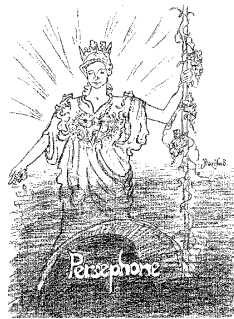


Violence against women with a disability



January 2002

Persephone npo
Union of women with a disability or a chronic and disabling disease

Solvijnsstraat 30
2018 Antwerp - Belgium

Contents

Contents.....	2
PREFACE.....	3
PART I WOMEN WITH DISABILITY DON'T ACCEPT VIOLENCE!.....	5
Outline of the Problem <i>Ann Van den Buys</i>	5
Ill-treatment of women: who is disabled? <i>An Sterkens</i>	6
To file a complaint at court: possibilities and difficulties. <i>Wendy Verhaegen</i>	8
Actions of Persephone <i>Ann Van den Buys</i>	9
Questions from the audience. :.....	10
Part II : Inaccessible Homes of Refuge.....	12
Problem Description.....	12
Letter of June 4, 1996 to all houses of refuge in Flanders.....	12
Letter of July 2001 to all houses of refuge in Flanders.....	12
Letter of November 11, 2001 to Mieke Vogels, minister of equal opportunities of Flemish Community.....	13
Part III : handicapped women, victims of violence: what can we do ?.....	16
When and Where do we find violence ?.....	16
Legislation on abortion, sterilisation and sexual violence.....	17
Prevention and aid to victims.....	18
International documents : handy tools at lobbying.....	19
CONCLUSION.....	21
Appendix A Useful addresses.....	22
Appendix B Literature.....	23
Appendix C The Daphne project.....	24
Appendix D Persephone npo.....	26
Being a women with a disability: a specific situation.....	26
Why a specific group?.....	26
Purposes.....	26
Would you like to join us?.....	27
Our name.....	27
Overview of some of our activities.....	27
Other publications of our organisation:.....	28

PREFACE

Violence against women with disability is not an easy item. There is a taboo; people pretend it doesn't exist. Women with handicap are considered as asexual persons, not attractive and therefore they are not victims of sexual assaults. As if sexual assault is due to being attractive or not! Isn't it mainly an abuse of power? The negation of these abuses of power is also due to two though prejudices:

“Someone who has a heavy spastic paralysis and/or has difficulty speaking is likely to be mentally handicapped. So she doesn't really understand what is happening! “

One must insist: mental possibilities and the co-ordination of movements are two different regions in the brain, like a city having different districts.

“All these social helpers are really kind people”. In fact they are like anyone else. Yes they are kind. When their motivation is really sincere and concerned. But not when it is based on frustration: “I feel so helpless, but when I help these persons, I am the powerful, ha, ha!”

It is clear that in this feeling of frustration lies the danger of abuse of power.

Who is looking for an easy victim finds it amongst women with disability even more so when she isn't able to defend herself and cannot go to the police.

It would be wonderful if violence against women with disability didn't exist. But, alas, it does exist! At our organisation, Persephone, different cases have been registered: ill-treatment by the partner – with a physical handicap as result – ill-treatment by relatives, sexual abuse at the protected workplace....

Investigations about violence against women in general ascertain that only 20 % of violence cases have been revealed. As to women with disability no official figures are available. But assuming that these women are easier victims than their normal colleagues and have more difficulties in outing their complaints, we can be sure that the cases known to us are only the summit of the iceberg.

This document is meant to bring the problem into the open. When there is a problem, solutions have to be found. This document also gives a summary of what has been realised in research, prevention, and specific assistance. This is very helpful for women with disability too. In part I and II we will talk about our initiatives, part III is about the European Conference on violence against women with a handicap, in which we took part. In part B you will find some references to studies and statistics. These researches have been very restricted up till now. As these problems have been neglected, systematic and extended research has never been done. Neither has there been a well thought-through government plan for women with a handicap.

This publication wants to break-through the taboo which still exists. It wants to give a voice to the many women with disability who were the victims of violence, to the many women with disability who risk to be the next victims.

It is not our purpose to cause panic. We put our finger on the sore part to provoke the right measures when everyone has the right idea of these problems. Hiding all this, is only profitable to the offenders. We want to encourage universities, politicians, and fieldworkers to treat these problems. This in name of the women with disability who are a part of our community.

Let us change the still growing violence into respect.

Antwerp
December 2001

If you have still questions, suggestions or comment, please contact us. Our contact details are to be found in appendix A. Appendix D informs you about our association

PART I WOMEN WITH DISABILITY DON'T ACCEPT VIOLENCE!

REPORT OF THE PANEL-DISCUSSION.

Held on November 11th 2001, in the light of the “Women’s day” – Theme “Women and Health”

Members of Panel:

Tonia In den Kleef, Member of the Board of Persephone VZW, Moderator

An Sterkens, Co-Founder of the refuge Home and voluntary therapeutic for Pandora

Ann Van den Buys, Founder and Chair-woman of Persephone npo

Wendy Verhaegen, substitute to the King’s Attorney at the court of Justice in Antwerp.

Outline of the Problem

Ann Van den Buys

Violence against women with disability is not an easy topic. There is a taboo, one likes to believe it doesn’t exist. But – alas – it is really there. At Persephone, different cases are being reported. Herewith an anonymous statement:

“As a child I dreamt of riding a horse. I inherited this dream from my mother. But I had one big problem: I have a physical handicap. When I was twelve I thought I was very lucky because we found a horse riding school in Burcht. But what was I supposed was a wish fulfilled, turned into a nightmare. After an introductory tour at the riding school where I saw other handicapped people on horses, I went for a ride myself; Wow, fantastic!

My guide, the riding school teacher, held me firmly. Too firmly! While I held the horse with my hands, I felt his hands along my body, at places where they were not supposed to be at all. When I tried to push him away, he told me it was a part of the therapy. I couldn’t do anything. Just wait. Wait till the lesson was over. At first I could not tell my mother what happened. At the cafeteria the teacher stood near me all the time. I wanted to tell my mother but couldn’t as he was nearby. I was scared to death of him. Only when we were in the car on the way home, I told my mother everything. I never went back again. But he pursued me. He phoned me and I couldn’t forget what he did to me. When I heard that I was not the only one who had experienced this situation, I filed a complaint at the court justice. I was the only victim who was able to: the vicious man always choose the weakest of the group but was really mistaken with me. He thought I was mentally handicapped, as I have difficulty speaking. “

Women with a physical or mental handicap are more fragile than normal women, and therefore more often victims. Speaking of violence, I don’t think in the first instance about robbing of purses, which can be avoided by not taking them, but more specifically about “violence at home”, ill-treatment and sexual abuse. These hidden forms of violence take place very often. The perpetrator being a well-known person, nobody can deny that, but it happens also by sexual abuse. It really is a misunderstanding that you can avoid danger by avoiding dark little streets and quiet places, but 80% to 90% of the culprits are acquaintances. People who are normally to be trusted, fathers, uncles, social workers, therapeutics, colleagues. Just people you meet everyday. Just like me, maybe you are shocked by this percentage. An investigation by the university of Michigan in the USA showed ever more terrible figures: 44% of the women staying in institutions are victim of sexual abuse. 50% more than once! In New York a program of prevention and against ill-treatment of physical handicapped children up to 18 years was started. At that moment it was stated that 83% of the handicapped girls

was sexually abused, against 33,3% of the normal girls. Luckily the USA are not Belgium, but here also the figures are alarming: in the Netherlands, Nel Draijer came to the conclusion that 1 to 6 / 7 girls are being abused before their 16th birthday by one of their relatives. Specific figure about women and girls with a handicap are not available. What we know for sure is, that the number of victims is certainly more important than 1 to 6 or 7.

I mentioned before that a handicap provokes a greater fragility. The figures from New York certainly prove that. I will go deeper into this, as this greater fragility has different causes. Firstly – and this concerns people who were handicapped from birth – we are very often over-protected. We never, or very late – learned to say “no”. We are expected to be docile and say thank you. Children, but adults too, don’t always recognise dangerous situations when they occur and therefore cannot react properly. They don’t resist or too late, are ashamed about the violence they were confronted with and feel guilty as they couldn’t defend themselves.

A second cause is helplessness. Very often the helper has to use functional touching, which can be disliked but are necessary. We have learned to endure these manipulations and sometimes we feel too late that some people misuse them. It is not so difficult to wash and help someone who needs help, and misuse the situation. It is very easy for a social worker to threaten “You shut up or I won’t help you anymore!”

Third cause: feeling isolated. Many of us cannot leave their home without help. Public transport is impossible for them, so they can not go to the police with their complaint. Not only public transport is not accessible for them, but also police-offices and court-buildings are inaccessible for them. Even the access to fugitive homes, doctors practice and Official buildings is often very difficult. This is an urgent call to all persons concerned! And a warm appeal for co-ordination! It is not only for physical inaccessibility. Try to explain what has been done to you, when you have difficulty in expressing yourself!

4th cause : people who are involved in victim assistance, police and lawyers are not used to communicate with people with a handicap, and that scares them a bit. So they feel unsure and prejudiced. Most of the times they cannot believe the complaints concerning “sexual abuse” are true. Women with disability are generally considered as being a-sexual beings, not attractive and therefore they cannot be victims of sexual abuse. Somebody with spastic paralysis, isn’t he or she also mentally handicapped?

All these obstacles make it very difficult for the victims to report the abuse and this leads to a vicious circle: as there are seldom complaints, the problems don’t get solved. In assistance to victims matters, no attention is been given to people with a handicap, and this leaves the culprits unpunished.

So I have no choice than to finish my preface with an urgent appeal to the victims with a handicap: please don’t stay silent, you don’t help only yourselves, but also all the others.

Ill-treatment of women: who is disabled?

An Sterkens

For a start I want to clear up some misunderstandings about ill-treatment.

Ill-treatment is more than that one slap out of feeling powerless, anger or sadness. One thinks it is ill-treatment, but that isn’t right. Ill-treatment of women is growing out of power in unbalance. This unbalance provokes mental, physical and sexual violence, and this finally escalates.

Ill-treatment happens everywhere. In all population ranks, and class, in all countries. I also have been a victim of ill-treatment, even having a social assistant certificate. To make it clear, I use crutches, but not due to ill-treatment, but as a result of a wrong surgery

Ill-treated women aren't weak.. Someone who survives what happened to him/her, is very strong. They don't need to go to a psychiatric ward. Sometimes victims, especially children become psychically handicapped, as a result of the ill-treatment. The everlasting violence destroys their basic confidence and gives way to a negative self-image. That makes it very difficult for them to build up well balanced relationships. Afterwards they are just getting from one violent relationship into another.

The important question is: what are the profound causes of the unbalance of power? As I mentioned before, it is clear that the experiences during youth of culprits and victims have a great impact in this situation, but also the social and cultural surrounding. We all know that up till now men have more opportunities to take decisions than women, not only in socio-economic matters, but also very often individually. All this is a deep-rooted disequilibrium. Women's opinions are still less important than men's. Jobs in which decision making is involved are still mostly taken by men. There is still a great job to be done for equal opportunities management! In many families there is a real balance in power, but very often men consider themselves as being the head of the family and women still think, due to their education, that the ideal housewife must fulfil her husband's wishes. Her children are brought up with the same vision... and so this unbalance goes on and on!

This socio-cultural oppression is considered as structural violence, which leads to having fewer opportunities in the labour market, lower wages for the same job, fewer chances for promotions, fewer chances to participate in political resolutions, financial dependence. Structural violence not only increases the risk of getting into a violent relationship, it also reduces the chance of escaping from a violent relationship.

Psychic violence is another frequent form of violence. Like humiliation, verbal abuse, prolonged criticism, forbidden contact with family, absolute control, damaging personal belongings, knife threats, threats of murder or mutilation. Being unable to assess if these threats are real or not, provoke constant fear. These forms of violence don't leave any visible marks, but in most cases it is far more effective than any other form of violence. Psychic violence never really ends. Day by day the perpetrator oppresses his victim. He destroys the self-image of the person completely. Very often this psychic violence starts when the person has a handicap e.g. after a car-accident.

Physical violence, such as whipping, kicking, throwing out of bed, trying to strangle, knife wounds, compulsory sexual intercourse, breaking of arms and legs, are the most known forms of ill-treatment, as the results are most visible. Very seldom physical violence is the result of a clear conflict. Most of the time a stupid banality provokes it, e.g. the meal being ready too late. Who endures physical violence, also has to face psychic violence. A growing number of women get also a mental handicap as a result of this ill-treatment.

Not only the ill-treated woman but also the perpetrator keeps silent for a very long period. She, because she feels ashamed – she cannot succeed in keeping harmony in her relationship – and because he keeps her isolated: he deprives her of keeping contact with friends, family or relatives. In public, he is very charming, making her believe that he still loves her. They chose each other because they love each other, isn't it? This certainty makes it very difficult to say

to the others: “he mistreats me”. The reality is only revealed after a crisis-situation. But then she has lived a long period of toleration and extending boundaries. After the first blow she thought maybe: “when he does that again, I leave!” But afterwards he was so sorrowful, so kind...and she stayed.

What can we then do, as an organisation, when this woman comes for help? Victim-rescue begins with “believing” the victim. That is the start for coming to terms, the first step to restore the severely damaged self-confidence. We already experienced that in 98% of the cases, their story is true! Then we help to file a complaint. Step by step we restore her positive self-image. The children also must be counselled. They have lost their childhood because they were exposed to violence at home. They developed a exaggerated sense of responsibility. The reactions of their mother were also very difficult to understand; one moment she is scared to death and tells them their father is bad, but when he promises to change and is friendly and correct, he suddenly turns into a good daddy. One day they run away from father, next day they return home... Personally I followed up many women and children. It is very though, but it is rewarding.. I saw many women get up again, growing away from their humiliation. Their testimonies were brought together in a book, titled “For the sake of peace”. For more background information a brochure is available: “who is silent is not to be heard.”

To file a complaint at court: possibilities and difficulties.

Wendy Verhaegen

Let me explain the task of the King’s Attorney to use the official appellation. The Attorney works for the interests of the community. His substitutes are his helpers. Our task is to investigate if the complaints can lead to prosecution of the perpetrator. If the perpetrator is prosecuted, than the trial goes to court. Otherwise the file only gets registered and dismissed. (classified without consequence).

A perpetrator can only be persecuted by the Court after three conditions:

- his deeds are punishable
- his identity is known
- there are enough indications that he is guilty.

If one of these conditions is not sufficient, the complaint is dismissed.

When a judge decides that the perpetrator is guilty, he can choose four different ways of punishment:

- through mediation: the perpetrator and the victim together, try to find a way for the perpetrator to mend the wrong he did .
- an alternative punishment
- a suspended sentence
- a jail sentence.

Rumours tell that complaints are *mostly* dismissed . I did a little investigation, based on the complaints which were put down in 2000 in the Antwerp district. These were the results:

- the total amount of registered complaints : 78.000
- of which 55.000 were suspended
- main reasons : perpetrator not known and lack of evidence
- main reason for dismissing complaints about home-violence: lack of evidence.

This is very frustrating for the victims of violence at home, I must admit it. But if there is insufficient evidence, what can we then do? With our system of justice, the guilt of the perpetrator has to be proven before he can be judged. After all it is fair. Imagine that people can be judged by any complaint, it would be impossible to have fair trials!

But I can give useful tips to eventual victims to collect evidence:

- the Court also accepts *indirect* witnesses. These people didn't witness the crime, but the victim told them what happened. This is also an appeal, like said in the preface: don't stay alone and silent, come out with it!!!
- the testimony of psychiatry is important. When he declares that he examined the suspected offender and finds that he is indeed capable of committing this alleged offence, this is valid evidence.
- The same value is given to the testimony of a doctor; declaring that the wounds can be the consequence of violence, and then it is also valid evidence.
- A supplementary tip of An S. : don't expect your regular doctor to fill in such a statement. Most doctors are afraid to do so. You better choose a doctor who doesn't know the culprit and ask him to keep his statement at his place. Don't keep it yourself.

Evidence does not have to be irrevocable. The text of law mentions that the judge "must have the feeling" that the complaint "has evident proof" to convict someone. There is no mention that the guilt has to be proven in *black and white*?

It is also important that the victims know that they have different possibilities when they want to submit a complaint:

- Someone who isn't able to go to Court personally, can also fill in a written complaint or ask for help at the Crisis Centre for Victims of the Courthouse. The police comes at your house.
- This Crisis centre helps to fill in the complaint, gives support at any moment of the procedure, gives information and eventually can refer to assistants.
- A person with a mental handicap can ask friends to submit a complaint.

Actions of Persephone

Ann Van den Buys.

I would like to conclude by mentioning what we achieved with Persephone on problems of violence against women with a handicap. We listen carefully to the victims when needed but we work also on sensitiveness and interest, defence, we don't stop them. By the way we were confronted from the very beginning by these problems.

In 1996 we heard the story about a woman in a wheelchair who had to be taken urgently to a refuge-centre. In the entire province of Antwerp there was not one refuge-centre available to lodge a wheelchair user. The woman had to stay at home. We then started a letter-writing action to all refuge and crisis centres in Flanders asking to pay attention to the accessibility of their centres. Different centres informed us immediately that they also had to refuse access to their houses, because they were not equipped to accept wheelchairs. Only one informed us that there were no problems admitting wheelchairs.

After five years we wanted to know if the situation had changed. In mid-2001 we wrote again to all refuge and crisis centres in Flanders asking them to fill in a little questionnaire. Not only did we like to know if they could already accommodate wheelchair users, but also if they could –eventually with the support of the authorities- make the necessary amendments to their

centres. 24 out of the 34 centres (more than 70%) filled in the questionnaire! This summary gives the following figures.

<i>Number of letters</i>	34
Answers	24
<i>Had to refuse wheelchair users</i>	
Yes	10
No because accessible for wheelchair users	4
No demand	8
Question not answered	2
<i>Modification planned or new location planned</i>	
In project or executed	5
Impossible (no money)	12
Our house is accessible, or as good as	4
Question not answered	3

Explanation : 4 times “our house is accessible, or as good as” means that 3 houses can welcome wheelchair users as it should be, and that one house can welcome a wheelchair user with the possible use of a toilet but no possibility of sleeping nor shower.

One of the houses mentioned as “no demand” explains that nobody asked because it is well known that there is no possibility anyhow. The necessity of accepting persons with a handicap is real.

We will give these figures to the Minister Mieke Vogels demanding her to impose the accessibility of the houses to disabled, and also to make them affordable.

Also there was our full attention to the prevention of violence. In 1997 we asked Reflex, an organisation who gives lessons in assertiveness and self-defence, to make a special program for people with a physical handicap, and they did it. In co-operation with Reflex and KVG we organised these lessons twice. When the demand is adequate we intend to organise them again, and eventually also for women with a mental handicap

Questions from the audience. :

1. Can a victim remain anonymous?

Answer by Wendy: No, a witness can remain anonymous, but a victim cannot. You cannot lodge a complaint anonymously.

2. I once lodged a complaint. How can I know if the accused has been sentenced?

Answer by Wendy: You can ask the file number at the police, and then go to court house to read your file. You have the right to read your file, but you must ask it!!!

3. A mother decides to leave home, with the children, for reasons of security. Could you indicate, step by step, the procedure to follow?

Answer by Wendy:

Step 1: Inform the local police that you leave, and that you take the children with you.

Step 2: Make contact with a lawyer (eventually free of cost). The judge will grant you permission to leave home. Another possibility is to go straight to the judge, this can be a faster way.

4. A girl with a handicap stays in a home, but is molested by a member of the personnel. For her own security it would be best to move to another home. But no accommodation is available for people with a handicap. Does she have to remain there or move?

Answer by Ann VdB : There is a big shortage for accommodation of handicapped persons. The question is *should the girl move?* Why not the educator? Can't he be dismissed?

Answer by Wendy : Indeed. There was this girl of an ethnic minority that was abused by her teacher. Since the evidence from different witnesses corroborated, the teacher was found guilty and dismissed.

5. The vulnerability of women with disability was emphasised in the introduction. This is really not promoting the self-esteem.

Answer by Ann VdB: That is right. When you know you can expect something, you are watchful, and you can take precautions. To impose respect is something you can learn. As I said we twice organised lessons in assertiveness and self-defence, and according to the demand we will organise them again. On the other hand if a handicap makes you vulnerable, you can use your wheelchair or your walking stick to defend yourself. Somebody who is paralysed on the lower limbs, has generally more power in her arms, and a few well placed knocks with your fists can have a surprising effect. If a perpetrator is surprised by the unexpected defence, he will back up, and maybe try on another defenceless victim.

Part II : Inaccessible Homes of Refuge

Problem Description

Imagine yourself in a wheelchair, having an urgent need to get help in a home of refuge. That's tough luck, because homes of refuge that are able to welcome wheelchair users are very rare indeed. Most likely you won't even find one in your region. So, you have to stay at home.

In 1996 this nightmare became reality for a woman in the Belgian province Antwerp. Persephone, just over one year old, heard of her plight and started an immediate letter action to all homes of refuge in Flanders. This action showed that the accessibility of these places is in a very sorry state indeed.

Five years later, halfway 2001, Persephone wondered whether there was any improvement. A new letter action showed that barely a few houses of refuge were capable to welcome wheelchair users. This is a problem that can only be solved with government aid.

On Women's Day in 2001, Persephone passed the file into the hands of Mieke Vogels, Flemish Minister of Well care, Health and Equal Opportunities. She listened carefully to our grievances and promised to tackle the problems soon.

Starting from 2002, we have been following up on the activities of her ministry.

Letter of June 4, 1996 to all houses of refuge in Flanders

Madam, Sir,

Recently it was brought to our attention that a woman was refused access to a house of refuge. The reason for this was that she is a wheelchair user and, being unable to climb the stairs, the facility couldn't offer her a room. Isn't this a regretful situation ?

As it is not unthinkable that such a situation will repeat itself in the near future, we would like to ask you to make the necessary changes. There is no need to do expensive changes. It would speak for you when public opinion would notice your human approach. Isn't it possible to arrange a room on the ground floor ? With washing facilities ? With some slopes to allow a wheelchair to pass the thresholds ?

Only this way can we break the vicious circle where the disabled do not have access and consequently do not participate in Society, causing lack of interest in providing accessibility.

Yours truly,
On behalf of Persephone,
Ann Van den Buys,

Letter of July 2001 to all houses of refuge in Flanders

Madam, Sir,

In 1996 it was brought to our attention that a woman in a wheelchair needed help in a house of refuge. In our entire Province, not a single house of refuge was found that could welcome a wheelchair user. Consequently, the woman was forced to stay at home.

As an association defending the interests of disabled women we thought it our duty to inform all houses of refuge in Flanders and ask them to devote some attention to the situation of their facilities. Judging from the answers we received, it appeared that some of you had also been forced to refuse entry to wheelchair users; Not because of lack of room, but because their facilities are not accessible. Some of you promised to take accessibility for wheelchair users into account at the earliest opportunity to renovate the facilities. Only ONE(!) house of refuge reported that they could receive wheelchair users. Was it true that Flanders counted just one such house of refuge ? Having a population of 6 million people, this seemed us way too few.

Five years later, we were wondering whether any progress has been made. This is why we write to you again. We would be grateful if you could please spend some of your time filling in the enclosed form? A simple “yes” or “no” is sufficient. We would like to use the results to incite the government to help.

Thanks for your attention,
Yours Truly,

Ann Van den Buys,
Chairwoman Persephone npo.

Name House of Refuge (optional) :

Located in the commune:

We have already refused to welcome wheelchair users, because our facilities are not accessible : (yes/no)

Wheelchair users can :

- enter our facilities (yes/No) (is there a slope, is the door wide enough?)
- use the toilets (yes/no) (is the door wide enough ? is there room for the wheelchair?)
- use the shower (yes/no)

There is a room for a wheelchair user :

- ground floor (yes/no)
- upstairs (yes/no) (is there an elevator ?)

We can welcome wheelchair users after some renovation (yes/no)

We need Financing for this renovation (yes/no)

Remarks :

Letter of November 11, 2001 to Mieke Vogels, minister of equal opportunities of Flemish Community.

Madam,

In our first letter action we asked all houses of refuge in Flanders whether they could welcome wheelchair users. Only one(!) acknowledged. Is it true that Flanders, with its 6 million inhabitants, only counted one such facility ? Our letter wasn't particularly demanding : we merely suggested some affordable changes.

Five years later, we were curious to see if any progress has been made. In addition, we were wondering whether financing would help renovation. Last summer, we sent an enquiry to all houses of refuge in Flanders.

Let the results speak for themselves :

Number of letters sent	34
Number of replies	24
Were forced to refuse wheelchair users	
Yes	10
No, our facilities are (almost) accessible	4
We never had such a request	8
No answer	2
Renovation is	
Planned or in progress	5
Impossible without financing	12
Not necessary, as our facilities are (almost) accessible	4
No answer	3

To clarify: 4 times “facilities (almost) accessible” actually means that 3 houses of refuge can welcome a wheelchair user as required; a wheelchair user can enter & use the toilet in the remaining one, but can't take a shower or spend the night.

A remark from a house of refuge that claims never to have had a request of admittance from a wheel chair user : “having had few or no requests is most likely caused by the fact that we have no facilities for the disabled. There is most certainly a need.”

Disabled people are most certainly more often a victim , compared to the non disabled. There are several reasons for this :

- they are dependent on help, making them extra vulnerable
- they are often kept ignorant and over-protected and as a consequence, only recognise potentially dangerous situations when it is too late
- they have more problems filing a complaint
- their complaint is often not believed.

Conclusion :

Knowing for certain that the disabled are more often victims, and holding the figures above as evidence, we implore you to make the necessary arrangements for a government financing deal to drastically improve the accessibility of the houses of refuge in Flanders.

We would appreciate to hear of any progress in this matter.
We expect a fast and positive reply and thank you for this in advance.

Yours Truly,
Ann Van den Buys
Chairwoman Persephone npo.

Part III : handicapped women, victims of violence: what can we do ?

Summary of the European conference, held on November 16,17 & 18 in Italy as part of the Daphne project

When and Where do we find violence ?

a) Everyday violence.

It seems exaggerated to claim that disabled women are confronted with violence on a daily basis. We need to realise that violence can be enacted on several levels, however.

The first level is visibility. Being visible is part of being recognised as a person, having the chance to study, to work, raise a family and have a social life. Our society does not or does not want to recognise that disabled women can have a meaningful role in all these domains and therefore tends to exclude them.

Unemployment is the basis of dependence on others, which facilitates violence. Contracted employees are usually men and this gender gap is increasing. Quota's, positive discrimination and job training can stop this.

A woman must be beautiful and charming; when disabled, a woman is often regarded as "a failure", a non-sexual being with an impersonal body. What is wrong with abusing such a body ? And can such a person be allowed to raise a family? Hardly, especially since not only her handicap is a problem, but her environment is not co-operative either. Mothers with a handicap are a greater rarity than a disabled father.

Every day, disabled women –just like their male counterparts- must confront the insufficient accessibility of public buildings.

If we examine the Equal Opportunity policies, we must conclude that there is practically no attention given to disabled women. In government policies that aim the disabled, women are completely invisible. A study of the body of policy documents might lead to the conclusion that disabled women simply don't exist.

b) institutional violence

In institutions, sheltered workshops, asylums and other shelters the care for the residents is usually done in a very paternalistic way. As this renders people powerless, with no say with respect to their own fates, this should be seen as violence too. In such an atmosphere sexual abuse is always close. If you are used to the fact that others wash and clothe you without taking the trouble to close the door of your room, that others decide when you will sleep or eat, that others touch and examine your body "for your own good" without ever asking permission, sexual abuse is indeed only a step away for a social worker.

If you are disabled from childhood, there is a good chance that you never had sexual education; even if you do fully understand that what just happened to you IS abuse, who can you talk to? Often, to protect the "good name" of the institute, abused inmates are asked to hush it up. Talking to an other social worker is a risky business : suppose he decides to take sides with his colleagues ? We have an urgent need for an independent service dispensing aid for victims.

c) Domestic violence

" You will never get a husband! What man could ever be interested in a disabled woman?"

Remarks like this are what a disabled woman often gets from her family. At one point or another, she will believe it herself. She will start hating and ignoring her own body. Her family will often deny her the right to her sexuality. Even if she succeeds in starting and maintaining a good relationship, parents cling to the non-sexual image of their daughter. "You

want birth control pills ? Why ever do *you* need them?” is an answer disabled women often get from their mothers.

Living alone with the help of hired assistants is a solution that is slowly paving its way. There are clear advantages: you pick your own assistants and if they don't comply to your needs, you can simply replace them. This way, hired help will get little opportunity to abuse their power. Even so, experience has shown that even in these controlled environments, abuse is possible. Some simple examples: a female assistant introduced a smoking break for herself between helping her charge out of the bath and drying her. Another assistant arranged repair works, without ever consulting her disabled boss. It also proves to be difficult to actually fire an assistant. Courts tend to believe the explanations offered by the assistant rather than the disabled employer.

The root cause of all these problems is the inexperience of disabled people in this role of employer. Society doesn't see them as an employer either. The solution has to be evident: assertiveness trainings, assertiveness trainings, assertiveness trainings.

d) Breach of privacy.

If one cannot wash or dress oneself, there is little hope for privacy on such moments. Social workers are regularly assigned to other charges, have little time, don't take the trouble of shutting the door, etc...

A visit to the gynaecologist means little privacy too. Sterilisation and/or abortion are often forced upon disabled women, in contrast with the experiences of other women; if these women chose sterilisation, doctors often advise against it. Decisions of this magnitude must be taken only after carefully reviewing the issue and taking the opinion of the woman herself into account.

e) Statistics

The increasing violence against the disabled made DPI Europe decide to start up its own database. Evidence of discrimination or abuse of the disabled is being gathered, with respect to isolated incidents as well as the general picture. The aim is to found an “Amnesty” like network between the disabled, that will voice their concerns on human rights. The data will be collected in a central database, managed by DAA (Disability Awareness in Action). It is already operational in 5 countries : Finland, Germany, Italy, Holland and Portugal.

Women must use this opportunity. Only by publishing concrete evidence for our claims can we question current practices and induce changes. We must show our politicians and society itself what life really is for the disabled. Only in this way can permanent improvements be made.

Belgium has an Observatory in its start-up phase. It will specifically focus on violence on women. You'll find more information on this in appendix C.

Data on disabled women is sorely needed; women living in institutes, as well as those living with their families or alone. We must chart the places where violence occurs; on the street, at home, in the bathroom, at the doctors' or the gynaecologists', on the way to school or sheltered workplace,... it can happen anywhere. Research must be conducted in all European countries. Only this way can we hope to prove that the problem is universal and must be dealt with.

Legislation on abortion, sterilisation and sexual violence

a) abortion.

Most European countries allow pregnancy termination under certain conditions. If the foetus is handicapped, the conditions are much more relaxed. We experience this attitude as a type of violence: a child is denied the right of life simply because it is disabled !

The consequences are dramatic : statistics show that 94% of all parents confronted with the knowledge that their child will be disabled, chose abortion. What images of doom are suggested to these parents?

People who are told they are expecting a disabled child must get the opportunity to listen, to parents that have a child with a similar or equal handicap and to adults with such a disability. We, as women, bearers of life, have the obligation to make ourselves heard. A society that only tolerates “perfect” people is doomed to disappear. People with a disability guarantee diversity and creativity of society.

b) sterilisation

DPI’s view on sterilisation is clear: it may never be enforced upon someone. If the subject is not capable of understanding the concept of sterilisation, this can only be allowed when medical reasons urge to do so and when an official permit has been secured.

Daily experience shows that sterilised women are more frequently victims of sexual violence. She cannot get pregnant, so the abuse can’t break out into the open!

Italy has no law on sterilisation. Other European countries do, but they are not sufficiently precise. Spanish law, for instance, doesn’t make a difference between mental or physical disability.

c) sexual violence.

Legislation is poor on sexual violence on disabled girls and women. German law punishes “sexual violence against persons unable to defend themselves”. The UK gives women with or without disability exactly the same rights, but in reality things can turn out to be quite different: a judge once stated that only oral testimony is valid evidence. Other judges declined complaints of people with a mental handicap, because “they don’t know what happened anyway”. The Spanish penal code mentions violence against mentally disabled people, but does not so on violence against physically disabled people.

A lot of work has to be done here.

Prevention and aid to victims.

a) prevention

Let’s list some important basic principles :

- your body is yours alone.
- Trust your intuition.
- You have the right to receive sexual education
- You must learn the difference between pleasing and offensive physical contact
- Learn to say “no”
- Once a victim of sexual violence, try to communicate what happened
- Learn to take your own decisions
- Socialise with other disabled women
- Fall in love with life : build up you own project, learn to believe in your possibilities, use your perseverance.

Prevention includes several aspects. Self-defence is one of them. Defending yourself is much more than kicking and screaming; it’s a system that must allow you to effectively stop

psychological violence. Mental training therefore is an important part of any good course. But one should start at making the difference between dangerous and non dangerous situations. Also encouraged is the effective use of body language and the voice . Some physical self defence techniques should wrap it all up. One must learn what one can do, whilst still taking the physical limitations into account. Fear must be replaced by self-confidence.

We must increase the offer of assertiveness and self defence trainings, that are adapted to the disabilities and practical limitations of the trainees. Learning from companions in adversity can be crucial in preventing violence. Disabled people that nevertheless manage to get themselves respected can be an inspirational example to similarly disabled women. People need examples ! Disabled women therefore have a lot to gain from support of other disabled women, across borders of nationality and culture. It's just that they have to be able to contact each other. Hence the importance of creating and maintaining regional and international networks.

b) victim support.

There is no organised, specific support for victimised disabled women. Theoretically, all existing initiatives are of course open to all, including disabled women. In reality, this proves to be much more difficult; the accessibility leaves much to be desired.

What can be done when it is suspected that someone has been the victim of sexual violence?

- stay calm.
- Note down the reasons of your suspicions.
- Try to convince the suspected victim to talk about it with a trusted person. Make sure the environment in which this will take place is safe and transparent.
- Make sure to analyse the consequences of filing a complaint, especially if and when the victim will remain dependent on the perpetrator of the crime.
- Ascertain the need of a therapist to alleviate the stress and trauma. If this is the case, help to find one. It is not easy to find a therapist with accessible premises. Therapists are often inexperienced in dealing with the disabled.

International documents : handy tools at lobbying.

a) UN documents

Inquire at your local government to get the complete text of these documents. The ministries that carry the responsibility of these subjects should also be able to tell you what documents have been adopted by your government and what laws and measures have been taken to implement those words. If you find the measures lacking effectiveness, you can ask your government to do better.

To us, disabled women, the following documents are useful:

- the Declaration of Human Rights (1948) : disabled people are not explicitly mentioned here, but it still remains useful ; it does state that these rights are for ALL people.
- The Convention on Alleviation of Discrimination against Women (1979): once again, disabled women are not mentioned as such, but as the convention is valid for ALL women, it is also valid for us.
- Standard rules for Equal Opportunities for the Disabled (1993): same comment: not a word about women, but still useful.
- The Fourth Women's World Conference in Beijing (1995) and the follow up Conference at new York (2000): disabled women were well represented at these conferences and it shows in the results! There is, for instance, the chapter on violence

against women. This success is just the beginning, as often we are still missing on the political agendas.

b) documents of international organisations for the disabled:

These contain a lot of suggestions for the European and national governments. They also delineate the rights and responsibilities of the disabled.

- resolution of the First European Conference on Self supported living for disabled women (DPI – European Women’s Committee 1996).
- European Manifesto of Disabled Women (European Disability Forum 1997)
- Viewpoints of Disabled People on bio-ethics and human rights (DPI Europe 2000)

CONCLUSION

We are in dire need of official financial support to improve the accessibility of refuge homes. Universities should do more research to clarify our image of these problems. This must be done on a large scale. This means:

- all disability types must be represented in the research population: mental, physical, motorically, psychological, audible, visual, ...
- all housing types should be included in the research population: institutions, self-support, at family, communities, ...

Moreover, to get an accurate picture, information must be gathered on :

- the type of violence
- the location of the violent act
- the relation of the victim to the perpetrator: social worker, therapist, inmate, tutor, parent, partner, ...
- the reasons why the victim didn't file complaint, if this is the case
- the eventual outcome when a complaint was filed

Those social workers that will be active in victim aid, should receive training on dealing with disabled people.

The offer of assertiveness and self defence trainings, adapted to the disabilities and circumstances of the trainees has to be greatly increased .

The laws on abortion, sterilisation and domestic violence do not correctly take disabilities into account. A lot of work is to be done here!

Disabled women can play a significant supportive role:

- to other disabled women
- to parents of a disabled child
- to people that are repulsed by imperfections.

Appendix A Useful addresses

DPI-EUC (Disabled People's International – European Union Committee)
11 Belgrave Road UK-London SW1V 1RB
e-mail: dpieurope@compuserve.com
internet <http://www.dpieurope.org>

EWL (European Women's Lobby)
Hydraulische straat 18 1210 Brussels
e-mail: ewl@womenlobby.org

KVG npo (Catholic Organisation disabled people)
Arthur Goemaerelei 66 2018 Antwerp
e-mail: post@kvg.be

Nederlandse Gehandicaptenraad (Disabled Union Netherlands)
PB 169 NL-3500 AD Utrecht
(text)telephone: +31/30/231.34.54

Pandora Ekeren – Een huis in de rij npo
Groot Hagelkruis 8 2180 Ekeren
e-mail: hirpandora@pi.be
tel: 03/542.07.93 (mo to thr 10.00h – 16.00h; thr also 19.00h – 21.00h; fri 10.00h – 13.00h)

Persephone npo
P/a Ann Van den Buys
Solvijnsstraat 30 2018 Antwerp
e-mail: persephone_vzw@hotmail.com

Project Violence against Lesbian Women. (Project within the European Daphne project).
Lesbian Information and Counselling centre
Alte Gasse 38B D-60313 Frankfurt
Tel +49/69.21.99.97.31 fax +49/69.31.99.97.32
e-mail Daphne@libs.w4w.net www.lesben-gegen-gewalt.de www.lesbians-against-violence.com

Refleks, weerbaarheidscentrum
Breughelstraat 31-33 2018 Antwerp
e-mail: info@refleks.be

Slachtofferonthaal van het Parket van de Procureur des Konings
In elk arrondissement.
Antwerp : Lokaal 1, Britselei 55, 2018 Antwerp
Tel 03/216.53.25 03/216.54.20 03/216.54.42, all workdays between 8.30h and 16.30h
Fax 03/238.79.97 (t.a.v. Slachtofferonthaal)

Stichting Vrouwen tegen mishandeling npo
P/a An Sterkens
Palingbrug 12 bus 22, 2000 Antwerp

Appendix B Literature

Violence means death of the soul, about violence against women and girls with a disability.
Dinah Radtke a. o.

Information kit published by DPI-EUC, 2001

Gewalt gegen Lesben / Violence against lesbians.

English and German texts of the first European symposium may 2000.

Querverlag GmbH, Berlin

Vrouwenmishandeling: Wie zwijgt wordt niet gehoord

Inge Dewil

Brochure of the Pandora-overleg, 1998

Om de lieve vrede, over geweld tegen vrouwen

Inge Dewil en An Sterkens

Boek uitgegeven bij EPO, 1994

De glimlach van de dader, over seksueel misbruik van mensen met een handicap

Geert De Weyer

Artikel uit Handiscoop, het maandblad van KVG, January 1994

Seksueel misbruik kan ook jou overkomen

Brochure van de Nederlandse Gehandicaptenraad

Het komt vaker voor dan je denkt, over seksueel misbruik van mensen met een handicap

Studieverslag van de Nederlandse Gehandicaptenraad, 1989

Seksueel misbruik van mensen met een verstandelijke handicap

Erik De Belie e.a.

Boek uitgegeven bij Acco Leuven, 2000

Appendix C The Daphne project

The Daphne Programme (2000-2003) is a four year programme of the European Commission about prevention measures against violence against children, youngsters and women. This resulted from the Daphne initiative that ran from 1997 till 1999 on a yearly basis

Violence has to be understood in the greatest possible sense, from sexual harassment to domestic violence, from commercial exploitation to vandalism in schools, from deception to discrimination, violence against persons with a disability, minorities, migrants or other vulnerable persons.

The DAPHNE project is a campaign of the European Commission to increase the awareness concerning Violence against Women.

As a result of the resolution of the European Parliament in 1997 about the need to start a European campaign about zero tolerance of violence against women, the European Commission has started an awareness campaign in 1999-2000 to allow civilians to reflect on violence on women, mostly domestic violence.

This campaign is part of the follow-up of the Beijing platform of 1995. The EC also undertakes specific actions to stop the violence (DAPHNE)

This campaign is based on the EU's fundamental involvement in the defence of Women's rights as human rights, and the decrease of violent behaviour.

The objectives of the campaign are:

- Elimination of violence in all its forms, also domestic violence, as absolute priority.
- Zero tolerance of violence against women.

At the European level, the campaign wants to make people aware that violence against women is a *social* phenomenon, that not only concerns the victims and the abuser, but also everybody who witnesses an abuse, like police, justice teachers, social and medical professionals, who are confronted with the consequences of violent actions.

The DAPHNE project supports initiatives that help realise this objectives.

A funding of 11,8 million ECO has been created.

The Daphne initiative sponsored 46 projects in 1997, 49 in 1998, and 54 projects in 1999.

With the introduction of the Daphne Program (2000-2003), the scope of possible projects widens in three regions: a bigger group of organisations can present projects for sponsoring, the geographic scope is wider and the duration of a project can be longer than 1 year.

More information is available in the section "General aims and annual priorities." (see internet)

A call for proposals is published each year, usually in March in the EC Official Journal.

Selected projects are normally made public in September or October. Project sponsors are asked to share information about their work in informal newsletters.

Final reports are produced within three month after the closing of the project. Copies of these reports are filed in the Daphne project database. This is a handy instrument in the fight against violence against children, youngsters and women, and it is an essential reference for organisations preparing of projects for sponsoring.

Press releases related to the Program and other official announcements are to be found in the section “News and Updates” of the internet site of Daphne

As example of a project, some explanation about “National Observatory for Violence to Women”

Under the auspices of the European Women’ s Lobby a Policy Action Centre on Violence Against Women has been established in 1997. This Policy Action Centre installed a European Observatory for violence against women, that on one hand must stimulate political action against violence on women and on the other hand bring in chart the holes in the regulation, statistic material, and research and make fill up this holes.

To realise these objectives, in each member country a national Observatory has been established. The preparation of these national observations has been finalised by Daphne. In 2001 Belgium and Ireland set the first steps. In 2002 France, Portugal and Spain followed, and in 2003 some other countries. The Flemish branch of the Belgian group of the Observatory of violence against women had its first meeting in December 2001. The group lay down the responsibilities of the national observatory, discussed structural needs and worked out a scheme. The scheme of our Observatory about violence on women will lean on three pillars: information, prevention and assistance of victims and inflictor. A red line in these pillars is the attention for the needs of each specific target group: it is obvious that children, women with disability, women without papers a.o. each have their own needs. At the end of January 2002 the report of this first preparing meeting went to the European Women’s Lobby. The national Flemish ministers in charge then had to look for financial funding.

More information:

http://www.euowrc.org/01.euowrc/04.euowrc_en/03.en_ewrc.htm

http://www.euowrc.org/01.euowrc/04.euowrc_en/04.en_ewrc.htm

Appendix D Persephone npo

Being a women with a disability: a specific situation

Many themes gain their own particular emphasis thereby. For instance, there is still a lot of work to be done about:

- privacy and help
- assertiveness and independence
- violence against women
- the right to have sex
- the right to be a mother
- the right to work

Women with a disability can support each other very well, above and beyond the boundaries of countries and cultures... if they can reach each other.

People who live with a disability become very creative in solving all kinds of problems. Do women with a disability have enough opportunities to pass their wisdom on to other people? A lot of very useful information remains hidden away needlessly

Why a specific group?

Within the existing Unions for the disabled, there is usually not enough attention given to women's problems.

Within the existing women's groups, there is usually not enough space- for the aspects of disabilities.

It is only when women with a disability join their energies and combine their strengths that they can come out and achieve an identity and visibility of their own.

Purposes

To bring women with a disability in contact with each other in order to exchange experiences.

To pass on information to whoever needs it.

To be an advocacy group.

How does our group work?

We hold regular meetings at which a particular theme is explored each time. The participants decide together - based on and around real-life issues - which themes are to feature on the agenda. These meetings are only open to women with a disability or a chronic and disabling disease or disorder.

Alongside these meetings, individual members also provide information on a subject in which they themselves have a lot of experience (e.g. travelling, independent living as a wheelchair

user, having children, living with blindness, epilepsy, asthma, kidney problems, etc.). This service is open to everybody: men as well as women, disabled people as well as non-disabled people.

Through the European Committee for women with a disability, we are in contact with sister groups in other European countries.

(This committee was founded in September 1994 within DPI - Disabled People's International. This is a world Union of associations formed by people with a disability. DPI had founded a women's committee already earlier in a number of other continents.)

Our members also can give lectures on demand..

Would you like to join us?

You are a woman with a disability or a chronic and disabling disease or disorder. You know the art of not sitting down in despair. You want to share your experience with others. It appeals to you to become a member of our group, then transfer the annual membership fee of 15 € to account no. 001-3513074-04 in the name of "Persephone npo".

You don't recognise yourself in the description above, but you want to support our Union with your membership. Or your association wants to become a member of ours in order to stay abreast and up-to-date with our activities. That's possible too! Just get in touch.

Our name

Most likely "Persephone" doesn't sound familiar to you. In search of a mythological figure that suited our purpose and character well, we discovered Persephone, one of the three vulnerable Greek goddesses. She is open to change, takes account of the subconscious, gives space to others and last but not least she offers the most opportunities for growth.

Overview of some of our activities

Discussion afternoons::

- privacy and assistance, (1995)
- sex, (1995)
 - video "bodies with ambition"
 - sexual expedients for women
 - video "not tonight, darling"
- - assertiveness and independence, (1995)
- - family relations and disability, (1997)
- how to handle criticism, (1997)
- friendship and disability, (1998)
- motherhood and disability, (1999)
- invisible disability ,
 - do you hide them?, (2000)
 - living with dyslexia, (2001)
 - asthma, (2002)
 - incontinence, (2002)

Organisation of:

- letter writing campaign with regard to the inaccessibility of refuge houses and shelters. See part II, (1996 and 2001)
- courses ““vulnerability and assertiveness” in conjunction with KVG, (1997 and 1998)
- courses “self defence for women with a physical disability” together with Refleks, (1997 and 1998)
- two study days on the subject of motherhood and disability, (2000)
- two days relaxation techniques, (2002)

Participation in:

- study afternoon van KVG on the subject of disability in other cultures, (1996)
- Pedestrian day in Hasselt, (1998)
- de human rights day i.c.w. the PHOS, (1998)
- Pedestrian Day in Koekelare, (1999)
- Women day (1999, 2000, 2001 and 2002)
- Eve, international market for women, (1999)
- the WorldWomenMarch against violence and poverty, (2000)
 - meeting with Petrona Sandoval from Nicaragua, founding member of a sister organisation
 - the march through the province Antwerp
 - the European closing festivities in Brussels
 - the march in New York
 - the Worldwomenmarch reunion day, (2001)
- de LPZO-spring market, (2001)

Other publications of our organisation:

TZ-krant, September - October 1996: “Persephone”

The public and activities of our organisation

Handiscoop, October 1997: “Zeg niet te gauw ’t is weer een vrouw”

The genesis and activities of our organisation

Schoppenvrouw, June 1998: “A double disability”

women with a disability stand up for their rights

Handiscoop, September 1999: “Can you do it to them?”

children of mothers with a disability

Opzij, December 1999: “The small miracle”

To be a mother with a disability: a responsible choice? (summary)

Libelle, January 2000 (number 4): “Mothers with a disability tell their stories”
mothers with a disability about their environment, their children and themselves.

“Motherhood and disability”

report of our study days in March and April 2000

Wij Vrouwen, spring 2000:

Theme edition about women with a disability: living, motherhood, travelling, competition sports, ...

Div@zine, 3 November 2001: "Violence against women with a disability"

Outline of the problem

"Humour and disability", booklet in progress

Having a disability sometimes can lead to precarious situations, this can best be seen with some humour .