Policy cycle in justice

Define

Plan

Act
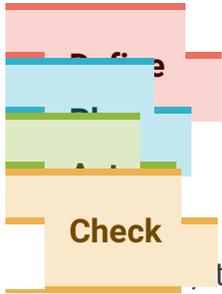
Check

, it's recommended that information is gathered on the situation of women and men in a particular area. This means looking for sex disaggregated data and gender statistics, as well as checking for the existence of studies, programme or project reports, and/or evaluations from previous periods.

Examples of gender and justice statistics

Lack of sex disaggregated data in official crime statistics poses major problems in adopting gender-oriented policies in the areas of access to justice and gender-based violence, in particular at national level. This is mainly due to the fact that 'gender justice' has only recently surfaced in the public authorities' and citizens' attention.

In many EU Member States, statistics based on police or justice data do not include relevant information on certain aspects of violence against women. For instance, in some Member States, official crime statistics are not disaggregated by the sex and age of the victim and perpetrator, or by the relationship between the victim and perpetrator, which means that instances of violence against women, such as intimate partner violence and other forms of domestic violence are not easily identifiable.

However, it's worth recalling that some initiatives aimed to improve data collection are ongoing: Eurostat and United Nations Office on Drugs and Crime (UNDOC) initiatives of collecting sex disaggregated data on access to justice and the EIGE database on mapping administrative data on gender-based violence.

Furthermore, some EU MS have already taken actions to collected sex disaggregated data on women in the judiciary field. For instance, in UK the Ministry of Justice publishes yearly the statistics on women and the criminal justice system. The report provides information about females and males in the criminal justice system (CJS) in England and Wales for the most recent years that data have been available.

Eurostat – crime and criminal justice

The figures on crime and criminal justice are collected through a joint Eurostat-UNODC (United Nations Office on Drugs and Crime) data collection. This new joint data collection replaces earlier series published by Eurostat and refers to the period 2008 – 2013. It is available at country level for European Union Member States, EFTA countries, EU candidate countries and EU potential candidates. Most of the data are taken from information recorded or reported by the police. Comparisons of crime levels based on the absolute figures would be misleading, since they are affected by many factors including:

- different legal and criminal justice systems
- different laws and legal definitions
- rates at which crimes are reported to the police and recorded by them
- differences in the point at which crime is measured (for example, report to the police, identification of suspect, etc.)
- differences in the rules by which multiple offences are counted
- differences in the list of offences that are included in the overall crime figures.

The database includes:

- Data are held on offences recorded by the police – intentional homicide, assault, rape, other sexual assault, kidnapping, theft, motor vehicle theft, burglary/breaking and entering, domestic burglary/housebreaking, drug trafficking.
- Data on intentional homicide are also available by largest cities in these countries.
- Number of victims of intentional homicide is available by sex and age categories (0 – 14; 15 – 29; 30 – 44; 45 – 59; >60).
- Suspects, convicted and persons held in prison by sex and age (adult/juvenile).
- Suspects and persons held in prisons for the offences of intentional homicide, rape and other sexual assault by sex.

Details of criminal justice personnel – police, professional judges and magistrates, prison staff, by sex, are held.

Court input/output statistics include persons brought before the courts, persons convicted, persons acquitted.

Prisons – prison capacity data are available.

Data can be used to monitor the situation and trends through time, in particular, of the number of victims of intentional homicide, suspects, convicted and persons held in prison for offences of intentional homicide, rape and other sexual assault by sex. As a general rule, comparisons should be based upon trends rather than on levels, on the assumption that the characteristics of the recording system within a country remain fairly constant over time.

United Nations Office on Drugs and Crime (UNODC) database

One of the key tasks of UNODC is to produce and disseminate accurate drugs and crime statistics at the international level. UNODC also works to strengthen national capacity to produce, disseminate and use the drugs and crime statistics within the framework of official statistics. UNODC regularly provides global statistical series on crime, criminal justice, drug trafficking and prices, drug production, and drug use. The database includes data on women brought into contact, women prosecuted, convicted and detained as well as on women staff in police and the criminal judiciary system. It also includes data on the percentage of women victims of homicides.

UNECE database

This database includes a dedicated section on gender statistics. Even if limited to 21 Member States, it provides information (not on a regular basis) on victims of homicide by sex and relationship to the perpetrator for the years 2007 and 2011, but the data are not fully comparable. The data confirms that nearly 80% of victims of intimate partner homicide are women.

European Commission – DG Justice

Database on women and men in decision-making (WMID)

The WMID database has been established to monitor the number of men and women in key decision-making positions and in order to provide reliable statistics that can be used to monitor the current situation and trends through time. The database covers positions of power and influence in politics, public administration, the judiciary and various other key areas of the economy. Data on political decision-making at European and national level are updated quarterly, while all other data are updated annually, though updates to political data at regional level are included in quarterly updates in case of election.

The section on judiciary covers the gender balance among the judiciary at European and national level.

The EU Justice Scoreboard is a comprehensive overview of the functioning of national justice systems. It is an information tool aiming at assisting the EU and Member States to achieve more effective justice by providing objective, reliable and comparable data on the quality, independence and efficiency of justice systems in all Member States. As for female judges at courts, the level of gender balance among judges in first and/or second instance courts is in general good. In most Member States, each gender accounts for between 40-60%. In Supreme Courts however, even if most Member States are moving towards gender balance, progress remains slow in some Member States (2016 EU Justice Scoreboard, forthcoming).

European Agency for Fundamental Rights - Violence against women: A EU-wide survey

This survey is based on interviews with 42,000 women across the 28 Member States of the European Union (EU), who were asked about their experiences of physical, sexual and psychological violence, including incidents of intimate partner violence ('domestic violence'). It shows that gender-based violence against women is an extensive human rights abuse that the EU cannot afford to overlook. To date, this survey is the only attempt aiming to capture the prevalence of VAW in a harmonised and comparable way across all EU Member States. It marked a major advance in measuring VAW at EU level.

An interactive tool, available on FRA's website, offers different ways to explore the data behind the survey results.

Eurofound's European working conditions survey (ECWS)

To date the survey, which interviews both employees and self-employed people on key issues related to their work and employment, has been carried out 5 times. Since 2010, Eurofound's survey measures sexual harassment in the workplace experienced by women men such as "unwanted sexual attention", "threats and humiliating behaviour" and other acts.

EIGE database on administrative data sources on violence against women

EIGE provides access to existing statistics data and information on gender-based violence, aiming to support the institutions and experts engaged in preventing and combating gender-based violence in the European Union and beyond. EIGE's database includes a tool for mapping administrative data on violence against women in the EU Member States. The tool maps the existing of statistics at country level on gender-based violence, describes the various national data sources, includes the links to the national sources and, where available, also statistical elaborations of the existing data.

European Commission (2010)
Domestic Violence against Women Special Eurobarometer 344.

[The survey](#) follows on from a previous Eurobarometer survey conducted in 1999 in the 15 Member States which comprised the EU at the time. [The report](#) analyses the evolution of responses in the EU-15 in the intervening decade, and offers a comparative analysis of the results of the 2 surveys. Furthermore, it also analyses data from the newer Member States, for which no trend comparisons are possible.

EIGE (2015)
The Gender Equality Index
This provides statistics on violence against women in EU Member States, based on the data on violence against women collected by the European Union Agency for Fundamental Rights through the EU-wide survey on violence against women. The women who were interviewed as subjects of the study were between the age of 18 and 74. The main indicators [considered by the report in this field](#) are: physical violence by a partner since the age of 15; sexual violence by a partner since the age of 15; sexual violence by a non-partner since the age of 15; psychological violence by a partner since the age of 15; physical violence by a partner in the 12 months prior to the interview; sexual violence by a partner in the 12 months prior to the interview; and sexual violence by a non- partner in the 12 months prior to the interview.

Examples of studies, research and reports

UK: All Party Parliamentary Group on Women in the Penal System (2015)
Report on the inquiry into preventing unnecessary criminalisation of women
The inquiry into preventing unnecessary criminalisation of women stemmed from the conclusions of previous APPG inquiries and reports by the Howard League which indicated that the majority of women involved in the criminal justice system do not need to be there, that women are criminalised too quickly and easily and that the problems they face ought to be addressed by other agencies at a much earlier stage.

UN Women (2015)
Progress of the world's women 2015 – 2016: women in the pursuit of justice
[Progress of the world's women:](#) Transforming economies, realising rights is a timely reminder of the importance of women's economic and social rights to build strong and resilient economies and societies, today and for future generations. It shows where governments and the international community have fallen short on realising the full inclusion of women and girls and it illustrates how and where immediate action can redress this critical imbalance. It also includes a specific section on women and justice.

EIGE
2015 – Preventing domestic violence – good practices

This report presents the good practices collected under EIGE's study which aimed to identify and collect existing resources and information on training to prevent domestic violence, on campaigns to raise social and political awareness on domestic violence and on support services for victims of domestic violence.

2014 - Administrative data sources on gender-based violence against women in the EU: Technical analysis
The report provides a comprehensive technical analysis of the current status and potential of the main administrative data sources and the related statistical products.

2014 - Administrative data sources on gender-based violence against women in the EU: Report
The report provides a comprehensive overview of the legal and policy framework underpinning administrative data on gender-based violence.

2014 - Conference report: Eliminating violence against women in Europe
The conference report presents the main findings, arguments and points of discussion that were presented and articulated during the conference.

2013 - Study on international activities in the field of data collection on gender-based violence across the EU: Report
The report first summarises the policy framework on combating gender-based violence in the European Union, the United Nations and the Council of Europe. Secondly, the findings of the study are presented organisation by organisation. Past as well as ongoing activities are discussed, after which future plans are explored.

2012 - Review of the implementation of the Beijing Platform for Action in the EU Member States: Violence against women – victim support
This publication aims to support policymakers and relevant institutions in their efforts to combat and prevent domestic violence by providing them with reliable and comparable data and information for effective, evidence-based decisions and policy improvement.

2012 - Review of the implementation of the Beijing Platform for Action in the EU Member States: Violence against women – victim support, main findings

The current report aims to support policymakers and all relevant institutions in their efforts to combat and prevent domestic violence, by providing them with reliable and comparable data and information for effective, evidence-based decisions and policy improvement.

2012 - Study to identify and map existing data and resources on sexual violence against women in the EU: Report
This report is based on a study commissioned by EIGE and carried out by the European Women's Lobby in 2011. The study focused on the following forms of sexual violence against women: rape, marital rape, sexual abuse/assault, sexual coercion and sexual harassment outside the workplace, and covered resources used by the Member States and Croatia between 2007 and 2010.

Council of Europe
2013 - Feasibility study equal access of women to justice
The purpose of this feasibility study is to discuss the challenges in women's access to justice in Council of Europe Member States.

2010 - Report on cases brought before the European Court of Human Rights by women.
The subject of the survey is the place of women in disputes concerning rights protected by the Convention, and in particular their access to the European 'monitoring mechanism'.

2008 - Directorate-General of Human Rights and Legal Affairs, Gender Equality and Anti-Trafficking Division, task force to combat violence against women, including domestic violence (EG-TFV). Final activity report. Publications Office of the European Union, Luxembourg.
For 2 years, the Council of Europe Task Force to Combat Violence against Women, including domestic violence, has followed national and international developments in preventing and combating violence against women. In accordance with its mandate, this report contains detailed information, assessments and recommendations on measures to prevent and combat violence against women.

Watson L., and Edelman P. (2012)
Improving the juvenile justice system for girls: Lessons from the States
This research examines the challenges facing girls in the juvenile justice system and makes recommendations for gender-responsive reform at the local, state, and federal levels. This report emerged from the policy series – Marginalized Girls: Creating Pathways to Opportunity – convened by the Georgetown Center on Poverty, Inequality, and Public Policy, The National Crittenton Foundation and the Human Rights Project for Girls.

European Commission
2011 - Harassment related to sex and sexual harassment law in 33 European Countries

One aim of this report is to investigate harassment as discrimination. In addition, relevant case law of national courts and equality bodies illustrating this implementation is described and analysed. Another aim is to investigate what, if any, the added value is of combating harassment related to sex and sexual harassment in the form of a prohibition of discrimination.

2010 - Feasibility study to assess the possibilities, opportunities and needs to standardise national legislation on violence against women [VAW], violence against children [VAC] and sexual orientation violence [SOV]. Daphne 3, Publications Office of the European Union, Luxembourg.

The central task of this report was to provide a coherent analysis of the need for, possibilities of, and potential hurdles to standardised national legislation across 3 fields of violence for EU Member States

2010 - Violence against women and the role of gender equality, social inclusion and health strategies

The report is organised in 3 chapters: the first summarises the main features of violence against women in Europe. The second chapter gives an overview of policies addressing violence against women from the perspective of prevention, support for the victim and social reintegration. The final chapter presents some general conclusions.

Fair, H. (2009) International review of women's prisons

The research shows that arrangements for women in prison vary widely around the world and that some countries have moved much further in the direction of a women-centred approach than others. This article summarises some of the review's findings.

Cooney S., Small S. and O'Connor C. (2008)
Girls in the juvenile justice system: towards effective gender-responsive programming.

This research to practice brief focuses on 2 interrelated questions: i) What are the characteristics of girls in the juvenile justice system, and how do they differ from those of their male counterparts? ii) What are some promising strategies for creating a more gender-responsive juvenile justice system?

FRA – European Union Agency for Fundamental Rights(2015)
Study on victim support services (for victims of all crime)

This report looks at achievements in the area of victim support provision and aims to take stock of the various models that have emerged in EU Member States. It examines Member States' obligations under the Victims' Directive to ensure the availability of support services to all victims of crime and explores the situation on the ground. The report highlights achievements as well as promising models and practices that can serve as a source of inspiration to Member States in implementing the Victims' Directive.

WAVE
2014 - Specialized Women's Support Services and New Tools for Combating Gender-based

Violence in Europe

The report maps the available services for women survivors of violence in 46 European countries, including information on available women's helplines, women's shelters, and women's centers. Country reports are provided.

2016 – Thematic Paper "Access to Justice for Women Victims of Violence: Analysis and Key Tenets of International Law and Practice in the Field"

The thematic paper explores the notion of access to justice for women victims of violence, as well as barriers to such access, including gender stereotyping and additional vulnerabilities. It also addresses achievements in the access to justice before international human rights bodies.

Did you know that EIGE has a resource and documentation centre? Check whether there is relevant information to feed into your analysis.

One of the first steps to take when defining your policy/project/programme is to gather information and analyse the situation of women and men in the respective policy area. The information and data you collect will allow an understanding of the reality and assist you in designing your policy, programme or project. Specific methods that can be used in this phase are gender analysis and gender impact assessment.

Examples of gender analysis

Geneva Centre for the Democratic Control of Armed Forces (2011)

Gender Self-Assessment Guide for the Police, Armed Forces and Justice Sector

This self-assessment guide is a tool for assessing the gender responsiveness of a security sector institution. While it can be used by other security sector institutions, it is particularly designed for use by police services, armed forces and justice sector institutions. A gender-responsive security sector institution is one that both meets the distinct and different security and justice needs of men, women, boys and girls and promotes the full and equal participation of men and women.

United Nations Office on Drugs and Crime (UNDOC)

2013 – Gender mainstreaming in the work of UNODC

Understanding the interrelationship between gender, security threats and crime is vital to the overall effectiveness of any response. Women and men are impacted differently by drugs, crime and terrorism and have different experiences going through the criminal justice system. Therefore, the purpose of this guidance note is to assist UNODC staff to effectively integrate a gender perspective into all aspects of their work from planning strategic tools, developing normative standards, designing and delivering thematic and regional programmes and working through the project cycle. The note includes a specific section on how to carry out gender analysis in the fields of activity of UNDOC.

2010 - Gender in the criminal justice system assessment tool: Criminal justice assessment toolkit
A fair, effective and representative criminal justice system is one that respects the fundamental rights of all women and men. It is gender-responsive and works to identify and address gender biases that have permeated the system, to prevent gender-based crimes, to protect and assist victims/survivors and witnesses, and to encourage women's active participation at all levels of the criminal justice system. An assessment of the criminal justice system or any of its components cannot be complete without a careful examination of how the system and the various sectors treat gender. This tool provides guidance on how to assess gender in the criminal justice system. In detail the tool includes indications on gender analysis of: criminal statistics; legal and regulatory framework; policing; access to justice; defence/legal aid; custodial and non-custodial measures; victims and witnesses; and accountability of criminal justice system.
UK Ministry of Justice
Analysis of Gender as a Factor associated with Custodial Sentences for Breach of a Court order
This constitutes a specific example of gender analysis in the judicial system. The aim of this analysis is to investigate whether gender is associated with being sentenced to custody for breach of a court order, independently of offence type, criminal history and other factors.

Example of gender impact assessment
Gender Impact Assessment (GIA)
Drafting of national laws in Finland

In Finland measures have been taken by the national government since 2000 to enhance GIA in the drafting of laws. According to the official definition, GIA in the drafting of a law has 2 main aims. First, it is a means to promote gender equality; second, it is a way to ensure the quality of the legislative process and promote good governance. In terms of the gender equality aim, the idea is to overcome gender-neutral procedures in law drafting, which may often involve a gender bias. GIA is integrated into ordinary legislative work and is part of the general impact assessment procedure. As such, those normally in charge of legislative preparation should also carry out GIAs. The Finnish government's central gender equality structure coordinates all process and may give some support if consulted, but it does not conduct the GIAs itself.

U.S. Department of Justice (2010)

Office of Justice Programs Office of Juvenile Justice and Delinquency Prevention: Suitability of assessment instruments for delinquent girls.

The Office of Juvenile Justice and Delinquency Prevention Girls Study Group has conducted a study to systematically examine the extent to which existing instruments designed for adolescents and used in the juvenile justice system are equally effective for girls and boys. The researchers have reviewed 4 types of instruments:

> risk and risk/needs assessment instruments to predict outcomes, most often recidivism
>
> global needs assessment instruments to provide a broad-based assessment of youths' problem areas requiring further follow-up
>
> substance abuse instruments intended to detect alcohol or substance use, including the presence or severity of abuse, dependence, and problems associated with abuse
>
> mental health instruments covering a broad scope of topics within the mental health area, from disorders to positive functioning and adaptive behaviours.

For each instrument, the researchers have developed the following categories for findings:

> favourable – the instrument had positive gender-based performance information
>
> unclear – the instrument had mixed or inconsistent gender-based performance information
>
> unfavourable – the instrument had negative gender-based performance information
>
> unknown – the instrument lacked gender-based performance information.

The web tool created allows an understanding through all instruments reviewed and the methodology used.

Consider consulting stakeholders (e.g. gender experts, civil society organisations) on the topic at hand, to share and validate your findings and to improve your policy or programme proposal. This will enhance the learning process on the subject for all those involved and will improve the quality of the work done at EU level. The stakeholders' consultation process will start in this phase, but could also be considered as an important method to be applied along all the policy cycle's phases.

Examples of stakeholders that can be consulted

WAVE

WAVE - A network of mostly European NGOs fighting violence against women and children.

The European Women Lawyers Association

The European Women Lawyers Association - A Federation of national women lawyers associations from EU and EFTA MS.

Women's Initiatives for Gender in Justice

Women's Initiatives for Gender in Justice - A Global association working for ensuring justice for women.

International Association of Women Judges

International Association of Women Judges - European section. An International association committed to promoting equal justice for all and the rule of law.

European Network of Policewomen

European Network of Policewomen - An EU network aiming to facilitate positive changes in regard to gender mainstreaming, the management of diversity as well as optimising the position of women.

For a more detailed description of how gender can be mainstreamed in this phase of the policy cycle, visit the EIGE's Gender Mainstreaming Platform.

In this phase, it's appropriate to analyse budgets from a gender perspective. Gender budgeting is used to identify how budget allocations contribute to promoting gender equality. Gender budgeting brings visibility to how much public money is spent for women and men respectively. Thus, gender budgeting ensures that public funds are fairly distributed between women and men. It also contributes to accountability and transparency about how public funds are being spent.

Examples of gender budgeting in justice

Gender budgeting in Austrian ministries, including justice

Since 2009 all governmental levels (i.e. federal, state, and municipality) are legally required to achieve effective gender equality budgeting. This obligation is anchored in Article 13 of the Austrian Federal Constitution as a central aim of budgeting and, according to Article 51(8) of the Austrian Federal Constitution, federal budget policy must consider performance targets, including the effective equality of women and men as a fundamental principle. Within this basis, since 2013 performance budgeting including gender-responsive budgeting is obligatory for all federal ministries. This means that within the Austrian multi-annual and annual regular budgeting process, a performance-oriented budgeting exercise is carried out. In effect each ministry, including justice, and the supreme state body is required to define for each budget chapter a maximum of 5 outcome objectives, with firm measures to realise these, along with appropriate indicators to measure implementation. Gender-responsive budgeting is one element of this budgeting exercise and forms the first objective of the 5 outcomes objectives included in the outcome objectives.

European Parliament (FEMM) (2015). The EU Budget for gender equality

The study analyses the EU budget from a gender perspective to reveal how revenue and spending decisions impact on gender equality. It includes the operational expenditure of 6 policy areas, among which is justice. The study also includes an in-depth presentation of the capabilities approach used to carry out the gender analysis of the EU budget in the selected policy areas, including justice.

When planning, don't forget to establish monitoring and evaluation systems, and indicators that will allow measurement and compare the impact of the policy or programme on women and men over the timeframe of its implementation. Remember to define the appropriate moments to monitor and evaluate your policy.

Examples of indicators for monitoring gender and justice

Suspects, convicted and persons held in prison by sex

Indicators are referred to the number of people Suspects, Convicted and Persons Held in Prison by sex (and age). Indicators are also available considering the average of people in one of the 3 conditions per 100,000 inhabitants. The indicators provide information of the magnitude of the presence of women and men in the detection system of the Member States. Data are available at country level for European Union Member States and are included in Eurostat for European Union Member States.

Prisoners by offence category (intentional homicide, rape, sexual assault) by sex

Indicators are related to the number of prisoners in the Member State detection system disaggregated by 3 principal offences (intentional homicide, rape, sexual assault), by sex of prisoners. Indicators are also available considering the average of people in one of the 3 offence category per 100,000 inhabitants. The indicators provide information of the magnitude of the presence of women and men in the detection system of the Member States for each of the offence categories. Data are available at country level or European Union Member States, and are included in Eurostat – Crime and criminal justice.

Intentional homicide victims by victim-offender relationship and sex - number and rate for the relevant sex group (joint Eurostat-UNODC data)

Intentional homicide refers to unlawful death purposefully inflicted on a person by another person. Data on intentional homicide should also include serious assault leading to death and death as a result of a terrorist attack. It should exclude attempted homicide, manslaughter, death due to legal intervention, justifiable homicide in self-defence and death due to armed conflict.

Personnel in the criminal justice system by sex - number and rate for the relevant sex group

Data (joint Eurostat-UNODC data) refer to:

Police officers: personnel in public agencies as at 31 December whose principal functions are the prevention, detection and investigation of crime and the apprehension of alleged offenders by sex (number and rate). Data concerning support staff (secretaries, clerks, etc.) are excluded.

Professional judges: full time and part time official legal professionals as at 31 December authorised to hear civil, criminal and other cases, including in appeal courts, and to make dispositions in a court of law, who have been recruited and are paid to practice as a judge by sex (number and rate). This category excludes non-professional judges such as lay judges and lay magistrates.

Prison personnel: All individuals employed in penal or correctional institutions as at 31 December, including management, treatment, custodial and other (maintenance, food service etc.) personnel by sex (number and rate).

Percentage of women in European courts

Sex disaggregated data are available on the EC-DG Justice Database on women and men in decision-making for a number of sectors, including judiciary in Europe.

United Nations Statistical Commission on indicators on violence against women (2010)

[Core indicators for measuring violence against women](#) identified, and agreed upon at the international level, identified by the Friends of the Chair of the United Nations Statistical Commission on indicators on violence against women: total and age-specific rate of women subjected to physical violence in the past 12 months by severity of violence, relationship to the perpetrator and frequency; total and age-specific rate of women subjected to physical violence during their lifetime by severity of violence, relationship to the perpetrator and frequency; total and age-specific rate of women subjected to sexual violence in the past 12 months by severity of violence, relationship to the perpetrator and frequency; total and age-specific rate of women subjected to sexual violence during their lifetime by severity of violence, relationship to the perpetrator and frequency; total and age-specific rate of ever-partnered women subjected to sexual and/or physical violence by current or former intimate partner in the past 12 months by frequency; total and age-specific rate of ever-partnered women subjected to sexual and/or physical violence by current or former intimate partner during their lifetime by frequency; total and age-specific rate of ever-partnered women subjected to psychological violence in the past 12 months by an intimate partner; total and age-specific rate of ever-partnered women subjected to economic violence in the past 12 months by an intimate partner; total and age-specific rate of women subjected to female genital mutilation.

1   Total and age-specific rate of women subjected to physical violence in the past 12 months by severity of violence, relationship to the perpetrator and frequency.
2   Total and age-specific rate of women subjected to physical violence during their lifetime by severity of violence, relationship to the perpetrator and frequency.
3   Total and age-specific rate of women subjected to sexual violence in the past 12 months by severity of violence, relationship to the perpetrator and frequency.
4   Total and age-specific rate of women subjected to sexual violence during their lifetime by severity of violence, relationship to the perpetrator and frequency.
5   Total and age-specific rate of ever-partnered women subjected to sexual and/or physical violence by current or former intimate partner in the past 12 months by frequency.
6   Total and age-specific rate of ever-partnered women subjected to sexual and/or physical violence by current or former intimate partner during their lifetime by frequency.
7   Total and age-specific rate of ever-partnered women subjected to psychological violence in the past 12 months by an intimate partner
8   Total and age-specific rate of ever-partnered women subjected to economic violence in the past 12 months by an intimate partner.
9   Total and age-specific rate of women subjected to female genital mutilation

When preparing calls for proposals in the framework of funding programmes, or terms of reference in the context of public procurement procedures (notably for contractors to be hired for policy support services), don't forget to formalise gender-related requirements. This will ensure the projects and services which the European Commission will fund are not gender-blind or gender biased.

For a more detailed description of how gender can be mainstreamed in this phase of the policy cycle, visit the EIGE's Gender Mainstreaming Platform.

In the implementation phase of a policy or programme, ensure that all who are involved are sufficiently aware about the relevant gender objectives and plans. If not, set up briefings and capacity-building initiatives according to staff needs. Think about researchers, proposal evaluators, monitoring and evaluation experts, scientific officers, programme committee members, etc.

Examples of capacity-building initiatives in the justice field

UK Ministry of Justice (2012)

A distinct approach. A guide to working with women offenders.

The guide aims to provide suggestions for good practice when working with women in the criminal justice system (CJS). The guide sets the context, then follows chapter by chapter the stages of the woman offender's journey through the CJS starting from pre-sentence, through sentence (community or custody), including interventions, enforcement of the sentence and termination of the sentence. In line with the government's proposals for reforming sentencing and rehabilitation, this guidance highlights implications for women in 4 key areas: punishment, payback, progression and protection.

European Council

EU guidelines on violence against women and girls and combating all forms of discrimination against them.

The adoption of guidelines on violence against women and girls is a mark of the EU's clear political will to treat the subject of women's rights as a priority and to take long-term action in that field. These guidelines are based on a solid multilateral acquis such as, for instance: the UN Secretary-General's in-depth study on all forms of violence against women (2006), the work on indicators on violence carried out by Ms Yakin Ertük, UN Special Rapporteur on Violence against Women (2008), UN resolution 61/143 on intensification of efforts to eliminate all forms of violence against women (2006) and UN Security Council resolutions 1325 (2000) and 1820 (2008) on women, peace and security, as well as resolution 2005/2215 of the European Parliament on the situation of women in armed conflicts and their role in the reconstruction and the democratic process in countries after a conflict, the relevant articles of the Conventions on human rights and international humanitarian law and the Rome Statute establishing the International Criminal Court. The guidelines are also intended to encourage the implementation of a greater number of specific projects aimed at women and girls, financed by, inter alia, the European Instrument for Democracy and Human Rights, but also by any other appropriate financial instrument of the EU and the Member States.

UNDOC (2014)

Handbook on women and imprisonment

The handbook forms part of a series of tools developed by the United Nations Office on Drugs and Crime to support countries in implementing the rule of law and the development of criminal justice reform. It is designed to be used by all actors involved in the criminal justice system, including policymakers, legislators, prison managers, prison staff, members of non-governmental organisations and other individuals interested or active in the field of criminal justice and prison reform. It can be used in a variety of contexts, both as a reference document and as a training tool. The main focus of the handbook is female prisoners and guidance on the components of a gender-sensitive approach to prison management, taking into account the typical background of female prisoners and their special needs as women in prison.

UN Women (2012

Handbook for legislation on violence against women.

The handbook serves as a useful tool in supporting efforts to provide justice, support, protection and remedies to victims and to hold perpetrators accountable. It first outlines the international and regional legal and policy frameworks which mandate states to enact and implement comprehensive and effective laws to address violence against women. It then presents a model framework for legislation on violence against women, divided into 14 chapters. Finally, the handbook provides users with a checklist of considerations to be kept in mind when drafting legislation on violence against women.

Oxfam Canada (2009)

This toolkit aims to provide a set of tools for designing, monitoring and evaluating transformative organisational capacity-building on gender justice. This toolkit is divided into 4 sections. The section on the capacity needs assessment tool (CAT) outlines the steps to support a participatory assessment of a partner organisation's capacity for gender justice work. The completed CAT provides a baseline for monitoring progress over time. The section on developing a capacity-building strategy outlines a process for moving from needs assessment to supporting partners in prioritising focus areas for capacity-building activities, responding to real needs identified. Several monitoring tools are proposed to form a capacity-building monitoring system with an emphasis on ongoing self-monitoring by partners and annual reporting as part of the capacity-building programme. Suggestions for rolling up monitoring information from multiple partners are also given. The final section of the toolkit outlines options for the evaluation of an organisational capacity-building programme on gender equality and women's rights, building on feminist assessment methods.

DCAF, OSCE/ODIHR and UN-INSTRAW (2008)
Justice reform and gender

This guide focuses on the institutional reform of the judiciary, law reform and access to justice, with specific emphasis on gender equality. It is directed towards the personnel responsible for justice reform within national governments, international and regional organisations and donors. Parliamentarians, law societies and judges networks, civil society organisations and researchers focusing on justice reform may also find it useful. It examines justice reform from a gender perspective within the broad and often overlapping contexts of post-conflict, transitional, developing and developed countries.

UNDP (2005)
Programming for justice: Access for all

The overall aim of this practitioner's guide is to facilitate programming in access to justice. To this end, the guide takes the approach that the combination of a clear model in line with UNDP precepts, an assessment methodology and a mapping of highly distilled lessons will help the programmer to come to strategic decisions. Drawing on experiences and lessons learned from different access to justice interventions within the Asia-Pacific region and sometimes beyond, this guide discusses a wide range of obstacles and capacity development strategies to enhance access to justice. The formal and informal systems of justice, legal aid and empowerment as well as specific obstacles facing disadvantaged groups and those in conflict situations in terms of their ability to access justice are all examined in the different sections of the guide. Women are just one of the groups targeted by the guide.

Example of gender language in justice

Zero Tolerance (2013)
Handle with care: A guide to responsible media reporting of violence against women.

The guide lays down some standards and procedures for reporting on men's violence against women, in all its forms. The proposals for best practice go further than the legal requirements for journalists; they form a handbook of moral guidance.

For a more detailed description of how gender can be mainstreamed in this phase of the policy cycle, visit the EIGE's Gender Mainstreaming Platform.

A policy cycle or programme should be checked both during – monitoring, and at the end – evaluation, of its implementation.

Monitoring the ongoing work allows for the follow-up of progress and remedying unforeseen difficulties. This process should take into account the indicators delineated in the planning phase and data collection based on those indicators.

At the end of a policy cycle or programme, a gender-sensitive evaluation should take place. Make your evaluation is publicly accessible and strategically disseminate its results to promote its learning potential.

Examples of monitoring and evaluation of gender in justice

Geneva Centre for the Democratic Control of Armed Forces (2011)
Gender Self-Assessment Guide for the Police, Armed Forces and Justice Sector
This self-assessment guide is a tool for assessing the gender responsiveness of a security sector institution. While it can be used by other security sector institutions, it is particularly designed for use by police services, armed forces and justice sector institutions. The guide includes a specific section on monitoring and evaluation.

UN Women (2012)
Handbook for national action plans on violence against women
This handbook brings together current knowledge on effective policy for the prevention of, and response to violence against women, and concretely demonstrates how states have developed and implemented such policy in their own contexts. The handbook includes a specific section on monitoring and evaluation.

OECD (2011). Section 10: Monitoring and evaluation in the OECD DAC
Handbook on security system reform: Supporting security and justice. OECD Publishing.

The guide provides indications on how to operationalise the 2005 DAC Guidelines, Security System Reform and Governance in order to close the gap between policy and practice. It provides guidance on the monitoring, the review and the evaluation of security and justice programmes and highlights how to ensure greater coherence across the different actors and departments engaged in such programmes. The guide includes a specific section on how to conduct gender-responsive assessments of security and justice programmes with the aim of integrating gender awareness and equality within such programmes.

The Advocates for Human Rights (2011)
Documenting the implementation of domestic violence laws: A human rights monitoring methodology.

This methodology provides guidance on monitoring the implementation of domestic violence laws through human rights fact-finding and reporting. This methodology includes 6 components: planning a monitoring project; international legal protections against domestic violence; background research on the legal system; interviews on the implementation of domestic violence laws; writing the report; and the advocacy process. The primary guiding principle for the assessment should be whether the implementation of domestic violence laws promotes victim safety and offender accountability, according to international human rights standards.

For a more detailed description of how gender can be mainstreamed in this phase of the policy cycle, visit the EIGE's Gender Mainstreaming Platform.