



# **The December 2025 International Sexual Violence Justice Symposium Digest**

## **Policy and Law Overview by Country**

*Created by Take Back The Night*

### Table of Contents:

1. [Take Back The Night Overview](#)
2. [Agenda for December 5, 2025 Symposium](#)
3. [Featured Presenters for Symposium](#)
4. [Conceptual Overview of Digest](#)
5. Country Summaries
  - a. [Afghanistan](#)
  - b. [Antigua and Barbuda](#)
  - c. [Australia](#)
  - d. [Brazil](#)
  - e. [Canada](#)
  - f. [China \(Mainland\)](#)
  - g. [European Union](#)
  - h. [Hong Kong](#)
  - i. [India](#)
  - j. [Iran](#)
  - k. [Ireland](#)
  - l. [Japan](#)
  - m. [Kenya](#)
  - n. [Macau](#)
  - o. [Nigeria](#)
  - p. [Poland](#)
  - q. [Republic of Korea](#)
  - r. [Turkey](#)
  - s. [United States of America](#)
6. [Dear Katie Podcast: Legal Episodes](#)
7. [Appendix](#)
8. [Credits](#)



## Take Back The Night Overview

### Take Back The Night Mission

Take Back The Night is the oldest worldwide movement to stand against sexual violence in all forms. Our global mission as a charitable 501(c)(3) Foundation is to end sexual violence in all forms, including sexual assault, sexual abuse, trafficking, stalking, gender harassment, and relationship violence, and to support survivors in their healing journeys. We foster safe communities through international events and initiatives. Take Back The Night Events unite people from every background, belief, and culture around the world to take a visible and vocal stand.

### National Sexual Assault Legal Hotline

567-SHATTER is the free national legal hotline for all victims of sexual harassment, assault, and rape to access a reputable legal team to learn their options for justice. Directed by Take Back The Night, the Hotline is staffed 24/7 by trauma-informed legal experts specializing in victim advocacy to best support victims when they call or complete the online form.

- **Hotline:** 567-SHATTER (567-742-8837)
- **Website & Intake Form:** <https://takebackthenight.org/legal-assistance/>



## Symposium Agenda

*December 5, 2025; 11:00 am-12:45 pm EST*

- 11:00 - Introduction — Katie Koestner — Executive Director, Take Back The Night (USA)
- 11:05 - Priya Varadarajan — Founder & CEO, I'm Every Woman (India)
- 11:10 - Brenda Oulo — Co-Director, Girls Agency Lab (Kenya)
- 11:15 - Renee Williams — CEO, National Center for Victims of Crime (USA)
- 11:20 - Halima Kazem — Associate Director, Stanford University (Afghanistan)
- 11:25 - Jaye Wesley — Executive Director, Kenora Sexual Assault Centre (Canada)
- 11:30 - Lise Gotell — Professor in Women & Gender Studies, University of Alberta (Canada)
- 11:35 - Tracey Jewel — Survivor & Advocate (Australia)
- 11:40 - Bridget Taremotimi — Head of General Services, WARIF (Nigeria)
- 11:45 - Monika Platek — Head of Criminology Department, Warsaw University (Poland)
- 11:50 - Ashlea Ambris — Project Officer, Directorate of Gender Affairs (Antigua & Barbuda)
- 11:55 - Mariana Valente — Assistant Professor, University of St. Gallen (Brazil)
- 12:00 - Renata Giannini — Associate Professor, George Washington University (Brazil)
- 12:05 - Stacey Sriver — Lecturer of Gender & Women's Studies, University of Galway (Ireland)
- 12:10 - Nata Duvvury — Professor of Gender & Women's Studies, University of Galway (Ireland)
- 12:15 - Mona Tajali — Executive Board Member, Women Living Under Muslim Laws (Iran and Turkey)
- 12:20 - Lin Li — Assistant Professor of Asian History, Kenyon College (East Asia)
- 12:25 - Isiuwa Iyehen — Acting Head of Office, UN Women MCO-Caribbean (UN)
- 12:30 - Aleksandra Ivankovic — Expert Leader, Victim Support Europe (EU)
- 12:35 - Katie Koestner — Executive Director, Take Back The Night (USA)

## Featured Presenters



**INDIA: Priya Varadarajan (she/her)**

Founder & CEO, [\*I'm Every Woman\*](#)

Priya Varadarajan is the founder of Durga – I'm Every Woman, a nationally recognized gender justice initiative that reimagines how women and girls belong in India's public spaces. Drawing from lived experience, she has built Durga into a systems-change organization that blends behavioral science, grassroots mobilization, and institutional partnerships—introducing India's first panic alarm in public transport, training 5,000+ active bystanders, and collaborating with 75+ colleges on safe, inclusive campuses. With two decades across philanthropy, policy, and grassroots action—including leadership roles at the Azim Premji Foundation and Co-Impact—Priya has advanced gender equity, anti-trafficking, care economy, and reproductive rights initiatives. She also serves on state committees addressing child marriage, inheritance law reform, and workplace justice.

**KENYA: Brenda Oulo (she/her)**

Co-Founder & Co-CEO, [\*Girls Agency Lab Consulting\*](#)

Dr. Brenda Oulo is a feminist researcher and advocate whose passion for gender equity inspired her transition from medicine to research and data science. Trained as a health economist and data scientist, she brings a multidisciplinary perspective that bridges quantitative rigor with an understanding of gender dynamics. Her work centers on developing and validating psychometric tools and applying evidence-based approaches to strengthen adolescent girls' agency. Dedicated to advancing girls' well-being, she focuses on equipping them with the skills and opportunities to shape their futures and improve life outcomes.







**USA: Renee Williams (she/her)**

CEO, [National Center for Victims of Crime](#)

Renée Williams is a dedicated advocate and leader in the field of victim services, currently serving as chief executive officer of the National Center for Victims of Crime. With over 15 years of experience in the nonprofit and legal sectors, Renée has a proven track record of championing the rights and needs of victims of crime. Prior to her role at the NCVC, Renée was the executive director of a legal services organization in Pittsburgh that focused on the legal rights of victims of domestic violence and other indigent clients. She

has represented NCVC on “NBC Nightly News with Lester Holt,” Court TV, HLN, and is a frequent guest on podcasts. She has been instrumental in shaping national conversations around victims’ rights and has been a vocal advocate for changes to the justice system that better protect and support victims of crime. As the executive director of the NCVC, Renée continues to lead with integrity, compassion, and a commitment to making a difference in the lives of those affected by crime.

**AFGHANISTAN: Halima Kazem (she/her)**

Associate Director of Feminist, Gender, & Sexuality Studies,  
[Stanford University](#)

Dr. Halima Kazem is the Associate Director of Stanford University’s Program in Feminist, Gender, and Sexuality Studies. Halima’s work is deeply rooted in feminist methodologies and 26 years of working as a journalist, lecturer, human rights researcher, oral historian, and filmmaker. Her research intersects in the areas of gender, empire, human rights, and media with a focus on Afghanistan. Halima’s forthcoming book, *A Feminist History of Afghanistan: Resisting the Erasure of Women*, unearths and narrates the little-told feminist history of women’s movements in Afghanistan. It will be published in the fall of 2025. Halima is also collaborating with the Hoover Institution as an oral historian and building an oral history archive about the US Afghan War. From 2022 to 2024, Halima was a University of California Chancellor’s postdoctoral fellow, where she started directing a documentary film about the codification of gender apartheid as a crime under international law.





**CANADA: Jaye Wesley (she/her)**

*Executive Director, [Kenora Sexual Assault Centre](#)*

Jaye Wesley is an experienced non-profit leader and crisis counselor dedicated to community advocacy and support. As Executive Director of the Kenora Sexual Assault Centre, Jaye oversees staff and volunteers, manages ministry contracts, and advances strategic initiatives that strengthen services for survivors of sexual assault and human trafficking. With a strong background in policy, financial management, fundraising, and stakeholder relations, Jaye has successfully built collaborative partnerships across agencies to ensure accessible, trauma-informed support. Her career also spans roles as a paramedic and Special Constable with the Ontario Provincial Police, reflecting her deep commitment to serving vulnerable populations. Jaye holds multiple diplomas and degrees in counseling, Psychology, Social Work, Law Enforcement, and Forensic Sciences.

**CANADA: Lise Gotell (she/her)**

*Professor in Women & Gender Studies, [University of Alberta](#)*

Lise Gotell is a Professor in Women's and Gender Studies at the University of Alberta whose scholarship examines gender, sexuality, and law. Her research focuses on the legal regulation of sexual violence in neoliberal contexts and includes widely cited work on Canada's affirmative consent standard, antifeminist backlash, gender-based violence policy, and the rough sex defence. Cited by the Supreme Court of Canada and law reform bodies internationally, she bridges scholarship and advocacy. A former National Chair of LEAF, she now chairs NAWL's Violence Against Women Working Group. She has won several teaching awards, along with the University of Alberta's Community Scholar Award.





**AUSTRALIA: Tracey Jewel (she/her)**

*Survivor & Advocate, [Inclusive Mamas Club](#)*

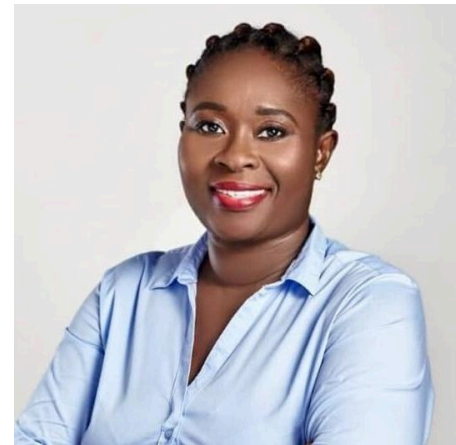
Tracey Jewel is a passionate advocate, social enterprise founder, and mum with lived experience of family and domestic violence (FDV). Drawing from her personal journey, Tracey is committed to creating inclusive, neuro-affirming spaces for mothers and children through initiatives like Inclusive Mamas Club and Bright Side Kids. Currently studying Social Impact at the University of Western Australia, she blends academic insight with real-world empathy to design tools and programs that

support emotional regulation, self-worth, and community connection. Tracey's mission is to empower families and professionals with accessible, strengths-based resources that honour the resilience behind every story.

**NIGERIA: Bridget Taremotimi (she/her)**

*Head of General Services, [WARIF](#)*

Bridget Taremotimi is a passionate advocate for women and girls, working at the crossroads of human resources and gender justice. As the Head of General Services at the Women at Risk International Foundation (WARIF), she assists survivors of sexual and gender-based violence while strengthening the systems that safeguard them. With over ten years of experience, Bridget has led training sessions on sexual harassment prevention, diversity, and empowerment, creating safer environments for women in the workplace and the community. She holds a Master's Degree in Industrial and Labour Relations and is dedicated to mentoring young women to see themselves as agents of change. Driven by her belief that every woman deserves dignity, safety, and opportunity, Bridget continues to use her skills and voice to promote equality and resilience.







**POLAND: Monika Płatek (she/her)**

*Head of Criminology Department, [Warsaw University](#)*

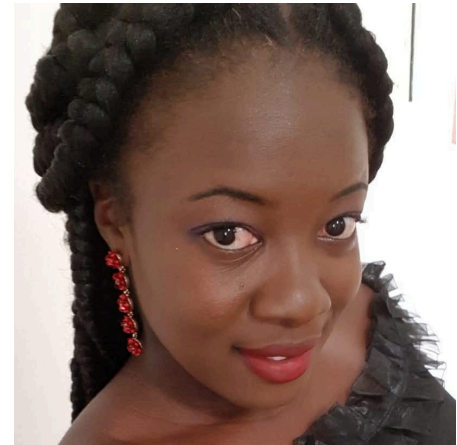
Monika Stanisława Płatek is a Polish legal scholar, criminologist, and politician. She is a professor at the University of Warsaw, and her research focuses on penal systems, criminal and civil law, gender studies, and feminist jurisprudence. She has been a candidate for the Senate of Poland and the European Parliament. Płatek founded the Polish Association for Legal Education, of which she then served as the president. She has also been a board member of the Panoptykon Foundation, an

anti-mass surveillance human rights NGO, and the board for the Osiatyński Archive, a legal archive.

**ANTIGUA & BARBUDA: Ashlea Ambris (she/her)**

*Project Officer, [Directorate of Gender Affairs](#), [Ministry of Social and Urban Transformation](#)*

Ashlea Ambris serves as a Project Officer at the Directorate of Gender Affairs, where she supports the design and execution of programs that promote gender equality, women's empowerment, and youth leadership. Moreover, the Directorate of Gender Affairs manages the Crisis hotline with the support of workers as victims' advocates. She works closely with community stakeholders, young advocates, and institutional partners to advance initiatives that foster the full participation of women and girls, as well as men and boys, in social, economic, and political life. Ashlea holds a Bachelor of Science in Education and Economics from the University of Pedagogical Sciences José Martí and a Master of Science in Regional Development from the University of Camagüey. She is passionate about creating social impact and is especially committed to increasing female representation in leadership and politics across the Caribbean.





**BRAZIL: Mariana Valente (she/her)**

*Assistant Professor, [University of St. Gallen](#)*

Mariana Valente is a law professor and researcher at the University of St. Gallen in Switzerland and co-founder of InternetLab in Brazil. She has been researching gender-based violence on the internet since 2014 and is the author of the book *Misoginia na Internet*, which was a finalist for the Jabuti Award. She was a member of the Federal Senate's Commission of Jurists that drafted the AI regulation bill, and of the working group of the Secretariat of Social Communication of the Presidency of the Republic (SECOM/PR) to assess the impact of deepfakes. Internationally, she has worked in partnership with the UN and chaired the Law and Policy Working Group of the International Panel on the Information Environment, which seeks to bring scientific evidence to the global process of public policy formulation for the information environment. In 2025, she received the Internet Governance Highlights Award from CGI.br (Brazilian Internet Steering Committee).

**BRAZIL: Renata Giannini (she/her)**

*Associate Professor of International Affairs, [George Washington University](#)*

Dr. Renata Giannini is a researcher and practitioner specializing in the intersection of women's rights, conflict, and climate change. For over 16 years, she has worked with leading think tanks in Argentina, Brazil, and the United States, shaping public policy on gender equality, public safety, and sustainable development. In Brazil, she led the creation of EVA (Evidence on Violence and Alternatives to Women and Girls), the country's largest publicly available database on violence against women. Her current research project, "Guardians of the Amazon: women's contribution to climate change mitigation," examines the outcomes of 15 conflicts over land and water in the Amazon, assessing the different strategies used by women defenders to overcome them.





**IRELAND: Stacey Scriver (she/her)**

*Lecturer of Gender & Women's Studies, [University of Galway](#)*

Dr. Stacey Scriver is a researcher and author with more than 15 years of experience working on sexual and gender based violence in Ireland internationally. Her co-authored book, *Rape and Justice in Ireland* (2009), remains the seminal work on rape attrition in the Irish justice system. Stacey continues to publish widely on SGBV. Her forthcoming co-authored book (with Nata Duvvury and Srinivas Raghavendra), *Violence against*

*Women and the Global Economy*, provides an account of the economic and social costs of sexual and gender based violence against women internationally.

**IRELAND: Nata Duvvury (she/her)**

*Professor of Gender & Women's Studies, [University of Galway](#)*

Professor Nata Duvvury is Director of the Centre for Global Women's Studies. She is a feminist economist and a global expert on the economic burdens that violence against women, including sexual violence, places on individual women, their families, communities, and society more broadly. She has led multiple projects in Africa and Asia on violence against women, HIV and AIDS, women's sexual health, masculinities, and exploring community interventions to prevent violence. She is Scientific Advisor to the Lancet Commission on Gender based Violence and Maltreatment of Youth.







**IRAN AND TURKEY: Mona Tajali (she/her)**

*Executive Board Member, [Women Living Under Muslim Laws](#)*

Mona Tajali is a scholar of gender and politics, specializing in women's political participation and representation in Muslim countries, with a comparative focus on Iran, Afghanistan, and Turkey. Her research includes analysis of feminist mobilization against patriarchal structures as well as the experiences of institutionalization of women's rights in semi-democratic and non-democratic contexts. She is the author of

*Women's Political Representation in Iran and Turkey: Demanding a Seat at the Table* (2022) and co-author of *Electoral Politics: Making Quotas Work for Women* (2011). She is published in both academic and popular outlets, among them the *Middle East Journal*, *Politics & Gender*, *The Conversation*, and *The Washington Post*.

**CHINA, JAPAN, & KOREA: Lin Li (she/her)**

*Assistant Professor, [Kenyon University](#)*

Lin Li is the James P. Storer Assistant Professor of Asian History at Kenyon College. Li received a PhD in East Asian history from the University of Wisconsin-Madison with a minor in gender and women's studies, after which she completed a postdoctoral fellowship at Stanford University's Clayman Institute for Gender Research. As a gender historian of East Asia, Li is interested in the dynamic interactions among structural injustice, historical memory, and popular culture. Li has published in the *Journal of Asian Studies*, *Frontiers: A Journal of Women's Studies*, *International Feminist Journal of Politics*, and *Arcade: Literature, the Humanities, and the World*. She is currently preparing a monograph that examines the emergence and struggle over trans-Pacific historical memories of the "comfort women" system, a system of Japanese military sexual slavery during World War II.





**EU: Aleksandra Ivankovic (she/her)**  
*Deputy Director, [Victim Support Europe](#)*

Aleksandra Ivankovic is Deputy Director of Victim Support Europe, a Brussels-based NGO network of victim support organisations. Aleksandra holds an MSt in International Human Rights Law from the University of Oxford, UK, and has a particular expertise in the rights of victims of terrorism and mass victimisation, gender-based violence, and rights of persons with disabilities.

**United Nations: Isiuwa Iyahan (she/her)**  
*Acting Head of Office, [UN Women Multi-Country Office for Caribbean](#)*

Isiuwa Iyahan is currently the Deputy Representative and Acting Head of Office with the UN Women Multi-Country Office (MCO) for the Caribbean. She is responsible for the day-to-day management of the MCO, substantially contributing to the design, implementation, management, and oversight of programmes and operations to ensure effective and efficient delivery of results. Previously, Ms. Iyahan managed the Economic Empowerment and Statistics portfolios for the UN Women MCO-Caribbean. In that capacity, her technical leadership resulted in narrowing significant knowledge, research, and gender data gaps on violence against women and girls, the labour force, social protection, and unpaid care work in CARICOM. She has over 20 years of experience in international development and has served in various capacities within the United Nations system and non-governmental organisations. Ms. Iyahan has a Master of Public Policy degree from the University of Minnesota's Hubert Humphrey Institute of Public Affairs and a Bachelor of Arts degree in Political Science from Swarthmore College.





**USA: Katie Koestner (she/her)**

*Executive Director, [Take Back The Night](#)*

Katie Koestner is the first woman in the United States to speak out nationally and publicly as the victim of campus “date” rape at age 18. Katie has been featured on the cover of TIME Magazine, The Oprah Winfrey Show, NBC Nightly News, CNBC Talk Live, CNN, Larry King Live, Good Morning America, Later Today, MSNBC, Entertainment Tonight, and other national television programs. Katie is the subject of an HBO movie and has lectured for over 5000 schools and organizations in North America and around the world.



## Digest Overview

Each country's policy and law overview provides a concise summary of its current standards as well as further resources related to sexual misconduct and supporting survivors. The 4 P's Model (Policy, Protocol, Procedure, and Prevention) was created by Katie Koestner as a structural analysis of the system used by institutions, government entities, and organizations to address sexual misconduct in all forms. Adapted for the Justice Symposium Digest, these country overviews answer the following questions about current practices and laws:

### Policy:

- If there are clear laws prohibiting sexual assault, which apply and are commonly used?
- How does the law specify the victim's gender?
- How does the law specify the perpetrator's gender?
- Is the law force-based or consent-based?
- What acts are prohibited under these laws?
- To what extent does the law prohibit sexual assault by a spouse?
- To what extent does the law prohibit sexual assault by an intimate partner?
- To what extent does the law prohibit domestic violence?
- If same-sex sexual activity is illegal in this country, how is sexual assault on someone of the same sex handled by the law?
- To what extent is sexual assault on a sex worker prohibited?
- How do laws prohibit sexual violence enacted on children?

### Protocol:

What resources are available?

### Procedure:

What does the justice system procedure look like?

### Prevention:

What is being done to prevent these issues?





## Country Overview: Afghanistan

### Policy

*Note: as there are no clear laws prohibiting sexual assault, this country overview includes some combined cultural and legal understanding, rather than focusing on summarizing the law.*

#### **If there are clear laws prohibiting sexual assault, which apply and are commonly used?**

There are no clear laws prohibiting sexual assault. There are some laws regulating sex, which are defined under the Propagation of Virtue and Prevention of Vice Law. The only laws regarding sex are those that permit or prohibit sex if it occurs within or outside of a marriage. The only kind of rape or sexual relations that are criminalized are those that occur outside of marriage. For example, Article 22(1) prohibits adultery that is forced or consensual. Moreover, rape is only indirectly addressed when the act occurs outside the bounds of marriage.

When the law is vague, some scholars look at the legal precedent established by Hanafi thinkers to apply their rulings to sex-based issues. The Hanafi school of law is the largest group of like-minded scholars in Islam. While laws do not specify about rape, victims, or perpetrators, a combined view with Hannafi writings informs understandings of the law. Under this interpretation, men are considered perpetrators because they have complete sexual agency, while women are victims because they are considered followers of the man during sex. The laws focused almost entirely on sexual activity outside of marriage because all sexual interactions within a marriage are legal, regardless of consent. Rape outside of a marriage is discussed by Islamic scholars in the context of adultery, but not a lack of consent.

#### **How does the law specify the victim's gender?**

Gender-specific language is not used. However, Hanafi interpretations used in conjunction with laws presume all acts of sexuality are initiated by men in a heterosexual framework, and consider women as passive victims of a man's sexual advances.

#### **How does the law specify the perpetrator's gender?**

Gender-specific language is not used. However, Hanafi interpretations used in conjunction with laws presume all acts of sexuality are initiated by men in a heterosexual framework, therefore would imply men to be perpetrators of sexual acts and violence.

#### **Is the law force-based or consent-based?**

The legality of the act solely depends on marriage, regardless of consent or force. Any sexual conduct outside of marriage is considered illegal, and any sexual interaction within a marriage is considered legal.

#### **What acts are prohibited under these laws?**

Laws do not specify prohibited sexual acts beyond those that occur outside of marriage. However, legal documents make distinctions between penetration of the vagina, which is most severely illegal, and digital and oral penetration, which are prohibited under a less severe statute. Article 22 (4) prohibits sodomy in all cases.

#### **To what extent does the law prohibit sexual assault by a spouse?**



Sexual interaction is permitted within a marriage. The law does not mention or prohibit sexual assault by a spouse. Under Article 22 (1), any sexual interaction outside a marriage is prohibited. In possible charges of adultery, a woman may be absolved of adultery if she can prove coercion, which requires 4 male witnesses or a confession from the initiator of sex.

**To what extent does the law prohibit sexual assault by an intimate partner?**

Under Article 22 (1), any sexual interaction outside a marriage is prohibited. Hanafi interpretations used in conjunction with laws do not recognize any sexual relationship outside of marriage.

**To what extent does the law prohibit domestic violence?**

Laws do not specify any prohibited domestic actions, which extend to domestic violence.

**If same-sex sexual activity is illegal in this country, how is sexual assault on someone of the same sex handled by the law?**

Article 22 (3) and (4) prohibit same-sex sexual activity. Marriage and any sexual activity with someone of the same sex may be considered adultery, in which case Article 22 (1) would apply.

**To what extent is sexual assault on a sex worker prohibited?**

There are no separate or specific laws regarding sex work. However, as Article 22 (1) prohibits all sexual activity outside of marriage, sex work would be included.

**How do laws prohibit sexual violence enacted on children?**

Article 22 (5) prohibits pedophilia, but there are no specifications regarding age, statutory rape, or victims.

**Protocol**

**What resources are available?**

Since overthrowing the US-back government in 2021, the Taliban government has severely restricted women's rights in Afghanistan and resources to support victims of sexual violence. The laws do not recognize modern conceptions of sexual violence and media indicate that GBV is prevalent in the country. Taliban laws allow any sexual activity within marriage and prohibit any sexual activity outside of marriage. Women cannot go to school, leave their homes without a male guardian, or have most jobs.

There is no mandatory reporting, and laws do not provide any resources to support victims of sexual assault. There is no training for people in Afghanistan likely because the Taliban do not recognize sexual assault in its Western conception.

There are very few resources within healthcare, police, or legal systems to support victims of sexual violence. The Ministry of Public Health has a document that comprehensively discussed gender-based violence however it is very likely from the previous government and was not removed by the Taliban.

Research indicates that some organizations in Afghanistan provide underground support for women by surveying needs and providing training. As of 2024, the United Nations reports that there are 113 women's organizations being supported across 19 provinces through the





'Rebuilding the Women's Movement in Afghanistan' program. Launched in mid-2022, it provides tailored training, skills-building and seed funds for small-scale initiatives.

The Women's Protection Project, run by the United Nations and NGOs in some provinces, provides safe, culturally appropriate spaces to support women and girls. This includes a range of services, including recreational and wellness sessions, access to reliable information, and essential resources like psychosocial support. The centers will eventually focus on implementing livelihood-focused programs aimed at empowering women and girls.

**Further resources:**

- <https://womenforafghanwomen.org/what-we-do/>
- <https://www.amnesty.org/en/latest/news/2021/12/afghanistan-survivors-of-gender-based-violence-abandoned-following-taliban-takeover-new-research/>
- <https://www.womenpeacesecurity.org/resource/un-security-council-briefing-afghanistan-a-zadah-raz-mohammad/>
- <https://pmc.ncbi.nlm.nih.gov/articles/PMC11163623/>
- <https://www.unwomen.org/en/news-stories/feature-story/2024/05/rebuilding-the-womens-movement-in-afghanistan>

## Procedure

### **What does the justice system procedure look like?**

The evidentiary standard to prove rape that occurs outside of marriage is very high. There must be 4 male witnesses that saw the act of penetration. In the rare event that someone is convicted, the punishment is death. Because the standard is so high, rapists are unlikely to be found guilty.

Under the Taliban, court proceedings are generally conducted by a single judge accompanied by a religious legal expert who advises on the issuance of religious verdicts (Fatwas) based on their personal interpretation of religious texts. This leads to wide discrepancies in judgments due to the use of different guidance of Islamic jurisprudence and the same crime might result in two completely different verdicts.

Taliban police culture is likely counter-active because they may not pursue cases and instead retaliate against victims. Reports indicate the Taliban also commit sexual violence against incarcerated women, making reporting to police extremely unlikely. Cultural stigma especially for male victims and risk of abuse by the Taliban also deters reporting.

For a criminal charge such as theft, the penalties can range from public flogging to short-term detention based on individual interpretations. The lack of legal uniformity has made the system uncertain, unpredictable and arbitrary. The punishment for rape is more clear in Islamic jurisprudence, and the severity of death likely deters people from having any sexual relations outside of marriage.

According to the UN, it is no longer possible to safely or reliably collect nationwide data on gender-based violence in Afghanistan. Available figures from 2018 indicate that more than

one in three Afghan women had experienced physical and/or sexual violence from an intimate partner within the past year.

**Further resources:**

- <https://www.amnesty.org/en/latest/news/2025/08/afghanistan-four-years-of-injustice-and-impunity/>
- <https://docs.un.org/en/A/HRC/59/25>
- <https://www.ohchr.org/en/press-releases/2025/06/taliban-weaponising-justice-sector-entrench-gender-persecution-afghanistan>

## Prevention

### **What is being done to prevent these issues?**

Assessing the effectiveness of prevention programs in Afghanistan is very difficult because organizations cannot collect data because of the Taliban's restrictive environment. Afghans may feel uncomfortable being honest, especially women who fear retaliation. Advocacy efforts in the education system and government may clash with certain cultural or religious values imposed by the Taliban. Organizations in Afghanistan may also want to keep specific prevention mechanisms vague online to avoid any conflict with the government.

In the rare events that people are convicted of sexual assault, the consequence is punitive, ranging from lashings to death. Because of the severity of punishment, there is no rehabilitation of sex offenders. The lack of leniency for convicted sex offenders probably serves as a strong deterrent against sexual relations between unmarried people. Reports also indicate that the Taliban institute protective imprisonment for women, where they are placed in jail, however, many have recounted sexual violence in these spaces.

There are virtually no programs by the government to prevent sexual violence, and all work is conducted by various NGOs in Afghanistan. Many of these organizations support local entities in providing food, hygiene items, counseling, and legal services. It is unclear how effective these organizations are at preventing sexual violence, and many of their services appear reactive. They continue to advocate for vulnerable populations and support them when possible. Some NGOs worked through the transition of power while others, who once had a strong presence during the US occupation, are now working to rebuild their capacity under the Taliban.

The Youth Health and Development Organization, an NGO registered with the Afghan government, manages various initiatives in the country. It is running a project to raise public awareness of children's rights and inspire communities to support, not stigmatize, survivors of sexual abuse. They also advocate for perpetrators of crimes against children to be held accountable. The project will run until December 2026 and is comprised of the following elements: (1) Engage influential community members to promote child rights and speak out against Bacha Bazi (sexual exploitation of boys); (2) Train civil society groups on safe and ethical reporting and advocacy against Bacha Bazi; (3) Strengthen community structures for



child protection prevention and response; and (4) Provide community-based support, including psychosocial first aid, counseling, safety, and health services.

The Women's Peace and Humanitarian Fund of Afghanistan supports local Afghan partners to address intersecting forms of sexual violence and discrimination. They have provided survivors with legal services, psychosocial support, and referrals to other civil society organizations in an extremely restrictive environment.

**Further resources:**

- <https://yhdo.org/human-rights-and-justice/>
- <https://wphfund.org/countries/afghanistan/>
- <https://www.ictj.org/latest-news/taliban-sending-afghan-women-prison-protect-them-gender-based-violence-says-un-report?utm>



## Country Overview: Antigua and Barbuda

### Policy

#### **If there are clear laws prohibiting sexual assault, which apply and are commonly used?**

Yes, primarily the Sexual Offences Act of 1995 and the Domestic Violence Act of 2015. Applicable sections of the Sexual Offences Act of 1995 include Part II, specifically: Section 3 – Rape; Section 4 – Sexual Assault by a Husband; Sections 5-6 – Male-to-Female Child Sexual Abuse; Section 7 – Female-to-Male Child Sexual Abuse; Sections 8-9 – Additional Offenses Involving Minors; Section 15(3) – Serious Indecency; and Sections 18-19 – Kidnapping for Sexual Purposes.

#### **How does the law specify the victim's gender?**

Gender-specific language is used in the Sexual Offences Act of 1995 for victims, primarily defining victims in Sections 3 through 6 as female, except for Section 7, which defines the victim as male. Gender neutral language is used in the Domestic Violence Act of 2015, not specifying the victim's gender.

#### **How does the law specify the perpetrator's gender?**

Gender-specific language is used in the Sexual Offences Act of 1995 for perpetrators, primarily defining perpetrators as males in Sections 3 through 6, except for Section 7, which defines the perpetrator as female. Gender neutral language is used in the Domestic Violence Act of 2015, not specifying the perpetrator's gender.

#### **Is the law force-based or consent-based?**

Laws are consent-based, with the understanding that consent can be invalid due to coercion or substance-induced incapacity, with the exception of prohibited sexual relations. Prohibited sexual relations applies between adults and persons under 16 and between blood relatives.

#### **What acts are prohibited under these laws?**

The Sexual Offences Act prohibits all non-consensual sexual activity and stimulation of sexual organs for gratification. The law does not define “sexual intercourse,” but notes that ejaculation is not required. In 2022, the High Court struck down provisions criminalizing consensual anal sex and same-sex relations between adults, while retaining prohibitions for acts involving minors or lacking consent.

#### **To what extent does the law prohibit sexual assault by a spouse?**

The Sexual Offences Act Section 4 prohibits sexual assault by a husband against his wife. Section 15 might be applicable in the case of sexual assault by a wife.

#### **To what extent does the law prohibit sexual assault by an intimate partner?**

The 2015 Domestic Violence Act includes sexual assault under domestic violence. This act defines a “domestic relationship” as a relationship between an applicant and a respondent that exists through marriage, cohabitation, parental responsibility, or shared residence.

#### **To what extent does the law prohibit domestic violence?**



The 2015 Domestic Violence Act defines domestic violence as controlling or abusive behaviour harming the health, safety, or well-being of the individual filing a protection order or a child in their care. It does not explicitly criminalize domestic violence, but such actions may be prosecuted under other laws, such as the Sexual Offences Act.

**If same-sex sexual activity is illegal in this country, how is sexual assault on someone of the same sex handled by the law?**

Consensual same-sex sexual activity is legal.

**To what extent is sexual assault on a sex worker prohibited?**

There are no separate or specific protections for sex workers. There are additional laws prohibiting procuring people for prostitution, managing a brothel, living entirely on the earnings of prostitution, and soliciting in public and managing prostitutes.

**How do laws prohibit sexual violence enacted on children?**

The Sexual Offences Act prohibits sexual activity with anyone under 16, regardless of consent. There are specific laws for sexual intercourse with an adopted minor by an adult and a minor employee by an adult.

## Protocol

**What resources are available?**

In 2017, the Directorate of Gender Affairs within the Ministry of Social and Urban Transformation launched its Support And Referral Centre (SARC). The center provides medical care, 24/7 counseling services, and legal assistance to victims of gender-based and sexual violence and human trafficking. This includes The National Gender-based Violence Crisis Hotline, which is managed by the Directorate of Gender Affairs by workers as victims' advocates, and the National Electronic Gender-based Violence Database. SARC also offers intake and assessment, pre-counselling, crisis counselling, safety planning, dignity kits, emergency accommodations and referrals. In addition to the SARC, there are strong legal frameworks for achieving justice for survivors of sexual assault.

Hospitals and district clinics will carry out rape examinations of a survivor in a safe and dignified way until SARC returns to its full operations. The District Medical Officer conducts a physical examination, lab and blood samples, rape kit steps 1 to 14, and any other necessary procedures. Photographs may be taken of any injuries. Trained professionals from the Royal Police, NGOs, and Directorate of Gender Affairs can accompany victims to make them feel safer during this process.

Hospitals not only help examine victims, but they also take preventative action to prevent sexually transmitted infections. Medical staff can give advice on preventing HIV infection, and medication is available locally through the clinical care co-ordinator assigned to the victim's case. It is medically prescribed and closely monitored. The Antigua and Barbuda Planned Parenthood Association also provides access to emergency contraception for a fee.

The Criminal Investigation Department within the Antigua Police Force contains a Special Victims Unit that handles sexual offenses. It collaborates with the Family and Social



Services Department to investigate GBV cases. The police website also offers a Domestic Violence hotline (463-5555), which can also likely be used by victims of sexual violence in addition to any of the resources listed above.

The 2015 Domestic Violence Act stipulates how police should handle possible domestic abuse cases, the standard of proof, and sequence of legal proceedings. Part V outlines the duty to respond and assist the victim, reporting requirements, warrantless arrests, and reading of rights. Part VI contains laws about conduct during proceedings, standard of proof, appeals, and bail. While this does not apply directly to sexual assault, this law does include sexual abuse as part of the definition for domestic violence.

Part III, Section 29 of The Sexual Offences Act of 1995 requires anonymity of the plaintiff and the defendant unless specifically authorized by the court. Under certain circumstances, the identities can be published in the media if the court deems it in the public interest. For example, a court can permit the media to publish the perpetrator's name after they have been convicted and sentenced.

The Domestic Violence Act and Sexual Offences Act do not outline mandatory reporting for sexual assault, beyond child abuse. Doctors, teachers, and social workers are required to report child abuse, as discussed in Section 35 of the Domestic Violence Act. Reforms for addressing sexual assault cases try to make reporting easier for survivors in a way that will reduce the potential for re-traumatization.

Women Against Rape (WAR) is a national NGO that offers counseling, advocacy, and specialized response training for those affected by sexual violence. It also facilitates referrals to other health and legal resources. WAR provides a channel outside of official government channels to support survivors of sexual assault and gender-based violence.

The Sunshine Home for Girls provides shelter and support specifically for young girls facing parental abuse or conflict with the law, managed through a collaboration with the Salvation Army. This organization is one of many that support victims outside of official government channels.

**Further resources:**

- <https://genderaffairs.gov.ag/support-and-referral-centre/#:~:text=About%20the%20SARC,holistic%20and%20client%2Dcentered%20approach>.
- <https://police.gov.ag/criminal-investigation-department/>
- <https://laws.gov.ag/wp-content/uploads/2018/08/a1995-9.pdf>
- <https://laws.gov.ag/wp-content/uploads/2019/02/a2015-27.pdf>
- <https://www.facebook.com/p/The-Salvation-Army-Sunshine-Home-For-Girls-100064708387165/>
- <https://www.facebook.com/WADDADLI/>

**Procedure**

**What does the justice system procedure look like?**





Antigua has civil and criminal courts. The courts cannot order the offender to pay compensation in the criminal court; however, civil court has the ability to do so once the case has been tried in the criminal court. The evidentiary standard in criminal court is that the prosecution must prove beyond a reasonable doubt that the offense occurred against the victim.

The Sexual Offences Model Court (SOMC) is a set of specialized court procedures created in 2019 to improve the handling of sexual offense matters at the High Court. Features include: quicker resolution of cases through tighter pre-trial management, fast-tracking for sexual offense cases, assigning sexual offense matters only to court administrators, police, and prosecutors with specialized training, and the use of video conferencing technology to allow vulnerable complainants to give testimony from a remote location to reduce re-traumatization.

A 2023 US State Department report on Antigua and Barbuda noted that rape and spousal abuse were serious problems. Specifically, the report highlighted that the law prohibited domestic violence but was not enforced. NGOs reported a 15 to 20 percent increase in sexual assaults of women. In 2024, the Angituan Royal Police noted that sexual offenses decreased; rapes dropped from 40 cases in 2023 to 25 in 2024, while indecent assault cases fell from 25 to 17. Cases of unlawful sexual intercourse also decreased, from 21 incidents in 2023 to 16 in 2024. There does not appear to be data on the number of successful prosecutions, and sexual violence is likely underreported.

Before the reform of the judicial process through the Sexual Offences Model Court, Antigua faced considerable challenges in addressing sexual violence. Prior to 2019, there was a lack of data collection to monitor the courts' performance and response to sexual offense cases. Courts and other agencies did not coordinate effectively to provide services to sexual assault victims. Many sexual assault survivors refused to pursue cases due to fear of re-victimization and re-traumatization. Deficiencies in the courts' handling of sexual assault cases also contributed to high attrition rates in the justice chain, as well as to sexual offenses having very low conviction rates in comparison to other crimes.

The Antigua Royal Police Force takes an active role in addressing domestic violence, and other government departments take a proactive role in preventing sexual violence. It is the mandate of the police to complete a sexual assault investigation within 3 to 4 months, at which time the case would appear before the public prosecutor.

After the crime is reported to the police, Criminal Investigation Department officers are contacted, and the examination is conducted at a health center located in the area where the offense took place. However, the doctor may ask to use the public hospital facilities. The results of the medical examination are automatically reported to the police if the crime has already been reported. If the crime has yet to be reported, the hospital may call the police on the victim's behalf.

The most recent information about the result of prosecutions is from 2020 in a US State Department report. These statistics likely do not reflect the impact of recent reforms in the Antiguan court system regarding justice for sexual assault. No spousal rape cases were filed in 2020. Authorities stated 3 rape cases were prosecuted in 2020, but the charges were withdrawn

in all of them. Historically, a significant percentage of rape cases were dismissed either for lack of evidence or because the victim declined to press charges. Government authorities declared that 12 sexual offenses cases in 2020 were discontinued. In 9 of them, the complainants no longer wished to proceed with prosecution, in two, there was insufficient evidence, and in the last case, the accused died. Violence against women, including spousal abuse, continued to be a serious problem. Anecdotal media reports suggested that police failed to fully carry out their obligations on domestic violence.

#### **Further resources:**

- <https://www.gov.uk/government/publications/rape-and-sexual-assault-in-antigua-and-barbuda-information-for-victims/rape-and-sexual-assault-in-antigua-and-barbuda-information-for-victims>
- [https://jurist.ccj.org/wp-content/uploads/2019/08/Final\\_Booklet-ilovepdf-compressed.pdf](https://jurist.ccj.org/wp-content/uploads/2019/08/Final_Booklet-ilovepdf-compressed.pdf)
- <https://generisonline.com/understanding-the-distinctions-between-civil-and-criminal-law-in-antigua-and-barbuda/>
- <https://antiguaobserver.com/crime-increased-overall-in-2024-but-sexual-offences-show-marked-decrease-police-say/>

## Prevention

### **What is being done to prevent these issues?**

The Directorate of Gender Affairs has many initiatives that aim to prevent and educate about sexual assault. It conducts routine sensitization exercises with local churches, schools, and other community organizations to expand awareness about gender issues.

The 16 Days of Activism Campaign is a global initiative used as an organizing strategy to mobilize support for the elimination of gender-based and sexual violence affecting women and girls. The campaign runs from November 25 to December 10 annually. The Directorate of Gender Affairs and its partner organizations host a series of events and activities to raise awareness about gender-based violence. Previous 16 Day's observances have included marches, open mic nights, panel discussions, and candlelight vigils to honour victims of gender-based violence in Antigua.

Another DoGA initiative is the President's 10, a mentorship program for young women in their third year of secondary school. The 10-week training course is designed to give women hands-on experience working with Antigua & Barbuda's political system and to equip them with the skills necessary to compete in the workforce. DoGA provides gender sensitization sessions with the mentees, which explore issues related to gender and development, gender-based violence, discrimination against women and girls, and women in positions of leadership.

Emphasis on perpetrator rehabilitation appears to be focused around legislative reform. This is likely because of the Antiguan Department of Corrections' poor infrastructure and resourcing, leading to less data collection. Since 2016, the Antiguan Department of Corrections has run programs to help offenders of various crimes succeed after their release. The strategy is built on 4 foundations: academic, vocational, spiritual, and counselling. The institution



collaborates with universities and the Ministry of Education to provide teachers to higher education for inmates to pass math and English exams. Spiritual support includes regular visits from Seventh Day Adventist groups. The Sentencing Reform Act of 2017 gives certain offenders the opportunity to take rehabilitation leave for exemplary behavior. However, this does not include certain crimes, including sexual assault. Programs may still be available within the prison facility. The prison suffers from overcrowding and may not be able to provide rehabilitation services to all who seek them.

NGOs may also help those in juvenile detention, like Second Chance Antigua. The Second Chance Program is committed to ensuring all rehabilitation programs are based on scientific research and training that is practical and relevant to at-risk youth. Having a tailored rehab program can reduce recidivism and make communities safer. Specific projects to cultivate community include sports and agricultural development to promote healthy living. Data was not available on the website about programs' efficacy.

Antigua and Barbuda submitted its 2025 Belem do Para Report this past August, which highlights the key efforts made to combat violence against women. The report was compiled by the Directorate of Gender Affairs and assesses the country's progress in meeting its obligations under the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women. The report covers the period from 2018 to 2024, and it reviews developments in five different areas: legislation, national plans, access to justice, data collection, and diversity and inclusion. Collaboration between government and NGOs was crucial, including DoGA, the Royal Police Force of Antigua and Barbuda, the Ministry of Legal Affairs and Legal Aid, Family and Social Services, the Civil Registry, and the NGO Women Against Rape. DoGA officials stated that the report will guide future policy, identify progress and gaps, and serve as a powerful reminder of Antigua and Barbuda's commitment to gender equity and international accountability.

**Further resources:**

- <https://www.oas.org/es/cidh/ppl/actividades/seminario2011/2011AB.pdf>
- <https://antiguaobserver.com/prison-service-seeks-officers-to-support-rehabilitation-mission/>
- <https://secondchanceantigua.org/about/>
- <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/antigua-and-barbuda/>



## Country Overview: Australia

### Policy

#### **If there are clear laws prohibiting sexual assault, which apply and are commonly used?**

There are, primarily Australia's Penal Code system, the Criminal Code Act 1995, which prohibits sexual assault/rape under the Subsections Criminal Code, Crimes Act, and "Crimes against humanity" under Section 268.14, Subdivision C of the Criminal Code Act 1995. However, each Province has their own laws concerning sexual assault and rape that differ in wording.

In Queensland, the applicable law is the Criminal Code of 1899. Relevant sections include Sections 347-348C – Consent; Section 349 – Rape; Section 350 – Attempt to commit rape; Section 351 – Assault with intent to commit rape; Section 352 – Sexual assaults; and Chapter 33A – Unlawful stalking, intimidation, harassment, and abuse.

In Victoria, the applicable law is the Crimes Act of 1958. Relevant sections include Sections 36-37B – Consent; Section 38 – Rape; Section 39 – Rape by compelling sexual penetration; Section 40 – Sexual assault; Section 41 – Sexual assault by compelling sexual touching; Section 42 – Assault with intent to commit a sexual offense; Section 43 – Threat to commit a sexual offense; Section 44 – Procuring sexual act by threat; Section 45 – Procuring sexual act by fraud; Sections 46-62 – Further laws on sexual violence.

#### **How does the law specify the victim's gender?**

Gender neutral language is used, not specifying the victim's gender.

#### **How does the law specify the perpetrator's gender?**

Gender neutral language is used, not specifying the perpetrator's gender.

#### **Is the law force-based or consent-based?**

The law is consent-based, defined under both the Criminal Code of 1899, Section 348, and the Crimes Act of 1958, Section 34AG as a "free and voluntary agreement." This definition includes that consent is not implied by a lack of verbal or physical resistance, and understands consent to be inapplicable in cases where a person has consented to a different sexual activity; the same activity at a different time or place; the same activity with a different person; or a different activity with a different person. Consent is considered invalid under force, fear of force, harm of any type, or a fear of harm of any type, regardless of when the harm occurs or if it is part of a pattern.

The Criminal Code of 1899 also includes that a person may withdraw consent to an act at any time as part of the definition, and outlines additional circumstances in which consent is considered invalid: incapacitation; under coercion, blackmail, or intimidation; during unlawful detainment; under abuse of authority, trust, or dependence; fraudulent representation; or condom sabotage.

#### **What acts are prohibited under these laws?**

Acts prohibited differ within Queensland (Criminal Code of 1899) or Victoria law (Crimes Act of 1958). However, as defined in Section 268.14, rape is generally considered as forced



penetration, with a body part or object, of the genitals, anus, or mouth, including surgically constructed genitalia or other parts of the body of a person.

**To what extent does the law prohibit sexual assault by a spouse?**

Under Section 73 of the Criminal Law Consolidation Act (1976), marital rape is prohibited in all Australian jurisdictions.

**To what extent does the law prohibit sexual assault by an intimate partner?**

The law prohibits sexual assault regardless of an existing relationship.

**To what extent does the law prohibit domestic violence?**

Under the Crimes (Domestic and Personal Violence) Act 2007 (NSW) and the Domestic and Family Violence Protection Act 2012 (QLD), acts of violence, threats, harassment, and coercive control within domestic relationships are prohibited. Domestic and family violence are defined as any behavior that is violent, threatening, or controlling. While the terms domestic and family violence generally apply within a family unit or household, the language also refers to family members or partners who do not cohabit.

**If same-sex sexual activity is illegal in this country, how is sexual assault on someone of the same sex handled by the law?**

Consensual same-sex sexual activity is legal.

**To what extent is sexual assault on a sex worker prohibited?**

Nationwide, there are no separate or specific provisions for sex workers. In Queensland, the expanded definition of situations in which consent is invalid includes the case in which the person is a sex worker and participates in the act because of a false or fraudulent representation that the person will be paid or receive some reward for the act. There are additional laws prohibiting child participation in commercial sexual services and forcing another to provide sexual services or circumstances related to or involving sexual servitude, though these differ in specifics by region.

**How do laws prohibit sexual violence enacted on children?**

The Criminal Law Consolidation Act of 1935, Section 49, prohibits sexual intercourse with minors, defined as individuals under 18 years old. There are also various laws prohibiting sexual activity with children and the abuse and exploitation of children, including sex trafficking and incest. These laws vary in specifics by region.

**Protocol**

**What resources are available?**

Trauma-informed care is available in Australia, acknowledging the effects of trauma to better support individual needs. Implementation includes principles like safety, trustworthiness, and empowerment, providing specialized support, and conducting organizational change through resources, training, and staff support.

Training on sexual assault for police officers in Australia is typically integrated into broader police academy programs, which can last from several weeks to over a year, and include on-the-job training. For teachers, specific training requirements for sexual assault are





not detailed in the search results, but they are mandated to report it as a mandatory reporting obligation and often have access to state or school-specific training modules on child safety and sexual abuse prevention.

Teachers are mandatory reporters in Australia, meaning they are legally required to report any suspected child sexual abuse to the authorities. Schools are required to provide teachers with training on child safety policies, including procedures for reporting sexual abuse.

Australia has a comprehensive anti-discrimination framework, led by the federal Sex Discrimination Act 1984 and similar state and territory laws, which prohibit sex and gender-based discrimination in areas like education and employment. These laws, which cover a range of attributes like sex, gender identity, and sexual orientation, aim to prevent discrimination, though the specific rules and exemptions can vary between jurisdictions.

All states and mainland territories in Australia have rape shield laws that limit the admissibility of a complainant's sexual history or reputation in sexual offense proceedings. These laws are designed to protect complainants from being unfairly cross-examined about their sexual history, and they prohibit evidence of a complainant's sexual reputation or history from being used to suggest they consented or are untruthful.

There are many non-governmental organizations (NGOs) in Australia that support victims and survivors of sexual assault, such as Full Stop Australia, Bravehearts, and the Canberra Rape Crisis Centre. These organizations provide a range of services, including counseling, support, and advocacy, and can be found at both national and local levels. The National Association of Services Against Sexual Violence (NASASV) is the peak body for a diverse range of specialist organisations that provide prevention and response services to people who are at risk or experience sexual violence in Australia.

The Blue Knot Foundation is a national center for complex trauma. They offer a helpline and resources for adult survivors of childhood trauma and their supporters. Phoenix Australia is the Centre for Posttraumatic Mental Health in Australia, a not-for-profit organization that works to reduce the impact of trauma by providing resources and building the capacity of individuals, organizations, and the community to understand and recover from trauma. It is a national organization focused on research, prevention, and treatment for trauma-related mental health issues.

Another center Australia has is 13YARN. They provide crisis support 24/7 to talk (called "yarn" on the website) without judgement and provide a confidential, culturally safe space to yarn about your needs, worries or concerns. This service is provided for Aboriginal and Torres Strait Islander people. Bravehearts is a not-for-profit organization in Australia dedicated to preventing and treating child sexual abuse. They provide education, support, and advocacy for children, survivors, and their families. Canberra Rape Crisis Centre (CRCC) provides free and confidential services to victim-survivors of sexual violence and their supporters in the ACT and surrounding areas. Full Stop Australia is a national organization that offers 24/7 telephone, online, and face-to-face counseling for anyone impacted by sexual, domestic, or family violence.

**Further resources:**





- <https://www.phoenixaustralia.org/disaster-hub/resources/building-trauma-informed-organisations/>
- <https://www.health.gov.au/topics/mental-health-and-suicide-prevention/mental-health-and-suicide-prevention-contacts#:~:text=13YARN&text=13YARN%20provides%20free%20and%20confidential,talk%20to%20a%20crisis%20supporter.>
- [https://www.aic.gov.au/sites/default/files/2024-04/ti689\\_police\\_training\\_in\\_responding\\_to\\_fdsv.pdf](https://www.aic.gov.au/sites/default/files/2024-04/ti689_police_training_in_responding_to_fdsv.pdf)
- <https://www.ag.gov.au/rights-and-protections/human-rights-and-anti-discrimination/australias-anti-discrimination-law#:~:text=In%20Australia%2C%20it%20is%20unlawful,life%2C%20including%20education%20and%20employment.>
- <https://www.alrc.gov.au/publication/uniform-evidence-law-alrc-report-102/20-matters-outside-the-uniform-evidence-acts/rape-shield-laws/>
- <https://www.nasasv.org.au/support-directory>
- <https://crcc.org.au/>

## Procedure

### **What does the justice system procedure look like?**

Australia has both civil and criminal courts across its federal, state, and territory systems. The court system is hierarchical, with lower courts like Magistrates' or Local Courts handling minor cases and higher courts like the District/County and Supreme Courts handling more serious matters. These courts have separate jurisdictions to address the different types of disputes and offenses.

When someone is raped or sexually assaulted, it is always their decision to have a forensic examination and/or report to the police. Evidence can be collected and stored without having to go to the police, and a support person, like a friend or family member, can be present during the examination if wanted. It's fine to request a female or male doctor to do the examination. Having a forensic examination does not mean the assault must be reported to the police. If unsure, the Sexual Assault Service will hold on to the Sexual Assault Investigation Kit (rape kit) until the person has made a decision. The SAIK is only handed over to the police with the person's signed consent. If they decide not to report to the police, the Sexual Assault Investigation Kit will be destroyed.

The role of police in sexual assault cases in Australia involves both proactive prevention strategies and active investigation and response once an incident is reported. The police respond to reports, investigate incidents, collect evidence, and support victims through the criminal justice process. A police report is not always required to pursue a sexual assault case in Australia, as it is the survivor's decision to report. Individuals can choose to report to the police, even if they do not want an investigation, to create an official record that can be used later if they change their mind. Other options for support and reporting include completing an anonymous Sexual Assault Reporting Options Questionnaire (SARO) or seeking medical help and counselling without formally reporting.



Sexual assault victims in Australia report to the police to a limited extent, with surveys indicating that around 10-13% of sexual assaults are reported, and approximately 90% of victims do not report the incident to police. The low reporting rate is due to various factors, including shame, fear of not being believed, embarrassment, and a belief that reporting will be unhelpful. According to the Australian Bureau of Statistics, one in five Australian women and one in 20 men have experienced sexual assault since the age of 15. Most assaults occur in private spaces, and most are against women by a man known to them. Yet, almost nine in ten women (87%) do not contact the police.

The evidentiary standard for sexual assault is proving guilt beyond a reasonable doubt, meaning the prosecution must convince the jury that there is no other logical explanation, based on the facts presented. This requires proving the elements of the offense, such as the non-consensual sexual touching, and can be supported by evidence like the accused's DNA, physical injury to the complainant, or corroborating witness accounts. Crucially, evidence about the complainant's prior sexual history or reputation is generally inadmissible to prevent humiliation and ensure a fair trial. The prosecution must prove four core elements: (1) The accused intentionally touched the complainant; (2) The touching was sexual; (3) The complainant did not consent to the touching; and (4) The touching was done without consent.

Rape cases in Australia are pursued and taken to court to a limited extent. While many sexual assaults are reported to police, a significant number are not, and of those reported, a large percentage do not lead to charges, a guilty plea, or a conviction. Of the cases reported, the number that progress further varies by state, but many are not pursued. For example, a study in Victoria found that police identified an offender in only half of the reported incidents, and laid charges in only one in four.

In Australia, the extent to which rapists are found guilty is low, with a high attrition rate at every stage of the criminal justice system, meaning a large majority of reported incidents do not result in a conviction. For the small percentage of reported cases that progress to court, only about 40-60% of defendants are ultimately convicted, with fewer still found guilty in defended trials. In NSW (New South Wales), 85% of reported sexual assault incidents did not result in legal action. Factors include a lack of corroborating evidence, such as forensics, and a high standard of proof required beyond a reasonable doubt. The probability of someone going to the police, the police prosecuting, and the rapist being convicted is around 1%.

**Further resources:**

- <https://www.shine.com.au/resources/legal-news/different-australian-courts-how-do-they-work>
- <https://fullstop.org.au/get-help/something-happened-to-me/getting-medical-help>.
- <https://aifs.gov.au/cfca/sites/default/files/publication-documents/rs1.pdf>
- <https://www.alrc.gov.au/publication/family-violence-a-national-legal-response-alrc-report-114/32-specialisation-3/specialised-police-2/>.
- <https://theconversation.com/almost-90-of-sexual-assault-victims-do-not-go-to-police-this-is-how-we-can-achieve-justice-for-survivors-157601>.

- <https://www.theguardian.com/australia-news/ng-interactive/2025/jan/31/is-effectively-decriminalised-how-did-sexual-assault-become-so-easy-to-get-away-with-ntwnfb>.
- <https://www.theguardian.com/australia-news/article/2024/may/28/fewer-than-10-of-sexual-assaults-reported-to-nsw-police-end-up-proven-in-court-report-finds>

## Prevention

### **What is being done to prevent these issues?**

The Australian government has organized and funded organizations to prevent sexual violence, such as the Domestic, Family and Sexual Violence Commission. The Domestic, Family and Sexual Violence Commission is a national body focused on improving the coordination of policies and services to help victims and survivors of violence. The government has also established a national working group on the criminal justice response in the Attorney-General's Department. The Attorney-General's Department chairs a working group to discuss and strengthen criminal justice responses to sexual assault, comprising officials from all jurisdictions in Australia.

The government has established organizations to provide education in schools, though the primary responsibility lies with the individual state/territory governments. The Australian Curriculum, developed by the Australian Curriculum, Assessment and Reporting Authority (ACARA), sets the national standards, and state and territory governments are responsible for implementing and regulating education within their jurisdictions. Other federal bodies, like the Department of Education, establish national policies and provide funding to support these goals.

Punitive and rehabilitative programs exist for those convicted of sexual assault in Australia, with the specific responses depending on the jurisdiction and the offender's risk assessment. Punitive measures include imprisonment, fines, and community orders, while rehabilitative efforts often involve cognitive behavioural therapy (CBT) programs to address offending behavior, as well as educational, vocational, and reintegration programs to aid in release. For high-risk offenders who deny responsibility, extended detention or supervision orders may be imposed.

Circles of Support and Accountability are a reintegrative initiative specifically for people who have committed sexual offences. The 'circles' provide two levels of support for people when they are released from prison. An immediate circle of trained volunteers stays in touch regularly with the released person, to support them and monitor their progress (including any risks of reoffending). This circle is supported by a second tier of health, justice and other professionals. This second tier of support can also contact the justice system if needed. While research indicates treatment programs are generally effective in reducing recidivism, further evaluation is needed, especially regarding culturally specific programs.

Additionally, the government supports organizations like the National Association of Services Against Sexual Violence (NASASV) and the Australian National Centre for Action on Child Sexual Abuse, which provide prevention and response services. National Association of Services Against Sexual Violence (NASASV) is an organization that advocates for clients' rights



and ensures the provision of accessible services. The Australian government partners with NASASV to host the Australian Sexual Assault Services Directory. The Australian National Centre for Action on Child Sexual Abuse provides resources and support for individuals, workers, and organizations to respond to and support victims and survivors of child sexual abuse.

Sexual assault activism in Australia is highly active and diverse, encompassing large-scale public protests, social media campaigns, legislative reform efforts, and ongoing work by dedicated advocacy groups. In April 2024, thousands gathered again across major cities in Australia in rallies under the slogan "Enough Is Enough," calling for tougher laws and an end to gender-based violence, spurred by several high-profile killings of women. Advocacy has led to significant changes, such as the Crimes Legislation Amendment (Sexual Consent Reforms) Act 2021 in New South Wales, which introduced an affirmative consent model emphasizing ongoing and mutual communication. The national #LetHerSpeak / #LetUsSpeak campaign successfully advocates for the abolition of laws that prevent sexual assault victim-survivors from telling their own stories publicly without risk of prosecution. This led to the end of Gag Laws in Australia.

The STOP Campaign is a grassroots not-for-profit organisation, mostly comprised of young people aged 18 to 30 around Australia, with a vision to stop sexual violence in tertiary learning communities. The STOP Campaign provides a platform for victim-survivors to share their stories and undertakes education projects like the Safe Response Toolkit.

**Further resources:**

- <https://www.dfsvc.gov.au/>
- <https://www.nasasv.org.au>
- [https://en.wikipedia.org/wiki/Education\\_in\\_Australia](https://en.wikipedia.org/wiki/Education_in_Australia)
- <https://www.asic.gov.au/regulatory-resources/financial-services/financial-advice/professional-standards/>
- <https://www.ag.gov.au/crime/sexualviolence>
- <https://www.lawreform.vic.gov.au/publication/improving-the-justice-system-response-to-sexual-offences-report/13-preventing-sexual-offending/>
- <https://saferesponsetoolkit.com.au/activism-and-advocacy>



## Country Overview: Brazil

### Policy

#### **If there are clear laws prohibiting sexual assault, which apply and are commonly used?**

There are, primarily 3 legal frameworks that criminalize rape, sexual harassment, exposure of sexual intimacy, crimes against vulnerable persons, public indecency, and domestic or family violence. The first legal framework is the Penal Code (Decree-Law No. 2,848/1940). Applicable articles of this framework include Article 213 – Rape; Article 215 – Sexual acts performed through fraud; Article 216-A – Sexual Harassment; Article 216-B – Exposure of Sexual Intimacy; Article 217-A – Rape of a Vulnerable Person; and Articles 233–234 – Public Indecency. The second legal framework is Law No. 13.718/2018, which amends the Penal Code. An applicable article of this law is Article 215-A – Sexual Harassment (performing a lewd act). The third legal framework is Maria da Penha Law (Law No. 11.340/2006). An applicable article of the law is Article 5, which defines domestic and family violence.

#### **How does the law specify the victim's gender?**

Brazilian law includes both gender-neutral and gender-specific provisions depending on the statute. The Penal Code uses gender-neutral language. Maria da Penha Law specifies the victim as a woman. Femicide Law (Law No. 13.104/2015) amends Article 121 of the Penal Code to define femicide as the killing of a woman due to her gender, specifying the victim as a woman.

#### **How does the law specify the perpetrator's gender?**

Gender neutral language is used, not specifying the perpetrator's gender.

#### **Is the law force-based or consent-based?**

Laws are consent-based, with the understanding that consent can be invalid due to the use of force, coercion, threats, and incapacitation. Any sexual acts with minors under 14 years of age are prohibited.

#### **What acts are prohibited under these laws?**

The Penal Code is very general in its definition of the type of acts. Law 12.015/2009 expanded definitions of rape to cover any sexual act or act with sexual intent performed under coercion (no longer limited to vaginal penetration). Penal Code (Decree-Law 2,848/1940) Article 215 defines this as engaging in sexual intercourse or another lewd act.

#### **To what extent does the law prohibit sexual assault by a spouse?**

The Maria da Penha Law prohibits sexual violence in the scope of a domestic unit, family, and intimate relationship in which the aggressor lives or has lived with the woman. The definition of sexual violence is expansive and specific, any behavior that forces the woman to witness, maintain or participate in unwanted sexual intercourse, by means of intimidation, threat, coercion or the use of force; that induces the woman to commercialize or to use, in any way, her sexuality, that prevents her from using any contraceptive method or that forces her to marriage,





pregnancy, abortion or prostitution, by means of coercion, blackmail, bribe or manipulation; or that limits or annuls the exercise of her sexual and reproductive rights.

**To what extent does the law prohibit sexual assault by an intimate partner?**

The Maria da Penha Law prohibits sexual violence in the scope of an intimate relationship in which the aggressor lives or has lived with the woman, regardless of cohabitation. The definition of sexual violence is expansive and specific, any behavior that forces the woman to witness, maintain or participate in unwanted sexual intercourse, by means of intimidation, threat, coercion or the use of force; that induces the woman to commercialize or to use, in any way, her sexuality, that prevents her from using any contraceptive method or that forces her to marriage, pregnancy, abortion or prostitution, by means of coercion, blackmail, bribe or manipulation; or that limits or annuls the exercise of her sexual and reproductive rights.

**To what extent does the law prohibit domestic violence?**

The Maria da Penha Law prohibits domestic violence as it includes psychical violence offending the woman's bodily integrity or health; psychological violence as it causes emotional damage and reduction of self esteem or that aims at degrading and controlling the woman's actions, behaviors, beliefs, and decisions; sexual violence; patrimonial violence, as it constitutes retention, subtraction, partial or total destruction of the woman's objects; and/or moral violence, as any behavior that constitutes slander, defamation, or insult.

**If same-sex sexual activity is illegal in this country, how is sexual assault on someone of the same sex handled by the law?**

Consensual same-sex sexual activity is legal.

**To what extent is sexual assault on a sex worker prohibited?**

There are no separate or specific protections for sex workers. There are additional laws prohibiting exploitation, trafficking, or third-party profit, criminalizing these crimes as non-consensual acts.

**How do laws prohibit sexual violence enacted on children?**

Brazilian law uses gender-neutral language. Statutory rape, defined by Penal Code Article 217-A, criminalizes sexual acts with anyone under the age of 14. The Children and Adolescents Statute (ECA, Law No. 8,069/1990) and Lei Felca (Act No. 15,211/2025) prohibit any molestation, exploitation, luring, sexual assault, exposure to pornography, or abuse of minors, in physical or online contexts.

**Protocol**

**What resources are available?**

In Brazil, there are many resources and helplines available for sexual violence survivors and domestic violence as well. Brazil has a formal service network for victims of sexual violence that combines: (a) health-sector clinical/forensic care and mandatory notification (SUS + SINAN); (b) specialized policing (Delegacias Especializadas — DEAMs / Women's Police Stations); (c) legal/prosecutorial routes (Public Ministry / specialized prosecutors and domestic-violence courts); (d) social/psychosocial services (Centros de Referência, Casas da





Mulher Brasileira, public mental-health teams); and (e) national helplines and monitoring programs (Ligue 180, national monitoring dashboards). These elements are described in Ministry of Health protocols and federal programs.

The Ligue 180 (“Call 180”) is Brazil’s national public helpline for women in situations of violence. It operates 24 hours a day, every day of the week, including weekends and holidays. Calls are free, and there is also service via WhatsApp, as well as an email contact for non-urgent messages.

There is growing official and programmatic emphasis on humanized / trauma-sensitive care, but implementation is uneven. The Ministry of Health published technical norms for “humanized attention” to people in situations of sexual violence (clinical protocols that require psychological support, privacy, PEP for HIV, forensic collection, and referral pathways). These documents call for care that aims to avoid secondary victimization and to coordinate with social and legal services. Many municipal/state services and referral centers (CRAMs, Casas da Mulher Brasileira, hospital referral units) include psychosocial/psychological reception and teams trained in compassionate approaches. However, training is inconsistent, referral capacity varies by region, and “trauma-informed” language is still being institutionalized rather than uniformly practiced.

Federal norms and laws establish training expectations, but mandatory hours/standard curricula vary by role and state; implementation differs across municipalities. Regarding the police, Brazil created specialized women’s police stations (DEAMs) and some states adopt specialized training for staff; national reforms (and laws) require respectful treatment of victims and encourage specialization, but the exact training duration and depth depend on state police academies and continuing education programs. Scholarly evaluations show improved legitimacy when DEAMs function well, but uneven quality still exists. For health professionals, the Ministry of Health issues technical guidance and expects health teams in SUS (public unified health system) to follow protocols for clinical/forensic care; many states provide continuing education for notification (SINAN) and post-exposure prophylaxis, although hours and coverage vary.

Other community roles, such as teachers and social workers, the child protection law (ECA) requires reporting and many states and municipalities offer training about detection and referral of abuse. Law 13.431/2017 also creates procedures that require trained professionals for interviews of children and adolescents.

Within healthcare, immediate care is available, such as emergency treatment, forensic exam (when requested), STI prophylaxis, HIV PEP, tetanus, emergency contraception, and wound care. Technical norms specify these steps and the requirement to inform and refer. Health services must notify suspected/confirmed violence to SINAN, which triggers epidemiological and protection steps. DEAMs (specialized police stations) handle crimes against women and can receive reports, collect initial statements and coordinate with health and social services. The Public Ministry and specialized prosecutors handle investigations/prosecutions; there are family/domestic-violence courts and special procedures



for vulnerable victims. Law n° 13.431/2017 standardizes child/adolescent testimony; Law n° 14.245/2021 increases courtroom protections for sexual-violence victims.

Brazil has mandated-reporting, services and protective laws across sectors. Since 2011, notifications of domestic and sexual violence became compulsory for all health services (SINAN). Certain notifications (sexual violence, suicide attempts) are immediate. This functions somewhat like a mandatory-reporting requirement for health workers. Regarding child protection, the ECA (Children and Adolescents Statute) and implementation rules require reporting and special procedures for children and adolescents. Law 13.431/2017 established “escuta especializada” and “depoimento especial” (special hearing/interview) protocols for minors.

For educational institutions, there are growing policies at the state/municipal levels and programmatic guidance. Some universities and states adopt internal policies and reporting channels. For example, the Brazilian Company of Hospital Services (Ebserh) manages a network of federal university hospitals that provide specialized, 24/7 care for victims of sexual violence across the country. These hospitals offer non-judgmental, multidisciplinary support that includes emergency contraception, STI (Sexually Transmitted Infection) prophylaxis, forensic evidence collection, psychological and social services, and, when applicable, access to legal abortion, all ideally within the first 72 hours after the assault. Many units also have dedicated spaces, such as “Lilac Rooms”, to ensure privacy and trauma-informed care. Beyond emergency response, teams work on long-term follow-up, prevention, community training, and protocols designed to reduce revictimization and strengthen support networks for women, children, and other affected populations.

Brazil has several kinds of specialized, multi-disciplinary centers that serve the role of rape-crisis centers, but coverage is not universal. Casas da Mulher Brasileira (federal/state program) bring multidisciplinary services together (social, legal, psychological, police linkages) under one roof in some cities; the federal site lists units and outputs. Referral Centers and Service Centers, such as Centros de Referência de Atendimento à Mulher (CRAM), Núcleos de Atendimento, and hospital referral services (designated SUS units and hospital services), provide immediate medical/forensic care, counseling and legal guidance.

Recent federal laws increased procedural protections for victims in criminal trials (including limits on intrusive questioning about past sexual behavior); other protections exist for identity/privacy and restraining orders. For example, Example: Law n° 14.245/2021 (known in public debate as the “Mariana Ferrer” / victim-dignity law) created rules to protect the dignity of victims and witnesses in sexual-crime trials and restrict the abusive use of private-life evidence, moving Brazil toward rape-shield-type protections in criminal procedure.

As for privacy and identity, criminal procedures and court rules include measures to protect victim's identity; judges can restrict publication/photography. If someone violates this (for example, by making humiliating or irrelevant remarks about the victim), there can be civil, criminal or administrative liability. The law also increases the penalty for coercion in the course of a process (e.g., threatening or pressuring a victim or witness during a case) when it involves



a sexual crime. There is no single nationwide blanket prohibition on NDAs in sexual-assault settlements, but public policy and recent legislative attention push against mechanisms that silence victims; enforcement and rules vary by contract law and evolving jurisprudence. This is still an area under active debate and reform.

A mix of public (SUS) and NGO provides services such as immediate psychological first aid at health units, ongoing psychotherapy through public mental-health teams (NASF, CAPS, where applicable), CRAM (Women's House services), and NGOs offering specialized counseling and support groups. Ministry guidance requires psychological support as part of the initial and follow-up care. Many municipalities provide short-term psychosocial support and referral to longer-term mental-health services when needed; NGOs and grassroots groups supplement gaps.

Unofficial community resources and local dispute resolution, networks, feminist collectives, women's shelters, faith-based groups, grassroots hotlines and survivor networks play important roles, especially where formal services are weak. Examples include local NGOs, women's movements, community-based CRAS/CREAS (Social Assistance Reference Center) links, and feminist legal-aid organizations that provide accompaniment, advocacy, shelter and informal dispute-resolution support. Academic literature documents that civil-society groups and community leaders often fill service gaps (legal accompaniment, psychosocial support, local protection plans).

Some civil-society organizations that produce research, provide training and run survivor services include Instituto Maria da Penha (advocacy, training, shelters, legal aid), other NGOs and feminist networks (regional women's organizations, human-rights groups, specialized NGOs) and research centers (Fórum Brasileiro de Segurança Pública, Observatórios). These groups often coordinate with public services to deliver victim support, legal accompaniment and prevention programs.

**Further resources:**

- <https://www.gov.br/pt-br/servicos/denunciar-e-buscar-ajuda-a-vitimas-de-violencia-contr-a-mulheres>
- <https://www.gov.br/mulheres/pt-br/ligue180>
- <https://www.institutomariadapenha.org.br/assets/downloads/maria-da-penha-law.pdf>
- <https://www.semipi.pr.gov.br/Pagina/Centro-de-Referencia-de-Atendimento-Mulher-CRAM>
- [https://bvsms.saude.gov.br/bvs/publicacoes/atencao\\_humanizada\\_pessoas\\_violencia\\_s\\_exual\\_norma\\_tecnica.pdf](https://bvsms.saude.gov.br/bvs/publicacoes/atencao_humanizada_pessoas_violencia_s_exual_norma_tecnica.pdf)
- [https://www.planalto.gov.br/ccivil\\_03/\\_ato2015-2018/2017/lei/l13431.htm](https://www.planalto.gov.br/ccivil_03/_ato2015-2018/2017/lei/l13431.htm)
- <https://www.gov.br/ebserh/pt-br/hospitais-universitarios/regiao-centro-oeste/hu-ufgd/comunicacao/noticias/acolhimento-de-mulheres-vitimas-de-violencia-sexual-e-lembrado-nest-e-08-de-marco>



- <https://www2.camara.leg.br/a-camara/estruturaadm/secretarias/secretaria-da-mulher/procuradoria-da-mulher-1/como-buscar-ajuda-em-caso-de-violencia/conheca-a-rede-que-atua-no-enfrentamento-e-na-prevencao-a-violencia>

## Procedure

### **What does the justice system procedure look like?**

Brazil has separate civil and criminal jurisdictions. Criminal courts (Justiça Criminal) handle crimes such as rape, sexual assault, domestic violence, and child sexual abuse. Civil courts (Justiça Cível) handle issues like protective orders, compensation claims, child custody, and divorce. In sexual violence cases, criminal courts deal with prosecution, while civil courts may be involved in protection and compensation.

In Brazil, a police report is not strictly required for a victim to receive emergency medical care, forensic exams, or legal protection. However, it is required to start a criminal investigation. Reporting is legally accessible, but many victims consider it emotionally unsafe or ineffective. In Brazil, underreporting is extremely high; estimates show that only 10–15% of sexual assaults are reported. Reasons include fear of disbelief or humiliation, distrust in police, fear of retaliation, lack of availability of Women's Police Stations in rural/poor regions, and slow or ineffective justice response.

The forensic exam is not required in order for a victim to report or initiate a case, but it is strongly recommended, and the police/prosecutor will request it when possible. Cases can still move forward without physical evidence, especially when based on victim testimony and other evidence.

The evidentiary standard for sexual assault cases in the Brazilian criminal law is the standard of “proof beyond reasonable doubt” (“prova suficiente de autoria e materialidade”). Victim testimony is considered legally valid, relevant evidence, especially when consistent. Forensic evidence strengthens the case but is not mandatory, and corroborating elements (witnesses, digital evidence, behavioral signs) are used to support the victim's narrative.

Regarding the role of the Police in Brazil, the country has mixed patterns depending on region, resources, and training. It varies from progressive to deeply problematic. In the most progressive settings, especially in Delegacias da Mulher (Women's Police Stations) and units influenced by Maria da Penha policy frameworks, police can adopt a proactive stance toward preventing and responding to sexual violence. These teams often receive specialized training in gender-based violence, run community outreach campaigns, coordinate with health and social-service networks, and prioritize rapid protective measures for victims. In these environments, officers tend to be more trauma-informed and focused on early intervention, making the police a more accessible and preventive resource for at-risk women and communities. Sometimes, depending on the region, officers can also act condescendingly and biased to the victims, discouraging people from reporting and pursuing an investigation.

In many areas, police culture is largely active but inconsistent, meaning officers take reports, file cases, and follow standard procedures, but the depth of investigation and victim



support varies widely. Police typically register the incident, request forensic exams, and forward the case to the Public Prosecutor, yet resource limitations, understaffing, and high caseloads often limit the thoroughness of follow-up. While victims may receive formal acknowledgment and procedural steps, they frequently encounter delays, fragmented communication, and a lack of specialized care, resulting in a system that functions on paper but may not provide full, meaningful support in practice.

In many parts of Brazil, especially in non-specialized stations or regions with limited training on gender violence, police responses can become counter-active, creating additional barriers for victims. This may include discouraging women from filing reports, downplaying the severity of the violence, misclassifying crimes, or questioning victims in ways that reproduce stigma and blame. In more severe cases, officers may fail to pursue investigations, leak information, or notify the aggressor prematurely, compromising victim safety. Such practices deepen mistrust in law enforcement and contribute to Brazil's significant underreporting and low prosecution rates for sexual violence.

National, up-to-date consolidated conviction-rate statistics for rape (percentage of reported cases resulting in conviction nationwide) are not published in a single definitive public dataset for the whole country. However, multiple scholarly/NGO analyses and official commentaries show very low conviction outcomes relative to estimated incidence, with large case attrition between report and final sentence. Official public security reports focus on reports; many academic and NGO analyses note large attrition (investigations that do not progress to charges or trials) because of weak evidence gathering, resource constraints and backlog. While national consolidation of conviction rates for rape is not readily available, studies and legal commentaries document that a small fraction of estimated offences are prosecuted to conviction.

The IPEA (Atlas / 2023 analysis) provides the widely-cited estimate of ~822,000 rapes/year and the 8.5% reported figure (key support for underreporting and attrition claims). The Anuário Brasileiro de Segurança Pública (FBSP, 2024/2025), an authoritative annual compilation of police-registered crime data, shows the trend of recorded rape cases and contextualizes reporting increases. According to the 19th Anuário (2024 edition), there were 87,545 victims of rape in 2024, the highest number since the start of the Anuário series. In 2023, there were 83,988 reported cases of rape.

**Further resources:**

- <https://international.stj.jus.br/en/Brazilian-Judicial-Branch/Supreme-Federal-Court>
- <https://www.ibanet.org/article/e6122854-7e85-4d84-a13b-090dc108cc69>
- <https://www.gov.br/mj/pt-br/assuntos/sua-seguranca/seguranca-publica/estatistica/download/dados-nacionais-de-seguranca-publica-mapa/mapa-de-seguranca-publica-2024.pdf>
- <https://www2.camara.leg.br/legin/fed/lei/2009/lei-12015-7-agosto-2009-590268-exposicaodemotivos-149280-pl.html>
- <https://agenciabrasil.ebc.com.br/en/direitos-humanos/noticia/2024-07/brazil-recorded-on-e-rape-every-six-minutes-2023>



- <https://www.ipea.gov.br/atlasviolencia/arquivos/artigos/1694-pbestuprofinal.pdf>
- <https://www.sas.sc.gov.br/images/Anu%C3%A1rio%20Brasileiro%20de%20Seguran%C3%A7a%20P%C3%ABlica%202024-compactado.pdf>

## Prevention

### **What is being done to prevent these issues?**

Brazil has national programs and inter-sectoral strategies: the programs Mulher Viver Sem Violência, including the network of Casas da Mulher Brasileira (one-stop integrated service centres), the Pacto Nacional de Prevenção aos Feminicídios (national pact for Femicide Prevention with an action plan), and a restored national helpline and public campaigns to encourage reporting and awareness. These are official federal efforts that also fund states/municipalities to implement prevention and response. It has various specialized services to assist women experiencing violence: reception and triage; psychosocial support; police station; court; Public Prosecutor's Office; Public Defender's Office; promotion of economic autonomy; childcare and playroom.

Brazil's policy architecture includes mandatory training/qualifications as part of networks of care: health units, police (specialized women's police stations, DEAM/DEAMs), judiciary guidance and recommendations to train judges and frontline staff, and protocols for health/APS (primary care) to identify and refer victims. However, training rollout is uneven across regions and has been affected by political/budgetary shifts.

There are governmental and civil society initiatives that take a broader prevention view (poverty reduction, economic autonomy programs inside Casas da Mulher Brasileira, and intersectoral social assistance pilots). Some municipal pilots explicitly tested prevention through social assistance (e.g., Salvador pilot supported by the World Bank). But Brazil's public debate often focuses on strengthening protection/prosecution rather than system-level decarceration as a violence-prevention strategy; the evidence and scale for macro-policy prevention (reducing mass incarceration as a preventive lever) are limited in practice.

There are recurring data and research streams: the Brazilian Public Security Forum (yearbook crime data), academic research published in national and international journals, UN Women country reporting and monitoring, and periodic government/World Bank evaluation documents for specific pilots. Still, experts and UN bodies have flagged gaps in centralized, consolidated GBV data and monitoring quality.

Brazil's legal framework (Maria da Penha Law and later amendments) allows courts to order attendance in re-education and responsibility programs for aggressors (group or individual psychosocial follow-ups). In 2020 (Law 13.984), judges got clearer authority to require such programs; the National Council of Justice (CNJ) has recommended establishing reflection and responsibility programs. However, these programs are relatively few, often local/pilot in scale, and implementation is patchy. Evaluations are limited: literature with small-scale positive reports from reflective groups, but no wide, rigorous national impact evaluations proving reduced re-engagement in criminal behavior at scale.



Casas da Mulher Brasileira (integrated services) are currently promising in improving access to multi-disciplinary services and enabling referrals; initial monitoring shows large numbers of services, but longer-term outcome data (e.g., reductions in repeat victimization) are still limited.

The Ministry of Education (MEC) has launched its 2025 national campaign to combat sexual violence in schools, emphasizing the school's responsibility in protecting children and adolescents. The initiative is organized together with several partners, including Undime, the National Union of Municipal Education Leaders; OEI, the Organization of Ibero-American States for Education, Science, and Culture; and UFU, the Federal University of Uberlândia. The campaign provides schools with educational materials and encourages activities such as workshops, classroom discussions, posters, and community events. It also promotes collaboration with child-protection services, including the Tutoring Council (Conselho Tutelar, a local authority that protects children's rights), CRAS, the Social Assistance Reference Center (basic social-support services), and CREAS, the Specialized Social Assistance Reference Center (services for serious rights violations). Finally, it highlights the national child-protection hotline "Dial 100," which allows anyone to report suspected abuse anonymously and free of charge.

As for perpetrator re-education programs are conceptually aligned with reducing reoffending; small program studies and qualitative research report benefits in attitude change for some participants, but robust randomized/evaluation evidence at scale is lacking, and programs are inconsistent across jurisdictions, and implementation can be inconsistent as well.

Feminist activism on GBV in Brazil has deep roots (Maria da Penha Law 2006 resulted from decades of activism). More recent movements (Ni Una Menos from 2015 onward; sustained NGO networks) have driven visibility and some policy responses (specialized services, curricular laws). They're effective at agenda-setting and pushing concrete measures, but the persistence of very high rates of sexual violence means structural change is incomplete: activists succeed in reforms and service creation but struggle against uneven implementation, resource limits, and political fluctuation. Large feminist mobilizations (the Ni Una Menos wave across Latin America) and local Brazilian feminist protests pushed gender violence up the agenda.

NGOs and networks (e.g., Instituto Maria da Penha, Mapa do Acolhimento, many local women's shelters and legal-aid groups) run awareness campaigns, direct support, school and community prevention work, and policy advocacy. The targets are: public awareness and education, legal reform (e.g., strengthening implementation of Maria da Penha Law), better public services (Casas da Mulher), and data transparency.

Research & data systems to assess the incidence of GBV are improving (UN/World Bank/academic involvement), but the UN reports highlight fragmentation and political/budgetary setbacks that limit consistent, high-quality monitoring. Helplines and Maria da Penha services have been around for years and show clear value for access and reporting. Newer expansions (Casa da Mulher rebuild since 2023; Pacto Nacional 2023 decree) are recent and show service

outputs, but long-term impact evaluations are delayed. UN reporting and academic literature repeatedly call for better outcome metrics, consistent funding, and integrated data to measure effectiveness reliably. The main gaps and caveats include implementation & regional inequality, as many nationally framed policies depend on state/municipal rollout, making coverage uneven. Additionally, evaluation evidence is limited for many prevention activities (school curricula, perpetrator programs at scale). There are promising pilots and qualitative reports, but a scarcity of large, rigorous impact evaluations. Some programs, such as the Salvador pilot supported by the World Bank, have been carefully evaluated and show promising results. However, these findings come from limited locations and haven't yet been replicated broadly. Regarding data fragmentation and political, budgetary context, the UN and other bodies note that institutional changes and budget cuts in recent years have affected monitoring and the continuity of some prevention programs.

**Further resources:**

- <https://www.gov.br/mulheres/pt-br/aceso-a-informacao/acoes-e-programas/casa-da-mulher-brasileira>
- <https://www12.senado.leg.br/noticias/materias/2021/06/11/nova-lei-inclui-combate-a-violencia-contr-a-mulher-no-curriculo-escolar>
- [https://bvsms.saude.gov.br/bvs/publicacoes/guia\\_atendimento\\_mulheres\\_situacao\\_viol%C3%A2ncia\\_aps.pdf](https://bvsms.saude.gov.br/bvs/publicacoes/guia_atendimento_mulheres_situacao_viol%C3%A2ncia_aps.pdf)
- [https://www.unwomen.org/sites/default/files/2024-09/b30\\_report\\_brazil\\_en.pdf](https://www.unwomen.org/sites/default/files/2024-09/b30_report_brazil_en.pdf)
- <https://www.scielo.br/j/sausoc/a/BkkGwctw6WzsBbJbxSbPsNq/?format=pdf&lang=en>
- <https://www12.senado.leg.br/noticias/materias/2020/04/06/agressores-de-mulheres-deve-rao-ser-reeducados-determina-nova-lei>
- <https://www.mapadoacolhimento.org/>
- <https://www.gov.br/mec/pt-br/assuntos/noticias/2025/maio/campanha-do-mec-visa-combater-a-violencia-sexual-nas-escolas>
- <https://documents1.worldbank.org/curated/en/099061624200023466/pdf/P174836-eff4662c-d828-4576-bcbc-34c12155bf1e.pdf>



## Country Overview: Canada

### Policy

#### **If there are clear laws prohibiting sexual assault, which apply and are commonly used?**

There are, primarily the Criminal Code of Canada, which defines sexual assault as “an assault committed in circumstances of a sexual nature such that the sexual integrity of the complainant is violated.” Applicable sections of the Criminal Code of Canada (Criminal Code, R.S.C., 1985, c. C-46) include Section 271 – Sexual Assault; Section 272 – Sexual Assault with a Weapon; Section 273 – Aggravated Sexual Assault; Section 151 – Sexual Interference; Section 152 – Invitation to Sexual Touching; and Section 162.1 – Non-Consensual Distribution of Intimate Images.

#### **How does the law specify the victim's gender?**

Gender neutral language is used, not specifying the victim's gender.

#### **How does the law specify the perpetrator's gender?**

Gender neutral language is used, not specifying the perpetrator's gender.

#### **Is the law force-based or consent-based?**

Laws are consent-based, defining consent as a voluntary agreement of “the complainant” to specific sexual activity. This definition includes that consent is invalid in cases including: consent is expressed by someone else; incapacitation; consent is obtained through abuse of trust, power, or authority; the complainant expresses a lack of agreement, or initially agrees but later withdraws consent.

#### **What acts are prohibited under these laws?**

Acts are generally prohibited in 2 different sections, with consideration of aggravating factors for the determination of the offense's severity. The first is non-penetrative acts, which are defined by Section 271 as willful sexual touching over or under clothing. The second is penetrative acts, which are defined by Sections 271-273 as encompassing all types of penetration, including vaginal, anal, and oral penetration, or penetration with an object.

#### **To what extent does the law prohibit sexual assault by a spouse?**

The law prohibits sexual assault regardless of marital status. The 1983 reforms to the Code abolished spousal immunity.

#### **To what extent does the law prohibit sexual assault by an intimate partner?**

The law prohibits sexual assault regardless of an existing relationship.

#### **To what extent does the law prohibit domestic violence?**

The law prosecutes acts of domestic or intimate-partner violence through existing offenses in the Criminal Code. Applicable offenses include Section 265 – Assault; Sections 271-273 – Sexual Assault; Section 264 – Criminal Harassment; Section 279(2) – Forcible Confinement; and Section 264.1 – Uttering Threats.

#### **If same-sex sexual activity is illegal in this country, how is sexual assault on someone of the same sex handled by the law?**

Consensual same-sex sexual activity is legal.





### **To what extent is sexual assault on a sex worker prohibited?**

There are no separate or specific protections for sex workers. There are additional laws prohibiting purchasing, advertising, and receiving material benefits from sexual services.

### **How do laws prohibit sexual violence enacted on children?**

Section 150.1 defines the age of consent as 16 years old. Sexual offenses involving minors are explicitly criminalized, exempting “close-in-age” exemptions. Applicable sections criminalizing sexual offenses involving minors include Section 151 – Sexual Interference; Section 152 – Invitation to Sexual Touching; and Section 153 – Sexual Exploitation.

### **Protocol**

#### **What resources are available?**

Across the country, sexual assault centres, usually funded by the provinces, run 24/7 hotlines, provide free counselling, and have advocates who will go with a survivor to the hospital or to talk with police. These centres fill a role similar to RAINN in the U.S., offering both emotional and practical support. Survivors can access individual counselling, group therapy, crisis intervention, and emotional support through both provincial victim-services offices and sexual assault centres. These services are usually free or low-cost and help survivors navigate both the healing process and any justice steps they choose to take.

Canadian hospitals often rely on Sexual Assault Nurse Examiners (SANEs) who are specifically trained to work with survivors in a trauma-informed way. Their job is to make the medical exam as gentle and survivor-controlled as possible, whether someone wants evidence collected or just needs medical care. In many places in Canada, survivors can have a SANE kit completed without immediately reporting to police. For example, Nova Scotia lets evidence be stored for a period of time, giving survivors room to breathe before deciding whether they want to move forward legally. Programs like the Nova Scotia SANE program give survivors the ability to stop or opt out of parts of the medical or forensic exam at any time; they don’t have to complete every step if they don’t want to.

Hospitals offer medical care such as STI testing, emergency contraception, injury treatment, and forensic evidence kits, typically without charging survivors. And importantly, survivors can receive this care without having to make a police report right away.

Canadian police receive mandatory training on how to interview survivors respectfully, understand consent laws, and use trauma-informed methods. People who work with youth, like teachers and school staff, are also trained to spot signs of abuse and know how to respond, especially when children are involved. Many police departments also have victim-service workers who walk survivors through what happens during an investigation, help write statements, assist with safety planning, and accompany them to court if needed.

Through the federal Victims Fund, survivors can receive financial assistance to attend parole hearings or other justice-related events. This support helps cover travel costs, meals, and even the cost of bringing someone they trust with them. Canada has rape shield laws that prevent a survivor’s past sexual history from being used against them in court. These



protections are meant to keep the focus on the incident itself instead of allowing harmful stereotypes to influence a trial.

In many Indigenous communities, survivors may choose community-based healing approaches, like circle processes, working with Elders, or using traditional practices. These options offer a culturally grounded alternative to the formal legal system.

Organizations such as the Ending Violence Association of Canada (EVA Canada) help set national standards for frontline workers and train service providers across the country. Their work helps ensure that survivors receive consistent, compassionate support no matter where they live. The CBSA (Canada Border Services Agency) has formal guiding principles that commit to treating survivors with dignity and integrating trauma- and violence-informed approaches into its policies.

**Further resources:**

- <https://www.canada.ca/en/office-federal-ombudsperson-victims-crime/services-services.html>
- <https://www.justice.gc.ca/eng/rp-pr/cj-jp/victim/rd17-rr17/p3.html>
- <https://endingviolencecanada.org/sexual-assault-centres-crisis-lines-and-support-services/>
- <https://sexualassaultsupport.ca/>
- <https://www.nshealth.ca/sane>
- <https://nwac.ca/>

## Procedure

### **What does the justice system procedure look like?**

Survivors can report sexual assault at any time because there is no statute of limitations for serious offences like sexual assault. This means a case can move forward even years after the incident if evidence is available. Sexual assault cases start in criminal court when police receive a report and begin an investigation, gathering statements and evidence before sending the file to the Crown prosecutor to decide on charges. Survivors can also choose to file a civil lawsuit to seek financial compensation for the harm they suffered. This is separate from the criminal system and does not require a criminal conviction, meaning someone can pursue money damages even if no one is criminally charged.

Even when a report is made, many cases do not result in charges because the Crown prosecutor must believe there is a reasonable chance of securing a conviction before proceeding. Trials rarely rely only on physical evidence. Courts often depend heavily on the survivor's testimony and how consistent and credible it appears, since sexual assaults often happen in private.

Medical exams are optional. While a forensic exam can help collect evidence like DNA, survivors can also pursue a criminal case using written statements, text messages, or witness accounts. Police reports are required to start a criminal investigation, but survivors do not need



to report to the police to access support. Many organizations and programs provide counseling, safety planning, and other help even if the survivor never contacts law enforcement.

Criminal cases in Canada require proof “beyond a reasonable doubt,” which is the highest legal standard in the country. This makes convictions possible but can be challenging when there are few witnesses or limited physical evidence.

Police culture varies across Canada. Some services use trauma-informed practices to treat survivors respectfully and investigate thoroughly, while others may handle cases inconsistently or show bias, affecting whether survivors feel safe reporting. Many police departments take an active role, following up on leads, interviewing witnesses, and recommending charges when the evidence supports it. However, this level of diligence is not always consistent across regions. In some cases, police responses can be counter-active, meaning reports are dismissed, not fully investigated, or mishandled. This can lead to public mistrust and make survivors feel unsupported.

Statistics Canada data show that out of all sexual assaults reported to police between 2015 and 2019, only about 36% resulted in charges being laid, and once those cases reached court, only 48% ended in a conviction. These drop-off rates highlight how difficult it is for sexual-assault cases to meet the high legal standard of proof required in Canada. There are low conviction rates in Canada that have been known to be linked to systemic issues, such as inconsistent police training, societal myths about sexual violence, limited evidence, and slow court processes, rather than the credibility of survivors themselves.

Many regions in Canada are working to improve the system by providing trauma-informed training for police, assigning specialized prosecutors for sexual assault cases, and giving survivors access to independent legal support, making reporting safer and more supportive.

**Further resources:**

- [https://publications.gc.ca/collections/collection\\_2021/jus/J2-500-2018-eng.pdf](https://publications.gc.ca/collections/collection_2021/jus/J2-500-2018-eng.pdf)
- <https://www.ppsc-sppc.gc.ca/eng/pub/ptj-spj/ch9.html>
- <https://scics.ca/en/product-produit/reporting-investigating-and-prosecuting-sexual-assault-s-committed-against-adults-challenges-and-promising-practices-in-enhancing-access-to-justice-for-victims/>
- <https://www.inspq.qc.ca/en/sexual-violence/legislation/judicial-process>
- [https://crcvc.ca/wp-content/uploads/2016/05/A-Victims-Guide\\_Jan2016.pdf](https://crcvc.ca/wp-content/uploads/2016/05/A-Victims-Guide_Jan2016.pdf)
- <https://laws-lois.justice.gc.ca/eng/acts/c-46/section-276.html>

**Prevention**

**What is being done to prevent these issues?**

Canada has a 10-year National Action Plan to End Gender-Based Violence that brings together governments, communities, and organizations to stop sexual violence before it happens. The federal Gender-Based Violence Strategy invests over \$820 million to support prevention, help victims, and make the justice system respond better to cases. The government



funds the Gender-Based Violence Research Initiative to learn what works best in preventing sexual assault and to improve programs based on real evidence.

Schools are teaching students about consent, healthy relationships, and how to safely intervene if they see risky behavior, helping prevent sexual violence early. Teachers and school staff in some provinces get special training to spot and respond to signs of abuse, so they can support students safely and effectively. Programs like the Online Dangers Roadshow show middle-school students how to stay safe online and avoid situations like sexual exploitation or cyberbullying. Campaigns such as “It’s Not Just” educate young people aged 14–24 about consent, boundaries, and what healthy relationships look like. Many of Canada’s newer prevention initiatives, such as school-based consent education, bystander-intervention training, and federal gender-based violence prevention programs, are still too recent to fully measure their long-term impact. However, the government and partner organizations actively monitor these programs so they can evaluate what works and improve them over time.

First responders, social workers, and healthcare professionals are getting training on trauma-informed care, so victims are treated with understanding and respect instead of being blamed or retraumatized.

Canada supports programs such as White Ribbon Canada, the Moose Hide Campaign, and the Draw the Line education initiative, all of which focus on engaging men and boys to challenge harmful ideas about masculinity, promote respect, and help prevent sexual violence in their schools and communities.

Some programs focus on system-level changes, such as Canada’s National Housing Strategy, poverty-reduction initiatives, and violence-prevention frameworks, that strengthen social supports and reduce vulnerability to sexual violence in the first place

In Indigenous and remote communities, sports and mentorship programs are used to teach respect, equality, and teamwork, which can reduce violence and build stronger communities.

In Ontario, community-led projects receive funding to create culturally appropriate programs that work for Indigenous, newcomer, and other marginalized communities.

Activism in Canada includes public education campaigns and efforts to improve laws, making it safer for survivors to come forward and hold offenders accountable. Public awareness campaigns like Draw the Line, It’s Time to Act, and #WhoWillYouHelp aim to change how society thinks about consent, gender roles, and sexual violence by encouraging people to speak up and act responsibly.

Organizations like SIECCAN include sexual violence prevention in sexual health education, teaching young people about respect, consent, and safe communication.

Certain rehabilitation programs, such as Canada’s Sex Offender Treatment Programs (SOTPs) offered in federal prisons and community supervision, focus on helping offenders understand the roots of their behavior, build healthier coping skills, and reduce their risk of reoffending

#### **Further resources:**





- <https://www.canada.ca/en/women-gender-equality/gender-based-violence/gender-based-violence-strategy.html>
- <https://www.canada.ca/en/women-gender-equality/gender-based-violence/intergovernmental-collaboration/national-action-plan-end-gender-based-violence/national-action-plan-end-gender-based-violence-overview.html>
- <https://www.ontario.ca/page/ontario-stands-standing-together-against-gender-based-violence-now-through-decisive-actions-prevention-empowerment-supports>
- <https://www.canada.ca/en/women-gender-equality/gender-based-violence/gender-based-violence-strategy/progress-report-2022-2023-2024>
- <https://www.canada.ca/en/public-health/news/2023/12/government-of-canada-invests-in-new-tool-for-educators-to-prevent-gender-based-violence.html>



## Country Overview: China (Mainland)

### Policy

#### **If there are clear laws prohibiting sexual assault, which apply and are commonly used?**

There are, primarily outlined in the Criminal Law of the People's Republic of China (PRC). Applicable articles from the Criminal Law of PRC include Article 236 – Rape (qiangjian); Article 237 – Indecent Assault (wurufa). Additionally, the Civil Code of the PRC, Article 1010, prohibits sexual harassment. The Law on the Protection of Women's Rights and Interests, Article 23 (2022), reinforces civil protections, specifically prohibiting sexual harassment against women through words, texts, images, physical actors, or otherwise against their will.

#### **How does the law specify the victim's gender?**

The Criminal Law of the PRC, Article 236, and the Law on the Protection of Women's Rights and Interests, Article 23 (2022), use gender-specific language, defining victims as women.

Criminal Law of the PRC, Article 237, and the Civil Code of the PRC, Article 1010, use gender-neutral language, not specifying the victim's gender.

#### **How does the law specify the perpetrator's gender?**

The Criminal Law of the PRC, Article 236, uses gender-specific language, specifying the perpetrator as male. Given the historical context and legal tradition of rape, under Article 236, it is generally understood to be male-on-female rape, where the perpetrator is a male.

The Criminal Law of the PRC, Article 237; Civil Code of the PRC, Article 1010; and Law on the Protection of Women's Rights and Interests, Article 23 (2022) all use gender-neutral language, not specifying the perpetrator's gender.

#### **Is the law force-based or consent-based?**

Laws use a mixed approach of consent and force-based implications in sexual assault and rape cases. For adult victims, there is a force-based model adopted in the Criminal Law of the PRC, Articles 236-237. For child victims, there is a de facto consent-based model adopted, as in the Criminal Law of the PRC, Article 236, which criminalizes engaging in sexual intercourse with a girl younger than 14 years old. Also, the Civil Code of the PRC, Article 1010, and Protection of Women's Rights and Interests, Article 23, prohibit sexual harassment that is against the victim's will.

#### **What acts are prohibited under these laws?**

The Criminal Law of the PRC, Articles 236-237, criminalize assault, unwanted touching and molestation, and anal and oral penetrative acts. The Civil Code of the PRC, Article 1010, prohibits nonconsensual misconduct constituting sexual harassment, regardless of the usage of physical assault, specifically verbal remarks, written language, images, and physical acts.

#### **To what extent does the law prohibit sexual assault by a spouse?**

The law prohibits sexual assault regardless of marital status.

#### **To what extent does the law prohibit sexual assault by an intimate partner?**



The law prohibits sexual assault regardless of an existing relationship.

**To what extent does the law prohibit domestic violence?**

The Anti-Domestic Violence (ADV) Law of the PRC explicitly prohibits 2 forms of abuse in a broad range of relationships beyond formal marriage, including family members (relatives) and cohabiting partners. The first kind of abuse is physical violence: beating, trussing, injury, and restraint, and forcible limits on personal freedom. The second kind of abuse is emotional and coercive abuse: recurrent verbal abuse and threats. While the ADV Law provides civil and preventive measures, the most severe domestic violence acts that result in criminal sanctions must meet the criteria for a separate offense under the Criminal Law of the PRC, such as intentional injury or intentional homicide.

**If same-sex sexual activity is illegal in this country, how is sexual assault on someone of the same sex handled by the law?**

Consensual same-sex sexual activity is legal.

**To what extent is sexual assault on a sex worker prohibited?**

Criminal Law Article 241 prohibits the purchasing of an abducted woman and forcing her to have sexual intercourse, mandating perpetrators of this Article must be convicted and punished under the primary rape statute, explicitly recognizing a sex worker's right to protection and the fundamental impossibility of consent when coercion is involved. Additionally, the Public Security Administration Punishment Law Article 66 prohibits the purchase and sale of sexual services.

**How do laws prohibit sexual violence enacted on children?**

The statutory age of consent is 14 years old. The Criminal Law of the PRC, Article 236 (Clause 2), criminalizes sexual intercourse with a girl under 14, defining it as rape. Criminal Law of the PRC Article 237 prohibits molestation and non-penetrative sexual assault with gender-neutral language, not specifying the gender of the victim or perpetrator. The most severe penalties are typical for female victims of penetrative acts under Act 236, and male children who are victims of any sexual assault are generally prosecuted under the lower-sentence, non-penetrative provisions of Article 237.

**Protocol**

**What resources are available?**

Specialized emergency shelters, such as the "Nesting House" operated by the Yunnan Mingxin Center, provide immediate, confidential physical security for survivors. These shelters operate in undisclosed locations, a critical protocol designed to ensure the physical safety and privacy of high-risk survivors from potential perpetrators. Providing immediate, secure temporary housing is foundational for survivor recovery, allowing victims to stabilize their lives free from imminent threat. The operation of such specialized facilities fills a vital gap by offering trauma-informed physical security that demands high levels of confidentiality and resources. This resource confirms that non-governmental organizations are addressing the essential need for physical protection in the aftermath of violence.



Specialized psychological counseling and crisis support are available through dedicated hotlines operated by both state-affiliated and independent organizations. Emotional and counseling support is accessible through multiple hotlines operating within the country's psychological support framework. The state-affiliated All-China Women's Federation (ACWF), a major government organization, operates the public service hotline 12338 for survivors. Crucially, non-governmental groups like the Maple Women's Psychological Counseling Center in Beijing offer immediate, free crisis counseling support via their dedicated Maple Women Hotline. This network ensures multiple access points for survivors seeking initial emotional help.

Civil society organizations (CSOs) like the Yunnan Mingxin Social Work Center operate as non-governmental providers, offering specialized, multi-faceted aid to GBV survivors. This particular center provides comprehensive support, including an abuse hotline and personalized social worker assistance. These local organizations act as a crucial safety net, delivering tailored and confidential services that complement broader government efforts. By operating outside of traditional state bureaucracy, they can offer more flexible, grassroots support to help survivors navigate both immediate crisis and long-term recovery. Their vital role ensures that victims have access to sustained, non-judgmental assistance when state services may be inaccessible or insufficient.

The Anti-Domestic Violence Law (ADVL) establishes a civil protective measure, the Personal Safety Protective Order (PSPO), providing crucial judicial intervention against abusers. The ADVL, which came into force in March 2016, created a key civil legal tool known as the Personal Safety Protective Order (PSPO) to provide judicial protection to survivors facing imminent threats. These orders are intended to quickly restrict the abuser's behavior, ensuring the survivor's safety through a court decree.

There is a recognized, urgent need for mandatory, regular training to sensitize and build the capacity of police and judiciary personnel in handling gender-based violence cases. This required capacity building is necessary because progressive legislation is ineffective if those implementing it hold judgmental attitudes or lack the proper tools for a sensitive response. Training must be provided to all police officers, lawyers, and judges, focusing on the nature and consequences of GBV to counteract deep-seated, gender-inequitable beliefs. Police, as the first point of contact, must be trained on how to receive reports non-judgmentally and how to direct women to counseling or medical attention. This training mandate is critical for ensuring that supportive measures, like referral and protection order assistance, are implemented consistently and sensitively nationwide.

Police officers are mandated and trained under supportive policing protocols to refer survivors of intimate partner violence to specialized community resources like shelters or Women's Federations. This required referral mechanism is a key supportive intervention designed to empower survivors by connecting them directly with necessary external resources for safety and ongoing help. This protocol ensures that law enforcement's role extends beyond immediate intervention to confirming that sustained support is accessible through external social service organizations. Surveys indicate that a significant number of trained officers comply with



this protocol by referring victims to specialized shelters. This essential resource helps victims make informed choices about their safety while bridging the gap between police response and necessary social services.

Supportive policing protocols require officers to either provide or refer victims of domestic violence to counseling services to address their psychological trauma and stress. Counseling is recognized as a vital mechanism for addressing the psychological impact of violence in a cultural context where emotional support often carries stigma. By facilitating access, officers help survivors cope with stress and anxiety, manage the trauma, and develop long-term strategies for recovery. Although the availability and quality of these services vary across the country, the formalized expectation for police involvement in facilitating counseling demonstrates a clear policy commitment to addressing the psychological impact of violence. This non-coercive, supportive measure is key to the victim's holistic well-being and recovery process.

Cases involving juvenile sexual violence victims are required to be handled by special departments or personnel, with specific requirements for legal aid. This mandate ensures that the sensitive physical and mental characteristics of juvenile victims are considered throughout the investigation and judicial processes. Special departments are tasked with handling these cases and ensuring that evidence collection and interviewing techniques minimize trauma. Furthermore, legal aid agencies must assign lawyers who are specifically familiar with the characteristics of juveniles, ensuring they receive knowledgeable and empathetic representation. This protocol confirms a systemic commitment to providing heightened protection and specialized judicial handling for the most vulnerable survivors.

The national-level Red Maple Hotline (010 6833 3388) serves as a primary contact point for survivors seeking initial emergency emotional support and guidance. This centralized, nationally advertised hotline signifies a state-recognized commitment to providing initial emotional support and directing individuals toward relevant professional intervention. The hotline's national availability ensures a minimum standard of crisis counseling is accessible immediately, offering a first step in breaking the isolation that often accompanies abuse. The operational scope is critical for reaching survivors outside major metropolitan areas where specialized resources may be sparse. This resource is a foundational element of the country's crisis infrastructure, offering immediate confidential assistance.

Provincial government entities, such as the Hunan Women's Federation Hotline (0898-12338 or 0898-12345), provide specialized regional crisis support and rights advocacy. This dedicated service illustrates a strategy of decentralizing immediate response capability, allowing for locally contextualized support that is tailored to specific provincial needs. Advocates operating these provincial lines are often familiar with local police procedures, judicial systems, and available shelters within the immediate jurisdiction, making the support highly relevant. The focus on women's rights advocacy alongside domestic violence support helps survivors navigate both the immediate crisis and the broader systemic challenges they face.





The National Public Health Hotline (+86-10-12320) provides access to general psychological hotlines that offer broad mental health support to the public, including survivors of violence. This generalized resource ensures that even when specialized GBV hotlines are overwhelmed or unavailable, psychological assistance remains accessible via a state-affiliated channel. The line addresses a wide range of mental health crises, providing crucial psychological first aid and emotional support. While the counseling may be general rather than specialized, it ensures immediate support for managing the stress and anxiety associated with the crisis.

**Further resources:**

- <https://www.hotpeachpages.net/asia/index.html>
- <https://findahelpline.com/countries/cn>
- <https://www.heforshe.org/en/how-men-and-boys-can-help-women-survivors-gender-based-violence-shu-hangs-story>
- <https://pmc.ncbi.nlm.nih.gov/articles/PMC11283750/>
- [https://china.unfpa.org/sites/default/files/pub-pdf/6.Research%20on%20Gender-based%20Violence%20and%20Masculinities%20in%20China%20\\_Quantitative%20Findings.pdf](https://china.unfpa.org/sites/default/files/pub-pdf/6.Research%20on%20Gender-based%20Violence%20and%20Masculinities%20in%20China%20_Quantitative%20Findings.pdf)
- [https://en.spp.gov.cn/2023-05/25/c\\_944192.htm](https://en.spp.gov.cn/2023-05/25/c_944192.htm)
- <https://cdn.icmec.org/wp-content/uploads/2020/08/ICMEC-China-National-Legislation-updated-8-2020.pdf>
- [https://law.yale.edu/sites/default/files/area/center/china/document/domesticviolence\\_final\\_rev.pdf](https://law.yale.edu/sites/default/files/area/center/china/document/domesticviolence_final_rev.pdf)
- <https://nomoredirectory.org/china/>

**Procedure**

**What does the justice system procedure look like?**

Mainland China operates a structured judicial system with People's Courts handling both civil disputes and criminal prosecutions across four administrative levels. The court structure includes basic, intermediate, higher, and Supreme People's Courts, which collectively adjudicate the full range of legal disputes. These courts have separate criminal, civil, and economic divisions to manage distinct case types, offering multiple legal avenues for survivors. A criminal case aims to punish the perpetrator with imprisonment or fines, while a civil case, like one for sexual harassment, seeks compensation for the victim. This dual system means survivors have options for redress, whether they seek state punishment or personal compensation.

The Civil Code establishes a clear framework allowing victims of sexual harassment to bring civil claims directly against perpetrators for compensation. This provision offers an essential legal recourse that is separate from the more challenging criminal prosecution process. Harassment is broadly defined to include words, text, images, physical conduct, or other means, broadening the scope of actionable conduct. Victims can pursue damages and formal acknowledgement of harm through the courts, circumventing the need to meet the strong



evidence threshold required for a criminal conviction. Although procedural rules for these civil claims are not fully detailed, the mandate offers a powerful legal tool for victims to seek justice.

The law includes the crime of "forcible indecency", which covers molesting a victim through violence, coercion, or other means. This charge is distinct from rape (sexual intercourse) but allows for the criminal prosecution of other forms of sexual molestation achieved through force or coercion. Whoever molests a child is subject to a heavier penalty under this provision. This legal mechanism ensures that sexual abuse that does not involve penetration can still be pursued criminally, broadening the justice system's ability to prosecute various forms of sexual violence.

Victims of sexual violence, particularly minors, can seek civil remedies for personal injury, covering related financial expenses. This means that a victim can seek compensation for reasonable costs incurred due to the abuse, such as medical expenses, nursing expenses, and transportation costs. This resource provides a practical financial safety net for survivors and their families, ensuring they do not bear the full financial burden of the physical consequences of the crime. The ability to secure these civil remedies offers a form of redress and financial acknowledgement of the harm, independent of the perpetrator's criminal punishment.

A survivor can receive a medical forensic examination (or "rape kit") from a designated hospital or doctor without being required to report the crime to the police first. If a survivor chooses not to report the crime immediately, the medical examination will still be conducted by doctors to treat injuries and address health risks. However, if the survivor later decides to pursue a criminal case, they must check whether the police will accept the doctor's report as evidence. This procedural separation allows victims to prioritize their immediate health and emotional needs without being forced into an immediate legal decision. The examination usually involves evidence gathering, specimen collection, and photographing injuries.

Recent legislative mandates require police to adopt a more supportive and active approach, specifically focusing on non-coercive assistance for domestic violence (DV) victims. Under the Anti-Domestic Violence Law, officers are trained to offer supportive services, which include referring victims to shelters and counseling, and assisting them in filing for Personal Safety Protection Orders (PSPOs). This supportive intervention is designed to empower victims and link them directly to necessary community resources. Key findings show that over half of trained officers comply with these supportive referral and protection order assistance protocols. This policy direction marks a clear shift toward an active and supportive police role, though implementation remains uneven.

The utilization of the police as a viable resource remains low, with cultural pressures strongly influencing a victim's decision not to report. Studies estimate that for every reported sexual crime in China, there are likely seven that go unreported, indicating a vast number of cases that never enter the justice system. This reluctance is often attributed to the desire to protect one's "face" (mianzi), a Chinese cultural concept related to social status and prestige. Low reporting rates mean that the overwhelming majority of perpetrators are never investigated or prosecuted, greatly undermining the system's effectiveness.



The criminal legal standard for rape requires proof that the perpetrator used "violence, coercion, or any other means" to achieve sexual intercourse with the victim. The phrase "any other means" is significant because judicial practice has broadly interpreted it to include acts of deception or fraudulent sex. This includes punishing sexual acts secured through religious or medical fraud or by impersonating a spouse as rape. This broad legal interpretation reflects the system's focus on attaining the "desired legal outcome" of punishing fraudulent acts that violate bodily autonomy. The system prioritizes protecting victims from deception, even if it means moving beyond a strict definition of physical force.

When the courts release judicial judgment documents related to rape or molestation of a minor, there is a legal prerequisite to protect the victim's privacy. This measure attempts to balance the need for judicial transparency and public accountability with the critical imperative of safeguarding vulnerable survivors. The court must ensure that the minor victim's personal information is protected in accordance with the law before public release. This policy confirms that privacy protection is a formal legal requirement in these sensitive cases, minimizing the risk of re-victimization through public exposure after the legal process concludes.

The Anti-Domestic Violence Law mandates the creation of a centralized platform for collecting, analyzing, and sharing DV case information among police, courts, and social services. This systemic procedure is essential for directing targeted legal and service responses, as it allows authorities to create comprehensive risk profiles for individual victims. By collating data from multiple sources, including police reports, court records, and Women's Federation complaints, the platform provides a holistic view of the prevalence and context of abuse. This mandated data infrastructure improves governmental accountability and helps policymakers allocate resources effectively by identifying systemic trends.

The Civil Code requires that employers establish and implement appropriate reporting and investigation mechanisms for sexual harassment in the workplace. This is a procedural mandate that places an affirmative statutory duty on institutions to prevent harassment, rather than merely reacting to it. While the manner of enforcement remains unclear, an employer's failure to implement these steps may lead to civil liability, compelling organizations to create internal accountability protocols. This resource forces institutions to proactively manage risks and is a key procedural element for addressing workplace abuse of power.

**Further resources:**

- <https://ogletree.com/insights-resources/blog-posts/chinas-new-civil-code-cracks-down-on-sexual-harassment-and-protects-individual-privacy-rights/>
- <https://www.gov.uk/government/publications/information-for-victims-of-rape-and-sexual-assault-in-china/china-information-for-victims-of-rape-and-sexual-assault>
- <https://academiccommons.columbia.edu/doi/10.7916/2w3e-r919/download>
- <https://pmc.ncbi.nlm.nih.gov/articles/PMC11283750/>
- <https://www.emeraldgrouppublishing.com/opinion-and-blog/you-should-not-wear-skirt-anymore-reasons-behind-underreported-rape-rates-china>



## Prevention

### **What is being done to prevent these issues?**

China has established comprehensive national laws to combat domestic violence, signaling a national commitment to prevention. The 2016 Anti-Domestic Violence Law and subsequent updates to the Criminal Law and other protective legislation have created a strong legal basis for intervention. These laws are important because they officially recognize violence as a serious crime, moving it away from being seen as a private family matter and establishing it as a public issue that requires government action. This legal commitment provides the necessary foundation for police, courts, and social workers to legally step in and protect victims. The country's adoption of these measures aligns it with international standards for comprehensive domestic violence protection.

Training for essential personnel like police officers is successful only in areas where local authorities make it a major priority. Anti-domestic violence programs have worked best in regions where local government leaders actively prioritize the issue and ensure police and other staff receive strict training and work requirements. Unfortunately, there is no centralized system to monitor progress or hold public security departments accountable across the entire country. This organizational gap means that the quality of response and the effectiveness of prevention training are highly unreliable and vary significantly from one jurisdiction to the next. This fragmentation severely limits the overall national impact of critical prevention initiatives.

The Chinese government is mobilizing mandatory training for teachers and other duty-holders, following a formal demand from the highest prosecuting body. This mobilization is effective in achieving structural change, evidenced by the positive response from the Ministry of Education and 26 provinces to the Supreme People's Procuratorate's proposal. The commitment that followed included the mobilization of mandatory training for teachers responsible for sex education, signaling a high-level government acceptance of responsibility for prevention. The Chinese government thus utilizes judicial mandates to shift government resources and priorities toward specific prevention training for duty-holders.

National rules now require all schools to set up mandatory systems to prevent sexual harassment and assault among students. The Ministry of Education published regulations to enforce the updated Law on the Protection of Minors, which means schools must now establish official prevention procedures. These rules also stress the importance of providing comprehensive sexuality education aimed at increasing children's ability to protect themselves from harm. This strategy is a crucial form of primary prevention, working to proactively create a safer atmosphere within schools and teach children critical self-defense awareness. By making prevention a required, systematic part of the school environment, these rules guarantee that every child is exposed to essential safety information.

School lessons must now include specific topics like how to identify child abuse and how to resist human trafficking. The official curriculum requires that age-appropriate concepts are taught at different levels; for example, younger children learn to recognize child sexual abuse and understand that it is a serious, illegal act. As students get older, they are taught about the



criminal nature of trafficking and how to resist being victimized by the trafficking of women and children. These focused modules are a form of direct primary prevention, designed to build a child's awareness of dangerous situations and criminal behaviors. By making these concepts mandatory, the education system ensures that every student develops key knowledge for self-protection.

Targeted prevention education programs aimed at very young children have been scientifically proven to increase their knowledge and self-protection abilities. One study evaluating sexual abuse prevention education for preschool children found that those who participated learned more about prevention and showed greater self-protection skills compared to other children. This scientific finding confirms that targeted, well-designed programs can indeed achieve positive changes in children's knowledge and behavior. The success of these localized interventions demonstrates the national potential to create and deploy effective tools like the "Chinese Doll Program". The major task now is to take these successful small-scale efforts and make them standard practice nationwide.

Programs focusing on women's income and business skills act as a clever way to prevent violence by reducing their vulnerability. With support from organizations like UN Women, certain projects train high-risk women in valuable skills such as agriculture and business management to help them earn an income. For groups like "left-behind girls", whose parents work in cities, this economic empowerment means they don't have to walk long distances alone to fetch food or supplies, which reduces their exposure to dangerous situations. This strategy is a sophisticated form of primary prevention, tackling the root causes of risk by improving a woman's economic and physical security. By changing the physical and financial environment, the risk of violence is structurally lessened.

The national #MeToo movement was highly effective in achieving a major victory by forcing sexual harassment to be officially included in national law. Despite facing significant censorship and political opposition, activists' sustained pressure led to a limited but meaningful government response. The most significant outcome was the 2022 Civil Code, which provided a more specific definition of sexual harassment and broadened legal protection to include men as potential victims. The Supreme Court also added sexual harassment to the official list of "causes of action" in 2018, making it easier for victims to seek justice in court. This illustrates the movement's powerful influence on securing top-down legal reform.

The government-affiliated All China Women's Federation (ACWF) manages a long-running national hotline to provide essential help for gender-based violence and also actively works to promote improvements in laws related to women's rights.

Non-governmental organizations (NGOs) offer specialized legal and emotional help, specifically providing prevention resources for groups like the LGBTIQ community. Various independent NGOs, such as the Beijing Qianqian Law Firm and the Equality Women's Rights and Interest Hotline, provide specific services like legal assistance, emotional support, and case management. These organizations are essential because they often focus on GBV prevention and response that is specifically tailored for marginalized groups, including the LGBTIQ





community. This specialized support fills critical service gaps that might not be fully addressed by standard state-affiliated programs. By providing tailored resources and raising specific awareness, these groups ensure that high-risk individuals can access the help they need.

The primary goal for treating convicted criminals in the Chinese prison system is based on the philosophy of "Education and Reform". Under this approach, programs for offenders focus on modifying their behavior and providing moral instruction to prepare them for life after prison. A key element is promoting healthy family functioning, often by involving social assistance volunteers who provide support and encouragement to the incarcerated individuals. This strategy aims to prevent them from reoffending, a concept known as tertiary prevention, by helping them rebuild their lives and successfully integrate back into their communities. The system seeks to change the underlying person rather than just relying on punishment.

Global human rights bodies have urged China to create a central system for tracking violence data, like an Observatory of Femicide, to improve prevention strategies. The UN Women's Rights Committee specifically highlighted the need for this Observatory of Femicide to accurately count and analyze violence-related deaths. Without a dedicated, centralized system to track violence, government leaders cannot figure out the true extent of the problem or know where to send resources for prevention efforts. This lack of national surveillance makes it very difficult to measure if existing laws and programs are actually working, forcing policies to be reactive instead of targeted and proactive. Establishing this system is crucial for creating evidence-based policies that truly protect vulnerable groups.

**Further resources:**

- <https://china.un.org/en/284346-towards-beijing-30-unite-end-violence-against-women-and-girls-16-days-commemoration-2024>
- <https://www.ohchr.org/en/press-releases/2023/05/un-womens-rights-committee-publishes-findings-china-germany-iceland-sao-tome>
- <https://pmc.ncbi.nlm.nih.gov/articles/PMC10951793/>
- <https://www.chinadailyhk.com/hk/article/231812>
- <https://usali.org/usali-perspectives-blog/the-long-road-to-ending-gendered-violence-in-china>
- <https://asiapacific.unwomen.org/en/focus-areas/end-violence-against-women/shadow-pandemic-evaw-and-covid-response/list-of-helplines>
- <https://developmentevidence.3ieimpact.org/search-result-details/impact-evaluation-repository/evaluation-of-a-sexual-abuse-prevention-education-for-chinese-preschoolers/10382>
- <https://www.hrw.org/news/2020/05/08/metoo-land-censorship>



## Union Overview: European Union

### Policy

#### **If there are clear laws prohibiting sexual assault, which apply and are commonly used?**

All the member states of the EU are bound by treaty and EU law to clearly prohibit sexual assault. The following legal measures outline the prohibition and criminalization of sexual assault:

- Council of Europe Istanbul Convention requires states to criminalize sexual violence and base offences on lack of freely given consent.
- Directive (EU) 2024/1385 aims to combat violence against women and domestic violence. Also establishes minimum rules to criminalize sexual violence, rape, female genital mutilation, forced marriage, and online sexual offences. Mandates that non-consensual sex is criminalized in every member state.
- Victims' Rights Directive (2012/29/EU) sets minimum standards of the rights, support, and protection victims shall receive across the Union.

#### **How does the law specify the victim's gender?**

Conventions and treaties do not specify the gender of the victim. However, some countries (Slovakia, Czechia, Hungary, and Bulgaria) may provide specifications of the gender of the victim, specifically focusing on male-on-female penetration.

#### **How does the law specify the perpetrator's gender?**

The EU and the Council of Europe do not provide specifications on the gender of perpetrators of sexual assault. However, some countries (Slovakia, Czechia, Hungary, and Bulgaria) provide specifications of the gender of the perpetrator, typically recognizing males as the perpetrators.

#### **Is the law force-based or consent-based?**

The legal standard for sexual assault provisions is consent-based for the EU and the Council of Europe. This standard is upheld by Article 36 of the Council of Europe Istanbul Convention (2011), Directive (EU) 2024/1385, and Directive 2011/93/EU. However, some countries (Estonia, Italy, Latvia, Romania, Bulgaria, Hungary, Lithuania, and Slovakia) still frame sexual assault and rape around force principles.

#### **What acts are prohibited under these laws?**

Article 36 of the Council of Europe Istanbul Convention (2011) states are obligated to criminalize non-consensual anal, oral, or vaginal penetration, other non-consensual acts of a sexual nature not involving penetration, and causing another person to engage in non-consensual sexual acts with a third party. However, some countries (Austria, Italy, Czechia, Slovakia, Hungary, and Bulgaria) have different practices. Directive (EU) 2024/1385 criminalizes all non-consensual sexual activity, including penetration by body parts or objects; oral copulation (mouth-to-genital contact); non-penetrative acts such as forced touching, groping, or compelled sexual behavior; specific practices like FGM and forced marriage.



### **To what extent does the law prohibit sexual assault by a spouse?**

Articles 36 and 42 of the Council of Europe Istanbul Convention (2011) and the Directive (EU) 2024/1385, Victims' Rights Directive (2012/29/EU), and the Directive 2011/93/EU, all prohibit sexual assault by a spouse/in a marriage. However, Bulgaria and Hungary have different provisions and do not explicitly prohibit marital rape.

### **To what extent does the law prohibit sexual assault by an intimate partner?**

Articles 36 and 42 of the Council of Europe Istanbul Convention (2011) and the Directive (EU) 2024/1385, Victims' Rights Directive (2012/29/EU), and the Directive 2011/93/EU, all prohibit sexual assault by an intimate partner. However, Bulgaria, Czechia, Hungary, and Slovakia have different provisions and do not explicitly prohibit rape by an intimate partner.

### **To what extent does the law prohibit domestic violence?**

Domestic violence is explicitly criminalized by Articles 3 and 33 of the Council of Europe Istanbul Convention (2011), Directive (EU) 2024/1385, and the Victims' Rights Directive (2012/29/EU). However, Bulgaria, Czechia, Hungary, and Slovakia have not ratified the Istanbul Convention.

### **If same-sex sexual activity is illegal in this country, how is sexual assault on someone of the same sex handled by the law?**

Consensual same-sex sexual activity is legal in all member states.

### **To what extent is sexual assault on a sex worker prohibited?**

There are no separate or specific protections for sex workers. Laws regarding sex work vary widely across member states. However, the frameworks of the EU and the Council of Europe prohibit sexual assault regardless of the victim's occupation.

### **How do laws prohibit sexual violence enacted on children?**

All forms of sexual assault against children are criminalized. It should be noted that the laws and ages of consent differ among member states. However, there are binding directives that set minimum standards across member states:

- Directive 2011/93/EU establishes minimum EU-wide rules criminalizing sexual abuse of children, sexual exploitation, grooming, online solicitation, and abuse facilitated via technology.
- Council of Europe Istanbul Convention (2011), Articles 33 and 36, apply to minors in domestic or intimate contexts.

## **Protocol**

### **What resources are available?**

In Europe, each country's criminal laws, education policies, and administrative rules create their own systems to cover sexual-assault prevention in schools or universities, with EU minimum standards. What most EU countries share is the Victims' Rights Directive (Directive 2012/29/EU), which sets basic rights like access to support, protection measures, and procedural info for victims of crime. But it doesn't create anything like the Title IX civil-rights



enforcement system for campuses. So policies about safe schools, university discipline, and mandatory reporting differ by country, and sometimes even by region.

The Istanbul Convention is the closest thing Europe has to a continent-wide standard for victim support and multi-agency care. The Council of Europe's Istanbul Convention (full name: Convention on preventing and combating violence against women and domestic violence) sets the main standards for how countries should support victims. Starting from Article 18, it lays out expectations for specialist services, coordination between agencies, legal protections, and trauma-informed responses. Countries that have ratified it are supposed to map out their services, fund specialist programs, and use survivor-centered protocols. The Council of Europe even provides mapping tools and practical guidance to help countries implement these standards at national and local levels. Where states follow Istanbul Convention guidelines, you usually see formal Sexual Violence Referral Centers (SVRCs) and integrated systems; where they don't, NGOs often fill in the gaps.

Trauma-informed care is widely accepted as best practice, but implementation is hit-or-miss. Being "trauma-informed" is understood as three things: (a) understanding how common and impactful trauma is, (b) avoiding re-traumatizing survivors in medical, legal, or social interactions, and (c) making sure care focuses on safety, trust, choice, collaboration, and empowerment. Many Rape Crisis Centers (RCCs), SVRCs, and specialist NGOs use trauma-informed models and train their staff accordingly. Some hospitals and police units also follow these principles in forensic exams or interviews. But multiple EU reports point out that it's inconsistently applied - training is much more common in bigger, well-funded cities or countries with strong women's NGO networks, and often missing elsewhere. So, how trauma-informed care looks in practice really depends on where you are and how services are funded.

Rape Crisis Centers (RCCs) and Sexual Violence Referral Centers (SVRCs) are the most recommended practical models. These centers usually offer a mix of services: confidential emotional support, crisis counselling, forensic/medical exams or referrals (like SANE-equivalents), legal info and court/police accompaniment, and sometimes even emergency shelter. Networks like WAVE recommend co-locating or tightly coordinating medical, forensic, psychosocial, and legal help because it prevents survivors from having to repeat their story multiple times. WAVE also suggests population-based planning (like how many centers per population) and minimum service standards. In countries where public systems are weak, NGO networks often provide most of these services.

Healthcare system responses - SANE/SVRC pathways exist, but access varies a lot. The best medical response includes things like forensic exams by trained professionals (SANEs or equivalents), evidence kits, emergency contraception, STI prevention, and trauma-informed psychosocial support. In many Western and Northern European hospitals, these services are available 24/7 in big cities. In other parts of Europe, they may only exist in certain regional hospitals, or not at all. This matters a lot: if medical-forensic care isn't easily available, evidence collection can be delayed or missed entirely, and survivors often turn to NGOs for immediate help. The Council of Europe's own mapping highlights these gaps clearly.



Police and judicial training on sexual violence is improving, but still far from universal. EU reports show that while continuing education (CPD) courses exist, most police and judiciary training on sexual violence happens through one-off projects, often NGO-led or EU-funded, instead of being built into official training programs. In countries where police academies or judicial schools have made this part of their core curriculum (covering consent-based interviewing, trauma-informed techniques, or evidence handling), outcomes and survivor experiences tend to improve. Where that training isn't standard, victims often face insensitive treatment and mishandled evidence. EIGE and other researchers have flagged this gap as a major issue.

Mandatory reporting is common for kids, but limited and debated for adults. Across Europe, professionals like teachers, doctors, and social workers are generally required to report suspected child abuse. Those systems are well-established. But for adult sexual assault, mandatory reporting is rare and controversial, mainly because of the tension between survivor autonomy, privacy, and safety. Some specific sectors (like hospitals or care homes) might have reporting rules for certain crimes, but there's no EU-wide law requiring adults' cases to be reported. That makes things complicated when survivors disclose abuse in healthcare or education settings. (For cross-border or child cases, ENVR and EU rules on cross-border victim support come into play.)

Victims' procedural rights have been strengthened under EU law, but how well they are implemented varies. The Victims' Rights Directive (Directive 2012/29/EU) sets minimum guarantees: victims must get clear information about their rights and the justice process, access to support services, protective measures, and opportunities to participate in proceedings. Most EU countries have adopted this into national law, and some have gone further with things like court screens or video testimony for vulnerable victims. Others barely meet the basics. Still, this Directive is a key advocacy tool that NGOs use to push governments for better protections.

Rape-shield laws and courtroom protections: inconsistent across Europe. Many countries now have "rape-shield" rules that limit questioning about a victim's sexual history, and special courtroom measures like screens, video testimony, or limits on cross-examination. But how strong and reliable these protections are really depends on the country. Some have clear, enforceable laws; others leave it to judges' discretion or procedural rules. Comparative studies show gradual progress toward stronger protections, but there's still major unevenness overall.

NDAs and confidentiality clauses are getting more scrutiny, but legal reforms are uneven. Confidentiality or settlement agreements in sexual violence or harassment cases are under growing criticism for silencing survivors and hiding repeat offenders. Advocacy groups and some governments are pushing to limit or ban NDAs where there's public-interest harm or criminal behavior involved. A few organizations have already started updating policies to discourage gag clauses. Still, hard legal bans remain rare and depend heavily on the country, most of the progress so far comes from advocacy rather than laws.

Counselling and psychosocial support come from a mix of public, NGO, and private providers. Emotional and therapeutic support is provided through three main channels: (a)





specialist NGOs and RCCs offering short-to-medium term trauma counselling or peer groups, (b) public mental-health services that can handle longer-term therapy (but often have waitlists), and (c) private therapists or clinics. In some countries, RCCs act as the first response and then refer people into public healthcare; in others, NGOs carry most of the load. Therapy options range from trauma-focused CBT or EMDR to group and peer-based programs, but what's available depends a lot on where you live.

Multi-disciplinary SVRCs work best when they're properly funded. When SVRCs bring medical, forensic, psychological, legal, and police services together under one roof (or coordinate tightly), survivors have fewer hoops to jump through, and evidence handling improves. Both WAVE and the Council of Europe outline what good SVRCs should include, things like immediate medical care, trained forensic examiners, and counselling, and stress that consistent funding (not just short-term grants) is key. The main barrier to wider rollout is political will and money.

Hotlines and online help are essential, but language access and 24/7 hours make the difference. National hotlines, whether NGO- or state-run, are often the first point of contact for survivors. Online chat services and directories like WAVE's "Find Help" database are also crucial for people who don't feel safe going to the police. The effectiveness of these services depends on whether they're available 24/7, offer multiple languages, and can quickly connect callers to local or emergency services. Online tools have made cross-border help easier, but language barriers and lack of coverage still leave gaps.

Community and grassroots support fill gaps where formal systems fall short. In countries where official services are underdeveloped or not trusted, grassroots groups and survivor networks often provide frontline help- from volunteer-run hotlines and legal advice to community support circles or restorative justice pilots. These can be anything from formal NGOs to informal collectives. They're vital but often underfunded and may lack consistent clinical oversight. Still, mapping reports show they're a lifeline in many areas."

Across Europe, there's a clear pattern: Northern and Western countries usually have stronger, state-funded systems with 24/7 centers and trained staff, while Eastern, Southeastern, and some Southern states depend more on NGOs to fill in. That affects everything, from waiting times and access to trained SANEs to how many RCCs exist per region. It's one of the biggest equity issues in European sexual-violence response. Data from WAVE and the Council of Europe make these differences easy to see.

Migrants and cross-border cases face extra challenges. While EU tools help, they are limited. People moving across borders, migrants, tourists, and workers often struggle with language barriers, different legal systems, and unclear jurisdiction. EU tools like ENVR's "Find my victim support service," Victim Support Europe's resources, and the national contact points required under the Victims' Rights Directive help with referrals and rights info. But in practice, survivors often still need NGO caseworkers, legal aid, or consular support to navigate everything. In big cross-border incidents, victim-support NGOs often coordinate care and evidence sharing.

Data and mapping have improved a bit. Recent projects, from EIGE, WAVE, and the Council of Europe, have made it much easier to see what services exist where. Databases like WAVE's "Find Help" and CoE mapping tools are now used by advocates to spot gaps (like areas with no SVRCs), push for funding, and set minimum service standards across countries. These are the best starting points when you're researching national laws or trying to locate support services.

Across Europe, how someone reports sexual assault, and what happens next, really depends on the country. In most places, survivors can choose whether or not to go to the police, and that choice is protected. The emphasis, especially under the EU Victims' Rights Directive and the Istanbul Convention (Articles 18-22), is on informed choice and non-compulsory reporting. That means survivors should be given full information about their options before they decide to file a formal complaint.

In some countries (like the UK, Ireland, the Netherlands, and parts of Scandinavia), survivors can do a "third-party" or "anonymous" report, where a hospital, NGO, or crisis center records the incident without revealing the survivor's identity right away. This lets forensic evidence be preserved even if the survivor isn't ready to make a police statement. In other countries, especially in parts of Eastern and Southern Europe, reporting is still a very police-led process, meaning once you report, it usually triggers a formal criminal investigation that's hard to withdraw from later.

**Further resources:**

- <https://victim-support.eu/>
- <https://envr.eu/>
- <https://eige.europa.eu/>
- <https://wave-network.org/>
- <https://eige.europa.eu/gender-mainstreaming/good-practices/rape-crisis-network>
- <https://rm.coe.int/mapping-support-services-vaw/16808ec66b>
- <https://www.rapecrisisireland.ie/rape-crisis-europe/>

## Procedure

### **What does the justice system procedure look like?**

Civil and criminal courts both exist, but sexual assault cases mostly go through criminal courts. In EU countries, sexual assault is considered a criminal offense, so cases usually end up in criminal courts where the state prosecutes the accused. Civil courts are typically involved only if the victim wants to seek financial compensation (damages) or orders like restraining orders. This separation means victims often have to navigate two systems if they want justice and protection or compensation. Some countries offer streamlined processes, but in many places, civil claims are a whole separate legal battle.

Civil courts often provide parallel routes for protection orders and compensation, but these don't replace criminal trials. Civil courts can grant protective measures like restraining orders or financial compensation for harm suffered. These processes usually have lower



standards of proof and can be faster, but they don't punish the offender criminally. Victims often pursue civil claims alongside or after criminal proceedings.

A police report is usually the first formal step to start a case, but requirements vary by country. Most countries require that the victim or someone on their behalf file a police report to trigger a formal investigation. However, some countries have introduced options for anonymous or third-party reports, especially through hospitals or NGOs, which allow evidence collection without immediate police involvement. This flexibility is aimed at encouraging survivors to preserve evidence even if they aren't ready to press charges yet. Still, the exact process and whether police must act on reports differ widely between countries.

Medical examinations aren't always legally mandatory, but they're strongly recommended and crucial for evidence. While there's no EU-wide rule forcing survivors to have medical exams, such examinations are essential in building a case, collecting forensic evidence like DNA, documenting injuries, and supporting the victim's testimony. Many countries have introduced Sexual Assault Nurse Examiner (SANE) programs or similar forensic pathways where trained professionals perform these exams sensitively. Some hospitals can do these exams confidentially and store evidence for weeks or months without police involvement, giving survivors more control.

Evidentiary standards across the EU mostly follow "beyond reasonable doubt" for criminal cases. Sexual assault cases in criminal courts require the prosecution to prove the defendant's guilt beyond a reasonable doubt, a high standard reflecting the serious consequences of conviction. Many countries have modernized their laws to define sexual assault based on lack of consent rather than focusing on the victim's behavior or resistance, aligning with the Istanbul Convention. However, proving a lack of consent is still tricky and often depends on victim testimony, physical evidence, and sometimes the credibility of witnesses.

Police roles vary widely: some are proactive, others just accept reports, and some unfortunately, discourage victims. In countries like Sweden, the Netherlands, and the UK, there are specialist police units trained to handle sexual violence cases proactively. These units not only investigate but also run outreach and prevention programs. In contrast, some countries have police forces that are more reactive, taking reports but providing little follow-up or investigation. Sadly, in some regions, police may blame victims, discourage reporting, or mishandle evidence, leading to distrust and underreporting.

Community trust in police strongly influences reporting rates and case progression. Where police are seen as empathetic and effective, survivors are more likely to report, and cases tend to move forward. In places with histories of police corruption, victim-blaming, or poor case management, many survivors avoid police altogether or rely on NGOs for support.

Victims can generally report to police, but trust in the system affects whether they do. Legally, survivors have the right to report sexual assault in every EU country. But many decide not to because they fear stigma, not being believed, or retraumatization during the legal process. Community reporting, like family members or social workers reporting on behalf of a victim, is more common in cases involving minors but less so for adults due to privacy concerns.



Police cases often don't proceed to prosecution, especially in sexual assault. A well-documented problem across Europe is "case attrition": many sexual assault reports don't lead to charges or court cases. This attrition can be caused by a lack of evidence, victims withdrawing (due to fear, pressure, or trauma), or prosecutorial discretion deciding cases aren't strong enough to pursue.

Police culture varies, but many places struggle with outdated gender stereotypes affecting investigations. Despite improvements, police officers in some countries still carry biases about "real" victims or "false" accusations, which influence how seriously cases are taken. Gender stereotypes can affect victim credibility assessments and negatively impact investigations and prosecutions.

Conviction rates for sexual assault are generally low compared to other crimes across the EU. Conviction rates tend to be lower because sexual assault cases are difficult to prove beyond a reasonable doubt. Issues like victim-blaming, reluctance to testify, and inadequate forensic evidence contribute to low convictions. While the justice system's overall efficiency varies, sexual assault cases face unique challenges compared to other crimes.

Some countries have introduced specialized police units and prosecutors trained on sexual violence. To address systemic failures, countries like the UK (Sexual Offences Units), Sweden, and Germany have specialized teams within police and prosecution services. These teams receive training in trauma-informed interviewing, evidence handling, and victim support, which helps reduce retraumatization and improves case quality.

Informed consent and victim autonomy are increasingly emphasized in police and judicial procedures. More protocols now stress that survivors should be fully informed of their rights and options throughout the justice process. For example, survivors often have the choice to delay reporting while preserving forensic evidence, choose if and when to participate in prosecutions, and access support services to make empowered decisions. Some countries allow evidence collected in medical exams to be stored securely for months before a survivor decides to report. This "non-reporting forensic exam" practice, common in countries like Belgium, Denmark, and the UK, lets survivors preserve forensic evidence without triggering a police investigation. This approach reduces pressure on victims and increases the chance of prosecution if and when they choose to report.

Digital reporting options and hotlines are emerging, improving access for some survivors. Online portals for reporting sexual violence and dedicated hotlines make it easier for survivors to seek help confidentially and outside normal office hours. Countries like Finland and France have such platforms, offering support, guidance, and sometimes direct links to legal or medical services.

Mandatory reporting rules exist mainly for child abuse; adult sexual assault reporting is mostly voluntary. Most EU countries require professionals working with children (teachers, doctors, social workers) to report suspected abuse to authorities. For adults, mandatory reporting is rare and controversial because forcing reports without consent can harm autonomy.

and trust. Some care settings may require reporting in specific circumstances, but there is no EU-wide mandatory reporting for adult sexual assault.

Legal reforms across the EU aim to improve victim protections and procedural fairness. EU legislation, including the Victims' Rights Directive and Istanbul Convention, pushes member states to implement special protections like court screens, closed hearings, and support persons during testimony. These reforms also encourage training for legal professionals to avoid retraumatizing victims and ensure fair treatment.

The justice system's limitations mean NGOs and victim support organizations play a crucial role in helping survivors navigate procedures. Because justice systems can be slow, confusing, and emotionally difficult, many survivors turn to NGOs for legal advice, emotional support, and advocacy. These organizations often help survivors understand their rights, prepare for police interviews or court, and access medical or psychological help.

#### **Further resources:**

- <https://rm.coe.int/07-bh-9173-good-practice-fv-final-1-/1680b227ba>
- <https://www.amnesty.org/en/wp-content/uploads/2021/05/IO4024232020ENGLISH.pdf>
- [https://eige.europa.eu/sites/default/files/documents/mh0218659enn\\_002.pdf](https://eige.europa.eu/sites/default/files/documents/mh0218659enn_002.pdf)
- [https://victim-support.eu/wp-content/uploads/2021/02/VOCIARE\\_Synthesis\\_Report.pdf](https://victim-support.eu/wp-content/uploads/2021/02/VOCIARE_Synthesis_Report.pdf)
- <https://rm.coe.int/en-2023-approaches-in-the-ic-crim-prosc-sexual-violence-rape/1680af1a07>
- [https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/gender-equality/gender-based-violence/ending-gender-based-violence\\_en](https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/gender-equality/gender-based-violence/ending-gender-based-violence_en)
- [https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights\\_en](https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights_en)
- <https://www.ejn-crimjust.europa.eu/ejn2021/Home/EN>

## Prevention

### **What is being done to prevent these issues?**

In recent years, the European Union has made prevention a central part of its fight against sexual and gender-based violence. Instead of focusing only on punishment after harm happens, the EU has shifted toward stopping violence before it begins through education, community programs, and policy reform. The new EU Directive on combating violence against women, adopted in 2024, finally sets minimum standards for all member states to follow. It's a big step, signaling that prevention isn't just a moral issue but a shared political priority. The change is gradual, but it's already reshaping how governments and institutions approach safety, equality, and accountability.

Across the continent, EU governments are implementing national action plans designed to prevent sexual violence. These usually combine education, law enforcement training, research, and victim support. For example, countries like Spain and Sweden have rolled out national prevention campaigns that challenge gender stereotypes and promote consent culture. Others focus on community-based interventions that engage men and boys in changing harmful





attitudes. While effectiveness data is still patchy, many of these programs are modeled after research-backed frameworks. The main challenge now is ensuring consistent funding and long-term evaluation, since short-term campaigns often fade before real cultural change takes root.

Preventing sexual violence often starts with how we talk to young people, and many EU-backed initiatives are doing exactly that. Programs like Children's Rights, UP! and national curricula reforms across Finland, the Netherlands, and Germany are embedding lessons about consent, boundaries, and respect directly into classrooms. These lessons don't just focus on "stranger danger"; they explore digital safety, emotional intelligence, and equality in relationships. Teachers are being trained to discuss tough topics in age-appropriate ways, helping students recognize unhealthy behaviors early on. While it's still hard to measure long-term results, feedback from educators suggests these lessons are changing school culture for the better.

The Council of Europe's Pestalozzi Programme has become a cornerstone for teacher training on sexuality education and violence prevention. Rather than just giving out lesson plans, it focuses on empowering teachers to feel confident leading sensitive conversations in diverse classrooms. Through interactive workshops and online resources, educators learn to challenge stereotypes, talk openly about gender equality, and promote respect and empathy among students. Although it's been active for several years, its impact continues to expand as more countries adopt the training into national teacher programs. Evaluations suggest that teachers who go through Pestalozzi are more likely to address issues of consent and harassment in everyday teaching, which is exactly the kind of slow-burn prevention the EU wants.

Education isn't limited to schools; prevention also means making sure professionals who work with victims or offenders know how to act effectively. The WHO's regional work in Europe has helped health-care systems train doctors, nurses, and counselors to spot warning signs of abuse and offer sensitive, nonjudgmental support. Police academies in several EU countries now include mandatory modules on sexual violence response and trauma-informed interviewing. These trainings aim to close the gap between policy and real-world practice, reducing the chance that survivors are dismissed or retraumatized. While quality still varies across borders, the move toward mandatory role-holder education marks a clear cultural shift in how institutions handle these cases.

As online spaces become more central to daily life, the EU has expanded its focus to include digital safety and the prevention of online sexual abuse. Programs funded through the Digital Europe initiative and the Better Internet for Kids network teach children and parents about digital consent, privacy, and how to respond to exploitation. Many of these resources are interactive and available in multiple languages, making them accessible across borders. Although online abuse prevention is still a fast-changing field, these efforts show how the EU is trying to stay ahead of new risks rather than playing catch-up.



Some of the EU's prevention work goes far beyond direct sexual violence programs; it's also about creating fairer, less harmful systems overall. Initiatives to reduce over-criminalization, improve prison conditions, and reform social services all help address the environments where violence can thrive. Projects focusing on youth inclusion, poverty reduction, and housing security aim to lessen vulnerability and stress factors that can contribute to abuse. These aren't always labeled as "sexual violence prevention," but they form part of the bigger ecosystem that makes communities safer and more equitable. Researchers increasingly point out that prevention isn't only about punishment, it's about the social climate we build.

The EU and affiliated organizations like the European Institute for Gender Equality (EIGE) have invested heavily in research to understand the scope and causes of sexual violence. Projects such as UniSAFE and the Network for the Prevention of Child Sexual Abuse are collecting cross-country data, mapping policies, and identifying gaps in protection. This kind of research is crucial, and without solid evidence, prevention strategies can't be properly targeted or evaluated. While the data collection is still ongoing, early findings have already guided new funding calls and national reforms. The biggest challenge researchers face is comparing results across countries that define and report sexual violence differently, but harmonized surveys are helping to close that gap.

One consistent issue across EU prevention work is figuring out what works. Programs often report positive feedback, like increased awareness or improved attitudes, but concrete proof that they reduce violence is harder to capture. This is partly because change takes time, and data collection is uneven. Some initiatives, like UniSAFE, are experimenting with standardized evaluation tools, while others rely on self-reported progress. Policymakers acknowledge that prevention can't be measured only in numbers; culture shifts and institutional reforms are gradual processes. Still, the EU is pushing for better monitoring systems so that future efforts are evidence-based rather than just well-intentioned.

The UniSAFE project opened up conversations about sexual harassment and assault in universities and research organizations - places often overlooked in national prevention plans. The project surveyed thousands of students and staff across Europe and created toolkits for safer reporting and bystander training. Many universities now have formal prevention policies, mandatory consent workshops for new students, and clearer disciplinary processes. While implementation is uneven, the cultural shift in academia is undeniable. Universities are slowly recognizing that they're not just places for learning, they're communities responsible for modeling respect and equality.

Grassroots activism continues to be one of the most vibrant parts of sexual violence prevention in Europe. Organizations like Women Against Violence Europe (WAVE) and countless national groups organize awareness campaigns, workshops, and protests demanding stronger legal protections and better prevention education. These activists often serve as watchdogs, holding governments accountable when promised reforms stall. While many of these movements started decades ago, younger generations have reinvigorated them through social media and cross-border solidarity. Activists campaign, educate, support survivors, and



develop toolkits that schools and workplaces can use. Their energy keeps prevention a public, not just political, conversation.

Public campaigns remain one of the most visible tools for prevention. EU-wide initiatives like “Say No! Stop Violence Against Women” and national campaigns like France’s “Balance ton porc” (the French #MeToo) have put the issue in mainstream conversation. These campaigns help normalize talking about consent, calling out harassment, and recognizing abusive dynamics. They’re not a cure-all, but they’ve dramatically shifted public awareness in just a few years. Many NGOs now use these platforms to share practical resources, from legal information to survivor hotlines, turning awareness into action.

An important but often overlooked part of prevention involves reaching potential offenders before harm occurs. The Network for the Prevention of Child Sexual Abuse promotes programs that work with individuals who fear they might offend, providing confidential counseling and behavior-management strategies. This approach can be controversial, but evidence from pilot projects in Germany and the UK suggests it reduces offending rates and encourages early help-seeking. The EU’s support for these models reflects a willingness to address the full spectrum of prevention, not just punishment after the fact.

Activism doesn’t just raise awareness; it drives policy. Persistent campaigning by women’s organizations and survivor groups pushed the EU to finally ratify the Istanbul Convention and pass its first directive specifically targeting violence against women. This legal progress reflects decades of advocacy, research, and protest. Activists continue to demand enforcement and funding for prevention measures, ensuring that legislation doesn’t just sit on paper. The balance between grassroots voices and institutional action is what keeps prevention work evolving instead of stagnating.

Europe is also home to networks that focus on rehabilitating people convicted of sexual or domestic violence, such as the WWP European Network (Work With Perpetrators). These programs combine therapy, education, and accountability instead of relying solely on incarceration. The goal is to prevent re-offending and encourage long-term behavioral change. Evaluations show mixed but promising results - programs that are well-funded and connected to victim-support services tend to be most effective. It’s not a “soft” approach, but rather a practical one that aims to protect future potential victims by addressing the root causes of violent behavior.

Another promising trend is that prevention is being integrated across multiple policy areas - health, justice, education, and even employment. For example, the WHO’s Special Initiative on Violence Against Women and Girls links prevention with health-system strengthening, recognizing that doctors and nurses are often first responders. Similarly, EU social inclusion policies now factor in gender-based violence as a public health and human rights issue. By weaving prevention into everyday systems instead of isolating it in the justice sector, Europe is slowly building an environment where protection and respect are part of standard practice.

One of the most powerful shifts across Europe is how survivor voices are now shaping prevention policies themselves. Rather than being sidelined as “case studies,” survivors are increasingly involved as advisors, advocates, and trainers for professionals. Organizations like Survivors Voices and Weisser Ring in Germany have built platforms where lived experience informs everything from police training to school programs. This survivor-led approach helps bridge the gap between policy and reality, and it grounds prevention efforts in real-world needs and consequences. It’s not just about empathy; it’s about practical insight that can make systems more responsive and humane. As more governments formally include survivor councils or consultations in their policy design, prevention becomes less theoretical and more personal, and that’s where real change tends to stick.

Innovation is another emerging front in EU prevention work. New tech-based tools, like confidential reporting apps, AI-driven online safety systems, and data dashboards tracking harassment incidents, are starting to change how prevention looks on the ground. Projects supported by the EU’s Digital Strategy and Horizon Europe are exploring everything from safer dating app design to digital training modules for schools and workplaces. Some tools even use gamified education to teach teens about consent and bystander behavior in interactive ways. While tech can’t solve everything, these innovations make prevention more accessible, immediate, and adaptable, especially for younger generations who live much of their lives online. The key now is ensuring privacy, accessibility, and ethical use so technology strengthens, not replaces, human-centered prevention work.

**Further resources:**

- [https://home-affairs.ec.europa.eu/networks/network-prevention-child-sexual-abuse\\_en](https://home-affairs.ec.europa.eu/networks/network-prevention-child-sexual-abuse_en)
- <https://www.coe.int/en/web/pestalozzi/sexed>
- <https://www.who.int/europe/initiatives/special-initiative-on-violence-against-women-and-girls-sivawg>
- <https://unisafe-gbv.eu/>
- <https://cesie.org/en/project/stop/>
- <https://www.consilium.europa.eu/en/policies/eu-measures-end-violence-against-women>
- <https://www.work-with-perpetrators.eu/what-you-can-do/find-a-perpetrator-programme>



## Country Overview: Hong Kong

### Policy

#### **If there are clear laws prohibiting sexual assault, which apply and are commonly used?**

There are, primarily codified in the Crimes Ordinance (Cap. 200). Applicable sections of the Crimes Ordinance include Section 118 – Rape; Section 122 – Indecent assault.

#### **How does the law specify the victim's gender?**

Section 118 uses gender-specific language, defining victims as women.

Section 122 uses gender-neutral language, not specifying the victim's gender.

#### **How does the law specify the perpetrator's gender?**

Section 118 uses gender-specific language, specifying the perpetrator as male.

Section 122 uses gender-neutral language, not specifying the perpetrator's gender.

#### **Is the law force-based or consent-based?**

Laws are primarily consent-based, with the understanding that consent is invalid in cases of incapacitation.

#### **What acts are prohibited under these laws?**

The Crimes Ordinance (Cap. 200) prohibits 2 types of sexual violence. The first is vaginal penetration, defined under Section 118 as exclusively penile-veginal penetration. The second is indecent assault, defined under Section 122 as all other non-consensual sexual activity, including unwanted touching or groping, non-consensual kissing, oral copulation (genital-to-mouth contact), and anal/oral penetration.

#### **To what extent does the law prohibit sexual assault by a spouse?**

The law prohibits sexual assault regardless of marital status. Section 118 has been confirmed to include spousal assault in the 2005 landmark case HKSAR v L (2005).

#### **To what extent does the law prohibit sexual assault by an intimate partner?**

The law prohibits sexual assault regardless of an existing relationship. The Domestic and Cohabitation Relationships Violence Ordinance (Cap. 189) enables victims to seek protection orders against partners across various relationships, including marital/spousal, cohabiting relationships, and intimate non-cohabiting relationships. These protection orders can specifically prohibit a partner from committing acts of molestation or harassment.

#### **To what extent does the law prohibit domestic violence?**

The Domestic and Cohabitation Relationships Violence Ordinance (Cap. 189) explicitly prohibits domestic violence, which specifies how victims can seek immediate protection. This ordinance provides a robust civil mechanism for courts to issue injunctions or non-molestation orders. These judicial orders serve to protect victims from a partner's molestation, which is broadly interpreted by the law to include acts like physical abuse, threats, and harassment. The law specifies the scope of protection based on the relationship status: Section 3 and 3B grant the District Court the authority to issue protective injunctions for spouses and former spouses, or for parties in a cohabitation relationship.





**If same-sex sexual activity is illegal in this country, how is sexual assault on someone of the same sex handled by the law?**

Consensual same-sex sexual activity is legal.

**To what extent is sexual assault on a sex worker prohibited?**

There are no separate or specific protections for sex workers. There are additional laws prohibiting soliciting in public (Cap. 200 Section 147), keeping a brothel (Cap. 200 Section 139), or living on the earnings of prostitution (Cap. 200 Section 137).

**How do laws prohibit sexual violence enacted on children?**

The age of consent in Hong Kong is primarily set at 16 years of age. More specifically, Crimes Ordinances (Cap. 200) Section 124 criminalizes statutory rape by penetrative sexual intercourse with a girl under the age of 16, where the perpetrator must be male. Section 122 and Section 146 criminalize statutory molestation and indecent assault for children under 16 for non-penetrative acts, and gross indecency with a child under the age of 16, respectively. Both Section 122 and 146 use gender-neutral language, not specifying the gender of the victim or the perpetrator.

**Protocol**

**What resources are available?**

The Tung Wah Group of Hospitals CEASE Crisis Centre offers specialized, 24-hour crisis intervention for adult sexual violence victims. The CEASE Crisis Centre is a dedicated non-governmental organization (NGO) that functions as a rape crisis center by providing immediate, trauma-informed care and support for survivors. It operates around the clock with a specialized hotline (18281), ensuring help is available at any time. Trained staff offer crisis counseling, emergency accommodation, and crucial escort services when victims need to visit the police or hospital. This robust resource ensures specialized support is available 24/7 for victims of sexual violence.

The government's Family and Child Protective Services Units (FCPSUs) are directly responsible for helping victims of domestic violence and child abuse. These units are specialized branches of the Social Welfare Department that step in when children or adults are harmed by family members or cohabitants. Their main goal is to restore normal family life for those affected by violence. They handle critical cases and ensure that victims receive the necessary statutory protection and intervention. This service demonstrates the government's direct involvement in protecting vulnerable family members from violence and maltreatment.

Non-governmental organizations (NGOs) run Integrated Family Service Centres (IFSCs) that offer counseling and material aid to sexual violence victims. These centres are crucial community hubs that provide essential support, including personalized counseling services and crisis intervention, right where people live. Social workers at these centers can also escort victims if they choose to report the crime to the Police. Crucially, they arrange referrals for a wide range of needs, such as legal assistance, housing, and financial aid. This reliance on



NGOs makes support services more accessible and less intimidating than approaching a large government office directly.

The Sex Discrimination Ordinance (SDO) makes it illegal to treat someone unfairly or harass them based on their sex, marital status, pregnancy, or breastfeeding status. Crucially, this law applies directly to educational institutions in Hong Kong, ensuring protection for both students and staff from sexual harassment. The SDO establishes a civil system overseen by the Equal Opportunities Commission (EOC) where victims can seek a resolution and financial compensation. The law is designed to promote genuine equality of opportunity and eliminate discrimination in key public areas.

Five confidential Refuge Centres for Women provide secure, temporary housing for women and their children fleeing violence. These critical shelters, such as Harmony House and Dawn Court, maintain confidential addresses to protect women and children from potential abusers. They accept admissions on a 24-hour basis, highlighting the priority given to immediate physical safety during a family crisis. Beyond housing, the centers also provide various supportive services to help women stabilize their lives. This network of centers is a crucial part of the safety net for women facing domestic violence or severe family crises.

The social welfare system actively works to educate the public on the prevention and proper handling of all abuse incidents. Public education is listed as a fundamental objective of the victim support services, indicating a commitment to primary prevention across the community. This outreach aims to change social norms and ensure that the public knows how to recognize, respond to, and prevent child maltreatment, domestic violence, and sexual violence. By fostering a more informed society, the system promotes collective responsibility for safety and non-violence. This goal extends the impact of the services beyond individual crisis response to influence community norms.

Information regarding the Criminal and Law Enforcement Injuries Compensation Scheme (CLEICS) is made available to victims in police report rooms. CLEICS provides a mechanism for victims who have suffered injury as a result of a crime to apply for financial compensation from the government. This compensation offers a practical route for mitigating losses or costs incurred due to the crime, such as medical expenses and loss of income. Providing this information upfront ensures victims are aware of their right to seek financial redress through a government-backed scheme. This resource is specifically provided within the legal and police systems as part of the victim's rights information.

The NGO RainLily provides a dedicated hotline and specialized support services for victims of sexual violence during extended hours. RainLily is a specialist non-governmental organization that runs a separate hotline for survivors of sexual assault, acting as a crucial unofficial resource. The hotline is available during extended weekday and Saturday morning hours for confidential counseling and ongoing emotional support. This group is important because it offers services independent of direct government control, often building deep trust within the community. RainLily's work ensures survivors have specialized options for recovery that rely on civil society expertise.



Medical Social Workers (MSS) are integrated into public hospitals to connect victims receiving physical care immediately with the social welfare system. These specialized social workers are positioned directly within hospitals and clinics, ensuring that a victim seeking medical attention is immediately linked to welfare support. This structural integration provides a seamless transition from acute medical attention to necessary psychosocial stabilization. MSS workers provide immediate counseling, arrange urgent referrals, and ensure the care is trauma-informed. Hospital personnel are instructed to alert the MSS worker to suspected abuse cases, making this an essential health resource.

The Social Welfare Department (SWD) operates dedicated Clinical Psychology Units to offer assessment and treatment for victims displaying symptoms of trauma. These units are staffed by clinical psychologists who specialize in assessing and treating the severe mental health consequences of sexual and domestic violence. This represents a high level of specialized, trauma-informed care available within the welfare system for survivors with complex trauma. The services also extend to abusers who require treatment, aiming to address the source of the violence. This is a crucial resource for long-term psychological recovery, linked to the general healthcare system via referral.

Social workers are available to provide escort services to victims who choose to report the assault to the police. This support is vital for managing the emotional stress of the formal police reporting process, which can be intensely re-traumatizing. Having a trained professional accompany the victim minimizes feelings of isolation and ensures their needs are communicated effectively to law enforcement. This cooperation integrates immediate emotional support directly into the investigative procedure. The social worker acts as an advocate and a source of constant support during the initial legal steps.

The Victim Support Programme provides specific emotional and informational assistance to victims navigating legal proceedings or sudden life changes due to the crime. This specialized program is essential for helping victims manage the intense psychological and procedural stress of the lengthy court system. Support can include providing necessary information about the legal process and escort services when victims are required to attend court. By offering targeted aid, the program helps maintain the victim's stability and engagement throughout the long judicial process. This dedicated resource addresses the unique trauma associated with testifying and engaging with the justice system.

Dedicated suicide prevention hotlines are explicitly listed alongside sexual violence resources, acknowledging the severe mental health risks faced by survivors. The listing of 24-hour hotlines, such as The Samaritan Befrienders, ensures that victims struggling with suicidal thoughts due to trauma have immediate access to life-saving emotional crisis intervention. This is a critical component of holistic care, recognizing the profound psychological impact of sexual violence. The police also provide this information in their report rooms, ensuring accessibility during official processes. This resource provides immediate, specialized mental health crisis support.

Pamphlets containing the Victim's Charter, detailing rights and procedural information, are available to survivors in police report rooms. The Victim's Charter is a formal document that clearly outlines the victim's expected treatment and entitlements when interacting with the justice system. Providing this charter empowers survivors by setting clear standards for official behavior and service delivery, ensuring they are treated with courtesy and respect. Access to this document ensures victims are informed about the investigation process and their role as participants. This resource is provided by the police to ensure procedural transparency and victim awareness of their rights.

Services aimed at perpetrators, such as the Support Programme for Enhancing Peaceable Relationship (SPeaR), are listed among available welfare services. By offering treatment and counseling for individuals who have committed abuse, the system aims to interrupt the cycle of violence and reduce repeat offenses. This focus on batterer intervention is a crucial preventative measure that addresses the root behavioral issues leading to violence. These welfare services provide a path for abusers to learn healthier ways of relating and managing their aggression. This proactive approach is essential for achieving long-term safety within families and the community, supported by a robust organization.

Police procedure mandates the use of same-sex officers for interviewing victims of sexual violence to ensure procedural sensitivity. While specific hours of training are not detailed, the mandate for same-sex officers implies specialized procedural training for sensitivity and trauma-informed interactions. This structural requirement is part of the police procedure designed to reduce the emotional barriers to disclosure and increase victim comfort. The police also ensure that a police photographer of the same sex may photograph injuries, provided the victim gives explicit consent. This ensures respectful handling during the investigative process.

Family and Child Protective Services Units (FCPSUs) are the government's direct specialized units for intervening in child abuse and spouse battering cases. These government units are staffed by specialized social workers who manage severe, high-risk cases of child maltreatment and spousal abuse, serving as the official mechanism for statutory protection. Their core function is to ensure the safety of children and spouses and restore normal family functioning. FCPSUs work directly with police and the justice system on these cases, representing the government's formal, legally required response to family violence. This unit ensures mandated government intervention for vulnerable family members.

**Further resources:**

- [https://www.swd.gov.hk/vs/index\\_e.html](https://www.swd.gov.hk/vs/index_e.html)
- [https://www.police.gov.hk/info/doc/cpa/sexualviolence\\_eng.pdf](https://www.police.gov.hk/info/doc/cpa/sexualviolence_eng.pdf)
- <https://rainlily.org.hk/eng/about>
- <https://www.elegislation.gov.hk/hk/cap480>
- <https://www.eounit.hku.hk/en/guidelines/preventing-harassment-a-guide-for-workplace-participants-and-service-providers>

**Procedure**



### **What does the justice system procedure look like?**

Hong Kong operates both criminal and civil courts, allowing victims to seek financial compensation separate from criminal prosecution. The justice system is separated into criminal courts, which handle the prosecution of sexual assault offenders, and civil courts, which allow victims to seek financial damages. The police procedure itself provides information on the Criminal and Law Enforcement Injuries Compensation Scheme (CLEICS), which is an administrative route to seek financial redress. Victims can also utilize the Legal Aid Department for advice on both criminal and potential civil actions. This dual legal system offers two distinct pathways for justice: punishment of the offender and financial recovery for the survivor.

A police report is not always the first step, as victims can seek immediate forensic medical care via a one-stop crisis center collaboration before reporting. While reporting to the police is the mechanism for initiating a criminal case, survivors can first access one-stop services at collaborating hospitals, like Kwong Wah Hospital, run in conjunction with the NGO RainLily. This collaboration provides pregnancy prevention, STD screening, and forensic medical examination, allowing the victim to preserve evidence before deciding to involve the police. This ensures the preservation of critical evidence, even if the victim is hesitant or delayed in reporting.

The evidentiary standard for sexual assault cases relies heavily on corroborating evidence, but resistance by the victim is not required for conviction. The prosecution must prove the absence of consent, but Hong Kong law does not require the prosecution to show that the victim physically resisted the assault. The police procedure focuses heavily on preserving and collecting forensic evidence, such as DNA and clothing, and gathering witness statements to meet the high standard of proof required in criminal cases. The availability of forensic medical exams, even if delayed, is critical for strengthening the case beyond the victim's testimony alone.

The police role is active, focusing on taking on reports and pursuing investigations, while prioritizing the victim's support needs. The police procedure mandates that officers arrive promptly at the scene, ensure the scene is preserved, and immediately arrange medical and social welfare intervention for the victim. This swift, multi-agency response shows an active commitment to supporting the victim's request for justice and safety. The emphasis on assigning same-sex officers for interviews and providing resources like the Victim's Charter further underscores this active, supportive stance during the investigation.

In the event of an arrest, the victim may be required to attend an identification parade, which utilizes specialized protective facilities. When a suspect is apprehended, the police procedure moves to the formal identification phase, which may require the victim's attendance. To ensure the victim's safety and comfort, protective measures such as a one-way mirror identification parade room are available for use. This procedural safeguard reflects the justice system's active role in pursuing the case while minimizing direct, potentially traumatizing contact between the victim and the suspect.





Victims maintain the right to request that their identity be protected during prosecution and throughout court proceedings. This procedural right allows victims to formally apply to the court to shield their identity from public disclosure, acting as a critical safeguard against public shaming. This measure is intended to encourage victims to utilize the police and court system by mitigating the fear of public exposure, which is a significant barrier to justice. Furthermore, victims in sexual abuse cases may apply to testify from outside the court via a video link, providing additional protection.

Victims have the right to be accompanied by a legal representative during an interview with the police. This enshrined right allows the victim to have legal counsel present while giving a statement, ensuring their interests and rights are protected during the initial investigative process. This provision ensures that the victim is not subject to questioning without legal guidance, a measure common in traditional criminal procedure. The victim must inform the police if they wish to exercise this right during the interview.

Law enforcement agencies are required to return any property held for evidentiary purposes, such as clothing or phones, as promptly as possible. This procedural guarantee protects the victim from undue administrative burden and potential financial loss during the investigation. Once belongings are no longer needed as evidence, for example, after forensic analysis is complete, they must be returned quickly to the victim. This right is formalized within the Victim's Charter, ensuring that the justice system prioritizes the victim's convenience.

Victims may utilize the Legal Aid Department for free or subsidized legal consultation and advice regarding their case. The Legal Aid Department (LAD) is an institutional resource providing necessary legal advice and representation to eligible victims, facilitating access to justice. Access to LAD's hotline (2537 7677) ensures victims can seek professional guidance on their rights and the prosecution process. This resource is vital for navigating the complex judicial system and ensuring the victim's interests are protected throughout the proceedings.

The officer-in-charge of the investigation is required to maintain regular contact with the victim and inform them of the case result. This procedural mandate ensures transparency throughout the often-protracted investigative process, fostering trust and managing the victim's expectations. The officer must notify the victim of any significant developments and, crucially, the final case result, preventing the victim from feeling ignored or excluded. The police also encourage victims to provide any new information to the officer without hesitation.

Police procedure encourages victims who may have cleaned themselves after the assault to retain any discarded tissues or clothing instead of washing them. This practical advice demonstrates the police force's active approach to maximizing forensic evidence recovery, even when faced with trauma-induced behavior. By advising victims to save the contaminated items, the police ensure that potential trace evidence can still be analyzed, strengthening the case. This instruction helps to address a common dilemma faced by survivors who may feel compelled to clean themselves before deciding to report.

The victim may choose to report the crime via the Social Welfare Department's CEASE Crisis 24-hour Hotline for initial assistance before formally engaging the police. This option



provides a less intimidating pathway to justice, allowing the victim to first access crisis intervention and support services from social workers. The social workers can then provide informed advice and escort the victim if they choose to proceed with a formal report to the police. This choice ensures the victim's immediate emotional needs are addressed before the formal legal process begins.

Victims are not required to provide their residential address when giving evidence in court proceedings. This protection is formalized in the Victim's Charter to safeguard the victim's privacy and prevent the perpetrator from learning their exact location, especially in domestic or acquaintance cases. By allowing victims to withhold their address, the justice system reduces the fear of retaliation. This procedural safeguard is designed to encourage victims to engage fully and honestly with the court process.

**Further resources:**

- [https://www.police.gov.hk/info/doc/cpa/sexualviolence\\_eng.pdf](https://www.police.gov.hk/info/doc/cpa/sexualviolence_eng.pdf)
- [https://www.swd.gov.hk/vs/index\\_e.html](https://www.swd.gov.hk/vs/index_e.html)
- [https://www.police.gov.hk/ppp\\_en/04\\_crime\\_matters/rvw.html](https://www.police.gov.hk/ppp_en/04_crime_matters/rvw.html)
- [https://upr-info.org/sites/default/files/documents/2019-04/womens\\_general\\_association\\_of\\_macau\\_plenary\\_oral\\_statement\\_china\\_2019.pdf](https://upr-info.org/sites/default/files/documents/2019-04/womens_general_association_of_macau_plenary_oral_statement_china_2019.pdf)
- [https://www.police.gov.hk/ppp\\_en/04\\_crime\\_matters/vic\\_charter.html](https://www.police.gov.hk/ppp_en/04_crime_matters/vic_charter.html)
- <https://www.ncbi.nlm.nih.gov/books/NBK236967/>

**Prevention**

**What is being done to prevent these issues?**

The SAR government utilizes its established network of maternal and child health centers to deliver upstream parent education programs focused on child abuse prevention. Through its extensive network of maternal and child health centers, the government aims to enforce child protection laws by educating parents, which covers protection against child mistreatment, neglect, abandonment, and sexual exploitation. This institutional strategy recognizes that effective prevention must start within the family unit, which is the foundational environment for early intervention and safeguarding vulnerable children. These programs establish a governmental infrastructure for reaching duty bearers (parents) and disseminating generalized prevention guidelines, thereby addressing systemic policy conditions by increasing family competence. However, comprehensive public details specifically quantifying the dedicated resources and curriculum depth allocated to preventing sexual abuse, as opposed to general mistreatment, are not widely documented.

Government-supported youth programs, such as Project PATHS, integrate bystander training to address harmful gender norms and promote violence prevention skills in schools. The PATHS (Positive Adolescent Training through Holistic Social Programmes) curriculum targets junior secondary students and focuses on developing essential life skills necessary to become proactive and helpful bystanders when witnessing bullying. This education is intended to reshape young people's attitudes toward gender equality, conflict management, and respecting



the right to bodily autonomy, thereby functioning as a form of primary prevention against sexual and gender-based violence (SRGBV) through encouraging behavioral shifts. The structured inclusion of bystander approaches allows students to practice identifying and responding to violence safely, fostering a culture of peer accountability within the school environment. This initiative exemplifies a governmental commitment toward primary prevention through educational content that is embedded within the required school curriculum.

The government's Working Group on Combating Intimate Partner Violence and Adult Sexual Violence (WGCV) develops strategies and approaches to address spouse battering and sexual violence. The WGCV is a high-level body chaired by the Director of Social Welfare, comprising representatives from various government departments, the Hospital Authority, and key NGOs. Its primary function is to map out effective strategies and approaches to prevent and handle violence in intimate relationships. The WGCV is responsible for developing information resources and facilitating the public's access to relevant data about victim services and prevention. This long-standing cooperation between state and non-state entities drives systemic prevention policies.

The Positive Fathering Program operates as an evidence-based primary prevention strategy aimed at improving couple relationship adjustment before the birth of a child. This program targets the period of prenatal education, engaging expectant fathers to enhance their partnership and relationship dynamics, thus addressing risk factors for family violence. The program's efficacy was tested through a randomized controlled trial, demonstrating significant success in improving couple relationship adjustment post-delivery. By proactively teaching communication and partnership skills, the program attempts to stop violence before it starts. The program leverages existing hospital staff, making it a scalable public health model.

The Hong Kong #MeToo movement evolved into a politically charged #ProtestToo campaign, establishing state actor accountability as a crucial, high-stakes target for anti-sexual violence activism. The #MeToo movement, which emerged in late 2017, converged with the 2019 Anti-Extradition Law protests, transforming into the #ProtestToo campaign to specifically address alleged sexual assault and violence perpetrated by police. This evolution of activism focused intensely on systemic accountability (Q2.1), revealing that when the alleged perpetrators are state actors, the existing "collaborative model" between civil society and government for combating sexual violence fails severely. The campaign was effective in raising public awareness about how political shifts toward authoritarian governance can cripple the mechanisms traditionally used to investigate and prosecute sexual violence.

NGO resources actively promote primary prevention by training adult gatekeepers using localized, evidence-informed international curricula proven to increase protective behaviors. TALK HK's central prevention strategy involves implementing the Stewards of Children® program, a two-and-a-half-hour training designed to teach adults how to prevent, recognize, and react responsibly to CSA. This program is noted for its international effectiveness as one of the few evidence-informed trainings proven to increase knowledge and strengthen adult child-protective behaviors, suggesting high potential efficacy in HK. The organization reported



conducting nine training sessions reaching over 90 participants in 2024, with 95% of trainees reporting that the content addressed critical issues for individuals concerned about child protection, confirming its early success in building community resilience.

The CCWA ensures policy transparency by including 25 non-governmental organization (NGO) representatives alongside government members. The integration of NGOs into this high-level commission ensures that policy formation benefits from civil society expertise and grassroots feedback. This collaboration strengthens the policy process on the promotion and protection of gender equality and ensures transparency in the allocation of resources. This structure is effective at enhancing the legitimacy and reach of prevention policies by incorporating community perspectives, though direct impact on violence rates is long-term.

The Women's General Association of Macau (WGAM) provides long-standing support services, such as childcare, which enhance women's economic stability. The WGAM, established in 1950, provides crucial structural resources like childcare and vocational training to enhance women's autonomy. By addressing the practical barriers to independence, the WGAM helps women maintain employment or education, making them less reliant on potentially abusive partners.

The SAR government utilizes its established network of maternal and child health centers to deliver upstream parent education programs focused on child abuse prevention. Through its extensive network of maternal and child health centers, the government aims to enforce child protection laws by educating parents, which covers protection against child mistreatment, neglect, abandonment, and sexual exploitation. This institutional strategy recognizes that effective prevention must start within the family unit, which is the foundational environment for early intervention and safeguarding vulnerable children. These programs establish a governmental infrastructure for reaching duty bearers (parents) and disseminating generalized prevention guidelines, thereby addressing systemic policy conditions by increasing family competence. However, comprehensive public details specifically quantifying the dedicated resources and curriculum depth allocated to preventing sexual abuse, as opposed to general mistreatment, are not widely documented.

Hong Kong provides a uniquely structured, voluntary treatment and prevention program (PASV) for individuals who have perpetrated or intended to perpetrate sexual violence. The Caritas Specialised Treatment and Prevention Project Against Sexual Violence (PASV), operational since 2008, operates as the only voluntary, non-punitive project in Hong Kong dedicated to engaging with people who have committed or intended to commit sexual violence. The project's core philosophy centers on collaboratively building a community that respects sexual consent, engaging perpetrators to assume responsibility for their actions and participate in a collective resistance against sexual abuse. Services include individual and group counseling, life-building programs, and family support, all aimed at detaching service users from stigmatizing labels and reconnecting them with valuable identities and respectful relationships, promoting tertiary prevention. This voluntary, community-based model functions as an important government-alternative program for specialized intervention outside the correctional system.



Activism is heavily focused on addressing the systemic data deficit regarding Child Sexual Abuse (CSA) prevalence and institutional accountability through rigorous evidence-based research. Organizations like TALK Hong Kong prioritize research to determine the actual scale of CSA, estimating that 12% of children suffer abuse before age 18, and a concerning 96% of cases go unreported. This grassroots research targets legislative reform by meticulously identifying specific data gaps within key government departments, including the Education Bureau, Police Force, and Social Welfare Department, and demanding a dedicated territory-wide CSA prevalence survey. The effectiveness of this activism rests upon its ability to generate credible, local data, which is then used to pressure stakeholders for evidence-informed child protection policies and systemic data improvement.

NGOs provide essential resources for survivor healing and prevention of generational harm through free, peer-led support groups and specialized trauma-informed healing classes. TALK HK offers crucial tertiary prevention services, including monthly, free-of-charge peer support groups for both male and female adult survivors, with no registration required to maximize accessibility. These sessions focus on processing trauma, identifying healthy boundaries, and fostering healing to interrupt the cycle of abuse. The impact reported by survivors is quantitatively high, with 80% indicating that the support group improved their mental health and well-being "Very Much", demonstrating the critical role of accessible, specialized, non-professional support networks."

**Further resources:**

- <https://www.endvawnow.org/en/articles/1760-curriculum-approaches-to-preventing-violence-and-promoting-gender-equality.html>
- <https://www.legco.gov.hk/yr2025/english/panels/ws/papers/ws20250609cb1-971-3-e.pdf>
- <https://www.cambridge.org/core/journals/politics-and-gender/article/from-metoo-to-protest-too-how-a-feminist-movement-converged-with-a-prodemocracy-protest-in-hong-kong/6D208F86AAD76A2469CE59074F034E11>
- <https://www.talkhongkong.org/>
- <https://digital.sandiego.edu/cgi/viewcontent.cgi?article=1333&context=ilj>
- <https://www.ojp.gov/ncjrs/virtual-library/abstracts/profile-study-sexual-offenders-hong-kong>
- [https://family.caritas.org.hk/eng/service06\\_dsh](https://family.caritas.org.hk/eng/service06_dsh)





## Country Overview: India

### Policy

#### **If there are clear laws prohibiting sexual assault, which apply and are commonly used?**

There are, in India's new official criminal code, "Bharatiya Nyaya Sanhita", which was passed in 2023 and has been effective since July 1, 2024. The most common laws used from India's criminal code include: Sections 63-65 and 70 – Rape cases; Sections 74-77 – Non penetrative sexual assault/harassment cases; Sections 68-69 – Special scenarios (such as abuse of authority or deceit); and Protection of Children from Sexual Offenses Act (POSCO) – Child abuse.

#### **How does the law specify the victim's gender?**

Gender-specific language is used throughout the Bharatiya Nyaya Sanhita, primarily defining victims as women. Gender-neutral language is used in the POSCO Act. Gender-specific language is used in the Prohibition of Child Marriage Act of 2006, defining children as females under 18 years old and males under 21 years old.

#### **How does the law specify the perpetrator's gender?**

Gender-specific language is used throughout the Bharatiya Nyaya Sanhita criminal code, primarily defining perpetrators as men. Gender-neutral language is used in the POSCO Act. Gender-specific language is used in the Prohibition of Child Marriage Act (PCMA) of 2006, criminalizing adult males for marriage to children.

#### **Is the law force-based or consent-based?**

Laws are consent-based, focusing on the will and consent to a sexual act. This definition includes that consent is invalid in cases of fear of death or hurt to the victim or others, identity deception, incapacitation, or physical force. Prohibited sexual relations apply between adults and women under 18 years old.

#### **What acts are prohibited under these laws?**

Penetration by the penis, body part, or object, to any extent, into the vagina, mouth, urethra, or anus of a woman; manipulation of any part of a woman's body to cause penetration; applying his mouth to the vagina, anus, or urethra of a woman; or forcing her to do any of the above with him or another person.

#### **To what extent does the law prohibit sexual assault by a spouse?**

Section 63, Chapter V, exempts sexual intercourse or sexual acts by a man with his own wife from rape laws. The only spousal sexual acts that may be considered rape are in cases in which the wife is under 18 years old.

#### **To what extent does the law prohibit sexual assault by an intimate partner?**

The Bharatiya Nyaya Sanhita criminal code prohibits sexual assault regardless of existing relationship.

#### **To what extent does the law prohibit domestic violence?**

Domestic violence is prohibited by a husband or relative of a husband, defined as "cruelty" stipulated in Section 85 of the Bharatiya Nyaya Sanhita, including: willful conduct likely



to cause grave injury or danger to life, limb, or health (whether mental or physical) to a woman or harassment of the woman with a view to coerce her or another to meet an unlawful demand for property or valuable security.

**If same-sex sexual activity is illegal in this country, how is sexual assault on someone of the same sex handled by the law?**

Consensual same-sex sexual activity is legal.

**To what extent is sexual assault on a sex worker prohibited?**

There are no separate or specific protections for sex workers. There are additional laws prohibiting buying, selling, and trafficking children for the purposes of prostitution.

**How do laws prohibit sexual violence enacted on children?**

The POSCO Act prohibits sexual violence on minors, defined as children under 18 years old, including: penetrative sexual assault, aggravated penetrative sexual assault, sexual assault, aggravated sexual assault, and the use of a child for pornographic purposes. There are stricter punishments for crimes against 16-year-olds and against 12-year-olds. The PCMA prohibits the marriage of a child, defined as a male under 21 years of age or a female under 18 years of age.

Protocol

**What resources are available?**

There are centers in India that function as crisis support for survivors across the country by providing support and referrals. The NCW (National Commission for Women) has a Women Helpline & Digital Complaint System. NCW operates a 24/7 helpline and digital complaint registration and referral service system for women in distress through trained counselors facilitating psychological counseling or referral to the appropriate agencies, such as police, hospitals, District Legal Service Authority (DLSA), Protection Officer (PO), and One Stop Crisis Centre (OSC).

In India, numerous helplines provide care, services and resources such as shelter, food, clothing, and rehabilitation to survivors. These include the Women Helpline Number (#181), the Ministry of Women and Child Development's support services, and Shakti Shalini Centers. An example is the Shakti Shalini Center, which operates a 24/7 Survivor Support Helpline free of charge. The helpline assists survivors regardless of gender, sex, or sexual orientation, including victims of trafficking and institutional violence. It is staffed by a team of trained social workers led by a Helpline Coordinator, who respond to distress calls from across India and refer survivors to the appropriate counseling and support teams.

The Shakti Shalini is equipped to respond to various forms of Sexual and Gender-Based Violence, including domestic violence (natal and/or marital), sexual assault, trafficking (domestic or cross-border), sexual harassment (workplace, cyber, other), and gender discrimination. The Shakti Shalini recognizes all types of SGBV, from physical and sexual to verbal, psycho-emotional, financial, social, and institutional.

The Code of Criminal Procedure, 1973 (CrPC) requires that after information of sexual assault/rape, the victim must be taken for medical examination by a registered medical



practitioner within 24 hours. The law also mandates prompt investigation and the use of forensic kits to strengthen evidence. Victims can file an FIR (First Information Report), and the system is required to assist them, including legal aid via District Legal Services Authority (DLSA) / State Legal Services Authority.

Survivors of sexual assault in India have healthcare pathways including immediate treatment, forensic evidence kits, One-Stop Centres, counselling, and free care. They also have legal-police pathways, including FIR reporting, medical exams, investigation protocols, legal aid, compensation-rights, and identity protections. These systems are designed to work together: healthcare collects evidence/treats injuries; police record the case; judicial/legal system adjudicates and provides rights/compensation/support.

India has various unofficial, community-based, and hybrid justice or support systems that work alongside formal government mechanisms in sensitive cases like sexual assault or gender-based violence. Unofficial resources in India range from feminist NGOs, helplines, and survivor networks to mahila panchayats and community mediation groups. Traditional councils (khap panchayats) still exist but cannot handle criminal offences. Hybrid partnerships (police–NGO, legal–community) are India’s strongest form of non-state restorative care. An example of Community-Based and Traditional Justice Systems is Panchayats (Village Councils): Gram Panchayats are official local governance bodies under the Panchayati Raj Act, but informal community panchayats also exist. These can handle minor disputes, domestic conflicts, and local issues through consensus and mediation. However, in criminal matters like sexual assault, these bodies do not have legal authority. The Supreme Court has condemned khap panchayats (caste- or clan-based councils) for interfering in criminal cases or imposing punishments.

NGOs or women’s collectives sometimes set up mahila panchayats or community mediation boards, which are community-driven but guided by law-aware counsellors. An example of this is how Jagori and ActionAid India run Mahila Panchayats in Delhi have trained women mediators who help victims access legal and emotional support while liaising with police and hospitals. North East Network (NEN) in Assam and Meghalaya facilitates community dialogues on gender violence, where survivors choose their mode of redress (social apology, reparation, or state complaint). TARSHI (Talking about Reproductive and Sexual Health Issues) offers non-clinical, survivor-centered counselling and resource materials to help survivors reclaim agency and reduce stigma. Legal & psychological support Majlis Legal Centre (Mumbai) offers free legal aid, counselling, and advocacy for survivors of sexual assault and domestic violence. Many of these networks operate “informally”; they’re not courts or police, but act as trusted intermediaries to ensure survivors are treated respectfully and can navigate the system safely.

Some grassroots women’s collectives practice restorative or transformative justice by focusing on healing, community accountability, and survivor support, not punishment. One-Stop Crisis Centres (OSC) are government-supported but locally run, often by NGOs (provide counselling, legal aid, shelter, medical care). Rape crisis NGOs & feminist networks Jagori,



Centre for Enquiry into Health and Allied Themes (CEHAT), SAHELI, TARSHI, SNEHA, Aarambh India, Sakhi Women's Resource Centres.

Although there are certain trainings available, India has no mandatory trauma-informed care/trainings. Training is not standardized or mandatory. There are certifications, trainings, manuals and resource guides available in India that align with trauma-informed care, mental health and psychosocial support, such as the Certification in Trauma Informed Care program (Tata Institute of Social Sciences - TISS).

India has a set of laws and regulations that serve to prevent sexual harassment and guide mandated reporting. The POSH Act, 2013 (Prevention of Sexual Harassment) is India's national law to protect women from sexual harassment at workplaces. It applies to all workplaces, including schools, colleges, universities, hospitals, etc. It mandates that every organization must create an Internal Committee to handle complaints of sexual harassment; follow prescribed procedures for inquiry, confidentiality, and protection from retaliation. This law only states "women victims" and is not gender-neutral.

The UGC (University Grants Commission) guidelines function much like Title IX, by mandating educational institutions to prevent and address sexual harassment and discrimination. It enforces gender equality and the prevention of sexual harassment through formal regulations and committees across all universities and colleges. Every institution must: (a) Create an Internal Complaints Committee (ICC); (b) Display the policy and complaint procedure publicly; (c) Provide training, awareness, and gender-sensitization programs for students and staff; (d) Ensure confidentiality and non-retaliation for complainants; and (e) Institutions must submit annual reports of complaints and actions to the UGC.

There are laws about mandated reporters and protection of the POCSO Act 2012 (Protection of Children from Sexual Offences), wherein Section 19 mandates any person (including teachers, doctors, social workers) who suspects or has knowledge of child sexual abuse to report it to the police or special juvenile police unit. A similar rule applies for Section 32, which requires anyone who suspects that a child is being neglected, abused, or exploited to report to the Child Welfare Committee or police.

India has laws and policies that provide legal protections and procedural safeguards for victims of sexual violence and restrictions on NDAs (non-disclosure agreements). The purpose serves to protect survivors from secondary victimization during trial and maintain focus on the accused's conduct, not the survivor's past. These include Section 152, Bharatiya Sakshya Adhiniyam, 2023 and Section 72, Bharatiya Nyaya Sanhita, 2023. The Press Council of India and News Broadcasters & Digital Standards Authority (NBDSA) also enforce ethical codes restricting details and identity publication.

The Ministry of Health & Family Welfare (MoHFW), in collaboration with the World Health Organization (WHO) and Non-governmental Organizations issued "Guidelines for Medico-Legal Care for Victims/Survivors of Sexual Violence" to standardize how health workers respond (examination, documentation, forensic evidence, privacy) for sexual assault survivors. This includes, standardized medical & forensic procedures; consent and confidentiality rules; roles of

doctors, hospitals, and administrators; free and immediate treatment requirement; integration with Justice Verma Committee recommendations; and the Sexual Assault Evidence Collection Kit (SAECK) programme where the MoHFW/MHA distributed special kits (forensic evidence collection: blood/semen samples etc) to states/UTs to aid in immediate investigation of sexual assault cases.

India doesn't have a formal "anti-NDA" statute, but several legal doctrines and court rulings effectively restrict NDAs or private settlements in sexual violence cases. No out-of-court settlement or NDA can nullify prosecution once an FIR (police complaint) is filed, even if both parties "agree," courts cannot dismiss or withdraw such cases for compensation or confidentiality. Courts have condemned NDAs or settlements in rape cases as against public policy and justice. Sometimes, NDAs are used by employers or institutions to silence victims or prevent them from speaking publicly about abuse or harassment; however, in India, sexual offences are criminal matters, not civil disputes, so NDAs cannot override the law or stop a criminal investigation.

**Further resources:**

- <https://shaktishalini.org/helpline/>
- <https://www.ncw.gov.in/ncw-cells/ncw-women-helpline>
- <https://admissions.tiss.ac.in/view/10/admissions/stp-admissions/certification-in-trauma-informed-care>
- [https://doe.gov.in/files/inline-documents/DoE\\_Prevention\\_sexual\\_harassment.pdf](https://doe.gov.in/files/inline-documents/DoE_Prevention_sexual_harassment.pdf)
- <https://www.education.gov.in/en/university-grants-commission>
- <https://www.mohfw.gov.in/sites/default/files/953522324.pdf>
- <https://northeastnetwork.org/>

## Procedure

### **What does the justice system procedure look like?**

India has both civil and criminal courts; sexual assault and domestic violence cases are processed through criminal courts. India has a structured hierarchy of criminal courts under the Code of Criminal Procedure (CrPC, 1973), which includes Magistrate Courts, Sessions Courts, Special Courts, and civil courts. Magistrate Courts (First Class / Second Class) handle investigation oversight, preliminary hearings, and trials for cognizable offences, including rape and assault. Sessions Courts handle more serious crimes and appeals. Special Courts exist for sexual offences under the Protection of Children from Sexual Offences. Civil courts: Handle non-criminal disputes, e.g., property, custody, maintenance. Domestic disputes may be addressed under civil family law, but criminal complaints (like domestic violence under Section 498A, IPC) are pursued in criminal courts.

Police reports and medical examinations are legally required to pursue sexual assault cases. Filing a police report is mandatory to initiate a criminal case. Offences (like rape) require immediate FIR registration; refusal by the police is legally punishable. Medical exams must be conducted within 24 hours of reporting sexual assault for evidence collection. Victim statements





are recorded under Section 164 before a magistrate; forensic evidence is critical for prosecution.

Rape convictions in India rely on proving lack of consent (absence of freely given permission). Forensic evidence strengthens the case, but evidence is not mandatory; victim testimony can be sufficient. The medical and forensic evidence helps substantiate claims, especially in cases of physical injury, DNA evidence, or timing. Courts often require a combination of victim testimony, forensic evidence, and witness statements.

In India, police may act on complaints, especially in urban areas or high-profile cases, pursuing investigations and FIRs. Reports indicate that in many areas, complaints are not registered or delayed. Alleged abusers may be informed of the complaint. Victims may face harassment or criminalization. In the Human Rights Watch report *“Broken System: Dysfunction, Abuse, and Impunity in the Indian Police”* (August 2009), India’s police is characterized by weak infrastructure, excessive political interference, and a legacy of colonial-era practices. Many officers are overworked, under-trained, and ill-equipped, which leads to crime complaints not being registered; investigations not happening; and marginalized groups bearing the impact of abuse.

The police frequently resort to torture, illegal detention, and extrajudicial killings; accountability is rare because of institutional protections (such as Section 197 of the CrPC). Without reform to restructure police laws, working conditions, training and oversight, both public trust and human-rights protections will continue to degrade.

Rape is heavily under-reported across India due to victims’ deep distrust of the criminal justice system and the social stigma surrounding sexual violence. Many women avoid reporting because police often delay or refuse to register FIRs, survivors fear humiliation during investigations, and low conviction rates make the pursuit of justice seem futile. Social and familial pressures, especially when the offender is known to the victim, usually silence the survivors. Over 89% of rape cases remain pending trial nationwide (NCRB 2021). This discourages survivors who anticipate long, retraumatizing legal processes.

Rape crime data in Himachal Pradesh, contextualized within national trends and NCRB statistics: In 2021, India reported 65,025 rape cases, but the conviction rate was only 28.6% (fewer than 3 in 10 accused were convicted. IJNRD (International Journal of Novel Research and Development) notes that nearly 96.8% of offenders were known to the victims (friends, family, neighbors), which raises pressing concerns about prevention and social norms.

According to NCRB (National Crime Records Bureau) data (2023), out of a large number of cases reported for investigation, only 77.6% of them are actually registered in a police station. This means more than 1 in 4 investigations do not lead to formal charges being framed. Reasons for this include incomplete investigations, withdrawals under pressure, police refusal to register or forward cases, and inconsistencies in evidence collection. Most people in India, and especially women, do not feel comfortable reporting crimes to the police, and this discomfort is even stronger for sexual violence. Studies consistently show that survivors fear victim-blaming, humiliation during questioning, pressure to withdraw complaints, and retaliation from the



accused, particularly when the perpetrator is someone known to them. Social stigma, family pressure, and concerns about “honor” further discourage reporting, especially in rural and conservative regions. Surveys by organizations such as Non-governmental networks and national safety audits show that women frequently cite police insensitivity, mistrust of the system, and low conviction rates as reasons not to report. As a result, only a fraction of sexual assaults ever reach the police, and even among those who do, many women describe the process as intimidating, judgmental, or dismissive. This widespread discomfort is a major factor behind India’s high under-reporting rates for crimes against women.

India is gradually moving toward trauma-informed approaches for addressing sexual and gender-based violence, but mostly within formal institutions, not consistently at the community level. Government initiatives such as One-Stop Centres, Women’s Help Desks, and medico-legal guidelines emphasize sensitive handling, confidentiality, and emotional support for survivors, recognizing the social, emotional, and behavioral impacts of trauma. The government, courts, and some police departments have acknowledged the need for trauma-sensitive handling of survivors because sexual violence has profound emotional, psychological, behavioral, and social impacts.

NGOs and activist networks, including Jagori, Prerana, and the North East Network, play a leading role in promoting trauma-informed practices through counseling, community education, and advocacy. Although the Criminal Law Amendments (2013 & 2018) and POSH Act (workplace sexual harassment law) emphasize sensitive treatment of survivors, private testimony, and non-hostile questioning, requirements for compassion and confidentiality in handling complaints, most survivors still encounter insensitive police, victim-blaming, and societal stigma, and standardized trauma-informed practices are not uniformly implemented nationwide, making the approach largely aspirational rather than consistently operational.

The SOP (Standard Operating Procedure) mandates prompt forensic examination and strict chain-of-custody procedures, but this is inconsistently followed across states. Sexual Assault Evidence Collection (SAEC) kits are often unavailable, unused, or mishandled; samples are sometimes delayed or improperly stored, causing DNA degradation. Many hospitals lack trained forensic personnel, and police often fail to coordinate effectively with medical staff. This inconsistency in forensic handling is one of the strongest contributors to weak prosecutions and low conviction rates, even when survivors report promptly.

The SOP requires that investigators submit charge sheets within the legally mandated 60–90 days, but delays are widespread. Charge sheets often lack essential forensic reports because labs are backlogged or police fail to follow up. Even when they are submitted on time, many charge sheets are incomplete, reducing the likelihood of a conviction. This delay contributes directly to long trial times and low conviction rates, reflecting structural weaknesses rather than survivor credibility.

Crime scene preservation is one of the most frequently ignored aspects of the SOP. Although the guidelines require immediate sealing of the location, documentation, and systematic evidence collection, in practice, crime scenes are often left unsecured or

contaminated due to delays, lack of training, or insufficient staffing. As a result, critical biological evidence such as blood, bodily fluids, fingerprints, or clothing fibers is frequently lost within hours. Multiple reports from HRW to the Parliamentary Standing Committee note that failure to preserve the crime scene is a major reason sexual-assault cases weaken early, long before reaching court.

**Further resources:**

- <https://www.sci.gov.in/>
- [https://www.indiacode.nic.in/bitstream/123456789/15272/1/the\\_code\\_of\\_criminal\\_procedure%2C\\_1973.pdf](https://www.indiacode.nic.in/bitstream/123456789/15272/1/the_code_of_criminal_procedure%2C_1973.pdf)
- [https://www.indiacode.nic.in/bitstream/123456789/15351/1/iea\\_1872.pdf](https://www.indiacode.nic.in/bitstream/123456789/15351/1/iea_1872.pdf)
- <https://caq.gov.in/en/audit-report/details/31773>
- <https://www.hrw.org/news/2013/01/08/stigma-and-blame-attached-rape-survivors-india>
- <https://www.hrw.org/reports/india0809web.pdf>
- <https://hrf.net.in/wp-content/uploads/VAWG-howshefigures-ncrb-and-meta-data-1953-2022.pdf>
- <https://www.gov.uk/government/publications/india-country-policy-and-information-notes/country-policy-and-information-note-women-fearing-gender-based-violence-india-august-2025-accessible>
- <https://www.ijnrd.org/papers/IJNRD2301333.pdf>

## Prevention

### What is being done to prevent these issues?

The Nirbhaya Fund was created by the Indian government to strengthen safety and protection measures for women, especially in response to rising concerns about sexual and gender-based violence. The fund supports a wide range of initiatives including emergency response systems, women's helplines, One Stop Centres for survivors, and specialized fast-track courts for sexual-offence cases. It also finances infrastructure projects such as Safe City initiatives and the establishment of cyber-forensic labs to address online crimes against women.

A portion of the fund goes toward capacity building: training police officers, prosecutors, and forensic professionals to improve investigation quality and adopt gender-sensitive practices. Women Help Desks in police stations, community policing initiatives, and Anti-Human Trafficking Units are also supported under the scheme. Although utilization levels have improved over the years, allocation and effectiveness still vary widely between states.

Operation PeaceMaker is a domestic violence hotline that aims to reduce domestic violence in India through thousands of PeaceMakers who are trained in family and marriage counseling and all aspects of the Domestic Violence Act. Their innovative approach using local women has proven extremely successful across Telangana.

The central government funds a multi-pronged prevention strategy under programmes that draw on the Nirbhaya Fund / Umbrella Scheme on Safety of Women, which finances



One-Stop Centres, women's helplines (181), emergency response (112), Safe Cities pilots, gender-sensitisation and forensic training for police, and community-policing initiatives. These are implemented through ministries (e.g., MHA, Ministry of Women & Child Development) and agencies such as BPR&D.

There are mandated or strongly promoted trainings for police, prosecutors, judicial officers and health professionals funded under Nirbhaya and state schemes: Gender-sensitisation modules, forensic training and victim-care training are widely offered (often as workshops, webinars or in-service courses). BPR&D and state police training academies run regular courses; however, independent evaluation of how these trainings change day-to-day police behaviour is limited.

India has several national programs that include elements of prevention education: the Adolescence Education Programme (AEP) (NCERT) and the School Health & Wellness Programme / Curriculum on Health & Wellness (under Ayushman Bharat / NEP-aligned School Health programme) deliver lessons on gender equality, relationships, safety and internet use to grades ~6–12. While Comprehensive Sexuality Education (CSE) is not yet uniformly mandated nationwide, many states adopt NCERT modules or run AEP-style curricula; civil-society actors also run CSE pilots and teacher training. Reviews note that curriculum coverage varies across states and that CSE implementation remains uneven.

CSE refers to educational programs taught in schools that cover topics such as gender equality and respect; bodily autonomy and consent; recognizing unsafe situations/abuse prevention; healthy relationships and communication; puberty and reproductive health; digital safety; sexual health (in more advanced or state-approved modules); rights, laws, and how to seek help.

Government programs attempt broader social prevention through campaigns (e.g., gender equality messaging, Beti Bachao Beti Padhao type awareness), safe-city infrastructure (lighting, CCTV, women's transport initiatives) and social welfare measures that aim to reduce vulnerability. There is less visible national policy explicitly aimed at decarceration or de-criminalization as a prevention strategy; penal reform and child justice debates (juvenile responsibility in the context of rehabilitation or punishment) do shape related policy discussions.

Multiple sources collect data or run research: NCRB and NFHS provide incidence/reporting statistics; BPR&D publishes training and program counts; independent research bodies, universities, and NGOs (e.g., Population Foundation, academic journals) evaluate CSE implementation and service delivery. Research on program effectiveness is patchy: usage/uptake and output metrics are reported, but systematic impact evaluations (especially long-term outcome measures like reduced incidence) are limited.

Most state practice remains punitive (criminal prosecutions, fast-track courts). There are limited programs for offender rehabilitation in India, such as juvenile rehabilitation, and some psychosocial/CBT-based interventions exist in parts of the correctional/juvenile system. International literature supports CBT-type programmes for reducing recidivism, but rigorous India-specific evaluations for sexual offender treatment programs are scarce. Debates continue



on restorative justice, diversion, and appropriate rehabilitative measures (especially for juveniles).

India's anti-rape and women's movements are long-standing; major flashpoints (most notably the 2012 "Nirbhaya" protests) catalyzed legal and policy change and sustained public pressure. NGOs and movements (Jagori, Breakthrough, Centre for Social Research, smaller grassroots collectives) focus on public education, survivor support, legal reform (stricter laws, better implementation), and cultural change (gender norms). Current activism targets include improved justice delivery, stronger prevention in schools, police accountability, inclusion of marginalized genders, and better support services. The movements are longstanding and have had measurable policy gains (law reforms, institutional programs), though activists argue implementation and social norms change remain slow.

Many colleges and universities in India have started implementing prevention programs and resources focused on sexual violence, gender-based violence (GBV), and harassment. These efforts are often part of institutional compliance with national laws, such as the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (POSH Act), which covers universities, colleges, and workplaces.

Many universities conduct gender sensitization workshops for students, faculty, and administrative staff, such as the UGC Awareness Program. Topics include: consent and healthy relationships; sexual harassment awareness; gender equality and inclusivity; cyber safety and reporting online harassment. Some colleges also collaborate with NGOs (e.g., Jagori, Breakthrough) to conduct interactive workshops.

In India, community-led prevention initiatives play a vital role in addressing sexual and gender-based violence, often complementing government programs. Local women's committees, such as Mahila Panchayats, work at the village or neighborhood level to raise awareness about women's rights, mediate low-risk disputes, and guide survivors to formal legal channels. NGOs like Jagori, Breakthrough, and the North East Network conduct workshops, peer education, street theatre, and community dialogues to educate women, men, and adolescents about consent, gender equality, and bystander intervention. These programs focus on empowerment, legal literacy, and fostering community accountability, often tailored to local cultural and linguistic contexts.

Youth and peer-led initiatives also contribute to prevention, training adolescents and young adults to educate their peers about healthy relationships, safety, and legal rights. Community monitoring efforts, such as volunteer patrols and safe-space mapping, further enhance women's security in public areas. While these initiatives are effective in building awareness and trust within communities, their impact is often limited by uneven geographic coverage, reliance on volunteers, and the lack of systematic, long-term evaluation. Nonetheless, they remain a critical complement to formal legal and governmental mechanisms, filling gaps in accessibility and cultural sensitivity.

**Further resources:**

- [https://bprd.nic.in/page/nirbhaya\\_fund\\_scheme\\_women\\_safety](https://bprd.nic.in/page/nirbhaya_fund_scheme_women_safety)





- <https://mychoicesfoundation.org/peacemaker>
- <https://www.pib.gov.in/newsite/PrintRelease.aspx>
- [https://bprd.nic.in/page/ncw\\_courses](https://bprd.nic.in/page/ncw_courses)
- [https://www.mha.gov.in/sites/default/files/AnnualReportEngLish\\_11102023.pdf](https://www.mha.gov.in/sites/default/files/AnnualReportEngLish_11102023.pdf)
- <https://www.populationfoundation.in/wp-content/uploads/2022/07/A-review-of-government-and-civil-society-led-CSE-curricula-and-strategies-in-India-1.pdf>
- [https://www.unwomen.org/sites/default/files/2024-09/b30\\_report\\_india\\_en.pdf](https://www.unwomen.org/sites/default/files/2024-09/b30_report_india_en.pdf)



## Country Overview: Iran

### Policy

#### **If there are clear laws prohibiting sexual assault, which apply and are commonly used?**

There are clear laws prohibiting assault, but it is unclear how commonly they are used. Iran's criminal law is based on Islamic law, codified in the Islamic Penal Code (IPC). Applicable articles include IPC Article 224 (2) – Rape; IPC Article 226 (A) – False Accusation of Rape.

#### **How does the law specify the victim's gender?**

Gender-specific language is used, primarily defining victims as female. However, IPC 234 also uses gender-specific language, defining victims as male as well.

#### **How does the law specify the perpetrator's gender?**

Gender-specific language is used, defining perpetrators as male.

#### **Is the law force-based or consent-based?**

Laws are consent-based, as defined by IPC Article 224 (2), with the understanding that consent can be invalid due to incapacitation, through deception or seduction of an underage girl, or through abduction, threats, or intimidation.

#### **What acts are prohibited under these laws?**

IPC prohibits forced vaginal and anal examinations, forcible penile penetration of the vagina, and more. Applicable laws include IPC Article 221 (1) – penetration of a penis in the anus of a woman is legal up to the foreskin; IPC Article 233 – penetration of a penis in the anus of a man is illegal and considered sodomy; IPC Article 235 – intercrural or interfemoral sex between men; and IPC Articles 238-239 – Sex between women (tribadism).

#### **To what extent does the law prohibit sexual assault by a spouse?**

IPC Article 225 (A) states a husband is allowed to have vaginal sex with his wife whenever he wants. This defines marriage as a legal blanket consent, which provides an exemption for spousal rape. The law defines, specifically, that as long as the wife is past the age of majority and sane, she must have sex with her husband whenever he wants. If she is traveling, has a disease or illness that prevents sex, is on her period, or has been proven to have an STD, those are the only cases she is allowed to deny sex.

#### **To what extent does the law prohibit sexual assault by an intimate partner?**

IPC Article 224 (2) technically applies to intimate partner relationships, with the exception of marriage. However, any sexual interaction outside a marriage is prohibited.

#### **To what extent does the law prohibit domestic violence?**

IPC Article 224 permits a man to kill, beat, or lash his wife if he has caught her committing adultery, and if he has proof, he will not be punished. However, IPC Article 135 (N) criminalizes a man from accusing his wife of adultery without proof. Also, IPC Article 228 specifies that if the wife is a minor, her punishment would be reduced.

#### **If same-sex sexual activity is illegal in this country, how is sexual assault on someone of the same sex handled by the law?**



Same-sex sexual activity is illegal, as criminalized by IPC 237 and IPC 237 (N1). Applicable laws also include IPC 234 and IPC 238-239. Same-sex assault may fall under IPC 234, but the victim is also criminalized.

**To what extent is sexual assault on a sex worker prohibited?**

There are no separate or specific protections for sex workers. IPC 286 criminalizes prostitution on both the client's and the sex worker's side.

**How do laws prohibit sexual violence enacted on children?**

IPC 147 defines the legal age of marriage for boys at 15 years old and for girls at 13 years old, though courts may lower the age for girls upon petition, and girls under 10 years old may marry with the approval of a court. There are no specific laws addressing the molestation or sexual assault of children.

**Protocol**

**What resources are available?**

There is no rape crisis center in Iran, or providers of similar care. It is very difficult for rape victims to get justice in Iran. The rape needs to have been witnessed by multiple Muslim men; female rape victims who cannot prove they were raped are lashed, and male rape victims are often executed for coming forward. Because of how difficult it is to get a conviction, and the fear of being punished for being raped outside of marriage, rape crimes are underreported in Iran.

Healthcare for sexual violence survivors in Iran is inadequate. The neglect of the legal healthcare system to address the needs and expectations of survivors leads to not seeking care through the health system and instead seeking illegal solutions. There are no sexual assault referral centers or specialist clinics for adults or children. Survivors have to seek care through forensic medicine centers or general emergency rooms, where staff may lack training in trauma-sensitive care.

As the state's interpretation of Islamic principles has resulted in systemic discrimination against women and girls, key issues include restrictions on women's rights in employment, political participation, family law, and public life. The legal framework and societal context present significant risks and barriers for victims reporting sexual assault. Iranian law criminalizes all sexual relations outside of marriage (which is called "Zina"), whether consensual or non-consensual. A woman who cannot prove the act was non-consensual risks being prosecuted herself for indecency, immoral behavior, or adultery, which can carry severe penalties, including flogging or even the death penalty.

Access to dedicated, independent support organizations for sexual assault victims within Iran is highly limited, with many organizations shut down and no explicit legal protections for victims. The Iranian government has faced strong international criticism for failing to provide support and, in some cases, using sexual violence as a weapon of repression against protesters.



Support that may be available often comes from informal networks, health professionals (such as gynecologists and midwives, who face significant challenges), or through international human rights organizations operating outside the country.

Training for sexual assault advocates in Iran is limited due to legal and cultural barriers, and is often provided informally through online platforms or by NGOs like the Omid Foundation and the Mehr-o Mah Centre. These organizations offer skills, empowerment, and support programs for survivors and advocates, while informal activism, particularly on social media, plays a crucial role in education and awareness. Resources may be focused on areas like life skills, economic empowerment, and providing a platform for solidarity rather than formal, state-sanctioned training programs.

OMID supports and empowers young women from the Persian-speaking world who have endured trauma, poverty, and discrimination. Through trauma recovery, education, and women empowerment programs, they help survivors reclaim their voices and transform their futures. Their track record shows that their emotional healing programs are effective in helping their beneficiaries to overcome the traumas of their past, become empowered and educated, feel confident making and managing money, and have personal success.

The Yaran: Iranian Peer Counseling Help-line is run by trained volunteer peer counselors who provide FREE and confidential supportive and referral services for the Persian (Farsi) speaking community. They encourage people to reach out if they are in need of information or referral services, support with family issues, support with mental and emotional issues, and light case management.

Yara's Voice provides free and confidential support and information by phone, from Saturday to Wednesday, from 9 am to 5 pm. They help youth and children in Iran. Their free support is provided for all cases of abuse & domestic violence, anxiety, bullying, trauma, and stress.

Iran Crisis Text Line is a non-governmental organization dedicated to providing free, 24/7 crisis counseling and suicide prevention services to Iranian and Persian-speaking individuals in need. Through a trusted and familiar medium, live chat, they offer immediate support to those facing emotional distress. Their mission is to listen without judgment, offering empathy, solidarity, and hope to those in crisis. They are committed to ensuring that no one has to face life's darkest moments alone. Many individuals who contemplate suicide often do so not out of a desire for death, but as a plea for help. They recognize this and are dedicated to being there when that chat is initiated. Some of the reasons people may contact the Crisis Text Line are because they are facing abuse, sexual assault, bullying, struggles with thoughts of suicide, and more.

Studies are investigating the effectiveness of new trauma management training for medical students in Iran and the use of therapies like narrative exposure therapy for specific populations like women survivors of intimate partner violence. However, challenges remain, including a need for more data on intentional injuries, better integrated trauma care systems, and greater access to trauma-informed mental health services for the general population.



#### Further resources:

- <https://omidfoundation.com/>
- <https://brieflands.com/journals/healthscope/articles/163962.pdf>
- <https://impactiran.org/2024/12/02/upr2025-women-and-girls-rights-in-the-islamic-republic-of-iran/>
- <https://cceccc.org/program-yaran-helpline.php>
- <https://findahelpline.com/countries/ir/topics/sexual-abuse>
- <https://findahelpline.com/organizations/yara-s-voice>
- <https://www.amnesty.org.uk/press-releases/iran-security-forces-used-rape-help-crush-womens-rights-protests-new-report>

#### Procedure

##### **What does the justice system procedure look like?**

Iran has both civil and criminal courts, with public courts divided into civil and criminal branches at the first instance level. These public courts handle a wide range of cases, but Iran's system also includes specialized courts like Revolutionary Courts and the Special Court for the Clergy, which operate outside the regular public court structure and have different jurisdictions. Civil courts handle general civil disputes that have not been assigned to another court by law, such as family, commercial, and other private law matters. Public criminal courts are divided into two levels, Criminal Courts I and II, and handle criminal offenses not within the specific jurisdiction of another court. Revolutionary courts handle specific crimes, such as those related to threats against the Islamic Republic. A special court for the clergy was established to investigate and rule on alleged offenses by clerics, operating outside the regular judiciary.

To pursue a sexual assault case in Iran, a police report is a necessary first step in the legal process. However, the legal and social framework presents severe challenges for victims, and many do not report the crime due to fear of retaliation or punishment. Rape victims also feared societal reprisal or ostracism. There were reports that approximately 80 percent of rape cases went unreported. For a conviction of rape, the law requires four Muslim men or a combination of three men and two women or two men and four women to have witnessed a rape. A woman or man found making a false accusation of rape is subject to 80 lashes.

A large number of rape victims are never referred to forensic centers for rape kits by the Iranian police. Fear of being found guilty of adultery is the main driving force preventing men and women from seeking assistance from doctors or the judicial system, as such a finding could carry with it punishment under the laws of Iran.

Iran's approach to sexual assault laws and enforcement is primarily counteractive through a punitive legal framework, but widely criticized by human rights organizations for being insufficient and often resulting in inaction or even negative consequences for victims. The legal and social system presents significant barriers that deter victims from reporting sexual assault. Because it is so difficult to prove a sexual assault without witnesses, there were reports that approximately 80 percent of rape cases went unreported.





The extent to which police cases are pursued in Iran varies significantly depending on the nature of the alleged crime, with high pursuit rates and severe penalties for offenses deemed threats to national security, public morality, or state authority, while general crime rates remain high despite reported success in investigations. Iranian courts, and particularly revolutionary courts, regularly fall far short of providing fair trials and use confessions likely obtained under torture as evidence. Authorities have failed to meaningfully investigate numerous allegations of rape and torture against detainees and routinely restrict detainees' access to legal counsel, particularly during the initial investigation period. Iranian authorities' violations of due process rights and fair trial standards, as well as torture and ill-treatment of detainees, have been systemic features of the government's crackdown on anti-government protests. Revolutionary court judges have persistently failed to consider allegations of torture and ill-treatment, including in trials where defendants were sentenced to the death penalty.

Many people in Iran do not report sexual crimes or protest out of fear of what the security guards might do to them. Human Rights Watch documented the rape, torture, and sexual assault of ten detainees, both female and male, from Kurdish, Baluch, and Azeri minority regions that occurred between September and November 2022 during the nationwide protests. Detainees described being raped by security forces, and some said they witnessed security forces raping other detainees. In seven of the cases, detainees said that security forces had tortured them to coerce them into making confessions.

There are multiple obstacles hindering the conduct of research in the field of sexual assault in Iran. Ideological societies are always concerned with presenting a certain image of themselves, both within and outside of their borders, and seek to maintain that image by controlling all aspects of reality. Many researchers worry that they will be questioned by authorities in the event they decide to embark on research projects exposing how frequent sexual assault and rape actually are in Iran.

#### **Further resources:**

- [https://www.nyulawglobal.org/globalex/iran\\_legal\\_system\\_research1.html](https://www.nyulawglobal.org/globalex/iran_legal_system_research1.html)
- <https://www.state.gov/report/custom/016a105a6c>
- [https://www.jccj.ir/article\\_172189\\_en.html](https://www.jccj.ir/article_172189_en.html)
- <https://www.hrw.org/world-report/2025/country-chapters/iran>

#### **Prevention**

##### **What is being done to prevent these issues?**

There are organizations in Iran that work to support victims of sexual assault and prevent future occurrences, but they face significant systemic and legal barriers. Due to the sensitivity of the issue, many operate as informal networks or under the umbrella of broader women's rights initiatives.

Violence against women is a deeply entrenched issue that requires a multifaceted response. In Iran, NGOs like the Omid Foundation are leading the fight by providing essential services, advocating for change, and empowering women to reclaim their lives. The Omid



Foundation is a prominent NGO (Non-Government Organization) that plays a critical role in addressing gender-based violence in Iran, providing support, advocacy, and vocational training for women affected by various forms of violence, including sexual abuse, to help them rebuild their lives.

Elementary education is mandatory under the Iranian constitution. Due to the increasing number of applicants, admission to post-secondary institutions is through a nationwide entrance examination and thus only the most talented students can enter universities. Finally, in general, education (in primary, secondary, and post-secondary levels) is free of charge, though private schools and universities authorized by law are allowed to charge tuition fees.

Anti-violence Against Women (VAW) efforts in Iran primarily involve grassroots activism and the "Woman, Life, Freedom" movement, which operates in the face of a state system that institutionalizes gender discrimination and actively suppresses women's rights defenders. Government initiatives, such as a long-pending bill, have been largely ineffective or weakened by hardliner revisions, failing to provide meaningful legal protection.

Iranian women's rights activists and human rights defenders are the primary drivers of anti-violence efforts. These activists often face severe crackdowns, arrests, and imprisonment. The "Woman, Life, Freedom" protests, sparked by the death of Jina Mahsa Amini, brought global attention to the systemic discrimination and violence.

In Iran, the primary legal response to sexual assault or rape (called zina-be-onf under the penal code) focuses on severe punishment, including capital punishment (death penalty), rather than rehabilitative programs for offenders. The offender, when found guilty, can be granted forgiveness by the family of the person the offender raped, can be executed by hanging, or can be lashed between eighty and one hundred times as his punishment.

The #MeToo movement in Iran emerged in 2020 through social media, with women using hashtags like #MeToo and #Tajavoz to share experiences of sexual harassment and assault. The movement gained momentum despite a cultural and political landscape that often silences such discussions, leading to increased activism and some official responses, though it has also faced significant backlash, including state-sponsored harassment campaigns on social media.

The "Protection, Dignity, and Security of Women Against Violence" bill was brought to the Iranian Congress in 2021. The bill's dozens of articles and provisions offer up a new definition for violence against women, set up new responsibilities for various state-run agencies, and envision new support systems. The legislation defines violence as "any behaviour inflicted on women due to sexuality, vulnerable position or type of relationship, and inflicts harm to their body, psyche, personality and dignity, or restricts or deprives them of legal rights and freedoms". The bill did not pass, but legislation is a target area for change.

Despite the bill not passing, the bill, MeToo movement and Omid have had a positive effect on Iran's women. Hundreds of women have come forward online to talk about their experience. There have been more public arrests for sexual assault since the movement

started, and police chiefs in Iran have publicly announced their commitment to protecting rape victims.

**Further resources:**

- <https://omidfoundation.com/the-role-of-ngos-in-combating-violence-against-women-in-iran/>
- [https://www.parstimes.com/education/education\\_system.html](https://www.parstimes.com/education/education_system.html)
- <https://www.unhcr.org/ir/education>
- <https://pmc.ncbi.nlm.nih.gov/articles/PMC4802065/>
- <https://iranhr.net/en/articles/7406/>
- [https://www.researchgate.net/publication/374081708\\_Iran's\\_MeToo\\_movement\\_challenges\\_patriarchy\\_and\\_western\\_stereotypes](https://www.researchgate.net/publication/374081708_Iran's_MeToo_movement_challenges_patriarchy_and_western_stereotypes) openDemocracy



## Country Overview: Ireland

### Policy

#### **If there are clear laws prohibiting sexual assault, which apply and are commonly used?**

There are, primarily through the Irish Penal Code System, called the Constitution of Ireland, with laws in the Irish Statute Book, which outlines the relevant law: Criminal Law (Rape) (Amendment) Act, 1990. Applicable sections include Section 2 – Sexual assault; Section 3 – Aggravated Sexual Assault; Section 4 – Rape; and Section 5 – Abolition of Marital Exemption.

#### **How does the law specify the victim's gender?**

Section 2 uses gender-specific language, identifying the victim as male or female.

#### **How does the law specify the perpetrator's gender?**

Gender neutral language is used, not specifying the perpetrator's gender.

#### **Is the law force-based or consent-based?**

Ireland's laws are consent-based, understanding it as a freely and voluntarily given agreement. As defined by Section 9, failure to resist an act does not constitute consent. Consent is considered invalid in the presence of force, threat, incapacitation, or misunderstanding the nature of the act.

#### **What acts are prohibited under these laws?**

Section 4 prohibits any penetration of the anus, mouth, and vagina by a penis. It also prohibits the perpetrator's use of an object to penetrate.

#### **To what extent does the law prohibit sexual assault by a spouse?**

Section 5, the Abolition of Marital Exemption, applies Section 4 definitions of rape explicitly to any husband's sexual act against his wife's will.

#### **To what extent does the law prohibit sexual assault by an intimate partner?**

The law prohibits sexual assault regardless of existing relationship.

#### **To what extent does the law prohibit domestic violence?**

The Domestic Violence Act of 2018 criminalizes controlling or coercive behavior that seriously affects another person, including causing fear of violence or substantial distress. Applicable sections include Section 39, which defines this behavior, and Section 33, which describes protection order consequences.

#### **If same-sex sexual activity is illegal in this country, how is sexual assault on someone of the same sex handled by the law?**

Consensual same-sex sexual activity is legal.

#### **To what extent is sexual assault on a sex worker prohibited?**

There are no separate or specific protections for sex workers. There are additional laws such as Criminal Law (Sexual Offences) Act 1993 and Criminal Justice (Public Order) Act 1994, and Amendment of 1993 Act, Section 7A. Together, these prohibit soliciting another person in a public place for prostitution as a sex worker or as a client; advertising brothels or prostitution; persons under the age of 18 providing sex services; forcing a person into prostitution or to



benefit from the prostitution of others; and paying or offering money for sexual activity with a prostitute.

### **How do laws prohibit sexual violence enacted on children?**

Ireland's age of consent is 17. There are separate laws against sexually assaulting or exploiting children, including sex trafficking and statutory rape. Applicable sections include Part 2, Section 2, which criminalizes obtaining or providing a child for sexual exploitation. The Criminal Law (Sexual Offences) Act of 2017, under Section 4, criminalizes inducing or inviting a child to sexual touching, and under Section 7, criminalizes meeting a child for sexual exploitation. Additionally, the Act of 1998 prohibited controlling, organising, coercing, profiting from, or inciting child prostitution or pornography.

### **Protocol**

#### **What resources are available?**

Healthcare resources for rape victims in Ireland include Sexual Assault Treatment Units (SATUs) for medical care and forensic examination, the National 24-Hour Helpline for immediate support, and the support services offered by Rape Crisis Centres nationwide. These services provide confidential and person-centered care, with options to report to the Gardaí or receive a health-check only examination.

Trauma-informed care for sexual assault is available in Ireland through various services, including the Dublin Rape Crisis Centre (DRCC), which offers a trauma-informed online guide, counselling, and a helpline. There is also a focus on increasing trauma-informed practices in child welfare services, as well as in the justice and healthcare sectors. DRCC mainly help adults, but for cases of recent, non-familial assault, they can work with young people aged 16-17, with parent/guardian agreement.

There are 17 independent Rape Crisis Centres around Ireland. All centres are open to survivors regardless of sex, gender or sexuality. In addition, some centres offer support for survivors aged 14 years and upwards – this varies from centre to centre. Each Rape Crisis Centre offers different types of therapy and counselling. Counselling is a one-on-one relationship which provides support and encouragement for someone to talk about their feelings in a safe and confidential space.

Ireland has laws that provide protections similar to rape shield laws, primarily established by the 1981 Criminal Law (Rape) Act, which aim to protect complainants from unfair questioning about their sexual history. These protections have been reinforced by newer legislation and proposals that also address anonymity for both victims and accused parties in sexual offense cases.

Ireland's Children First Act 2015 mandates that specific professionals (like teachers, nurses, etc.) report concerns about child harm to the authorities, similar to mandated reporting in other countries.

Many non-government organizations (NGOs) provide support around issues of sexual assault, such as Rape Crisis Ireland, which offers support, counseling, and advocacy. Safe





Ireland is the national social change agency working to end domestic abuse and coercive control in Ireland. It collaborates with over 38 specialist frontline domestic violence services throughout Ireland.

**Further resources:**

- <https://www.drcc.ie/>
- <https://www.rapecrisisireland.ie/find-help/rape-crisis-centres/>
- <https://www.garda.ie/en/careers/the-garda-college>
- <https://publicpolicy.ie/papers/mandatory-reporting-of-adult-disclosures-of-child-sexual-abuse-irelands-policy-and-legal-quandary/>
- <https://www.lawreform.ie/fileupload/consultation%20papers/cpRape.htm>
- <https://www.gov.ie/en/department-of-justice-home-affairs-and-migration/policy-information/sexual-violence/>

**Procedure**

**What does the justice system procedure look like?**

Ireland has both Civil and Criminal Courts, and most courts, including the Supreme Court, Court of Appeal, High Court, Circuit Court, and District Court, handle both types of cases. Certain courts, however, are dedicated exclusively to criminal matters, such as the Special Criminal Court and the Court of Criminal Appeal.

A police report and medical examination are not always strictly required, but they are often crucial pieces of evidence that can significantly strengthen a case. A police report documents the initial crime, while a medical examination can provide vital evidence of injuries sustained, especially in cases like sexual assault or personal injury. For certain civil cases, like those handled by the Injuries Resolution Board, a medical report may be mandatory. A police report is the foundation of a criminal investigation and will be generated when an individual reports a crime. It is not something an individual is "required" to provide, but it is essential for law enforcement to start an investigation and build a case. A medical examination is not mandatory for a victim to consent to, but it is often recommended and highly beneficial, especially in crimes involving physical harm, as it collects critical evidence.

In Ireland, as in all criminal cases, the prosecution must prove the defendant's guilt in a sexual assault case beyond a reasonable doubt. This is the highest standard of proof in the legal system.

The role of the police in sexual assault cases in Ireland is relatively engaged, with ongoing reforms aiming to increase these efforts. They are active in the immediate aftermath by investigating crimes, gathering evidence, and supporting victims, while also engaging in proactive measures such as specialized training, community engagement to prevent abuse, and risk management of convicted offenders. The establishment of units like the Garda National Protective Services Bureau and the ongoing specialized training for officers are proactive measures to improve response and investigation.

Investigation by Noteworthy and European colleagues shows Ireland ranking among the highest number of reported rapes in 2022. The number of female rape victims in Ireland is almost three times higher than the EU country average, new research by Noteworthy and the European Data Journalism Network (EDJNet) has found. Staggering statistics reveal how, in 2022 alone, the average number of women reporting rape in Ireland stood at 34 per 100,000 of the female population – significantly higher than the average of almost 12 per 100,000 across the six countries with data available.

Rape cases in Ireland are pursued at a low rate compared to the number of incidents, though prosecution numbers have been increasing. Only a small percentage of reported cases result in a trial, with many discontinuities occurring due to factors like the victim withdrawing cooperation or insufficient evidence. Despite a rise in reported offenses, the low conviction rate persists. Only about 14% of reported rape cases were moving forward for trial as of early 2021, according to the Dublin Rape Crisis Centre. Less than 10% of victims report instances of sexual assault or rape to the gardaí. In 2008, only 8% of reported rape cases resulted in a conviction, and the percentage increased slightly to 11% in 2018.

**Further resources:**

- <https://cantillons.com/blog/which-court-an-explanation-of-the-court-system-in-ireland/>
- <https://www.nidirect.gov.uk/articles/police-procedures>
- <https://www.zalkin.com/news/2025/may/the-burden-of-proof-in-civil-vs-criminal-sexual-/>
- <https://www.gsinsp.ie/wp-content/uploads/2019/07/Responding-to-Child-Sexual-Abuse-A-follow-up-review-Full-Report.pdf>
- [https://www.europeandatajournalism.eu/cp\\_data\\_news/female-rape-victims-in-ireland-almost-treble-that-of-eu-counterparts/](https://www.europeandatajournalism.eu/cp_data_news/female-rape-victims-in-ireland-almost-treble-that-of-eu-counterparts/)
- <https://cwasu.org/wp-content/uploads/2016/07/Ireland.pdf>
- <https://www.oireachtas.ie/en/debates/debate/seanad/2021-11-17/9/>

## Prevention

### **What is being done to prevent these issues?**

The Irish government has organized programs and strategies to prevent sexual violence, such as the National Strategy on Domestic, Sexual and Gender-Based Violence. These initiatives involve multiple government departments and agencies with a strong emphasis on education and public awareness campaigns. The Strategy outlines the government's ambitious goals for the next five years, with the first Implementation Plan covering mid-2022 until the end of 2023. It is built around a framework containing the four Istanbul pillars of Prevention, Protection, Prosecution, and Policy Co-ordination.

The Irish government supports research into sexual violence through several initiatives, including commissioning the Central Statistics Office (CSO) Sexual Violence Survey to measure prevalence, and the establishment of the Cuan agency to coordinate efforts and support research as part of the Zero Tolerance strategy. Additionally, the government funds or collaborates on research programs, such as the one with the Economic and Social Research



Institute (ESRI) and partners with other organizations like the All-Ireland Network on Sexual Violence Research (AINVR).

The Irish government supports programs aimed at preventing sexual violence, such as public awareness campaigns like "Always Here", and provides funding for support services and legislative reforms. The government also works with higher education institutions to create safer environments and partners with organizations to develop preventative strategies.

The #ItStopsNow campaign is a student-led campaign, initiated by the National Women's Council, which aims to tackle sexual violence and harassment faced by third-level students.

Both punitive measures (imprisonment, registration, monitoring) and treatment programs are available for people convicted of sexual assault. The approach involves managing risk and preventing re-offending through a combination of punishment and therapeutic intervention. One of Ireland's punitive programs is called "New Chapters." Each programme in 'New Chapters' has been designed to help people to make positive changes in their lives, to address the known risk factors relevant to sexual offending, to prevent re-offending and/or to prepare people for release. Evidence suggests that alternatives like community-based sanctions and restorative justice are more effective at reducing reoffending and are being promoted as a more constructive approach.

**Further resources:**

- <https://www.gov.ie/en/department-of-justice-home-affairs-and-migration/policy-information/dsgbv-strategies/>
- <https://www.instagram.com/reel/DPMTfgnCTBd/>
- <https://www.esri.ie/system/files/publications/SUSTAT131.pdf>
- <https://www.irishprisons.ie/prisoner-services/treatment-of-sex-offenders/>
- <https://www.iprt.ie/alternatives-to-custody/>



## Country Overview: Japan

### Policy

#### **If there are clear laws prohibiting sexual assault, which apply and are commonly used?**

There are, primarily in Japan's criminal code, called the Penal Code of Japan. Applicable articles include Article 176 – Indecency through compulsion; Article 177 – Forcible sexual intercourse; Article 178 – Constructive indecency/forcible sexual intercourse; Article 179 – Indecency or sexual intercourse by a custodian of a minor; and Article 180 – Attempted offenses.

#### **How does the law specify the victim's gender?**

Gender neutral language is used, not specifying the victim's gender.

#### **How does the law specify the perpetrator's gender?**

Gender neutral language is used, not specifying the perpetrator's gender.

#### **Is the law force-based or consent-based?**

Article 177 is consent-based, with the January 2023 amendment, criminalizing non-consensual sexual intercourse. This definition includes the understanding that consent may be invalid in cases involving the use of force, intimidation, and other mitigating factors that may make it difficult for the victim to refuse.

#### **What acts are prohibited under these laws?**

Article 177 criminalizes nonconsensual vaginal, anal, or oral penetration.

#### **To what extent does the law prohibit sexual assault by a spouse?**

Article 177 criminalizes all forms of rape, explicitly including spousal rape with the January 2023 amendment, and does not provide any exemption for marital status.

#### **To what extent does the law prohibit sexual assault by an intimate partner?**

The Act on the Prevention of Spousal Violence and the Protection of Victims prohibits sexual assault against intimate partners, including current and former spouses as well as common-law partners. This violence includes bodily harm, psychological abuse, and sexual violence, though Protection Orders specifically apply to bodily harm or life-threatening intimidation.

#### **To what extent does the law prohibit domestic violence?**

The Act on the Prevention of Spousal Violence and the Protection of Victims prohibits sexual assault against intimate partners, including current and former spouses as well as common-law partners. This violence includes bodily harm, psychological abuse, and sexual violence, though Protection Orders specifically apply to bodily harm or life-threatening intimidation.

#### **If same-sex sexual activity is illegal in this country, how is sexual assault on someone of the same sex handled by the law?**

Consensual same-sex sexual activity is legal. However, same-sex marriage is prohibited under Article 732 of the Civil Code.

#### **To what extent is sexual assault on a sex worker prohibited?**



There are no separate or specific protections for sex workers. The Prostitution Prevention Law of 1956 prohibits soliciting for purposes of prostitution, procuring a person for prostitution, coercing a person into prostitution, receiving compensation from the prostitution of others, inducing a person to be a prostitute by paying an "advance", concluding a contract for making a person a prostitute, furnishing a place for prostitution, engaging in the business of making a person a prostitute, and the furnishing of funds for prostitution.

#### **How do laws prohibit sexual violence enacted on children?**

Japan criminalizes sexual acts with children under 18, especially when the adult has custody or guardianship of the child. Applicable articles include 2 – Definitions, 4 – Child Prostitution, 5 – Intermediation in Child Prostitution, and 179 – Indecency by a Person Having Custody of a Person under 18; Sexual Intercourse by a Person Having Custody of a Person under 18. The 2023 Penal Code reforms raised the legal age of consent from 13 to 16. Sexual acts include intercourse, touching genital organs or nipples, and having the child touch the adult. Child prostitution and pornography, whether producing, distributing, or recording sexualized images of children, are also illegal.

#### **Protocol**

##### **What resources are available?**

Organizations such as the Tokyo Rape Crisis Center (TRCC) provide confidential counseling and referral services, while the Sexual Assault Crisis Healing Intervention Center Osaka (SACHICO) offers integrated support to survivors in Osaka Prefecture. The All Japan Women's Shelter Network coordinates shelters, counseling, and legal aid across the country, and Lighthouse: Center for Human Trafficking Victims supports victims of human trafficking through counseling and advocacy in Tokyo.

Japan has established a network of "one-stop" sexual violence support centers, including SARC Tokyo and regional centers such as Toyama's Sexual Violence Support Center. These centers provide medical, legal, and psychological support in a single location, aiming to reduce the logistical and emotional burden on survivors. Services typically include medical examinations, assistance with police reporting, counseling, and referrals to other social or legal resources. These centers work with police, hospitals, and social services to coordinate care and provide a more integrated response.

Hospitals and clinics in Japan offer post-assault medical care, including forensic examinations, STI testing, and emergency contraception. Some hospitals collaborate with rape crisis centers, such as SACHICO in Osaka, to provide trauma-informed protocols. The number of trained Sexual Assault Nurse Examiners (SANE-J) is limited. The Sexual Assault Nurse Examiner program (SANE-J) trains nurses to provide forensic examinations, collect evidence, and offer trauma-informed care to survivors of sexual assault. These nurses help connect medical and legal processes in a coordinated way. SANE-J-trained staff are increasingly available in urban hospitals, but coverage is still limited in smaller cities and rural areas.





In Japan, police and court staff get some training on handling sexual assault cases, but how much they learn about trauma-informed care varies a lot. Many prefectures have special sexual-crimes units, and some use female investigators and kits for collecting evidence in assault cases. NGOs like TRCC and the All Japan Women's Shelter Network have pushed for extra workshops and guidance, which some local departments have adopted.

Healthcare professionals are expected to report cases involving minors, but adult survivors can choose whether to report. Some schools have policies that require disclosure of abuse to counselors or administrators, though these policies are not consistent across the country. NGOs such as TRCC and the All Japan Women's Shelter Network provide confidential reporting options and advocacy for survivors, helping them navigate medical, legal, and social support systems.

Shelters operated by the All Japan Women's Shelter Network and local NGOs provide temporary housing, counseling, and support for life skills development. They serve survivors of both domestic violence and sexual assault, offering safe spaces and assistance with employment or educational reintegration.

Counseling and emotional support in Japan is offered by NGOs such as Tokyo Rape Crisis Center (TRCC) and TELL Japan, as well as some hospital-based or one-stop support centers. TRCC provides free telephone counseling nationwide, with trained volunteers guiding survivors through available services.

Hotlines run by organizations such as TELL Japan and RC-NET offer immediate, confidential support for survivors of sexual violence. Volunteers and trained staff provide emotional support and guidance, including referrals to medical, legal, or social services. Peer support programs allow survivors to connect with others who have similar experiences.

Organizations such as Colabo, ZOE Japan, and local sexual violence support centers run outreach and education programs in schools, workplaces, and communities. These programs provide workshops on topics such as sexual assault, consent, and available support services, and some also offer training for teachers, social workers, and police officers.

NGOs such as TELL Japan and Colabo provide support in English and other languages for foreign residents and individuals facing language barriers. Services include hotlines and referral guides, helping survivors navigate Japan's legal and social support systems, which can be difficult for non-Japanese speakers to access. These resources aim to ensure that vulnerable populations can receive counseling and legal assistance.

Organizations such as ZOE Japan and Colabo provide support for minors who have experienced sexual exploitation or assault. Their services include hotlines, counseling, educational workshops, and outreach to at-risk youth. These organizations work with child consultation centers and police to coordinate responses and connect young survivors with appropriate services. Because these programs focus on minors, adult survivors typically rely on hospitals or adult-focused NGOs for support.

The Japan Legal Support Center (Houterasu) offers free or low-cost legal consultations for survivors of sexual assault, helping them connect with lawyers and navigate both civil and



criminal proceedings. Interpreter services are sometimes available for non-Japanese speakers. Availability and accessibility of these services vary by region.

Japan provides certain legal protections for victims of sexual crimes through existing statutes and court procedures. Courts can keep a victim's personal information confidential and allow testimony via video link or with a screen separating the victim from the defendant, aiming to reduce stress during trials. Amendments to the Penal Code now permit prosecutors to pursue sexual assault cases without requiring the victim to file a complaint. The legal definition of rape was also updated to focus on lack of consent rather than just force or intimidation.

Organizations such as the Asia-Japan Women's Resource Center (AJWRC) and Colabo work to advocate for survivor rights and improvements in legal and policing practices. They conduct research and publish reports on issues in the system, helping inform local and national policy. These groups also connect survivors with official services, though their work focuses on advocacy rather than providing direct care.

**Further resources:**

- <https://thebestjapan.com/safety/sexual-assault-or-rape-in-japan-how-to-seek-help/>
- <https://seibouryoku.com/>
- <https://shelterasia.org/our-members/our-membersall-japan-womens-shelter-network>
- <https://www.eng.gozoe.jp/>
- <https://www.houterasu.or.jp/site/english/supportforvictimsofcrime.html>
- <https://colabo-official.net/projects-english/>
- <https://www.ajetpsg.com/domestic-sexual-violence>

## Procedure

### **What does the justice system procedure look like?**

In Japan, survivors of sexual assault can go through both criminal and civil channels. Criminal courts handle prosecution and public justice, while civil courts let survivors seek compensation through lawsuits or private settlements. Some survivors use both at the same time. For example, they might report a case to the police while also filing a civil claim against the alleged perpetrator. Civil cases, like claims for damages or injunctions, go through regular civil courts, while criminal cases go through investigation, indictment, and trial. Because criminal cases can take a long time or sometimes be dropped, survivors may choose civil remedies as something they can manage more directly.

Reporting to the police in Japan is voluntary, and survivors are not required to file a report in order to pursue civil action later. However, police reports are usually the first step in a criminal investigation. The National Police Agency promotes hotlines and support desks across the country to help survivors understand their options and protections. Local police can provide immediate assistance, such as sending female officers, offering liaison support, or referring survivors to one-stop centers, which can make the process less stressful.

Forensic and medical exams in Japan, such as STI testing, pregnancy prevention, and evidence collection, are strongly encouraged, but they are not strictly required for a criminal



case. Authorities aim to gather all available evidence, and some hospitals and one-stop centers provide coordinated medical and forensic support. Access to a trained Sexual Assault Nurse Examiner (SANE-J) or other dedicated forensic staff varies by region, so not every survivor can get an exam immediately.

In Japan, criminal convictions require proof “beyond a reasonable doubt,” meaning the prosecutor must convince the court that the accused committed the crime. Physical evidence and corroboration can be important, but courts also consider testimony and circumstantial evidence. Because sexual violence cases often lack clear physical evidence, especially if reporting is delayed, it can be challenging for prosecutors to meet this standard.

The National Police Agency and local forces offer courses on victim support, including using support desks, assigning female officers for visits, and working with one-stop centers. Training quality and depth can vary widely depending on the prefecture and the station, with urban areas generally having more specialized units and experience. Some police units follow trauma-informed practices closely, while others focus more on procedures and are less sensitive.

Japan’s police are moving toward a more victim-centered approach, with prevention and support initiatives promoted by the National Police Agency. However, some units actively investigate cases and support survivors, while others may be slower to pursue charges or encourage private settlements. NGO reports and academic studies continue to note issues such as insensitivity to testimony or pressure toward settlements.

Research shows that reporting rates for rape in Japan are low, with studies estimating that only about 5 to 10 percent of incidents are reported to the police. Many survivors never enter the criminal system because of social stigma, fear of not being believed, concerns about privacy, or the complexity of legal procedures. NGOs and one-stop centers help reduce these barriers by offering confidential intake and accompanying survivors to the police.

In Japan, there is a significant drop-off between reporting a sexual assault, investigation, and indictment. Prosecutors often decide not to pursue cases if they believe there is not enough evidence. While conviction rates for cases that go to trial are high, many reports never reach that stage. This means the high conviction rate does not reflect the low proportion of total reports that result in justice. Survivors may feel frustrated because it can seem like the system decides which cases “count” and which are dismissed.

Because physical evidence is often missing or affected by delays in reporting, survivor testimony ends up being a major part of many sexual assault trials in Japan. Courts look at how consistent and credible the testimony is, along with whatever supporting evidence exists, like messages, witness accounts, or medical notes. Prosecutors try to collect these kinds of corroborating materials since physical evidence isn’t always available.

Japan revised its sexual assault laws in 2023. The Penal Code now defines rape as any non-consensual sexual intercourse, including cases involving coercion, intoxication, or abuse of power, so physical force is no longer required. The legal age of consent was raised from 13 to 16. The law also expanded protections to cover non-consensual photographing, grooming of



minors, and other exploitative behaviors. Sentences for rape start at a minimum of five years in prison, and prosecutors must still show that consent was lacking, which can be challenging if there is no physical evidence or if the report was delayed.

Many sexual assault cases in Japan end in a private settlement instead of going through the full criminal process. Families or lawyers negotiate compensation, apologies, and sometimes confidentiality terms. Settlements can give survivors quicker financial support and spare them from a long investigation or trial, which is why some people prefer them. But they can also include nondisclosure agreements or expectations of silence that limit transparency.

Japan has some procedural tools meant to make investigations and court proceedings less stressful for victims, such as allowing testimony from a separate room, shielding a victim's face from the defendant, or limiting how many times they have to be interviewed. These measures come from the Code of Criminal Procedure and from internal guidelines issued by the Gender Equality Bureau and the National Police Agency, not from any formal rape-shield law. How much protection a victim actually gets depends heavily on the prosecutor, the judge, and the local police unit handling the case.

Japan has a public Crime Victims Compensation System that survivors of violent crimes, including sexual assault, can apply to for financial help. It can cover things like medical bills, time missed from work, and sometimes counseling costs, which is useful when a survivor can't or doesn't want to pursue a civil settlement. The process can be slow and paperwork-heavy, so many people end up getting help from NGOs or from Houterasu to get the forms and documentation together. A conviction isn't required, but applicants generally need a police report and some kind of medical or psychological record showing the harm they experienced.

Japan has a Victim Participation System that lets survivors in certain serious crimes, including some sexual assault cases, take a more active role during trial. They can sit closer to the proceedings, give statements, and, through their lawyer, ask questions to the defendant. Some survivors appreciate having that kind of involvement because it gives them a sense of control in a process that usually feels distant.

**Further resources:**

- <https://www.npa.go.jp/hanzaihigai/portal/search/kensaku/seihigai/index.html>
- <https://www.police.pref.osaka.lg.jp/sodan/seihan110/10510.html>
- [https://resourcehub.bakermckenzie.com/en/-/media/fighting-domestic-violence/reports/reports/2021\\_fdv\\_japan.pdf](https://resourcehub.bakermckenzie.com/en/-/media/fighting-domestic-violence/reports/reports/2021_fdv_japan.pdf)
- <https://www.ajwrc.org/wordpress/wp-content/uploads/2021/09/Violence-against-Women-Sexual-Violence.pdf>
- [https://www.nichibenren.or.jp/en/about/judicial\\_system/judicial\\_system.html](https://www.nichibenren.or.jp/en/about/judicial_system/judicial_system.html)
- [https://www.courts.go.jp/english/judicial\\_sys/index.html](https://www.courts.go.jp/english/judicial_sys/index.html)
- <https://data.unwomen.org/country/japan>

**Prevention**

**What is being done to prevent these issues?**



Some reforms to the law are a part of prevention efforts. The Act on the Prevention of Spousal Violence and the Protection of Victims, for example, allows courts to issue protection orders and provides support for people experiencing intimate partner violence. Other efforts, such as reforms to the Penal Code and raising the age of consent, are also intended to create conditions that make abuse less likely.

Japan's criminal justice system has tightened definitions and penalties for sexual violence in recent years, including reforms to the Penal Code and raising the age of consent from thirteen to sixteen. Situations where a victim was threatened, coerced, intoxicated, or otherwise unable to give free consent are now clearly covered. The reforms also criminalize taking sexual photos or videos without permission, and the statute of limitations for prosecuting sexual assault has been extended to 15 years.

Japanese companies are increasingly required to address sexual harassment and workplace violence under laws like the Equal Employment Opportunity Law and the Comprehensive Labor Policy Promotion Act (which covers "power harassment"). Because of that, many firms now run training on harassment prevention. Providers like Japan Intercultural Consulting offer seminars to help businesses understand harassment laws and recognize unacceptable behavior.

Japan has been expanding hotlines and online support services to help prevent sexual violence and provide early support for survivors. TELL Japan runs the "Purple Hotline," offering counseling for sexual assault, abuse, and domestic violence in multiple languages, including English, which makes it easier for foreigners or non-Japanese speakers to get help. ZOE Japan operates a free, anonymous hotline for minors under 18 who have experienced or fear exploitation or sextortion, providing advice, referrals, and emotional support.

The Japanese government has been putting out sexual-violence prevention programs for schools and communities, including short videos and online materials for teenagers that explain consent and where to get help. Some schools use these as part of health education, sometimes with support from local governments or ministries.

Japan has started using digital tools and technology-based programs to help prevent sexual violence. For example, some high schools and early university classes use web-based learning programs adapted from earlier DVD lessons, which have been shown to reduce attitudes that condone violence and improve empathy and conflict-resolution skills. In elementary schools, pilot programs have introduced smartphone and tablet apps to teach children about boundaries and online safety, particularly when using social networking services.

Prevention programs in Japan often involve collaboration between government agencies, local NGOs, and international organizations. For example, the Gender Equality Bureau works with the National Women's Education Center (NVEC) and NGOs like ZOE Japan or Colabo to deliver workshops and training on sexual violence prevention for teachers, social workers, and police officers. International bodies, including UN Women, have also partnered with Japanese agencies to share global best practices and develop curriculum for schools.





ZOE Japan focuses on preventing child sexual exploitation and abuse. The organization provides educational resources such as posters, online materials, and videos, and operates a hotline for children and teens in crisis. These resources are available in Japanese and English, and ZOE works with schools, local communities, and social media campaigns to raise awareness. Colabo targets vulnerable teenage girls, particularly those outside traditional school settings. The organization runs peer-support cafés, night-time street outreach, and awareness campaigns about sexual exploitation and abuse. Colabo also offers guidance and counseling to at-risk youth, helping them access formal support services or escape unsafe situations.

The NWECC offers workshops and training programs for educators, social workers, and government staff on preventing sexual- and gender-based violence. These programs often involve collaboration with NGOs or international agencies and aim to strengthen institutional capacity to respond to and prevent abuse.

Flower Demo, which started in 2019 and holds monthly gatherings in cities across the country to protest acquittals in sex crime cases and call for stronger laws. These movements focus on areas such as promoting understanding of consent, demanding accountability from institutions, and supporting survivors.

The Asia-Japan Women's Resource Center works on broader issues of gender equality and violence prevention. They run workshops, public events, and research projects aimed at raising awareness of women's rights, sexual violence, and social justice issues. They also advocate for policy changes and institutional accountability.

One of the biggest challenges in Japan is the culture of silence around sexual violence. Many survivors don't report incidents because of stigma, fear of not being believed, or social pressure to stay quiet. These deep-rooted issues make it harder for prevention programs to have a real impact. Criminal investigations often end without charges, especially in cases involving power imbalances, which can discourage reporting even further.

#### **Further resources:**

- <https://help.unhcr.org/turkiye/information-and-resources-on-protection-from-violence/see-king-help-and-reporting/>
- [https://www.gender.go.jp/about\\_danjo/whitepaper/r01/zentai/html/honpen/b2\\_s08\\_01.html](https://www.gender.go.jp/about_danjo/whitepaper/r01/zentai/html/honpen/b2_s08_01.html)
- <https://globalcompactrefugees.org/good-practices/response-syria-crisis-turkey-women-and-girls-safe-spaces>
- <https://zen-p.net/ts/s442.html>
- <https://www.ungei.org/sites/default/files/2024-10/Prevention%20Of%20Sexual%20Violence%20In%20Education%20Settings%20White%20Paper.pdf>
- [https://rightscolab.org/case\\_study/asia-japan-womens-resource-center/](https://rightscolab.org/case_study/asia-japan-womens-resource-center/)
- <https://journals.openedition.org/cedref/1138>
- <https://sayno-ryugaku.com/en/>
- <https://www.hrw.org/news/2018/02/27/turkey-considering-chemical-castration-sex-offenders>



- <https://hrn.or.jp/eng/womens-rights/>
- <https://shelterasia.org/our-members/our-membersall-japan-womens-shelter-network/>
- <https://www.globalgiving.org/projects/help-stop-sexual-violence-in-japan/>



## Country Overview: Kenya

### Policy

#### **If there are clear laws prohibiting sexual assault, which apply and are commonly used?**

There are, primarily the Sexual Offences Act of 2006, complemented by the Penal Code, Children Act, and Protection Against Domestic Violence Act. The most common laws used from the Sexual Offences Act include: Sections 3, 4, 10 – Rape; Section 5 – Sexual assault; Sections 20-21 – Incest; Sections 12-17 – Child exploitation; Section 23 – Sexual Harassment; Section 24 – Sexual offenses relating to position of authority; Sections 8-9 – Defilement of a child, and Sections 42 and 44-45 – Consent.

#### **How does the law specify the victim's gender?**

Gender-neutral language is used, with a consistent assumption of “his or her” throughout, except for Sections 20 and 21, which specifically refer to victims of incest as female and male, respectively.

#### **How does the law specify the perpetrator's gender?**

Gender-neutral language is used, with a consistent assumption of “his or her” throughout, except for Sections 20 and 21, which specifically refer to perpetrators of incest as male and female, respectively.

#### **Is the law force-based or consent-based?**

The law is primarily consent-based, with the understanding that consent can be invalid due to coercion, false or fraudulent means, and incapacity of understanding the nature of the act. Prohibited sexual relations apply between adults and children under 18 years old.

#### **What acts are prohibited under these laws?**

The Sexual Offences Act prohibits 2 types of illegal sexual violence. The first is “indecent acts,” which includes causing any contact between the genital organs of a person, his or her breasts and buttocks with that of another person; or exposure or display of any pornographic material to any person against his or her will. The second is “penetration,” which is defined as partial or complete insertion of the genital organs of a person into the genital organs of another person.

#### **To what extent does the law prohibit sexual assault by a spouse?**

Section 43 (5) exempts sexual acts between lawfully married couples from rape laws. The Protection Against Domestic Violence Act includes “sexual violence within marriage” as a definition of domestic violence within a marriage, but it is not a criminal statute; rather, it is a civil protection to support survivors of domestic violence.

#### **To what extent does the law prohibit sexual assault by an intimate partner?**

The Sexual Offences Act prohibits sexual assault without reference to existing relationships, except in instances of incest or marriage.

#### **To what extent does the law prohibit domestic violence?**

The 2015 Protection Against Domestic Violence Act defines domestic violence for the purpose of protecting victims by providing the necessary healthcare, psychological, and social



support. However, it does not explicitly criminalize or prohibit sexual violence nor prescribe criminal penalties.

**If same-sex sexual activity is illegal in this country, how is sexual assault on someone of the same sex handled by the law?**

Same-sex sexual activity is prohibited in Kenya's Penal Code Sections 162 and 165. The Penal Code Section 162 prohibits sexual violence by someone of the same sex through the definition of "Unnatural Offenses" as sexual offenses committed without consent or with consent obtained through force, threats, or intimidation. The gender-neutral language used by the Sexual Offences Act may also apply in cases of sexual violence by someone of the same sex.

**To what extent is sexual assault on a sex worker prohibited?**

There are no separate or specific protections for sex workers. There are additional laws prohibiting living on earnings and public soliciting of prostitution, using houses or other premises for prostitution, and managing brothels.

**How do laws prohibit sexual violence enacted on children?**

The 2006 Sexual Offences Act and 2022 Children Act work together to prohibit the sexual abuse of children under the age of 18. Clauses of the Sexual Offences Act that seek to protect children include Sections 8 (Defilement), 9 (Attempted Defilement), 11 (Indecent Acts with Child), 15 (Child Prostitution), and 16 (Child Pornography). Some laws include clauses about the offender being under the age of 18, directing the court to formulate a punishment using the Children Act and the Borstal Institution Act.

**Protocol**

**What resources are available?**

The National Guidelines on Management of Sexual Violence give general information about the management of sexual violence and the needs of a survivor. It outlines medical, legal, and psychological processes that staff are likely trained in to provide high-quality care to survivors. The Victim Protection Act provides mechanisms for protecting victims of crime and provides them with support services to aid their recovery. The Children Act stipulates that anyone with a reason to believe abuse of a child must report it to law enforcement. This includes sexual abuse. However, the Sexual Offences Act does not include general provisions for reporting sexual assault.

There are hotlines available for victims of sexual assault that are provided by governmental and non-governmental organizations. For example, Kenya's national helpline can give immediate psycho-social support from trained counselors 24/7, refer people to essential services like healthcare and law enforcement, and activate emergency services if necessary. Toll-free numbers are also available through NGOs like the Gender Violence Recovery Center and Wangu Kanja Foundation. These organizations offer trauma-informed care and can act as rape crisis centers for victims of sexual assault.



The Physicians for Human Rights NGO has training programs for civil servants like police officers, teachers, and doctors to use forensic science to collect, document, and investigate cases of sexual violence. It is unclear how much training is required by civil servants.

According to the British Government, which has a large website of resources for sexual assault support in various countries, medical examinations are performed by a doctor, clinical officer, or registered nurse. Victims are asked for a full medical history, checked for injuries, including in the genital area. Swabs may also be taken internally and externally, including an outer genital swab, a high vaginal swab, and rectal swab. Saliva and semen swabs may be taken from areas of the body where traces are noted. Tests may be performed for HIV, pregnancy, and STIs. Emergency contraception may also be provided, but at the victim's expense.

FIDA Kenya is an NGO that specializes in a variety of gender based initiatives. Its website says it has handled litigation on custody matters, matrimonial property disputes, labor, and economic rights. It has participated in advocacy around women in political participation, Sexual Reproductive Health Rights, Female Genital Mutilation (FGM), Child Marriage, and Sexual and Gender-Based Violence issues.

Child Aid Organization Kenya is a non-profit organization in Kenya with a mission to prevent and stop sexual violence and abuse against adults and children. Created in 2008, CAOK provides psycho-social support to survivors of abuse and runs outreach educational programs for urban, rural, and isolated communities in the country.

LVCT Health is an NGO focused on bolstering health programs in Kenya. The initiatives on its website include HIV prevention, mental health services, and sexual assault education. It also provides people aged 15-24 with reliable, high-quality information and access to services on sexual reproductive health, mental health, sexual violence, and HIV in a non-judgmental manner.

#### **Further resources:**

- <https://africa.unwomen.org/en/stories/news/2024/10/kenyas-national-toll-free-helpline-1195-a-lifeline-for-gender-based-violence-survivors>
- <https://wangukanjafoundation.org/about-2/>
- <https://www.doctorswithoutborders.org/latest/caring-survivors-sexual-violence-nairobi-kenya>
- <https://phr.org/countries/kenya/>
- <https://documents1.worldbank.org/curated/en/486011588224486592/pdf/Kenya-Gender-Based-Violence-Service-Gap-Analysis-at-the-County-Level.pdf>
- <https://covaw.or.ke/who-we-are/history-mission-vision-and-core-values/>
- [https://www.globalsurvivorsfund.org/fileadmin/uploads/gsf/Documents/Resources/Country\\_Briefings/GSF\\_Country\\_Brief\\_Kenya\\_EN\\_June2023\\_WEB.pdf](https://www.globalsurvivorsfund.org/fileadmin/uploads/gsf/Documents/Resources/Country_Briefings/GSF_Country_Brief_Kenya_EN_June2023_WEB.pdf)

#### **Procedure**

**What does the justice system procedure look like?**





Kenya has a mixed legal system with common law traditions inherited from the British as well as customary and Islamic law. The Kenyan court system has criminal and civil courts structured in a hierarchy that culminates in the Supreme Court. The evidentiary standard is that prosecutors must prove beyond a reasonable doubt with the evidence provided that the offense occurred.

The judiciary also created sexual and gender-based violence (SGBV) courts that are uniquely designed to handle sexual assault cases. This development was a much-needed departure from the traditional approach, which often led to re-traumatization of victims. These courts take a trauma-informed approach that prioritizes the victims' safety, dignity, and privacy. They are staffed with specially trained judicial officers, who are aware of the intricacies related to SGBV, including survivors' needs, and can handle the complexities of such cases with sensitivity. Despite their creation, there remain persistent issues that prevent cases from being prosecuted.

There have been widespread reports about abuses of power by the Kenyan police, including sexual violence. A Kenyan National Commission on Human Rights report from November 2018 found that police and other security officers committed 55% of the documented sexual assaults. Police stations may vary in the processes they use to handle sexual assault cases. Cultural stigma and the lack of police accountability may contribute to strong reluctance by victims to report sexual assault. Research indicates that police are between active and counter-active when it comes to addressing sexual violence, but it depends on the station.

KNCHR reports that inadequate or weak regulatory mechanisms fail to ensure that multi-agency stakeholder institutions are regularly monitored and held accountable when they fail to take appropriate action in the management of sexual violence cases. Reports of corruption and delayed investigations by agencies remain significant barriers for survivors in accessing justice. The criminal justice system faces delays from the unavailability of witnesses, non-appearance of expert witnesses such as Investigation Officers and medical doctors, missing police files, and the transfer of key personnel (judicial officers and prosecutors) from assignments.

According to a study in the International Journal of Evidence-based Research, Policy, and Practice, there is considerable case attrition in Kenya because of the complex case referral pathway that can be challenging for survivors to navigate. Kenya's approach to healthcare aims to treat patients holistically rather than through specialization and is underdeveloped, which makes it difficult for survivors of GBV to access vital post-assault services. Doctors may not be considered expert witnesses in court, and there is little coordination between medical/legal professionals to properly keep evidence and provide long-term follow-up for survivors. Corruption, low rates of reporting to the authorities, and a lack of resources contribute to few successful prosecutions in Kenya.

The same study as the cell above also found that the justice system for sexual assault outside of urban centers can be very different and is more likely to deprive victims (adult and children) of justice than structured processes in cities. Instead of a formal case made in court,



rural areas may relegate justice to tribe elders, which may be more influenced by patriarchal and traditional cultural norms that negatively impact male and female victims alike.

**Further resources:**

- <https://judiciariesworldwide.fjc.gov/country-profile/kenya>
- <https://www.gov.uk/government/publications/kenya-information-for-victims-of-rape-and-sexual-assault/kenya-information-for-victims-of-rape-and-sexual-assault>
- <https://icj-kenya.org/news/seeking-justice-for-survivors-of-post-election-sexual-violence-a-commentary-on-civil-appeal-no-e645-of-2021/>
- <https://judiciary.go.ke/sexual-and-gender-based-violence-sgbv-courts/>
- <https://pmc.ncbi.nlm.nih.gov/articles/PMC11837619/>
- <https://www.knchr.org/Portals/0/Submissions%20on%20Gender-Based%20Violence%20GBV%20Including%20Femicide%20in%20Kenya.pdf>
- <https://www.tandfonline.com/doi/full/10.1080/15564886.2023.2214550>

## Prevention

### **What is being done to prevent these issues?**

NGOs in Kenya take important roles in the reactive and preventative phases of sexual assault. Education programs appear optional but have been shown to reduce the probability of sexual assault in young adults. Advocacy in schools and policy-making are seen as the biggest opportunities in changing the paradigm of sexual assault in Kenya. Think tanks also research the current landscape and prescribe policy recommendations for combating the prevalence of sexual assault in Kenya.

Kenya has a largely punitive justice system, but it has increased initiatives to rehabilitate inmates, including those convicted of sexual offenses. While there are programs in place, research shows that there are not enough trained personnel to manage the volume of prisoners. Certain programs that teach prisoners vocational skills like carpentry may not be sufficient to treat sex offenders who have mental illness or anger management issues. Limited data indicate that while some offenders have low recidivism risk, the stigma and lack of support they receive after release increase the risk of re-offending.

The Gender Violence Recovery Centre has advocacy initiatives focused on community and legislative change. It has influenced key national initiatives like the Sexual Offenses Act of 2006. GVRC also engages men in activities that build social and cultural rejection of GBV, so they are less likely to become perpetrators. GVRC also engages the public and community in creating awareness on Gender Based Violence through various Behavioral Change Communication (BCC) interventions, public barazas (public forums that engage community members), trainings, school-based activities, and campaigns.

Organizations like the CARE project conduct secondary data analysis to inform policymakers about barriers to accessing services and case attrition after sexual assault. This research provides information about the experiences of adult and child survivors in Nairobi who

tried to access post rape care services from 2016 to the present day. The findings will advocate for policy change and ensure better access to care.

Freely in Hope is an NGO that provides education and scholarships to survivors of sexual assault. According to the website, a core part of their philosophy is based on education, preventing sexual abuse, and empowering women to make a difference in their communities through advocacy. The Eneza (Making Respect Known) Program teaches sexual violence prevention to high school students by giving them skills to prevent and respond to sexual violence.

A study by Stanford University on the impact of education on sexual violence showed that men and boys were less likely to commit sexual violence against women after a short sequence of classes. Created by the NGO No Means No Worldwide, the classes targeted males in slums around Nairobi, and helped the students assess their values about women and to understand true consent. Its content also made them more likely to intervene when witnessing an assault.

The Centre for Rights Education and Awareness (CREAW) engages with law and policy makers at the national and county levels to develop regulatory frameworks about sexual and gender-based violence. The organization's website highlights how its expertise led to the passage of the Sexual Offences Act 2006, Matrimonial Property Act (2013), the Marriage Act (2014), and the Protection against Domestic Violence Act (2015). It also supported the county governments of Kilifi and Meru, the Kenya Police Service, and the Kenya Judiciary to strengthen their implementation of existing GBV laws and policies.

Usikimye is an NGO focused on ending sexual violence against women. Its website includes many initiatives like the Empawa Mama project that supports the long-term recovery and self-reliance of survivors through holistic mental health, peer support, and economic justice programming. The Binti Shine program also helps address the barriers young women face by equipping them with the knowledge, skills, and confidence to make informed decisions about their bodies and personal relationships.

**Further resources:**

- <https://www.careresearchproject.com/>
- <https://www.mygov.go.ke/government-launches-three-year-initiative-combat-sexual-and-gender-based-violence#main-content>
- <https://justice-trends.press/reform-rehabilitation-and-modernisation-in-kenyas-correctional-system/>
- <https://www.freelyinhope.org/kenya/>
- <https://www.stanfordchildrens.org/en/about/news/releases/2015/in-kenya-program-changes-male-attitudes-about-sexual-violence-study-finds.html>
- <https://qvr.or.ke/about-us/what-we-do/>
- <https://www.iosrjournals.org/iosr-jrme/papers/Vol-12%20Issue-5/Ser-4/G1205043440.pdf>



## Country Overview: Macau

### Policy

#### **If there are clear laws prohibiting sexual assault, which apply and are commonly used?**

There are, primarily, under the Penal Code of Macau (Codigo Penal de Macau). Applicable articles from the penal code include Article 157(1) – Rape; Article 157(2) – Penetration by any other body part; and Article 158 – Non-penetrative acts.

#### **How does the law specify the victim's gender?**

Gender neutral language is used, not specifying the victim's gender.

#### **How does the law specify the perpetrator's gender?**

Gender neutral language is used, not specifying the perpetrator's gender.

#### **Is the law force-based or consent-based?**

Laws are primarily force-based in the Penal Code of Macau, Articles 157-158, criminalizing sexual activity under threat of violence, serious threat, or exploitation.

#### **What acts are prohibited under these laws?**

The Penal Code of Macau prohibits 2 types of sexual violence. The first addresses all forms of penetration, defined under Article 157, including anal, oral, and vaginal intercourse, and the insertion of objects or other body parts into the vagina or anus. The second addresses non-penetrative sexual activity, defined under Article 158, including sexual touching/fondling, genital-to-genital rubbing, and non-contact sexual acts such as viewing a sexual act or masturbation.

#### **To what extent does the law prohibit sexual assault by a spouse?**

The Penal Code of Macau and the Domestic Violence Law (Law No. 7/2016), Article 157 explicitly prohibits sexual assault by a spouse regardless of the status of marriage or living arrangements.

#### **To what extent does the law prohibit sexual assault by an intimate partner?**

The law prohibits sexual assault regardless of an existing relationship. The Domestic Violence Law (Law No. 7/2016) also prohibits sexual assault as a defined form of domestic violence. The Law No. 2/2016 of the Preventing and Combating Domestic Violence explicitly prohibits and criminalizes domestic violence, and also applies to a wide range of intimate relationships.

#### **To what extent does the law prohibit domestic violence?**

Law No. 2/2016 of the Preventing and Combating Domestic Violence explicitly prohibits and criminalizes domestic violence, including physical, psychological, and sexual ill-treatment. This law applies to a wide range of intimate relationships, extending the definition beyond traditional marriage.

#### **If same-sex sexual activity is illegal in this country, how is sexual assault on someone of the same sex handled by the law?**

Consensual same-sex sexual activity is legal.

#### **To what extent is sexual assault on a sex worker prohibited?**



There are no separate or specific protections for sex workers. There are additional laws (such as Penal Code of Macau Article 169) criminalizing the commercial exploitation and organization of the sex trade by third parties, such as operating or organizing a brothel and procuring/pimping.

#### **How do laws prohibit sexual violence enacted on children?**

The laws explicitly prohibit all sexual assault and molestation of minors, with the usage of two main legal thresholds based on age. For children 14 or younger: under Article 166 of the Penal Code of Macau, no form of consent is valid for any sexual act. For children 14 to 16 years old, laws involve the perpetrator to “take advantage” of the inexperience of the minor: Article 168 prohibits penetrative sexual acts, and Article 169 prohibits non-penetrative sexual acts. The legal definition of “taking advantage” includes exploiting a position of authority, influence, or trust, employing deceit or manipulation, leveraging the minor's naivety, and exploiting the inherent power imbalance.

#### **Protocol**

##### **What resources are available?**

Macau's closest law protecting against general sex-based discrimination is found in the Labour Relations Law for the workplace and general provisions in the Basic Law for equality.

Trauma-informed care principles are utilized by the Social Welfare Bureau and partner NGOs in Macau to support victims of violence. The Macau Government's Social Welfare Bureau (IAS) oversees support services that include psychological care and counseling for crime victims, including survivors of sexual violence. While they may not use the specific term “trauma-informed care,” the services are designed to address the psychological and emotional effects of trauma. For example, the IAS provides multi-disciplinary professional therapy services through its centers for individuals dealing with difficult emotional issues. These services focus on providing immediate emotional support and counseling, which aligns with the core principles of a trauma-responsive approach.

Shelter and crisis services provided by centers like the Good Shepherd Centre are open to citizens of any country. Macau's service model is inclusive, ensuring that non-resident victims of violence are not excluded from critical protection and shelter services. The Good Shepherd Centre explicitly welcomes international citizens for counseling and shelter, providing a crucial safety net for foreign workers or visitors. This inclusivity is an important resource feature for victims who may lack local support networks. This ensures that a crucial resource is available regardless of a victim's legal status.

Victims can initiate a police report immediately by calling the 24-hour crime reporting hotline at 993 or visiting any police station. The 993 hotline provides an immediate and accessible channel for engaging law enforcement at any hour of the day or night. This ensures that victims can engage law enforcement during the critical period immediately following an assault, even though they must report in person for serious crimes. The availability of reporting at any physical police station also promotes geographical accessibility for those who need to





report in person. This system serves as the victim's access point to the official police system for all crimes.

Police procedure mandates that an officer of the same sex as the victim will conduct the interview at the police station. This procedural requirement is designed to minimize emotional distress and potential re-traumatization during the sensitive disclosure process. By prioritizing the victim's comfort through the use of a same-sex officer, the police implement a trauma-informed approach to law enforcement. This practice, which implies required training, is intended to foster trust and facilitate a more complete and accurate disclosure of the crime details. This procedural safeguard is a key resource provided by the police system.

Police services are obligated to provide translators for English speakers as necessary to ensure effective communication during reporting. This critical logistical measure ensures language barriers do not prevent non-native Chinese or Portuguese speakers from accessing the justice system. The availability of translators ensures that the victim's statement is accurately recorded and that they fully understand the procedural requirements. While specific training hours are not detailed, this policy ensures equitable access to law enforcement services for Macau's diverse population. Language support is a key resource within the police system for non-legal audiences.

The comprehensive forensic exam may include the collection of detailed samples, such as DNA, genital swabs, fingernail scrapings, blood, and saliva. The rigor of the forensic procedure ensures that all potential forms of biological evidence are secured and documented for subsequent judicial use. This comprehensive collection, which is authorized by the PPO, maximizes the chances of securing evidence that can link the perpetrator to the crime. Fingernail scrapings, for instance, are critical for securing DNA in cases involving defensive struggles. This meticulous collection of evidence is a crucial resource provided within the healthcare system.

The Public Prosecutions Office (PPO) oversees and authorizes all criminal investigations and necessary forensic exams. The PPO's central role ensures investigations into sexual violence are conducted with legal rigor and judicial oversight. This oversight is critical for maintaining the integrity and legal admissibility of evidence, minimizing the risk of procedural irregularities. The PPO's involvement links the investigation directly to the judicial system, ensuring legal compliance from the outset. This authority is a key institutional resource for ensuring justice is pursued professionally.

The identity of victims in cases of rape and kidnapping is protected by law throughout the entire judicial process. This crucial statutory protection is a powerful incentive for victims to come forward, as it mitigates the fear of public shaming, scrutiny, or retaliation. By guaranteeing anonymity, the legal system removes a major psychological and social barrier to reporting sexual violence. This legal safeguard reflects a high institutional commitment to protecting the victim's privacy and dignity. This protection is an essential resource provided by the justice system.



Some government-supported religious programs specifically offer long-term rehabilitation programs for female victims of violence. These programs utilize the trusted infrastructure of community and religious organizations to provide crucial long-term therapeutic and social recovery pathways for survivors. They focus on helping women regain emotional and social stability after experiencing violence, extending support beyond the immediate crisis. This demonstrates a commitment to aftercare that utilizes community-based resources for successful rehabilitation. This is a specialized resource for long-term recovery and integration.

The Bureau for Family Action, part of the Social Welfare Bureau, helps female victims of domestic violence. This specific government bureau is dedicated to assisting female victims of domestic violence by providing a safe place for them and their children. While focusing on domestic violence, this resource is a key part of the broader system for gender-based violence (GBV) support. The bureau ensures that legal advice is available and provides emergency support, linking the victim to the state's welfare system. This resource is a direct institutional arm of the government for protection and legal support.

The Women's General Association of Macau (WGAM) is a robust, long-standing NGO providing a variety of social services, including childcare and vocational training. The WGAM's focus on practical social services helps women build the necessary education and economic stability to leave abusive or violent situations. Providing childcare is a crucial structural resource that enables women to pursue employment or training. This focus on women's development is a powerful tool for preventing financial dependence and long-term vulnerability. The WGAM is a prime example of a robust organization that fills a comprehensive support role.

**Further resources:**

- [https://www.state.gov/wp-content/uploads/2023/03/415610\\_MACAU-2022-HUMAN-RIGHTS-REPORT.pdf](https://www.state.gov/wp-content/uploads/2023/03/415610_MACAU-2022-HUMAN-RIGHTS-REPORT.pdf)
- <https://hk.usconsulate.gov/help-for-u-s-citizen-victims-of-crime-in-macau-sar/>
- <https://new-mac.com/en/the-womens-general-association/>
- [https://www.police.gov.hk/info/doc/cpa/sexualviolence\\_eng.pdf](https://www.police.gov.hk/info/doc/cpa/sexualviolence_eng.pdf)
- <https://www.dsaj.gov.mo/download/dadidir/laws/lei-8-2017en.pdf>
- <https://www.familyandwomen.gov.hk/en/story/2024090210252051251.html>

## Procedure

### **What does the justice system procedure look like?**

Macau has a dual legal system where criminal prosecution proceeds alongside the victim's ability to seek civil damages. While the police and Public Prosecutions Office (PPO) handle the criminal case, the victim retains the ability to initiate a separate civil action to seek financial damages or compensation. The criminal court focuses on punishing the offender, but civil courts address the victim's economic losses and injuries. The victim is advised to hire a local attorney to navigate both the criminal proceedings and any potential civil claims.

Victims must report serious crimes, including sexual assault, in person to the police to formally initiate the investigation. The in-person requirement is mandatory for serious crimes,



establishing the official procedural step for investigation initiation. While this can be difficult, it ensures the police can gather the immediate necessary details and assess the victim's condition. This step is necessary to utilize the police as a viable resource and engage the formal justice system.

Medical examinations are a key part of the procedure, with forensic exams authorized by the Public Prosecutions Office and paid for by the government. Forensic sexual assault exams, which are essential for securing critical evidence, are not financially burdensome for the victim as the government covers the cost. The Public Prosecutions Office (PPO) must formally authorize the exam, ensuring legal oversight of the evidence collection process. The PPO's involvement links the medical documentation directly to the criminal investigation, establishing the chain of custody for DNA, blood, and other samples.

The police role is active, involving the immediate engagement of same-sex officers for interviews and the provision of translators to ensure accessibility. The police demonstrate an active commitment to taking on reports by immediately assigning a same-sex officer for the interview and providing translators as necessary for English speakers. This procedural sensitivity ensures victims can utilize the police as a viable resource by minimizing cultural and language barriers during the stressful reporting process. The police confirm that acquaintance rape and spousal rape are prosecuted as crimes, demonstrating a clear commitment to all reports.

The evidentiary standard is supported by a comprehensive forensic procedure that may include the collection of DNA, blood, genital swabs, and fingernail scrapings. The procedural focus on collecting these detailed samples is essential for meeting the evidentiary standard required for a conviction. The meticulous collection of evidence, authorized by the Public Prosecutions Office, helps to establish a robust chain of custody, which strengthens the case. Even if a victim chooses not to have a physical exam, the authorities will still explore other resources to prosecute the case.

The police role is active, involving the immediate engagement of same-sex officers for interviews and the provision of translators to ensure accessibility. The police demonstrate an active commitment to taking on reports by immediately assigning a same-sex officer for the interview and providing translators as necessary for English speakers. This procedural sensitivity ensures victims can utilize the police as a viable resource by minimizing cultural and language barriers during the stressful reporting process. The police confirm that acquaintance rape and spousal rape are prosecuted as crimes, demonstrating a clear commitment to all reports.

After the victim reports the crime, the police are required to refer them to the Social Welfare Department for immediate support services. This procedural link ensures that the victim is immediately connected to crucial counseling, psychological services, and financial aid after the formal report (Q8). The police act as a triage point, transferring the victim's welfare needs to the specialized government department. This seamless referral ensures the victim's emotional and material needs are addressed without administrative delay.



Police are required to provide copies of the police report to the victim upon request. The police report is a critical official document that the victim may need for various reasons, including filing for insurance reimbursement or accessing certain support services. Providing this report ensures transparency and assists the victim in securing resources outside of the criminal justice system. This procedural step ensures the victim has official documentation of the crime.

Victims are protected by law, which mandates that their identity in rape and kidnap cases is shielded from public disclosure. This mandatory statutory protection is an essential resource for victims utilizing the police and judicial system, mitigating the fear of public shaming. This legal safeguard, which acts as a form of Rape Shield Law, is a key feature of the justice system designed to encourage reporting and protect the victim's privacy throughout the legal process. This protection applies automatically to these types of crimes.

The victim has the right to receive assistance, including legal advice, from the government's Bureau for Family Action in cases of domestic violence. This specific government bureau, operating under the Domestic Violence Law, provides a direct institutional resource for victims seeking legal guidance and protection orders. The bureau ensures victims of familial violence have access to mandated legal support and resources, separate from the general public prosecutor's office. This institutional support is vital for navigating complex domestic legal matters.

The victim may seek legal guidance by hiring a local attorney to represent their interests with the police and in court. Although the PPO prosecutes the criminal case, victims are advised that hiring a private attorney is important for advocating their personal interests, including potential civil claims. This allows the victim to play an active role in the justice process and ensure their personal concerns are addressed, separate from the public prosecutor's focus. A local attorney can ensure the victim understands their rights and responsibilities during the criminal investigation.

#### **Further resources:**

- <https://hk.usconsulate.gov/help-for-u-s-citizen-victims-of-crime-in-macau-sar/>
- [https://upr-info.org/sites/default/files/documents/2019-04/womens\\_general\\_association\\_of\\_macau\\_plenary\\_oral\\_statement\\_china\\_2019.pdf](https://upr-info.org/sites/default/files/documents/2019-04/womens_general_association_of_macau_plenary_oral_statement_china_2019.pdf)
- [https://www.state.gov/wp-content/uploads/2023/03/415610\\_MACAU-2022-HUMAN-RIG-HTS-REPORT.pdf](https://www.state.gov/wp-content/uploads/2023/03/415610_MACAU-2022-HUMAN-RIG-HTS-REPORT.pdf)

#### **Prevention**

##### **What is being done to prevent these issues?**

Macau mandates continuous public awareness campaigns across the territory to educate citizens on domestic violence prevention and available support. The Social Welfare Bureau (SWB) is legally obligated to promote these Dissemination and Awareness Raising Actions through media, community centers, and especially schools every year. These campaigns serve as a foundational primary prevention tool, aiming to reshape public attitudes and foster a community culture of non-violence. They actively promote knowledge of victims'



legal rights and the full range of support services available, which the SWB suggests has led to an increased willingness among victims to report cases. By clearly communicating the consequences faced by aggressors, these actions reinforce the legal deterrent against abuse.

The government ensures survivors of sexual violence receive immediate access to necessary public health and tertiary prevention interventions following an assault. The SAR government is committed to providing essential sexual and reproductive health services tailored for sexual violence survivors. These services include critical tertiary prevention measures such as emergency contraception and Postexposure Prophylaxis (PEP). This policy is highly effective in mitigating the immediate health consequences of violence, such as unwanted pregnancy and HIV transmission. This proactive focus on survivor medical well-being is a strong public health component of the anti-violence framework.

Macau has implemented sector-specific prevention policies by requiring Higher Education Institutions (HEIs) to adopt frameworks for gender equality and anti-sexual harassment procedures. The Macao Higher Education Gender Equality Promotion Committee established a comprehensive policy framework and a corresponding complaint procedure framework in 2015 and 2016, respectively. These documents are intended to guide HEIs in promoting gender equality and preventing sexual harassment on campus. While this initiative addresses required policy development and education for role-holders within the tertiary sector, the framework is described as "guidance or reference". Consequently, the efficacy of the policy relies heavily on the voluntary commitment and internal enforcement mechanisms developed by each higher education institution.

Universities conduct training sessions for staff and employees that focus on legislative compliance, internal policy development, and the prevention of workplace sexual harassment. Specific institutions, such as the City University of Macau, hold mandatory workshops for their staff, often featuring professional lawyers. These sessions educate role-holders on current Macau laws and regulations concerning sexual harassment, alongside case-specific information. A key takeaway from these workshops is the need for employers and employees to collectively formulate internal policies and establish clear channels for complaints, which is essential for developing a positive, preventative workplace culture.

Macau's employment laws prohibit discrimination based on sexual orientation, creating a stable and inclusive policy condition in the workplace. The law mandates equal opportunity and prohibits discrimination in hiring practices based on sexual orientation, and this legislation is generally enforced effectively. While this does not directly prevent physical sexual violence, ensuring job security and non-discrimination in a vital area like employment helps establish favorable social conditions. This stability reduces the exposure of LGBTQI+ individuals to financial precarity and exclusion, which are systemic risk factors for violence. However, this protective measure is inconsistent with the denial of protection for the same demographic in the domestic violence law.

The Social Welfare Bureau maintains a long-standing framework to combat human trafficking, a severe form of sexual exploitation, providing comprehensive support for victims.





Since July 2008, the SWB has been operating within a framework to combat human trafficking, which is a key policy area for preventing sexual exploitation. Services include accommodation, medical referrals, financial aid, detoxification treatment, and legal advisory services for victims. This initiative demonstrates a specific, long-term government commitment to specialized support and tertiary prevention measures for victims of sex trafficking.

The Social Welfare Bureau (SWB) implements a large-scale, school-based educational program that addresses known risk factors for sexual misconduct among youth. The SWB's Healthy Life Education Programme provides comprehensive substance abuse prevention education to approximately 20,000 students annually from kindergarten to primary school (K3 to Year 6). Although focused on drug prevention, this program indirectly addresses sexual misconduct by tackling substance abuse, which academic research in Macau links to increased risks of problematic sexual behavior. The consistent annual reach of this program highlights a commitment to primary prevention for thousands of students.

The Social Welfare Bureau (SWB) provides a specific punitive-alternative program, the Perpetrator Tutoring Service, aimed at behavior modification and reducing domestic recidivism. This long-standing service, which predates the 2016 Domestic Violence Law, offers counseling to aggressors, typically upon request, with the explicit goal of helping the perpetrator refrain from committing violence again. The service aims to break the cycle of violence by addressing underlying behavioral issues in the family unit. While international meta-analyses suggest that these therapeutic interventions can reduce sexual recidivism over a five-year period by 5–8 percent, there are no published, rigorous evaluations of these programs in Macau itself. Therefore, the actual reduction in re-offense rates within the Special Administrative Region remains unconfirmed due to a lack of available outcome data.

The Social Welfare Bureau produces and freely distributes multilingual educational materials to empower parents in providing primary prevention education within the home. The SWB addresses the critical role of the family in prevention by publishing illustrated books, such as the "Harold books", in Chinese, Portuguese, and English. These resources are available for free online, specifically designed to encourage parents to share messages about healthy living and steering clear of substance abuse with their children. This strategy is based on the understanding that family involvement is critical for reinforcing protective factors and combating "hidden" risks among youth. By maximizing accessibility through multiple languages and free distribution, the SWB supports parental duty-bearers in their primary prevention role.

Government victim support infrastructure offers counseling services to convicted perpetrators of domestic violence, though participation in these programs is not mandatory. The government ensures counseling services are available for perpetrators of domestic violence, specifically aiming to help them refrain from committing future violence. This key tertiary prevention measure, however, is only provided if the perpetrator personally requests the services, making it entirely non-mandatory. The voluntary nature severely restricts the program's overall crime reduction utility, as individuals most in need of therapeutic intervention may choose

not to participate. Therefore, the lack of mandated treatment limits the program's capacity to serve as an effective, comprehensive system for reducing recidivism.

Activists are forced to contend with media self-censorship, which is a significant political barrier hindering public education and advocacy efforts. Activists have publicly raised concerns that media outlets and journalists in Macau engage in self-censorship, fearing that critical coverage of the government or sensitive social issues could jeopardize funding or result in official scrutiny. This political constraint limits the ability of civil society to conduct open public education and awareness campaigns regarding GBV and justice failures. This structural issue significantly reduces the effectiveness of public anti-violence campaigns and the transparency necessary for public accountability.

Community prevention efforts are distributed and maximized through a collaborative network of at least ten non-governmental and religious organizations annually. Prevention activities rely on a highly collaborative model where major community groups, including the Women's General Association of Macau, Caritas, and the Young Men's Christian Association of Macau, jointly organize sex education across various districts. For example, in 2015, ten different assistant organizers were responsible for launching these campaigns, ensuring a wide geographical and demographic reach. This broad, long-standing involvement helps create a more comfortable and open atmosphere for residents of different age groups to acquire prevention education. This decentralized effort is vital for bolstering the general reach and effectiveness of community-based prevention resources.

The Women's General Association of Macau maintains long-standing activism targeting legislative effectiveness by demanding regular review and continuous improvement of the domestic violence law. The Association actively promotes multi-party collaboration, household mediation, and family education, and calls for consistent government review of the domestic violence law, which was initially required to be evaluated three years after its 2016 implementation. This activism focuses on legislative effectiveness, recognizing that the law must be continuously ameliorated and supported by a robust social safety net to achieve lasting prevention goals. The continuous push for review is a direct response to the government's demonstrated failure in effective investigation and prosecution, arguing that prevention is achieved through credible enforcement and deterrence.

**Further resources:**

- <https://www.asiapacificgender.org/sites/default/files/2024-03/Macao%2C%20China%27s%20National%20Review%20for%20Implementation%20of%20the%20Beijing%20Platform%20for%20Action%20%282019%29.pdf>
- <https://hro.cityu.edu.mo/en/2021/05/17/gender-equality-and-preventing-sexual-harassment-in-the-workplace-workshop/>
- <https://www.usj.edu.mo/en/news/macau-higher-education-institutions-committee-promotion-gender-equality-developing-anti-sexual-harassment-policy-procedural-frameworks/>
- <https://ishr.ch/latest-updates/ngo-forum-calling-for-the-ratification-popularisation-of-new-convention-on-ending-violence-against-women-and-girls/>

- <https://2021-2025.state.gov/reports/2023-country-reports-on-human-rights-practices/china/macau/>



## Country Overview: Nigeria

### Policy

#### **If there are clear laws prohibiting sexual assault, which apply and are commonly used?**

There are. However, sexual assault laws in Nigeria are complex and vary by region, reflecting legal pluralism. The applicable law depends on the geographical location of the offense. Three primary legal frameworks are discussed in depth here. The first is the Criminal Code Act (CCA) 1990 for Southern Nigeria. Applicable sections of this act are Sections 357-8 – Rape, and Section 363 – Statutory rape. The second is the Penal Code Act (PCA) 1960 for Northern Nigeria. Applicable sections of this act are Sections 282-283 – Rape. The third is the more modern Violence Against Persons (Prohibition) (VAPP) Act 2015 – Nationwide, which is domesticated by 35+ states and the Federal Capital Territory (FCT). Applicable sections of this act are Sections 1-2 – Rape. Other legal frameworks include the Sharia Penal Code, which operates in 12 Northern states (Bauchi, Borno, Gombe, Jigawa, Kaduna, Kano, Katsina, Kebbi, Niger, Sokoto, Yobe, Zamfara), applying Islamic criminal law alongside CCA or PCA in these regions.

#### **How does the law specify the victim's gender?**

The language used to refer to sexual assault victims in Nigerian law depends on whether the state follows the older legal codes or the modern VAPP Act 2015. For older laws, the CCA and PCA are both gender-specific, defining the victim as a woman or girl. The modern VAPP Act uses gender-neutral language in Section 1 (1), though with a consistent assumption of “his or her” throughout.

#### **How does the law specify the perpetrator's gender?**

The language used to refer to sexual assault perpetrators in Nigerian law depends on whether the state follows the older legal codes or the modern VAPP Act 2015. For older laws, the CCA uses gender-neutral language but is legally interpreted to apply only to male perpetrators due to the strict legal precedent of the reading of the law, which also focuses on penile penetration as the sole means of committing the crime. The PCA uses gender-specific language, defining perpetrators as men. The VAPP Act uses gender-neutral language in Section 1 (1), though with a consistent assumption of “his or her” throughout.

#### **Is the law force-based or consent-based?**

The Nigerian legal framework is fundamentally consent-based, with sexual offenses defined by the absence of valid consent. Definitions of consent vary between older laws and the modern VAPP Act. The CCA defines rape based on a lack of consent, linked to invalid consent on the basis of use of force, threats, or fraud, and also in cases of incapacitation. PCA defines rape as a lack of consent, linked to invalid consent on the basis of cases including fear of death or of hurt. The VAPP focuses on affirmative consent and explicitly lists invalid forms of consent, including under the age of 18, obtained by force, threats, or intimidation, incapacitation, abuse of authority, or if consent was obtained under false representation of being the person’s spouse.

#### **What acts are prohibited under these laws?**



Each legal framework prohibits different acts included under the definition of sexual assault. The CCA and PCA focus on “carnal knowledge,” legally interpreted as penile-vaginal penetration only. The VAPP Act defines rape more expansively, explicitly including multiple forms of penetrative acts: vaginal, anal, and oral penetration; oral copulation (genital-to-mouth contact); penetration with objects; and any other non-consensual sexual penetration.

**To what extent does the law prohibit sexual assault by a spouse?**

The CCA and PCA exempt spousal sexual acts from rape laws. Section 1 of the VAPP Act removes the marital exemption, thereby prohibiting sexual assault regardless of marital status. Additionally, under Sharia law in the *zina* (unlawful sexual intercourse) provision, spousal sexual assault is not considered a crime.

**To what extent does the law prohibit sexual assault by an intimate partner?**

The law prohibits sexual assault regardless of existing relationship, except in cases of marriage, for the legal frameworks of CCA, PCA, and Sharia law. In these frameworks, sexual assault outside of marriage is considered unlawful sexual intercourse.

**To what extent does the law prohibit domestic violence?**

The VAPP Act prohibits domestic violence under a definition including assault, battery, forceful eviction, and abandonment of a spouse. However, the level of legal prohibition and the acts covered depend on the state’s adoption of the VAPP Act. The CCA and PCA do not criminalize domestic violence as a crime, but address it through general offenses such as assault and battery.

**If same-sex sexual activity is illegal in this country, how is sexual assault on someone of the same sex handled by the law?**

Same-sex sexual activity is broadly illegal across Nigeria, with the legal status of both consensual and non-consensual acts depending entirely on the governing criminal code. Sexual assault is usually charged under anti-homosexuality laws. The Same-Sex Marriage (Prohibition) Act 2023 (SSMPA) Section 5(2) criminalizes same-sex relationships, clubs, or public displays. The CCA, governing Southern States, Sections 214 and 217, criminalizes male same-sex acts. Sharia Penal Codes, governing Northern States, criminalize male and female same-sex acts (*zina/liwat*). In states adopting the VAPP Act Section 1, same-sex assault falls within the gender-neutral language and may be charged under the VAPP Act.

**To what extent is sexual assault on a sex worker prohibited?**

There are no separate or specific protections for sex workers. Sex work is broadly illegal, though selling sex services is only directly criminalized under Sharia Law, which classifies it as *zina*, criminalizing all parties engaged. There are additional laws prohibiting procuring or attempting to procure a female for prostitution, living wholly or partly on the earnings of prostitution. The PCA Section 206 criminalizes sex work under the definition of obscene acts in public.

**How do laws prohibit sexual violence enacted on children?**

Nigeria prohibits the sexual assault of children. Sexual activity with anyone below the age of consent is statutory rape. PCA Section 282(b) defines the age of consent for sexual





intercourse at the age of 14 for girls. CCA Section 218 defines the age of consent for “unlawful carnal knowledge” at the age of 16 for girls. The VAPP Act criminalizes any sexual act with a person under 18 years old. Additionally, the Child’s Rights Act 2003 Section 31 criminalizes unlawful sexual intercourse with a child. Notably, the CRA does not replace other laws; prosecutors can therefore use CRA, CCA, PCA, or the VAPP Act depending on the case.

## Protocol

### **What resources are available?**

The Sexual Assault Referral Centres were established to address some of the gaps in support by providing confidential, free-of-charge and client-focused services across a variety of areas, including: immediate emergency medical treatment; forensic medical examination services by specially trained doctors; immediate and ongoing counselling support from specialised experts; and advice and ongoing support throughout any investigation and prosecution.

The Violence Against Persons Prohibition law, passed in 2015, supports victims of gender-based and sexual violence. It covers many forms of violence, like domestic abuse and sexual assault. It works in conjunction with the Penal Code and Child Rights Act to criminalize sexual violence. There is no mandatory reporting at a national level, but some NGOs and medical staff may be required to notify police of child or sexual abuse.

A 2022 report analyzing the implementation of the Violence Against Persons Prohibition Acts outlines various training for teachers, judicial officers, students, and communities, like gender sensitization training and financial literacy. Various government departments led this training, like the Department of Womens' Affairs, Agency for the Prohibition of Trafficking in Persons

The Lagos State Domestic and Sexual Violence Agency is a collection of professional service providers and government officials that respond to the various needs of domestic and sexual violence survivors by providing legal, medical, emergency assistance, and psychological support. Its mission is to foster collaboration among professionals working to end sexual and domestic violence.

The Nigerian police have dedicated Gender Units that conduct public awareness about sexual violence and train Gender Desk Officers across the various police commands on how to respond to victims of sexual assault. A 2022 report analyzing the implementation of the Violence Against Persons Prohibition Acts shows that officers attend training from other departments like the Ministry of Justice or Womens' Affairs.

Names of sexual offenders are to be kept in a register and made public. Victims of rape are entitled to compensation as the court deems fit. The Violence Against Persons Prohibition Act mandates that the government help the victim obtain social, psychological, and legal support so they may reintegrate into society more effectively. There do not appear to be rape shield laws.



Many non-governmental organizations provide support. The Sexual Violence Project Nigeria is a collaborative project supporting female survivors of sexual violence by giving informational/social support and creating a platform for them to share their stories. They also conduct research and advocacy to improve the legal landscape to end sexual violence.

**Further resources:**

- <https://justice.gov.ng/sexual-and-gender-based-violence-response-gender-unit/>
- <https://www.herstoryourstory.ng/wp-content/uploads/2020/11/new-SARCs-directory-Nov2020.pdf>
- <https://mirabelcentre.org/who-we-are/>
- <https://svpnigeria.org/>
- <https://lagosdsva.org/who-we-are/>
- <https://herstoryourstory.ng/wp-content/uploads/2021/04/210208-SARC-data-Newsletter-article-v1Jeff.pdf>

**Procedure**

**What does the justice system procedure look like?**

Nigeria has civil and criminal courts. The Nigerian legal system is based on a combination of English Common Law, Customary Law, and Islamic Law (Sharia). The judicial system is structured in a hierarchy of magistrates, state, federal, and appeals courts that stop at the Supreme Court. The different legal systems are used in different settings to resolve relevant issues in the system.

The evidentiary standard is the same as other legal systems based on British common law, that the prosecution must prove beyond a reasonable doubt based on the evidence that the offense occurred.

It is unclear if a medical examination is required, but it is likely voluntary since Nigeria follows British common law. According to the British Government, which has a large website of resources for sexual assault support in various countries, a police report, however, is required to pursue a case. During the medical exam, a forensic examiner or doctor will conduct a forensic medical examination to secure possible evidence. The exam may include checking for bruising and external injuries, swabbing in the affected areas, pregnancy test, collecting DNA samples, and tests relating to date rape drugs and STIs. Emergency contraception is also available at hospitals and clinics.

A study surveying victims of sexual violence indicates diverse reasons for not reporting to police, like fear, shame, self-blame, distrust in the police, and protection of privacy. Overall, most survivors of sexual violence (54.9%) in the study did not report the event to law enforcement because they considered it unnecessary, given that it was only an attempted rape, and the perpetrator failed. Fear of being shamed by society also played a role in not reporting incidents to law enforcement, as alluded to by one-tenth of the victims. This aligns with other reporting that indicates less than 10% of victims report sexual assault.



A 2022 report analyzing the implementation of the Violence Against Persons Prohibition Acts outlines prosecution data from the Nigerian Police Force; all cases were investigated, indicating that the police are at least active in addressing sexual violence. Of the 63 cases of rape that were filed and prosecuted in court, 3 led to convictions, while 50 were still pending. Of the 3 cases of spousal battery, all of them led to convictions. A total of 19 people (all male) were convicted in cases related to the VAPP by the Nigerian Police Force, but the reporting period is unknown.

Of the 113 citizen complaints about rape made and investigated, the Nigerian Police Force took 63 to court. While the police have instituted reforms to better support sexual assault cases, the numbers suggest that victims do not feel comfortable going to law enforcement.

**Further resources:**

- <https://pmc.ncbi.nlm.nih.gov/articles/PMC10398436/>
- <https://naptip.gov.ng/wp-content/uploads/2024/01/implementation-report-VAPP-2022.pdf>
- <https://www.gov.uk/government/publications/nigeria-information-for-victims-of-rape-and-sexual-assault/nigeria-information-for-victims-of-rape-and-sexual-assault>
- <https://nigeria.gov.ng/arms-of-government/judiciary/>

## Prevention

### **What is being done to prevent these issues?**

Nigerian government agencies like the Ministry of Women's Affairs conduct education campaigns to better address sexual violence.

The Nigerian Corrections Service is required by law to help rehabilitate inmates, including those convicted of sex crimes. However, in practice, these services are poor or do not exist because of underfunding, overcrowding, and a lack of infrastructure.

Sexual Assault Response Centers (SARCs) perform preventative and reactive services to support victims of sexual assault. Primary prevention mechanisms include gender sensitization education in schools, visiting conservative communities, awareness campaigns in the media, and empowering children. None of the education appears to be required.

There is no data found about the effectiveness of prevention measures. SARC data does show that the number of people seeking help for sexual assault increased from 2017 - 2020. SARCs were established in 2013, but funding, community support, and other factors may contribute to the lack of data. More research is required to assess the impact of prevention efforts.

The United Nations and other NGOs conduct a variety of research about issues facing women and children in Nigeria. In a 2024 annual report by the Demographic and Health Surveys (DHS) Program, women aged 15–49 account for 21% of the total number of people who have experienced physical or sexual violence, including 19% who have experienced physical violence and 5% who have experienced sexual violence. About 58% of women who



experienced physical or sexual violence never sought help to stop the violence, indicating that violence is sadly underreported.

One example of an NGO doing preventative and reactive support is Women at Risk International Foundation (WARIF). It is a non-profit organization established to combat and advocate against the prevalence of sexual violence and human trafficking of young girls and women across Nigeria and Africa. They implement preventive measures via education and community service.

Pathfinder is an international NGO that works in Nigeria to educate communities about sexual violence. According to its website, it uses “gender-transformative” approaches to transform harmful gender norms; reduces the impact of GBV on sexual and reproductive health and rights by offering client-centered care; advocates to change the policies, structures, and systems that hold individuals of all genders back; and strengthens health systems’ capacity to integrate GBV services at primary health service points.

The Women's Peace and Humanitarian Fund is an international NGO with 9 projects in Nigeria to prevent sexual violence. They collaborate with 17 local organizations in projects like radio campaigns, school clubs that collaborate with male allies, and efforts to mobilize communities to advocate for prevention strategies.

**Further resources:**

- <https://www.pathfinder.org/wp-content/uploads/2022/12/E2A-Nigeria-SGBV-Report-2020.pdf>
- <https://dhsprogram.com/pubs/pdf/FR395/FR395.pdf>
- <https://womenaffairs.gov.ng/>
- <https://wphfund.org/countries/nigeria/>
- <https://warifng.org/>

## Country Overview: Poland

### Policy

#### **If there are clear laws prohibiting sexual assault, which apply and are commonly used?**

There are, primarily, under Poland's Penal Code. Applicable articles include: Article 197 – Rape; Article 198 – Taking advantage of vulnerability; Article 199 – Abusing a relationship of dependency; Article 200 – Sexual intercourse with a minor; Article 201 – Incest; Article 202 – Pornography; Article 203 – Forcing into prostitution; Article 204 – Pimping.

#### **How does the law specify the victim's gender?**

Gender neutral language is used, not specifying the victim's gender.

#### **How does the law specify the perpetrator's gender?**

Gender neutral language is used, not specifying the perpetrator's gender.

#### **Is the law force-based or consent-based?**

Laws are force-based, defining rape as forcing another person to submit to a sexual act or subjecting another person to sexual intercourse under force, illegal threat, or deceit.

#### **What acts are prohibited under these laws?**

Under Article 197, the Polish Criminal Code defines two forms of rape, both leading another person by violence, unlawful threat, or deceit. The first is leading another person to have sexual intercourse. The second is leading another person to submit to or perform another sexual act. Under this code, any deliberate act carried out by a perpetrator to satisfy their own sexual need against the will of another person constitutes rape, including penetrative acts, including mouth or anus, or direct touching of an intimate part.

#### **To what extent does the law prohibit sexual assault by a spouse?**

The law prohibits sexual assault regardless of marital status.

#### **To what extent does the law prohibit sexual assault by an intimate partner?**

The law prohibits sexual assault regardless of an existing relationship.

#### **To what extent does the law prohibit domestic violence?**

The Act on Counteracting Domestic Violence of 29 July 2005 defines domestic violence as a single or repeated intentional act or omission violating the rights or personal goods of a close family member, including the danger of loss of life or health, violation of dignity, bodily inviolability, freedom, including sexual freedom, causing damage to their physical/mental health, and causing suffering and moral harm to the person affected by violence.

#### **If same-sex sexual activity is illegal in this country, how is sexual assault on someone of the same sex handled by the law?**

Consensual same-sex sexual activity is legal.

#### **To what extent is sexual assault on a sex worker prohibited?**

There are no separate or specific protections for sex workers. There are additional laws prohibiting forcing a person into prostitution or benefiting from the prostitution of others.

#### **How do laws prohibit sexual violence enacted on children?**





Poland criminalizes and prohibits the sexual assault of children, defining minors as children under the age of 15. Article 198 defines sexual violence of children in part as the involvement of a child in sexual activity that the child cannot fully understand and give informed or legal consent due to lack of developmental maturity, and/or which conforms with the legal norms or customs of a given society. Articles 199-200a prohibit sexual intercourse with, committing any other sexual act, or leading the child to undergo or execute any sexual act, especially for their own sexual gratification. It also criminalizes the abuse of a relationship of dependency at the detriment of a minor: to make the minor perform sexual intercourse, submit to a sexual act, or perform an act. Article 202 explicitly prohibits the use of a child for the production of pornographic material or performances.

## Protocol

### **What resources are available?**

Feminoteka's Femka Center offers services similar to a traditional rape crisis center, including accompaniment to hospitals and police. Centrum Praw Kobiet provides psychological, legal, and social support, covering many of the same functions. Some shelters also offer emergency trauma counseling for survivors of sexual assault. Hospitals can provide forensic exams, but not all staff have specialized training in trauma-informed care. NGOs often help fill these gaps and assist survivors.

Hospitals are expected to provide forensic examinations, emergency contraception, STI testing and treatment, and psychological first aid. However, not all hospitals have staff trained to conduct proper forensic exams, and some survivors report being redirected to other facilities. NGOs such as Feminoteka and Centrum Praw Kobiet often accompany survivors to hospitals to help ensure they receive the necessary care. Facilities in larger cities like Warsaw, Krakow, and Gdansk are generally better equipped, while rural areas can be more difficult to access and may lack trained personnel.

Police training on sexual assault in Poland differs by region and department. For example, some units in Warsaw and Krakow receive specialized instruction on handling cases of gender-based violence, including how to communicate with survivors in a trauma-informed way. However, reports from organizations such as the Helsinki Foundation for Human Rights note that officers in smaller towns and rural areas often lack this training, which can lead to survivors feeling dismissed or misunderstood when giving statements. Teachers receive some instruction on identifying signs of abuse, primarily focused on domestic violence. Training on recognizing sexual assault is less common, though programs run by organizations like the Centrum Praw Kobiet occasionally provide workshops for schools in major cities.

In larger cities such as Warsaw, Krakow, and Gdansk, some police stations have officers trained in trauma-informed interviewing, including how to avoid re-traumatizing survivors and how to document statements carefully for court. In smaller towns and rural areas, many officers still lack this training, and survivors have reported being asked questions about their sexual history or being dismissed when reporting assaults. Training programs for officers, including



workshops run by the Police Academy in cooperation with NGOs, are available but not mandatory.

Each institution sets its own procedures. For instance, the University of Warsaw has a Sexual Misconduct Office, while smaller universities, such as some regional state colleges, rely on general disciplinary committees with no specialized staff. As a result, survivors' experiences vary widely depending on the institution. Advocacy groups, including the Centrum Praw Kobiet and Feminoteka, have been urging the Ministry of Education to introduce national guidelines. Students frequently seek support from NGOs when their school lacks clear protocols.

The Blue Card procedure provides a structured response for cases of domestic violence, but it is used less often for sexual assault. The system brings together police, social workers, and local government officials to create a coordinated intervention plan. It is primarily designed for domestic violence, so it is only occasionally applied when a sexual assault occurs within the household.

Under the Blue Card procedure, teachers, doctors, and social workers must report suspected abuse or neglect of minors, as well as domestic violence involving family members. There is no legal obligation to report sexual assault against adults, though some healthcare providers or educators may choose to do so. This can leave survivors unsure about whether their case will reach the authorities and how their personal information will be handled. NGOs such as Feminoteka and Centrum Praw Kobiet provide detailed guidance on these laws, including explaining the Blue Card procedure, what information must be disclosed, and what protections survivors have under Polish law.

Polish law gives survivors some protections. For example, Article 52a of the Code of Criminal Procedure says that authorities should assess each victim's needs individually. For example, survivors can give testimony via video link, have hearings held in closed sessions, or provide a single recorded statement instead of repeating their story multiple times. Courts can also order the accused to leave the room while the survivor testifies. But no law automatically stops a survivor's sexual history or character from being used in court. This means survivors can still face questioning about their past sexual behavior.

Community-based informal support networks are active in many Polish cities. Women's groups often run mutual support circles, and some grassroots collectives organize workshops on consent, healthy relationships, and recognizing abuse. Peer support is especially common among younger generations, who also use social media communities to share information about rights and available resources. Many survivors report that they first received emotional support and validation from these informal networks before seeking professional help.

Poland does not have a nationwide alternative justice system, but some community-based conflict resolution exists on a smaller scale. Certain local organizations offer mediation for domestic violence cases, though using mediation in situations with power imbalances is controversial. Community centers sometimes provide informal dispute resolution services through social workers. Survivors of sexual assault rarely use these methods, as they



are not designed to address trauma, but some people may turn to them for related family conflicts or safety planning.

Public awareness campaigns about sexual violence have been increasing in Poland. Cities such as Warsaw, Wrocław, and Gdańsk have run campaigns on consent and gender-based violence. Feminoteka regularly organizes educational campaigns aimed at both young people and adults. Social media has helped make these initiatives more visible and accessible.

In cities like Warsaw and Krakow, organizations such as Feminoteka and Centrum Praw Kobiet offer counseling for survivors of sexual violence. Their staff are trained specifically in trauma resulting from sexual assault. Public healthcare providers follow standards for treating sexual assault, but the actual level of trauma-informed care differs depending on the region. Some hospitals and clinics still use older approaches that are less focused on the needs of survivors.

Feminoteka offers individual trauma counseling, group therapy, and longer-term therapeutic programs, while Centrum Praw Kobiet maintains a network of psychologists and psychotherapists across the country. University counseling centers, particularly at larger institutions like the University of Warsaw and Jagiellonian University in Krakow, have been increasing their services as more young people openly seek mental health support. Public mental healthcare remains under-resourced and often has long waiting times, so many survivors turn to NGOs for help. Helplines such as Niebieska Linia provide immediate emotional support and guidance.

Centrum Praw Kobiet has legal teams operating in cities including Warsaw, Krakow, and Poznan. Feminoteka provides legal consultations and, in some cases, representation. Survivors can receive assistance with preparing police reports, understanding their rights, and navigating the judicial process. While public prosecutors are legally required to investigate once a report is filed, proceedings can be slow and bureaucratic. NGOs often support survivors throughout the process, helping them manage both the emotional and administrative challenges.

Some NGOs now provide services in English, Ukrainian, or Russian to assist migrants and refugees. Certain helplines have designated hours for foreign-language support. NGOs have generally been faster than public institutions in adapting services to meet the needs of non-Polish speakers.

Technology-based resources for survivors have been growing, particularly through the SafeYOU app. The app lets survivors send emergency alerts and quickly connect with support services. It provides information about legal rights, safety planning, and available counseling, and includes discreet features so it can be hidden from potential abusers. Younger survivors especially find it useful. NGOs like Feminoteka and Centrum Praw Kobiet promote the app during workshops and outreach programs.

Women's shelters in cities such as Warsaw, Krakow, and Gdansk accept survivors of sexual assault, even when the main focus is domestic violence. Many have psychologists or social workers on staff and offer short- or long-term support. Shelter availability varies by city



and season, and survivors sometimes must travel to find an open space. Some shelters partner with NGOs, including Centrum Praw Kobiet and Feminoteka, to provide additional trauma counseling and legal guidance.

**Further resources:**

- <https://femfund.pl/en/kogo-wspieramy/feminoteka-foundation/>
- <https://cpk.org.pl/en/about-us/nasza-historia/>
- <https://niebieskalinia.info/>
- <https://eeeca.unfpa.org/en/news/technology-saves-lives-mobile-app-survivors-gender-based-violence-expands-romania-and-poland>
- <https://rm.coe.int/grevio-baseline-report-on-poland/1680a3d20b>
- <https://www.amnesty.org/en/wp-content/uploads/2025/05/EUR3793952025ENGLISH.pdf>
- [https://www.theadvocatesforhumanrights.org/Res/poland\\_domestic\\_violence\\_2002\\_10-18-2002\\_2.PDF](https://www.theadvocatesforhumanrights.org/Res/poland_domestic_violence_2002_10-18-2002_2.PDF)

## Procedure

### **What does the justice system procedure look like?**

Poland has both civil and criminal courts, and survivors may interact with one or both systems depending on the situation. Criminal courts handle the prosecution of sexual assault, while civil courts can be used for claims such as damages, protective orders, or related family disputes. Because the systems operate separately, navigating them can be confusing for survivors. Some choose to pursue civil claims in addition to criminal proceedings, especially when criminal cases take a long time or are difficult to win. Lawyers often advise survivors to consider both paths if they feel able to manage the process.

Survivors who pursue civil lawsuits in Poland may find them more predictable than criminal cases. Civil courts primarily address compensation for damages, responsibility, or protective measures rather than determining criminal guilt, and the evidentiary standards are generally lower than in criminal proceedings. This can make it easier for survivors to obtain a favorable outcome and may give them a greater sense of control over the process.

Filing a police report is not required to access support services, but it is necessary to start a criminal investigation. Medical examinations are strongly recommended to collect evidence, though they are not always mandatory. Some survivors choose to undergo a medical exam first and decide later whether to report to the police. Others avoid exams because the process can feel invasive or confusing. NGOs such as Feminoteka and Centrum Praw Kobiet often accompany survivors to hospitals to help ensure proper forensic evidence is collected.

In Poland, survivors of sexual assault can report the crime to the police. Once a report is filed, police are required to forward the case to a public prosecutor for investigation. Survivors are encouraged to undergo a medical examination to collect forensic evidence, though this is not mandatory. NGOs, including Feminoteka and Centrum Praw Kobiet, often accompany survivors to police stations or hospitals to provide guidance and support. Prosecutors review the



evidence and decide whether to pursue charges. Investigations can take time, and cases may be discontinued if prosecutors assess that a conviction is unlikely.

In Poland, the evidentiary standard for sexual assault requires proving guilt beyond a reasonable doubt. Prosecutors must present a coherent case supported by available evidence, including medical reports and forensic examinations, although many cases rely heavily on survivor testimony.

In larger cities like Warsaw, Krakow, and Gdansk, some police stations have officers trained in trauma-informed interviewing and survivor-sensitive procedures. In smaller towns or rural areas, officers may lack training, and survivors have reported being asked inappropriate questions or dismissed.

Under the Polish Penal Code and the Code of Criminal Procedure, once a survivor files a report, public prosecutors are legally required to investigate. Some police stations, particularly in cities like Warsaw, Krakow, and Gdansk, take reports seriously and work quickly to gather evidence, including medical records and witness statements. In other areas, officers may be hesitant or attempt to discourage survivors from filing formal complaints.

Some survivors report that their cases were closed without thorough investigation, in violation of the Code of Criminal Procedure, which requires prosecutors to pursue investigations once a report is filed. In rare cases, officers have informed alleged perpetrators or pressured survivors to withdraw complaints.

Reporting sexual assault to police in Poland is legally possible, but many survivors do not file complaints. In 2022, police recorded 916 cases of sexual violence against women. Survey data from Polish university students indicates that more than 30 percent of female students and nearly 28 percent of male students report experiencing sexual aggression since age 15. A 2015 study by the STER Foundation found that over 90 percent of women who had been raped had never reported the crime to the police.

In Poland, whether a sexual assault case proceeds depends on the quality of evidence and the workload of prosecutors. Under Article 197 of the Polish Penal Code, cases require a coherent evidentiary narrative, including medical records, forensic evidence, witness statements, and survivor testimony. According to GREVIO, of all reported rape cases, 76 percent resulted in the initiation of prosecution, but 61 percent of those cases were discontinued during investigation.

Court proceedings for sexual assault in Poland can be lengthy and emotionally demanding. Survivors may be required to provide testimony multiple times. Under Article 185a of the Polish Code of Criminal Procedure, courts can take measures to protect the identity of survivors, such as holding closed hearings, limiting public access, or allowing testimony via video link. Cross-examination can be challenging, especially in cases that rely heavily on survivor credibility.

Convictions for sexual assault remain relatively low. On average, approximately 650 convictions for rape occur each year, demonstrating a steep drop from the number of initial



reports. Factors contributing to low conviction rates include underreporting, evidence collection limitations, prosecutorial discretion, and institutional workload.

In Poland, forensic-medical examinations are legally recognized as part of evidence collection in sexual assault cases, and hospitals are permitted to perform these exams even if a survivor has not yet filed a police report. The examinations are intended to document injuries, collect biological samples, and record medical history. In practice, access to such examinations varies widely. Some hospitals, especially in rural areas, lack specialized personnel or forensic kits.

**Further resources:**

- [https://eige.europa.eu/gender-based-violence/countries/poland?language\\_content\\_entity=en](https://eige.europa.eu/gender-based-violence/countries/poland?language_content_entity=en)
- <https://bip.warszawa.so.gov.pl/artykul/436/274/the-judicial-system-in-poland>
- <https://www.nyulawglobal.org/globalex/poland1.html>
- [https://eige.europa.eu/gender-based-violence/regulatory-and-legal-framework/legal-definitions-in-the-eu/poland-rape?language\\_content\\_entity=en](https://eige.europa.eu/gender-based-violence/regulatory-and-legal-framework/legal-definitions-in-the-eu/poland-rape?language_content_entity=en)
- <https://stat.gov.pl/en/topics/justice/justice/victims-of-rape-and-domestic-violence.1.1.html>
- <https://info.policja.pl/ine/for-foreigners/192220.For-Foreigners.html>
- <https://criminallawpoland.com/advice/navigating-sexual-offense-cases-in-poland-essential-legal-procedures-and-protection-of-victim-rights/>

## Prevention

### **What is being done to prevent these issues?**

Poland does not have a single, unified national strategy for the prevention of sexual violence. Certain measures within domestic violence and family policy serve preventive functions. The Blue Card procedure is a formal mechanism used to identify and respond to incidents of domestic violence at an early stage.

Polish schools are required to provide a course called Education for Family Life (Edukacja dla Życia w Rodzinie). The course covers topics related to family, personal development, sexuality, and interpersonal relationships. However, it rarely includes information on consent, healthy relationships, or strategies to prevent sexual exploitation. As a result, students may not receive comprehensive guidance on reducing vulnerability to abuse.

Police officers may receive instruction on domestic violence and child protection, including modules from the Police School of the Ministry of Interior and Administration and occasional workshops led by NGOs such as Fundacja Dajemy Dzieciom Siłę (FDDS), but the depth and content vary depending on local instructors and departments. NGOs frequently provide supplementary training in larger cities, for example, through FDDS workshops or the Blue Line Foundation's professional courses.

Some social welfare programs in Poland indirectly reduce risks associated with sexual violence by supporting family stability and alleviating social stressors. For example, the 500+ Family Benefit Program (Program Rodzina 500+) and regional housing support initiatives



provide financial assistance that can help reduce economic pressures on families. Youth centers and community clubs, such as those run by Caritas Polska or local municipal youth programs, offer safe spaces for children and adolescents outside of school hours.

In Poland, most research on sexual violence is conducted by academic institutions rather than government bodies. EU-funded initiatives, such as the UniSAFE project, have contributed data on the prevalence and nature of gender-based violence.

Rehabilitation programs for sexual-offense perpetrators are available in some Polish prisons, typically focusing on behavioral management, cognitive-behavioral therapy, and social reintegration. For example, the Prison Service's rehabilitation units in facilities such as Rzeszów and Wrocław prisons offer structured programs for convicted sexual offenders.

Non-governmental organizations in Poland, such as Ponton and the Women's and Family Planning Foundation (Fundacja Edukacji Zdrowotnej i Rodzinnej), have promoted comprehensive sex education for many years. Their workshops cover topics including consent, personal boundaries, digital safety, and communication skills.

Feminist and women's rights organizations in Poland, including Fundacja Feminoteka and Kobiety w Sieci, advocate for changes to the legal definition of rape and stronger protections for victims during criminal investigations. These groups emphasize gaps in police response, the importance of consent-based legislation, and the need for improved victim support.

Non-governmental organizations in Poland, such as La Strada Poland, work to prevent human trafficking, including cases involving sexual exploitation. Their programs include education for at-risk communities, guidance on safe migration, and awareness campaigns about the risks of trafficking. La Strada also engages in advocacy with government agencies to strengthen monitoring, victim identification, and support systems.

In Poland, NGOs like PONTON and FEDERA run consent workshops for teens, often in schools or youth centers. They cover things like how to set and respect boundaries, spot grooming or manipulative behavior, and communicate safely in relationships. The sessions are usually interactive, with role-playing, videos, and discussions that use language teens actually relate to. Because schools rarely teach this kind of material, these workshops give young people a chance to talk about topics they might not hear about anywhere else.

With digital abuse on the rise, organizations like the Empowering Children Foundation run online safety programs for kids and parents. They cover practical things like how to spot grooming, deal with inappropriate messages, and report problems safely. Schools often welcome these programs even if they don't include broader sex education, which helps them reach more children. The content is updated regularly to keep up with new online risks, and for many families, these campaigns are one of the main ways young people learn how to stay safe online.

Projects like Safer Cities for Girls involve young women in spotting unsafe areas in their cities, from poorly lit streets to intimidating public spaces. The participants' observations are



compiled into reports with suggestions for local governments, and in some cases, city planners have made changes based on these recommendations.

In Poland, some cities and NGOs run posters, videos, and social-media campaigns focused on consent, harassment, and bystander intervention. These efforts help make conversations about sexual violence more normal and challenge common myths, and they often tie in with events like the 16 Days of Activism.

Some companies in Poland have adopted formal anti-harassment and anti-discrimination policies in line with the Labour Code, which prohibits sexual harassment, discrimination, and workplace bullying, or “mobbing.” Many workplaces provide staff training that explains what counts as inappropriate behavior, including verbal, nonverbal, and physical actions, and teaches employees how to report incidents and access confidential support.

**Further resources:**

- <https://eucpn.org/document/polish-policy-on-sexual-crime>
- <https://fdds.pl/en/what-we-do.html>
- <https://plan-international.org/poland-en/news/2025/07/04/safer-cities-for-girls/>
- <https://www.eeagender.org/good-practices/How-prevent-gender-based-violence/a-new-integrated-system-to-prevent-domestic-violence/>
- <https://www.lastradainternational.org/la-strada-poland/>
- <https://unisafe-gbv.eu/the-project/>
- <https://criminallawpoland.com/advice/navigating-sexual-offense-cases-in-poland-essential-legal-procedures-and-protection-of-victim-rights/>



## Country Overview: Republic of Korea

### Policy

#### **If there are clear laws prohibiting sexual assault, which apply and are commonly used?**

There are, primarily in the Criminal Act (형법, hyeongbeob), which outlines and criminalizes sexual assault. Applicable articles from the Criminal Act include Article 297 – Rape; Article 297-2 – Imitative Rape; Article 299 – Quasi-Rape, Quasi-Indecent Act by Compulsion; Article 300 – Attempts; and Article 303 – Sexual Intercourse by Abuse of Occupational Authority.

#### **How does the law specify the victim's gender?**

Gender neutral language is used, not specifying the victim's gender.

#### **How does the law specify the perpetrator's gender?**

Gender neutral language is used, not specifying the perpetrator's gender.

#### **Is the law force-based or consent-based?**

Laws are primarily force-based in the Criminal Act, Articles 297, 297-2, and 302, criminalizing sexual activity under violence, threat of force, or intimidation.

#### **What acts are prohibited under these laws?**

Criminal Act Articles 297 and 297-2 criminalize anal, oral, and/or vaginal rape of another person. Vaginal penetration is referred to as sexual intercourse in this section of the penal code book. It is also illegal to insert fingers, other body parts, or objects into another person's body parts in rape or sexual assault.

#### **To what extent does the law prohibit sexual assault by a spouse?**

The Act on Special Cases Concerning the Punishment of Sexual Crimes, Article 5, criminalizes a person having sexual intercourse, by means of violence or intimidation, with another person in an incestuous relationship or a marital relationship, prohibiting sexual assault of a spouse.

#### **To what extent does the law prohibit sexual assault by an intimate partner?**

The law prohibits sexual assault regardless of an existing relationship.

#### **To what extent does the law prohibit domestic violence?**

The Special Punishment Act (Act on Special Cases Concerning the Punishment of Crimes of Domestic Violence) prohibits domestic violence. Article 1 outlines the purpose of the act, providing provisions for the punishment of criminal domestic violence and issuing protective orders to change the environment and correct the personality and behaviors of the persons who have committed criminal domestic violence. Article 2 defines domestic violence as acts between family members that cause physical, mental, or property damage. Other applicable articles include Article 8 – Temporary measures and Article 63 – Failing to comply with protection orders.

#### **If same-sex sexual activity is illegal in this country, how is sexual assault on someone of the same sex handled by the law?**



Consensual same-sex sexual activity is legal, and the National Human Rights Commission of Korea Act, Article 2, deems sexuality a protected class. However, same-sex marriage is prohibited.

**To what extent is sexual assault on a sex worker prohibited?**

There are no separate or specific protections for sex workers. There are additional laws (Articles 242-245) criminalizing arranging for prostitution; distribution of obscene pictures; manufacturing, possessing, importing, or exporting obscene goods; and public indecency.

**How do laws prohibit sexual violence enacted on children?**

In the Korean Criminal Act, Article 305 prohibits anyone 19 years or older from having sexual intercourse or committing indecent acts with someone who is under 16 years old. Article 305 also criminalizes all sexual acts for persons under 13 years old, regardless of the other person's age. The Act on Special Cases Concerning the Punishment of Sexual Crimes includes the criminalization of sexual crimes concerning children under the age of 13. This includes Article 7 – rape of a female; inserting genitals into an inner part of another person; inserting a part of the body (excluding genitals) into the other person's genitals or anus; commits Article 298-299; through fraudulent means or by a threat of force has sexual intercourse with a female or an intentional act against another person.

**Protocol**

**What resources are available?**

South Korea has a national law called the Sexual Violence Prevention and Victims Protection Act, and it's basically the framework that keeps the country's victim-support system running. The law is the reason the government funds and coordinates the Sunflower Centers, where victims can get medical care, counseling, and legal support in one place instead of having to move from office to office. It also spells out what public institutions are supposed to do when a sexual-violence case is reported, including basic protection measures and access to support services. Over time, the law has been revised so it now includes clearer rules for handling cases involving illegal filming or online distribution.

Sunflower Centers and other integrated one-stop centers help victims navigate both criminal and civil options, and some NGOs, such as the Korean Sexual Violence Relief Center, offer pro bono legal assistance for filing civil suits or claims for compensation.

The Ministry of Gender Equality and Family, usually referred to as MOGEF, is the central government agency that oversees South Korea's national response to sexual violence. It provides funding for the major support services, including the national 1366 hotline and the Sunflower Centers, which offer medical exams, counseling, legal assistance, and police coordination in one location. MOGEF's responsibilities are set out in the Sexual Violence Prevention and Victim Protection Act, which requires the ministry to develop and update a national basic plan every five years. These plans outline priorities such as expanding consent and digital-safety education in schools, increasing protections against illegal filming, and improving services for youth who are at risk of exploitation.





Trauma-informed care is available in many places in Korea, especially in the larger Sunflower Centers and the NGOs that work closely with them, but the quality is uneven across the country. Staff at the major centers usually receive training on how to interview survivors without causing additional harm, and many of these facilities have in-house counselors or psychologists who specialize in sexual-trauma cases. Some university hospitals in Seoul, Busan, and Daegu also have forensic teams that coordinate with counselors so survivors are not bounced between departments. But there is no single national certification or required number of training hours for trauma-informed practice, so smaller clinics and local counseling offices vary widely in skill and consistency.

Groups such as the Korean Sexual Violence Relief Center (KSVRC), Korea Women's Hotline, and the country's main government-backed hotline (dial 1366) handle everything from emergency emotional support to legal advocacy and long-term counseling. These organizations regularly coordinate with hospitals, Sunflower Centers, police investigators, and prosecutors, so survivors are not left to navigate the system alone. In practice, people getting help in Korea move through a combination of public services and NGO support rather than a single national organization.

South Korea uses a network of Sunflower Centers (also called one-stop centers) designed to keep survivors from having to visit multiple agencies after an assault. These centers provide immediate medical care, forensic exams, counseling, and access to legal advocates in the same location. The model is meant to protect evidence while giving survivors a clearer, less fragmented process. Major hospitals in cities usually have teams trained to conduct sexual-assault forensic exams and coordinate with counselors from nearby Sunflower Centers.

Crisis counseling, both by phone and in person, is offered through NGOs, municipal counseling centers, and facilities supported by the Ministry of Gender Equality and Family. The national 1366 hotline provides immediate emotional support, safety planning, and referrals to nearby shelters, Sunflower Centers, or police units. NGOs such as the Korea Women's Hotline and the Korean Sexual Violence Relief Center run ongoing trauma counseling programs, legal clinics, and group support sessions. Larger cities have begun to offer counseling in languages such as English, Chinese, and Vietnamese, which helps foreign residents.

Korean police and prosecutors receive training on sexual violence through police academies and mandatory in-service programs, and several regions now have dedicated units for digital sexual-crime investigations and gender-based crimes. Human-rights groups, including the Korean Women's Association United and the Korean Sexual Violence Relief Center, have noted that the quality of training differs between regions and that institutional culture still affects how cases are handled.

In Korea, survivors can report a sexual assault even if they have not had a medical exam. In practice, however, getting a medical or forensic examination soon after the incident is very important because it strengthens evidence for both criminal cases and civil claims. Police will take a report without an exam, but prosecutors and judges rely on physical evidence, forensic results, witness statements, and other documentation, so cases without a timely exam



can be harder to pursue. That is why survivors are often advised to visit a Sunflower Center or a hospital with forensic capabilities as soon as possible.

Korean courts follow the usual criminal evidentiary rules, but sexual-assault cases often come down to proving lack of consent, assessing the survivor's credibility, and reviewing forensic evidence. Prosecutors can decide not to pursue a case if they feel the evidence is insufficient. Reports from organizations such as the Korean Women's Hotline and the Korea Sexual Violence Relief Center have highlighted that a significant number of digital sex-crime reports, including illegal filming cases, are never indicted.

South Korea has laws and policies designed to protect victims' privacy and reduce harmful courtroom practices. For example, the law limits disclosure of a victim's personal information during trials, and producing or distributing illegal recordings, including hidden-camera footage, carries criminal penalties. The government also provides support through Sunflower Centers, restraining orders for domestic violence, and witness-protection measures. While there is no direct equivalent to U.S. statutes like Title IX, Korea relies on the Sexual Violence Prevention and Victims Protection Act, which includes mandatory training for schools and other institutions and administrative reporting channels.

Schools, universities, public institutions, and some employers must provide sexual-violence prevention education and maintain reporting channels. Under the Sexual Violence Prevention and Victims Protection Act, public institutions are also legally required to respond to reports. For example, the Ministry of Education operates school reporting portals, and universities are expected to investigate complaints and provide support. Professionals such as teachers and healthcare workers are required to refer survivors to Sunflower Centers or law enforcement when appropriate.

Organizations such as the Korean Sexual Violence Relief Center (KSVRC), Korea Women's Hotline, the Women's Human Rights Institute of Korea (WHRIK), and umbrella groups like the Korean Women's Associations United run hotlines, counseling services, legal clinics, and public-awareness campaigns. These groups played a major role during the #MeToo movement and continue to push for policy reforms. Many also conduct research, submit reports to international bodies such as the UN, and run community-based programs that government agencies do not provide.

Many survivors in South Korea rely on informal support from friends, feminist groups, and online communities. These networks often help with emotional support, guidance on reporting, or practical help like removing non-consensual images online. In some cases, K-pop fandoms and civil society coalitions have stepped in to trace illegal sharing of deepfake or intimate content and push platforms or police to take action.

As deepfakes and illegal filming became widely recognized in South Korea, the government and police launched targeted campaigns, increased penalties for creating or sharing deepfake content, and established task forces to track offenders and remove harmful material online. Recent reports show a sharp rise in deepfake cases being reported, along with



more high-profile investigations. Laws now criminalize not only producing and distributing certain harmful deepfakes but also possessing them in some situations.

**Further resources:**

- <https://www.stop.or.kr/home/eng/M299783152/contents.do>
- [https://www.mogef.go.kr/eng/pr/eng\\_pr\\_s101d.do](https://www.mogef.go.kr/eng/pr/eng_pr_s101d.do)
- <https://www.state.gov/report/custom/e152845032/>
- [https://elaw.klri.re.kr/eng\\_mobile/viewer.do?hseq=62619&type=part&key=38](https://elaw.klri.re.kr/eng_mobile/viewer.do?hseq=62619&type=part&key=38)
- <https://eng.kwdi.re.kr/inc/download.do?ut=A&upldx=100757&no=1>
- [https://www.mofa.go.kr/eng/brd/m\\_5690/view.do?seq=313868&srchFr=&srchTo=&srchW&ord=&srchTp=&multi\\_itm\\_seq=0&itm\\_seq\\_1=0&itm\\_seq\\_2=0&company\\_cd=&company\\_nm=&page=7&titleNm=](https://www.mofa.go.kr/eng/brd/m_5690/view.do?seq=313868&srchFr=&srchTo=&srchW&ord=&srchTp=&multi_itm_seq=0&itm_seq_1=0&itm_seq_2=0&company_cd=&company_nm=&page=7&titleNm=)
- <https://seoullawgroup.com/sexual-crimes-korea/>

## Procedure

### **What does the justice system procedure look like?**

In South Korea, sexual assault cases are usually handled through the criminal courts, where rape and related sex crimes are prosecutable under criminal law. Survivors can also file civil claims for damages, though these cases are less common because they can be costly, take a long time, and require survivors to relive the trauma in court. Administrative measures, such as restraining orders or workplace disciplinary actions, provide additional legal options and sometimes faster relief.

For certain sexual crimes in South Korea, particularly cases without visible physical injury, the law requires the victim to file a formal complaint before police or prosecutors can take action. If a complaint is not made, investigations may not start or can be quickly closed. This requirement can discourage reporting, since survivors must take an official step that might expose them to retaliation, social pressure, or unwanted attention.

Survivors in South Korea can report a sexual assault even if they have not had a medical or forensic exam, but getting an exam greatly affects how authorities handle the case. Forensic exams help document injuries, collect DNA, and preserve other evidence that prosecutors rely on. Sunflower Centers make this easier by providing medical care, forensic exams, and legal reporting in one location.

Prosecutors in South Korea base decisions on a mix of forensic evidence, witness statements, and assessments of the survivor's credibility. Cases often do not move forward if the evidence is weak or limited, which is a common reason for early dismissal. Even when cases go to trial, judges may apply mitigating factors that reduce sentences. Prosecutorial discretion has a big impact, because investigators may hesitate to pursue charges if they feel the evidence is insufficient. This means that strong cases move forward, but many cases with less visible or delayed evidence stall before reaching trial.

In South Korea, data show that only a small fraction of people booked on suspicion of sexual crimes are ever formally arrested. Between 2020 and 2024, annual bookings ranged



from roughly 28,000 to 35,000 for sexual-crime suspects. Yet the rate of suspects for whom police sought arrest warrants was just about 5.4 %-6.6 % in those years.

Once sexual assault cases in South Korea reach trial, conviction rates are generally high, with some reports showing over 90 % of prosecuted cases resulting in guilty verdicts. However, sentencing is often lenient. Many offenders receive suspended sentences, fines, or probation rather than prison time.

Reoffending by sexual offenders remains a persistent concern in South Korea. Studies indicate that a significant portion of convicted sexual offenders commit additional offenses after release. Lenient sentencing, including suspended sentences or short prison terms, may not provide strong enough consequences to prevent repeat crimes. Public confidence in post-conviction monitoring is low, and while the government has introduced electronic monitoring and treatment programs for offenders, these initiatives cover only a limited number of cases.

In South Korea, criminal cases, including sexual assault, are judged under the standard of proof “beyond a reasonable doubt.” This means the prosecutor must convince the court that there is no reasonable uncertainty that the accused committed the crime.

In some parts of South Korea, authorities have introduced “one-strike” policies that remove individuals from positions such as teaching, government work, or other public roles as soon as sexual misconduct is confirmed. These decisions often rely on internal investigations rather than a full criminal conviction.

In South Korea, many convicted sexual offenders receive suspended sentences, probation, fines, or court-mandated educational programs instead of prison. For example, data from 2022 show that only about 15 % of convicted offenders received actual imprisonment longer than one year, while the majority received suspended or conditional sentences. Courts often consider factors like the offender’s age, expressions of remorse, and perceived low risk of reoffending when imposing these penalties.

South Korea operates a sexual offender registry under the Act on the Protection of Children and Juveniles from Sexual Abuse, which requires certain convicted offenders to be publicly listed or monitored for set periods. For example, individuals convicted of serious sexual crimes against minors can have their names, photos, and addresses published on government websites for up to 10 years, depending on the sentence. The goal is to deter repeat offenses and increase public awareness.

In South Korea, specialized police units handle sexual and gender-based crimes in many jurisdictions, particularly in Seoul, Busan, and other large cities. These units often include female officers trained in interviewing sexual assault survivors and coordinating with Sunflower Centers. The National Police Agency has developed continuing education programs on gender-based violence and victim-sensitive procedures, and some precincts operate dedicated hotlines or support desks for sexual assault cases.

South Korea has gradually extended or removed statutes of limitations for certain sexual offenses. For example, the statute of limitations for rape against adults was extended from ten



to fifteen years in 2015, and the statute for sexual crimes against minors under 13 was abolished in 2013. The law also now allows some adult sexual assault cases to proceed without the survivor filing a formal complaint, particularly for digital sexual crimes.

**Further resources:**

- <https://eng.scourt.go.kr/eng/main/Main.work>
- [https://elaw.klri.re.kr/eng\\_mobile/viewer.do?hseq=27332&type=part&key=7](https://elaw.klri.re.kr/eng_mobile/viewer.do?hseq=27332&type=part&key=7)
- <https://bjs.ojp.gov/library/publications/world-factbook-criminal-justice-systems-south-korea>
- [https://www.law.cornell.edu/gender-justice/court/supreme\\_court\\_of\\_south\\_korea](https://www.law.cornell.edu/gender-justice/court/supreme_court_of_south_korea)
- <https://igg-geo.org/en/2023/10/30/the-concept-of-rape-in-south-korea/>
- <https://resourcehub.bakermckenzie.com/en/resources/fighting-domestic-violence/asia/south-korea/topics/1legal-provisions>
- <https://www.humanrightscentre.org/blog/south-koreas-constitutional-court-provision-prohibiting-sexual-activities-between-male>

## Prevention

### **What is being done to prevent these issues?**

The South Korean national government runs sexual violence prevention programs through the Ministry of Gender Equality and Family (MOGEF), which sets multi-year “Basic Plans for Gender Violence Prevention” and provides funding for a range of services. These plans cover public education campaigns in schools and universities, the operation of Sunflower Centers and hotlines like 1366, and targeted programs addressing emerging issues such as digital sexual crimes. MOGEF works with local governments to expand prevention education and training for teachers, social workers, and police officers. Many NGOs, including the Korean Sexual Violence Relief Center and Korea Women’s Hotline, rely on MOGEF funding to scale their regional programs.

South Korea operates a national emergency counseling number, 1366, alongside a network of Sunflower Centers in each province, which provide the main entry points for immediate sexual assault response. The “Sunflower Centers” are a network of public support centers across South Korea that provide 24-hour integrated support for victims of sexual violence, domestic violence, sex trafficking, stalking, and related harms. They operate in three main types depending on the situation: crisis-response, child/adolescent support (for under 19 or persons with disability), and full integrated centers. For example, the Seoul Sunflower Center offers on-site SAFE (sexual assault forensic examination) services and trauma-informed therapy, while smaller centers in rural provinces may only provide counseling and referrals.

Prevention education in South Korean schools has become increasingly mandatory in recent years, with the Ministry of Education requiring curricula on consent, digital safety, and healthy relationships. For instance, many high schools now use online modules developed in partnership with the Korean Sexual Violence Relief Center, while universities such as Seoul





National University and Yonsei University run in-person workshops for incoming students on sexual violence, bystander intervention, and reporting obligations.

Prevention targeting demand focuses on men who buy commercial sex and on social norms that encourage harassment and sexual violence. Some local governments run education programs for buyers, often called “John Schools,” which combine lectures on the legal consequences, testimonies from survivors, and counseling aimed at behavior change. Community sanctions, such as fines or public reporting of repeat offenders, are also used.

Police academies incorporate courses on investigating sexual assault and digital sexual crimes, and larger jurisdictions like Seoul and Busan have specialized investigative units for these offenses. Prosecutors in the Seoul Central District Court participate in continuing education on victim-centered approaches and evidence handling. Schools and universities, including institutions like Korea University and Yonsei University, are required to maintain complaint channels and designate staff trained to respond to sexual violence reports. Healthcare professionals in hospitals connected to Sunflower Centers receive training in forensic evidence collection and trauma-informed care.

South Korea has several offender-focused programs designed to reduce recidivism. These include mandatory treatment courses for convicted sexual offenders, cognitive-behavioral therapy programs run by the Korea Correctional Service, and educational or vocational programs for first-time offenders and buyers of commercial sex. Some programs, such as the Ministry of Justice’s sex-offender rehabilitation curriculum in correctional facilities, combine counseling with skills training to encourage reintegration.

Groups like the Korean Women’s Associations United, the Korean Sexual Violence Relief Center, and student-led networks have been pushing for better laws and school policies for years. The #MeToo movement gave that work new energy, sparking more public discussion and leading to changes in workplaces, universities, and the entertainment industry. Activists have also pressured platforms like Naver and Kakao to remove illegal content faster and tighten moderation rules.

Workplace prevention has become a major focus in South Korea as more cases of sexual harassment and abuse of power surface in corporate and government settings. Companies are legally required to provide annual sexual-harassment training. Large corporations such as Samsung, Hyundai, and LG have established formal compliance systems that include confidential reporting channels and external ethics hotlines.

KSVRC started in 1991 and was one of the first organizations in South Korea to provide support specifically for survivors of sexual violence. They operate the Yeolimteo shelter, offering safe housing, counseling, legal guidance, medical referrals, and support for returning to work or school. KSVRC also runs education programs in schools and communities, monitors media coverage of sexual violence, and advocates for legal and policy changes.

Founded in 1983, KWHL supports survivors of domestic and sexual violence through nationwide counseling, emergency shelters, and legal aid. They provide outreach and prevention programs in schools and communities. KWHL is active in public campaigns that



challenge social norms around gender violence and promote gender equality. They also engage in policy advocacy to strengthen protections for victims.

Danuri Helpline helps immigrants and multicultural families who experience sexual or domestic violence. The service operates in multiple languages, including English, Chinese, Vietnamese, and Tagalog, making it easier for non-Korean speakers to access help. They connect survivors to shelters, legal support, medical care, and social services, and provide guidance for navigating the police and court systems.

WHRIK is a government-affiliated organization that focuses on research, policy, and training. They develop educational programs for schools and workplaces, support the national 1366 hotline, and operate centers for survivors of digital sexual crimes. WHRIK provides training for social workers, healthcare providers, and police to improve response to sexual violence. They also coordinate with NGOs and international bodies to improve prevention and victim support across South Korea.

**Further resources:**

- <https://www.stop.or.kr/home/eng/main.do>
- <https://www.sisters.or.kr/en/whoweare>
- [https://www.cheongyang.go.kr/eng/sub05\\_06.do](https://www.cheongyang.go.kr/eng/sub05_06.do)
- <https://www.kfamla.org/programs/gender-based-violence>
- <https://hknu.ac.kr/eng/5197/subview.do>
- <https://data.unwomen.org/country/republic-of-korea>
- <https://eng.kwdi.re.kr/inc/download.do?ut=A&uplidx=102748&no=1>



## Country Overview: Turkey

### Policy

#### **If there are clear laws prohibiting sexual assault, which apply and are commonly used?**

There are, primarily through the Turkish Penal Code (TPC) No. 5237, containing a section describing “Crimes Against Sexual Inviolability.” Applicable articles for sexual assault include Article 102, which addresses sexual assault against adults; Article 103, which concerns the sexual abuse of children; and Article 104, which covers sexual intercourse with a minor. Additionally, Law No. 6284 on the Protection of Family and Prevention of Violence Against Women provides procedural and protective measures, such as injunctions and restraining orders, for victims of domestic violence, including sexual violence, without requiring them to produce evidence.

#### **How does the law specify the victim's gender?**

Gender-neutral language is used in TPC No. 5237, not specifying the victim's gender.

#### **How does the law specify the perpetrator's gender?**

Gender-neutral language is used in TPC No. 5237, not specifying the perpetrator's gender.

#### **Is the law force-based or consent-based?**

TPC No. 5237 Article 102 is consent-based, with the understanding that consent can be invalid due to use of force, threat, or deceit; physical or mental incapacitation; abuse of authority or relationship of trust; or when the victim is under the legal age of consent.

#### **What acts are prohibited under these laws?**

TPC No. 5237 Article 102 and 103 broadly criminalize nonconsensual sexual acts, though the aggravated form of the crime includes any form of penetration, including vaginal, anal, oral, with an organ or an object.

#### **To what extent does the law prohibit sexual assault by a spouse?**

TPC No. 5237 criminalizes spousal rape. TPC Article 102, Section 2, governs the criminal aspect, including the prosecution of spousal rape as a form of sexual assault. Law No. 6284 on the Protection of Family and Prevention of Violence Against Women governs immediate protection for victims of marital rape and domestic sexual violence, including restraining orders, removal of the perpetrator from the home, and other safety measures.

#### **To what extent does the law prohibit sexual assault by an intimate partner?**

While TPC No. 5237 prohibits sexual assault regardless of existing relationship, Law No. 6284 provides legal protection for victims of violence in all intimate relationships.

#### **To what extent does the law prohibit domestic violence?**

Law No. 6284 criminalizes domestic violence, defining it as including physical, sexual, psychological, and economic violence between family members or individuals considered part of the family, whether they live together or not.

#### **If same-sex sexual activity is illegal in this country, how is sexual assault on someone of the same sex handled by the law?**



Consensual same-sex sexual activity is not illegal, since it was decriminalized in 1923. However, there are no specific legal protections for consensual same-sex sexual activity.

**To what extent is sexual assault on a sex worker prohibited?**

There are no separate or specific protections for sex workers. There are additional laws specifying that sex work is only legal when the worker is female, a Turkish citizen, and unmarried, and working exclusively in a registered brothel.

**How do laws prohibit sexual violence enacted on children?**

Articles 103-104 of TPC No. 5237 criminalize sexual abuse of children, including touching, exploitation, and sexual intercourse with a minor, designating different severities for different age groups. Both articles use gender-neutral language.

**Protocol**

**What resources are available?**

A national hotline provides immediate, multi-lingual support, serving as the primary state access point for trauma and crisis care. The Ministry of Family and Social Services operates the "Alo 183" Social Support hotline 24 hours a day, 7 days a week, providing essential psychological, legal, and economic support to women and children at risk of violence or abuse. This service is designed to respond to rape and sexual assault crises, and is staffed by personnel who can communicate in Turkish, Kurdish, and Arabic. The hotline thus functions as a centralized, trauma-informed resource, ensuring that victims can initiate contact for counseling and crisis management outside of police channels.

Violence Monitoring and Prevention Centers (VMPCs/ŞÖNİM) serve as the mandated crisis centers in all 81 provinces, coordinating comprehensive social and health services for over 270,000 women and children annually. VMPCs are established across all of Turkey's provinces to function as the state's main coordination centers, providing health, legal, and psycho-social support to victims of domestic violence. They serve as the closest equivalent to rape crisis centers, aiming to integrate care across sectors. In 2022, VMPCs assisted over 270,000 women and children, but sources note that their operational capability is often affected by staffing, coordination, and financial issues.

Mandatory training is introduced for police, judges, prosecutors, and health workers, complemented by UN agency efforts to improve human resource capacity across all sectors. Mandatory training programs have been established for law enforcement personnel, prosecutors, judges, and health workers involved in GBV cases. International partners, such as UNFPA, actively work through their Country Programmes (2021-2025) to improve the human resources capacity of government agencies, civil society organizations, and the private sector through training and awareness-raising, complementing the state's internal mandates.

Turkey's core anti-violence law, Law No. 6284, allows for the immediate issuance of protective orders based solely on the threat of violence, requiring no prior evidence or police report. Law No. 6284 establishes that a cautionary decision (protective order) can be requested and granted immediately based on the mere existence of a risk or threat of violence. This



mechanism operates without the procedural requirement of proving violence has already occurred, ensuring the victim's immediate safety through measures such as ordering the perpetrator to leave the home or confiscating their weapons.

The Foreigners Communication Center (YIMER) operates as a critical multilingual gateway, preventing language barriers from making the Turkish support and justice systems opaque for non-Turkish speaking survivors. The Foreigners Communication Center (YIMER), accessible via the 157 line, operates 24 hours a day, 7 days a week, providing service in Turkish, English, Arabic, Russian, Farsi, and German. YIMER is listed alongside the primary sexual violence hotlines and law enforcement contacts, explicitly functioning as a key emergency resource for non-citizens. This ensures that survivors who speak languages other than those offered directly on the 183 hotline (Turkish, Kurdish, Arabic) have a reliable, multi-lingual state service available to facilitate access to police, social services (VMPCs), and the justice system, thus mitigating the risk of non-reporting caused by communication friction.

Counseling and emotional support are provided through specialized NGO services, dedicated helplines offered by government ministries, and psycho-social support integrated into the justice system. The Federation of Women Associations of Turkey (a prominent NGO) provides specialized recovery services and support from social workers and psychologists via its Domestic Violence Emergency Hotline, establishing a robust non-state resource. For state-level support, the Ministry of Family and Social Services (MoFSS) operates the 183 Social Support Helpline for immediate crisis care, and the Judicial Support and Victim Services' Directorates (ADMs) integrate psycho-social assistance within provincial courthouses to support victims through the legal process. This synthesis of resources provides both immediate and ongoing support.

Survivors can access immediate medical treatment and forensic examination for sexual assault by approaching the nearest public hospital or family health clinic. The established health protocol directs survivors to seek care at the nearest public hospital or family health clinic for immediate medical attention following an incident. These facilities are the essential first point of contact for physical injuries, necessary medical treatment, and the collection of forensic evidence crucial for any future legal proceedings. Furthermore, the government has made efforts to support victims and witnesses of gender-based violence by establishing dedicated child sexual violence health clinics.

Dedicated Judicial Support and Victim Services' Directorates (ADMs) exist within provincial courthouses to guide victims through the legal process. To streamline the legal process and ensure victims are supported, Judicial Support and Victim Services' Directorates (ADMs) have been established in 99 courthouses across the country. These directorates, alongside Legal Aid Bureaus within Bar Associations, provide victims with clear procedural guidance on reporting incidents directly to the Public Prosecutor and accessing legal assistance. The presence of ADMs within the judicial system itself acts as a resource to minimize procedural confusion and ensure victims can quickly transition to formal legal action.





All women, regardless of their migrant or refugee status, are legally entitled to all protective measures and resources under Law No. 6284, ensuring non-discrimination in access to justice. A crucial element of the legal protocol is the guarantee that a woman's country of origin or legal status is irrelevant to the implementation of protective measures and financial aid under Law No. 6284. This non-discrimination principle ensures that migrant women, refugees, and foreign nationals subjected to or at risk of violence are fully entitled to all protective mechanisms.

The Gendarmerie (rural police force) maintains specific Children and Women Section Chiefs to ensure specialized support is available in non-urban areas. In areas outside of main cities and under the jurisdiction of the Gendarmerie (the military police force), Provincial Gendarmerie Commands include dedicated Children and Women Section Chiefs. These specialized personnel receive reports and provide assistance, ensuring that the resource protocol is decentralized and accessible to victims in remote and rural communities.

Robust non-governmental organizations (NGOs), such as Purple Roof Women Shelter Foundation and the Ankara Women Support Foundation, and international partners provide crucial specialized shelter, legal aid, and financial support, compensating for the state's resource deficiencies and offering essential alternative care pathways. Civil society organizations such as the Purple Roof Women Shelter Foundation and the Ankara Women Support Foundation play a vital, compensatory role by offering necessary long-term resources, including shelter, psychological care, and legal support. This NGO network is critical because state-run shelter capacity is reported to be insufficient to meet demand nationwide, especially in rural and Kurdish communities, making these organizations essential alternatives. Additionally, international agencies like UNHCR provide "cash for protection" to vulnerable refugee SGBV survivors, a resource addressing financial vulnerability outside of the state system to facilitate dignity and safety.

Temporary financial aid is a guaranteed legal entitlement for survivors, explicitly separated from and independent of general social welfare programs. Under TPC No. 6284, temporary financial aid is a specific entitlement granted to a woman because she has been subjected to violence. The law clarifies that this aid is separate from and independent of any other form of social aid, ensuring that victims can apply for essential cash support concurrently with or independently of general social welfare qualifications. This provision is a crucial resource for facilitating financial autonomy, which is often a prerequisite for safety.

The Ministry of Family and Social Services' action plans propose integrating various community roles (social services, schools, health institutions) into the violence reporting and risk assessment process. The Ministry of Family and Social Services' action plans propose measures to improve risk assessments through the involvement of a wide range of community roles, including social services, women's sections at the municipalities, schools, and health institutions, directing them to report violence to relevant authorities. This demonstrates a policy intent to utilize community roles as mandated reporting or, at least, mandatory referral sources, broadening the network beyond just police and social services.



Public educational programs on equality and non-stereotyped gender roles are integrated into the national curriculum as a long-term resource for cultural prevention. The national education curriculum is intended to include materials promoting equality between women and men, non-stereotyped gender roles, mutual respect, and non-violent conflict resolution in relationships. Programs like the "Shifting Boundaries" curriculum for adolescents (aged 12-13) focus on legal consequences, healthy relationships, and setting boundaries over multiple sessions, serving as a key resource for long-term cultural change.

Local risk management teams and electronic tagging are deployed as specialized resources to monitor high-risk perpetrators and prevent repeat offenses. The Ministry of Interior's 2022 circular mandated the establishment of local risk management teams to monitor threats to victims of recurrent domestic violence and those at high risk. This circular also promoted increasing the use of electronic tags to be worn by perpetrators and established a system for instant notification to the police when convicted perpetrators are released from prison, focusing resources on preventing re-victimization in severe cases.

**Further resources:**

- <https://help.unhcr.org/turkiye/information-and-resources-on-protection-from-violence/seeing-help-and-reporting/>
- <https://tkdf.org.tr/sss?lang=en>
- <https://www.gov.uk/government/publications/turkey-country-policy-and-information-notes/country-policy-and-information-note-women-fearing-gender-based-violence-turkey-july-2025-accessible>
- <https://www.hrw.org/report/2022/05/26/combating-domestic-violence-turkey/deadly-impact-failure-protect>
- <https://turkiye.unfpa.org/en/topics/gender-equality>
- <https://www.kararaldim.org/wp-content/uploads/2022/11/law-no-6284.pdf>

## Procedure

### **What does the justice system procedure look like?**

The pursuit of justice requires navigation of both the criminal court system for conviction and a separate civil court system for financial recovery. Turkey's justice system operates with distinct criminal and civil courts that handle different aspects of a violent case. The criminal court is responsible for trying the perpetrator, determining guilt, and imposing penalties for the crime. Any survivor seeking financial compensation for injuries, losses, or psychological damage must pursue a separate, second lawsuit in the civil court, creating a lengthy dual legal process. This structure significantly prolongs the path to financial recovery and increases the procedural burden on the victim.

Victims seeking financial compensation for injuries or losses must wait for the criminal trial to fully conclude before initiating separate civil litigation. Survivors are unable to claim financial compensation for physical or psychological injuries until the criminal court has successfully convicted the perpetrator. This procedural requirement mandates a significant



delay in receiving financial restitution, which is compounded by the fact that there is no dedicated state-funded compensation scheme in Turkey to cover injuries resulting from violent crime. Consequently, the survivor bears the entire financial burden of their recovery until the often drawn-out criminal case reaches finalization and a successful conviction is secured.

The legal definition of rape, based on historical judicial interpretation, has been critically narrow, often focusing only on penetration by the penis. Despite major legal reforms, the definition of rape, as interpreted historically by the Turkish Supreme Court of Appeals, has been restricted mainly to penetration of the vagina or anal rape by the penis. This restrictive definition limits the procedural scope of justice, often resulting in non-penetrative forms of sexual assault, forced oral sex, or other diverse forms of sexual violence being categorized as lesser crimes. This judicial constraint hinders the ability to charge perpetrators with the full gravity of the crime, thereby undermining the modern legal intent.

Criminal justice actors still rely on stereotypical and elusive notions of what constitutes an "ideal victim", leading to the silencing and subordination of many survivors. Despite legislative reforms intended to promote gender neutrality, the judicial culture remains deeply entrenched in rigid, gendered notions of victimhood. Judges, prosecutors, and police often rely on elusive ideas of what a "real" assault looks like, viewing only certain survivors as "legitimate victims". This institutional bias leads to many victims facing "overwhelming resistance, reluctance, and even outright contempt" from legal systems, resulting in their isolation and subordination throughout the legal process.

The procedure relies heavily on forensic psychiatric assessments, forcing the legal evaluation to focus on the survivor's mental state as verifiable evidence of trauma. The Turkish legal system defines sexual violence as an inherently and invariably traumatizing event, compelling the legal procedure to rely on forensic reports to identify psychological scars. This process, termed the "psychiatrization of sexual violence", shifts the procedural assessment to the victim's mind as the "terrain of verifiability" for the detectable traces of the crime, with legal actors expecting victims to look permanently traumatized to be deemed credible.

The evidentiary procedure creates procedural discrimination by linking legal recognition to proven "permanent mental damage" with a clear causal link to the crime. The high reliance on forensic psychiatric reports introduces a strict causality requirement: the report must document permanent mental damage with a clear causal link to the crime for the damage to count as an aggravating factor for sentencing. This procedural barrier can discriminate against victims, particularly those with a prior psychiatric history, whose reports may fail the causality test, potentially leading to lighter penalties or acquittal.

The evidentiary standard is skewed toward verifiable physical trauma, with the presence of non-genital injuries significantly increasing the likelihood of a high conviction ratio. The judicial system places a heavy procedural reliance on verifiable physical evidence as definitive proof of sexual assault. Research indicates that cases where victims present with documented general body trauma (such as bruising or external injuries away from the genital area), in addition to genital trauma, show a conviction ratio as high as 94%. This suggests that judicial



skepticism regarding sexual assault claims is often overcome only by visible, objective, and non-genital physical injury, reinforcing a traditional standard that discounts testimonial or psychological evidence alone.

Police reports and medical examinations are essential, as hospitals are obliged to report assault results to police, and medical evidence is critical for prosecution. While victims can report directly to prosecutors, the procedure is designed to integrate medical and police input immediately. Hospitals are obliged to report the results of any examination related to a crime to the police, making the medical examination a crucial initial step that triggers police involvement. Since judges rely heavily on forensic evidence for corroboration, a medical examination is practically required to pursue a successful criminal case based on a credible evidentiary standard.

The police are legally mandated to be active, possessing explicit power under Law No. 6284 to provide immediate temporary (close) protection and to remove the perpetrator from the residence without a prior court order in urgent situations. They are also increasingly proactive through measures like creating systems for instant notification to police when convicted perpetrators are released. Despite these mandates, police officers on the frontline often adopt a counter-active role, prioritizing cultural norms by actively discouraging victims from reporting, especially migrant women, and attempting to pressure them into mediation with the perpetrator, which fundamentally undermines the criminal justice process.

The extent to which victims utilize police resources is severely limited by pervasive underreporting driven by fear of retaliation, stigma, and a lack of trust in the system. Incidents of domestic and sexual violence are widely underreported, significantly limiting the viability of the police and justice system as a resource. This underreporting is procedural, driven by the victims' deep fear of retaliation from the perpetrator, the intense societal stigma associated with sexual violence, and a fundamental lack of trust in the protection mechanisms and the quality of existing services.

While the Turkish Criminal Code criminalizes marital rape, the law imposes a condition that the initiation of investigation or prosecution for sexual abuse involving penetration committed by a spouse is specifically dependent on the victim's complaint. The Turkish Criminal Code criminalizes sexual abuse, applying all related provisions to marital rape; however, a procedural hurdle exists in that the commencement of investigation or prosecution for sexual abuse involving penetration committed by a spouse is bound to the complaint of the victim.

The criminal case is pursued by the Public Prosecutor, who conducts a preliminary investigation and then decides whether to file charges, potentially detaining the perpetrator. Once an incident is reported, the Public Prosecutor takes over the case and conducts a preliminary investigation. Based on the evidence and the investigation results, the Prosecutor decides how to proceed: they may detain the perpetrator and send them to prison, release them conditionally, or determine that there is insufficient evidence to file charges. The Prosecutor's decision is the key procedural step determining whether the case proceeds to court.

Cases face significant procedural challenges, leading to long, drawn-out proceedings and a lack of effective enforcement of court-issued protective orders. Victims utilizing the justice system face legal proceedings that are frequently described as "long and drawn out," creating a barrier due to the time commitment and required financial resources. Furthermore, despite the increasing number of protective orders issued, data shows a profound failure in enforcement: in around 8.5% of femicide cases between 2016 and 2021, the victim had an active protective order at the time of her death, confirming a lethal gap in the final procedural step.

Non-resident victims and foreign nationals are not required to remain in Turkey for the duration of the criminal trial once the case has been filed. The criminal justice system provides a procedural safeguard for non-resident victims, such as asylum seekers or foreign nationals. Once the preliminary investigation is complete and the Public Prosecutor has filed the case, the victim is not required to remain in Turkey for the continuation of the trial. A state-appointed lawyer will still offer service free of charge and maintain access to the case file, allowing the prosecution to proceed without the victim's physical presence.

**Further resources:**

- <https://www.kararaldim.org/wp-content/uploads/2022/11/law-no-6284.pdf>
- [https://resourcehub.bakermckenzie.com/en/-/media/fighting-domestic-violence/reports/reports/2021\\_fdv\\_turkey.pdf?sc\\_lang=en](https://resourcehub.bakermckenzie.com/en/-/media/fighting-domestic-violence/reports/reports/2021_fdv_turkey.pdf?sc_lang=en)
- <https://www.gov.uk/government/publications/turkey-country-policy-and-information-notes/country-policy-and-information-note-women-fearing-gender-based-violence-turkey-july-2025-accessible>
- <https://www.amnesty.org/en/latest/press-release/2021/05/turkey-women-across-the-world-demand-reversal-of-decision-to-quit-genderbased-violence-treaty/>
- <https://response.reliefweb.int/turkiye-cross-border/gender-based-violence>
- <https://www.turkishminute.com/2024/10/08/over-190000-sexual-offense-case-investigated-in-turkey-in-2023/>
- <https://www.ohchr.org/en/press-releases/2022/07/turkiye-stemming-tide-violence-against-women-and-girls-should-be-priority>

## Prevention

### **What is being done to prevent these issues?**

Violence Monitoring and Prevention Centres (VMPCs/ŞÖNİM) serve as the planned government infrastructure for prevention, but their operational capability is often compromised by resource and coordination issues. VMPCs operate in all 81 provinces and are intended to be the cornerstone of government-organized prevention and support by offering coordinated health, legal, and psycho-social aid to victims of domestic violence. However, the mission of the VMPCs is weakened by persistent issues concerning a lack of coordination, insufficient staffing, and financial deficits. This means that while the organizational framework for prevention exists, its structural integrity and operational effectiveness are compromised.





The pursuit of violence prevention remains legally compelled by the United Nations CEDAW and the European Convention on Human Rights (ECHR), despite the country's withdrawal from the Istanbul Convention. Turkey is bound by foundational international human rights law to combat violence against women, specifically the UN Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) and the European Convention on Human Rights (ECHR). These treaties provide the essential legal and normative basis for the state's continued legal framework and commitment to GBV protection and prevention. This long-standing legal obligation compels the government to maintain domestic laws and policies aimed at combating violence, ensuring the fight against GBV is not entirely reliant on domestic political will.

The Fourth National Action Plan for Combating Violence against Women (2021-2025) provides the overarching strategic framework for government prevention efforts. The government is currently implementing the Fourth National Action Plan, which sets out the strategic goals for combating GBV through policy and resource allocation. This plan represents the state's formal commitment to prevention. However, implementation of the plan has been widely criticized as weak, signaling a critical failure to translate high-level governmental commitment into effective, measurable results on the ground due to insufficient political prioritization and funding.

The "Shifting Boundaries" program is an active, school-based curriculum targeting adolescents (ages 12-13) to prevent early dating violence and educate on legal consequences. One specific program implemented in educational settings is "Shifting Boundaries," which focuses on students aged 12-13 over six sessions. This curriculum aims to prevent early dating violence by teaching students to set personal boundaries, understand legal consequences, and challenge harmful gender roles. This program provides an example of a measurable educational intervention designed for active prevention in schools.

Government strategy includes implementing Provincial Action Plans in key regions to combat early and forced marriages through research and localized awareness activities. The government reported putting "Provincial Action Plans on Combating Early and Forced Marriages" into effect in 24 provinces. These plans focus on awareness activities, research on early marriages, preparation of educational materials, and meetings between girls and role model women, demonstrating a targeted strategy to prevent a specific form of GBV. The effectiveness is focused on localized awareness and data collection, rather than immediate nationwide impact, as the plans are relatively new (post-2022).

State-run shelter capacity is critically insufficient, undermining the fundamental prevention strategy of providing safe alternatives to abusive environments. With only 149 state-run shelters available nationwide, the total capacity is approximately 3,650, which is widely noted by the UN Special Rapporteur as a "dire shortage," particularly in rural and remote areas. This lack of adequate safety infrastructure, coupled with the closure of some shelters in the south-east, creates a substantial vulnerability and undermines the state's capacity to deliver a core preventative measure, immediate safe housing.



Specialized training is required for police officers, judges, prosecutors, and health workers, establishing a formal policy resource to address GBV among key role-holders. Training has been formally mandated for all professionals involved in GBV prevention and protection, including law enforcement personnel, health workers, prosecutors, and judges. The Ministry of Interior explicitly issued a circular in 2022 to provide more training for police officers to enhance their response capability. While training is provided, its overall effectiveness is varied due to pervasive societal views among personnel that continue to normalize domestic violence as a private matter, leading to implementation gaps.

Women and Girls Safe Spaces, established through cross-sector partnerships, serve as a unique preventative resource for refugee populations, integrating empowerment services with GBV protection. Since 2015, 37 Women and Girls Safe Spaces have been established across Turkey through partnerships with the Ministry of Health and international organizations (UNHCR, UNFPA). These centers provide integrated services focused on prevention for refugee women and girls, combining sexual and reproductive health care with gender-based violence protection and empowerment services. While measurable GBV reduction rates are not given, the effectiveness is high for providing holistic care and autonomy to a highly vulnerable population.

Activism has actively challenged deep-seated patriarchal norms, successfully bringing taboo subjects like sexual harassment and 'virginity tests' into the public arena. Campaigns like the "Our Bodies are Ours, Say No to Sexual Harassment" campaign (1989) and protests against 'virginity tests' (following suicides in 1992) aimed to question sexist norms and morality in society. This focus on public education and cultural reform was highly effective in making previously taboo subjects public knowledge and forcing state response.

The government pursues punitive prevention by increasing sentences for severe offenses and utilizing electronic monitoring to deter repeat offenses by known perpetrators. The government utilizes legislative action to deter violence, such as the 2022 amendment to the Penal Code that increased sentences for serious offenses against women, including murder. Furthermore, the Ministry of Interior actively implements proactive security measures, mandating instant police notification upon perpetrator release and increasing the use of electronic tags to monitor high-risk individuals. While these strategies target high-risk repeat offenders, the general effectiveness data on overall GBV reduction is not provided, focusing instead on post-conviction management.

Punitive programs for sexual offenders include the introduction of mandatory chemical castration, a measure that is widely condemned by women's rights groups as structurally ineffective. Turkey implemented a law mandating a chemical castration program for convicted sex offenders in 2016. This measure has been strongly condemned by women's rights groups and lawyers who argue that it is structurally ineffective because it wrongly reduces sexual violence to the individual's body and sexual drive, entirely disregarding the systemic problem of power and domination. Critics contend that this focus fails to address the deep-rooted cultural causes of widespread violence against women.



We Will Stop Femicide Platform explicitly includes the fight against violence against LGBTI+ individuals. The We Will Stop Femicide Platform (KCDP) was founded in 2010 with the explicit participation of numerous LGBTI+ and women's organizations. This foundational mandate ensures that the organized political struggle for gender equality and anti-discrimination is inclusive, recognizing that the fight against GBV and the fight against LGBTI+ rights are unified under the state's conservative ideological pressure.

**Further resources:**

- <https://help.unhcr.org/turkiye/information-and-resources-on-protection-from-violence/seeing-help-and-reporting/>
- <https://globalcompactrefugees.org/good-practices/response-syria-crisis-turkey-women-and-girls-safe-spaces>
- <https://www.ungei.org/sites/default/files/2024-10/Prevention%20Of%20Sexual%20Violence%20In%20Education%20Settings%20White%20Paper.pdf>
- <https://journals.openedition.org/cedref/1138>
- <https://www.hrw.org/news/2018/02/27/turkey-considering-chemical-castration-sex-offenders>



## Country Overview: United States of America

### Policy

#### **If there are clear laws prohibiting sexual assault, which apply and are commonly used?**

There are, primarily under Title 18 of the United States Code. Applicable sections of 18 U.S.C. include Section 2241 – Aggravated Sexual Abuse; Section 2242 – Sexual Abuse; Section 2243 – Sexual Abuse of a Minor or Ward; Section 2244 – Abusive Sexual Contact; and Section 2245 – Sexual Abuse Resulting in Death. There are also state laws prohibiting sexual assault, which vary by state, and are typically in statutes labelled rape, sexual assault, or sexual battery.

#### **How does the law specify the victim's gender?**

Gender neutral language is used, not specifying the victim's gender.

#### **How does the law specify the perpetrator's gender?**

Gender neutral language is used, not specifying the perpetrator's gender.

#### **Is the law force-based or consent-based?**

Laws are primarily consent-based, focusing on voluntary agreement to a sexual act. This definition includes that consent is outside of coercion, threats, intimidation, incapacitation, or physical force. Some charges require the use of force (such as 18 U.S.C Section 2241).

#### **What acts are prohibited under these laws?**

Non-consensual sexual activity, including oral-genital contact and penetration, however slight, of the genital or anal opening of another by a hand, finger, object, or other instrument, or by the sexual organ of another.

#### **To what extent does the law prohibit sexual assault by a spouse?**

Federal law prohibits sexual assault regardless of marital status.

#### **To what extent does the law prohibit sexual assault by an intimate partner?**

Federal law prohibits sexual assault regardless of existing relationship, though courts, prosecutors, and the Violence Against Women Act (34 U.S.C. §§ 12291-12361) also recognize dating violence and intimate partner violence.

#### **To what extent does the law prohibit domestic violence?**

Domestic violence is prohibited. There are specific prohibitions for interstate violence and consequences, including restrictions on firearm possession.

#### **If same-sex sexual activity is illegal in this country, how is sexual assault on someone of the same sex handled by the law?**

Consensual same-sex sexual activity is legal.

#### **To what extent is sexual assault on a sex worker prohibited?**

Sex workers are protected under broader federal and state sexual assault laws. There are laws prohibiting engaging in prostitution, except for limited licensed brothels in rural Nevada. There are additional laws prohibiting inducing individuals into sex work.

#### **How do laws prohibit sexual violence enacted on children?**



Sexual violence enacted on minors under 18 years of age is prohibited. All non-consensual sexual acts are prohibited for minors under 16, even more so, and especially if the victim is under 12 years of age or under the care of the perpetrators, where sexual abuse also includes vaginal, anal, oral penetration, and penetration with objects. Laws do not specify the gender of the victim or perpetrator. There are additional laws regarding interstate, coercive, and enticement of sexual violence for minors.

## Protocol

### **What resources are available?**

RAINN runs the National Sexual Assault Hotline and connects survivors to care. The Rape, Abuse & Incest National Network (RAINN) has a confidential 24/7 hotline (1-800-656-HOPE) and live chat. It links survivors with local rape crisis centers for emotional support, advocacy, medical care, and legal help. RAINN also trains volunteers and professionals in trauma-informed communication, ensuring survivors are believed, supported, and guided through recovery and justice options.

Rape crisis centers exist across the United States to offer immediate help. Through RAINN's national database, survivors can find local centers in every state. These centers often provide in-person crisis counseling, hospital accompaniment during forensic exams, legal advocacy, and long-term support. Many also run prevention education in schools and community programs to reduce sexual violence and promote awareness.

The U.S. uses trauma-informed care as a national standard for service providers. SAMHSA's trauma-informed care framework teaches organizations to understand how trauma affects the brain and behavior. It promotes safety, choice, collaboration, trust, and empowerment. This approach is used not only in healthcare and mental health settings but also in schools, shelters, and justice programs to reduce re-traumatization and improve survivor outcomes.

SAMHSA provides national training and guidance for professionals. SAMHSA offers workshops, online courses, and manuals for healthcare workers, teachers, and social service providers to identify trauma symptoms and respond with compassion. Programs help agencies integrate trauma-informed policies across their systems, from intake procedures to crisis response, ensuring consistent survivor-centered care nationwide.

Police, prosecutors, and first responders receive specialized sexual assault training. The Department of Justice's Office on Violence Against Women (OVW) funds law enforcement and prosecutor training programs. These include proper evidence collection, victim interviewing skills, cultural competency, and trauma awareness. The goal is to make investigations more respectful, prevent victim-blaming, and strengthen criminal justice outcomes.

Schools and universities must follow Title IX protections. Title IX, enforced by the U.S. Department of Education, makes sexual harassment and assault forms of sex discrimination. Colleges, universities, and K-12 schools must have Title IX coordinators, create grievance procedures, and take prompt action when reports are made. Survivors have the right to





supportive measures like academic adjustments and safety plans. Title IX requires staff training, prevention programs, and fair investigations. Schools must train employees to recognize and report sexual misconduct and provide educational programs that teach consent and bystander intervention. Institutions are required to handle cases quickly and fairly, protecting both complainants and respondents.

Victims' privacy is protected through Rape Shield Laws in court. These federal and state laws limit attorneys from using a survivor's past sexual behavior or clothing as evidence. This prevents character attacks during trials and keeps focus on the assault itself. The laws help ensure victims aren't humiliated in court, which encourages more survivors to report sexual violence.

The Speak Out Act limits the misuse of nondisclosure agreements (NDAs). Passed by Congress in 2022, the Speak Out Act prevents employers and institutions from using NDAs to silence people before they report sexual harassment or assault. Survivors can now speak publicly about their experiences without fear of breaking a legal contract, helping build safer and more transparent workplaces and schools.

The Office for Victims of Crime (OVC) funds national support services. OVC, under the Department of Justice, provides grants to states and organizations that support survivors. These funds pay for counseling, housing, medical care, and legal advocacy. OVC also manages the Victims of Crime Act (VOCA) programs and publishes guides on victim rights, trauma recovery, and justice system navigation.

Hospitals use Sexual Assault Nurse Examiners (SANEs) to provide care and collect evidence. SANEs are specially trained nurses who provide medical treatment, emotional support, and forensic evidence collection. They explain medical options, such as testing for STIs or pregnancy prevention, and can testify in court if needed. These programs ensure compassionate and professional medical care after an assault.

Sexual Assault Response Teams (SARTs) bring agencies together. Many communities have SARTs, which are multidisciplinary teams including police, prosecutors, forensic nurses, and advocates. They coordinate efforts so survivors only have to tell their story once and receive faster, more respectful treatment. The DOJ and NSVRC promote SART models to improve community-level responses.

Survivors have access to free or low-cost counseling and therapy. Many rape crisis centers and victim assistance programs, funded by OVC and RAINN partners, provide trauma counseling, group therapy, and long-term mental health services. These services are available regardless of whether the survivor reports the assault to law enforcement.

Local advocacy and nonprofit organizations fill service gaps. Grassroots and community-based organizations (often connected through the NSVRC network) offer peer support groups, crisis hotlines, and cultural or faith-based advocacy. These smaller groups often serve marginalized populations who may not trust formal systems, such as undocumented immigrants, LGBTQ+ individuals, and Native communities.



Federal and state partnerships expand access to services. The Department of Justice, Department of Health and Human Services, and Department of Education collaborate with state coalitions to fund shelters, hotlines, and advocacy programs. This ensures consistent support for survivors across rural and urban areas and helps states meet national standards for victim care.

Training is built into federal funding requirements. To receive federal grants, agencies like police departments, schools, and shelters must show evidence of regular training on sexual assault response, Title IX compliance, and trauma-informed care. This ensures professionals stay current on best practices and maintain survivor-centered approaches.

The U.S. has mandated reporting laws to protect children and vulnerable adults. Mandated reporting laws require certain professionals (like teachers, healthcare workers, social workers, and law enforcement officers) to report suspected child abuse or neglect to authorities. These laws exist in every U.S. state and territory, though details vary. RAINN and the Department of Education both provide online guides explaining how to report and who is required to do so.

Prevention education is a key national focus. NSVRC and the Department of Education promote prevention programs that teach consent, respect, and healthy relationships. Schools and colleges use these materials in orientation and health classes. Community programs, often funded by OVW, also teach bystander intervention, encouraging people to safely stop or report potential assaults before they happen.

The U.S. funds state-level coalitions to connect survivors with local help. Every state has a sexual assault coalition funded by the DOJ's Office on Violence Against Women and supported by NSVRC. These coalitions train advocates, connect smaller nonprofits, and maintain statewide hotlines or directories. They make sure survivors can find local services even in rural or tribal communities where resources are harder to reach.

#### **Further resources:**

- <https://rainn.org/learn-about-rainn/what-we-do/>
- <https://www.nsvrc.org/>
- <https://www.justice.gov/ovw>
- <https://ovc.ojp.gov/about>
- <https://www.samhsa.gov/mental-health/trauma-violence/trauma-informed-approaches-programs>
- <https://www.congress.gov/bill/117th-congress/senate-bill/4524/text>
- <https://www.ed.gov/laws-and-policy/civil-rights-laws/title-ix-and-sex-discrimination>
- <https://rainn.org/facts-statistics-the-scope-of-the-problem/statistics-the-criminal-justice-system/>

#### **Procedure**

**What does the justice system procedure look like?**



In the U.S., there are two main types of courts - civil and criminal. Criminal courts handle cases where the government accuses someone of committing a crime, like assault or rape, and punishment could mean jail or probation. Civil courts, on the other hand, are for personal disputes - like getting a restraining order or suing someone for emotional or financial harm. A survivor can actually go through both systems for the same event, because each serves a different purpose. Civil court is about protection and compensation, while criminal court is about holding someone legally accountable. The standards for evidence and outcomes in each system are completely separate, which can make things confusing but also gives survivors more than one option.

The criminal justice system in the U.S. has a lot of moving parts ( police, prosecutors, defense attorneys, and judges ) all with different responsibilities. A case can drop off anywhere along the line, depending on how strong the evidence is or whether the victim wants to keep going. Even small differences between states or counties can totally change how a case plays out. Some areas have well-funded victim support programs, while others struggle with long delays and lack of training. Because of this, survivors often have very different experiences depending on where they live. Understanding that helps explain why the same kind of case might go all the way to trial in one place but not in another.

You don't have to file a police report or have a medical exam to start a case - but both can really help if you want to take legal action later. Many survivors choose to wait or talk to an advocate first, since it can be overwhelming to deal with police or hospitals right away. A SANE (Sexual Assault Nurse Examiner) exam can collect DNA and document injuries that might fade over time, which makes it powerful evidence later. But if you didn't or couldn't get one, that doesn't mean your case is hopeless; there are other types of proof, like texts, videos, or witness statements.

In criminal court, the prosecutor has to prove the case "beyond a reasonable doubt" - basically, the jury has to be almost completely sure the person is guilty. That's a really tough standard, especially for crimes like sexual assault where there's often little physical evidence or witnesses. In civil court, the bar is lower - it just has to be "more likely than not" that the harm occurred. That means someone could be found not guilty in criminal court but still be held responsible in civil court, like we've seen in several high-profile cases.

Prosecutors today are being encouraged to handle sexual assault and domestic violence cases with a trauma-informed approach. That means they try to understand how trauma affects memory, behavior, and trust, so they can work with survivors instead of doubting them. The Department of Justice's Office on Violence Against Women (OVW) pushes for this kind of training across the country. They also recommend special prosecution units that focus only on these crimes, with advocates who can support victims through every step. This approach helps reduce retraumatization and keeps survivors more involved in the process.

Police departments across the country operate differently - some are proactive, some are active, and some are unfortunately counter-active when it comes to sexual violence. In proactive departments, officers receive special training, build community partnerships, and try to



prevent abuse before it happens. In others, the culture is more old-school, where officers might not take these reports seriously or still rely on outdated stereotypes about victims. That inconsistency makes a big difference in how safe survivors feel coming forward. Departments that focus on empathy and accountability tend to build stronger relationships with their communities. But where police culture is dismissive or judgmental, it can drive survivors away entirely.

Being “proactive” means police don’t just wait for assaults to happen, they work to stop them early. That can look like education programs in schools, connecting survivors with local shelters, or monitoring repeat offenders. The International Association of Chiefs of Police (IACP) recommends specialized DV/SA (domestic violence and sexual assault) units so officers know exactly how to handle these cases. These proactive steps have been shown to increase reporting and improve how cases are investigated. Communities that take prevention seriously also tend to have better trust between survivors and law enforcement.

“Active” police work means responding quickly to reports and investigating seriously, but even that doesn’t guarantee charges. A lot depends on how much evidence there is and whether the prosecutor believes a jury will convict. RAINN’s data shows a big drop between reports, arrests, and convictions - so even if the police do everything right, the case might still not go anywhere. That can be really frustrating for victims who thought reporting was the final step. Some police departments now use victim-centered interviewing and better communication to keep survivors informed, which helps with trust and follow-through.

Unfortunately, there are still “counter-active” responses - where police take reports but don’t investigate them seriously, or worse, make the survivor feel like they’re the problem. There have been cases where officers accidentally (or intentionally) told the accused about the report, putting victims in danger. Some survivors even get charged for minor things like self-defense or inconsistent statements, which can discourage others from reporting. RAINN notes that fear of being blamed or not believed is one of the top reasons people stay silent. That shows why cultural change in policing is just as important as policy change. Survivors need to know that coming forward won’t backfire on them.

How comfortable people feel reporting to police really depends on their local department. In some areas, victims are connected right away with advocates, counselors, or medical staff who make the process safer and more humane. In others, survivors might face long waits, confusing paperwork, or even skepticism from officers. The Office for Victims of Crime (OVC) stresses the importance of building trust and giving survivors real options, not just one narrow path. When law enforcement teams up with hospitals and community organizations, people are more likely to report and stick with their case.

RAINN’s numbers are pretty shocking: out of every 1,000 sexual assaults, only about 50 get reported to police. From there, roughly 28 lead to felony convictions, and only 25 perpetrators actually go to prison. That means 975 out of 1,000 offenders walk free. These stats show how hard it is for survivors to get justice through the criminal system. It’s not that every case has no merit, it’s that the process is long, complicated, and often stacked against the



victim. This reality is why advocates push for more support systems and alternative ways to seek justice.

Whether a report becomes a court case depends on many factors, like how soon it was reported, the evidence available, and whether the survivor can or wants to testify. Prosecutors often drop cases if they think there's not enough proof to convince a jury, even if they personally believe the victim. The DOJ encourages prosecutors to work more closely with advocates and use consistent policies to avoid unfairly dismissing cases. In some cities, this collaboration has helped more cases reach court and improved conviction rates slightly. Still, survivors often find it exhausting and emotionally draining to keep pushing for justice.

A medical exam after an assault, sometimes called a SANE exam, can be incredibly helpful, but it's totally the survivor's choice. The exam collects DNA and documents injuries, which can be strong evidence if you decide to go to court later. Survivors also get access to emergency care and emotional support during the process. But if you decide not to get one, you still have the right to report the assault later. Evidence can come in many forms: messages, photos, or people you told. What matters most is that survivors have access to care and control over what happens next.

Prosecutors are the ones who decide whether to press charges, what charges to file, or if a plea deal should be offered. The Department of Justice recommends having specialized prosecutors for domestic violence and sexual assault cases because they understand the unique challenges involved. They also suggest getting victim advocates involved early to keep survivors informed and supported. When these practices are followed, prosecution rates and conviction outcomes usually improve. But even with reforms, survivors often face long waits and emotional tolls. Building a fair, efficient system takes time and continuous improvement.

Most survivors of sexual assault in the U.S. never report what happened to the police. RAINN's national data shows that only about 31% of assaults are reported, which means roughly two-thirds never even enter the system. Fear of retaliation, not being believed, or thinking police won't help are some of the top reasons victims stay silent. Among college-aged women, only about 20% of students and 32% of non-students report their assaults. That shows how much trust, or lack of it, shapes whether people see police as a real option for help.

In practice, police are only a partially viable resource for many survivors. Some cities have trauma-trained officers and victim advocates who make the process safer, but others still have huge gaps in sensitivity and follow-through. Many survivors say they'd rather turn to friends, campus counselors, or community advocates first before going to the police. That doesn't mean they don't want justice - they just don't want to risk being retraumatized. The statistics make it clear that while law enforcement is one path, it's far from the only or most trusted one for victims of sexual assault.

Compared to other crimes, sexual assault has some of the lowest conviction rates in the entire criminal justice system. One reason is that most victims know their attacker - about 93% of juvenile survivors, for example, were assaulted by someone familiar to them. These "acquaintance" or "relationship" cases are harder to prove than stranger assaults because juries





expect a dramatic story or clear physical injuries. That doesn't mean the system is completely incompetent - it means it's built for clear-cut evidence, not complex human trauma. The result is that sex-related crimes hit every weak point in the justice process at once.

A big but less talked about issue is how rape kit backlogs affect justice for survivors. Across the U.S., there are tens of thousands of untested sexual assault kits sitting in storage, some for years or even decades. Each untested kit represents a survivor who reported their assault and went through an invasive forensic exam, only for the evidence to be left unused. These backlogs slow down investigations, delay prosecutions, and sometimes let repeat offenders stay free. While many states have started clearing their backlogs through funding and new laws, it's a clear example of how system delays, not lack of reports, can keep justice out of reach for victims.

**Further resources:**

- <https://www.theiacp.org/DVSA-response>
- <https://www.flmd.uscourts.gov/civil-or-criminal>
- <https://www.ojp.gov/ncjrs/virtual-library/abstracts/overview-criminal-justice-system>
- <https://www.justice.gov/ovw/framework-prosecutors-strengthen-our-national-response-sexual-assault-and-domestic-violence>
- <https://fam.state.gov/fam/03fam/03fam1710.html>
- <https://ovc.ojp.gov/topics/sexual-assault>
- <https://www.uscourts.gov/>

## Prevention

### **What is being done to prevent these issues?**

The CDC takes a public health approach to stopping sexual violence before it happens. Instead of just responding after assaults occur, the CDC focuses on prevention at every level like teaching safe relationship skills, shifting harmful social norms, and supporting survivors. Their model looks at individual, community, and societal factors that influence violence. Programs like bystander intervention and healthy relationship education are key parts.

The CDC's Rape Prevention and Education (RPE) Program helps states create lasting change. Through federal grants, every state and territory gets funding to build prevention programs tailored to their communities. Many focus on school education, awareness campaigns, or training for local leaders. This program has been around since the 1990s, making it one of the most established national prevention efforts. While it's widely praised for coordination and reach, not all states have consistent evaluation methods. That means effectiveness depends heavily on how each state implements its program.

Schools are now a major focus in preventing sexual violence early on. Many states require age-appropriate education around consent, respect, and healthy boundaries in public schools. For example, Washington State's education department includes sexual violence prevention in its K-12 health curriculum. The goal is to start these conversations early so students can recognize harmful behavior and know their rights. Teachers also receive training



on how to talk about consent and respond to disclosures. It's a preventive approach that tries to make respect a normal part of growing up.

Colleges and universities are legally required to educate students and staff about sexual violence. Under Title IX and the Clery Act, campuses that receive federal funds must provide prevention training and awareness programs. Most colleges do this through workshops, online modules, and peer education groups. Programs like "Green Dot" and "Bringing in the Bystander" have shown real results; students report being more likely to intervene when they see risky situations. However, not all training is equally engaging or effective.

Police officers, judges, teachers, and healthcare workers often receive federally funded training on trauma-informed approaches. These programs, supported by the DOJ's Office on Violence Against Women (OVW), teach how to recognize bias and support survivors respectfully. Studies show that these trainings can improve survivor experiences and reduce victim-blaming during investigations. They're especially important because poor handling of cases can discourage reporting altogether. The idea is that better-informed professionals lead to fairer, more compassionate systems.

The OVW's Rural Program makes sure prevention isn't just for big cities. People in rural areas face unique barriers to support, like isolation and lack of services. This program funds local organizations to create education campaigns, host workshops, and build coordinated community responses. Many efforts focus on training local law enforcement and improving access to survivor resources.

Every state has a sexual assault coalition that connects government and advocacy work. These coalitions, supported by the OVW, link local service providers, educators, and policymakers to share resources and strategies. They run prevention campaigns, train professionals, and advocate for legislative change. For example, coalitions often push for stronger consent laws or more school-based education. Their success comes from collaboration; they serve as bridges between community groups and federal agencies. While their reach varies, they're essential for keeping prevention efforts organized and funded.

The National Science Foundation is tackling sexual harassment in research spaces. The NSF now requires universities and research institutions receiving grants to maintain safe, harassment-free environments. They must report any confirmed cases, and failing to do so can cost them funding. This policy is meant to create systemic accountability in scientific workplaces, which have historically overlooked these issues.

The National Institute of Justice (NIJ) funds research to understand what prevention really works. They explore "situational" and "developmental" strategies, like youth mentoring, safer environments, and stronger social supports. The goal is to figure out which approaches stop violence before it happens, not just punish it after. NIJ researchers admit that prevention is under-studied and needs better data to prove effectiveness. Still, this research guides funding and helps shape national strategies. The emphasis is on evidence, not assumptions.

Correctional systems are expanding rehabilitation and treatment for sex offenders. Many states now run therapy-based programs for people convicted of sexual crimes, aiming to reduce



reoffending after release. These programs focus on accountability, empathy, and self-management rather than just punishment. Research shows some modest success. Participants tend to reoffend less compared to those who receive no treatment. However, results vary depending on program quality and length.

Activism has shifted from awareness to systemic accountability. Movements like #MeToo pushed prevention into public consciousness, forcing schools, workplaces, and governments to act. Activists now focus on changing power structures, reforming reporting systems, and demanding policy reform, not just sharing stories. This wave of activism also centers marginalized groups whose experiences were often ignored.

National efforts like “It’s On Us” and “Start By Believing” encourage communities to believe survivors and take action when they witness risky situations. These campaigns use social media, schools, and workplaces to spark everyday conversations. Research shows that these kinds of messages can shift attitudes and reduce victim-blaming. They’re not perfect, but they help make respect and accountability mainstream ideas.

The National Sexual Violence Resource Center (NSVRC) spreads prevention knowledge everywhere. The NSVRC is basically a national library of toolkits, data, and training guides for anyone working to stop sexual violence. Their materials are free and designed for schools, community organizations, and workplaces. They also evaluate and share what strategies actually make a difference. This helps smaller groups run prevention programs without reinventing the wheel.

Community-led prevention is becoming the new model. Instead of relying only on top-down government initiatives, many states now empower local organizations to lead prevention work. These groups design culturally relevant programs that fit their communities’ needs. This grassroots approach builds trust and makes education more effective. The tradeoff is that funding and consistency can vary. Even so, community ownership keeps prevention personal, responsive, and sustainable.

Congress and states have updated laws like the Violence Against Women Act (VAWA) to expand funding for prevention education and survivor services. These laws also require better data collection and outreach to underserved populations. Activists continue to push for closing legal loopholes, such as outdated consent definitions. The result is a system that’s slowly becoming more inclusive and prevention-focused.

The Department of Defense has its own sexual assault prevention programs. Because military culture is unique, the Department of Defense created SAPR (Sexual Assault Prevention and Response) programs across all branches. They focus on building respect, improving reporting systems, and holding leadership accountable. Service members receive mandatory annual training on consent, boundaries, and bystander intervention.

Prevention on college campuses now includes staff and faculty training. Many universities realized that prevention doesn’t stop with students, faculty and staff shape the campus climate too. Required programs now train professors, coaches, and resident advisors on how to recognize warning signs, intervene early, and support students who report. These



trainings are usually brief but repeated annually, reinforcing expectations for respectful behavior. While effectiveness depends on participation, surveys show campus trust in reporting systems improves when all staff are involved.

Workplace sexual violence prevention is expanding beyond HR policies. Many organizations, including federal agencies, are adopting proactive training and climate assessments to identify risks before harm happens. The Equal Employment Opportunity Commission (EEOC) encourages employers to go beyond compliance by creating cultures of respect and transparency. Instead of relying solely on annual check-the-box training, newer models emphasize open dialogue, leadership accountability, and clear reporting systems. Early studies show that when employees trust leadership to respond fairly, harassment rates drop. This shift marks a move from “avoiding liability” to truly fostering safety.

**Further resources:**

- <https://www.cdc.gov/sexual-violence/prevention/index.html>
- <https://www.justice.gov/ovw/state-and-territorial-sexual-assault-and-domestic-violence-coalitions-program>
- <https://nij.ojp.gov/topics/articles/advancing-situational-and-developmental-approaches-prevent-sexual-violence>
- <https://www.nsvrc.org/online-resources/>
- <https://www.justice.gov/ovw/rural-program>
- <https://www.nsf.gov/stopping-harassment/sahpr>
- <https://ospi.k12.wa.us/student-success/health-safety/sexual-violence-prevention>



## *“Dear Katie”* Podcast: Episodes Featuring Legal Issues

Explore [the full list](#)

### Selected Episodes

#### **Signing Away Your Truth: Reading the Fine Print**

Guest: Gretchen Carlson

Listen on [Spotify](#), [Apple](#)

Gretchen Carlson is a fierce, fearless, and internationally recognized advocate for women’s rights, whose bold actions against Fox News Chairman Roger Ailes helped pave the way for the global #MeToo movement. A former CBS News and Fox News journalist, author, TED talk alum, and champion for workplace equality, Carlson was named one of Time Magazine’s “100 Most Influential People in the World.” Gretchen shares her voice and expertise to inspire, connect, and empower our community of survivors and supporters.

Relevant topics:

- NDAs and forced arbitration
- Workplace silencing mechanisms
- Litigation of workplace sexual harassment
- Influence of legislation on the ability to sue one’s employer

#### **Splitting the Law**

Guest: Rachael Denhollander

Listen on [Spotify](#), [Apple](#)

Guided by a strong sense of justice since she was young, Rachael Denhollander decided at ten that she wanted to be an attorney. However, her experience reporting abuse in her church came with a terrible lesson: don’t report unless you can prove it. Taking this to heart, when her gymnastics coach, Larry Nassar, sexually assaults her, she stays silent. Sixteen years later, supported by investigative journalists and public outrage, she reported her abuse, becoming the first whistleblower and rallying an army of survivors to bring Larry Nassar to justice.

Relevant topics:

- High-profile sexual abuse cases
- Cases involving several victims and lengthy timelines
- Grooming





- Obstacles faced by survivors (especially minors) in reporting sexual abuse

### **Brave Box of Justice + Fearless Fighter**

Guests: Helene Weiss & Grant Boyd

Listen on [Spotify](#), [Apple](#)

This week, attorneys Helene Weiss and Grant Boyd share their experiences advocating for survivors and working tirelessly to protect their rights in the courtroom. They share visions of hope and victory, bringing to light brave survivors who have pushed to make their voices heard and fight for themselves and their community.

Relevant topics:

- Title IX and sexual assault on campuses
- Trauma-informed approaches and education, as well as survivor-centered litigation
- Jane/John Does (i.e., anonymizing oneself in legal proceedings)
- Preventing retraumatization through the court system

### **White House Sidewalk Sit-In**

Guests: Jon Vaughn & Josh Rubin

Listen on [Spotify](#), [Apple](#)

This week, we share the powerful voices of Jon Vaughn and Josh Rubin. Jon Vaughn made waves around the world as one of the few to publicly speak out against the abuse of University of Michigan doctor Robert Anderson in 2020, leading over 1000 survivors in a lawsuit against the university that settled in 2022. Today, he is a testament to the power of speaking out and advocating for what is right against all odds.

Relevant topics:

- High-profile sexual abuse cases
- Cases involving several victims and lengthy timelines
- Negative assumptions against male victims of sexual violence

### **National Center for Victims of Crime: A Conversation with the Executive Director**

Guest: Renee Williams

Listen on [Spotify](#), [Apple](#)

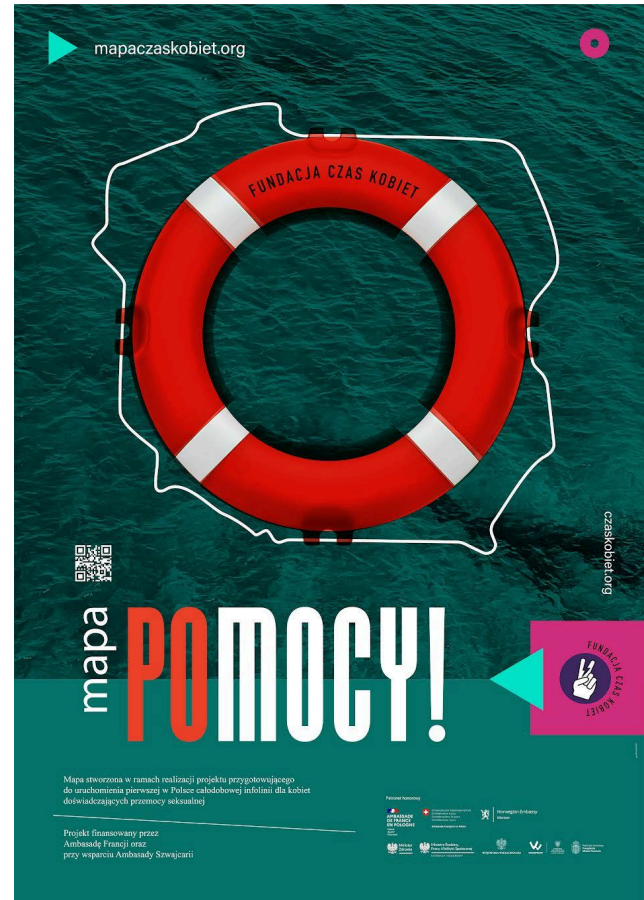
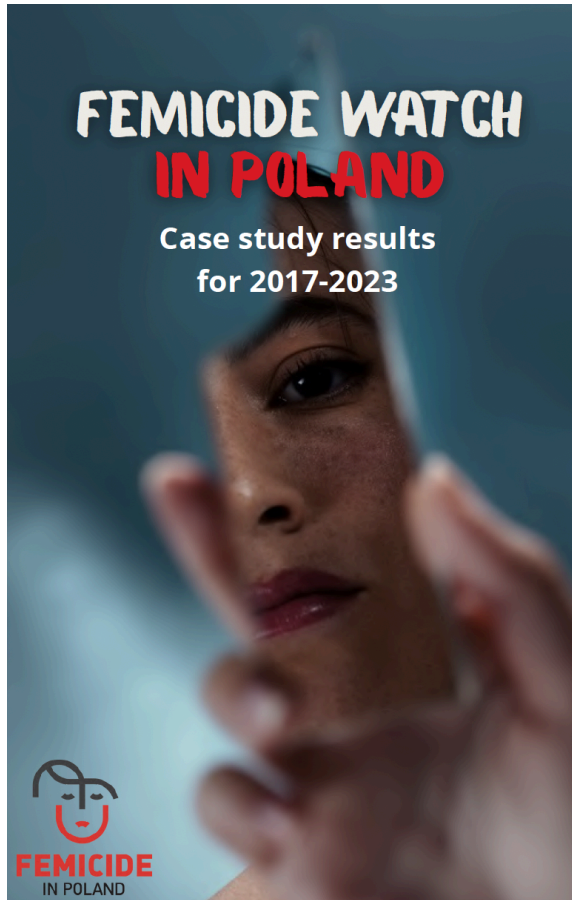


We ask Renee Williams, the Executive Director of the National Center for Victims of Crime, all of our pressing legal questions. While Law and Order may be entertaining, our ideas of what occurs in the courtroom may not be accurate. Renee also serves as the director of the National Crime Victim Bar Association, an affiliate program of the National Center.

Relevant topics:

- Bar associations advocating for victims
- Restorative justice as an alternative goal
- Justice and healing for survivors outside of the legal/justice system
- Systemic shortcomings that prevent sexual violence survivors from achieving healing

## Appendix: Poland Resources





## Credits

### Panelists

Katie Koestner — Executive Director, Take Back The Night (USA)  
Priya Varadarajan — Founder & CEO, I'm Every Woman (India)  
Brenda Oulo — Co-Director, Girls Agency Lab (Kenya)  
Renee Williams — CEO, National Center for Victims of Crime (USA)  
Halima Kazem — Associate Director, Stanford University (Afghanistan)  
Jaye Wesley — Executive Director, Kenora Sexual Assault Centre (Canada)  
Lise Gotell — Professor in Women & Gender Studies, University of Alberta (Canada)  
Tracey Jewel — Survivor & Advocate (Australia)  
Bridget Taremotimi — Head of General Services, WARIF (Nigeria)  
Monika Płatek — Head of Criminology Department, Warsaw University (Poland)  
Ashlea Ambris — Project Officer, Directorate of Gender Affairs (Antigua & Barbuda)  
Mariana Valente — Assistant Professor, University of St. Gallen (Brazil)  
Renata Giannini — Assistant Professor, George Washington University (Brazil)  
Stacey Sriver — Lecturer of Gender & Women's Studies, University of Galway (Ireland)  
Nata Duvvury — Professor of Gender & Women's Studies, University of Galway (Ireland)  
Mona Tajali — Executive Board Member, Women Living Under Muslim Laws (Iran and Turkey)  
Lin Li — Assistant Professor of Asian History, Kenyon College (East Asia)  
Isiuwa Iyehen — Acting Head of Office, UN Women MCO-Caribbean (UN)  
Aleksandra Ivankovic — Expert Leader, Victim Support Europe (EU)

### Symposium Team Leadership

Katie Koestner — Executive Director of Take Back The Night, Moderator  
Amy Tilton — Assistant Director of Take Back the Night  
Jamie Shelton — Co-Director of the International Sexual Violence Justice Symposium  
Lena Jodry — Director of Outreach  
Madeleine Gaunt — Co-Director of Marketing, Outreach Team  
Briseida Sanchez — Co-Director of Marketing, Digest Co-Editor, Outreach Team



Symposium Team

Aditi Dukle – Research Team

Dani King – Research Team

Gia Lanteri – Outreach and Research Team

Jujhar Singh – Research Team

Kelly Brumbaugh – Research Team

Lena Tran – Outreach Team, Research Team

Tiara Jasmin – Research Team

Harang Yoon – Outreach Team

Karen Guevara – Outreach Team, Digest Editor Team

Naysa Saint Fleur – Research Team, Digest Editor Team

Take Back The Night Social Media Team – Marketing Team