



# Exchange of good practices on gender equality

Measures to fight  
violence against women  
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Comments Paper – Belgium

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# Measures to fight violence against women

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## 1. Introduction

### 1.1. Institutional context

To better understand policies and measures in the field of violence towards women in Belgium, it is important to start with a brief explanation of their institutional context.

Considering structures in the country, competences are divided between federal level, regions and communities. The Federal Government has powers for justice, social security and the bulk of public health and home affairs. The language-based Communities are responsible for culture, personal issues such as aid to people, health and education, whereas the territory-oriented Regions are responsible for non-personal issues, for example housing, but also the supervision of the provinces, municipalities and associations of local authorities.

Therefore, issues covered by this paper concern the different levels of government in Belgium, in particular:

- The Federal Ministry in charge of justice instructs the judicial authorities to take a firm attitude towards offences of this type and adopts legislation to support victims. It also finances initiatives towards perpetrators as alternatives to jail.
- The Federal Ministry in charge of internal affairs instructs police forces to take a firm attitude towards offences of this type and to support victims.
- The Regional authorities are competent for preventive measures in health and social actions and will also be responsible for financing support services to victims and voluntary (not through judicial sentence) treatment for perpetrators.
- The Communities (French, Dutch and German speaking) are also the responsible authorities for awareness raising actions and training in the educational sector for teachers, girls and boys in schools.

### 1.2. National action plans and legislation in the field of domestic violence

Since 2001, Belgium has had a tradition of adopting **action plans** to fight violence against women and men. These plans were first adopted at federal level, but since 2006 have been endorsed by all entities (federal, regional and communities). While they are more inventories of actions taken by the different entities than real strategic plans, their drafting serves as a platform for dialogue and information on the approaches taken by different stakeholders. Regarding violence between partners and ex-partners, the current plan for 2010-2014 is structured as follows:

- To develop knowledge and improve understanding of the issue (data, studies);
- To inform and heighten public awareness of the issue of violence between partners;
- To prevent and detect such violence;
- To assist victims and give adequate support to perpetrators through, for example, therapy;
- To ensure an appropriate response from the police and the judiciary.

**The guidelines from the Attorneys General**<sup>1</sup> (Procureurs généraux) aim to ensure an appropriate and quick reaction to violence between partners and to guarantee that domestic violence cases are adequately instructed by the Public Prosecution service. These federal guidelines applicable to the whole country set out a standard way of reacting in cases of violence, to be followed by police services, support services to litigants and public prosecution services. One major problem that is raised in the evaluation of these guidelines is the lack of adequate services in the area of alternative sanctions for the perpetrator (curative treatment instead of jail) as well as the limited number of specialised services for victims.

These guidelines also plan the necessity to establish an action plan by judiciary district ("*arrondissement judiciaire*") as well as a protocol of collaboration between the different actors in the district. However, this initiative is left to the Public Prosecutor and has been implemented variably.

For a number of years, the **National Security Plan**, which fixes the priorities of the police forces, includes the fight against domestic violence as one of its priorities. It means that all local police zones have to take action to achieve this priority and in particular, protect victims of violence.

Based on the model of legislation adopted in Austria and Luxembourg, the Parliament adopted in May 2012 a law on '**temporary domestic exclusion**', which allows the public prosecutor to decide to exclude perpetrators of domestic violence from the home in case of a real and urgent threat to the safety of its residents.

A recent addendum to the penal code<sup>2</sup> has modified the condition of **professional secrecy** for professionals who find evidence of domestic violence (for example, doctors). The right to speak is now extended to the specific target group of partner violence, and can also be used for preventive purposes.

### **1.3. The use of ICT in the fight against violence in Belgium (in view of the Spanish experience)**

Awareness raising, training, prevention and the protection of victims are key objectives of the national action plan for 2010-2014. A number of actions have been taken by different bodies: targeted campaigns, a free phone line, tools for reinforcing collaboration between actors and giving appropriate information (for example

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<sup>1</sup> Col 3/2006 and 4/2006, March 2006

<sup>2</sup> Article 458bis Penal Code.

websites and a leaflet in 17 languages giving information on support services available<sup>3</sup>).

**Website:** there exist a number of websites on domestic violence created by different actors and with different focuses. For example, in the French-speaking side of the country, the web site [www.ecouteviolencesconjugales.be](http://www.ecouteviolencesconjugales.be) has been created as a relay to the helpline (see below). Another site [www.violencesconjugales.be](http://www.violencesconjugales.be) presents the initiative of the Resource Centres (Pôles de ressources). Other initiatives by women's organisations to provide specific information and support through their websites exist. To try to avoid the multiplication of sources of information, the creation of a national information web site has been decided by all concerned levels of authorities. It is not yet operational but is at the final stage of preparation. It will however be accessible only in French and Dutch.

#### **24-hour helpline:**

In Flanders, the hotline 'Violence, abuse and child abuse' (*Misbruik, geweld en kindermishandeling*) integrates the existing hotlines, help desks and reception centres for violence, abuse and maltreatment and the general welfare centres (victims, elder abuse, domestic violence, domestic violence). Any person who comes into contact with a form of violence or abuse, or has any questions about this, can call the phone number 1712 and receive information, advice, referral or direct targeted assistance through seven contact points.

In Wallonia and Brussels (for French-speakers) a call line 'listening for domestic violence' (*écoute violences conjugales*) has existed since 2009 and is accessible from Monday to Saturday 9 a.m. to 8 p.m. It can provide information to victims, relatives or witnesses. Resources and tools are also available for professionals and accessible through the website.

Some helplines accessible 24 hours a day or in other language (in Spanish) exist, but they operate more at local level.

Again, to increase the accessibility of such services, the Gender Institute has examined the possibility of implementing the European Number in Belgium. However, this is blocked for operational reasons at the moment (there is no single national operator on domestic violence as mentioned above) and also discussion was limited to a phone line accessible only in Dutch and French.

#### **Tele alarm in Ghent:**

Tele Alarm offers persons who suffer serious life-threats and stalking by ex-partners a personal alarm system to ensure their safety. Anyone in that situation can request a personal alarm. First, they should go to the doctor, police, judicial assistance services or a centre that assists victims, for a preliminary conversation. These people contact the project coordinator, after an initial interview with the victim and submit a request for the alarm. The request is submitted to a committee that decides. In case of a positive answer the connection is free. The conditions to get a personal alarm are the following:

- To be victim of stalking by ex-partner
- To have a telephone

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<sup>3</sup> Break the silence before it breaks you, IEFH, 2011.

- To be living or staying in Ghent (Ghent police area)
- To have no more voluntary dealings with ex-partner
- After each activation of the alarm, to file a complaint with the police

#### 1.4. Domestic Violence Perpetrator Intervention Programmes (in view of the Irish Experience)

In Belgium, programmes for perpetrators do exist but operate under different institutional rules according to whether they are linked to legal proceedings (alternative to jail) or attended on a purely voluntary basis. It is not the purpose of this document to present all possible intervention structures, but some that are specialised in 'domestic violence' and considered as good practices.

In Brussels and Wallonia, the NGO **Praxis** specialises in programmes for authors of domestic violence geared towards a change of behaviour and a greater accountability for their actions and attitudes. Participants either come on their own or are referred by police or the justice department. Praxis is working with male perpetrators through 'Group work'. Group work provides concrete field experience that allows Praxis to work at three levels:

- Personal dynamics: the person in front of himself, his depictions of violence, etc.
- Interpersonal relationships: the individual in relation to others, the balance of power, the control of the other, etc.
- Family relationships: interactions between the participants themselves, their roles, their positions in the group are analysed as a reflection of their interactions in the couple and the family.

Parallel to this work at three levels, the group process provides both support and confrontation from a peer group.

Praxis is also involved in the '**Pôle d'expertise et de coopération**' which specialises in violence between partners and intra-familial violence.<sup>4</sup> Two 'clusters of resources' include: specialised services in support of victims<sup>5</sup> and perpetrators of domestic violence within the family. They have been set up in *Liège* and *La Louvière*. These two resource centres provide space for continuing education for professionals faced with domestic and intra-family violence. They are also a force of inquiry and proposals for coherent policies. They are backed by scientific supervision.

The method is intersectoral work: actors responsible for the treatment of authors and support to victims invest in intersectoral work proactively (exchanges of correspondence, of information, etc.). Exchanges of acts and procedures and information are geared towards improving assistance to victims. This initiative started in Liège in 2001 (CVFE and Praxis) and was transferred to Hainaut in 2009.

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<sup>4</sup> <http://www.violencesconjugales.be/>

<sup>5</sup> Collectif contre les violences familiales et l'exclusion in Liège (CFVE) and Solidarité femmes et Refuge pour femmes battues in La Louvière.

The poles use a methodological approach for analysing intra-family violence called 'couple domination', from which it appears that both parties (victim and perpetrator) are active in the process and the spiral of violence. In these partnerships, they also provide training to professionals involved in the fight against domestic violence. For that purpose, they have agreed on a common understanding of the situation and analysis of violence against women training (followed a common training in Québec). They have also developed a common analysis and intervention model.

**The Time-Out project** has operated since 2003 and focuses on adult offenders who are violent against an (ex-)partner. It is collaboration between several partners: Province of Antwerp, CAW (an umbrella organisation of social non-profit organisations in Antwerp) and VAGGA centre for Mental Health. Participants either come on their own or are referred by police or the justice department.

- Group training: the offenders learn how to cope with their anger and aggression. The focus of the therapy is on stopping the violence, e.g. by raising awareness on how tension is raised, and why physical and other forms of violence are used. Also the therapy focuses on how this can be avoided in the future. The group training provides practical tools like the 'time out' tool.
- Individual therapy is offered after completion of the group training. The focus of this therapy remains on the problems in the relationship and violence in the relationship.
- Couple therapy: after completion of the group training, couple therapy is available to deal with a variety of relational problems (communication, jealousy and control, trust, etc.).
- Children: If children are involved in a fight or have witnessed violence, they can have individual or group sessions with the 'child and youth team' of VAGGA.

## 2. Policy debate and measures

As mentioned above, there are discussions in Belgium regarding improving accessibility to information and services, to victims in particular but also professionals who have to deal with situations of domestic violence.

This is particularly the case for the creation of a common website (same structure and information) in both French and Dutch on the specific issue of domestic violence.

Regarding helplines, the discussion is also about the necessity (or not) to have a hotline operating 24 hours a day and 7 days a week. Current evaluation of the French-speaking line has concluded that the operational hours of the system did not need to be extended. Considering the Spanish experience, it seems indeed a valid conclusion.

The use of electronic tagging is also supported in Belgium. The Ministry of Justice has issued very recent guidelines (20 March 2013) for a more intensive use of such devices as our jails are overpopulated. However, to have such a system for authors of violence is currently not possible, as perpetrators who get an electronic tag have to stay at home.

Regarding systems of alarms for victims, there are also discussions to extent the systems existing at local level, in Ghent (see supra), *Leuven*, *Liège* and *Veurne*. The issue is however to ensure that victims who get such system can also be provided with a quick intervention by police forces. So the system should only be used in very specific situation (e.g. high risk for victims).

Also the issue of assessing the level of danger posed by the author in a procedure of temporary domestic exclusion is debated, public prosecutors do not have tools at their disposal (for example a set of questions to be asked) to assess the situation. The Spanish ATENPRO system is quite interesting and impressive as a way to guarantee protection and care for those victims who are involved in a recovery programme. This could be envisaged in Belgium to support implementation of the new law on 'temporary domestic exclusion', which allows the public prosecutor to decide to exclude perpetrators of domestic violence from the home in case of a real and urgent threat to the safety of its residents.

Generally, while the issue of the 'Fight against domestic violence' is very visible in discourse and policy documents (e.g. adoption of national action plans, priority in the national security plan) it suffers from a lack of a coherent political vision. A number of actions are being taken but generally at local level, at best at the regional level. While the tradition and culture of intervention are different in Flanders and Wallonia, the issue of a better coordination of efforts should be tackled, as a lot of resources are allocated without a clear strategy in terms of treatment of authors and support to victims even for one community or region.

Programmes for authors are lacking for both semi-mandatory programmes (alternatives to jail) and for authors seeking support 'voluntarily' (can be social or family pressure).

Specialised services for both victims and authors are not spread all over the territory and are still more conceived as projects (generally have started as pilot projects but have not been extended) operating in a restricted territory. For example, for a number of years important initiatives have existed in Antwerp and Liège, and they are recognised as good practices, but are not receiving enough (political) support to be spread everywhere.

### 3. Transferability issues

The examples from Spain and Ireland are interesting and raise questions for transferability in Belgium.

First, in view of experience in both Spain and Ireland, it could be interesting to discuss how despite the current economic and financial crisis, both countries manage to offer services of high quality (to either victims or authors). Is there current treat for future funding of these initiatives? If not, what are the arguments used?

Secondly, as mentioned Belgium is facing difficulties linked to its institutional set-up where a number of actors are responsible for different sides of a same problem (e.g. prevention versus cure). As Spain is also a country with autonomous regions, and so possible difficulties between levels of responsibilities between entities, it would be interesting to find out how Spain succeeds in providing national services. Moreover, assistance by phone is provided in different languages. It would be interesting to



know more about the context in which they develop these initiatives. In Belgium, the difficulty is the current very diverse structure and services offered and how to make them operate in a more coherent and structured way. Was this also an issue in Spain? What was the key factor to make things move forward?

Regarding specific issues of protection of the victims, it will be interesting to know more about the system of protection through mobile phone in particular the fact that the system evolved from an emergency service to a more 'accompaniment service'.

Thirdly, considering Ireland's experience, two issues raised in the discussion paper are very relevant for Belgium:

- Collaboration between service providers specialising in authors and victims. This approach is currently developing in Wallonia (see supra '*Pôle d'expertise*') but is mainly conceived as a tool for protecting the victim. In Antwerp, there is also in Time-Out the possibility to have couple therapy. Is there also discussion in Ireland about when, under what conditions and how work with both members of the couple can be envisaged?
- Method to assess and evaluate the quality and 'effectiveness' of programmes for authors: different approaches coexist in Belgium. There is no system of quality assessment of what is currently offered by a variety of actors to authors and as an alternative to prison. What are the key features for a 'successful' intervention? Some programmes work more with an individual psychological approach while others approach the issue in a more global context (e.g. family context, addictions or other types of difficulties).

Finally, a related question is the necessary link between gender equality strategy and fight against violence. Despite few exceptions, the focus of actors in Belgium is mainly on the cycle of violence between partners, on trying to get authors to be able to stop being violent, to try to mediate between partners to see how to have a better relationship. The issue of violence as a sign of gender inequality is less visible and less understood. Is this issue of making the link with what Praxis in Belgium calls 'couple domination' discussed also in Irish programmes?