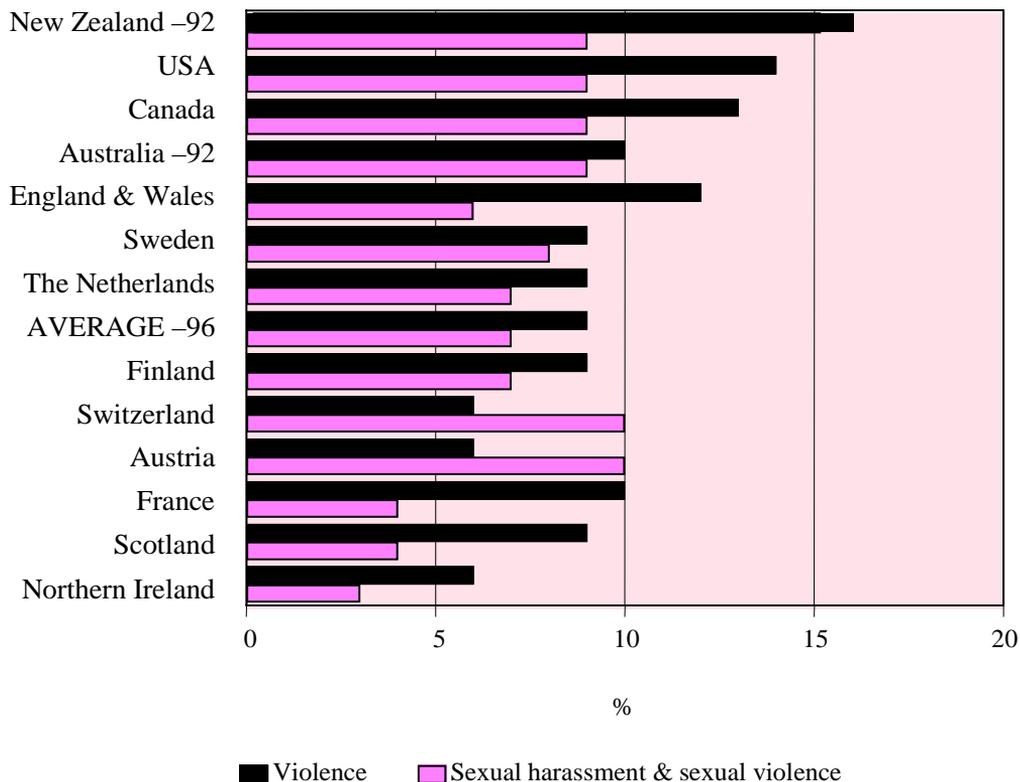
interpretations might help us to understand the difference. What about violence? If men were asked about the violence they had inflicted on their partners, would the amount match the amount of victimisation reported by women?

Triangulation is often offered as the method of compensating for the insufficient incisiveness of a survey instrument. In addition to our Finnish survey, called 'Faith, Hope, Battering' (Heiskanen & Piispa, 1998), we also conducted qualitative interviews with women who had been victims of male partner violence.

*I conducted some of those interviews. I was astonished how open, balanced and reasonable the battered women were. They were able to analyse their own, and their partner's, behaviour in a way I could never do with my own life. Yet, they had become victims of incidents of severe violence. Some of them had separated from the violent partner, while others continued to live with the violent man. They thought they would be able to control the violence. It is not good to live alone in this world, some said. But what of those women who in our postal survey answered that they had never dared tell anyone of the violence? What would they have said to me?*

Surveys of violence against women are being planned in many countries because no comprehensive data on male violence against women are available (some studies have already been published: e.g. Johnson, 1996; McLennan, 1996; Morris, 1997). A survey offers the only way of describing the extent of women's victimisation. A further feature of women's victimisation surveys is their international comparability. The findings of the couple of surveys which have already been published offer a good foundation for the planning of new studies, but problems may arise in international comparisons if the questionnaires that are used are not identical.

Figure 4. Women who have been victims of sexual and other violence over the last five years in different countries (year 1996, aged 16 years and more, %).



Many European countries have taken part in the International Crime Victimization Survey, or ICVS (see Mayhew & van Dijk, 1997). Some countries gather comparative figures using the ICVS, but do more detailed studies at the national level. It is possible to get some information on violence against women from those surveys, too. Although the sample sizes in the different countries do not allow for detailed comparisons, it would be possible to combine the data from the different countries and three time periods. The next ICVS will be launched at the beginning of year 2000.

Based on the ICVS results, countries can be classified into three categories: countries with well-above-average amounts of sexual violence and harassment, those with average amounts and countries with less than average amounts of sexual violence and harassment. International comparisons often remain at a very general level, like in Figure 4 shown above. This may be acceptable because we should not underestimate the cultural (and administrative) differences in social relations.

However, the ICVS has some limitations to being established as the foundation for surveys on violence against women. In its present form the ICVS is very police-

statistics oriented. It tries to compliment the figures in police statistics by giving much scope to the reporting and behaviour of police, but less to the other important aspects of victimisation (e.g. the victim). In most countries, the fieldwork for the ICVS is entrusted to market research organisations, and the unrepresentativeness of the sampling, together with small sample sizes, gives highly varying results.

One possibility might be to start from the safety and health studies of Eurostat. A base model could be developed which would include certain common questions for men and women, but also separate question patterns for each gender. Questions for the perpetrator side should also be included.

To round off, what I have tried to say is that in principle most topics can be studied with the survey method. As a matter of fact, sensitive topics are the interesting ones in this respect, because they bring to light the hidden, secret side of human behaviour. Which method to use and how to ask sensitive questions are matters that should be considered carefully. And, finally, we should not rely too heavily on surveys. They are a good means for producing facts in support of our arguments, but stronger means will be needed in the fight against violence.

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## *Findings of Work Group Four*

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### **How to Research Difficult and Sensitive Topics**

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Men's violence against women is a broad and multifarious problem. Men's violence against women exists both in developed and developing countries, in countries of differing socioeconomic and political systems, in eastern and western countries as well as in the north and south. This is a strong reflection of the fact that measures to combat this negative and costly phenomenon are lacking. Research offers tools for policy-making on preventive work and for the instigation of societal change in order to combat the violence of men in its various manifestations. Therefore, valid research in the field is crucial. The extent of violence against women, its forms and consequences need to be studied and followed up in depth using different methodologies.

Research on powerful and sensitive issues such as men's violence against women meets various obstacles in societies and in academia. The first objective of this workshop was to map and analyse the political, social and emotional barriers with which research on these kinds of difficult issues often collides. The obstacles represent the reluctance of patriarchal societies to change the status quo, and unwillingness to develop de facto equality between women and men. That would demand respect for women's human rights, including women's and girls' right to non-violent living conditions both in the public and private spheres of their lives.

Discussion on men's violence against women has been silenced and shunned in societies and science. The most effective control mechanism for inconvenient research issues is financing, or rather the lack of it. It has not been until very recently that gendered analysis on violence against women has gained more of a place and more respect in academic work. Political and social obstacles to research on sensitive topics are reflected not only in economics, but also for instance in the fact that publishing research results on these topics can sometimes be a serious problem. Research on the violence that is based on and perpetuated by unequal power relations between the sexes threatens to reveal the hidden, unspoken of hierarchies in societies as well as in academia.

Research on violence against women is intermingled with emotional and hidden interests. Emotional barriers are connected both to the researchers themselves, and also to the symbolic meanings of the research object. Violence becomes one of the 'symbolic orders' of western, (post-)modern capitalist societies and science. Reproduction of knowledge is based on this symbolic order that also constructs barriers between 'us' (e.g. the researchers, social workers, 'non-violent people'/innocents) and

'them' (the victims of violence, the abusers and perpetrators). On the other hand the non-heroic behaviour of the victim, for instance her not leaving the perpetrator but repeatedly 'trusting the hand that punishes her', raises various emotions among those that offer assistance, among officials, as well as among researchers. Similarly the shame of the victim, which is a much more passive feeling than the (possible) guilt of the perpetrator, can build up barriers to recognising who has actually been victimised. Therefore, methodologically it is not enough to collect data, but the aim of the research should also include the task of finding the rational behind the irrational. Methodological choices also affect how violence is (re)constructed.

Secondly, the workshop participants discussed the applicability of survey methods to gender-specific issues such as violence against women. Critics have claimed that surveys are a non-sensitive and 'masculine' tool because structured questionnaires leave no room for more holistic responses. Therefore, surveys are sometimes seen as being of an unsuitable formula for female respondents. However, women respond to survey questionnaires more often than do men. It was pointed out that the success of the survey depends on how it is done and how skilfully the questionnaires are formulated. In studying violence it is important to recognise that there may be situations in which women are very careful in providing answers. A further issue as regards methodology is that the surveys done on men's violence against women are not internationally comparable at the moment.

Most topics can be studied to some degree using survey methods, but it is important to recognise that this method does have its weak points, and that the information gained may need to be supplemented by research done using other methodologies. It was pointed out that to study sexualised violence demands a good understanding of the structural levels of the violence, such as the traumatisation of the victim, the medicalisation of violence in societies as well as information about the knowledge gathered from women's shelters. It was noted in the workshop that there is a need for more comparable data on gendered violence on a population level in Europe; one way to address this could be through the adoption of a standard model for data collection, formulated as general questions followed by separate questions for women and men.

Mailed questionnaires that deal with sexuality issues often suffer from low response rates. On the other hand, structured interviews cannot be claimed to be too reliable either, because the interviewees may not feel comfortable discussing this theme. Men and women also differ in their interpretation of questions concerning sexuality, e.g. men tend to overestimate the frequency of sexual activity/partners in their (sexual) history, and vice versa.

Thirdly, sexuality and sexualised violence are extremely complicated items to study and to discuss in a research context. Sexualised violence research ought to focus also on the (male) perpetrators and abusers, such as men who buy sex. It was pointed out in the workshop that there is no more difficult research task than to study the economic gains and the clients of the sex trade.

In societies prostitution is often discussed within a victimless analysis, e.g. as a question of ‘moral panic’ (prostitution as a ‘free choice’), as a problem among minors (most women who sell sex start under 18 years of age) or as a question of public health (free condoms) or public order (‘zoning’ of prostitution). Organisers of the sex trade are absent from the focus of discussion as are the clients. Normalisation of the sex trade introduces new clients to the market. To focus on the clients is difficult, because the punter is not a deviant person but Mr AnyMan; according to the studies done in the UK the social status of the men who pay for sex is no different from that of non-buyers. The same findings have been reported in Sweden and Finland, too.

To summarise, to tackle these problems and barriers concerning research on men’s violence against women, the workshop members decided to found an interim group in order to prepare further actions to be taken during the Portuguese EU Presidency in the year 2000. The participants pointed out that the European Union should financially support the research on violence against women and the dissemination of the results of the studies. All areas in the wide scope of men’s violence against women, including trafficking in women, prostitution and pornography, need to be studied using various methods and by using comparative models.



# *The Recommendations of the E.U. Expert Meeting* **on Violence Against Women** **Jyväskylä, Finland, 1999**

## **WORK GROUP ONE** **Recommendations on Criminal Proceedings** **in Cases of Domestic Violence**

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

1. Referring to U.N. General Assembly Resolution 52/86 (1997), which accepts the model strategies on violence against women prepared by the U.N. Commission on Criminal Justice and Crime Prevention which state that the responsibility for initiating the procedures lies with the prosecution and not with the women subjected to violence, the working group recommends that the practices of prosecutors in cases concerning domestic violence be monitored.
2. The victims of violence should be entitled to free legal advice – including legal aid – and other support services. Such services should include a possibility to get information about the proceedings, about victims' rights during the trial, and about possibilities to petition for financial compensation. The victim should also be accompanied by a support person during the police interrogation and at the trial. Such services should be funded by the state.
3. Home should be a place of safety. Therefore the fact that a crime is committed in the home should be regarded as an aggravating factor.
4. Standards for medical examinations and documentation of assaults should be set up. Standards should include standards for minimum protocols and forensic kits. Physicians need to be trained in performing medicolegal examinations, in documentation of violence, and in issuing medicolegal reports.
5. For further elaboration of the recommendations and as a preparation for the conference in Portugal, all Member State representatives should give a report and provide information on what steps they have taken to implement the guidelines or otherwise improve the rights and position of victims of violence against women.
6. The European Campaign Against Domestic Violence website that provides information about violence against women ([http://europa.eu.int/comm/dg10/women/violence/index3\\_en.html](http://europa.eu.int/comm/dg10/women/violence/index3_en.html)) should be maintained.

## **WORK GROUP TWO**

### **Recommendations on Standards for Shelters/Refuges**

#### **Prerequisites**

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

#### **Objectives**

- Prevention – the ultimate goal is the prevention of violence.
- Protection – protection of the victims (stop the present violence).
- Provision – the provision of services and the empowerment of women.

#### **Principles**

- The empowerment of women is essential.
- Victims' confidentiality must be guaranteed.
- No victim's right to stay in a shelter/refuge should be dependent on her financial situation, and the stay should be as long as needed for the woman to evaluate her options.
- Shelters/refuges should be open to all women who are victims of any form of violence, including women with no children and women from minority groups.
- Children must be protected from violence and from the perpetrators.
- Shelters/refuges should be run by women's NGOs that have a feminist perspective and believe in women helping women. However, there are also other models organized from the perspective of women's and children's rights.

## **Services**

- Refuges/shelters for victims of men's violence should be easily accessible.
- Advocacy and support services should include help lines, drop-in centers, women's groups, self-help, proactive services (outreach work on awareness-raising), aftercare, and free legal aid.

## **Availability**

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

## **Staff**

- The staff working in shelters should have an understanding of the dynamics of domestic violence and receive ongoing training.
- The staff should be properly remunerated for their work.
- Among staff there should be one qualified child care worker for each shelter/refuge (as at any given time about 2/3 of all residents at a shelter/refuge are children).

## **Training and Research**

- All staff who come into contact with victims of domestic violence, including social workers, health service workers, police, etc., must receive specialized training in working with victims of domestic violence.
- Ongoing training must be made available for all staff working with victims of men's violence.
- Those providing legal aid for victims must be specialized in family law.
- More research into all forms of violence against women and children is needed.
- Monitoring and evaluation of existing services should be ongoing.

## **Funding**

- Governments are obliged to establish and to finance a comprehensive and cost-free offer of support for abused women and their children, regardless of their legal status.
- The responsibility for the violence should always be placed solely on the perpetrator.
- Women should be able to directly access refuge/shelter accommodation.

## **WORK GROUP THREE**

### **Recommendations for Good Practice in the Development of Programs for Perpetrators of Domestic Violence**

#### **Program Principles and Practices**

- Women's needs and safety must be the first priority in perpetrators programs for men. All aspects of the development and management of projects should be monitored to ensure that they do not endanger the safety or well-being of victims/survivors of domestic violence.
- The perpetrator is responsible for the abuse, not the survivor/victim. Perpetrators must be held accountable for their violent and abusive behavior.
- Perpetrators programs should be only set up if there are local independent refuge and support services for women and children. Programs must be developed in consultation with these services. Where there are no services for survivors/victims of domestic violence, refuge and outreach services must be developed first, as well as multiagency responses, and only afterwards should programs for perpetrators be developed. Men's programs should work in cooperation with women's services.
- The definition of domestic violence in work with men should recognize that violence against women includes psychological, sexual, and economic as well as physical abuse. It can involve a range of controlling behaviors that are not overtly violent.
- Programs should be committed to reeducating violent men to change their beliefs that they have a right to control and abuse their (ex-)partners. If the perpetrator has a need for other types of interventions (e.g., treatment for alcohol abuse) these must not replace the main reeducation program.
- Women survivors must be given complete confidentiality and be kept informed about sources of help, the program structure, and the progress and attendance of the perpetrator. Women's and children's safety overrides any guarantee of confidentiality to the perpetrator. If there is any perceived risk, the projects must inform anyone at risk as well as law enforcement and other agencies. Protocols must be developed among agencies for sharing information about the perpetrator.
- Mechanisms must be established to ensure that survivors/victims are given full information about how the perpetrators programs work and must have the opportunity to give feedback on the effect of the program and any concerns they have.
- Child protection must be integrated into all programs.

- Programs should only be developed after proper investigation to establish the most effective methods and approaches that have been monitored and evaluated in other programs. The minimum length of programs should be 12 months and the minimum frequency of meetings should be once per week. Short-term programs are not enough and may be actively dangerous. Programs need to include both individual and group work: group work must be a mandatory part of the program.
- Domestic violence is a public not a private matter. The safety and welfare of the survivors must take precedence over attempts to maintain the family as a unit. The human rights of women to have freedom from violence and from abuse must be recognized as their rights as individuals, not just as the mothers of children.

### **Work With Other Agencies**

- Domestic violence is a criminal offense and the appropriate laws should be used. Perpetrators programs should not replace effective action against perpetrators under criminal law, and must not be a diversion from the court process.
- Perpetrators programs should be part of a coordinated multiagency approach to violence against women that involves police, criminal justice, and social welfare agencies. There should be written policy agreements between agencies, and practitioners from every agency should receive training in understanding domestic violence.
- Perpetrators programs are only a small part of the work to change men's attitudes towards violence against women. Public awareness and education campaigns must also be developed locally and nationally.

### **Monitoring and Funding**

- All programs should be monitored and evaluated to ensure that they improve women's safety and are effective in changing men's beliefs. The evaluation must not rely on self-reports but where possible should be checked against women's/ (ex-)partners' accounts and other evidence.
- The funding for perpetrators programs should not be given at the expense of services for survivors and victims. Men's programs should be funded under a different budget line from funding for victims services.

## **Proposal for a Broader Agenda for Expert Meetings**

We recommend that all future E.U. expert meetings recognize that

- violence against women is a much broader area than domestic violence,
- women and girls are most likely to be violated/abused/sexually exploited by a known man whether the issue is rape, sexual abuse, sexual harassment, pimping, or domestic violence,
- and there are important connections being lost between forms of violence against women and girls, such as that in the majority of incest cases the mother is also being abused, and that girls are introduced to prostitution by boyfriends who are both their pimp and a perpetrator of intimate violence.

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

## **WORK GROUP FOUR**

### **Recommendations on Research Into Difficult and Sensitive Subjects**

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

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



# *Cultural Construction of Men's Violence*

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**Arto Jokinen**

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Violence is a complex phenomenon which does not have one single explanation, one pattern of events or even one manifestation, and there is no one solution or therapeutic method to tackle it. There is only one common factor in violence, namely the perpetrator's gender. In all cultures, in different social systems and throughout history the typical perpetrator of violent acts has been a relatively young man. It is safe to say that violence has a gender and that it is male. On the other hand, the targets of men's violence are not exclusively other men, but also women, children, animals and the environment, and occasionally the perpetrator himself.

In this paper, I will discuss the connection between violence and masculinity. I am not examining male persons in the flesh, as it were, but cultural masculinity, the system of thinking patterns, phrases, attire and gestures that makes men look like men. Cultural masculinity incorporates the dimensions attached to being a man and living as a man – showing that a person is a man – in this society and age. The questions asked in this article are: Is violence manly? Does violence construct masculinity?

## **Unofficial and Official Violence**

For an individual man, violence may be a way to solve problems, to express mental distress, to protect his psyche from conflict, to control himself and his environment, to communicate as well as to work out disappointments, fear and stress (Hearn, 1996, 1998; Hautamäki, 1997; Reijomaa, 1994). Violence is also associated with men's subcultures, practices that men engage in when spending time together in the gym, on a hunting trip, working on the car, at a pub or at a cinema. Violence in its various forms – such as physical street violence, violent entertainment on TV, a violent hobby or harmless pushing and shoving among the lads – is a theme which enables men to be together without their masculinity or heterosexuality being questioned. When men are together, they feel it important to show each other and outsiders that their being together is not based on sexual attraction but on something else. Violence is a very convincing way of indicating this friendship between men which is claimed to be non-erotic in nature (Jokinen, 1999; Simpson, 1994).

Violence perpetrated by men is, then, manifested in interpersonal activity and in pastime or street terror perpetrated by relatively small groups of men or in their clubs. Typically, this type of violence is disorganised, physical, verbal and open, and it takes place among and between small groups of people. It is a question of men's unofficial activity, which sometimes may breach laws as well. This kind of violence is frowned

upon but tolerated. Nobody is actually exhorted or taught to do it, but on the other hand, people tend to turn a blind eye to it, as it is understood to be an integral part of manhood. Small boys behave in a disorderly way at the day-care centre, they pull at girls' pigtails in primary school, exchange blows in secondary school, drink booze, watch violent movies and go to the army, men shout obscenities at women they do not know, hit each other in the boxing ring and bash their familiars and intimates at home, lose it and shoot their ex-girlfriends dead. This is where they have reached the culmination point. Men's violence is tolerated as far it remains within certain limits. In fact, laws can be interpreted so that the problem is not men's violence but how this violence is kept within limits (Grönfors, 1994). As long as men do not behave too violently or as long as they stick to the rules, such as in sports, the consensus is that there is no reason to intervene in it. When excessive behaviour occurs it will be tackled, although for the victim this may be immaterial at that point.

In order to regulate men's violence, men have established various disciplinary, punitive and control institutions. Thus unofficial men's violence is controlled by the official mechanism of coercive rule run by men, such as the police, prison and army. These institutions represent the official, accepted, supported, legalised and, in some cases, idealised aspects of men's violence. Nevertheless, the question is always about men's violence, whether it is a gang of boys terrorising people at the Helsinki Central Railway Station or the war machine masterminded by men who busy themselves with weapons of mass destruction.

As a phenomenon, men's violence can be divided into two parts. On the one hand, there is legalised, official, accepted and even idealised violence, and on the other there is illegal, unofficial and forbidden violence, which, in turn, is divided into two types. Illegal violence, too, may be tolerated or it may be shameful (physical abuse of a small child is always wrong, but wife battering may be acceptable); however, I will discuss this point below. Be that as it may, violence is not an unambiguous phenomenon which can be reduced to a set of rules given to boys: this is a situation where you may hit somebody, while in this situation you should not. A boy or a man must always keep in mind the unknown and unwritten rules of violence, which stipulate, e.g. that what you can do in a boxing ring you should not do at the corner convenience store. On the other hand, what you are allowed to do in a boxing ring is not enough at war. And what you do at war you should not do elsewhere.

Irrespective of all the laws, official or unofficial rules and ambiguous notions and beliefs regulating men's violent behaviour, the fact remains that *the majority* of men are never guilty of actual violent crimes. And when asked about violence, men do not hesitate to proclaim that violence is bad and that violence against women and children in particular is reprehensible. We men have a strong urge to convince everyone that not all men are violent – or at least to protest our personal innocence. The general link between masculinity and violence is well known, but men fail to recognise it in themselves. Yet a fifth of Finnish women over 15 years of age have fallen victim to violence perpetrated by a man, and the same applies to half of the women who are divorced (Heiskanen & Piispa, 1998). Violence would appear to be something which is

clearly linked to men, but which is highly denied. Violence is an effective way of showing off one's manhood, but it is also an effective way to ruin it.

There seems to be a contradiction between statistical information and what men say. There also appears to be a contradiction between the masculine role models proffered by our culture and male ideals voiced by men. In the following, I will examine that contradiction through violence against women in a relationship, because it is exactly this type of violence, targeted at a woman who is an intimate, that unveils the contradictory and many-sided aspects of men's destructive behaviour. When a man bashes a woman he knows, he may be following a cultural suggestion to do so, but he will be faced with the official ban on violence. As the policemen arrive at the scene, it is also a meeting between representatives of unofficial and official men's violence. Who happens to be on the official side and who is on the other side may all depend on the workshift list. Moreover, despite the official ban and any subsequent punishment, a violent act may prove creditable for the man.

## **Violence Against Women**

A husband is not allowed to physically punish or abuse a wife whom he thinks to be acting inappropriately or neglecting her marital obligations. In class societies from the 16th century to the 19th century, women were under the authority of their fathers or husbands, and there was no ban on punishing an insubordinate wife. Thus men have had a right to exercise physical violence against their spouses (Mustakallio, 1988). Nowadays, while this practice is no longer protected by law, it seems to prevail. Statistically, the potential assailant or rapist is most likely the woman's own husband, boyfriend or some other man she knows. The most unlikely assailant is a man unknown to her, attacking her in the street, park or some other public place. Women become victims of violence in places where they are the least afraid, i.e. at home, but they are the most afraid of public places, where violence is the least likely to occur.

What is the conclusion to be drawn from this? One conclusion is that men's violence against women is not rare, but it is characteristically concealed, hidden or in some way denied. It seems that violence among men, which usually happens in public places and between perfect strangers, unlike violence against women, glorifies the perpetrator and proves his masculinity. An assault on a woman, on the other hand, does not glorify the man nor does it attest manly prowess. So why do men batter their women if it must be done surreptitiously and you cannot even brag about it to the lads?

An answer to this may be found as far back in history as at the beginning of the 19th century and in a place as unexpected as the Finnish national epic, *The Kalevala* (24:239-254).

*Advise the maid with the lash  
instruct her with the birch bough;  
advise her between four walls  
speak in a room caulked with moss  
do not bash her on the turf  
nor beat her at the field edge:  
the noise would reach the village  
and the uproar the next house  
the wife's weeping the neighbours  
and the great row the forest.  
Always warm up her shoulders  
soften her buttocks-  
don't chastise her eyes  
and don't box her ears: a lump  
would come up on the eyebrow  
a blueberry on the eye.*

The above extract is a wedding poem sung to the bridegroom, instructing the future husband how to beat his wife indoors so as to avoid any noise reaching next door. The man is advised against beating her on the ears or the face, because this would leave telltale marks which are hard to conceal. Therefore, the bridegroom is instructed to wield a birch bough on the buttocks, which do not bruise easily and which can be hidden.

Firstly, the above quote shows that violence against a woman is not honourable from the man's viewpoint, but, on the other hand, an undisciplined wife may endanger a man's honour. If the wife does not act as her husband wants, he must choose between two poor alternatives, opting for the least disagreeable one. The least disagreeable choice is shown to be violence.

Secondly, cultural set phrases even today instruct us that 'a man's gotta do what a man's gotta do', i.e. a real man takes care of toilsome tasks as well, like beating up his wife. When an undisciplined wife is disciplined by her husband, he is unwillingly doing what he is supposed to do, according to these set phrases, in the best interests of his wife and in order to uphold his manly honour. This leads to a situation where men's violence against women is treated as being the woman's fault. This makes it possible to voice the bizarre notion permeating Finnish culture that there are women who have 'fists in their mouths' and who want to be beaten up. This belief has been transferred to the so-called psycho-discourse as well, featuring, e.g. the idea of a masochistic woman – a woman who for some childhood reason seeks physical punishment. This yearning for pain may manifest itself in a woman as constant nagging. She nags in order to induce the man to hit her. In these metaphors, the woman is constantly made accountable for the man's violence. He is like an automaton complete with fists, while

she pushes the buttons. And if violence in a relationship is not completely her fault, at the very least it is stated that there is a balance of violence in the relationship as he exercises physical violence and she its psychological counterpart.

Perhaps the notion that men's violence is understandable and right may now seem far-fetched and distant, but unfortunately this is not the case. In 1995, only four years ago, author Matti Mäkelä (1995) published an essay where he instructed men to black one eye in case of a good wife, and both eyes in case of a bad wife, whereupon the man should buy and remarry a virgin. In 1996 – three years ago – sociologist Heikki Sarmaja published a broad article, where he in all likelihood seriously suggested that violence against women stems from the man's justified jealousy and violent and instinctive heredity. In 1998, a year ago, the Finnish tabloid *Ittalehti* saw fit to publish a full-page article by columnist Aarno Laitinen, who claimed that a victim survey concerning violence against women was a forgery and accused feminists in general of engaging in pseudo-science. In my opinion, these writings have two shocking things in common; not the fact that they were untenable, but that they were published recently, as if civilisation had ceased to advance in Finland. It is also appalling that these men are regarded as writers who should be taken seriously. For example, it was only recently that Mirja Pyykkö, the acclaimed TV editor, invited Matti Mäkelä to her talk show on intersexual relations.

## **Cultural Transfer of Violence**

I do not know whether Matti Mäkelä is in the habit of beating up his wife or how Mr Laitinen treats the women he encounters, but that is beside the point when I say that both these men represent a kind of men's violence that can be characterised as cultural violence. Their writings tell about attitudes that suggest that it is acceptable and sometimes necessary to assault women. Messrs Mäkelä, Laitinen and Sarmaja tell about attitudes, but by so doing they also perpetuate them. When a growing boy hears enough times that the best way to treat a nagging wife is to hit her, he will eventually get the message.

Men's violence typically involves passive presence. It is a constant manifestation of power and violence. Men show women 'who's the boss in the house' and each other 'who's the man'. Men's violent attitudes are reflected in everyday situations, such as jumping the queue, reckless driving, interruptions, self-important behaviour and obscene remarks. This is all part of the cultural soil which spawns violence. The majority of men do not act violently, but only few of us men are capable of detaching ourselves from sexist, racist, misogynous and violence-oriented slurs, jokes, thinking patterns, prejudice and beliefs.

This is what the title of this article refers to, the cultural construction of men's violence. It is my contention that the hooliganism of a youth gang in Turku, the Lahti Rapist or the some 27 Finnish men who will kill their spouses this year (annually an average of 27 women are killed by their spouses; *Naisiin kohdistuva väkivalta*, 1992)

represent the peaks of men's violence, but there will be more of these peaks if men's violence is more widely condoned in our culture.

Men's violence is not passed on genetically, but it is transferred from one generation to the next through attitudes. Violence is transferred from father to son through upbringing and institutions, such as school. In addition, it is passed on through violent entertainment, movies, television or music, but also in sports clubs, cartoons and literature. Moreover, Finland has a particular institution where men are taught violence: the army. An effort is intentionally made to uphold notions that war is patriotic, manly, heroic and attractive. These notions are reiterated in order to bolster patriotic spirit to defend the fatherland, but they also create readiness to sacrifice, to kill and accept violence. What is especially problematic about obligatory military service is that military training conveys an idea of violence as entertainment, and that the training is based on subordination and submission and on pronounced inequality between the sexes (Jokinen, 1996, 1999).

The question as to why men are violent can be answered in short: in Finnish culture, violence provides a man with an uncomplicated and irrefutable way of showing his masculinity. After a show of violence nobody doubts the manhood of the perpetrator. To answer the question of what makes men violent: they are taught to understand violence as providing a relatively simple way to achieve manhood.

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# *The Jyväskylä Model for Combating Domestic Violence*

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## **Introduction**

### **Petteri Sveins, National Research and Development Centre for Welfare and Health, Finland**

Domestic violence and violence against women are widespread societal problems which affect all of us. Domestic violence affects not only victims and perpetrators but also eyewitnesses, close relations, neighbours, friends and professionals who come into contact with it in the course of their work. It has serious and wide-ranging effects on the physical and mental health and well-being of a population, and also causes considerable economic, social and medical costs both for individuals and for the society.

Domestic violence and helping those who wish to live free of violence have proven extremely difficult areas in the field of social affairs and health in Finland. It has been especially difficult to motivate abusive men to seek help. The small number of crisis centres and shelters, and the lack of places which are specialised in treating violent behaviour can be considered serious shortcomings. Some other problems are how to identify and advise victims, perpetrators and other people who are involved in cases of domestic violence. The prevention and treatment of domestic violence is marked by the ease with which it is ignored in all types of help-providing services.

The best results in preventing and treating domestic violence in Finland, especially in the field of social affairs and health, have been obtained with the intensification of multiprofessional co-operation between the police and various other organisations. It is also essential to provide the victims, offenders and others who are involved in cases of domestic violence with therapeutic help and immediate intervention, and to make the offenders assume liability for their actions. The only person who is responsible for using violence is the perpetrator — nothing justifies violent behaviour.

Regrettably, domestic violence is very common. The great majority of perpetrators are men and the victim is most often a woman; a wife or live-in partner, a girlfriend, a sister or mother. In this paper domestic violence is studied from the standpoint of the perpetrator, the man. Our experience is based on an experimental programme named '*An Alternative to Violence*', which was conducted at the crisis centre '*Mobile*' in Jyväskylä, Finland. This programme for men who commit domestic violence was created in collaboration with the Psychotherapy Training and Research Centre of the University of Jyväskylä.

This paper aims to describe how the programme for helping abusive men works, who the collaborators are and the programme's principal working methods.

## **An Alternative to Violence – Project Principles and Methods**

**Juha Holma, Psychotherapy Training and Research Centre,  
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**Aarno Laitila, The Family Counselling Centre, Jyväskylä, Finland**

This piece, written by two members of the Department of Psychology of the University of Jyväskylä, is based on the personal experiences of the leaders of the groups and on the development work and theoretical discussions conducted in the eight groups for men who use violence against their partners. These groups were conducted at the Psychotherapy Training and Research Centre and were part of the project An Alternative to Violence. This chapter presents principles and methods of work which have become our established methods for group treatment.

### **Early Stages**

Petteri Sveins from the crisis centre Mobile took the initiative in forming the group An Alternative to Violence and in approaching the Psychotherapy Training and Research Centre. The reason why the request for setting up the group was directed to the centre was the wish that the group leaders be male, and it was known at Mobile that there were trained male psychotherapists at the Centre. This wish was based on the observations made at Mobile that men who had committed violent acts changed their way of speaking if a female staff member entered the room while they were talking to a male worker. The men were no longer so eager to talk about the violent act and their responsibility concerning it. When she left the room the men returned to their previous way of speaking. This kind of interruption was not rare due to the conditions at Mobile. Thus the workers at Mobile developed a 'gender sensitivity principle', meaning that male workers were to interact with male clients and female workers with female clients.

When the request came the writers of this article were enthusiastic about experimenting with group work with men who had acted violently against their female partners. This strategy was suitable for the new development and research profile of the Centre, too. The purpose of the Centre from the very beginning was to study groups, thus it is the policy that all group work is videotaped. We had been trained as family therapists but had not received any specific group-therapy training. We did have some experience with groups, group processes and leading groups, but leading a group for abusive men was a new experience for both of us. After starting An Alternative to Violence, different courses on work with violent men and with domestic violence were organised at the Centre and trainees from abroad (e.g. from Norway from where the name for this

project was borrowed) visited the Centre. Aarno Laitila had also started to work at Mobile, especially with men who had been violent against women.

Another principle of the working model which was decided upon at a very early stage was the emphasis on oral communication. An important basis for this was the idea that if the taboo around domestic violence was broken and brought to light it would be a helpful element in the discussions from the very beginning. The priority of oral communication meant that other types of communication, such as writing letters, was avoided. All information was to be passed on by oral communication and in face-to-face contacts. The second basis for this principle was to break the use of silence and violence as means of communication, which is assumed to be part of Finnish male culture. Afterwards we had to modify this rule slightly, because we ask the men to sign agreements on videotaping and confidentiality for ethical and legal reasons. In reality the men surprised us by not being as uncommunicative as we had supposed. We also no longer strictly adhere to the gender sensitivity principle: Now one member of the group leader pair is a woman, and we have found that the men in the group talk as freely as they did in the earlier groups led by men.

## **Group Treatment Structure**

Participation in group treatment is allowed only after individual counselling with one of the male workers at Mobile. The individual counselling lasts from one to six months and is aimed at concretising violent behaviour, finding ways to avoid violence and discussing all the items we will describe below; in other words the aim is to bring the violent behaviour to light. Candidates for group treatment are selected based on interviews conducted by the group leaders, who do not know the candidate beforehand. The purpose of the interviews is to evaluate the men's level of motivation and their desire for change. If the man does not see violent behaviour as controversial and unjustified action, and if the process where the man proceeds from making up explanations to taking responsibility for his acts had not started yet, it is recommended that he go on with the individual counselling. Another limiting factor for attending group treatment is severe mental health problems. We also believe it is easier for the men to join the group after they meet their group leaders at least once before beginning the actual group work.

The length of the group treatment is 15 sessions consisting of a 1.5 hour session once a week. There are two leaders and between five and seven participants. Since 1996 there have been eight groups in total (two groups each year) and 45 men have started in the groups. There have been 10 drop-outs, mostly from the first groups (with 8 of these from the first three groups) and mostly (6) after the first two sessions. We are planning to start and to apply for funding for systematic research on the effectiveness of the whole programme.

## Alternative to Violence Project Principles

Many of the topics mentioned here were first brought up in the groups and thus the groups should be acknowledged for improving this working method. Reasons for the success of a certain working method have often been understood retrospectively, after discovering the method and the principle.

**Focus on violence.** The principle of focussing on violent behaviour has been part of the group work ever since the first meeting, and like the many principles described later in this article it is adhered to throughout the programme. Everybody's violent behaviour is reviewed in detail: what he did, whom he hit, where and with what, what the sounds of beating the victim were like, how it felt physically and mentally, what the consequences were, what the consequences could have been, whether police, a doctor, hospital personnel or any other officials were needed. It is also very important to talk about different kinds of violence, not only the physical kind, but also psychological, sexual and economic violence. The aim is that the men learn to identify not only physically violent behaviour as violence, but name-calling, control, threats, humiliation etc as violence.

Any topic may be discussed in the group, but the reason for attending the programme is not forgotten and thus all topics are discussed in connection with violent behaviour. For example, an earlier experience which a man shares with the group is then related to his violent behaviour. Here is one of the benefits of group work: sharing their own explanations and listening to those of others often helps the men to understand the issue. They have to contrast their own explanations with those of the other participants. The changes in their understanding of their own violent behaviour are often apparent also to the other participants. Talking with the other group members, sharing experiences and listening to the others are the main factors which help the perpetrator. The group leaders need to be sensitive towards the participants as individuals, because the men's ability to analyse issues is very varied.

**Focus on choices.** Another principle which connects with the above is that of concentrating on the last minute before the violent act occurred. This means going over the situation just before the violent behaviour very carefully. What was on the perpetrator's mind before the violence? Would it have been possible to prevent violence, could anything have been done? Does the perpetrator think the situation was under his control? When was the first moment that he knew he would commit a violent act, and what else could he have done differently afterwards? Similar methods are used in couples counselling, where the technique referred to is called 'slow motion movie'; in work with perpetrators of violence against women, the purpose is to challenge the thought that violent behaviour is unpredictable. Analysing the moment before the act of violence often brings out the multitude of choices in the perpetrator's mind during that final minute. When it is possible to see your own behaviour as a series of choices it is also possible to try to find alternative ways of behaving.

The group work actively aims at making the participants discuss different choices and imagine alternative ways of acting and the consequences of that alternative for

themselves and for other people. Questions that pinpoint who the abuser was and the choices made, such as asking the man to specify whether he kicked with the side or with the toe of his boot and whether he used his fist or his palm when beating the woman, make the man think about his behaviour. Regardless of his blaming outside elements like alcohol, a more specific look at a man's behaviour often reveals it to have been under his control in many ways. Hence it can be assumed that violent behaviour is the result of making certain choices. Even though the men's explanations for their behaviour are listened to, the group leaders must take note of and stop talk about putting off responsibility.

However, the intention is not to create conflict between the man and the group, but to gently break the habit of avoiding responsibility; the men's own experiences lead them to expect frankness and confrontation. After the man realises that he has made choices it is possible to see that alternative behaviour already begins to take place. This means concentrating on decision-making. The idea is that visualising different alternatives creates an opening for the emergence of alternative forms of conduct.

The group aims also at identifying incidents with a high risk of violence but where violence has been avoided. The incident is analysed, second by second, as carefully as if the violent act had actually occurred, and the group tries to help the perpetrator to realise in what ways he acted differently, and what helped him act differently. This process demands that the group leader be able to find and point out even the slightest achievements. At the same time the men's choices and responsibility are emphasised: if achievements are not pointed out, it gives support to the belief that violence happens accidentally. The men's explanations for their achievements may also be marked by the same randomness. Men might find it surprising that all kinds of things can be regarded as successes. It is important to appreciate minor things and not only strive for big changes.

The minimum goal for the project *An Alternative to Violence* is to offer at least one alternative way of acting for every man. This method is called 'time-out'. This simple means of choosing a different way of acting is widely used in domestic violence treatment programmes for men. It is a sports term and has the same objective as in its original setting: to create a space for the man to devise new tactics and analyse his thoughts in order to achieve a constructive outcome, and for him to use his capacity constructively instead of destructively. This means simply that the man is advised to leave a situation in which his earlier experiences tell him that he is at risk for violent behaviour. This lets the man see a totally new dimension to situations which he earlier saw as containing no other options than physical violence. Use of the time-out technique is recommended to the men in the individual discussions and in the group meetings. At the same time, the result of employing this method is unpredictable: the men tell stories about fathers who abandon their families after abusing them verbally. Walking away from an argument for some of those men means cowardice or timidity, which are the characteristics they least want to show. This is why it is important to discuss beforehand the meaning of time-outs, either individually with the man or with him and his partner together. At the same time the counsellor can explain to the man how this method is especially for use in his relationship, with his partner and for self-

protection. There is a known risk for the men to use time-outs as psychological violence. This should always be monitored by the workers and in such cases the man should be confronted with his behaviour.

**Focus on guilt.** An observation about the groups is that the way a man talks about violent behaviour changes over the course of the meetings. This specific analysis should be done in several phases, because the evaluation gets more specific and detailed during the treatment. We believe this is connected with the deep feeling of guilt which a detailed recollection of the incident provokes, but at same time the guilt becomes more familiar and tolerable. Thus processing the guilt must be done at the time of analysing the act of violence.

Before and in the beginning of the treatment the guilt is intolerable and suppression is used as a defence mechanism. Feeling guilty may cause a man to avoid talking about certain matters, to forget them as described earlier or to change the subject. The intolerability of guilt often leads to explanations where the perpetrator avoids responsibility. A common explanation for his violent behaviour is his use of alcohol and how it affects his personality. In the group men are asked about their guilt; once it gets a word, a name, it becomes less suppressed. Thus it facilitates the men's taking responsibility for their actions. The aim is not to lessen responsibility, but to make their feelings of guilt more tolerable and visible. In our opinion dealing with guilty feelings is important in the group, as is dealing with being guilty in the group, offending the group.

One of the useful aspects of attending the group is that the men have to go over their own violent behaviour every week. Even if the man does not say anything he has to think about his own behaviour when listening to other participants' stories. It would be so much easier to believe that it was just that one time or those few times and it will never happen again. We believe that if the men block things from their minds they will increase the danger of repeating their offences. Guilt cannot be avoided by suppressing one's thoughts. When the man mentally recounts his violent acts every week he deals with guilt every week, even if he has not behaved violently. In this way he gains the strength to better face guilty feelings compared to the during the chaotic phase of shock which follows an act of violence.

**The ups and downs of a changeover.** When a man's behaviour changes it is important to discuss the effect it has on his family, his environment and himself. It is advisable for him to do visualisation work on the reaction of a partner, a victim etc if he decided to leave the place in the middle of a quarrel instead of threatening or abusing her. At the same time it is important for him to consider what he would think of himself if he, for example, left a risk situation. Would he call it swallowing his pride, humbling himself, running away or losing his manhood? The time-out technique can have a vast number of meanings, including some that increase the risk of violence.

The first step in a changeover is seeking help in any form, including seeking help at Mobile. This must not be forgotten when starting a group: as described earlier, it is important to stress these kinds of small changes. At the first meeting we go over the

sentiments of partners towards the man's attending the group. Sometimes other people's reactions are not only positive. In such a case the man needs the support of the group and the group leader to help him continue attending the group.

The principles described earlier are connected with either speaking or acting: From our point of view speaking and acting cannot be clearly separated because what often happens is that when something is discussed and a new option is created through discussion, it enables action after the discussion. Different ways of discussing something might give new and different meanings to the action. One principle which is followed in the group is that the leaders actively encourage the participants to describe their feelings and they try to find words for experiences that the men have gone through. As group leaders we try to use the same words and same kind of language which the participants use. This often leads to using the same metaphors that the clients use. Often we also stress certain words, which means that we intensify our descriptions and exaggerate incidents and the way they are described. This is done in order to find words for experiences and to find descriptions for difficult feelings of which the man may be afraid, or which might feel uncomfortable and with which the man does not want to connect himself. An example of this is enjoying the degradation and beating of others. Some men may feel a moment of omnipotence after the offence before guilt crushes it.

In our opinion recognising and sharing a seemingly questionable experience or one which connects positively with violence is a sign of a person understanding himself well and also of trusting the group. This has led to the attempt to look at the Finnish saying 'A Finnish man neither talks nor kisses'. It has proven untrue in these groups as the participants talk about very intimate things after having known each other for only a short period of time. Many of them have also revealed that they can share their thoughts with their friends as well and that they do not feel it is difficult for them. Of course there have always been exceptions in the groups as well. It however seems that they do not have enough opportunities to talk. Local male cultures do not offer social contexts to discuss intimate items. The verbal communication of a Finnish male seems to be not only gender-related but also context-related. Also the male identity blocks it, as will be discussed below.

**Masculine identity.** This leads us to a very common topic among the group participants: being seen as a man by women, friends, children and workmates. It seems that domestic violence is often connected with strong expectations about different roles: What is the man's role and the woman's role in marriage? There is no one single role expectation found, but many expectations are marked by stereotyping, inflexibility and limited roles.

This can be seen, for example, when the men discuss divorce or the possibility of it. An imminent divorce has been the setting in which some men have chosen to abuse their partner. The man possibly has a fixed idea that he is not a person who is going to go through divorce. In the background he might have a difficult childhood experience of his parents' divorce, or because nobody else he knows is divorced he does not have a clear picture of what life is like after divorce. This is when the positive sides of group

treatment are shown, since some participants may have experience with divorce and think that it has been the right choice for both partners. Comparing experiences may give the man a positive picture about life after divorce and thus the number of choices grows and flexibility increases. A diversification of images and a better understanding of meanings connected with them are often enough to change the man's behaviour. This does not necessarily mean that an actual divorce then occurs. The effect is paradoxical in that when the man sees divorce as an option, it is possible for him to give up at least some of his restricting and controlling behaviour so that his partner gains the psychological freedom which she has lacked and which was the reason for the impending divorce.

Also the way the man sees himself when he acts violently is of great importance – because his feelings of responsibility for violence will change, this might change the way the man sees himself. It is often very difficult for a person to incorporate violence as part of the picture of himself. Guilt often prevents him from acknowledging this part of himself and creates a Dr Jekyll and Mr Hyde phenomenon, where the negative side of his self is seen as being external. Alcohol is often blamed for serving as a magic drink which brings out this darker side. When the guilty feelings start easing off while sharing them with the group, the man has to face admitting that this darker side is part of himself. This needs separate discussion at some stage during the group treatment. For some men it is especially difficult to admit the violent part of themselves, for example, because their own father was violent and they want to be different from him. In such a case the man's own violent behaviour can be extremely threatening to his ego. Sometimes, however, relating to his own father's violence might make it easier. Accounting the use of violence to learned or common behaviour is nevertheless not permitted in the group.

A topic which is often brought up in the group discussions is that of being a separate individual and at the same time having an intimate relationship. One common question, for example, is how a person can be intimate with someone without losing their individuality, how to 'hold hands from a distance'. This topic is often closely connected with the previous theme about divorce and being left alone. Men often explain that they beat their partner because they were afraid of being left alone and because they were jealous. The reasons in the background are concern about and fear of divorce and of managing alone. Being aware of and admitting this is often very difficult, but successful negotiation of this painful issue is part of constructing a masculine identity.

We have already described our thoughts about the facilitative aspects of group treatment. We have also used the group sessions to ask, for example, what the men think will happen to their relations with the group if they hit someone again. Will they stop attending? Will they tell the others? How will the others react? What would you yourself think of another participant if he said he had been abusive again? This is how the group prepares itself beforehand for possible acts of violence. We think it is important that the man continue to attend the group even if he acts violently during the programme period, despite having signed the agreement on non-violent behaviour. This kind of topic also gives the man the idea that he is never 'cured' and should not

forget his propensity for violence. We think it is predictive of a non-violent future when the men identify themselves as potentially violent throughout their lives.

Many group participants have reported being helped by an image of the group in situations in which they have previously behaved violently. They have related how they thought about the group when they were in the middle of an argument and how they remembered talking about other options to violence. One man recalled a torch, which is the symbol of the University of Jyväskylä and which is printed on the videotaping and therapy agreements, when he was having an argument, and it stopped him from using violence in a situation in which earlier he would have behaved violently. Commitment to the group is very strong and the men do not want to abandon the decision to not use violence. Men often say that they have avoided being abusive 'because of attending the group' or 'because of having a new alternative in irritating situations'. We think this is a sign of their attempts to construct a new non-violent masculine identity.

Masculine identity is related also to fact that many of these men have difficulty enduring feelings of weakness and helplessness. For example, being ill and taken care of is a difficult and annoying situation. Dealing with their own weakness and confronting it has sometimes been successful in the group with the recounting of distant experiences and metaphors such as childhood experiences of violence or catching flu as an adult and being looked after by their partner. One tactic is to talk about the victim using her first name, not referring to her as a wife, the other party etc. The purpose of this personified way of speaking is to avoid belittling the incident, and to start a process of feeling empathy for the victim, which along with exposing the facts is one of the most important factors in preventing future violence. Group discussions about being weak or helpless or feeling empathy are connected to the aim of constructing a new kind of masculine identity. This is based on the idea that a person's identity is not a fixed entity but a social construction created through discursive practices.

## **Principles of the Process**

Above we have highlighted principles that we think are crucial in work with men who have used violence in the home. According our view, violence, choices and guilt interact in a vicious circle that must be interrupted. The goal of the whole treatment for men is to create a new kind of masculine identity. The group treatment is essential because it offers a social context for a new kind of discussion of manhood and the masculine self. When the discourse changes the man's identity may change as well.

We use the principles presented here at this stage. We do not however believe that these are the final ones. We have already noticed, as is the case concerning the gender-sensitivity principle, that all the principles do not work as we thought they would. We

are involved in a constant process to develop better working methods with these men and a better understanding of the process and the whole issue. We think this is the situation worldwide, and that collaboration and networking are needed at the global level.

## **The Jyväskylä Model in Practice**

**Aarno Laitila, The Family Counselling Centre, Jyväskylä, Finland**  
**Petteri Sveins, National Research and Development Centre for Welfare and Health, Finland**

*The Mobile crisis centre was established in September 1995. An idea about a new method for approaching domestic violence in co-operation with other organisations had developed by the end of the year. Help would be directed at the offenders instead of at victims. The aim was to offer perpetrators opportunities to adopt a more responsible attitude towards their own behaviour, to learn to recognise the consequences of acting violently and to learn alternative ways of behaving. In this chapter we describe how we organised the treatment model, who has participated in the project and how the operation and the operating principles have evolved during the last three years and more.*

### **A Low-Profile Beginning**

During the Mobile project, which was an undertaking of the A-Clinic Foundation, the Finnish Mental Health Association and local municipalities, the aim was to have each of the 16 different support centres around the country become a point of special expertise that would meet the specific needs of each municipality. The prevention of domestic violence was soon decided upon as the field to be developed in the city of Jyväskylä. Domestic violence was made an ex officio crime in 1995 in Finland and thus could no longer be treated as a private matter like it used to be. In addition to the legal change another reason for focussing on domestic violence was that project worker Petteri Sveins had dealt with domestic violence during his earlier career and had noticed a need for developing this field. The Mobile crisis centre was situated next to the police station and the occasional encounters between Mobile staff and police officers at lunchtime formed a basis for co-operation on matters concerning domestic violence. One question which was relevant for developing a new therapy model was brought up in the conversations with the clients during that period: Who should work with abusive men? The men typically ceased talking if they had to interact with a female staff member. It is evidently too threatening and intimidating for the men's egos if early in the process they have to analyse their violent, abusive behaviour in front of a female worker. It was then decided that a gender-sensitive approach would be the right choice to help them commit themselves to the programme and find a new open-mindedness. This became the first guideline for the programme: male staff work with men and female staff work with women.

After deciding to use gender sensitivity as a guiding principle it became at the same time the first problem: staff members of the public social and health services are mostly women. Where could male staff be found to lead the experimental group therapy which was planned to be an elementary part of the treatment programme? After a quick search collaboration was started with the clinic at the Psychotherapy Training and Research Centre which had just been established at the University of Jyväskylä. There were two volunteer male psychotherapists at the clinic who agreed to work with the therapy group. Later on also a theoretical basis for using a gender-sensitive approach was found from the viewpoint of developmental psychology. According to this viewpoint there are important differences between the development of boys and girls because boys are most often taken care of by a person of the opposite sex. We wanted deliberately to avoid the circumstances where the man has to relive his childhood experiences while dealing with his abusive behaviour in different stages of the treatment programme. Instead the purpose was to give him room to assess himself and his relations towards men and possibly give separate time for questions about intimate relationships. This has led to some men finding a new side of themselves: the father with a notorious reputation among the neighbourhood children is suddenly seen as a caring and even humorous person in the neighbourhood.

The first meeting was held between representatives from Mobile, from the city narcotics centre and from the psychotherapy clinic. The discussion was about the possibility of starting a therapy group for men who visited the crisis centre and about how to spread information on the group. Arousing too many expectations and high-profile marketing were avoided owing to the formerly expressed wishes of police representatives. Another point which was discussed was how to keep in touch with and contact clients. The second guiding principle started to form at this stage: since violence and violent behaviour is acting instead of handling matters symbolically, in verbal communication, we wanted to avoid this when creating the therapy model and to try to use only oral communication in all situations. This led to avoidance of offering any written material for a long time after people began to show interest in the programme: we wanted to share the information orally, and show our own trust in the value of speaking. There has been no interest in switching to written communication since spoken communication has proved successful.

The first group of men who joined the programme was brought together at a few week's notice at the beginning of 1996. The process included an initial interview where the group therapists individually met with every client. The interview included assessing the type and frequency of violent behaviour and assembling information on all the persons who were involved. Seven men were selected to be in the group. However, almost immediately after the start of the group the number of participants dropped to three. This initiated the idea of aiming for a more intense process in order to facilitate moving from the discussions at the crisis centre to the group and to ensure continuity in the process. The first step towards this was to hold the initial interview at Mobile so that the staff member who had been involved in the individual discussions with the man would be present.

## **Intensifying the Operation and Training**

In order to ensure continuity in the programme it seemed important to think of new working methods to use between Mobile and the psychotherapy clinic. This resulted in forming a co-operation pattern where a member of the clinic staff spends half of his working hours at Mobile or working with cases and issues relating to violence. This has made it possible to incorporate a therapeutic touch in many of the initial contacts which take place during the most acute crises. Working in this mode has thus become the third central principle. The aim of intensifying the operation was also to find more individual solutions for helping the men so that the programme would not end up trying to cast everyone in the same mould. This way it has been possible to deliver individual therapy sessions, therapeutic evaluations for couples and conjoint family therapy sessions as well. At this stage it was thus already known that helping the abuser does not stop the family members from needing help; instead it might reinforce their need for help when violence gives way to new behaviours in the family and in an intimate relationship.

The need for training has also increased. Petteri Sveins' trip to Norway resulted in the establishment of contacts in Oslo, Norway. ATV (Alternative till Vold) clinic psychologist Per Isdal visited Jyväskylä and gave a seminar in which he talked about the model they use in therapy, the way the programme is divided into different steps and the different dimensions of violence. Another seminar which was organised within the programme was based on the experiences of The Everyman Centre in Great Britain. The instructor was Calvin Bell.

The male staff workers of the crisis centre became central resources for the work very soon after the beginning of the programme. While Mobile was an employment project most of the crisis workers were female. Thus the work being done by male workers has been divided between very few people. This has meant very stressful moments and difficult work shifts for the male employees. To relieve at least a part of the burden it was decided that the employee shared between the psychotherapy clinic and the crisis centre should instruct and supervise the male staff members about violent behaviour and especially about domestic violence. This way the men also get individual training which is organised as regularly as possible. The purpose has been to deal with work-related stress, to help the counsellors maintain an atmosphere which teaches responsibility and which is empathic at the same time, and to recognise changes during the counselling process.

## **The Operating Parties**

We had also created a co-operation network without intending to do so. Information started to get around locally, and our assistants started urging men with a history of domestic violence to join the group. In the beginning the participants were referred to the programme solely by the police, the narcotics centre and the psychiatric crisis centre. At some stage of the programme we found out that one family had attended family counselling. Their experience with the effect of the programme on the man

encouraged them to later take the crisis centre worker with them to the family counselling. This also created new, needed customer-based and natural co-operation patterns.

One precondition for success was the fact that the network had been established naturally. If there had been a demand to create a network from outside or from a higher level, it probably would have taken a longer time or it would have been more difficult. At the same time it meant the formation of a type of collaboration which was in this case limited to directing and consultation that was driven by the needs of the clients and by the local availability of resources. At no stage was there any need for strenuous meetings with their related timing problems. The rule has been to operate locally, hence the model does not put stress on the co-operating parties or encourage them to object to the model.

The new party in this co-operating network has been the police. The police have worked as part of the project without prejudice. Since this kind of work has not been part of police activities before, it can be said that the part played by the police, especially concerning the most violent and recurring crimes, has been remarkable. Filing criminal charges is an essential part of the safety net which we attempt to form around the victim in the beginning of the programme. At first we believed that there were services to help victims of violence. In reality this was not true, or it was difficult to get help. To provide comprehensive help required taking this co-operation into consideration and deepening it. In the beginning of 1997 we started co-operating with the central Finland shelter home. After this, the operation moved towards having closed therapy groups for both victims and for children who have witnessed domestic violence.

## **The Principles of Help**

We have already listed some principles established during the programme. They are all practical guidelines which were formed when creating and running the programme. We have also deliberately included some guiding principles or statements which in our opinion define the treatment of domestic violence. Principles mean those constantly developing expressed thoughts which guide the formation and development of the programme. In the next part we shall present these principles classified as structural principles, theoretical-clinical principles and clinical-practical principles. All the principles in the different categories contain one consequence which relates to practical work and the aim has been to keep them on a reasonable level.

## The Structural Principles of Working With Domestic Violence

1. **The threat of violence surpasses confidentiality.** According to Finnish law the possible victim or officials have to be notified when a client threatens to fatally harm someone – neglecting this is a criminal offence. However, in addition all the group participants must sign a confidentiality agreement that states that any threat of harm or threat as perceived by a group leader negates the participant's right to confidentiality. Hence it is stressed from the beginning that using violence is against the law and is an assault on the victim's human rights, even if the partner did not want to file charges.

2. There is no need for a new organisation for treating men but a need for a new kind of **network** between parties which already exist – bureaucracy might be a threat to flexible operation. Creating a network is the only possibility for expanding our work because we are not likely to be granted new resources aimed especially at this project.

3. It should be self-evident that these services need to be **free of charge** like basic health care, maternity services and other services which are clearly organised by society. This treatment programme was free of charge with the help of the police, the Mobile project and the Finnish Slot Machine Association.

4. **Group therapy can be attended only once.** Regardless of the limited number of the therapy group sessions, the programme seems to start up a progress of change for which 15 sessions is enough. The model offers clients a chance to access other services at the same time or later to support the adoption of new ways to behave and getting rid of the tense atmosphere in the family or relationship.

## Principles Guiding Theoretical-Clinical Treatment

5. The question relates to diminishing **violent behaviour towards women.** In about 90% of domestic violence cases the victim is female. In the past domestic violence or violent behaviour in a relationship has been seen as a private issue, which has increased the tendency to conceal the problem.

6. **Violence does not mean showing your feelings, it means dominating others through the use of physical power.** One single blow and breaking the rule of physical inviolability creates an atmosphere of fear which can be maintained very easily. This kind of atmosphere of jealousy in the relationship is based on threat and control, not on love or affection. Together with the previous principle this stresses the importance of fear: The one who is afraid is the victim. The generation of fear is also the essential difference between men's and women's violent behaviour. What men call psychological violence employed by women does not provoke fear as do the efficient means that men use to threaten and terrorise.

7. **Domestic violence makes sense to the offender.** Violent behaviour is a way to achieve inner balance and dominance in a relationship. Men think that violence in relationships is part of the struggle for power and physical action is the means of

achieving it. In addition, violence has clear meanings which are related to adjusting an individual's inner balance. The staff must thus not forget to study what the perpetrator thought he would resolve through violent behaviour and what were the positive consequences of using violence for the perpetrator, no matter how temporary.

**8. The perpetrator is always personally responsible for his actions**, regardless of his mental state or being under the influence of drugs or alcohol. This is a both philosophical and clinical principle which is central for treating violent behaviour. This is also the point which raises the most questions and even protests, especially since the programme works on a family-centred basis. In our opinion it is important to differentiate violent behaviour from other marital problems and to handle it as a problem relating to self-adjustment and regulating one's own behaviour. It has been noticed on several occasions that treating violence as an interactive problem has resulted in problems, most often the use of strategies which lay the blame on the victim. It is possible to treat violent behaviour in couples therapy if both partners agree on a safety plan which includes that the man abstain from violent behaviour. It is wrong to start questioning the woman whose life is filled with threats, continuing abuse and the risk of death about why she continues the relationship, because that implies that the continuance of the violence is her responsibility. One could as well ask the man why he does not let his partner leave: Where does he gain the right to own another person? In addition, most women do not wish for divorce but for the violence to stop.

**9. Domestic violence is not necessarily connected with the perpetrator having a disturbed personality.** Violent behaviour is a cultural sexist matter and most men who are guilty of domestic violence are more or less normal people. Violence always restricts the lives of both the victim and the perpetrator. Empowerment is made possible, regardless of the aetiology of violent behaviour, by taking a view that emphasises personal agency and an approach that increases responsibility.

**10. Crisis offers a chance for change.** A crisis makes it possible to cope more openly with violence and abuse, which may long have been a burdensome secret within the family. One of the principles of crisis intervention in an acute situation is that the staff contact the man within a couple of days; for example after the wife and children have fled to seek help from outside. Our experience suggests that the man is open to help at that time. This helps in establishing personal contact. In some situations discussions to straighten things out have taken place during those two to three days. The emotional processes that favour change are then activated easily and families are more eager and receptive to experimental and new kind of thoughts regarding, for example, safety plans.

**11. The trauma perspective** should be kept in mind when starting therapy with the victims and all concerned. This means that a long-term violent situation is not going to be solved with one single discussion; what are needed instead are structures and limits which maintain safety, and to tolerate uncertainty.

## Clinical-Practical Principles of Operation

12. **The most important means for treatment is discussion**, because violence itself is an action which displaces oral communication – conversation as such does not differ from discussing other clinical problems. Written information predisposes programme participants to feel like objects and functions in the same way as violent behaviour. Oral communication, on the other hand, unites inner experiences and behaviour and functions both as a way to visualise vague experiences and as moderator for earlier overreactions.

13. **Individuality** – it is necessary to treat a violent man as an individual. Treating him as part of a group heightens the risk of violent behaviour because it is degrading and humiliating. The aim is to take individual needs into consideration in every group even while applying a therapy programme. In practice this means that every case is handled individually; sometimes meetings are held individually with a violent man, sometimes with only the partner or with the couple, and sometimes couple or family therapy is not applied. Automatic decisions reduce the therapeutic attitude necessary to provide the treatment.

14. **A family-centred orientation is desirable**, which in this context means that the whole family needs help and that the family may at the same time be the central resource of the therapy. Children are forgotten most easily unless their presence is somehow actively brought into memory. The reason for this is probably connected to the fact that it is the victim along with the perpetrator on whom attention is focussed, and children may themselves withdraw owing to their experiences. Just keeping in mind the closest relations of a violent man will change the handling of the situation: What will it mean for the man and the family members if I ask this? What should the man do to decrease the chance that the violence passes on to his children (either as perpetrators or victims in their later life)?

15. **Gender sensitivity or taking gender into consideration** when providing services for male perpetrators – male staff members work with male perpetrators.

16. **The potential to lay the blame on the victim is inherent in treating violent behaviour**. Talking about a complementary (a systemic view) or a sadomasochistic (psychoanalytic view) relationship means considering violence as a relationship problem instead of handling it as a lack of behavioural control on the part of the perpetrator. It is impossible to comment on the quality of a relationship as long as violence continues or the risk of it exists.

17. **Seeking help for domestic violence is a remarkable and new step**. Change has already taken place when a victim or a perpetrator seeks help and stops the secrecy, admits the problem, recognises his/her fear and pain and admits that he/she cannot do anything without help (whatever he/she says aloud about his/her feelings). This is an important thing to remember at the moment when one feels like giving up and throwing one's hands up. Every single time a client comes to discuss things it is a

victory over keeping things hidden and diminishes violence, even if the consequences seem minor and gradual.

## **What Are We Heading For?**

The constant need to continue developing the programme has not diminished. One topic discussed in the team meeting was the type of violence for which these programmes are helpful. The most cruel and difficult cases of violent behaviour are often out of reach for these networks which have been established in Finland. This means that one of the most central goals should be developing and maintaining the network. It can be done unofficially by giving priority to natural contacts or by arranging training. A sign of this concern is that the police have distanced themselves from us in their daily work. There are fewer and fewer notifications about men who could benefit from attending the support centre. Clients who end up in the programme come straight to the crisis centre, but the number of police alarms and cases of domestic violence has stayed the same.

The role of psychiatric centres has remained peripheral except regarding crisis intervention. Thus it would be important to take into consideration how to integrate the treatment of violent behaviour into already existing therapy processes and how to make the adoption of new contents a harmonising as opposed to disruptive step.

We have constantly thought about helping the men to commit themselves to the group by naming a support person for everybody but this has not yet been organised. At the end of the programme the men are also given a chance to join future groups and represent men who have already gone through the programme. We also know that some kind of non-professional support person would mean a lot to some of these men, especially when they are experiencing troubles. This is why the idea has not been dropped yet.

Individual work has been partially taken over by those male workers who have experience from the Mobile centre and who have moved into those communities which are serviced by the crisis centre. This relates to the idea of diversifying the work within the Mobile project and learning from it. In the future, treatment for violent behaviour at its best would have sufficient resources at community level to both meet the individual needs of victims and perpetrators and to provide group therapy. Local networks, which are of great help, might be needed in assembling the groups.

The newest experiment within the programme is the start of a group for victims of domestic violence at the support centre. This new group has introduced a new kind of continuity in the work with victims. At the time this paper was written, the group was searching for its limits and for the best ways to operate. In any case the group helps the victims to support each other, to keep open-minded and to continue to make progress. The group work enhances the support already given to the victims through individual counselling.

Another central aim is to increase training. The seminars held during the programme have brought together a vast number of participants, and there is also need for long-term training on personal work methods. Violence as a phenomenon requires special skills when dealt with. Without training and information on the versatility of this phenomenon it is difficult to recognise those features which are connected with avoiding responsibility and blaming the victim.

## *Address*

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**Dominique Simon-Peirano**  
**Special Advisor to the Secretary of State for**  
**Women's Rights and Occupational Training, France**

Ladies and Gentlemen,

In view of the recommendations of the European Conference on Violence Against Women held in Cologne on the 29th and 30th of March last year, and given the seriousness and frequency of this phenomenon in all Member States of the European Union, the French government has endeavoured to reaffirm the need to pursue and intensify its policy of fighting violence at the national level.

Along with the position of women in social and economic life and as decision-makers, the fight against violence against women is among the priority policies adopted by Madame Nicole Péry, the Secretary of State for Women's Rights and Occupational Training in France. The fight against violence is not a private problem, it is a fact of life in society which demands a response from the community as a whole, in other words, it demands the implementation of public policy. This priority is an integral part of the global approach to equality of opportunity between women and men which Madame Péry has initiated.

Whatever their social and economic standard of living, education, culture and religion, women are the victims of acts of violence in many forms. Although violence can never be justified, that suffered by women and children in their own families is particularly heinous and inexcusable. France has not been spared this problem, which prevents women from taking a full part in the life of the community. The number of abused women is estimated at 2 million. This figure is unacceptable. It is enough in itself to justify the need to strengthen state intervention.

It was only during the last decade that the fight against violence towards women became a government priority. The first national information campaign was organised in 1989, followed by the first conferences on the subject which took place in Paris in 1990 and generated various initiatives and campaigns. A permanent national helpline was set up on conjugal violence in 1992 and a minitel service – 3615 SOS FEMMES – was established in 1993.

The Department of State for Women's Rights and Occupational Training has an essential role in disseminating information, promoting awareness among those involved and supporting the relevant agencies. Its voluntary-based policy is to

- strengthen aid to victims,
- develop partnerships and
- promote prevention, increase awareness among those involved and disseminate information.

Protection and help for victims of violence are essential. Victims of conjugal violence still face too many problems in practice. It is not enough for a woman to take the major step of filing a complaint for consideration and win her case. Poor administration of justice and prejudice about a subject which is still taboo in our society are the current facts of life.

The extent of the phenomenon in its various manifestations must first be measured so that a response more suited to needs can be provided. The statistics available only cover violence reported when women actually approach an agency (helplines, support, reception and accommodation agencies, complaints received by the national and local police). Very little is known about violent situations experienced by other women.

This lack of knowledge means that it is essential to carry out an actual survey on violence towards women. A pilot study carried out in November/December 1998 among 500 women in Ile-de-France and Brittany has confirmed both the necessity and the feasibility of a survey among the population as a whole. A national survey will be carried out from January to April 2000. It will be in the form of telephone interviews and will cover 7000 women. It will be aimed at all women living in France, whatever their family and social circumstances. It is intended to give some idea of the facts of the phenomenon in the population as a whole.

## **Aid to Victims**

The need to provide a local aid network for victims has led the authorities to support the work of specialist agencies and bodies able to offer women victims shelter and support while they are taking action. About 100 shelters out of the 170 in existence are funded by the Department of State for Women's Rights and Occupational Training. It is important for women suffering violence from their husbands to be able to leave the marital home and find shelter to plan for the future. What is needed is to increase the capacity of the shelters and ensure follow-up after the accommodation period.

The corollary of aid to the victims is punishment of the abusers. The legislation introduced in the new penal code (based on the laws dated 22 July 1992 and applicable from 1 March 1994) and in employment law clearly reflects a recognition of this fact of life in our society. The evidence for this is that so-called conjugal violence, inflicted by the husband or partner, counts as a *crime*, and also the penalties are more severe when the violence is a criminal act and causes injury, disability, total incapacity for work, or death.

The increase in the number of convictions for willful acts of violence between spouses or partners (which increased six-fold between 1994 and 1996 to nearly 5000 in 1996) is the result both of an increase in the reported incidences of violence and improved handling by all the parties involved. However, the current arrangements for medical and psychological treatment need to be improved in order to help violent men control their behaviour.

The priority objectives of greater consideration for the victims, treatment for violence, preventive measures and information campaigns require mobilisation of all the local actors – government departments and the courts in partnership with agencies in the field. This approach can only be successful if effective partnerships are established.

## **Partnership Dynamics**

Updating of the directives by a number of circulars (April 1992, January 1994, September 1996) was necessary in order to motivate the partners, improve local responsibility for the problem and promote contacts between the actors in the field. This was the basis on which the circular dated 8 March 1999 on combating violence against women was conceived. It is intended to reactivate the partnerships between the various administrative departments and the agencies responsible for listening to and sheltering women victims of violence and for following up their cases.

In this respect, the Departmental Action Committees Against Violence Towards Women formed in October 1989 are at the heart of the system. Responsible to the prefects, they combine institutional and agency partners (local and national police reception services for women victims of violence, the courts, social services and agencies in the field). Their remit is to define and promote concerted action to meet the needs of victims and respond in an appropriate way. We fully subscribe to this approach in our interministerial campaign.

Once again as part of the government partnership, Madame Elisabeth Guigou and Madame Nicole Péry are jointly considering the question of violence between couples. The Justice Minister and the Secretary of State for Women's Rights are very aware of the problem of violence suffered by women. In particular, they find it paradoxical that as a result of violence on the part of the husband or partner, the abused woman is often forced to leave the family home very quickly with her children. This has led them to examine the question of eviction of the violent partner from the common home. Housing Minister Louis Besson is also involved in this process.

An interministerial working group was formed last September. It is charged with examining the current legislation, carrying out a comparative analysis with other European countries and evaluating current judicial practice so that a statistical and quality assessment of follow-up action on complaints in two or more regions can be produced. This two-pronged survey will provide information on the difficulties, restrictions and possibly the inadequacies of existing legislation that appear to face

women victims of violence when they apply to the courts. When the results of these assessments are available, proposals will be submitted.

An evaluation of needs in terms of housing and reception structures is also required in order to determine the best conditions of accommodation: It is important to provide a response to emergency situations but also (and primarily) to offer permanent solutions. Similarly, arrangements for emergency reception at specialist regional hospitals and appropriate agencies can be improved by developing partnerships with hospitals. It is essential that these partnership approaches directed towards and on behalf of victims should be accompanied by consciousness-raising among the public and a massive information campaign.

## **Training, Consciousness-Raising, Prevention**

It is clear that the reception and treatment of victims of violence by local and national police require personnel training and campaigns to promote awareness. The reception and sympathetic hearing of victims must respect their confidentiality. As part of their initial and continued training, personnel must be made aware of the problem and be trained to welcome and assist victims, whether the personnel concerned are magistrates, police officers, social workers, hospital staff, or family or penal mediators.

Information distribution among victims means mobilising all the actors and requires the provision of information support available to all potential victims (brochures and notices for the general public at police stations, hospitals etc; information and action guides for police officers, health professionals and social workers).

A campaign of prevention is an essential tool in opening the way to the gradual eradication of violence against women. It is important to regulate behaviour by educating our children and young people. Conjugal violence is an abuse of power resulting from the desire to dominate, which is inherent in all relationships of inequality between men and women. Its existence is encouraged by sexual stereotyping. This is why campaigns of prevention and education must be developed to promote non-sexist and non-violent education.

An agreement will shortly be signed with the State Education Service. This will allow the introduction of new programmes of education in citizenship and health that are intended to promote equality between the sexes (equality of opportunity in training, jobs and decision-making), to encourage models for couples based on mutual respect of rights and equality, and to promote personal development.

This non-sexist, non-violent education will contribute in the long term to

- taking the blame off women,
- restoring their self-image which society transmits to them,
- giving them their rightful position at all levels, including within the family and

- bringing peace and balance to relationships between men and women built too much on a relationship of domination, which we must collectively reject.

Genuine equality in political life and the economic world cannot be achieved until there is a move towards global, profound, cultural change above and beyond the law. We have to make sure that we provide non-sexist education and offer girls all the available career options including science and technology at career guidance sessions. The most effective way of preventing violence in marriage and partnerships is to transcend conventional roles and promote equality in every walk of life.

This is why there is an urgent need to work on the image of women within our society to give them their rightful position at all levels.

This is why it is important to include the problem of violence against women in policy aimed at promoting equality of opportunity and to give an impetus to public institutions.

It is only by working in partnership, and at the transnational level, that we can take decisive steps in the effort to combat violence against women. In collaboration with Spanish and Italian agencies, the National Information Centre on Women's Rights (CNIDFF) is organising a consciousness-raising week in France from 22 to 26 November 1999, with an international day against violence. Finally, let us not forget the importance of the DAPHNE Programme, which will run during the period 2000-2003 and will involve every member country of the European Union.

Information exchange, co-ordination and co-operation at the community level along with public awareness campaigns and the exchange of good practices are fundamental to this action and to the achievement of the objectives.

## *Keynote Address*

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# **Breaking the Cycle of Family Violence – A Systemic Perspective**

**Arnon Bentovim, The London Child  
and Family Consultation Service, United Kingdom**

In a world where violence is such an everyday occurrence, violence scarcely rates a mention in the press unless it is at such a level as to represent a threat on a larger scale. Yet if we look at the family as an organisation from the perspective which I support – a systemic perspective – we see that although we are interested in the factors which foster resilience and care in families, we also need awareness of the factors which mean that the family can be a dangerous context rather than a safe one. Inequalities and violations are an inherent part of family life; intrafamilial violence is not just seen as a symptom of a malfunctioning family, but as a social and political problem stemming from society's inability to prevent victimisation and to protect victims. Therapists lose sight of the damaging effects of abusive and incestuous acts at their peril, because of the intergenerational transmission of violence and the risk of perpetuation of the cycle from generation to generation.

It is impossible for therapists to avoid issues of social justice, and the way that issues of poverty, ethnic differences and politics have an impact on family life and relationships. There are no more profound effects on family life than violent actions, violence against a spouse or violence against a child, whether physical, emotional or sexual. My view is that violent actions have very deep organising effects on individual ways of relating, and have the effect in turn of inducing victim or perpetrator roles. Such is the effect on both the family and those around them that I have coined the phrase *trauma-organised systems* (Bentovim, 1995) to help understand the nature of the problem, and how to develop thinking to break the cycle and develop benign cycles of relating. By definition trauma-organised systems are action systems, and the actors are the victimiser who traumatises and the victim who is traumatised. By definition there is an absence of a protector, or potential protectors are neutralised. We will see that victimisers are overwhelmed by impulses to actions of a physically, sexually or emotionally abusive nature which emerge from their own experiences and are felt to be beyond their control. The cause is attributed to the victim who in line with individual, familial and cultural expectations is construed as responsible for the victimiser's feelings and intentions. Any action on the victim's part to avoid abuse is interpreted as further cause for violent action, and justification for further abuse. Potentially protective figures are organised, or neutralised, by the processes and join in the minimisation of victimising actions or traumatic effects. This results in self-

perpetuating stories which reinforce traumatic action, and abusive events are re-enacted and reinforced.

## Clinical Example

To give a clinical example of the processes which can occur within violent families, I would like to refer to our research on the origin of sexually abusive behaviour among young people (Skuse et al., 1998, 1999). We looked at groups of boys who had been sexually abused, and asked the question why is it that some of these boys went on to abuse other children, and some did not. We also asked the question that if a boy had not been sexually abused, what were the factors which might lead him to sexually abuse other children. No-one will be surprised to learn that the factors which lead children to re-enact their own abusive experiences are the cumulative effects of not only having been sexually abused, but also having been subjected to disruption of care and physical violence in the home, and perhaps what is even more important is to be exposed to their father's physical and sexual violence against their mother.

The boy in this case study, whom we will call Donald, was referred to us because he had sexually abused two younger children and a younger brother. We carried out an extensive assessment of all these young people and their families, and we used a number of approaches to understand their experiences, and the processes which transformed them into abusers. We asked them about their memories and experiences, and stories from their own earlier life. We used the technique called the *adolescent attachment interview*, which asks children and young people to give descriptions of the relationships between themselves and significant figures in their lives, and whether they had been subject to stressful experiences.

Donald's response was 'I think when X (stepfather) was there he used to hit my mum's head against the wall, then he used to come and start on me because I used to try to pull him off and he used to hit me and kick my sister'. When asked how it had affected Donald he said, 'I feel like going round there and killing him...basically he's hurt me, he's hurt my mum, he's hurt my sister and he's hurt my brother...I feel like just picking him up, putting him against the wall and then breaking his arm and taking him down the police station because I could have got him for assault, but my mum told me not to'. When asked why he thought he had behaved as he had towards Donald, Donald said, 'Because he was strong, because he didn't love her, and he just wanted to get his own way I suppose'. (What about your mum, you said when this was going on she would also hit you?) 'When X used to hit my mum (she) used to get angry, but then she used to hit me it was because X used to make her – like really hit her, and she couldn't hit him back so she took it out on me, but then she used to take no notice... because X would hit me, and one day she picked up – X was hitting her – and she picked up a knife and said if you ever hit me again I'll stab you, as he hit her she nearly slit his wrists. Sometimes she used to hit me when it got really bad, but then she used to say sorry and take me out to apologise...' (Why do you think she hit you then?) 'Because she was frightened of him so she hit me, then she used to say sorry'.

In this example you can see the themes of trauma-organised systems emerging, the process of physical violence against Donald's mother, whose response was not to retaliate with her fists as she would not be strong enough, but with a knife. The pattern of dealing with frustration and being overwhelmed with impulses to hit in response to the process of victimisation is evident, as is the role of fear, of helplessness and of the sense of grievance. Yet there is an identification with such processes which leads to the re-enactment of violence, just as Donald perpetrated abuse against young children.

## **The Transmission of Violence and Where to Intervene**

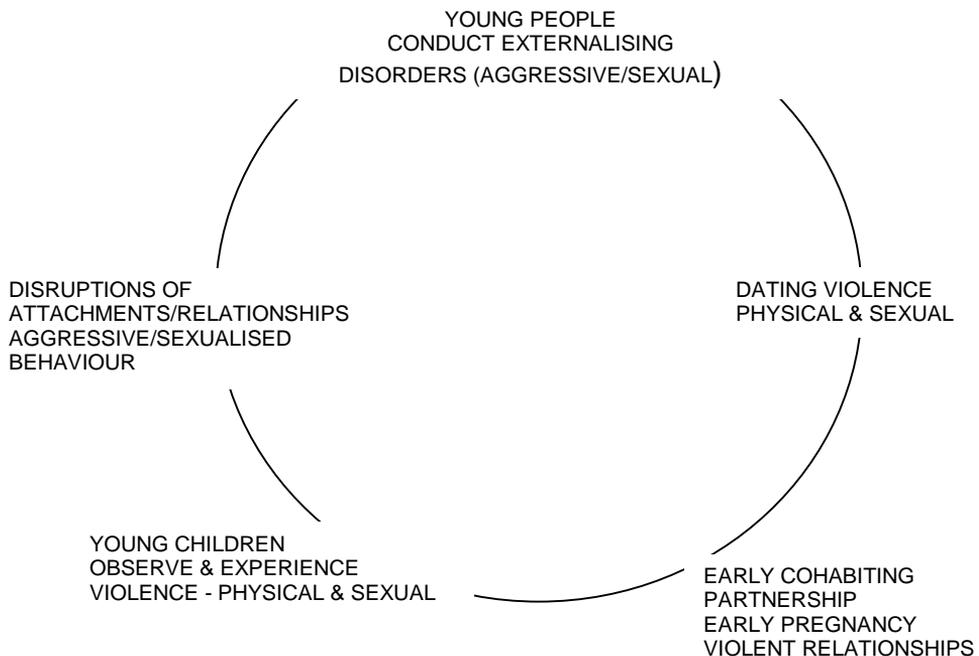
There are two separate but related processes which I want to share in helping both to understand the cycle of family violence, and where to intervene. These are (a) what we know from current research on the transmission of violence and on the risk factors which both promote and maintain the processes and (b) what we understand of the clinical mechanisms and processes involved, and therapeutic interventions which follow.

In my view it is essential that we hold both of these approaches in our minds because they have implications for intervention at a number of levels with the individual, with the family and within society itself.

**Current empirical research.** Moffitt and Caspi (1998) in a review of the work on the impact of family violence, particularly violence between parents and the effect on their children, indicate that 'aggression is highly stable across the life course of individuals, and is transmitted from generation to generation within families'. A current focus in research is to determine which risk factors can blight the development of children and young people, and which are the resilience factors which help young people cope with what may seem to be overwhelming stress.

**Current views on the cycle of violence.** Figure 1 shows a summary of the current views of the cycle of violence. I will touch on each area in parallel to describing the current findings, and will comment on the implications for intervention.

## CYCLE OF VIOLENCE (CURRENT VIEWS)



### ‘Dating’ Violence – Physical and Sexual

I am going to start at an unusual place in the cycle, a less well-known area but extremely important in terms of intervention. Most early studies showed that the preponderance of violence between males and females took the form of gendered violence male to female. But recent studies indicate that partner violence is becoming characterised by an *exchange* of violent behaviours in some countries, although it is clear that male violence has more of the aim of controlling the female, whilst females may be more likely to use violence to deal with threat because of their considerable difference in physical strength. Females are injured far more extensively until they use weapons, such as in the example I have already given you in which the mother attacked the stepfather with a knife (Moffitt et al., 1997).

The rate of violence between young people between the ages of 12 and 21 is extremely variable. It depends how one asks the questions. Some studies indicate a rate of 2% of young people who exchange violence (Center for Disease Control, 1994), other studies 42% (Roscoe & Callahan, 1985). By violence between young people I am talking about violence as described in the Murray Straus conflict tactic scales (Straus, 1979) which includes *pushing, shoving, throwing objects, beatings, choking, strangling*.

What is characteristic of all studies is the high level of secrecy and concealment around violence between young people; very few young people will tell adults, parents or even counsellors. Perhaps they are frightened that adults will force them to break up a relationship which is potentially dangerous, or they want to keep the associated alcohol or drug abuse secret. Despite considerable publicity throughout the world about domestic violence and the patriarchal forces in society which lead men to believe that they have an entitlement to demand control and submission, attempts to counter these beliefs and trends do not seem to have reached enough young people. Girls in some studies still believe that they share the blame and are responsible for the fact that they have been abused physically or sexually, and this prevents from them seeking help.

## **Intervention**

We need to be sensitive to the fact that young people's intense relationships can be highly dangerous to their psychological and physical health, and to intervene where we can with sensitivity and understanding. Our basic response must be one of primary prevention (Sudermann, Jaffe, & Hastings, 1995). Such interventions are well-provided within the school context. There are numerous school-based violence prevention programmes, but very few programmes have been evaluated for effectiveness. Also there is a worrying trend that knowledge about violence and its effects increases, but attitudes are not always changed, and the pervasive socially constructed views of men and women and their roles deeply influence young people. To change attitudes may require more extensive programmes. Paying attention to this has demonstrated that imparting knowledge about violence, beliefs, attitudes and behavioural intentions can be effective, although again changes are more positive for girls than boys. But for girls to understand such issues is important and may help them seek assistance.

We have to be aware of the pervasive influence of bullying, and of violence in the media and in literature. Enlightened censorship is always struggling with the media's attempt to portray ever higher levels of violent behaviour, sometimes without the consequences which will provide a moral lesson.

We have to attempt to create a violence-free school climate, but this can only be achieved with powerful links with community agencies, the involvement of teachers and support staff and the mobilisation of those individuals who have survived violence who can give meaning to the programme. There has been a strong move in some countries to develop the idea of mediation training for young people, so that older children can help deal with bullying and conflicts between younger people, and learn that violence requires mediation, not retaliation. Hopefully if our schools educate for relationships it can 'seed' society with new ways of dealing with violence. A non-violent school compared to a violent climate includes the following:

## **Violent School Climate**

No mention of sexual or ethnic/racial harassment or assault

No explicit policy and practice to deal with violent incidents

No curriculum for social skills and conflict resolution

Use of put-downs and belittling as control techniques

Insular, poor contact with parents and community agencies

## **Non-Violent School Climate**

Explicit recognition and sanctions for different forms of violence, and for sexual or racial harassment or assault

Consistent school policies for dealing with violent incidents / bullying, liaison with agencies and police

Peer mediation and conflict resolution taught and practised

Teachers practise effective non-violent classroom management

Outreach and good liaison with parents and community agencies

## **Stage Two – Early Cohabiting Partnerships, Early Pregnancies and Violent Relationships**

A factor which is closely associated with a young person's chance of being involved with dating violence, and also in partner violence at a later stage, is a history of 'conduct' problems, 'antisocial' behaviour or aggressive behaviour, dating back as early as 7 or 8 years of age or even before. These are children who show oppositional, defiant, challenging behaviour both in school and in the family. Moffitt and Caspi (1998) demonstrated in their unique longitudinal study in New Zealand that such young people, both males and females, were far more likely to be involved in relationships where there was severe physical violence against a partner. Of the young women who showed these characteristics 30% became pregnant as teenagers, and by the time they were 21 years of age were involved in violent intimate relationships characterised by high levels of violence, including strangling, kicking, beatings and use of knives. There was a significant tendency for such young people to have children before they were 21, to get involved in violence and to have cohabiting rather than marriage relationships.

The US victimisation study of 1994 also demonstrated that younger women were far more likely to be involved in relationships with high levels of violence, and that these parents were more likely to have young children who were therefore exposed to the violence. Inevitably this was associated with later disruption of relationships.

We now know that witnessing violence in the home, hearing arguments, seeing injuries, being aware of the damage to the home, perceiving verbal abuse, humiliation and hostility and living in a climate of fear has an extremely damaging effect on

children. This is an effect which as professionals we often do not see. Children are often silent witnesses of such levels of violence. When they attempt to intervene as Donald did, they in turn will be hurt. From the work of Straus (1990) we know that when there is serious spouse abuse, 50% of fathers and 25% of mothers will be responsible for the serious abuse of their own children, compared to far lower levels of abuse when partnerships are non-violent

These findings are starkly shown in the New Zealand study where 18-year-olds were asked about their childhood experiences. Among those young people who indicated that they had no memories of being abused themselves, only 10% of their mothers reported that they had been subject to spouse abuse, whereas amongst 18-year-olds who did remember being abused, half of their mothers (50%) reported having been abused by their partner. The risk of violence towards children when abuse is occurring between parents is between 3 to 9 times as high when abuse is not occurring between parents.

Although there has been a tendency for professionals to try to separate domestic violence from child abuse, research is demonstrating that we need to think of family violence as manifesting itself in different ways rather than think of these as separate phenomena.

Our own research on the origins of sexually abusive behaviour indicate how important such factors are in transforming a sexually abused boy into a boy who is going to abuse others. A boy who has not been sexually abused, but has witnessed his father physically and sexually abusing his mother, provides a potent identificatory model for him.

**Intervention with violent relationships.** It is not possible in this overview to talk in detail about the specific steps in the treatment of family violence manifesting itself through violence in the couple – violence between parents. It is a world-wide problem, in every country, in every society and at every level of society. The growth of the women's movement, the development of shelters for battered women and children and the development of police/justice systems can be successful when linked with therapeutic approaches. There is a need to develop policy and practice in every country to prevent this pervasive and destructive process which blights the lives of so many of the individuals caught in the process, and the children who are caught up in the storm.

### **Stage Three – Disruption of Attachments, Being Exposed to Violence and Experiencing Violence**

This section describes the effect of witnessing, hearing and seeing a parent being injured, being aware of the verbal abuse, the humiliation and the hostility and living in a climate of fear which involves punitiveness and rejection, as in the instance of the case I described at the beginning.

A wide range of studies has now demonstrated the extent of the impact of living in such contexts. There is a broad range of responses described. Layzer, Goodson and de Lange (1985) described mood-related problems, anxiety, excess crying and sadness, sleeping disturbances and difficulties in relating to adults. Hughes (1988) described the way that boys between 6 and 11 identified with their fathers and were ambivalent towards their mothers, or were mimicking the aggressive behaviour, whilst girls were withdrawn and regressed.

Other studies describe the high level of post-traumatic stress disorder. Jaffe, Woolfe and Wilson (1990) and Sternberg et al. (1993) describe the important fact that boys who witness violence have emotional and behavioural problems similar to those of boys who are directly physically abused themselves. They also show high levels of unhappiness, depressed affect and lower self-esteem. All their energy is taken with avoidance, there is little energy for education, they are aversive or clingy in their ways of relating and the more violence they are subject to the more symptoms they show.

Although we have a clinical impression that boys who are exposed to violence or experience it externalise and identify with such patterns and take on an externalising, bullying role, and that girls internalise, blame themselves and identify with their abused mothers, research patterns do not always bear this out. With lower levels of violence the pattern holds, but with higher levels of violence there is a reverse; as girls feel a sense of outrage at the abuse and humiliation of their mothers, they externalise far more powerfully, and show extremely aggressive and violent patterns of behaviour, whilst boys become more anxious.

**Clinical example.** This was illustrated by a family we saw which conformed to this pattern and demonstrated the variability. The parents met at 14, they were both themselves subject to high levels of violence in their families of origin, and had experienced multiple separations and reunions. In addition the father was emotionally and physically abusive to the children, particularly the girls, and the mother was made to punish the children by the father, demonstrating that when there are high levels of violence between couples, power-orientated ways of controlling and punishing children are also used. When we looked at the pattern of the four children we saw that the oldest girl, aged 16, was the peacemaker. She tried to divert the parental violence and took on a maternal role. The 15-year-old showed the powerful externalising patterns of behaviour, she tried to control the situation and to challenge her father, and this led to further abuse. Her own anger then diverted itself to her mother and to her aunt, and she developed an aversive, dominating style in interacting with her siblings, modelled on her father's abusive approach. The 13-year-old was a practical homemaker, she made the sandwiches when her mother went to the refuge, and she showed internalising, passive, victim responses, and anxiety, modelled far more on her mother. The boy, aged 11, the youngest in the family, was least victimised himself but his response to the climate of violence was to separate himself with all the risks of 'passive silent identification'.

## **Interventions With Children Exposed to Parental Violence**

It is essential that we pay attention to children who are subject to high levels of violence between their parents, and to understand their internalising or troubled behaviour as responses to a situation which can be alleviated by the removal of the father, or the rescue of the mother alone. The pervasive effects of witnessing or experiencing violence and punitiveness can have damaging effects on the emotional life of children, and on their capacity to attach to others and develop a positive sense of themselves.

We now have abuse-focussed therapeutic interventions for the victims of violence which have been demonstrated to be successful (see e.g. Finkelhor & Berliner, 1995). A variety of approaches, psychoeducational, cognitive behavioural and/or expressive dynamic, can be used to approach such problems with younger children of all ages and stages of development. We now know we have to consider treatment in the following stages:

1. Establishing protection and freeing the children or partners from a context of violence, children preferably with a non-abusive caretaker, but in alternative care if both parents are abusive and cannot take responsibility for their actions. There can be no emergence from a climate of violence unless the child, or the adult victim of violence, is freed from its corrupting effect.
2. There needs to be a stage of therapeutic work where the children or parents exposed or subject to violence and possibly to physical or sexual abuse, which are so closely associated with violence, can work with their peers in groups, or individually or with a non-abusive parent. The task is to deal with the destructive effects on their emotional life, their attachments and their self-esteem.

In parallel it is essential that there be individual and group work focussed on the needs of the perpetrator of violence. Such work often needs to have legal backing to ensure that it takes place.

During this phase there may be the beginnings of attempts to see whether a couple can live together non-violently if they wish to rehabilitate, or whether contact and possible rehabilitation with parents who have subjected them or exposed them to abuse can be considered for the children.

3. The third stage is to explore the actual possibility of couples living together safely or rehabilitation of children to a non-violent context, or for them, sadly, to have to find a new family context where they will be not be exposed or subject to a climate of violence.

Such programmes can only be developed by a collaborative approach involving health authorities, child welfare authorities and a justice agency. Violence is both a criminal act and a psychological blow which causes such high levels of traumatic stress that it can disable and affect health in an extensive fashion.

1. We deal with the *emotional dysregulation* by teaching children, young people, victims of all ages, how to cope with the overwhelming traumatic emotions associated with violence through development of coping strategies of many varieties. We assist them to tell and share their stories and witness and affirm their capacities to use their new-found coping to find ways of expressing feelings. Instead of numbness, dissociation, intrusions, visualisations, anxiety, panic, explosive outbursts, intimidation, grievance or even the sexualisation of anger and closeness, they can deal direct and control their feelings and find a language for emotions.

2. We help in the creation of a supportive *map of the self and significant others' 'attachments'* by literally finding ways of reparenting children, young people and their parents, so that instead of being indiscriminate, dismissive, controlling, clinging, fearfully living in the past and struggling with internal negative figures, individuals can separate themselves. They need to learn more appropriate ways of relating to others in school, to develop partnerships with other young people which are not violent and to learn a language of relationships which provides growth, not restriction.

Therapists have to learn ways of developing attachments with their traumatised clients which maintain consistency and have to provide care, concern and living contexts which support this.

3. We need to help traumatised individuals develop a *positive sense of self*. We help them understand that the responses which made them feel embarrassment, shame, guilt, self-blame, deserving of punishment and that the imposition of sexuality and aggression was justified, are understandable responses to the corrupting effect of being exposed to numbing violence and abuse. We help them understand that they have to create an alternate story of survival. We need to respond to their communicated needs, to confront the power of the internalised abusive figures in their lives and help them find a new sense of themselves instead of the pervasive, fragmented, negative views of themselves, the false selves or even an absence of a sense of self fraught with vulnerability and danger.

The tasks for therapists are considerable in achieving these goals, and we need a combination of community action and a focus on the family, on groups and on individuals in many different contexts to achieve a satisfactory goal. We need a variety of levels at which to intervene, from informal networks to increasingly formal therapeutic contexts, including residential settings, to achieve goals with children who at assessment have been severely traumatised, and may themselves be extremely dangerous.

In summary, therapists working with victims should do the following:

- Respect boundaries and reluctance to discuss abuse.
- Grant the client control over discussion of sensitive material.

- Respect current coping strategies even if avoidance, denial, dissociation or somatisation are included.
- De-emphasise the pathology within the patient and emphasise the problem given their particular experiences.
- Use normalisation techniques, explore all aspects of functioning, e.g. symptoms, further abuse, triggers for fearfulness and anxiety, relationships, sexual behaviour, impaired memory dissociation.
- Target acute symptoms, panic, sleeping problems and severe anxieties to provide relief and a counter-notion to the belief that therapy consists of being reminded of painful events.
- Use cognitive strategies to switch off intrusive memories or flashbacks.
- Use relaxation techniques, distractions or desensitisation.
- Remember that educative therapies, discussion and reading handouts can be helpful. Sex education is vital and group therapy is essential because of the influence of peer relationships; parallel work with the protective parent(s) needs to look at similar issues.

## **Stage Four – Young People With Conduct/Externalising Disorders**

It has been evident in talking about the previous point on the cycle that disruptions of attachments, and the aggressive or sexualised behaviour of children directly exposed to a climate of violence, lead these young people to demonstrate defiance, intrusive actions, explosive outbursts or a frightening, intimidating style full of grievance. They perceive the world as a place which needs to be controlled with the imposition of their anger and abuse on others as a way of coping with their own overwhelming cumulative stress, reinforced by the social context in which they are living. Research on violent and pornographic imagery has shown that young people who are affected by these are those young people who have also been subject to a climate of violence in their own home.

In working with young people and all perpetrators of violence we need to work on the following areas:

1. We need to develop the client's *motivation* to become a non-violent person through intervention in therapeutic work by
  - using *external controls and mandates*,
  - using negative consequences for non-compliance,
  - developing a 'collaborative' approach,
  - developing explicit and agreed-upon goals and
  - respecting the individual – I reject your act not *you*.

2. We work with *denial* through
  - non-aggressive confrontation and
  - working with the statement made by the victim to get acknowledgement of planning, harm and future risk, and need for treatment.
3. We explore the *chain or cycle of offending behaviour* – what feelings, thoughts and actions lead to abusive action in order to
  - specify high-risk situations,
  - know their triggers of risky behaviour,
  - learn problem-solving, avoidance and coping strategies and
  - alert significant others to take avoiding action.
4. We help clients to understand the *link between feeling, fantasies and actions*
  - to develop positive thinking approaches and
  - to have them explore their own experiences and how helplessness can trigger grievance which is expected.
5. We explore the *distortions of thinking* which give ‘permission’ to abuse
  - by seeing how they arise from their own experiences and
  - by challenging denial and distortions.
6. Perpetrators *develop empathy* for their victim through
  - education,
  - linking with their own experience and
  - writing and preparing to apologise.
7. We aim to help clients develop *interpersonal skills* by
  - teaching anger management, assertion and social skills and
  - linking with their family of origin experiences.
8. We *maintain change* through
  - support and encouragement and
  - developing a plan with significant others.

It then becomes possible to contemplate reconciliation, apology and understanding the way victimiser, victim and the 'protective parent' have been locked in a 'web' of actions and organised into silence and victimisation. There is the possibility of testing whether a new pattern of attachments, feelings, alliances and relating can emerge.

## **Family and Society – The Full Circle**

We have now come full circle. We see society as containing a set of norms, rights and values which persist through the family, which serves as the agent which transmits and reproduces culture. Individuals both create families, and are nurtured and socialised by the family. The individual responds to and has an impact on society in the light of these experiences, and it is not surprising that young people nurtured in a climate of violence will themselves reproduce and recreate such patterns in society and respond to them. When a young person who grows up in a family whose organisation is rigid or chaotic is subject to continual conflict or chaotic or unrealistic care, or whose family rejects or is over-dependent on society, both the person and the wider family will themselves recreate such patterns in their own relationships in many contexts.

These patterns are reinforced when family character shows a failure of cohesion, where boundaries and role models are rigid or where there is little distinction or recognition of needs. When communication is fragmented, when emotional life consists of attacking and when alliances are destructive and scapegoating, the cycle of abuse will be perpetuated. We now know that some children 'escape' the pathway and their resilience is strengthened by a positive relation with one parent, a sibling, a peer, another family adult or by therapeutic help (Skuse et al., 1999).

In every country where we look we note that the level of family violence is unacceptably high. Our interventions have to be at all levels with the individual who perpetrates violent acts, whether a young person or an adult, male or female. Programmes for young people with severe conduct problems which involve parents, such as the Webster Stratton approach, can be successful. Patterson's model uses behavioural approaches to deal with violent young people. Group-work approaches to dealing with sexually abusive young people and the increasing provision of therapeutic work for offenders within the prison system all attest to the growing awareness that the violent individual needs to be worked with. Domestic violence projects which provide anger management, victim awareness and violence prevention can all be effective.

We are still in a phase where violent perpetrators and the victim of violence are dealt with very separately. This is an inevitable stage given that victims need such considerable advocacy to get their needs met, and going beyond punitive strategies with perpetrators requires considerable investment to develop therapeutic work. But we do need to bring these two worlds together by ensuring that family programmes which bring together victims and perpetrators are developed during this third phase of treatment.

Interventions with the family need to be both preventative and therapeutic. It has been known for many years that the stresses of poverty and of community and national violence are always associated with much higher levels of violence. But they are markers for violence, in that there is always an interplay between the context and the family response in terms of who is at risk of transmitting violence in stressful contexts. We have to strive to support families, to mitigate the evils of poverty and of ethnic and community violence, to develop welfare programmes, parent education, parent preparation and support for young parents, and we have to acknowledge the importance of the prevention of unwanted pregnancy. We need to act vigorously and actively with parental violence, and to be able to act with young families at risk through a variety of community supports so that young children will not be exposed to violence between their parents. The transmission of such processes to their own development needs to be halted. A wide variety of parenting programmes can be successful and this demonstrates the effectiveness of a focus on the family unit.

Society requires that we focus on trying to create a less violent world through ensuring that our children are protected in all contexts, and are nurtured and socialised into non-violent roles by being taught mediation skills as an essential component of their education. We have to be aware of the downside of the media and technological miracles which can corrupt and bring about a subtle intrusion of violence. There is an important debate about trying to manage pornography and child pornography. The transmission of violent images and its accessibility to children in the heart of the family is an issue which concerns many people. It is going to require extremely sophisticated management because of the pervasiveness of the very medium itself. The media can be used to convey a message about the danger of violence as well as to create excitement. If society can take seriously the breaking of the cycle of family violence and the creation of benign forms of relating as a way of creating a caring society, the objective becomes a legitimate and worthwhile one. We now have the capacity to intervene at many different levels, the strategies are available, and what is required is the will to use them.

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## *Closing Address*

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**Juhani Perttunen**  
**Ministry of the Interior, Finland**

Madam Chairperson, Ladies and Gentlemen,

I would like to convey to you the greetings of the Finnish Ministry of the Interior and of the Minister of the Interior.

This occasion is one of the important forums for co-operation organised under the Finnish EU presidency.

The United Nations General Assembly made its Declaration on the Elimination of Violence Against Women on 20 December 1993. This declaration provides that states should condemn violence against women. The Beijing World Conference on Women in 1995 also adopted a declaration and a platform for action concerning women. The platform for action includes various measures to be taken both by public authorities and different organisations. The policies mentioned include reduction of violence, research in the fields concerned and prevention of trafficking in women.

This meeting here in Jyväskylä continues the process started during the British, Austrian and German Presidencies. Significant progress has been made in this field both internationally and nationally, thanks to public authorities and other organisations that have been doing excellent work for a long time. Public authorities are responsible for the practical implementation of the decisions and objectives adopted by the United Nations, the Council of Europe and the European Community, but a variety of organisations are also involved in the implementation process.

The Finnish Government approved its Government Equality Programme a couple of years ago. The prevention of violence against women is one of the main objectives of this programme. Domestic violence has become an increasingly serious social problem due to various international and national reasons. Therefore, the new Finnish Government has paid special attention to this problem in its programme.

In addition, several projects in which the police are actively involved in Finland have been launched in the field of equality and prevention of violence against women. The National Research and Development Centre for Welfare and Health, STAKES, for example, has launched five-year projects for the prevention of prostitution and for the prevention of violence against women. As for these projects, the work is carried out by management and project groups, as well as by divisions which include researchers and

multiprofessional experts who do practical work in the field, for example people who represent voluntary organisations and state and municipal officials who represent different professions. There are 12 regional teams working on these projects in Finland at the moment.

The police mostly meet violence when intervening in domestic violence situations. In Finland the police make close to 45 000 house calls every year, 14 500 of which are domestic violence situations: assaults, threats, attempts to enter other people's homes without permission, disturbance of domestic peace and domestic arguments. It is estimated that roughly one out of every two house calls of the police involve some kind of violence. I believe these situations emerge in all EU Member States. The police intervene in domestic violence situations with the aim of putting down violence and helping people in crisis to seek assistance. The police can, for example, refer women and children to mother and child homes and shelters.

In most cases, the violence met by the police during house calls is domestic violence. The injured party is usually a woman, but it can also happen that parents and children are injured parties. Children sometimes have to live the first years of their lives in a violent environment. The police and other authorities must, therefore, have the attitudes and professional skills needed to fulfil their duties, ensuring the protection of victims' privacy. In Finland, the Supreme Police Command has appointed a management group for family violence in order to further develop police training, on-the-job training, research, community policing (which is also part of crime prevention) and information.

The legal system must enable an appropriate handling of violence cases. To achieve this objective, we need information about the factors complicating this process. Research, open discussion, selection of priorities and development of professional skills in order to guarantee balanced co-operation with different bodies create a solid basis for carrying out this demanding work. We need information to be able to have an influence on these matters.

Finnish legislation, as with other EU countries' legislation as well, supports prevention of violence. Under Finnish legislation, for example, an assault committed in a private place is an offence subject to public prosecution, and the victim has the right to have a counsellor and an assistant. And, in certain cases, the victim is entitled to compensation under the Act on the Compensation from Public Funds for Victims of Criminal Acts. The latest reform, the Act on Restraining Orders, came into force early this year. This act has proved useful: more than 600 restraining orders had been given by the beginning of October. A brochure on restraining orders has been prepared in collaboration with different bodies.

All measures that enable us to help victims of crime are especially important. The Communication from the Commission to the Council, the European Parliament and the Economic and Social Committee, 'Crime Victims in the European Union – Reflections on Standards and Action', was adopted in July. There are three general problems facing the treatment of crime victims: the need for information, the need for training of

staff who deal with victims and, as regards foreign victims, the problem of language. In an ideal situation, victims of crime should be informed of the following: general legal system/practices, the right to get compensation through criminal procedures, possibilities to appeal under private law, rights and possibilities to apply for compensation and related procedures, the right to be informed of the progress of the case, the right of appeal and related procedures, the right/possibility to use the services of an interpreter, a legal counsellor or other assistants, the verdict of the court (when it will be announced and where it is available), the decision on bringing or waiving charges and the related right of appeal, where and when the defendant will be heard, where to get help and assistance, and possibilities for victim-offender mediation. I hope that the improvement and practical implementation of these matters would start without delay.

In addition, society has to pay annually for other damage caused by violence as well. It is difficult to estimate the total cost of this damage. We should try to solve this problem, too.

The offences known to the police are only the tip of the iceberg. As a result of assaults, people are absent from work but do not tell their doctor or the police the real reason for the absence. Mental violence makes people tired and increasingly ineffective at work. Thus, continuing violence causes a number of problems.

In the EU today, we more than ever need co-operation to be able to eliminate violence against women. Co-operation between different bodies at the national level is a good basis for fighting the problem. To enhance the efficiency of co-operation, we should create new support measures and reinforce the existing services. In Finland action programmes have been launched at the local level as part of a national crime prevention programme. These action programmes carried out by local authorities will create the basis for co-operation at the local level.

To the meeting participants I want to say that we need financing and different programmes that improve preparedness and create new models of action useful to different countries at both the international and national levels. The DAPHNE programme for the years 2000 to 2003 is a good example. We can learn from each other's experiences and, at the same time, make considerable savings. First of all, we can prevent violence against women and aid individual persons who need help.

I'm very happy that this meeting was organised. It is important not to approve of violence against women of any kind but to talk about it and to find new ways to eliminate this violence. This would also help us provide victims of crime with better support and assistance services. I hope that this meeting has given you new ideas of how to prevent violence against women and improve the status of crime victims. The fact that we have the right attitude and take the right measures when intervening in situations that involve violence will enable us to help the victims, and the offenders, too.

In conclusion, I would like to thank the organisers of this meeting, the chairmen, the working group chairmen, the reporters, all the participants and those responsible for the other events organised in connection with the meeting, for the significant work they have done to make this meeting a success.



# Appendix I

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## **Standards and Recommendations Adopted by the Conference of Experts, 'Police Combating Violence Against Women', November 30 to December 4, 1998, Baden bei Wien<sup>1</sup>**

### **General Principles**

1. The right of every individual to the assurance of his or her safety constitutes the most important guideline for all state activities related to incidents of physical, psychological and sexual violence against women perpetrated by men. The obligation of the police to ensure the safety of all human beings irrespective of their status as nationals or aliens must take precedence over all other police duties.
2. The right of the individual to the assurance of his or her safety must be safeguarded by the state irrespective of the sex of the individual and irrespective of the role played by the individual in the public and private sphere. Although as a matter of principle the intimacy of the domestic sphere must be respected by the state, this right can no longer be granted in the event that state intervention becomes necessary in order to protect the safety of an individual within the domestic sphere. Hence the police must not consider violence in the home as a private or family matter, but must always, also in cases of domestic violence, be fully aware of their public mandate. In view of the ambivalence existing in society regarding the domestic sphere, police officers need to be given clear and detailed instructions as to how to deal with incidents of domestic violence.
3. The state must outlaw all acts of violence as crimes, also those occurring in the home. Legislators, the police and judicial authorities should refrain from any behaviour which might lead to the assumption that violence occurring within the family constitutes a less severe offence than an act of violence committed in public.
4. Although male violence against women has social causes and is rooted in traditions, this does not relieve violent men of responsibility for their behaviour.

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<sup>1</sup> These recommendations from *Police Combating Violence Against Women. Documentation of the Conference of Experts* (A. Dearing and E. Förg [Eds.], Vienna:Verlag Österreich, 1999) reprinted with permission of the editors.

The response of the police and judicial authorities to male violence against women should always clearly convey the message that the assailant is responsible for his actions. Hence the police and judicial authorities must avoid behaviour which the perpetrator might interpret as condoning or trivialising his crime. This applies, in particular, to programmes for the re-education of violent men.

5. The removal of the assailant from the home in which the female victim (also) lives constitutes an effective remedy and a strong signal both for assuring the victim's right to safety and for making the perpetrator aware of his responsibility for his behaviour.
6. The police on their own cannot ensure the safety of women who have become victims of male violence. These cases must be referred to other institutions, such as family and criminal courts, and child and youth welfare authorities, as well as institutions that provide medical attention to female victims of violence, private institutions which offer counselling services and active support on the basis of solidarity, and institutions involved in the re-education of perpetrators.
7. However, the police have to make sure that other institutions can use police intervention as a basis upon which to build up their own work. This can be achieved through comprehensive documentation of the domestic situation in which the police intervened, through the compilation of all available data on the assailant, and the passing on of such data to all the relevant institutions in order to enable them to take measures to combat violence. Co-operating organisations should have agreed-upon standards as regards confidentiality that do not undermine the safety and empowerment of abused women and children. Women must be helped to assert their claims and must be given support in making their decisions on further steps they want to take.
8. The empowerment of women constitutes an indispensable principle for combating violence against women: the woman's position must be strengthened and the victim must receive support to help her take the decision as to what further steps she should take.
9. Women who have been exposed to male domestic violence are entitled to receive support and understanding for their needs from the police and judicial authorities. The police must refrain from any action that would be detrimental to healing the psycho-social trauma caused by the violence to which the victim has been exposed. The police must, in particular, refrain from exerting any pressure on victims which would aim at using victims as instruments in the prosecution of perpetrators by state authorities. Criminal proceedings should, to the greatest

possible extent, take into account the interests of victims of violence, with a view to encouraging them to participate in the proceedings voluntarily as active parties.

10. The impact which laws and political decisions have on the lives of women and children exposed to violence should be monitored. Available programmes and institutions, and co-operation between such institutions, must also be continuously evaluated.
11. The EU Member States will energetically support and implement all international agreements destined to eliminate violence against women and girls.

### **Police Organisation**

12. The training of police officers and representatives of other public agencies, especially of judicial authorities, must be given special attention in view of their very delicate and responsible task in dealing with male domestic violence. It has proved very advantageous to involve in police training programmes persons who have gained experience in dealing with violent men or with their victims in homes for battered women or in similar institutions. With respect to combating violence against migrant women it appears very useful to recruit police officers who are intimately acquainted with other cultures. For this purpose, it is also necessary to recruit more female police officers.

In this report, the term ‘women’s institutions’ refers to all programmes aimed to help victims of domestic violence by empowering them. Thus, a (multi-institutional) approach based on co-operation is indispensable for effectively reducing male domestic violence against women.

13. The police should draw up both annual and long-term action plans for every authority, which describe operative police activities for the prevention of violence and the protection of victims, and should allocate sufficient funds for such activities.
14. The police should designate a competent officer for each organisational unit who is to be entrusted with policy implementation.
15. Each organisational unit of the police should have specially trained officers to deal with incidents of violence against women.
16. With the assistance of state and private experts, the police should work out

specific procedures and develop specialised training courses and documentation for the purpose of improving basic, in-service and executive training programmes to combat male domestic violence against women and children.

17. The police should make sure that every police officer is able to prevent re-victimisation and to implement effective legal measures for assuring the safety of victims.
18. As a matter of principle, the police should provide assistance, counselling and the necessary information to victims and refer them to competent institutions that afford support to victims.
19. The police should develop a smoothly functioning registration system which not only records the number of requests for assistance received, but also the type of police interventions made as well as personal data on the perpetrator, including information on previous arrests, appearances in court and convictions.
20. The police must strive for comprehensive gender parity and suitable minority policies in all organisational units and should foster the institutional culture necessary to achieve this goal. All police units must pursue a policy aimed at eliminating all forms of violence against women.
21. The police should further the development of special projects within all organisational units with the aim of integrating experience with innovative and tailor-made changes into practical police work.
22. The police should set up effective control mechanisms on a permanent basis, which can be used both within units as well as by outside experts.

### **Criminal Proceedings**

23. There should be a consensus that all acts of violence perpetrated in the private sphere must be prosecuted ex officio by the state.
24. Victims should be informed without undue delay about relevant facts in all phases of criminal proceedings; especially the release of the perpetrator from arrest should be brought to their attention. It is the task of police officers to provide such information in a readily comprehensible form. Victims should be entitled to receive interpretation, free of charge, in any phase of the court proceedings, whenever necessary.

25. All victims of violence have the right to obtain legal and psychological assistance free of charge for the entire duration of court proceedings.
26. Wherever appropriate, victims should be spared confrontations with perpetrators in court proceedings, both within or in the vicinity of courtrooms.
27. During the entire proceedings, i.e. police investigations, pre-trial hearings, court hearings and appeals, the obligation of victims to repeatedly give evidence should be restricted to an absolute minimum.
28. The need for special behavioural skills in dealing with cases of domestic violence and sexual abuse should be addressed by offering police officers appropriate in-service training to this end. In densely populated urban areas or regional centres the setting up of specialised units might be useful.
29. Consideration should also be given to the introduction of publicly financed compensation schemes for victims of violent crimes.
30. The findings of criminal proceedings should be admitted as evidence in proceedings for the compensation of victims.
31. Member States should give consideration to integrating victim compensation schemes into criminal proceedings.
32. In all phases of criminal proceedings, the primary goal should be to assure the safety of victims. Protective measures, such as the issuing of restraining orders or the installation of alarm systems etc., should be taken with due regard to the severity of the threat to which victims are exposed.
33. Criminal proceedings for acts of violence should be conducted as expeditiously as possible.
34. The question of how to impose effective sanctions on perpetrators of violent crimes should be passed on by the Austrian Presidency to the German Presidency of the Council.

### **Principles and Mechanisms of Co-operation**

35. The police and judicial authorities are primarily responsible for assuring the safety of women and children and for drawing attention to the responsibility of assailants for their actions; co-operation with other public agencies and

institutions (e.g. youth welfare authorities) appears necessary in order to afford victims of violence practical, emotional and legal assistance, and to give them all the information they need. Irrespective of the duty of the police to remove a violent man from the home in which the victim lives, it is also necessary to offer victims a safe refuge where they can work out strategies for their future actions in a sheltered environment.

36. Women's institutions were the first ones to address the issue of violence against women in public and to offer victims support and assistance. All states should pay tribute to these institutions and give high priority to the work they are doing.
37. States are responsible for creating a sufficiently dense network of women's institutions and for allocating funds to them to pay them for their activities. In accordance with the recommendation made by the Committee for Women's Rights of the European Parliament, in homes for battered women at least one place per 10 000 women should be available.
38. The police should organise active participation in networks and co-operation with other governmental and non-governmental institutions on a partnership basis at the local, regional and national levels.
39. The political will to combat domestic violence against women must be resolutely mobilised. Legal provisions must be drafted in co-operation with women's institutions. At the national, regional and local levels, appropriate conditions for such co-operation must be created. The mechanisms to be applied to the assignment of tasks must be determined and joint resource management applied. A co-ordinating body should be set up to monitor the achievement of partial goals, compliance with agreements and meeting of deadlines.
40. Basic funding must be assured for both women's institutions and all organisations committed to the goal of combating violence against women. Thus an independent and professional network of victim support organisations is to be established. At the same time, the involvement of all these institutions in the legislative decision-making process and in law enforcement is to be assured. This should enable women's organisations to show the reasons for violence against women in connection with existing social structures and thus to initiate socio-political change.

## **Violence Against Migrant Women**

41. Migrant women find themselves in a particularly vulnerable situation and are even more exposed to male domestic violence than nationals of a state. Against the background of institutionalised racism as well as language and cultural barriers and their status as migrants, it is on the one hand even more difficult for these women to rely on the support of private women's institution or authorities, and on the other hand they are often completely dependent on their husbands as regards their immigrant status and their economic situation because of existing legal provisions. In this area, the state has to assume specific responsibility for furthering institutions for the protection of women and for making sure not to encourage male violence through undifferentiated legal provisions.
42. Migrants must be informed about the fact that traditions and practices involving crimes perpetrated under a code of honour, forcing female minors or women into marriage without their consent and all forms of female sexual mutilation constitute punishable acts in areas under European Union jurisdiction. Women and girls who are threatened by such practices in their home countries may be granted asylum on the grounds of such threats and are protected against deportation, expulsion or repatriation to a country in which they would be exposed to such threats. Specific prevention programmes are being developed in co-operation with migrants from such risk countries and especially with NGOs. The Member States of the EU should initiate awareness-building measures to this effect.
43. Conference participants welcomed and supported the recommendations of the EU Expert Meeting on Female Sexual Mutilation (DAPHNE, November 1998). Research on this problem must be brought forward and public attention must be focussed on it, while, at the same time, the ethnic groups concerned must be offered concrete help.
44. Migrant women must be given access to assistance programmes and institutions, irrespective of their legal status.
45. Migrant women suffering from male violence (including daughters who are abused by their fathers) must be granted separate residence entitlements independently of the residence status of their assailants.
46. For migrant women, access to the labour market should be facilitated in order to give them a higher degree of autonomy. In this way prevention of violence can be achieved.

47. In this area, mainstreaming is indispensable in order to heighten the visibility of migrant women in society, and especially in the relevant institutions of a country.
48. Migrant women must become involved in the basic and further training of persons who provide care for victims of violence.
49. Basic police training courses should contain specific exercises for dealing with domestic violence in migrant families.
50. Both police officers and NGOs should be trained with a view to coping better with cultural diversity. This training should focus on the sensitisation to domestic violence, cultural differences and racism. In Great Britain such training programmes are already under way.
51. In countries where language courses for migrants (new immigrants) do not yet exist, these should be offered free of charge and be mandatory. For the duration of such courses, child-care facilities should be made available to participants.
52. The German Presidency is requested to pursue further the topic of violence against migrant women, taking these recommendations into account.

## *Appendix II*

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### **Recommendations of the Expert Forums of the EU Conference on Violence Against Women, Measures Towards Combating (Domestic) Violence Against Women Within the European Union, March 29 and 30, 1999, Cologne**

#### **Expert Forum 1: The Extent, Reasons Behind and Consequences of Violence Against Women**

1. The member nations of the European Union and their institutions are called on to provide support on a European level for a mixed group comprised of researchers, experts and women's NGOs with extensive knowledge in the field of combating violence against women. This is to allow the accumulation of pertinent information on the basis of common criteria, the elaboration of common standards and the handling of multidisciplinary research programmes, taking the relationship between offender and victim into particular consideration.
2. The member nations of the European Union and the European institutions are called on to maintain contact with this mixed group for the purposes of exchanging information and experience and to guarantee influence on socio-economic decisions on the European level, so that the problem of violence against women is taken into consideration particularly in policy pertaining to equal opportunity, family, equality and home affairs, as well as legal, educational and media policy.

#### **Expert Forum 2: Legal Possibilities for Combating (Domestic) Violence Against Women**

1. The member nations of the European Union, together with the applicant nations, are called on to establish explicit, effective and clearly defined legal regulations pertaining to domestic violence, oriented towards the immediate separation of the victim from the offender through the immediate removal of the violent man from the common household and environment of the woman and her children. The police forces are to be given concrete instructions on the implementation of such regulations, including further measures to protect the victim. The efficacy of the measures taken and the behaviour of the violent man must be monitored both during and after their implementation.

2. In order to improve the safety of women affected by domestic violence, the member nations of the European Union and the applicant nations must ensure that female immigrants do not lose their residence permit when separated from violent offenders.

### **Expert Forum 3: Prevention**

1. All state institutions must be obligated to deal with the subject of ‘male violence’, to co-operate in dealing with this subject, to exchange information with one another, to analyse internal structures as regards tolerance and continuation of male violence and to design their training and further training measures accordingly. Furthermore, these institutions must engage in measures aimed at primary offender prevention.
2. The prevention work against male violence must be funded by the governments.

### **Expert Forum 4: Help Organisations and Co-operation With Institutions, European Networks**

1. All national governments are obligated to establish and to finance a comprehensive and cost-free offer of support for abused women and their children, regardless of their legal status, under the management of women’s NGOs. To this end, such support is to involve women’s shelters, women’s advisory offices, emergency organisations, legal and social help organisations, offers of support for children and intervention projects, for which standards have been developed in Expert Forum 4 and are to be implemented.
2. All national governments are obligated to elaborate a national plan of action on violence against women by the time of the next EU conference, in co-operation with women’s NGOs, and to make available the requisite means for implementing said projects.

### **Expert Forum 5: Work With Perpetrators**

1. Legal boundary conditions must be established in all member nations of the EU and the applicant nations that render it possible for instructions and restrictions to be issued in order to allow violent offenders to participate in training programmes.

2. Work with perpetrators and associated public awareness campaigns must be based on international experience and be scientifically supported and evaluated as part of an extensive package of measures aimed at combating violence against women and their children. The opinions and experience of the women and children involved must be taken into account when working with the perpetrators.

## **Addendum. Further Recommendations of Expert Forum 4**

### **Support and Services for Women**

#### *Standards:*

- free of charge
- empowerment
- laws to protect women and children, right to stay in the home, remove the perpetrator.

#### **1) Women's Refuges and Shelters**

- 24-hour service
- safety of the women and children paramount
- women helping women
- confidentiality guaranteed
- no time-limit on stay subject to finances
- run by women's NGOs with feminist perspectives
- 1 family refuge space per 10 000 of population
- empowerment and self-help model
- open to all women who are victims of violence (migrant women, black and ethnic minority women)
- sufficient funding through governments
- paid staff and training

#### **2) Necessary Advocacy and Support Services\***

- helplines
- women's groups, self-help
- pro-active services
- drop-in centres
- aftercare
- free legal aid

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\* per 50 000 of population

### **3) Services for Children of Battered Women**

#### **4) Interagency Partnership**

- intervention projects
- housing programmes
- training and development
- employment opportunities
- free legal aid
- social security
- health services

#### **Standards for Intervention**

- All interventions must be co-ordinated by NGOs which are part of the women's support services.
- The safety of women and children is the priority of the co-ordination.
- Women's support services must be an integrated part of the co-ordination.
- The co-operation of the police and the judiciary with the intervention project must be mandatory and must inform the women's support services.
- Sufficient funding has to be provided by the state.

#### **EU and National Governments**

- A National Action Plan (NAP) should be adopted in every country in co-operation with women's NGOs by the next conference (Finland).
- The NAP has to include a system of monitoring and evaluation – together with NGOs provide sufficient financial means to implement the NAP.

## Appendix III

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### **Statement by the Portuguese Presidency of the European Union, Given at the International Conference ‘Violence Against Women: Zero Tolerance’ in Lisbon, May 4 to May 6, 2000**

The Portuguese Presidency of the European Union, following its international conference ‘Violence Against Women: Zero Tolerance’, which was held in Lisbon from 4 to 6 May 2000,

- in regard to the Resolution of the European Parliament of September 1997, which voted for the Report of the Committee on Women’s Rights by Deputy Marianne Eriksson, on the need to establish a European Union wide campaign for zero tolerance of violence against women, which called for the designation of 1999 as a European Year Against Violence Against Women;
- in regard to Articles 2, 3 and 13 of the European Union Treaty, that put upon the Member States the duty to promote equality, eliminate inequality and take the appropriate dispositions to eliminate discrimination on the grounds of sex;
- in regard to the commitments made at the Fourth United Nations Conference on Women in Beijing, and contained in the Platform for Action, at the moment under review and appraisal by the United Nations;
- in regard to the Platform for Action that deems it essential to combat all forms of violence against women, including trade in human beings for the purpose of sexual exploitation;
- in regard to the fact that the fight against violence against women is included in the Community Programs for Action, namely DAPHNE (2000-2003), adopted in December 1999, and STOP (1996-2000), to improve international co-operation in the field of the fight against trade in human beings; and
- whereas violence against women that takes place within the family, at the workplace or in society includes, *inter alia*, physical and psychological ill-treatment, battering, genital mutilation, incest, sexual harassment, rape and other forms of sexual assault and trafficking in women for the purposes of sexual exploitation;
- whereas violence against women is a violation of the right to life, safety, liberty, dignity and physical and mental integrity of the victim and therefore an obstacle to the development of a truly democratic society and

- whereas violence against women is unquestionably linked to an unequal balance of power between the sexes in the social, economic, religious and political spheres, despite national and international legislation proclaiming equality,

calls on the Council, the Commission and Member States to

- take forward the recommendations approved at the Conference of Experts ‘Police Combating Violence Against Women’, held in Baden am Wien (30.11/ 4.12, 1998), under the Austrian Presidency of the EU; those approved at the EU Conference ‘Violence Against Women – Measures Towards Combating (Domestic) Violence Against Women Within the EU’, held in Cologne (28/30 March, 1999), under the German Presidency of the EU; and those approved at the EU Expert Meeting on Violence Against Women, held in Jyväskylä (8/10 November, 1999), under the Finnish Presidency of the EU.
- take the solemn commitment to combat all forms of violence against women, through the adoption of legal, administrative and other provisions, to ensure the study of violence and its prevention, to ensure the protection, assistance and compensation of the victims (subject to measures to ensure that the perpetrator does not benefit in any way) and to guarantee the sanction of and programmes for the perpetrator, in order to achieve the eradication of violence against women.
- make arrangements for the EU to co-ordinate a Year Against Violence Against Women between 2001 and 2003, across all Member States in the EU and also in applicant countries.

Furthermore the Portuguese Presidency calls on the Commission

- to nominate a unit to maintain the momentum of its own work on violence against women and to present a communication on violence against women. For this communication, the Commission should examine the appropriate EU instruments to promote national action on prevention of violence, sanctions and programmes for the perpetrators, and protection, support and compensation for the victims.
- to develop (if possible with the Council of Europe) good practice and standards for all relevant agencies on such issues as follow:
  - confidentiality
  - data collection
  - vulnerable witness protection
  - translation and interpretation
  - training
  - joint working and a multiagency approach to combating violence against women

- a sensitive and non-judgemental approach to survivors of violence to improve confidence in the justice systems
- programmes for the perpetrators of violence.
- to make a commitment to the monitoring and evaluation of all projects addressing violence against women undertaken by Member States.
- to promote the exchange of ideas and good practice on issues relating to violence against women, concentrating on the following key areas:
  - education and prevention
  - stopping violence
  - preventing recurrence
  - support to victims.

The Portuguese Presidency also calls on future Presidencies

- to ensure that conferences and events on violence against women continue, that future conferences and events maximise outcomes by concentrating on specific topics with clearly defined aims and objectives, and that standards of good practice are adopted relating to the participation of NGOs and other specialists at such events.

Lisbon, May 6, 2000

## *Appendix IV*

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### **Statement of Women's Non-Governmental Organisations, Given at the International Conference 'Violence Against Women: Zero Tolerance' in Lisbon, May 4 to May 6, 2000**

Women's non-governmental organisations working in the field of violence against women, including Women Against Violence Europe (WAVE) and the European Women's Lobby (EWL), remind the institutions of the European Union that all three European Presidency conferences have already agreed that the focus should be on *male* violence against women in all its forms.

The women's NGOs demand that the recommendations of these conferences be reaffirmed at this conference organised by the Portuguese Presidency. This includes the expertise that has been built up over the last 25 years by women's NGOs who have put the issue on the agenda. The women's NGOs regret that these recommendations have not been the focus of consideration by the Portuguese Presidency.

Therefore the women's NGOs demand the following:

- The continuation of the EU Presidency conferences on all forms of male violence against women.
- The recognition of the essential role of women's NGOs: All future conferences must involve women's NGOs in the preparation and delivery of the programme and in the follow-up.
- The participation of the women's NGOs of the Central Eastern European countries, in particular of the applicant countries.
- The women's NGOs call on the European Union to support monitoring mechanisms being developed by NGOs so that progress on violence against women can be measured.

We ask the French and Swedish Presidencies to continue conferences on the European Union level, otherwise the issue of the assumed power and privileged position of some men in society today will never be addressed.

Women Against Violence Europe

The European Women's Lobby

