14 March 2011

Rt Hon William Hague MP
First Secretary of State
Foreign and Commonwealth Office
King Charles Street
London  SW1A 2AH

Dear Foreign Secretary

**Council of Europe Convention on preventing and combating violence against women and domestic violence**

I am addressing this to you because of the gravity and urgency of the matter, but as it raises matters that engage their respective responsibilities I am copying in Mr Lidington (as Minister for Council of Europe matters) and Mr Browne (as Minister for human rights).

The Northern Ireland Human Rights Commission, created by Parliament as the national human rights institution for Northern Ireland, is obliged to advise Government on “measures which ought to be taken to protect human rights” (Northern Ireland Act 1998, s.69(3)). In that context the Commission has always regarded it as essential to promote the ratification and implementation of human rights instruments in the international and regional systems. The Council of Europe has led the world in constructing an instrument addressing issues of gender-based violence. Its Ad Hoc Committee on Preventing and Combating Violence against Women and Domestic Violence (CAHVIO) between April 2009 and December 2010 developed the draft text of the *Convention on preventing and combating violence against women and domestic violence*. The Committee of Ministers is to discuss adoption of the Convention on 23 March.
Domestic violence and violence against women are issues of great concern in Northern Ireland, as in other parts of the United Kingdom. In 2009-10, the last full year for which statistics are available, the Police Service of Northern Ireland recorded 24,482 incidents of ‘domestic abuse’ as defined by the Northern Ireland Regional Steering Group on Domestic Violence (“any incident of threatening behaviour, violence, or abuse (psychological, physical, verbal, sexual, financial or emotional) inflicted on one person by another where they are or have been intimate partners or family members, irrespective of gender or sexual orientation”). While this category does not capture the full range of offences addressed by the draft Convention, it is a very significant indicator. Of these incidents, 9,903 were defined as crimes according to the Home Office Counting Rules – an increase of 692, or 7.5%, on the previous year. It is universally acknowledged that such crimes are likely to be seriously under-reported, and the recording is further weakened by depending on a non-quality-assured data collection exercise by the police; but even the recorded figures, across a population of 1.7m, indicate a major societal problem.

The improvement of statistical data is of course one of many areas to which the draft Convention would commit states. Other elements of the draft Convention include commitments to protect women against all forms of violence, and prevent, prosecute and eliminate violence against women and domestic violence; non-discrimination and equality; a comprehensive framework, policies and measures for the protection of and assistance to victims; international co-operation; and support to organisations and law-enforcement agencies. These are all matters that Government should recognise as appropriate and proportionate responses to this persistent and grave issue.

The Human Rights Commission has followed the evolution of the draft Convention through its partners in the European Group of National Human Rights Institutions. We were disturbed to learn that, despite the emergence of a consensus view among CoE States in favour of the CAHVIO text, the United Kingdom has recently been perceived as an obstacle to the adoption of that text and has, it is suggested, sought to reopen negotiations on the detail in a way that is likely to weaken the text of this important new international human rights instrument.

With just over a week before the Committee of Ministers meeting, the Human Rights Commission urges Government to reconsider its position, to allow the draft text to be adopted and to sign, ratify and fully implement the instrument at the earliest opportunity.
Yours sincerely

Professor Monica McWilliams
Chief Commissioner