



Ludwig Boltzmann Institut
Menschenrechte

**„Access to specialised victim support services for women with
disabilities who have experienced violence“**

JUST/2011/DAP/AG/3293

Comparative Report

Ludwig Boltzmann Institute of Human Rights
Julia Planitzer



With financial support from the
Daphne III Programme
of the European Union

The desk research was carried out within the project: “Access to specialised victim support services for women with disabilities who have experienced violence” financed by the Daphne III Programme of the European Commission (JUST/2011/DAP/AG/3293). The contents of this document are the sole responsibility of the Ludwig Boltzmann Institute of Human Rights (BIM) and can in no way be taken to reflect the views of the European Union.

1. Content

1. CONTENT	3
2. ABBREVIATIONS	4
EXECUTIVE SUMMARY	5
1. INTRODUCTION	6
2. LEGISLATION ON VIOLENCE AGAINST WOMEN AND WOMEN WITH DISABILITIES	6
2.1 APPLICABLE INTERNATIONAL AND REGIONAL STANDARDS CONCERNING VIOLENCE AGAINST WOMEN WITH DISABILITIES	6
2.2 NATIONAL LEGISLATION CONCERNING VIOLENCE AGAINST WOMEN	7
3. IMPLEMENTATION OF LEGISLATION	8
3.1 POLICIES AND PROGRAMMES.....	8
3.2. INSTITUTIONS AND ORGANISATIONS: RELEVANT ACTORS IN THE FIELD – THE SUPPORT STRUCTURE.....	9
4. APPLICABILITY OF LEGISLATION TO AND ACCESSIBILITY TO THE SUPPORT STRUCTURE FOR WOMEN WITH DISABILITIES	10
4.1. APPLICABILITY OF LEGISLATION IN PRACTICE	10
4.2. APPLICABILITY OF LEGISLATION TO WOMEN WITH DISABILITIES IN PRACTICE	10
4.3. ACCESSIBILITY TO SUPPORT STRUCTURE FOR WOMEN WITH DISABILITIES	11
5. CONCLUSIONS	12
5.1 IDENTIFIED OBSTACLES	12
5.2 GOOD PRACTICE	13
6. PRELIMINARY RECOMMENDATIONS	14

2. Abbreviations

CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
DPOs	Disabled Peoples Organizations
EDF	European Disability Forum
FLG	Federal Law Gazette
IDA	International Disability Alliance
ICCPR	International Covenant on Economic, Social and Cultural Rights
NAP	National Action Plan
NHRI	National Human Rights Institution
OeAR	Austrian National Council of Persons with Disabilities
UNCRPD	United Nations Convention on the Rights of Persons with Disabilities
UPR	Universal Periodic Review

Executive Summary

The following report draws upon findings of four national reports from Austria, Germany, Iceland and UK concerning the situation of women with disabilities who experienced violence and the States' responses to it. Research shows that women with disabilities experience violence far more often than women without disabilities. Although this fact is known, support structures specifically for women with disabilities who experienced violence are to a large extent lacking and access to women's support structures is difficult. Women with disabilities seeking support are faced with numerous obstacles. It is illustrated that women with disabilities fall between two strands of support structures: Women's support structures concerning domestic violence are often inaccessible for women with disabilities. Specific disability support services on the other hand are often not specialised or very aware concerning gender-based violence. The gap in numbers of women with disabilities who have experienced violence and those having access to justice is significant. Only a few women with disabilities are in a position to assert their rights before courts.

In general the issue of violence against women with disabilities does not receive adequate attention in Austria, Iceland and the UK. With the exception of Germany, violence against women with disabilities is not at all or only very superficially addressed in existing national action plans or strategies. In Germany, the issue of violence against women with disabilities was tackled in the 2007 national action plan on violence against women and at regional level, network activities and a governmental working group have been established. All reports illustrate that to a certain extent violence against women is not addressed by policy-makers and governments sufficiently. A general lack of funding is often the reason why support organisations cannot offer adequate barrier-free services. In addition - as specifically shown in the national report on the UK - austerity measures are leading to cuts in social welfare payments, which also have a negative impact on women with disabilities.

In general, the national reports highlight that existing laws concerning protection from violence do not meet the needs of women with disabilities. The legislation itself contains gaps and no targeted legal efforts have been made to protect women with disabilities from violence. Existing systems such as the Austrian system of psycho-social and legal assistance for victims of violence in criminal proceedings are either not existent in other countries or are not tailored to the needs of women with disabilities. In certain cases, legislation to protect women from violence is not applicable to women with disabilities living in institutions or care homes.

In addition to the legal gaps, women with disabilities face further obstacles in their access to justice. Some of these obstacles prevent women from seeking help at all. Many women are brought up with a feeling of inferiority and the sense that they are not able to make any demands. Additionally, the reports show that persons with disabilities are often regarded as less credible and reliable by those in authority. Law enforcement, the judiciary and social workers often hold judgemental attitudes around women with disabilities' sexuality.

All the national reports illustrate that there is a major gap concerning the accessibility to support services. Despite a few promising NGOs offering specific support for women with disabilities, comprehensive and nationwide barrier-free access is not available. Besides

physical inaccessibility to shelters and counselling services, access to information is very often not barrier-free. The services of women's support structures concerning violence against women are limited due to restricted funding. In Germany for instance, there is growing awareness among the support structure but implementation of measures is often limited due to a lack of financial resources.

Major recommendations address the lack of awareness concerning violence against women with disabilities and require the instalment of a national coordinating group implementing measures which are defined in an action plan. More knowledge is necessary and research should be conducted in a participatory manner. Accessibility can only be improved by adequate funding of support structures, networks or specialised NGOs offering services to women with disabilities. In order to meet the needs of women with disabilities who have experienced violence, relevant occupational groups have to be trained, including health sector staff, police and the judiciary as well as employees from support services. The reports stress the importance of inclusive education, including sexual education, and measures of empowerment need to be adequately funded and implemented.

1. Introduction

The following report draws upon findings of four national reports on Austria, Germany, Iceland and UK concerning the situation of women with disabilities who experienced violence and the States' responses to it. The comparative report follows to a large extent the structure of the national reports. It starts with an assessment of the relevant legislation and focuses on existing gaps. It then gives an overview of the mechanisms used by the States in order to implement the legislation and the organisations which play a significant role. Concerning the applicability of the legislation and in particular the accessibility of the support structures, all four States have similar obstacles for women with disabilities. Despite rather scarce information concerning women with disabilities who have experienced violence and limited measures in this regard, all participating partners are able to point out certain good practices implemented in the country. This comparative report offers an overview of the identified obstacles as well as good practices. The report concludes with a comprehensive list of recommendations.

2. Legislation on violence against women and women with disabilities

2.1 Applicable international and regional standards concerning violence against women with disabilities

Violence against women with disabilities plays a role in a number of international and regional human rights standards. Various articles of UNCRPD are important concerning this issue. Multiple discrimination of women is stressed and UNCRPD requires measures concerning accessibility and improved access to justice. Access to justice and accessibility to information turn out to be key issues concerning violence against women with disabilities. Austria, Germany and UK ratified UNCRPD, Iceland did not ratify so far. Measures concerning the Council of Europe Convention on preventing and combating vio-

lence against women and domestic violence have to address also the needs of women with disabilities. This convention will have the potential to put more emphasis on violence against women with disabilities. All four participating States signed but did not ratify the convention thus far. Besides these two new instruments, also other UN instruments, most of all CEDAW, are relevant.

There is a general lack of awareness regarding violence against women with disabilities. This lack of awareness can also be observed by the monitoring bodies of the UN human rights treaties. The reports of Austria and Iceland illustrate that for instance violence against women plays a significant role in the monitoring, but violence against women with disabilities plays a rather insignificant role. Concerning Austria, the CEDAW-Committee requires Austria to raise awareness concerning this issue. The UPR-process in Iceland led to several recommendations concerning violence against women, but no recommendations concerning violence against women with disabilities.¹ Similarly the situation in UK: Within the UPR-process no specific recommendations have been adopted either, but at least one recommendation concerning the necessity of improved data collection about crimes towards persons with disabilities was adopted.² In UK, the ICCPR-Committee states that persons with disabilities are poorly served by health services.³

Only recently, it can be observed that the relevant monitoring bodies are paying more attention to women with disabilities. One example of increased awareness among monitoring bodies is the latest report of the CEDAW-Committee concerning UK in 2013. In its concluding observations, many references are given regarding women with disabilities. For instance, UK has to mitigate the impact of austerity measures on women with disabilities and should improve access to health-care for women with disabilities. However, no specific recommendation was adopted concerning the issue of violence.⁴ A very promising example which shows enhanced awareness concerning violence against women with disabilities in monitoring procedures are the recommendations adopted in the UPR-process for Germany. Germany should ensure nationwide access to barrier-free protection and support facilities for women with disabilities affected by violence.⁵

2.2 National legislation concerning violence against women

All four participating States show that there is legislation in place relating to violence against women. In all States there are criminal law provisions and civil law provisions that tackle this issue. In the UK, domestic violence legislation has been reformed by the Domestic Violence, Crime and Victims Act 2004.⁶ With regard to the civil law, Austria and Germany have a similar system and bundle the relevant laws in an act on protection against domestic violence.⁷ All four legal systems have the opportunity to issue injunctions or order which allows the exclusion of the perpetrator from the home and surrounding area.⁸

¹National Report – Austria, p. 5-6 and National Report – Iceland, p. 7.

²A/HRC/21/9, 110.91.

³National Report – UK, p.8.

⁴CEDAW/C/GBR/CO/7 (23 July 2013), para.21 and para. 53.

⁵A/HRC/24/9 (8 July 2013), 124.176.

⁶National Report – UK, p.9.

⁷National Report – Austria, p. 7, National Report – Germany, p. 9.

⁸National Report – Austria, p. 7, National Report – Germany, p. 9, National Report – UK, p.8, National Report – Iceland, p. 8.

Further legislation that is relevant for persons with disabilities is for instance the Act on the Protection of Rights of Disabled People in Iceland. This act aims to support persons with disabilities to protect their rights in both public and private matters. Every region of Iceland has to appoint a Rights Protection Officers for Disabled People (RPO) which monitors the situation and assists persons with disabilities.⁹ The UK has a specific Disability Discrimination Act (DDA) of 1995 which includes for instance discrimination in access to goods and services, including legal services.¹⁰

All four participating States have a broad range of legislation in place; common ground in all four States is that the legislation is only to a limited extent meeting the needs of women with disabilities. The national report on UK summarises the situation very well. It illustrates that existing legislation follows on the one hand established gender equality strands which focus on gender-based violence and on the other hand the strand of disability. 'The effect of this is that the legislation does not always directly align with disabled women's needs'.¹¹

The existing legal frameworks therefore have significant gaps in protecting women with disabilities if they are exposed to violence. The national report on Germany gives a very good example which shows that the existing legislation does not take into account the specific situation of women with disabilities living in institutions. The German act on protection against domestic violence and the possibility of eviction orders are not effective for women living in residential institutions or when the perpetrator is in charge of caring the victim. 'At legal level, there are no appropriate protection and support measures introduced for these cases so far'.¹²

3. Implementation of Legislation

3.1 Policies and programmes

For the implementation of international and regional standards and national legislation, all four States are using National Action Plans (NPA), strategies or working groups. In line with the observation above with regard to the legislation, also here the relevant National Action Plans seem to follow two different strands. States have strategies or plans concerning violence against women and different strategies relating to the implementation of UNCRPD. Austria, for instance, has a NAP for the implementation of UNCRPD, but no strategy on violence against women and therefore also no strategy on violence against women with disabilities.¹³ In Iceland, the situation is the opposite.¹⁴ UK has action plans in the four countries of the UK, but none of them seems to tackle the issue of violence against women with disabilities.¹⁵ This may lead to a gap concerning the needs of women with disabilities who experienced violence.

National reports demonstrate that existing NAPs are formulated rather superficially and insufficiently concerning violence against women with disabilities. The Austrian NAP in relation to UNCRPD mentions violence but does not include any concrete tasks for the

⁹National Report – Iceland, p. 9.

¹⁰National Report – UK, p.13.

¹¹National Report – UK, p.15.

¹²National Report – Germany, p. 10 -11.

¹³National Report – Austria, p. 10.

¹⁴National Report – Iceland, p.9-14.

¹⁵National Report – UK, p. 16-17.

government in order to improve the situation of women with disabilities.¹⁶ In Iceland, however, the current action plan on gender equality (AP-2014) requires the analysis of the situation of women with disabilities and in particular their risk of being subject to violence, abuse and exploitation.¹⁷

Different from the situation in UK, Iceland and Austria is the situation in Germany. The NAP on violence against women, adopted in 2007, has a focus on violence against women with disabilities. At the level of federal states, several measures and action plans concerning this issue have been elaborated. In one of the federal states, a specific working group on violence against persons with disabilities was established. However, not all federal states of Germany have a NAP for the implementation of UNCRPD.¹⁸

It may be assumed that having a strategy or a NAP on violence against women in place is important in order to improve the situation of women with disabilities who have experienced violence. The example of UK, however, illustrates very well that having a NAP on violence against women in place might not be decisive for the protection of the rights of women with disabilities. Since 2008, in the UK, local support services have had to close down due to public expenditure cuts. Furthermore, the UK is currently implementing wide-ranging cuts to welfare benefits paid to individuals. Both measures 'may have an adverse effect on disabled women who experience violence as it is possible that they will further their financial dependence on partners or family members who may be perpetrators of violence. This, coupled with cuts to specialist victim service provision, and legal aid may place significant restrictions on disabled women's opportunities to escape abusive situations.'¹⁹ Also in Austria and Germany, it has been shown that a lack of funding for support structures can have a negative impact on women with disabilities. Due to the lack of adequate funding barrier-free accessibility to existing support structures cannot be guaranteed in Austria.²⁰

3.2. Institutions and organisations: relevant actors in the field – the support structure

All four States have a support structure concerning violence against women that encompasses shelters, counselling and/or 24/7-helplines. Initiatives specifically for women with disabilities are scattered and not systematically established in the participating States. While in Austria and UK at least some sporadic initiatives or NGOs are focusing on women with disabilities,²¹ Germany seems to have initiated a higher degree of activities recently. As well as specialised interest groups, initiatives are starting in the regular support structure on violence against women. The national report on Germany indicates the establishment of several helplines and counselling services for women dealing with the issue of violence against women and girls with disabilities, already since 2007.²²

¹⁶National Report – Austria, p. 11.

¹⁷ National Report – Iceland, p.10.

¹⁸National Report – Germany, p. 14-16.

¹⁹National Report – UK, p. 20 and 23.

²⁰National Report – Austria, p. 17.

²¹National Report – UK, p. 29 and National Report – Austria, p. 14-15.

²²National Report – Germany, p. 18.

4. Applicability of legislation to and accessibility to the support structure for women with disabilities

4.1. Applicability of legislation in practice

The four reports illustrate that in general there are limited opportunities for women with disabilities to have access to justice and to support structures in cases of violence. This limited access is partly rooted in a general lack of awareness concerning violence against women. Iceland's specific action plan on gender-based violence expired in 2011 and a new one has not been developed up to now. Combating violence against women has only had a low priority and status. Furthermore, active monitoring and coordination of efforts concerning violence against women are lacking.²³ The national report on Austria shows that especially within the judiciary, there is a major lack of knowledge and awareness concerning violence against women. Furthermore, inconsistencies are observed within the judiciary concerning the criminal provision of rape.²⁴ Although States have legislation concerning violence against women in place, this legislation does to a large extent not meet the needs of women with disabilities.

4.2. Applicability of legislation to women with disabilities in practice

With regard to the application of legislation to women with disabilities, the reports point out two challenges: Firstly, the legal structure and its implementation has gaps concerning the needs of women with disabilities. Secondly, due to certain fears and attitudes towards them, women with disabilities are hesitant to report violence to authorities, law enforcement or judiciary.

Iceland offers a good example for the first challenge for women with disabilities who have experienced violence. The Icelandic Act on Equal Status and Equal Rights of Women and Men 'does not mention disabled women in the context of gendered violence.' In fact, disability is not mentioned at all in this act.²⁵ Similarly in the UK, 'there is a dearth in the little legislation that focuses specifically on disabled women who have experienced violence. Disabled women are mentioned in some parts of UK legislation concerning women but are more frequently absent.'²⁶ Not mentioning women with disabilities in the context of violence leads to a disregard of their specific needs. In Austria, the established system of psycho-social and legal assistance during criminal proceedings intends to support victims of violence during the proceedings. This system is however not sufficiently developed for persons with disabilities and there are no specific standards elaborated.²⁷

More examples of inadequate legal structures can be found in the Austrian and German criminal legislation regarding offences against the sexual self-determination of persons

²³National Report – Iceland, p.16.

²⁴National Report – Austria, p. 17.

²⁵National Report – Iceland, p.16-17.

²⁶National Report – UK, p. 25.

²⁷National Report – Austria, p. 18.

with disabilities. In both States 'sexual abuse of defenceless and mentally-impaired persons' is penalised. In both States these offences are penalised with a lower penalty than rape for instance. In Austria, the 'defencelessness' of a person justifies a lower penalty. The same in Germany: A woman who is principally able to express her will, but could not enforce it due to her disability/disabilities or is unable to describe the way she resisted in the criminal procedure puts the woman in the category of 'unable to resist'. Then, the maximum punishment is lower.²⁸

The second challenge for women with disabilities is the existence of factors which prevent them to report incidents of violence. However, prior to having access to justice, structural barriers hinder women to file a complaint. As illustrated in the report on Austria, a woman using a wheelchair was not able to enter the next police station after she was exposed to violence and the perpetrator was able to flee.²⁹ Turning to the issue of fear, the reports on UK, Germany and Austria show that women with disabilities fear that their reliability will be doubted by authorities, law enforcement personnel or the judiciary. In UK, there is a definition for a hate crime, a crime that is motivated by a characteristic of the victim, including disability. Although the numbers of reporting are increasing, there is still a very high level of non-reporting. Reasons are the fear of the police and thinking that the police would not believe them, among other issues.³⁰ Also in Iceland, women with disabilities only rarely seek assistance from social services in cases of violence.³¹ Similarly in Germany, the fear of not being taken seriously prevents many women from reporting acts of violence to the police.³² The report on the UK demonstrates the attitude of authorities that persons with disabilities are exclusively 'vulnerable' which leads to an overprotection of the person instead of prosecuting the perpetrator.³³

4.3. Accessibility to support structure for women with disabilities

All four national reports point out that there is a lack of adequate access to support services for women with disabilities who have experienced violence. Support is not accessible for a vast majority of the women and comprehensive barrier-free information on counselling services is missing.³⁴ As demonstrated in the national report on Germany, the barriers for women with disabilities to have access to support services are twofold. On the one hand, autobiographical aspects of the affected women form inner obstacles. On the other hand, structural barriers hinder effective access.³⁵

Research in Germany shows that there is a direct link between disabilities and a problematic childhood and limited resources to defend oneself against violence and/or to seek support in case of violence. Especially in situations of parental violence or intimate partner's violence, women with disabilities struggle 'with the feeling of inferiority that had been instilled in them from childhood in the sense of not being able to make any demands, to have to accept what they are given.'³⁶ Further reasons why women with disabilities do not even seek support are overprotection and inadequate sex education,

²⁸National Report – Austria, p. 8 and National Report – Germany, p. 23.

²⁹National Report – Austria, p. 10.

³⁰National Report – UK, p. 25 -26.

³¹National Report – Iceland, p. 17.

³²National Report – Germany, p. 12.

³³National Report – UK, p. 26.

³⁴National Report – UK, p. 27, National Report – Germany, p. 21, National Report – Austria, p. 18, National Report – Iceland, p. 18.

³⁵National Report – Germany, p. 20.

³⁶National Report – Germany, p. 20.

which leads to difficulties in distinguishing between right and wrong sexual behaviour.³⁷ Particularly limited possibilities to seek support in case of violence face women living in residential institutions. These women are often unable to seek help outside the institution.³⁸

However, women with disabilities who overcome these barriers and seek support may also face disbelief and attitudinal prejudice among service providers. Service providers report that an obstacle is the lack of knowledge and special training among service providers in order to support women with disabilities adequately. Limited financial resources do not allow for extra-time in the counselling.³⁹ Women with disabilities in the UK experience 'poor attitudes, impatience, an unwillingness to accept someone would harm a woman with disabilities and judgemental attitudes around disabled women's sexuality.' Experiences like this prevent women with disabilities from seeking future support.⁴⁰

Besides the inner obstacles, women with disabilities face structural barriers including physical inaccessibility which prevent them from seeking help. All reports show that there is a lack of specialised services for women with disabilities. In Iceland for instance sign language interpreting services for deaf women are scarce and insufficient due to limited funding of NGOs.⁴¹ The reports highlight that to a large extent the support services and shelters are inaccessible. Furthermore, access to barrier-free information is limited.⁴² In Germany, awareness among service providers has however been raised and some institutions and counselling centres have started to improve access to their services or initiated workshops for persons with disabilities.⁴³

In conclusion, accessibility is very limited including access to information, counselling and to shelters. One of the main reasons already mentioned is the lack of funding for specialised organisations or service providers.

5. Conclusions

5.1 Identified obstacles

At the policy level it may be observed that the issue of violence against women with disabilities does not receive adequate attention. Monitoring at the level of the UN has only recently started to focus on the implementation of adequate measures by States Parties. With the exception of Germany, violence against women with disabilities is not at all or only very superficially addressed in existing national action plans or strategies. The reports show that to a certain extent violence against women is not sufficiently addressed by policy-makers and governments. The limited resources governments invest in this area have a direct negative impact on the accessibility to the support structure for women with disabilities. A general lack of funding hampers sustainable services and the continuous training of social service workers and staff of support facilities which would be needed. At the same time - as highlighted in the national report on UK - austerity meas-

³⁷National Report – UK, p. 28.

³⁸National Report – Germany, p. 25.

³⁹National Report – Germany, p. 22.

⁴⁰National Report – UK, p. 28.

⁴¹National Report – Iceland, p. 18.

⁴²National Report – Germany, p. 21, National Report – Austria, p. 18, National Report – Iceland, p. 18.

⁴³National Report – Germany, p. 21.

ures have led to cuts to social welfare payments which also have a negative impact on women with disabilities and on their self-determination.

In general, the national reports show that existing laws concerning protection from violence do not meet the needs of women with disabilities. The legislation itself contains gaps and no particular legal efforts have been made to protect women with disabilities from violence. Existing systems such as assistance for victims in criminal proceedings are either not existent or are not tailored adequately to the needs of women with disabilities. The existing systems do not take into account that special forms of communication such as sign language are required and that women with disabilities might need more specific assistance. Legislation to protect women from violence is to a large extent not applicable to women with disabilities living in institutions or care.

In addition to the legal gaps, women with disabilities also face many obstacles in their access to justice. Some of these obstacles prevent women from seeking help at all. There is a lack of training especially in the area of police and judiciary. And women with disabilities are often regarded as less credible and reliable. Law enforcement, judiciary and social workers are also commonly driven by judgemental attitudes around women with disabilities' sexuality.

All four national reports state that there is a major gap concerning the access to services for women with disabilities who experienced violence. The participating States have scattered initiatives or NGOs who are focusing on violence against women with disabilities. However, comprehensive and nation-wide barrier-free access is not available. Besides physical inaccessibility to shelters, access to information is not barrier-free and only very limited information and websites are barrier-free. In addition, only few service providers offer specialist support staff for women with disabilities and there is a lack of therapeutic offers for women with disabilities. The established support structures concerning violence against women offer women with disabilities limited services due to restricted funding. In Germany for instance, there is growing awareness about the special needs of women with disabilities among the support services but implementation of measures is limited due to a lack of financial resources.

5.2 Good practice

The national reports show several examples of good practice. The examples may be grouped according to whether they are, firstly, promising legal frameworks and initiatives and, secondly, programmes of NGOs and networks.

Iceland and Austria refer to legal frameworks as good practice examples. In Austria the support for victims of violence prior and during criminal proceedings is regulated by provision of psycho-social and legal assistance. The framework is promising, but not yet tailored to the needs of women with disabilities.⁴⁴ Iceland established the roles of Rights Protection Officers (RPOs) in 2011. They should assist persons with disabilities in upholding their rights in public and private matters. There is clearly good potential for this new instrument concerning prevention of violence and offering support in case of violence for women with disabilities. However, it remains to be seen how this effective this new instrument will be in practice. In Germany, many residential institutions for disabled

⁴⁴National Report – Austria, p. 20.

persons have implemented guidelines and obligatory procedures tackling sexual abuse by the staff. The procedures should enhance prosecution of perpetrators.⁴⁵

Good practice identified in Germany and Austria includes the enhanced cooperation between the support structure concerning violence against women and interest groups of women with disabilities. This cooperation is helping to integrate the interests of women with disabilities in policy measures in the area of violence against women.⁴⁶ When counselling is necessary, the specialised NGO NINLIL, which offers empowerment and counselling of women with disabilities, cooperates mutually with different actors of the regular support structure concerning violence against women, like for instance the emergency counselling centre 'notruf.beratung'.

The UK and Germany point out certain organisations which are supporting women with disabilities. For instance, Deafhope UK supports deaf women and children who experienced domestic violence.⁴⁷ In Germany, the network 'Weibernetz e.V.' represents the interests of women with disabilities. Furthermore, Weibernetz initiated women's representatives in residential institutions including women with learning difficulties who are trained to be the women's representative in the institution.⁴⁸

6. Preliminary Recommendations

The following preliminary recommendations are based on the national reports on Austria, Germany, Iceland and UK.

Increased attention to and knowledge about violence against women with disabilities in policy and legislation

- Art. 6 UNCRPD (women with disabilities) states that 'women and girls with disabilities are subject to multiple discrimination'. States Parties are obliged to implement measures which ensure full and equal enjoyment of rights by women and girls with disabilities. Measures have to aim at preventing multiple forms of discrimination against women and girls with disabilities. Effective implementation requires for instance to mainstream a gender perspective in disability legislation and policy.⁴⁹
- In general, public awareness concerning violence against women with disabilities needs to be raised by for instance campaigns as suggested by the CEDAW Committee.
- States should establish an institute or a multi-ministry working group that coordinates and monitors the implementation of measures concerning violence against women with disabilities. Necessary measures should be defined in action plans or strategies.

⁴⁵National Report – Germany, p. 12

⁴⁶National Report – Germany, p. 26, National Report – Austria, p. 20.

⁴⁷National Report – UK, p. 29, Deafhope UK: <http://www.signhealth.org.uk/index.php?pageID=152> .

⁴⁸National Report – Germany, p. 27.

⁴⁹See for instance CRPD/AUT/CO/1 (30 September 2013), para. 18.

- Effective legislation and policies have to be implemented including women- focused legislation and policies that include disability, to ensure that violence and abuse against women with disabilities is identified, investigated and, where appropriate, prosecuted.
- The information concerning violence against women with disabilities is scarce. Therefore, more knowledge is necessary and States should conduct initial or – as in the case of Germany – further research. Participatory research methodologies should be applied.

Enhanced implementation of preventive measures

- The issue of violence against women with disabilities should form an obligatory part of training for employees of all specialised services for persons with disabilities, teachers, nursing personnel, and also the police, justice, health sector workers and employees in the victim support system for women affected by violence. Training should be conducted in cooperation with organisations representing the interests of women with disabilities.
- In institutions and other residential facilities for persons with disabilities, specific measures to prevent violence such as lockable washing and toilet rooms or strengthening of self-representation in dealing with organisations should be implemented. In addition, guidelines should be elaborated which should be jointly developed by the staff and the residents. These guidelines should support the prosecution of perpetrators and should be actively supported by the management of the institution.

Mitigating the negative impacts of austerity measures

- States should mitigate the impacts of austerity measures such as social welfare cuts on especially women with disabilities.

Improvement of access for women with disabilities to and adequate funding of mainstream women's support structure

- States should fund support structures for women who have experienced violence adequately. Limited resources are the major obstacle to making these services accessible for women with disabilities (e.g. adjustment of buildings and development of comprehensive, barrier-free information on violence against women, adequate training for counselling of women with disabilities, funding for networking and exchange of experiences)

Strengthening a specialised support structure for women with disabilities who experienced violence

- There are only a few organisations which offer support to women with disabilities who have experienced violence. An adequate support structure for women with disabilities has to be developed, which can be established individually, integrated in women's support services or in DPOs. All services of women's support structure should be accessible for women with disabilities encompassing cost-free support and counselling. The support structure should include on the one hand accessible counselling services and on the other hand also specialised services. This should allow women with disabilities to have choice and use a service that suits better to her individual situation.
- Information about the support structure has to reach the target group. Therefore barrier-free information and communication has to be ensured.

Strengthening cooperation between mainstream women's support structure and specialised support structures for women with disabilities

- Cooperation between mainstream women's support structure and specialised organisations for women with disabilities is very important. The national reports showed a small number of successful examples. This cooperation needs to be enhanced.
- Precondition for successful cooperation is a certain level of awareness among social workers and staff of mainstream women's support structures concerning violence against women with disabilities. The report on UK⁵⁰ stresses the following recommendations which should be followed:

Be informed about women with disabilities' needs.

Take advice from, and consult with, women with disabilities.

Develop accessible services.

Provide accessible well-publicised domestic violence services (including refuge accommodation) that women with disabilities know about.

Do not threaten women with disabilities with institutionalisation if no refuge space is available.

Develop good accessible alternative accommodation, both temporary and permanent, plus support to use it.

Develop disability equality schemes and reviews with input from women with disabilities.

Take women with disabilities seriously and avoid being patronising

⁵⁰National Report – UK, p. 30.

Improvement of access to justice

- Art. 13 UNCRPD (access to justice) has to be implemented effectively by for instance enhanced training for police and judiciary on violence against women with disabilities; including tackling issues such as prevailing stereotypes towards women with disabilities such as e.g. that persons with disabilities are seen as asexual beings.
- For improved access to justice, relevant venues have to be physically accessible and necessary materials and documents have to be offered in a barrier-free manner.
- Existing schemes of psycho-social and legal assistance during criminal proceedings and legal frameworks concerning violence against women including the possibility to issue eviction orders have to be adapted to the needs of women with disabilities, especially those who depend on care and assistance.

Empowerment of women with disabilities by education and training

- In order to prevent violence against women with disabilities and in order to increase the number of reporting violence acts, enhanced inclusive education (including sex education) is necessary. An exclusive educational system leads to limited access to awareness raising on sex education and reproductive health for girls/boys and women/men with disabilities.
- Measures to empower women and girls with disabilities have to be strengthened. These measures should include assertiveness- and self-defence training, region-wide implementation of women's representatives in institutions for persons with disabilities, education and information dissemination.
- Include women with disabilities and representatives of interest groups in all matters that affect their lives and in the development and implementation of strategies to prevent violence against women. Meaningful participation should be ensured that should lead to the recognition of women with disabilities as political actors.

Improvement of data collection and monitoring

- Most national reports show that there is a lack of data and monitoring. The lack of data concerning violence against women in general on the one hand and the lack of data and information concerning violence against women with disabilities require for instance further research on the prevalence and prevention of violence.
- It is important that certain new and promising instruments are monitored in order to assess their impact on the situation of women with disabilities. For instance, the Icelandic Rights Protection Officers and Personal Spokespersons should be evaluated.