



**CEP-EuroPris expert group meeting on Domestic violence in prison and probation
25-26 February 2020
Hasselt, Belgium**

Participants

EuroPris		CEP	
Sarah Henfrey (chair)	England	Sabrina Reggers	Belgium
Václav Jiříčka	Czech Republic	Simona Svetin Jakopič	Slovenia
Anne McQuaid	Ireland	Fredrik Olausson	Sweden
Tuija Muurinen	Finland	Anna Sanya Lázaro	Catalunya
Juraj Zajac	Slovakia	Carmel Donnelly	Ireland
Anna Maria Vella	Malta	Geraldine O'Hare	Northern Ireland
Friederycke Haijer	EuroPris	Willem van der Brugge	CEP

Meeting report

The second CEP-EuroPris expert meeting on Domestic Violence started on Monday afternoon 25th February with a study visit to the Family Justice Center (FJC) in Hasselt, Belgium. Sabrina Reggers and Dries Wyckmans gave a joint presentation on the concept and work of the FJC (see attached).

After this Friederycke Haijer asked the participants for their reaction and feedback.

The question was raised how on how exactly the work with the offender and victim together was organized – how was it done, what were the risks? Sabrina answered that this very much depended on the case and on the characters of both offender and victim. The final decision was always taken by the team and not by an individual, and a crucial part was to always ask the victim if (s)he was okay with having the offender (husband/partner) with her.

Then the group wanted to know if any psychiatric services were offered? Sabrina answered that this happened very rarely, most of the time only if there was already a psychiatric report with advice. She said that the FJC gave a low level of psychiatric help, but if needed always an indication towards professional psychiatric help could be given.

All group members indicated to be very impressed by the presentation and by the multi-agency work that was conducted in the Center – in fact this was certainly not a common practice in many other jurisdictions.



The next day the meeting continued at the Hasselt Town Hall, chaired by forensic psychologist Sarah Henfrey from the United Kingdom.

Collection of good practices

Sarah asked the participants how they had experienced the process of information sharing. She indicated that a summary of domestic violence (DV) practices was available on the EuroPris and CEP website (<https://www.cep-probation.org/knowledgebases/domestic-violence-good-practice/> and <https://www.europris.org/file/12108/>).

Geraldine, who had not been present at the last meeting, would very much like to contribute to this information, so Mirjam will send her the template.

Friederycke mentioned that technically it won't be a problem to post things on the internet, but that it is important to think about what you want to have published – when are things confidential or not?

It was therefore decided to set up an email group of the experts so ideas/proposals/interested articles could be shared among them – in that way the information would in the first instance remain among the experts and not be published right away.

Then the question was raised if it would be good to ask other jurisdictions for input? EuroPris could do this via its KMS system, and CEP could send out a questionnaire. The same questions/template could be used that were distributed to all members of the expert group following the 2019 DV expert meeting in Vilnius. Of course, the respondents would be asked permission to have their information shared on the CEP and EuroPris websites.

Everyone agreed that it would be a very good idea to use these websites as much as possible as places where relevant information can be found. Sarah mentioned that the Director Generals at the 2019 EuroPris AGM were all very interested in places where relevant information on DV could be found.

Willem said that it could be an idea to dedicate a joint special issue of the EuroPris and CEP newsletter to the topic of DV. And perhaps next year a webinar? He also indicated that he was trying to get DV on the agenda of the Council of Europe.

Sabrina proposed to use social media for reaching out to people and raising awareness on DV.

Sharing and learning I (Carmel)

Carmel gave a short power point presentation on working with domestic abuse offenders – victim considerations (see attached). She indicated that it was often very difficult to work with both perpetrators and victims at the same time. Since the EU directive (2012/29/EU) victims have more rights to be heard and also there is the Istanbul convention, but still there are many steps to be taken.

Carmel indicated that often victims do not understand the criminal justice process, and that on the other hand the judiciary nor the police fully understand the dynamics of domestic abuse.

Why do victims not always press charges? Victims should have the right to receive information about their case, but the police often forget to give them this.

Another problem is the growing number of foreign nationals in the justice chain, for whom translation needs to be arranged. In small communities this can lead to the translator knowing the victim and/or perpetrator which makes things really risky.

Willem asked Carmel how the directive was implemented in the daily way of working of probation officers as they are always so focused on the offender. Carmel answered that indeed



this implicated a cultural change, but since judges ask for restorative justice advice the probation officers were forced to work with victims.

Sabrina said that in Belgium mediation was used occasionally.

Carmel stated that victim information should remain with the probation officer but that confidentiality was sometimes difficult as some information might accidentally be revealed when talking with the offender. This could be very risky because the perpetrator would then know where the information came from. However also other parties, such as the police, could accidentally share something that was confidential so the question would be until where the responsibility of a probation officer goes?

Vaclav said that in the Czech Republic probation and mediation were combined in one organization – restorative justice was even in the law.

Fredrik raised the difficult point that in Sweden many women come to visit their husband (who had been guilty of DV) in prison. Of course, they have the right to visit, but they are also victims and the visit might not be good for their safety – how to deal with this?

Anna Maria recognized this same issue, she said that in Malta the abuse continued even in prison as men would force their wives to prostitute themselves and send the money to them.

All in all, the group agreed that it was of high importance to raise awareness on the topic of DV.

After the coffee break the **Terms of Reference** were discussed.

Since this was the second meeting of the group, a next meeting will be scheduled for 2021. After the 2021 meeting, a new call for members will be published.

Sarah asked the participants what they thought the priority should be in terms of activities? The sharing of information and best practices was proposed. Here a start had already been made with interventions, what could be the next topic? Evaluations would be very important – evaluations of interventions. Perhaps at some stage then even a cross European evaluation study could be conducted? In the questionnaire (template) that was used to gather information following the 2019 DV expert meeting there was also the possibility to indicate if evaluation was done, so if this same template would be used for the questionnaire to be sent out then this could bring relevant information. In fact, if someone would indicate yes then he or she could be asked for more information and perhaps even a report. This would be really valuable as at the moment there is very little European information on the impact of DV interventions.

Willem showed the group two recent studies on DV that had recently been conducted, one by FRA and one by the European Parliament:

European Union Agency for Fundamental Rights (FRA): Women as victims of partner violence – Justice for victims of violent crime, Part IV

Victims of violent crime have various rights, including to protection and to access justice. But how are these rights playing out in practice? Are victims of violent crime properly seen, informed, empowered and heard? Do they tend to feel that justice has been done? Our four-part report series takes a closer look at these questions, based on interviews with victims,



people working for victim support organisations, police officers, attorneys, prosecutors and judges. See information here: <https://bit.ly/2TysOTa>

European Parliamentary Research Service (EPRS): Violence against women in the EU State of play (2019). Violence against women is a violation of human rights and a form of gender-based discrimination.

Rooted in inequalities between men and women, it takes many forms. Estimates about the scale of the problem are alarming. Such violence has a major impact on victims and imposes a significant cost burden on society. See information here: <https://bit.ly/338CJCb>

Then the discussion was brought to the question if perhaps it would be an idea to start up a small pilot project with a few countries and test there if interventions work? Would there be volunteer countries?

Willem said that it was important to remain realistic. Perhaps it would be better to first broaden the group and get people together in a workshop instead of already thinking about a project?

Sarah offered to write a brief summary of the evidence relating to the IPV interventions.

It was concluded that evaluations on DV interventions should be high on the agenda for the next meeting.

Then the idea of a special newsletter issue was discussed. What should this involve? Only general awareness raising or more? The following suggestions came up:

- Description of types of DV
- Definition of 'control'
- An article written by the European network Work with Perpetrators
- Examples of good practices
- Information on training, awareness raising training for prison and probation staff
- Some figures and statistics
- The FRA study
- Information on victims and children (their perspectives)
- Information on assessment work

Sarah asked the participants if there were volunteers on writing a text for one of these topics?

Willem said that it would be better to first identify when the newsletter would be planned, and to then follow up the authors.

The group was also enthusiastic about organizing a workshop on DV in 2021.

Sharing and learning III (Geraldine)

Geraldine told the participants that the Probation Board for Northern Ireland (PBNI) had done a lot of work regarding DV. There was even a specialist team (psychologists, social workers, a judge, probation officers) responsible for the assessments, court reports and programs. She said that they used a 5-year strategy on domestic and sexual offending.



Early intervention was identified as being of great importance – by the time that an offender gets into the justice system it is too late: then already victims have been made.

Geraldine had been in the USA and learned a lot from the so-called “Problem solving courts”. She said that first all mental health/drug/DV offenders were sent to prison, but there the awareness came that the basic problems of these men needed to be treated first. For this reason, specific drug courts, MH courts and DV courts were developed, and this concept had now also been introduced in Northern Ireland.

The starting point were the health systems, when a family had a child on the child protection register. The individuals of these families (mostly fathers) were contacted and offered treatment on a voluntary basis. This treatment was “sold” to them by saying that their children were on the register because of them. The first round of this programme was 100% full and very successful – all offers to voluntarily join were accepted. All men completed the program and no one ended up in the justice system. The focus of the programme had a positive angle instead of a “punishing” one: to promote positive relationships.

Probation (Justice) was doing the programs together with the Health Department. The idea however would be that at the end Health takes over as up till now it had been purely the probation team delivering the trainings while the funding came from Health. Carefully selected judges were trained as well as a specific team working with the victims.

The programme also gave a big financial advantage as it prevented so many people from going into prison. A first evaluation report is available – this will be shared with the group. Geraldine also invited the group members to come and visit Northern Ireland on a study visit and see the practice.

Sharing and learning IV (Juraj)

Juraj gave a short power point presentation on the difficulty of getting funding for treatment programs (see attached). He asked the participants where their funding came from and how much the amounts were?

Sarah answered that in the UK the money came from the government (Ministry of Justice) – the same for Ireland and that the amounts depended on the risk level of the offender. In the Czech Republic two different programs existed. When treatment was conducted within the prison by the prison workers themselves then the costs were paid from the general prison budget. Otherwise there was the option for grants or project funding (like EU or Norway Grants). This was quite popular but the problem was that when such a project ended then also the financing ended – it did not lead to structural financial support which is really needed for good programs.

Juraj distinguished three models in his presentation: government budget, funds/grants and hybrid funding. The government funding however was the only structural option.

He said that it would be great if this European expert group could come up with a statement for prison and probation services to structurally allocate sufficient financial resources for DV programs. Article 8 of the Istanbul convention made a strong argument regarding this, but the problem is that not all countries have accepted this convention.

Willem checked if there was a paragraph on funding in the European Prison Rules (which are updated at the moment) but this was not the case.



The Irish Prison Service had managed to get extra funding after an audit by an external expert who came up with many recommendations. The prison service acknowledged these advices and thus gave money in order to be able to implement them.

An important issue however is also the staff capacity. The staff would need to deliver the trainings, but already have so much to do and are exhausted. Besides that, the topic of DV is not enough addressed in the training of judicial staff. Perhaps raising awareness could/should already start in schools, by teaching children on good relationships? Or could doctors and nurses be trained to pick up signs of DV?

Anna Maria said that in Malta it was very difficult to get the DV topic in the training of doctors – they were very reluctant towards this.

Sharing and learning II (Sabrina)

Sabrina raised the difficult issue of sharing information: what can you (not) share, what must you (not) share?

Sarah said that in the UK there is the duty to share all information whenever (public) security is at stake. Multi-agency work also allows the sharing of information with other professionals.

Sabrina indicated that in Belgium everything could be shared, even without permission of the client.

Simona replied that also in Slovenia the permission is there, but you still need to write down what you are going to share, and for what reason. The same in Ireland.

It turned out that all countries had strong policies for sharing information except Sweden – here a strong regulation *against* information sharing was practiced. The only exception to this were details on violent extremist offenders.

The GDPR was mentioned as a difficult point when it comes to information sharing, but the group agreed that this had more to do with databases than with (verbal) information sharing. And there had been incidents in which the biggest problem (i.e. the main reason why things went wrong) was not the information sharing, but the *lack* of this.

Sabrina said that it might also be possible that professionals did not want to share information as it could come out that he or she had known about possible risks in a person quite some time but had never acted on it.

A very interesting study was mentioned, conducted by Jayne Monckton-Smith, showing that there are 8 stages of development in DV killings, starting by the meeting of two people and ending with the homicide. See information here: <https://www.bbc.com/news/uk-49481998> and https://www.womensaid.ie/assets/files/pdf/jane_monckton_smith_powerpoint_2018_compatibility_mode.pdf

Closing of the meeting

Sarah closed the meeting by thanking everyone, especially the Belgian colleagues for their wonderful hospitality. She said that there had been many interesting discussions which gave a lot of food for thought. Of the same importance would be to identify actions so the expert group could move forward.

Willem then took the floor and said he had found it a very interesting meeting. Completely different than the 2019 one: less structured but thus more open for active discussions – it was great to see



(hear) so many ideas and initiatives. He thanked Sarah for chairing the meeting and the Belgian colleagues for organizing the study visit and hosting the meeting.

Action points:

- To set up an email group of the experts (Mirjam)
- To send Geraldine information on the DV good practices so she can contribute (Mirjam)
- To contact members for input on DV practices in their country (Friederycke for EuroPris (KMS), Mirjam for CEP (short questionnaire))
- To write a starting document summarising the evidence base in Europe and internationally (Sarah)
- To think about topics for a special issue newsletter (all)
- To work on Juraj's request of setting up a statement/framework for recommendation on funding for (the implementation of) DV programs (all)
- To think about ideas for the next meeting, possibly in combination with a workshop, and the hosting country (all)

