



# Exchange of good practices on gender equality

Measures to fight  
violence against women  
Spain, 16-17 April 2013

Comments Paper - France



*The information contained in this publication does not necessarily reflect the position or opinion of the European Commission.*

*This publication is supported by the European Union Programme for Employment and Social Solidarity - PROGRESS (2007-2013).*

*This programme is implemented by the European Commission. It was established to financially support the implementation of the objectives of the European Union in the employment, social affairs and equal opportunities area, and thereby contribute to the achievement of the Europe 2020 Strategy goals in these fields.*

*The seven-year Programme targets all stakeholders who can help shape the development of appropriate and effective employment and social legislation and policies, across the EU-27, EFTA-EEA and EU candidate and pre-candidate countries.*

*For more information see: <http://ec.europa.eu/progress>*

# French policies to fight violence against women

Caroline Huguin

ECVF (Elect on violence against women)

## 1. The French context

French legislation has considered specific violence against women since the late seventies. That period saw the apparition of this theme in international conventions as CEDAW, which questioned all governments in order to push policies to fight discrimination and violence against women. In France, first measures were about redefining the notion of rape in the legislation and in the penal code in 1980.

In 2000, the French government made the first major survey (named ENVEFF) to identify and quantify types of gender-violence and the number of women victims of it. Thanks to this survey, the theme of violence against women became more visible and its political awareness has been raised. It reveals some alarming statistics as 50 000 women were raped in one year and only 3 350 women filing a claim with police. Facing this reality, the French government built plans to fight violence against women.

Since 2005, the French government has made a three-year plan in order to fight violence against women, especially intra-couple. Plans focused on: finding accommodations for victims, developing education campaigns to prevent violence, and creating observatories to quantify violence locally and pronounce an appropriate diagnosis for each territory.

In parallel to those plans, laws were enacted in order to improve the rights, the protection and the support of victims. The first major law on this subject was the one of the 4th April 2006 strengthening the prevention and the repression of domestic violence or violence against minors. It constituted new offenses (theft between partners, aggravating circumstances for violence perpetrated by a partner) but it didn't propose good practices.

Recently, 2010 has been proclaimed "the year to fight violence against women". That pushes the legislative sphere to continue its work and take some political measures. As such, the law of the 9th July 2010 relative to specific violence against women, violence in the couple, and its impact on children, engaged good practices. This law introduces for the first time the offence of psychological harassment intra couple and this is a breakthrough for considering mental violence. Mostly, this law was inspired by the Spanish framework law of 2004. That's why we have similar measures in common (e.g.: hotline, emergency phone, etc.), which we will study below.

The law of 9th July 2010 is quite recent, most of its good practices are still in experimentation and their users are very unequal depending on territories. Here we will see major measures taken in France in the fight of violence against women. Firstly we will detail measures about protection and then measures about education. Secondly we will discuss future perspectives, regarding the good practices in Spain and Ireland.

## 2. Policies and good practices in France

### 2.1. Good practices for victim protection

- Protection order

The protection order is the major measure present in the law of 9th July 2010. But, the first report from governmental instance points out great disparity on its enforcement<sup>1</sup>. From the 1st October 2010 to 1st May 2011, 584 protection orders were given. In most cases, the order forbids the violent partner from approaching his victim, the order gives the right to the victim to stay in the accommodation of the couple and it defines implementing rules for parental authority visiting children if necessary.

The order, even if its utilisation has to be developed, is a good practice which ensures good protection for women victims of violence. It lasts 4 months and it could be held over under particular conditions. Moreover, attribute accommodation to the victim of violence avoids homeless distress situations.

- Emergency phone and telematic tracking system

Currently, the telematic tracking system is available in only 3 high courts and from a short time, so we can't have any conclusion yet. But the Spanish experience shows that this device is important to warn a person if her violent partner is in the vicinity. Thus it allows that person to alert the police and find a safe place.

The emergency phone is also a recent measure, in use in the department of Seine-Saint-Denis. Since November 2009, 103 women victims of domestic violence had an emergency phone. That phone has a pre-programmed switch which connects directly the woman with the police services to allow a fast intervention. More than a physical help, this phone represents a psychological asset for women victims of violence as it breaks their loneliness and prevents from feeling powerless.

- Escort to protect children

We noticed that violence perpetrated by an ex-partner was generally done while the father was visiting his children. To avoid physical contact between women and their aggressor, this device sends a competent third person in charge to pick up children in their mother's home to bring them to their father's home or to another place where he enforces his right of access.

- New rights to protect women

The law of the 9<sup>th</sup> July 2010 created new rights in order to protect women victims of gender-based violence. The law recognises the offence of forced marriage and completes provisions taken in the precedent law in 2006. Moreover, the offence of psychological harassment in the couple is created and punished by an imprisonment of 3 years and a financial penalty of 75 000€. Finally, foreign women, victims of domestic violence and living in France can have a renewal of their card of resident.

---

<sup>1</sup> Legislative report : <http://www.assemblee-nationale.fr/13/pdf/rap-info/i4169.pdf>

Thank to this device, they can file a claim and start procedures without the risk of deportation.

## 2.2. Use of ICT (Information Communication Technologies)

- Video clip for prevention

Between 2011 and 2013, education campaigns about violence against women have been made by the ministry in charge of women rights. They made 3 video clips for TV: the first about sexual violence, the second about sexual and sexist violence at work, and the third on prostitution and its participation in human trafficking. Other tools for prevention, particularly devoted at a young audience, were established for a total of 2 million euros.

- Hotline 3919

Since March 2007, the French government has consigned the National Federation Women Solidarity, to take care of the hotline number 3919. This hotline employs 20 workers who receive calls from women victims of conjugal violence or from their friends. This line processed 42 140 calls in 2011. They have a role of listening, advising and orientating of the victim towards appropriate structures. The government gives each year a subsidy of 820 000€ to this hotline.

## 2.3. Governmental awareness

Since May 2012, the new French government created a specific ministry for women's rights. One of its projects is to raise a real political awareness, at all levels of the government, in order to establish a transversal work to consider women's rights and to fight violence against women.

That's why the ministry for women's rights held an "Interministerial Committee on women's rights and on equality between women and men". This Committee stated on different measures to fight sexism, to decrease gender inequality and to protect women victims of violence. It said the will of the government to support these questions, and it gave specific procedure to each ministry with a plan to improve their efficiency to fight violence against women.

Moreover, this committee created an "Interministerial mission for the protection of women victims of violence and to fight human trafficking (MIPROF)". This mission, composed by politicians and professionals on women's rights, has four goals: to create a data bank on victims of gender-based violence, to organize local development of good practices to fight violence against women, to define specifications to improve the training of all the stakeholders, to strengthen the protection of persons victims of human trafficking (including to fight prostitution).

At last, these institutions show a wish to raise governmental awareness and to develop a transversal work to fight violence against women. But, these practices are still young so we can't have any outcome on the efficiency of these policies yet.

### 3. Future measures

Concerning the future or debated measures in France, no innovative practices are discussed today. The French government's project on the fight against violence to women would be to ensure the implementation of measures taken in the text of 9th July 2010. In other words, we have to continue the training of professionals for each step in the process of supporting women in order each stakeholder (policeman, doctor, judge, etc.) is able to inform the victim of her rights and take the right measures for her protection.

However, two new measures are present in the third ministerial plan in the fight against violence to women 2011-2013. It advocates the creation of reception centres and the work of "violence referent"<sup>2</sup>. In each department, a reception centre should open. It will be a place where women can have a person to talk with and advice. Women could find here trained professionals to guide them to appropriate structures to avoid emergency situations. In those places, other services would be allowed such as showers, laundry and a letter box.

Regarding violence referent, these persons will be in charge of the efficiency and coherence of policies. In each department, they should support the coordination of different actors: national, territorial and associative.

Finally, this plan gives 31.6 million euros for the fight against violence to women in different domains: domestic violence, forced marriage, polygamy, sexual and sexist violence at work and prostitution. Furthermore, the work of prevention and education to avoid violence is considered as a very important issue but due to the lack of funding, these actions are not much developed.

### 4. Transferability of Spanish and Irish practices to a French context

Today, the French government continues on the way to a framework law inspired by the Spanish pattern. Indeed, the pattern of a framework law seems interesting for fighting violence against women, so that in each level we can find a support and a response to that violence. If devices, such as hotlines, emergency phones, telematic tracking system, are established, the idea to develop a web-site grouping all the information to help women victims of violence, as in Spain, could be possible. On one hand, the creation and maintenance of a web-site doesn't represent a huge expense and, on the other hand, this access to information does not require direct contact with a person. That can help women victims of domestic violence who would not fear to be judged.

Concerning the support of authors of violence, in France this subject is not much studied. In fact a lot of serious violence in couples is committed by recidivist men. So, to change this behaviour and reduce recidivism, the support of violent men is important. A psychological monitoring and therapy could be recommended to men known as violent by justice. According to French law, the judge can pronounce a care injunction, forcing the violent partner to have therapy. Most of the time, this

---

<sup>2</sup> Full plan is available on the website of the Ministry of women's rights

injunction is used in case of sexual aggression. After this decision, social-legal associations or prison services for integration assure the psychological treatment.

To conclude, in France, good practices were adopted in the law of 9th July 2010 but their enforcements are still disparate, due to a lack of finance inherent to actual economic context. In the field of the fight against violence to women, important work is being done by specialised associations. And some important solutions would be to reassert a real coordination of actions from government as well as associations in order to bring a strong global answer in the fight against violence to women.

## References

CHETCUTI Natacha and JASPARD Maryse (Dir) (2007) *Violences envers les femmes. Trois pas en avant deux pas en arrière*, Paris, L'Harmattan, 319p.

FOUGEYROLLAS-SCHWEBEL Dominique, HIRATA Helena et SENOTIER Danièle (Coord) (2003) La violence, les mots, le corps, *Cahiers du genre*, n°35, 288p.

JASPARD Maryse, BROWN Elisabeth et CONDON Stéphanie *et alli* (Dir) (2003) *Les violences envers les femmes en France*, Paris, La documentation française, 374p.

LIEBER Marylène (2008) *Genre, violences et espaces publics. La vulnérabilité des femmes en question*, Les Presses de Sciences po, Paris, 296p.

ROMITO Patricia (2006) *Un silence de mortes, La violence masculine occultée*, Syllepse, Paris, 298p.

Information report of National Assembly n°4169 on the application of the law of the 9<sup>th</sup> July 2010

Report 2012 of the National observatory of delinquency (ONDRP)

Interministerial committee on women's rights: <http://comite-femmes.gouv.fr>

Ministry of women's rights: [www.femme.gouv.fr](http://www.femme.gouv.fr)

Observatory of Seine-Saint-Denis on violence against women: <http://www.seine-saint-denis.fr/-Observatoire-des-violences-envers-.html>