



**Convention on the Rights
of Persons with Disabilities**

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Committee on the Rights of Persons with Disabilities

Concluding observations on the initial report of Germany

Addendum

**Information received from Germany on follow-up to the
concluding observations***

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* The present document is being issued without formal editing.



Part 1

“The Committee recommends that the State party (1) provide a comprehensive and effective strategy¹ with adequate funding to ensure that women and girls with disabilities are effectively protected against violence in all public² and private³ settings.

1. Strategies, measures and plans to protect women and girls with disabilities against violence in the public and private domains

BW

1. In 2014 Baden-Württemberg adopted the *Land* Action Plan of Baden-Württemberg for Combatting Violence against Women (*Land* Action Plan). This plan is a comprehensive concept for preventing and combatting violence against women and for providing appropriately for women who are victims of domestic violence, sexual violence, forced marriage or forced prostitution. Measures to prevent and combat violence against women with disabilities play an important role in the *Land* Action Plan which was developed with the participation of representatives of self-help groups and organizations for disabled persons. The *Land* Action Plan cites the following measures in this area:

- Analysis of the need for barrier-reduced rooms in women’s and children’s shelters;
- Elimination of access barriers in women’s and children’s shelters;
- Development of concepts for protecting women who need special assistance due to their disabilities;
- Special further training for personnel working in women’s and children’s shelters and in counselling centres;
- Barrier-free public relations activities concerning the subject of violence against women;
- Support for prevention and education services pertaining to gender-based violence, and
- Channels for obtaining protection and assistance.

2. One concrete example of a campaign that the *Land* government of Baden-Württemberg supports is the Project to Improve the Situation of Women with Disabilities Who Are Victims of Violence which the Frauenberatungs- und Therapiezentrum Stuttgart e.V. (FETZ) Stuttgart-based women’s counselling and therapy centre is conducting over the period October 2015 to April 2017. This project aims to raise awareness among women with disabilities who live in residential facilities for the issues gender-based violence, autonomy, self-assertion, rights of the individual, and channels to protection and assistance, and to impart knowledge in these areas. Personnel in facilities for women with disabilities is being accordingly trained and qualified for this work.

3. Another example for a project that is improving the situation of women with disabilities who are victims of violence is the training provided for women’s affairs representatives in facilities for persons with disabilities. This training is provided with the

¹ The term “strategy” is to be understood broadly here. In light of the many (federal) structures and jurisdictions in Germany, it would be virtually impossible to develop **just one single**, all-encompassing national strategy. Instead there are numerous strategies and concepts at various levels which fit together.

² Public domains encompass day-care facilities for children, schools, facilities provided by youth welfare services, by services for the elderly or by services for the disabled, long-term care facilities, rehabilitation facilities, workshops, health care facilities, etc.

³ Private domains include the family domain as well as organizations, volunteer work and the workplace.

aim of enabling women with disabilities to exercise their rights. The courses are conducted by two trainers, one of them being a woman with a learning disability. The programme is also an example for how women with disabilities can actively play apart in special measures to protect against violence.

BY

4. The Free State of Bavaria prefers a low-threshold system for protecting women and girls with disabilities against violence in relevant spheres of life. In light of the very heterogeneous sponsors and jurisdictions in the individual *Länder*, it is felt that it would be extremely difficult to develop an overall national concept.

In schools

- The Bavarian State Ministry of Education, Science and the Arts is in charge of an overall concept for the prevention of violence. This concept provides for a balanced mix of intervention and primary prevention. It is aimed at all students and therefore includes persons with disabilities. The overall concept contains the following individual measures:
 - School psychologists, schools counsellors, liaison teachers and youth social work specialists at schools as the first points of contact for students;
 - Publicly-funded school guidance centres operated by the administrative districts as points of contact for parents and students;
 - Cooperation between school authorities and offices responsible for integration support, youth work or youth welfare services, the school funding agencies and the local commissioners for the interests of persons with disabilities (including inclusion guidance at the local education authorities);
 - Support for schools in connection with their prevention work involving democracy and tolerance, and on the best way to deal with media through the network of the regional commissioners for democracy and tolerance, plus guidance counsellors with a focus on media education and information technology;
 - Strengthening self-perception and self-assertion;
 - Increasing the effectiveness of school-based prevention programmes through the use of school-based concepts aimed at instilling values;
 - Information portal of the Academy for Teacher Training and Personnel Management in Dillingen;
 - Principle of school autonomy.
5. **Further**, numerous measures have been to protect against violence in school:
- Section 109 of the *Bayerisches Gesetz über das Erziehungs- und Unterrichtswesen* (BayEUG - Education System Act of Bavaria): the supervision of boarding schools in the area of special needs schools is in conformance with the provisions of Book VIII of the German Social Code;
 - In addition, the requirements for staff working with persons with disabilities are more stringent. Example: the requirement to submit an Extended Certificate of Good Conduct from the police;
 - Support for prevention programmes (ideational, personnel, conceptual support).

Child protection

- Bavaria has an overall strategy in the area of child protection as well. This strategy is outlined in detail in the Bavarian government's Children and Youth Programme. The main elements of this programme are:
- Strong parents are the best form of child protection. Consequently, the focus is on preventive child protection: avoiding any endangerment of a child's welfare by

providing early, targeted support for parents in stress situations. Interdisciplinary networking and qualified training for interdisciplinary child protection work are important for ensuring that signals indicating endangerment of a child's welfare can be recognized at an early point in time and for ensuring the availability precisely tailored services;

- In addition to providing competent advisory and counselling services in all 96 youth welfare offices in Bavaria, the *Land* government has a comprehensive network of approximately 180 parenting advice centres;
- KoKi - Network for Early Childhood coordinating child protection offices: these offices support municipalities in Bavaria with the comprehensive and systematic networking of regional offerings in the area of early intervention through the KoKi - Network for Early Childhood support programme. Bavaria has played a pioneering role in this area. As a result, the *Bundeskinderschutzgesetz* (Federal Child Protection Act) has incorporated the Bavarian KoKi concept in its entirety (section 3 of the *Gesetz zur Kooperation und Information im Kinderschutz* (KKG - Act on Cooperation and Information in Child Protection));
- Funding for the child protection outpatient department of the Institute of Forensic Pathology of the Ludwig Maximilian University Munich. This clinic is the place to go in Bavaria for child and youth welfare professionals, for doctors and for parents when child abuse is suspected. In addition, the forensic medicine specialists there also conduct interdisciplinary continuing training seminars based on the "Violence against Children and Youths - Recognize and Take Action" guidelines issued by the Bavarian State Ministry of Employment and Social Affairs, Family and Integration to achieve uniform interdisciplinary quality standards throughout Bavaria. The services provided by the child protection outpatient department close the gap between child and youth welfare services and medical diagnostics. Through its provision of these services it is strengthening child protection in Bavaria on a long-term basis.

Stationary facilities

- In the area of stationary facilities, the relevant *Pflege- und Wohnqualitätsgesetz* (PfleWoqG - Quality of Care and Accommodation Act) provides for Centres for Long-term Care Facilities and Facilities for Persons with Disabilities - Quality Development and Supervision (FQA) as the competent authorities for inspecting the aforementioned living arrangements and accommodations for adults with disabilities. FQAs are located at the district commissioners' offices and the municipal governments of (96) towns that are not attached to an administrative district. The object of this law is to protect against interference the dignity, interests and needs of individuals who reside in stationary facilities and are in need of care or are dependent. The guidelines for nursing care facilities and facilities for persons with disabilities are also to be mentioned here.

Women with disabilities

- The Network for Women and Girls with Disabilities receives public funding in Bavaria. This network is a self-help organization. It is also integrated into the work of various bodies, such as the *Land* Disabled Persons Council. It is consulted in connection with relevant measures and offers continuing training courses and advisory services on the subject of violence. This is also done in cooperation with, for example, the Women's Emergency Hotline rape crisis centre.
6. Furthermore, two new projects were launched in January 2014 in the area of protection against violence for women with disabilities:
- Paritätischer Landesverband Bayern e.V.: Central Barrier-free Service Homepage. Information platform for abused women with disabilities; continuing training for women who work as counsellors in women's shelters or for rape crisis centre hotlines on the subject of violence and disabilities;

- LAG Selbsthilfe Bayern e.V.: establishment of women's affairs representatives in facilities involved in providing services for the disabled;
- In addition to this, the Institute for Empirical Sociology at the Friedrich Alexander University of Erlangen-Nuremberg is conducting a study to assess the need for the help system for abused women and their children. The situation regarding the provision of services for abused women is an important focus of this study.

7. The *Bayerisches Maßregelvollzugsgesetz* (BayMRVG - Forensic Psychiatry Act of Bavaria) contains a provision regarding the protection of pregnant women and mothers of new-born children against violence:

- Participation of persons with disabilities;
- In many cases, persons with disabilities are also involved in the development of strategies or measures in the area of violence protection. For example:
- Consultations to amend the *Bayerisches Gesetz über das Erziehungs- und Unterrichtswesen* (Education System Act of Bavaria);
- Netzwerkfrauen Bayern (Network Women of Bavaria) as the project management organization for the "Central Barrier-free Service Homepage" project;
- Netzwerkfrauen Bayern as a collaborative partner in the project "Women's Affairs Representatives in Facilities Operated by Services for the Disabled";
- In addition, section 3.6 of the Action Plan for Implementing the UN Convention on the Rights of Persons with Disabilities in Bavaria contains measures to protect girls and women with disabilities against violence.

BE

- A recommendation for action regarding the prevention of violence in sheltered workshops for persons with disabilities in the *Land* Berlin was developed in 2015 at the level of the *Land* Working Group on Sheltered Workshops.
- A joint agency conference on this subject was held for agencies providing services for persons with disabilities in the *Land* Berlin in 2013. There was agreement regarding the recognition of responsibilities in the hands of the agencies and associations. This includes concepts for dealing with different forms of violence, with the avoidance of risks of violence, and for dealing with perpetrators and victims.
- As a rule, all the counselling, protection and assistance services offered by the *Land* Berlin in cases of domestic or sexual violence against women are also available to women and girls with disabilities. In the case of domestic violence, three barrier-free accommodations are available (one in a women's shelter and two in a safe apartment) to women with reduced mobility who use a wheelchair or even an electric wheelchair. In addition, three counselling centres are handicapped accessible.
- Facilities available for hearing-impaired women include two women's shelters, two safe apartments and a counselling centre that have been equipped for use by the hearing impaired. The DVD "Domestic Violence Is Never Okay" was developed especially for hearing-impaired women. This DVD contains information about domestic violence and the protection and counselling services available in Berlin. The women who work in anti-violence projects learn sign language.
- For blind and visually impaired women, one of the safe apartments has been equipped with dots to help orientation and can also be used by women with a guide dog. Another apartment for blind women is in planning. An audio spot on domestic violence and the services available to victims has been developed especially for blind women.
- For women with mental illness, there is a residential treatment group with a variety of special services. The range of services for mentally ill women being offered in women's shelters is currently being expanded.

- An easy-read version of the brochure “Domestic Violence is Never Okay” has been published for women with learning disabilities.
- When necessary, the BIG hotline 030-611 03 00 arranges protective accommodation in a women’s shelter or a safe apartment. The BIG hotline has mobile intervention capabilities that make it possible to offer women out-reach counselling as required. This service is also particularly aimed at women with disabilities.
- Counselling is offered by the LARA Crisis and Counselling Centre for Women Who Have Been Raped or Sexually Harassed (www.lara-berlin.de), the Netzwerk behinderter Frauen Berlin e.V. (Network of Disabled Women, Berlin) (www.netzwerk-behinderter-frauen-berlin.de), Wildwasser e.V. (www.wildwasser-berlin.de) and Kind im Zentrum (Child in the Centre) (www.ejf.de).
- The draft for an Integrated Action Plan which the Berlin Network Against Sexual Violence developed on a multidisciplinary and interministerial basis (the Senate has yet to confer on it) contains measures to improve the protection against violence for disabled women who live in private households or in facilities that provide services for persons with disabilities.
- Inclusion of the issue in the Berlin Framework Agreement to section 79, Book XII of the German Social Code; knowledge of the concepts of the Berlin agencies in this area; the creation of a cross-provider ombudsman (currently attached to the Lebenshilfe organization); support for continuing training courses for employees, residents and users; review of existing concepts as part of the quality management process; and support for the nation-wide campaign to introduce the Extended Certificate of Good Conduct.
- In 2014 Berlin participated in the federal-*Land* project “Women’s Affairs Representatives in Facilities - An Idea Worth Emulating” as a measure to actively prevent and intervene against violence against women with disabilities in sheltered workshops and residential facilities for disabled persons, and made it possible for two women with learning disabilities and their helpers to attend the training course for women’s affairs representatives. The two duos from Berlin will conduct their own training courses starting autumn 2015 and train future women’s affairs representatives with learning disabilities and their helpers from the field of services for persons with disabilities. This measure was funded by the Senate Department for Labour, Integration and Women’s Issues.

BB

***Land* Action Plan**

8. The Brandenburg *Land* government has had a special *Land* Action Plan since 2001 as a strategic approach to combating violence against women and their children. This plan has the aim of establishing a uniform understanding of the issue, organizing coordinated action on the part of all stakeholders, and achieving necessary structural changes that will make it possible to combat violence more effectively. This strategic approach applies equally to all abused women in their respective areas of life and consequently encompasses women and girls with disabilities too. This strategy is backed by various activities and measures. Financing is through public funds. The *Land* Action Plan for combatting violence against women and their children is currently being amended.

Police protection for victims

9. As part of the update of the Victim Protection Plan of the Police of the *Land* Brandenburg undertaken in 2012, the handout “Police Protection for Victims” was also expanded with the addition of a new chapter on “Dealing with Victims with Disabilities” and now contains special rules of conduct for such cases.

10. The *Land* Prevention Council and the promotion of special strategies to protect women and girls with disabilities against violence.

11. The *Land* Prevention Council is open to projects that effectively protect women and girls with disabilities against violence and is fundamentally willing to fund projects in this area. However projects that are explicitly geared to supporting women and girls with disabilities have not been submitted to the *Land* Prevention Council to date.

12. Last year the projects supported by the *Land* Prevention Council included the Violence Against Girls and Women Awareness Day. Here the German Olympic Sports Confederation worked together with martial arts clubs and associations to draw attention to the issue of violence against women and to raise awareness of the subject. Numerous offerings, particularly in the area of self-assertion and self-defence, were developed and tested in practice; the awareness-raising day was to be used to publicize them. The event particularly targeted interested girls and women aged 12 and up who wanted to learn more about conflict resolution, de-escalation, self-defence and self-assertion. The project is open to all target groups and is not specifically aimed at persons with disabilities. The *Land* Prevention Council plans to fund the Awareness Day once again this year.

13. In addition the *Land* Prevention Council has funded since 2006 the Ziggy Bares His Teeth project which deals with sexual violence against children. This project has not been expressly tailored to children with disabilities to date. A grant application for this project that would expressly gear it to the target group “children with intellectual disabilities” was submitted for the first time for the period 2016 onwards.

HB

14. The Land Action Plan of Bremen to Implement the UNCRPD has incorporated the protection of women and girls with disabilities not only horizontally but also in the individual measures undertaken by the participating ministries.

15. The Action Plan states the following regarding protection against violence: violence perpetrated on women and children violates their physical and emotional integrity and limits their chance of leading a self-determined life. Women and children with disabilities particularly experience gender-based violence. Due to their disability or impairment and the attendant living conditions – such as greater dependence on others – they are particularly vulnerable. For this reason, protection against violence and the availability of support measures are given special attention.

16. It was agreed to:

- progressively make the entire assistance system handicapped-accessible;
- ensure that women with disabilities receive appropriate psychotherapeutic support;
- examine whether existing offers (counselling, out-patient care for trauma victims) reach women with disabilities;
- establish women’s affairs representatives in sheltered workshops and in residential facilities;
- have available preventive offerings pertaining to, e.g., sexual violence;
- ensure that there are competent offerings for self-assertion and self-defence and that the general conditions needed for them exist;
- agree upon standards for self-assertion/self-defence;
- campaign on a long-term basis for the option of same-sex care;
- see to it that women with disabilities who are the victims of violence receive support/assistance during criminal proceedings;
- implement guidelines for the prevention and handling of violence in facilities;
- improve the situation of abused women when the perpetrator is the care-provider or lives in the same residential facility as the victim.

17. The Bremen Supervisory Agency for Residential Facilities and Care Services is the *Land* government’s supervisory agency for approximately 100 residential or long-term care facilities for adults with disabilities in the *Land* Bremen. The *Bremisches Wohn- und*

Betreuungsgesetz (BremWoBeG - Act to Ensure the Rights of Persons with Support, Care or Assistance Needs) serves as the legal basis for the Bremen Supervisory Agency for Residential Facilities and Care Services. The BremWoBeG requires the Bremen Supervisory Agency for Residential Facilities and Care Services to inspect most of the residential and care facilities once a year. In the course of these regulatory inspections, the measures taken by the respective facilities to prevent violence are ascertained and assessed. These inspections have placed special emphasis on violence prevention in the past and will continue to do so in the future. In this connection the Bremen Supervisory Agency for Residential Facilities and Care Services examines at an in-depth level the causes of violent incidents and strategies for avoiding them in the future.

18. Section 16(4) of the BremWoBeG requires facilities to report incidents of sexual, physical or psychological violence to the Bremen Supervisory Agency for Residential Facilities and Care Services. In the event of such incidents the Bremen Supervisory Agency for Residential Facilities and Care Services examines and consults in detail on preventive measures.

19. The Bremen Supervisory Agency for Residential Facilities and Care Services is involved in the work of the Bremen Forum against Violence in Connection with Care and Support, a forum that operates continuously in this area. The Bremen Supervisory Agency for Residential Facilities and Care Services organized together with this forum a Symposium on the Prevention of Violence in Facilities in October 2015 in order to intensify the discussion among experts regarding preventive behaviour in the care and support fields.

HH

20. The Senate of the Free and Hanseatic City of Hamburg adopted a Plan for Combatting Violence Against Women and Girls, Human Trafficking and Violence in Care Settings in 2014 (Hamburg Parliament document 20/10994, www.hamburg.de/opferschutz); it is to be rolled forward during the current legislative term (starting 2 March 2015).

21. This comprehensive plan focuses on combatting violence against women and girls. This is being done in response to the fact that disproportionately large numbers of women experience violence in their closer social circles and that certain forms of violence are clearly gender-specific. This plan takes into account all forms of violence that are aimed at women because they are women or that affect disproportionately more women than men, be it in public or private settings. In particular, strategies are being expressly formulated that commit to the implementation of the UN Convention on the Rights of Persons with Disabilities. This especially applies to the requirement to ensure barrier-free access to protection and support (article 13 and article 16). The core guidelines of this plan include ensuring access to protection and counselling services for all persons who are victims of violence - and that these services be low-threshold, inclusive, intercultural, anonymous and available to all irrespective of the individual's income. In connection with the target group of abused women and girls with disabilities, strategic approaches to reducing and eliminating barriers to access that have been identified are being formulated. These approaches particularly aim at:

- Increasing the visibility, acceptance and use made of existing offerings and better coordinating the advisory and assistance services to the individuals' special needs;
- Linking existing offerings and structures in such a way that they are more responsive than in the past to the individuals' special situation; and
- Increasing awareness of the target groups' issues, specifically among the skilled staff members of protection and advisory facilities as well as among multipliers who have particular access to the respective target group.

22. The plan also formulates strategies to improve protection and support for women and girls with disabilities who live in stationary facilities.

23. Specifically, prevention and intervention plans are to be implemented in ambulant and stationary services and a complaint management system is to be established. Statutory provisions in this regard are not planned at present.

24. In connection with the provision of funding for protection and victim counselling services, binding agreements were reached in part regarding regular participation in continuing training for providing counselling services in Easy Language and regarding activities to raise personnel awareness of the different types of impairments. In addition, funding agreements are to stipulate inclusiveness as a funding criterion for prevention measures to an even greater degree in future.

25. The requirements and strategies formulated in the plan are to be covered by available budget funds. With regard to an inclusive assistance system, this means working together with the funded facilities to develop a sharper profile in terms of the needs of the parties concerned. This is to be achieved by rethinking or revising counselling concepts if necessary, setting new priorities as required and ensuring new, indispensable collaboration between facilities and particularly with the providers of services for disabled persons.

26. When developing and implementing violence protection strategies, Hamburg draws on the findings and insights of experts, scientific research, the experience of individuals working in Hamburg's support system and other civil society stakeholders. The aim here is to obtain a comprehensive view of this field of work by bundling theoretical insights with day-to-day experience. For example, the results from specialist conferences and expert discussions, particularly with persons with disabilities, were included in the work on developing the plan. This dialogue is also to be continued when implementing the strategies developed in this connection.

27. The following applies for child and youth services.

28. Youth welfare law lays down in section 8a, Book VIII of the German Social Code the public youth welfare services' mandate to provide protection when a child's welfare is endangered. This special provision to provide protection against violence also applies to disabled girls and young women. Pursuant to this provision, when there are serious indications that the welfare of a child or juvenile is endangered, the youth welfare offices are required to assess the risk of endangerment in cooperation with several specialists. Legal guardians and the child/juvenile are to be regularly included when assessing the endangerment. The Youth Welfare Office must offer assistance as required. It must bring the case before the court if necessary. When there is urgent danger and it is not possible to wait for the court's decision, the Youth Welfare Office is obligated to take custody of the child or juvenile. If necessary, the health services or the police are to be called in. If need be, the Youth Welfare Office must take direct steps to ensure the necessary involvement of these bodies.

29. In the Hamburg child protection system, the districts' child protection coordinators significantly promote and improve communication in the complex network described above. The rules and regulations governing quality assurance ensure that all reports of child endangerment are fully reviewed. The youth welfare offices' standards for handling reports of child endangerment have been incorporated into the supporting administrative software and the assistance provided by youth welfare offices is fully documented. The work of the youth welfare offices is subject to auditing by the inspectorate for child and youth welfare services to the extent required. The inspectorate reports to the competent authority (*Land* ministry) and is independent of the youth welfare offices and the specialist authorities.

30. Another important aspect is the obligation to develop protection plans in facilities. Criteria are contained in, for example, the requirements for protection plans for Hamburg child day care centres. This refers to seven thematic areas including "Power and abuse of power", "Overstepping boundaries / close contact and distance in facilities", "Overstepping boundaries, violence among children", "Participation and dealing with complaints", "Collaborative partnerships with parents" and "Statements regarding the protection mandate pursuant to section 8a, Book VIII of the German Social Code". With inclusion in mind, no distinction is made between children with disabilities and children without disabilities or based on the child's gender. The children being cared for are to be welcomed and cared for in line with their respective level of development, irrespective of their nationality, ethnicity, religion, social status, or their physical, psychological or mental condition.

31. Requirements regarding continuing training on pedagogical subjects which also include the above-mentioned issues have been anchored in the *Land* Framework Agreement on Child Care in Day-care Facilities. Day-care facility funding providers and day care facilities are advised on conceptual questions by the advisory service for day-care facility funding providers. The body responsible for overseeing the respective day-care centre takes action when it is notified of child endangerment in the facility.

HE

32. The Ministry for Social Affairs and Integration of the *Land* Hesse has conducted in cooperation with the Ministry of Justice and the supervisory authority for long-term care and support interdisciplinary continuing training courses on the avoidance of custodial measures. These courses target employees of elder care facilities and facilities for the disabled, guardianship courts, custodial authorities, custodial associations, professional custodians, volunteer custodians, management of care facilities, etc.

33. The Hessian Curriculum for Avoiding Measures Involving the Deprivation of Liberty Pursuant to the *Hessisches Gesetz über Betreuungs- und Pflegeleistungen* (HGBP - Support and Care Services Act of Hesse) is currently being developed with the aim of establishing a *Land*-wide standard for corresponding basic and continuing training courses. This project flanks provisions in the Support and Care Services Act of Hesse that are specifically geared to avoiding measures involving the deprivation of liberty and that provide for corresponding personnel training.

34. The updated Early Intervention in Hesse framework strategy, which was presented to the public on 15 October 2014, contains the recommendation “to develop in the area of early intervention suitable processes for cases of child endangerment and to establish collaborative activities in the area of child protection. This also includes awareness-raising in the area of sexual violence against children.”

MV

Counselling and assistance

35. The *Land* Mecklenburg-Vorpommern has an extensive counselling and assistance network for victims of domestic and sexual violence. The counselling and support facilities also inform and advise women and girls with disabilities within the means at their disposal. Areas of strategic focus are outlined in a *Land* Action Plan.

Combatting violence

36. The Second *Land* Action Plan for Combatting Violence against Women and Children is currently being rolled forward. One focus of future work will be ensuring the accessibility of persons with disabilities who are victims of domestic or sexual violence.

Police measures

37. The *Land* police are involved in general and special violence protection strategies within the scope of their statutory responsibilities. This applies to the areas law enforcement and threat prevention.

38. Provisions have been developed for certain areas in which women and girls are sometimes identified as victims more frequently than men and boys. These provisions can be found in the Police Guidelines for the Investigation and Processing of Offences against Sexual Self-determination (since 2007) and in the administrative regulations for the areas Domestic Violence (since 2002) and Stalking (since 2008).

39. Ensuring suitable communication that is appropriate to the practical requirements in the individual case is of vital importance for prevention and repression. Despite continuous efforts to establish barrier-free access to buildings (modifications in police buildings - including interrogation rooms - to make them handicapped-accessible, use of video equipment) and barrier-free access in terms of language (use of a fax emergency call service, SMS emergency call service, Easy Language, interpreters, etc.) it would be

unrealistic for the police (or other authorities) to always be able to fully accommodate the individual needs in each case. Consequently, the focus is on practicable solutions and approaches that are geared to the actual needs of the target groups - e.g. women and girls with disabilities - and on expanding existing and planned services on a targeted basis for this group of persons (following the concept of integration).

Violence prevention in basic and continuing police training

40. For years now, the basic and continuing training provided police has the abstract/theoretical and overarching aim of conveying humanistic views in the classes provided and, in doing so, putting members of the *Land* police force in a position to recognize the individual needs of victims of offences and consequently handle these situations appropriately.

41. An integrative approach is always taken in this training. This means that content relating to victim protection and the specific treatment of victims is taught and practised (situational and communication training) in various modules in different subjects such as psychology, criminology and deployment training. The same applies to internal continuing training for police staff which currently includes the integral courses “Criminal Offences Against Sexual Self-determination I and II” and “Domestic Violence and Stalking”. In addition to this, interdisciplinary continuing training initiatives are also supported, for example through attendance at *Land* child protection conferences and the German Congress on Crime Prevention.

42. The *Land* police are currently collaborating on the planned Third *Land* Action Plan for Combatting Domestic and Sexual Violence (in which persons with impairments comprise one of the main target groups) and the planned Child Protection *Land* programme.

43. In connection with the implementation of the recommendations issued by the Round Table on the Sexual Abuse of Children in Relationships of Power and Dependency in Public and Private Institutions and Within the Family, the “No Room for Abuse” prevention campaign promotes and advocates - with the participation of the *Land* police of Mecklenburg-Vorpommern - that all facilities where persons with physical and/or mental impairments live, are looked after or instructed must develop and implement individualized protection plans that are in accordance with the guidelines set forth in the Handbook of Sexual Abuse.

NI

44. Lower Saxony has an extensive network of facilities to support women facing sexual and domestic violence (41 women’s shelters, 38 violence counselling centres and emergency hotlines plus 29 counselling and intervention agencies for domestic violence (“BISS agencies”)).

45. In addition, the Ministry of Social Affairs has provided funding since December 2014 for five pilot projects to support children who have experienced violence in relationships between couples; this funding is being provided for a period of three years. All in all, the *Land* government of Lower Saxony is expending a total of some €6.938 million in 2015 on measures to fight domestic and sexual violence against women and girls. These offerings and services are also available to women and girls with disabilities as a rule.

46. Under section 5(5) No. 3 of the *Niedersächsisches Heimgesetz* (NHeimG - Residential Accommodation Act of Lower Saxony), facilities for disabled persons, old people’s homes and nursing homes are required to process complaints (complaint management system). As part of the complaint management system, provisions are to be made for dealing with external and internal complaints. In particular, it must be ensured that residents, relatives or caregivers are informed within a specified period if and what action has been taken on the basis of their complaint.

NW

47. The *Land* government’s action plan “A Society for All – NRW Inclusive” ensures improved access to protection measures and assistance for women and girls who are victims

of violence. This was achieved through a measure adjusting these offerings to the special needs of women with disabilities. The services and assistance available in North Rhine-Westphalia for women and girls with disabilities who are victims of violence are currently not sufficiently accessible and it is therefore not possible to make sufficient use of them. In light of this, the *Land* government's declared aim is to effect an improvement in access to protection and assistance services in the area of domestic and sexual violence by making adjustments to reflect the special needs of women with disabilities.

48. The *Inklusionsstärkungsgesetz* (Act to Strengthen Inclusion) which is currently being debated in the *Land* parliament provides for public agencies to take into account the needs of women and girls with disabilities through the use of special measures. In addition the term "discrimination" is to be expanded to include sexual harassment.

49. The issue of effective measures to protect women and girls with disabilities against violence will be a topic in the *Land* action plan "Combatting Violence against Women and Girls in NRW" which is currently in preparation. This plan is being based primarily on the recommendations issued by the steering group set up specifically to prepare the *Land* Action Plan for Combatting Violence Against Women and Girls in North Rhine-Westphalia.

50. Beyond the above-mentioned strategy, the following measures have been taken:

- The government of North Rhine-Westphalia is participating in the federal project "Women's Affairs Representatives in Facilities - An Idea Worth Emulating" by providing funding to train two gender equality representatives with learning disabilities who live in facilities in North Rhine-Westphalia. The relevant department also supported a resolution taken at the conference of health and women's affairs ministers to examine the possibility of anchoring in law the appointment of gender equality representatives in facilities operated by agencies providing services for persons with disabilities. The Regional Councils are also involved in this project in their capacity as the financing entities for facilities operated by agencies providing services for persons with disabilities;
- An initial random survey of facilities operated by agencies providing services for persons with disabilities in North Rhine-Westphalia revealed that there are very few low-threshold counselling services for girls and women in these facilities. For this reason, the government of North Rhine-Westphalia is funding a project that is processing and bundling outstanding examples of good practice identified in the said survey, examining them to determine if they can be transferred to other situations, and making them public (2015-2017);
- Germany's *Länder* have asked the Federal Ministry of Labour and Social Affairs to set up a working group on the Protection of Persons with Disabilities against Abuse in Social Facilities;
- In light of its responsibilities as the funding body for social services, the Rhineland Regional Council (LVR) directs special attention to the requirements arising from paragraph 36 of the Concluding Observations. The Regional Council of Westphalia-Lippe has anchored the "prevention of violence" as an issue in its Inclusion action plan;
- Expansion of existing trauma victim out-patient services for the initial psychological counselling of victims of violence;
- The competence centres for self-determined living which the *Land* funds offer special support services and help victims through their staff experts who can draw on similar experiences. This also applies to dealing with experiences involving violence (www.ksl-nrw.de);
- The *Land* government funds the Network Office for Women and Girls with Disabilities/ Chronic Illnesses which also deals with the subject of violence (www.netzwerk-nrw.de);
- Improvements in the data situation regarding the subject of "persons with disabilities as victims of violence": since 2008 the crime statistics compiled by the police have included the victim attribute "disability" for the violent crime segment. Discussions

are currently being held in this connection with The White Ring victim support organization.

RP

51. In Rhineland-Palatinate a discussion process in the form of a round table with all stakeholders (first and foremost, service providers, self-help organizations, advisory centres, funding agencies and ministries) is to be started. This round table will focus on the stationary segment and examine all aspects of the subject of violence against persons with disabilities. The prevention of violence is also to be an important part of the deliberations. It is important here that prohibitions and restrictions are not called for as solutions in this process but, rather, that the focus is on effecting a long-term change in day-to-day life in facilities which enables greater self-determination and consequently the assumption of responsibility for one's self. With regard to experience with violence, women's affairs representatives offer a further possibility for points of contact in facilities. In this connection, the Ministry of Labour, Gender Equality and Demography funds the "Women's Affairs Representatives in Facilities - An Idea Worth Emulating" project of the Weibernetz e.V. organization. This project trains women with learning difficulties. These women in turn are to train other women to be women's affairs representatives. A prior project established that women with learning difficulties can be trained for this task and they can successfully advocate and lobby for the interests of women in facilities.

52. Provision of €41,000 a year in funding for KOBRA, the coordinating and counselling office for women and girls at the Centre for Self-determined Living in Mainz, whose counselling services include a focus on violence.

53. Networking KOBRA and the 12 women's emergency hotlines / rape crisis centres on sexual violence against women and girls, through joint continuing training activities, events and similar activities.

54. Specializing the women's emergency hotlines / rape crisis centres to deal with the subject of women and girls with disabilities; these activities include issuing a flyer in Easy Language.

SL

55. Back in 2001, Saarland issued its first Action Plan for Combatting Domestic Violence. This action plan was rolled forward in 2011. It states, "Women with disabilities are affected by domestic violence or violence in care facilities or homes to a significantly greater degree. Therefore, in compliance with the UN Convention on the Rights of Persons with Disabilities, suitable measures are to be taken to counter this. These measures include continuing training measures for personnel in residential facilities and sheltered workshops to raise awareness of abuses and to inform participants about the legal framework. Furthermore, information regarding their rights is to be held available in a suitable form for persons with disabilities who have been subjected to violence:

- "Persons who have been subjected to violence are dependent on the cooperation of the management of the facility in order to assert their rights and to be protected against further violence. Managements and funding agencies must therefore develop and implement preventive measures to protect against violence as well as intervention strategies for suspected cases (informing residents about their rights, implementing a complaint management system, training the facility and residents' advisory boards);
- "The *Land* government will support having a federal-*Länder* working group examine the options for expanded provisions for the protection of adults with disabilities, similar to the provisions that have been established to protect minors, such as the right to require the submission of an Expanded Certificate of Good Conduct;
- "Furthermore, barrier-free access to external specialist support, counselling and protection in connection with domestic violence and to sources of information and to justice is also to be increased." (www.saarland.de/88401.htm).

56. The Coordination Office against Domestic Violence was set up to implement the action plans and has already issued several guidelines for various institutions. Developed in cooperation with the relevant bodies, these guidelines outline optimized procedures for handling cases of domestic violence and deal with the special needs of individuals with disabilities. They also focus on requirements for providing adequate support and appropriate intervention (“Police Guidelines for Police Work in Cases involving Domestic Violence”, “Domestic Violence: Recognize It - Deal with It - Document It”).

57. The same applies to numerous basic and continuing training courses for members of the police force, judiciary, health care system, child and youth welfare system, and schools for the area of domestic violence. These courses incorporate findings from latest research on increased vulnerability and teach the requirements that specifically apply to intervention and support.

58. The Saarland Round Table against Domestic Violence, an interdisciplinary, cross-institutional body of experts from relevant occupational groups and institutions, regularly examines the situation and develops proposals when necessary. The area of services for the disabled is represented in the Round Table by the LIGA umbrella association of leading independent welfare organizations. There is also an exchange of information with the Round Table on Sexuality and Disabilities.

59. The Action Plan to Implement the UN Convention on the Rights of Persons with Disabilities in Saarland includes the protection of women and girls with disabilities. It stresses the need to provide protection by virtue of the fact that women and girls with disabilities are, compared to the average population, at greater risk of becoming victims of violence, as substantiated by the world’s first representative study on the degree to which women with disabilities are victims of violence. This study was conducted by Dr Schröttle et al. (“Lebenssituation und Belastungen von Frauen mit Beeinträchtigungen und Behinderungen in Deutschland” [Living conditions of and stresses on women with impairments and disabilities in Germany]). The Action Plan emphasizes upgrading victim support facilities to be in line with the needs of disabled persons and strengthening the links between the two fields Protection against Violence, and Services and Facilities for Persons with Disabilities.

60. “Persons with special counselling needs and persons in special emergency situations will continue to be advised by appropriate bodies, such as in the case of material hardship (article 28) or after experiencing violence (article 16, stressing in both cases the special risks for women, children and the elderly):

- “These include family planning and support centres such as pro familia that offer counselling and advisory services on a targeted basis for women and men with disabilities;
- “The Saarland Women’s Emergency Hotline / Rape Crisis Centre address the special counselling and advice needs of disabled women and girls who have experienced violence. It also maintains contact with municipal commissioners for matters relating to disabled persons, with the aim of networking;
- “The Intervention Office for Victims of Domestic Violence in Saarland advises and informs victims of violence in close social relationships and adults who are followed and harassed against their will on a sustained and obtrusive basis (stalking);
- “Women’s shelters are making increased efforts to make it easier for women with disabilities to access their services. The Elisabeth Zilken House takes in women who are victims of marital violence. The Saarlouis Women’s Shelter has a room specifically for women with a disability that makes walking difficult;
- “The fax emergency number is a special form of the emergency telephone number. It is tailored to the needs of persons with disabilities and offers an alternative, especially for persons with a hearing or speech impediment. Persons using the fax number 110 reach the Saarbrücken Police Headquarters and the fax number 112 connects users with the Department for Fire Protection and Civil Defence of the Saarbrücken Fire Brigade.

61. However there is no empirical data on whether this adequately covers the need for information and counselling.”.

62. “The following measures in the areas of gender equality and the protection of personal privacy are recommended:

- “Specifically train employees in the judiciary on how to deal with persons with disabilities who are seeking advice;
- “Raise awareness for the fact that persons with disabilities must have equal opportunities to make decisions regarding marriage, partnership and parenthood;
- “Determine whether comprehensive protection of the personal privacy of persons with disabilities is ensured;
- “Special care is to be taken to raise awareness of the abuse and violence experienced by persons with disabilities, and by women, children and older persons in particular, and to avoid abuse and violence by taking preventive action. The psychosocial counselling and, where necessary, psychotherapeutic treatment of victims of violence must be adapted to the special requirements that persons with disabilities might have in connection with communication;
- “Training measures for employees of the police department, judiciary, and the youth welfare services and the like regarding specific victim groups that are particularly affected, including persons with disabilities who are victims of (domestic) violence;
- “Train legal guardians with regard to the interests, issues and concerns of persons with disabilities;
- “Implement inclusion as the guiding principle in all legislative procedures.”.

63. Regardless of any disability, statutory safeguards apply to all persons. Examples of such safeguards include the civil-law *Gewaltschutzgesetz* (Protection against Violence Act) with its possibilities for ordering the allocation of a dwelling and for issuing protection orders, and the *Saarländisches Polizeigesetz* (Police Act of Saarland) which provides for expelling persons from their own home when they are violent to a co-inhabitant and for bans on contact or communication and similar measures.

64. The regular training measures provided for relevant occupational groups cover these two laws in general but also more specifically with an eye to particularly vulnerable groups of victims of (domestic) violence, which, in addition to migrants and persons in need of care, also include persons with disabilities. The same applies to the Police Guidelines for Police Work in Domestic Violence Cases and the brochure “Domestic Violence: Recognize It - Deal with It - Document It” for doctors and dentists.

Stationary facilities

65. According to the *Landesheimgesetz Saarland* (Residential Accommodation Act of Saarland), the advisory and inspection authority is the governmental supervisory authority for the approximately 120 residential and care facilities for adults with disabilities in Saarland.

66. The statutory basis for the advisory and inspection authority is the Residential Accommodation Act of Saarland which requires the advisory and inspection authority to inspect residential and care facilities once a year. These regulatory inspections also ascertain and assess the violence protection measures taken by the facility. The purpose of this law is to protect against interference with the dignity as well as the interests and needs of persons in need of long-term care or dependents who reside in stationary facilities.

67. Saarland has a wide-ranging network of specialized counselling centres in the area of violence against women and children. There are no plans to provide special counselling centres for women and children with disabilities. In Saarland’s view, this would not be expedient in terms of the aims of the UN Convention on the Rights of Persons with Disabilities. Expanding barrier-free access to external, specialist support, to counselling services and protection in connection with domestic violence and to information resources is one of the measures described in Action Plan II. It is considered to be a long-term task.

68. The general victim support and counselling facilities offer counselling services and assistance for victims of violence:

- The Counselling and Intervention Office for Victims of Domestic Violence;
- Saarland Women's Emergency Hotline / Rape Crisis Centre; counselling and assistance for women who are victims of sexual violence;
- Specialized counselling centres for female migrants: the Intercultural Counselling counselling centre; female migrants who are victims of (domestic) violence, traumatized women from war zones and crisis areas; Counselling Centre for Female Migrants; victims of human trafficking, forced prostitution and forced marriage;
- Protection and assistance for victims of sexual abuse: Saarland has three independently-run specialized counselling services that operate *Land*-wide (project funding provided by the *Land* government);
- NELE (Counselling Centre against the Sexual Abuse of Girls);
- Phoenix (Workers' Welfare Association's counselling centre against the sexual abuse of boys);
- SOS Counselling Centre (SOS-Kinderdorf Saarbrücken e.V.; counselling for children and juveniles in connection with sexual violence, abuse and child neglect);
- Elisabeth Zillken House: the Elisabeth Zillken House is an institution operated by the integration services for disabled persons. It particularly meets the needs of women with disabilities and especially mentally ill women.

69. The LheimGS (Residential Accommodation Act of Saarland) is being amended to require facilities for persons with disabilities as well as old people's homes and nursing homes to have a complaint management system. The system must include provisions for dealing with external and internal complaints. In particular, it must be ensured that residents, family members and caregivers / guardians are informed within a specified period of time whether action has been initiated in response to their complaint and what the action is.

SN

70. The Free State of Saxony has a Strategy for Combatting Domestic Violence. This strategy is a comprehensive plan for preventing and combatting violence. It dedicates a separate chapter to persons with disabilities in which it outlines specific measures and objectives for this target group (*Land* Action Plan of Saxony for Combatting Domestic Violence, [http://www.lpr.sachsen.de/download/landespraeventionsrat/A5_haeuslGewalt_LPR_ansicht3\(1\).pdf](http://www.lpr.sachsen.de/download/landespraeventionsrat/A5_haeuslGewalt_LPR_ansicht3(1).pdf)).

71. The Steering Committee for Combatting Domestic Violence was established in 2003 as an independent working group of the Crime Prevention Council of Saxony with the aim of developing a uniform understanding of domestic violence and a uniform strategy for combatting it. The Steering Committee's members include representatives of four *Land* ministries (Social Affairs, Cultural Affairs, Police, and Justice) and representatives of the independent agencies and victim protection associations.

72. Saxony's *Land* Action Plan for Combatting Domestic Violence was updated in the meantime and subsequently promulgated in 2013. The plan contains a statement regarding the status of its implementation during the previous reporting period. This summary provided the basis for determining further need for action and recommendations for the *Land* and municipal levels, as well as for the target group of persons with disabilities and, in this connection, the prevention and combatting of violence against women and girls. The following target-group-specific recommendations were articulated in the plan:

- Expand barrier-free assistance (18 women's and children's shelters and seven intervention and coordination offices) and convey knowledge about the special needs of persons with disabilities, according to the individual disability;
- Ensure the area-wide availability of self-defence and self-assertion courses;
- Support and promote self-help work;

- Raise awareness among staff members working in services for the disabled, among representatives for people with disabilities and among persons working in the self-help field for the subject of domestic violence, and improve their collaboration with the network of intervention projects.

73. Further measures in the area of the Strategy for Combatting Domestic Violence:

- The Steering Committee for Combatting Domestic Violence initiated department-specific continuing training activities on the subject of domestic violence in connection with the basic training provided for the police force, nurses, doctors, teachers, lawyers and the basic training provided in the caring professions;
- It is planned to publish a flyer for persons with learning disabilities in Easy Language about the different types of assistance available for women and girls with disabilities.

74. The government of the Free State of Saxony is currently developing an Action Plan for the Implementation of the UN Convention on the Rights of Persons with Disabilities. It is scheduled to be completed by the end of 2016. The subject of women with disabilities is, as a horizontal issue, a focus in all the working groups orientated to this field of action.

Violence prevention in schools

- The Saxon Education Plan – A Guideline for Educational Staff in Crèches, Kindergartens and Day-care Centres for Children contains measures for acquiring skills in dealing with persons with disabilities. Children are to experience acceptance and tolerance as well as mutual considerateness and reciprocal help;
- Points of contact in the area of family and sex education in accordance with section 36 of the *Schulgesetz für den Freistaat Sachsen* (SchulG - Education Act for the Free State of Saxony) have been established;
- It is planned to publish a flyer with information about the assistance available for persons who are exposed to domestic violence;
- Curriculum for primary school: students examine gender and learn something about physical and psychological threats;
- Publication of a handout for teachers on the subject of “dealing with sexual abuse of girls and boys” in 2015;
- Promoting life skills is an inherent part of school education according to section 1 of the Education Act for the Free State of Saxony. The prevention of violence is an element. To assist schools, online portals to foster life skills have been set up in which the subject of violence prevention is firmly embedded;
- A wide range of activities revolving around the subject of violence prevention is offered on an ongoing basis in central, regional and in-service teacher training programmes;
- The subject of violence protection for women and girls with disabilities can be incorporated into thematic clusters covered in continuing training courses for relevant teacher target groups;
- Topics revolving around prevention and violence protection are incorporated into the first and second phase of teacher training.

ST

Protection of children and juveniles

75. The primary task of services to protect children and juveniles is early prevention. The statutory protection of children and juveniles includes measures taken by the police, regulatory authorities and criminal justice agencies to avert dangers to children and juveniles in the public domain. The child and youth welfare services work closely with the public health services and schools to protect children and juveniles against abuse and

violence. This is done through information and awareness-raising projects, public relations activities and targeted, group-specific offerings from local youth welfare offices, centres for marriage guidance counselling, life counselling and parenting advice, and from other private agencies.

76. In Saxony-Anhalt, the *Gesetz zur Förderung der frühkindlichen Bildung* (Promotion of Early Childhood Education Act) from 17 December 2008 and the *Gesetz zur Verbesserung des Schutzes von Kindern* (Act to Improve the Protection of Children) from 9 December 2009 established a foundation for promoting and supporting better collaboration between various occupational groups, public authorities and institutions in matters regarding child protection.

77. The Act to Improve the Protection of Children requires local providers of child and youth welfare services to set up Local Child Protection Networks at local level. The municipalities receive designated grants for coordinating and maintaining their respective Local Child Protection Network. Existing networks were drawn upon for the implementation of the federal initiative Early Assistance. This network work has enabled structurally coordinated collaboration and ensured case-based cooperation for the facilities, organizations and services in the region.

78. The *Land* pilot project “Family Midwives” was initiated in 2006. In this project, family midwives support and accompany expectant first-time parents as well as parents who already have children during their child’s first year of life. Its aim is to foster the physical and mental health of infants in families with psycho-social or health issues through outreach assistance and in this way contribute to ensuring equality of opportunity in terms of health. This pilot project was switched to the regular funding system after the *Bundeskinderschutzgesetz* (Federal Child Protection Act) went into force. Family midwives are integrated into the respective Local Networks for Child Protection and Early Assistance.

79. The *Kinder- und Jugendhilfeweiterentwicklungsgesetz* (Act to Further Develop Child and Youth Welfare Services) which went into effect in 2005 sharpened the legal provisions governing the procedures in cases of suspected child endangerment with the introduction of section 8a, Book VIII of the Social Code. In 2006, the government of Saxony-Anhalt began training child protection experts who are to be consulted in connection with assessing cases of suspected child endangerment. A uniformly high standard for skill and qualification levels was developed and secured with the help of expert reports from relevant associations. A total of more than 1,400 certified child protection professionals have undergone continuing training in numerous supra-regional and, most importantly, regional training courses to date.

80. The existing guide for doctors was also revised in connection with the implementation of the Act to Strengthen the Active Protection of Children and Juveniles. The “Stop Violence Against Children and Juveniles” guide gives the target groups an overview of the importance of child protection within the context of the legal parameters at *Land* and federal level and the activities being undertaken at *Land* level.

81. Victim protection: victims of violence need fast, professional help in the form of emergency psychological services. This is particularly the case for traumatized children and juveniles. For this reason, an out-patient trauma care service for children and juveniles who are victims of violence has been set up. This service offers these children and juveniles fast and competent low-threshold emergency assistance for treating their trauma.

82. In connection with asylum procedures, migration services and staff members of the Zentrale Anlaufstelle für Asylbewerber (ZAST) central contact point for asylum seekers have drawn attention to the issue of traumatized refugee women in Saxony-Anhalt and their special need for assistance. Refugee women who travelled alone were particularly subject to violent attacks, and in some cases sexual violence, in their home countries and while making their way to Germany which has resulted in traumatization. To meet this need, a refugee women’s shelter was established. Its focus is on taking in, advising, counselling and assisting refugee women who travelled unaccompanied and have experienced violence in their home countries or while fleeing, on other gender-specific reasons these women have for fleeing their country and on their children. A Psycho-social Centre for Migrants

was established to meet the need among migrants in Saxony-Anhalt for specialized psycho-social counselling services for trauma victims.

Education

83. The handout for teachers and school directors regarding section 38 (3) of the *Schulgesetz des Landes Sachsen-Anhalt* (Education Act of Saxony-Anhalt) provides support with regard to assessing behavioural problems in children and juveniles that necessitate calling in the Youth Welfare Office and with regard to recognizing the signs of child neglect, abuse or maltreatment. The subject of violence/violence prevention is included in *Land*-wide, regional, thematic, in-service and personal continuing education courses.

84. Points of contact at schools are in particular homeroom teachers, liaison teachers, support teachers, school psychologists and school social education workers who have been appointed in connection with Projects to Avoid Failure at School and Reduce the Number of Drop-outs. School mediation services conducted by multipliers for school mediation are also available to help in connection with conflict resolution.

85. The guide “Violence Against Children and Juveniles - A Guide for Teachers in Saxony-Anhalt on Early Recognition, Courses of Action, and Cooperation” contains a list of the *Land*-wide and regional network coordination offices and their services so that teachers and social education workers can find and establish contact with the appropriate points of contact in their school environment.

Residential facilities and modern living arrangements for persons with disabilities

86. Residential facilities are subject to supervision and inspections to check for and remedy abuses. The supervisory authority which is responsible for implementing the *Wohn- und Teilhabegesetzes des Landes Sachsen-Anhalt* (Accommodation and Participation Act of Saxony-Anhalt) has the task of working to ensure that the interests and needs of persons with disabilities or who require care are recognized, taken account of and protected. The Accommodation and Participation Act was evaluated in 2015. One focus of this evaluation was the effectiveness of the protection against violence. A high level of awareness was ascertained among the stakeholders, residents and family members surveyed in connection with the evaluation. With regard to the supervisory function, a high level of confidence in state inspections was exhibited.

87. The *Gesetz über Hilfen für psychisch Kranke und Schutzmaßnahmen des Landes Sachsen-Anhalt* (Assistance for Mentally Ill Persons and Protective Measures Act of the *Land* Saxony-Anhalt) contains provisions regarding a committee for matters of psychiatric health care which has the task of monitoring compliance with the statutory provisions. In accordance with section 29 (5) of this law, every person who is committed is entitled to “correspond directly with the Committee and the inspection commissions and their members. Monitoring or restricting this correspondence in either direction is not permitted.”

88. In 2014 the government of Saxony-Anhalt adopted the *Land* Programme for Greater Gender Equity in Saxony-Anhalt. Its focus in the area of “anti-violence work” is on violence in close social relationships. At present a total of 20 women’s shelters and their eight ambulant counselling centres (at least one women’s shelter in each rural district and urban district), four intervention centres for domestic violence, four counselling centres for victims of sexual violence and seven women’s centres advise and assist girls and women who are victims of violence, and offer regional target-group-specific information, training, and prevention activities and services. In addition, Saxony-Anhalt has a *Land* intervention and coordination centre for domestic violence and stalking. The Justice Department’s Social Services also provide victim counselling services for crime victims and their relatives at six locations in Saxony-Anhalt. These counselling services support victims by providing information, guidance, support during the legal process, and practical assistance. These services also place victims in follow-up services, irrespective of whether the crime has been reported to the police or criminal proceedings have been instigated. This is done anonymously if desired. Additionally, these individuals can make use of initial counselling

at a counselling centre for victims of sexual violence and then be referred to other services that provide assistance. All agencies in the assistance network ensure barrier-free guidance services through the services they offer for outreach counselling or counselling at agreed, barrier-free meeting places.

89. The government of Saxony-Anhalt adopted the *Land* Action Plan of Saxony-Anhalt to Implement the UN Convention on the Rights of Persons with Disabilities in early 2013. This plan designates (1) knowledge of endangerment and (2) protection against endangerment as instrumental objectives in the Women and Girls field of action.

90. An advisory body consisting of representatives of the Ministry of Labour and Social Affairs, the Ministry of Justice and Gender Equality, the *Land* Women's Council, the Round Table for Persons with Disabilities, facilities for persons with disabilities and experts from academia was established in July 2013 to support the implementation of the measures undertaken for this field of action in the *Land* Action Plan.

91. This body has conducted the following work to acquire information about and insights into endangerment and risks:

- Analysis and evaluation of the study “Lebenssituation und Belastungen von Frauen mit Beeinträchtigungen und Behinderungen in Deutschland” (Living conditions of and stresses on women with impairments and disabilities in Germany) which the Federal Government commissioned and in-depth studies concerning the living situation of women and girls with disabilities in Saxony-Anhalt;
- The municipal commissioners for matters relating to disabled persons were requested to cite on the basis of their actual work and experience ways and concepts to access persons with disabilities outside facilities operated by the services for persons with disabilities. Collaboration with universities in Saxony-Anhalt was initiated.

92. The following is currently being done in the area of protection against endangerment:

- Materials are being prepared to raise awareness of the realities of everyday life for women and men with disabilities;
- Barrier-free information is being prepared for girls, boys, women and men with disabilities with the aim of increasing their autonomy and preventing violence;
- Appropriate barrier-free access to counselling, advice and support services is being developed for girls, boys, women and men with disabilities and for their barrier-free use.

93. In the area of prevention, the following serve to protect individuals against endangerment:

- The development of violence prevention guidelines, intervention plans, particularly for residential facilities operated by the social services for persons with disabilities, the child and youth welfare services, by long-term care services or the health care system;
- The development of guidelines for supporting gender-disability mainstreaming in connection with the implementation of the *Land* Action Plan (completed);
- The development of prevention and sex education concepts against sexual violence for schools and self-assertion and empowerment courses as a compulsory standard offering in special needs schools;
- The development of prevention and sex education concepts against sexual violence for schools, and, in facilities for the disabled, offerings to strengthen girls' self-confidence;
- The development of compulsory advanced training activities for teachers and care personnel for the protection of the privacy and personal space of girls and women with disabilities.

SH

94. The *Land* and municipal governments in Schleswig-Holstein fund 23 women's counselling centres and 16 women's shelters to offer specialized help to all women who are victims of violence or are threatened by violence, irrespective of their income, residence status or physical condition. Funding provided by the *Land* government and funding provided pursuant to the *Finanzausgleichsgesetz* (Financial Equalization Act) follow section 16 of the Financial Equalization Act, the Guidelines for Funding Women's Counselling Centres and Women's Shelters, and section 44 of the *Landeshaushaltsordnung* (*Land* Budget Regulation). The funding volume totals €5.123 million (plus €1,714.7 million in municipal funding for the women's counselling centres).

95. Women with disabilities also have access to this assistance in principle. Unfortunately however only a few facilities are barrier-free in terms of being wheelchair accessible. In order to be able to offer deaf women assistance, sign language interpreters are brought in wherever possible. In the spirit of inclusion, efforts are always made in the case of all women with disabilities to include them in the counselling or guidance process. Should the need for assistance in the particular case exceed the capabilities of the particular counselling centre or the women's shelter, alternative forms of assistance are sought.

96. Funding is currently being provided - also in the form of funding from the Ministry of Social Affairs - to train two "duos" (each comprised of one specialist and one woman with a disability). These duos are to train women in residential facilities and workshops for persons with disabilities to serve as women's affairs representatives in future. These representatives will then in turn advise their fellow residents and co-workers and serve as points of contact for various issues including violence.

97. The *Land* government provides the mixed pickles association €20,000 a year for networking and coordinating the interests and concerns of women with disabilities. mixed pickles works to improve the living conditions and life situation of girls and women with disabilities. This also includes publishing brochures and information material in Easy Language. Mixed pickles is, together with the *Land* Association of Schleswig-Holstein for Women's Counselling Services, one of the players in the Suse project in the Ostholstein district.

98. During the years 2016-2017 the focus of the *Land* government's prevention measures in the area of child and youth services to prevent sexual child abuse will be on information and education measures to prevent sexual violence against girls and boys with disabilities. The *Land* government has thus continued its prevention measures from the year 2010 to the present day. The continuing training courses and projects revolving around the prevention of sexual child abuse have reached a total of more than 3,000 experts in the social work and pedagogical fields. In keeping with the guiding concept of inclusion, no differentiation was made between children with disabilities and children without disabilities or between boys and girls. In light of corresponding research findings regarding abuse in institutions it can be assumed that boys are equally affected and their needs for assistance and support should also be looked after.

99. It is assumed that erroneous notions and prejudices regarding sexuality plus a lack of specialist knowledge about disabilities prevent skilled personnel from noticing signs that children with disabilities are experiencing or have experienced violence, and from offering suitable help. The prevention measures are particularly supposed to upgrade existing services and structures in the areas of child protection, child and youth welfare services and services for the disabled in close cooperation with the representatives of persons with disabilities, facilities and providers of care and assistance for persons with disabilities, private and public agencies in the youth welfare services field, and the Special Needs Education department of the Institute for Quality Development in Schools in Schleswig-Holstein. One focus in this connection is to be on the use of existing network and cooperation structures in the child protection field.

100. The *Land* government will be involved in the development of joint good practice guides and recommendations for specific disciplines or topics by the child and youth services and services for the disabled.

Socio-paediatric experts are also to be more closely involved in this work.

101. Activities of the mixed pickles organization: promoting the project “Women’s Representatives in Sheltered Workshops and Residential Facilities” and developing a pilot project to establish women’s affairs representatives in Schleswig-Holstein with the assistance of women with disabilities; training courses on the subjects of trauma and disabilities; sexual violence and prevention; Easy Language and how it can be used in counselling and advisory services.

102. Workshops on the subject of personal futures planning; networking with the Personal Futures Planning network; dissemination of the concept of personal futures planning.

103. Development and dissemination of information materials in Easy Language, with the assistance of women with disabilities on a three-part series of brochures on the subjects: My Body; Where Babies Come From; Sexuality; and a brochure on the subject of stalking.

104. Coordination of a networking meeting in the Ostholstein region for all interested facilities: protection against violence; specialized women’s counselling centres; services for persons with disabilities plus services provided by individuals such as women’s affairs representatives; participation in the national SUSE network meeting; development of work methods to strengthen competence and empowerment; Wen-Do courses; provider of sexual education services; specialized advisory services for professionals; parents’ information evenings.

105. Networking with educational institutions such as specialized technical schools for teachers and remedial therapists.

106. The latest project of the Federal Association of Women’s Counselling Services and Rape Crisis Centres (bff) “Suse - Safe and Self-determined. Empowering Women and Girls with Disabilities” started in January 2014. The aim of this project is to make it easier for women and girls with disabilities who are victims of violence to obtain help. The Suse project has five pilot regions. mixed pickles, in collaboration with the Schleswig-Holstein *Land* Association of Women’s Counselling Centres (LFSH), was chosen for the Ostholstein pilot region and will devote more time to building up and networking local stakeholders and improving collaboration in the process.

107. pro familia Schleswig-Holstein: violence prevention and sex education seminars with persons with disabilities at different locations operated by pro familia Schleswig-Holstein.

108. The project “A Will of One’s Own - Violence Prevention, Counselling and Networking for Persons with Disabilities” (until 30 September 2015): one of the main aspects is violence protection in violence prevention training seminars and in counselling services; furthermore awareness-raising activities for the social environment in order to advance violence prevention in society and improve the living conditions / life situation of persons with disabilities. Counselling services for persons with disabilities and advanced training courses for specialist colleagues and expert discussions with caregivers.

109. The IQSH (Institute for Quality Development in Schools in Schleswig-Holstein) Centre for Prevention conducts training courses twice a year in cooperation with the Flensburg Public Prosecutor’s Office and the Kiel Youth Welfare Office on the subject of Sexual Violence – Notice, Interpret, Act. Administrators of special needs schools also take part in these activities. The IQSH offers training courses for teachers, members of the school administration and school social workers on the prevention of sexual violence and sex education in cooperation with PETZE and pro familia Schleswig-Holstein.

110. The PETZE prevention bureau is one of IQSH’s most important collaborative partners in the area of sexual violence. The PETZE exhibition GENUINELY STRONG is specifically aimed at special needs schools and support centres. This exhibition is combined with a training course of teachers and a parents’ evening. The relevant local specialized counselling centre is also involved.

111. All of the courses revolve around the respective situation of girls and boys. The PETZE prevention bureau is taking part in the national pilot project “BeSt - Advise &

Empower” from 2015 to 2018 to protect girls and boys with disabilities against sexual violence in institutions. This project is geared specifically to (semi-) stationary facilities in the area of special needs care, where children and juveniles with physical, mental, psychological, hearing or multiple disabilities live.

TH

112. For the public and private domains reference is to be made to victim protection. The protection of victims and injured parties has been increased and expanded through extensive changes in the law and through organizational measures. The primary desire here is to ensure that victims quickly find appropriate help and are not left to deal with their problems, questions, concerns, fears and distress alone. With this in mind, the victim support services in Thuringia developed a joint website in cooperation with the Ministry of Justice of Thuringia, the Ministry of Social Affairs of Thuringia and the Friedrich Ebert Foundation (www.opferhilfe-thueringen.de). Victim protection in connection with criminal proceedings is currently being brought up to date through a bill drafted by the federal government to strengthen victims’ rights in criminal proceedings (3. *Opferrechtsreformgesetz* - Third Victims’ Rights Reform Act) on the basis of the European Commission’s Victim Protection Directive from 2012. The EU Directive does not provide for any special rules for the protection of women and girls with disabilities. However, particularly vulnerable victim groups should have a legal claim to free psychosocial assistance during court proceedings. These groups include not only children and juveniles but particularly also persons with a disability or mental impairment.

113. Thuringia has an extensive advisory network with currently 14 women’s shelters, 28 women’s centres and four intervention agencies. The latter are located in Erfurt, Nordhausen, Meiningen and Gera. The women’s shelters offer counselling services for non-residents, counselling services for shelter residents as well as follow-up counselling services, i.e. support after leaving the shelter. The four intervention agencies take a proactive approach. The women’s centres in Thuringia offer low-threshold counselling services for victims of domestic violence. The women’s shelters, intervention agencies and women’s centres are interlinked with one another and are actively engaged in networking. In addition to collaborative activities in the individual *Land* working groups, regular contact is cultivated locally with other stakeholders who work to combat domestic violence. These stakeholders include experts from the police, judiciary, youth welfare services, the White Ring, the field of forensic medicine, paediatrics, criminology and interested citizens. As a result, in every district there is a network against domestic violence.

114. The following measures were also undertaken:

- The supervisory authority for residential facilities issued in consultation with the Ministry of Social Affairs of Thuringia a circular on the subject of protection against violence to all residential facilities operated by the social services for persons with disabilities. In individual cases the supervisory authority for residential facilities and the Ministry of Social Affairs conduct talks with the facility management;
- Funding is provided for continuing training courses on the subject of Sexuality and Disability for staff members of facilities for persons with disabilities (residential accommodations, facilities for children and juveniles, sheltered workshops for persons with disabilities).

115. The regional child and youth protection services also offer low-threshold counselling services for children and juveniles with disabilities. In addition, children and juveniles with disabilities in emergency situations can also contact the competent Youth Welfare Office. The services offered by the Youth Welfare Offices and the child protection services are available to all children and juveniles and therefore for children and juveniles with disabilities as well.

2. Statutory provisions and other binding requirements for the protection of women and girls with disabilities against violence's

<i>Land</i>	<i>Statutory provision / binding requirements</i>	<i>Existent or planned (if planned, for when?)</i>	<i>Is there an explicit reference?</i>
BW	<i>Wohn-, Teilhabe- und Pflegegesetz</i> (Accommodation, Participation and Care Act)	In force since 2014	
	<i>Psychisch-Kranken-Hilfe-Gesetz</i> (Act on Assistance for Mentally Ill Persons)	In force since 2015	
	<i>Landes-Behindertengleichstellungsgesetz</i> (Baden-Württemberg Equal Opportunity Act for Persons with Disabilities)	Revision in force since 2015	
	Inspection guideline for the competent local supervisory authorities, with detail inspection criteria (see below)	Existent	
	Special protection concepts for women with disabilities, initiated by the <i>Land</i> Coordination Office for Combatting Violence Against Women which is located in the Ministry of Social Affairs (see below)	Currently being developed	
BY	Non-exhaustive selection: <i>Bayerisches Gesetz über das Erziehungs- und Unterrichtswesen (BayEUG)</i> (Education System Act of Bavaria)	Existent	No
	<i>Pflege- und Wohnqualitätsgesetz (PfleWoqG)</i> (Quality of Care and Accommodation Act)	Existent	No
	<i>Bayerisches Maßregelvollzugsgesetz (BayMRVG)</i> (Forensic Psychiatry Act of Bavaria)	Existent	No
BE	<i>Wohnteilhabegesetz (WTG)</i> (Act on Self-determination and Participation in Sheltered Housing) plus the corresponding statutory instruments. This law serves to protect older adults who are in need of care or have a disability. Its scope of application does not cover girls and boys.	WTG in force since 1 July 2010	No; the WTG is not a separate law to protect women against violence. It serves to protect women and men equally.
	Berlin Framework Agreement to section 79, Book XII of the Social Code (Preamble)	Existent	
	Detailed annexes to the Berlin Framework Agreement to section 79, Book XII of the Social Code	Planned in 2016	

<i>Land</i>	<i>Statutory provision / binding requirements</i>	<i>Existent or planned (if planned, for when?)</i>	<i>Is there an explicit reference?</i>
	<i>Gesetz für psychisch Kranke</i> (PsychKG) (Act on Persons with Mental Illness)	8 March 1984	No
	Bill: <i>Gesetz über Hilfen und Schutzmaßnahmen bei psychischen Krankheiten</i> (PsychKG) (Act on Assistance and Protective Measures in Connection with Mental Illness)	Probably IV/2015	No. It serves to protect women and men equally.
	Agency concepts - ombudsman	Standardization planned Existent	

BB The protection of the dignity, physical integrity and civil rights of persons living in residential facilities or in other supportive living arrangements is the core mission of the oversight of these facilities pursuant to Brandenburg law on residential care (e.g. section 6 (2), No. 1 to 4 of the *Brandenburgisches Pflege- und Betreuungswohngesetz* (BbgPBWoG - Brandenburg Assisted Living and Long-term Care Facilities Act)). In line with its supervisory function, the service provider is required to take corresponding preventive and repressive measures, not only in connection with relations between staff members and residents but also in relations between residents. The violence prevention measures taken by the respective facility are regularly reviewed in accordance with inspection plan laid down by the supervisory authority. Enhancements and improvements are subsequently discussed. Examples include case conferences, guidelines and a positive error culture. In addition, the personal suitability of the individual staff members is a primary focus of inspections and reviews.

Being the supreme *Land* authority for juvenile affairs, the Ministry of Education, Youth and Sport assumes the supervisory function to ensure that the tasks to protect children and juveniles with disabilities who live in facilities (sections 45 - 48a, Book VIII of the Social Code) are carried out. In Brandenburg, the duties pursuant to section 85(2), Book VIII of the Social Code are carried out by this ministry.

In the event that mentally ill persons must be confined in a psychiatric hospital, the psychiatric ward of a hospital or in a drug treatment centre, the procedure is governed by the *Psychisch-Kranken-Gesetz* (Act on Assistance for Mentally Ill Persons). Section 2 lays down the principle that all measures must give special consideration to the condition of the mentally ill or emotionally disturbed person. This person's rights and human dignity are to be protected. Any restrictions of their rights under the Act on Assistance for Mentally Ill Persons must be in line with the principle of proportionality.

Police training

The training for the intermediate police service and the university degree programme for the higher intermediate police service include courses that deal explicitly with handling persons with mental and physical impairments and that focus on the acquisition of intercultural and interpersonal skills. Here, these types of skills also mean the ability as a police officer to deal professionally with the diversity of difference lines and the heterogeneity of people. These differences can be cultural, religious or based on membership in social subcultures, but also the result of physical or mental impairments. During the training programme or degree programme, students become acquainted with various facets of mental and physical disabilities in concrete training sequences that are strongly based on actual police operations. They also have the opportunity to practise dealing appropriately with persons with these types of impairments in a police context. These courses are regulated in the training plan for the intermediate police service and in the module course catalogue for the higher intermediate police service. The Social Skills Training course will be introduced at the start of the recruitment year (October 2015) in the training programme for the intermediate police service and in the degree programme for the higher intermediate police service. Both levels of training teach the appropriate way for police to deal with persons with disabilities in the Social Skills Training module Intercultural and Interpersonal Skills. The module course catalogue for the October 2015 recruitment year states the following regarding the course content: "Students are made aware of the issues and concerns of persons with mental and physical impairments."

<i>Land</i>	<i>Statutory provision / binding requirements</i>	<i>Existent or planned (if planned, for when?)</i>	<i>Is there an explicit reference?</i>
HB	PsychKG (Act on Assistance and Protective Measures in the Case of Mental Illness)	Revision planned for 2016	
	<i>Bremisches Wohn- und Betreuungsgesetz</i> (BremWoBeG - Act to Ensure the Rights of Persons with Support, Care or Assistance Needs), section 1(2), No. 1 and 2; section 16(4)	Since October 2010	
	Personnel ordinance to BremWoBeG, section 5(1)	Since April 2015	
	Women's affairs representatives in workshops for persons with disabilities	Inclusion of a binding requirement in the <i>Werkstättenmitwirkungsverordnung</i> (Workshop Participation Ordinance) planned	Federal Ministry of Labour and Social Affairs
	Women's affairs representatives in residential facilities	It is planned to include a reference in the Workshop Participation Ordinance of the BremWoBeG that gender-specific representative bodies / functions are to be provided.	
	<i>Genderleitlinien Psychiatrie</i> (Gender Guidelines - Psychiatry)	Existent	The Gender Guidelines state that every "violation of personal gender-specific boundaries (verbal or physical sexual assault) will be prevented and punished.
	<i>Genderleitlinie Menschen mit geistiger Behinderung</i> (Gender Guidelines - Persons with Intellectual Disabilities)	Planned	
	Submission of a Certificate of Good Conduct pursuant to section 30(1) of the <i>Bundeszentralregistergesetz</i> (Federal Central Criminal Register Act) at the time of recruitment, for special reasons and in regular intervals (every five years at the latest)	Regulated on a binding basis in the Service Category Description SC 01 Institutional Living	
	Educator training / retraining to become an educator	"Mandate to protect in the event of child endangerment" is one of the two main topics in the subject Law. Physical, psychological, sexual/ sexualized violence is covered in part with the help of experts from relevant counselling centres.	

<i>Land</i>	<i>Statutory provision / binding requirements</i>	<i>Existent or planned (if planned, for when?)</i>	<i>Is there an explicit reference?</i>
HH	<i>Hamburgisches Gesetz über Hilfen und Schutzmaßnahmen bei psychischen Krankheiten</i> (HmbPsychKG) (Act on Assistance and Protective Measures in the Case of Mental Illness)	Existent	
	<i>Hamburgisches Wohn- und Betreuungsqualitätsgesetz (HmbWBG)</i> (Hamburg Quality of Living Conditions and Care Act)	Entry into force: 1 January 2010	Section 1, HmbWBG
	Ordinance on the Procedure and the Evaluation Criteria for Inspections Conducted Pursuant to the HmbWBG	Planned. Expected entry into force: 1 January 2016	
	The Ordinance on Participation in Living and Care Arrangements can also be mentioned. It provides for the following bodies: house advisory boards, residents' advisory boards, relatives' advisory boards, ombudspersons.	Entry into force: 14 February 2012	
	Inspection guidelines/handbook to the Ordinance on the Procedure and the Evaluation Criteria for Inspections Conducted Pursuant to the HmbWBG	Planned	
	<i>Land framework agreement on "Kinderbetreuung in Tageseinrichtungen"</i> (Childcare in Day-care Facilities) and its annexes.	Existent	Yes
Agreements under section 75, Book XII of the Social Code, with the bodies that provide integration assistance for persons with disabilities; requirements on holding available measures to prevent violence and to protect entitled persons against violence, maltreatment and abuse; duty to report in the case of any indications of potential endangerment; complaint management system	Existent	Yes, sections 3 and 10, model agreement	
HE	<i>Hessisches Gesetz über Betreuungs- und Pflegeleistungen (HGBP)</i> (Support and Care Services Act of Hesse)	Existent	Section 8 HGBP: Operators of support and care facilities are obliged to take measures to ensure the non-violent and humane care of dependent persons and persons who require long-term care. Section 10(7), No. 2 of the HGBP: Duty to report cases of violence or abuse
	HGBP	Existent	Yes

<i>Land</i>	<i>Statutory provision / binding requirements</i>	<i>Existent or planned (if planned, for when?)</i>	<i>Is there an explicit reference?</i>
	PsychKG (Act on Assistance and Protective Measures in the Case of Mental Illness)	Planned for 2016	
	Minimum criteria for violence prevention and violence intervention as a binding condition for investment aid financed by budgetary funds from the <i>Land</i> for facilities for persons with disabilities (internal guideline)	Existent	
	“Sample recommendation for action for handling violations of personal boundaries, sexual assault and sexual violence against persons with disabilities in stationary or day-patient facilities for special needs care”	Existent	Interpretation guide for the inspection duties of the supervisory agency for support and long-term care services for persons with disabilities
MV	The subject of violence protection for persons with disabilities and particularly for women and girls with disabilities is covered as part of a series of continuing training courses on the UN Convention on the Rights of Persons with Disabilities for the administration of the <i>Land</i> Mecklenburg-Vorpommern. This series of courses are designed and conducted by the Continuing Training Institute of the College for Public Administration, Police and Judicature in cooperation with the Integration Promotion Council and interested associations and organizations. Special focus here is on informing about and raising awareness of this problem. Funding for counselling and assistance facilities is linked to the professional qualifications of the respective facility’s personnel, and to the providers’ obligation to ensure that its personnel undergo continuing training and to conduct supervision sessions once a year. The facilities operate on the basis of a concept that has been approved by the Ministry of Social Affairs.		
NI	<i>Niedersächsisches Gesetz über Hilfen und Schutzmaßnahmen für psychisch Kranke</i> (NPsychKG) (Lower Saxony Act on Assistance and Protective Measures in the Case of Mental Illness)	New second sentence in section 5(1) planned: “In this connection the special concerns and issues of persons with disabilities are to be taken into account.” Next step: Consultations with associations	
	<i>Gesetz zur Änderung des NheimG</i> (Law Amending the Residential Accommodation Act of Lower Saxony)	The Law Amending the Residential Accommodation Act of Lower Saxony adds the following provision: “Should it become known to the operator of a residential facility that the right of the residents to life, physical integrity or sexual self-determination has been threatened, endangered or adversely affected, the operator must inform the supervisory authority for the residential facility.	

<i>Land</i>	<i>Statutory provision / binding requirements</i>	<i>Existent or planned (if planned, for when?)</i>	<i>Is there an explicit reference?</i>
		Current status: committee deliberations	
	Framework guidelines provide that the subject of “violence in the care context” is to be covered during vocational training provided by, for instance, full-time vocational schools for the occupation healthcare assistant. Similar provisions can be found for all training programmes in the nursing care field. The <i>Verordnung über berufsbildende Schulen</i> (Ordinance on Vocational Schools) provides that only persons who submit an Extended Certificate of Good Contact may undergo training in a health care or nursing occupation.		
NW	<i>Gesetz zur Stärkung der Sozialen Inklusion in Nordrhein-Westfalen</i> (ISG) (Act to Strengthen Social Inclusion in North Rhine-Westphalia)	In parliamentary deliberations	Yes; cf. section 4 of the draft <i>Inklusionsgrundsatzgesetz Nordrhein-Westfalen</i> (IGG NRW - Inclusion Principles Act of North Rhine-Westphalia). Being a framework standard, this law has, with regard to the interests and concerns of persons with disabilities, spillover effects on all other legislation and ordinances in North Rhine-Westphalia.
	<i>Wohn- und Teilhabegesetz NRW</i> (WTG - Accommodation and Participation of North Rhine-Westphalia)	Existent	Yes, cf. section 1(2), sections 8(1) and 17
	The regional authorities in North Rhine-Westphalia plan to include the implementation of prevention and protection plans and concepts for processing complaints as a mandatory quality criterion when elaborating service level agreements, auditing agreements and pay agreements in accordance with section 75 ff. of Book XII of the German Social Code.	Planned	
RP	<i>Gewaltschutzgesetz</i> (Protection Against Violence Act)	Existent since 2002	
	<i>Polizei- und Ordnungsbehördengesetz Rheinland-Pfalz</i> (POG) (section 13) (Police and Regulatory Authorities Act)	Existent since 2004	
	<i>Landesgesetz über Wohnformen und Teilhabe</i> (LWTG)	Planned via the <i>Landesgesetz zur</i>	Yes; this will be regulated in section

<i>Land</i>	<i>Statutory provision / binding requirements</i>	<i>Existent or planned (if planned, for when?)</i>	<i>Is there an explicit reference?</i>
	(Rhineland-Palatinate Act on Forms of Residential Accommodation and Participation) in revision	<i>Weiterentwicklung der Wohnformen und Stärkung der Teilhabe</i> (Act of the Land Rhineland-Palatinate on the Further Development of Forms of Residential Accommodation and on Strengthening Participation), probably in January 2016	9(5) of the LWTG. There is a Commissioner for Women's Affairs. Amending act is in the legislative process.
	<i>Landesgesetz für psychisch kranke Personen</i> (PsychKG) (Rhineland-Palatinate Act on Persons with Mental Illness)	From 17 November 1995; last amended by Article 1 of the Act from 27 May 2014 (Law und Ordinance Gazette, p. 69)	
	Further training courses for women employees at facilities for persons with disabilities, provided by the Women's Emergency Hotline / Rape Crisis Centre / KOBRA, on the guidelines / procedures to be followed in cases of sexual violence in facilities for persons with disabilities	In existence. These courses follow the guidelines on Prudent Action When Dealing with Sexual Violence.	
SL	<i>Landesheimgesetz Saarland</i> (LHeimGS) (Residential Accommodation Act of Saarland)	Existent	No
	<i>Landesheimgesetz Saarland</i> (LHeimGS) In revision	A <i>Saarländisches Wohn- und Betreuungsvertrags-gesetz</i> (SWBG) (Saarland Act on Residential Housing and Care-Giving Contracts) is in planning.	Yes; will be provided for in section 9(5) of the SWBG in future. There will then be the possibility for legal adults with disabilities to elect a women's affairs representative in facilities pursuant to section 1a (1) to safeguard and represent the interests and special concerns of female residents.
	To protect residents of stationary geriatric care facilities and facilities for persons with disabilities, the current amendment of the LHeimGS requires employees to submit a Certificate of Good Conduct in accordance with section 30(1) of the <i>Bundeszentralregistergesetz</i> (Federal Central Criminal Register Act) at the time of their hiring and in regular intervals (every four years at the latest).	Planned	
SN	<i>Polizeigesetz des Freistaates Sachsen</i> (Police Act of the Free State of Saxony) in the version promulgated on 13 August 1999 (Saxon Gazette of Laws and Ordinances, p. 466), as last amended by	Ex.	

<i>Land</i>	<i>Statutory provision / binding requirements</i>	<i>Existent or planned (if planned, for when?)</i>	<i>Is there an explicit reference?</i>
	Article 1 of the Act from 17 December 2013 (Saxon Gazette of Laws and Ordinances, p. 890)		
	<i>Sächsisches Gesetz über die Hilfen und die Unterbringung bei psychischen Krankheiten</i> (SächsPsychKG) (Saxon Act on Assistance and Confinement in the Case of Mental Illness) in the version promulgated on 10 October 2007 (Saxon Gazette of Laws and Ordinances, p. 422), as last amended by Article 1 of the Act from 7 August 2014 (Saxon Gazette of Laws and Ordinances, p. 446)	Ex.	Section 3 of the PsychKG regarding the work of the inspection commissions (for all persons with disabilities)
	<i>Sächsisches Integrationsgesetz</i> (SächsIntegrG) (Saxon Integration Act) from 28 May 2004, (Saxon Gazette of Laws and Ordinances 2004 No. 8, p. 196)	Ex.	Section 12 of the SächsIntegrG on the appointment and work of the independent inspection commissions for sheltered workshops for persons with disabilities and the associated support and assistance fields plus dwellings and their external residential groups.
	Book XI, Social Code	Ex.	In accordance with section 114(2), second sentence of Book XI of the Social Code, verification of quality requirements pursuant to Book IX of the Social Code and of ordinances handed down on the basis of the Social Code in connection with the inspection of long-term care facilities
	<i>Sächsisches Betreuungs- und Wohnqualitätsgesetz</i> (SächsBeWoG) (Quality of Care and Accommodation Act of Saxony) from 12 July 2012	Ex.	Pursuant to section 9(1), third sentence of the SächsBeWoG, verification of the requirements placed on the facility under the SächsBeWoG and associated ordinances in connection with long-term care facilities and stationary facilities devoted to social integration.

<i>Land</i>	<i>Statutory provision / binding requirements</i>	<i>Existent or planned (if planned, for when?)</i>	<i>Is there an explicit reference?</i>
	<p>Section 1 of the <i>Schulgesetz für den Freistaat Sachsen</i> (SchuLG)</p> <p>(Education Act for the Free State of Saxony)</p> <p>from 16 July 2004 (Saxon Gazette of Laws and Ordinances, p. 298), as last amended by Article 2 of the Act from 19 May 2010 (Saxon Gazette of Laws and Ordinances, p. 142)</p> <p>http://10.100.17.51/vorschrift/4192</p>	Ex.	In the area of promoting life skills, prevention is an inherent part of school-based education.
	<p>Measures taken in connection with the Land Action Plan of Saxony to Combat Domestic Violence –</p> <p>http://www.lpr.sachsen.de/download/landespraeventionsrat/A5_haeuslGewalt_LP_R_ansicht3(1).pdf</p>	Ex.	Section 1.2.3.4.
	<p>Guideline to Promote Equal Opportunities for Women and Men and to Combat Gender-based Violence</p> <p>from 22 May 2007 (Saxon Gazette of Laws and Ordinances. 2007, No. 24, p. 768) http://revosax-vvv.sachsen.de/law_versions/12191</p>	Ex.	In accordance with Part A, No. 2, para. 4, subpara. 1 and 2 funding for women's and children's shelters and intervention and coordination officers to combat domestic violence
ST	<p><i>Gesetz zum Schutz des Kindeswohls und zur Förderung der Kindergesundheit</i> (Kinderschutzgesetz) (KinderschutzG LSA)</p> <p>(Act to Protect Child Welfare and Promote Children's Health)</p> <p>from 9 December 2009</p>	Ex.	Section 3(2), No. 1 KinderschutzG LSA
	<p><i>Gesetz über Wohnformen und Teilhabe des Landes Sachsen-Anhalt</i></p> <p>(Wohn- und Teilhabegesetz - WTG LSA)</p> <p>(Act on Forms of Residential Accommodation and Participation of the Land Saxony-Anhalt - short title: Accommodation and Participation Act)</p> <p>from 17 February 2011</p>	Ex.	Section 1, WTG LSA
	<p><i>Gesetz über Hilfen für psychisch Kranke und Schutzmaßnahmen des Landes Sachsen-Anhalt</i> (PsychKG LSA)</p> <p>(Assistance for Mentally Ill Persons and Protective Measures Act of Saxony-Anhalt)</p> <p>from 30 January 1992</p>	Ex. Amendment planned for 2016	Section 29, PsychKG regarding inspection commissions
	<p><i>Schulgesetz des Landes Sachsen-Anhalt</i> (SchulG LSA)</p>	Ex.	Section 1 (2), No. 3a), SchulG LSA

<i>Land</i>	<i>Statutory provision / binding requirements</i>	<i>Existent or planned (if planned, for when?)</i>	<i>Is there an explicit reference?</i>
	(Education Act of Saxony-Anhalt) in the version promulgated on 22 February 2013		
	<i>Gesetz des Landes Sachsen-Anhalt zur Gleichstellung von Menschen mit Behinderungen</i> (BGG LSA) (Act of the Land Saxony-Anhalt on Equal Opportunities for Persons with Disabilities) from 16 December 2010	Ex.	Section 3, BGG LSA
	Section 1(2) and section 11(3) No. 13 of the WTG LSA make specific references to the UNCRPD and the Charter of Rights for People in Need of Long-Term Care and Assistance and call for concepts for the operation of facilities with regard to protection against violence as defined by these norms.	Ex.	Yes
	Revision of the Guidelines on Violence Prevention and of intervention plans, in particular for facilities for persons with disabilities, child and youth welfare services, for long-term care and the health care system	Planned	
	Should a student exhibit significant behavioural problems that appear to necessitate action on the part of the youth welfare services or if facts become known that indicate the neglect or maltreatment of a student, the school shall inform the competent youth welfare office (section 38, SchulG LSA).	Ex.	
TH	<i>Thüringer Frauenhausförderverordnung</i> (ThürFHFöVO) (Women's Shelter Funding Ordinance of Thuringia)	Existent	Gazette of Laws and Ordinances 2007, p. 297
	<i>Thüringer Frauenzentrenförderverordnung</i> (ThürFZFöVO) (Women's Centres Funding Ordinance of Thuringia)	Existent	Gazette of Laws and Ordinances 2007, p. 6
	<i>Thüringer Wohn- und Teilhabegesetz</i> (ThürWTG) (Accommodation and Participation Act of Thuringia)	Existent	
	<i>Thüringer Gesetz zur Hilfe und Unterbringung psychisch kranker Menschen</i> (ThürPsychKG) (Act of the Land Thuringia on Assistance for and Confinement of Mentally Ill Persons)	Existent	
	<i>Thüringer Maßregelvollzugsgesetz</i>	Existent	

<i>Land</i>	<i>Statutory provision / binding requirements</i>	<i>Existent or planned (if planned, for when?)</i>	<i>Is there an explicit reference?</i>
	(ThürMRVG)		
	(Forensic Psychiatry Act of Thuringia)		
	<i>Gewaltschutzgesetz</i> (GewSchG) (Protection Against Violence Act)	Existent	No, only indirect protection
	Pursuant to section 7(4) of the <i>Thüringer Gesetz über betreute Wohnformen und Teilhabe</i> (Thüringer Wohn- und Teilhabegesetz -ThürWTG)	Existent	
	(Thuringian Act on Sheltered Housing and Participation - short title: Accommodation and Participation Act of Thuringia) from 10 June 2014 the agencies funding stationary facilities are to be required to ensure that a women's affairs representative is elected to safeguard and represent the interests and special concerns of female residents. The elections of 87 women's affairs representatives in stationary facilities have been reported to the supervisory authority in the <i>Land</i> Administrative Office since the ThürWTG went into force.		
	Continuing training courses on dealing with persons with disabilities, particularly with mental illnesses, for employees in the judicial system.	Existent	

3. Financing violence protection strategies

116. The following generally applies to the financing of tasks using funds from *Länder* budgets.

117. *Länder* budgets are broken down into separate budgets for the individual ministries or authorities. In keeping with the principle of ministerial autonomy, the funds in the respective budget are allocated by the relevant ministry or authority. No provisions have been made for comprehensive budgeting in which financing for an overall strategy is covered by one particular part of the *Land* budget that encompasses all remits.

118. Additional tasks (This list can possibly be dispensed with because it is not comprehensive.).

BW

119. The budget of the *Land* Baden-Württemberg allocates some €1.8 million in funding each year to implement measures set forth in the *Land* Action Plan for Combatting Violence Against Women.

BY

120. The measures are financed by the authority/department that is responsible for the respective measure in accordance with the budget.

HB

121. The measures of the Bremen Supervisory Agency for Residential Facilities and Care Services listed under the first bullet point are part of the Agency's normal work and do not generate any costs that have to be separately shown.

NW

122. The cited measures are financed by the *Land* government within the limits of the available budget funds.

SL

123. The respective ministry is responsible for providing financing.

SN

124. Financing is provided under the responsibility of the individual ministry (Social Affairs, Interior, Education, Equality).

TH

125. Through the provision of funding for women's shelters and women's centres in accordance with the *Thüringer Frauenhausförderverordnung* (ThürFHFöVO - Women's Shelter Funding Ordinance of Thuringia) and the *Thüringer Frauenzentrenförderverordnung* (ThürFZFöVO - Women's Centres Funding Ordinance of Thuringia); in the case of intervention offices, in accordance with the *Thüringer Landeshaushaltsordnung* (ThürLHO - Land Budget Ordinance of Thuringia).

126. Furthermore financing is provided via the allocation of funds to courts and public prosecutors' offices.

4. Involvement of persons with disabilities in the development and implementation of the violence protection strategy/strategies (e.g. in connection with empowerment courses or courses on the subject of (sexual) self-determination / protection against violence)

<i>Violence protection strategy / measures</i>	<i>Form of participation on the part of persons with disabilities</i>
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BW See the answers to questions 1 and 5.

BY In many cases persons with disabilities are also involved in the development of strategies or measures in the area of protection against violence. Examples:

Consultation processes on the amendment of the *Bayerisches Gesetz über das Erziehungs- und Unterrichtswesen* (BayEUG - Education System Act of Bavaria) with the Netzwerkfrauen Bayern network of women with disabilities in Bavaria as the project management organization for the project "Central Barrier-free Service Homepage"

Netzwerkfrauen Bayern as the collaborative partner in the project "Women's Affairs Representatives in Facilities for Disabled Persons"

BE Development of prevention measures and measures to protect women with disabilities against domestic and sexual violence.	Close collaboration with the Netzwerk behindert Frauen Berlin e.V. (Berlin Network of Women with Disabilities) and the Gehörlosenverband Berlin (Berlin Association of Deaf Persons). Collaboration in working groups and networks, specialist expertise.
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BB Persons with disabilities and the persons representing their interests are included in a variety of ways in the work to develop strategies in connection with the package of disability policy measures to implement the UNCRPD with regard to protection against violence and in connection with measures. This is done in the scope of

Violence protection strategy / measures	Form of participation on the part of persons with disabilities
<p>committee work, structure development, symposia and expert discussions, and individual projects. A number of projects have been and are being realized, such as the <i>Land</i> pilot project “Prevention of Sexual Violence in the Living and Work Environment of Persons with Disabilities”; testing the use of women’s affairs representatives in facilities for disabled persons with joint funding from the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and individual <i>Länder</i>; the “Stop Violence” project to prevent violence in facilities for persons with disabilities, or workshops on the self-determination of women and girls with disabilities.</p>	
<p>Facilities in which children and juveniles with disabilities live must have and implement plans for safeguarding residents’ rights and processes to ensure their participation.</p>	
<p>Section 17a of the <i>Erstes Gesetz zur Ausführung des Achten Buches Sozialgesetzbuch - Kinder- und Jugendhilfe</i> (AGKJHG Bgb - First Act to Implement the Eighth Book of the Social Code - Child and Youth Welfare) provides that children and juveniles are to be involved in important decisions and measures concerning them in ways that are appropriate to their stage of development. Means of participation are to be ensured by representatives of the young persons; children and juveniles with disabilities are to be involved in suitable ways in shaping their living environment.</p>	
<p>HB <i>Genderleitlinie</i> (Gender Guidelines)</p>	<p>Direct participation in the development of the guidelines</p>
<p>Revision of the PsychKG (Act on Assistance and Protective Measures in the Case of Mental Illness)</p>	<p>Direct participation in the working group to revise the PsychKG</p>
<p>This is the responsibility of the operators of corresponding facilities. When conducting inspections in connection with violence prevention, the Bremen Supervisory Agency for Residential Facilities and Care Services asks about corresponding measures.</p>	<p>In residential facilities for persons with disabilities, the bodies representing the residents are included to a large degree in the development of concepts.</p>
<p>Participation in the project “Women’s Affairs Representatives in Facilities” in 2015; implementation of training courses for women’s affairs representatives starting 2016</p>	<p>As a first step, women from facilities are trained to be trainers and will subsequently train women’s affairs representatives in facilities for persons with disabilities starting 2016.</p>
<p>HH See Part 1 for the overall strategy. In addition, there are various forms of participation, such as involvement in legislative processes, consultations, specialist conferences and similar activities, membership in advisory boards or other bodies. Support for representatives of persons with learning disabilities in sheltered workshops and women’s affairs representatives in sheltered workshops for persons with disabilities.</p>	
<p>HE Representatives of disabled persons organizations were involved in developing the above-mentioned recommendations for action.</p>	<p>Involvement of disabled persons organizations</p>
<p>Training courses on sexual self-determination</p>	<p>Courses offered by facilities for persons with disabilities, by higher level education providers, in some cases with funding provided by the <i>Land</i></p>
<p>NI The management and operators of residential facilities for persons with disabilities include the residents in violence protection strategies, particularly through training</p>	

Violence protection strategy / measures	Form of participation on the part of persons with disabilities
courses and continuing training activities.	
<p>The supervisory authority for residential facilities does not develop violence protection strategies for persons with disabilities who live in these facilities. However, its annual inspections cover the following aspects of violence protection:</p>	
<p>Does your facility have a violence protection plan in place (plan to prevent and protect against sexual, physical and psychological/emotional violence on the part of other residents or by personnel)?</p>	
<p>Special attention given to protecting residents against violence (particularly when there are difficulties with communication)</p>	
<p>Support for employees (supervision sessions and continuing training activities)</p>	
<p>In addition to this, advisory services are provided for the residents' representatives. These services also focus on rights and obligations in cases of sexual, physical or psychological/ emotional violence.</p>	
NW	<p>In North Rhine-Westphalia, persons with disabilities are regularly included in the development and implementation of programmes, concepts and strategies via the Advisory Council on Inclusion and its specialist committees and via other specialist bodies (e.g. <i>Land</i> Health Conference, project management groups, <i>Land</i> Committee for Long-term Care and Ageing, working group pursuant to section 17 of the <i>Wohn- und Teilhabegesetz</i>) (WTG - Accommodation and Participation Act)</p>
RP Self-assertion and self-defence courses (KOBRA)	<p>KOBRA is located at the Centre for Self-determined Living in Mainz, which was initiated and is managed with outstanding success by persons with disabilities.</p>
<p>In connection with symposia on the subject</p>	<p>E.g. as a speaker</p>
<p>The <i>Land</i>-wide Round Table set up for the RIGG intervention project (Rhineland-Palatinate Intervention Project Against Violence in Close Social Relationships) deals with this priority issue.</p>	<p>Corresponding representation at the <i>Land</i>-wide Round Table of the RIGG intervention project</p>
SL	<p>In keeping with their responsibilities, both the <i>Land</i> Commissioner for the Concerns of Persons with Disabilities and the Independent Commissioner for the Concerns of Long-term Care Patients, Their Relatives and Care Workers have close contact with persons with disabilities.</p> <p>Section 16 of the <i>Saarländisches Behindertengleichstellungsgesetz</i> (Act on Equal Opportunities for Persons with Disabilities in Saarland) codifies the responsibilities of the <i>Land</i> Commissioner for the Concerns of Person with Disabilities. These responsibilities include</p> <ul style="list-style-type: none"> • working to ensure that the aim of the Saarland constitution cited in section 1 is realized and that the other provisions of this law are complied with; • advising the <i>Land</i> government and the <i>Land</i> parliament on matters of fundamental importance to persons with disabilities;

Violence protection strategy / measures	Form of participation on the part of persons with disabilities
<ul style="list-style-type: none"> • serving as the point of contact for the fundamental, individual and general problems of persons with disabilities and their family members and for associations and institutions for persons with disabilities; • working closely with the media in connection with public relations work; • working in regional and supra-regional bodies; and • cultivating cross-border collaboration with institutions, associations and self-help groups. 	<p>By virtue of his office, the <i>Land</i> Commissioner for the Concerns of Persons with Disabilities is also the chairman of the <i>Land</i> Advisory Board for the Concerns of Persons with Disabilities (http://www.saarland.de/lfb.htm).</p>
<p>On 15 May 2013 the Saarland <i>Land</i> parliament elected a Commissioner for the Concerns of Long-term Care Patients, Their Relatives and Care Workers. This person is subject to instructions and serves as the point of contact for matters revolving around the subject of nursing and long-term care. The remit of the <i>Land</i> Commissioner extends beyond nursing and long-term care to also include persons who are sick or have a disability. Drawing on his ongoing exchange of information with the bodies responsible for the provision of nursing and long-term care and with the bodies that oversee nursing and long-term care work in Saarland, the <i>Land</i> Commissioner is responsible for progressively developing and optimizing nursing and long-term care in Saarland, such as in the areas of quality management or more effective, in-service psycho-social support for persons who work in the nursing and long-term care field. In addition, he works to ensure that the concerns of persons who are in need of care (dependent persons) and the persons providing this care are noticed in all relevant social spheres, with the aim of generating wider acceptance and appreciation for them in society. The <i>Land</i> Commissioner for the Concerns of Long-term Care Patients, Their Relatives and Care Workers will submit a report to the <i>Land</i> parliament every year. This report will outline the current state of nursing and long-term care in Saarland. In addition, the <i>Land</i> Commissioner will in future conduct regional conferences once a year in the areas served by Saarland's eight long-term care support centres. As part of these conferences, the respective residents' councils are to be consulted and informed about the current situation in the nursing and long-term care field in Saarland. The <i>Land</i> Commissioner for the Concerns of Long-term Care Patients, Their Relatives and Care Workers is supposed to take part in all legislative, regulatory and other important projects that concern or affect issues pertaining to the rights and protection of persons requiring care, their relatives and care workers (http://www.saarland.de/102827.htm).</p>	<p>In addition, the <i>Land</i>-wide Round Table on Disabilities and Sexuality has close contact to persons with disabilities.</p>
<p>The symposium Assistance and Support for Women with Disabilities Who Are Victims of Violence was conducted by the Ministry of Social Affairs, Health, Women's Affairs and Family and the Ministry of Justice on 11 December 2013. During this symposium the two areas of activity "protection against violence" and "services for persons with disabilities" were merged on a <i>Land</i>-wide basis for the first time in Germany. The activities presented at the symposium included the services offered by the national Violence Against Women support hotline that have been adapted to the needs of disabled persons and the concept Women's Affairs Representatives in Facilities for Persons with Disabilities that sets forth the special training and responsibilities of women with disabilities who play this role in facilities for persons with disabilities. Talks with associations and the funding bodies of facilities for the disabled were initiated to ensure comprehensive implementation. Efforts are also being made to make the establishment of women's affairs representatives in facilities for persons with disabilities a mandatory requirement under law.</p>	<p>The supervisory authority for sheltered residential facilities does not itself develop strategies to protect persons with disabilities against violence in these</p>

<i>Violence protection strategy / measures</i>	<i>Form of participation on the part of persons with disabilities</i>
accommodations. As part of its annual inspections of these facilities, it does however cover issues pertaining to protection against violence.	
SN Conferences of intervention and coordination offices on the subject of “domestic violence” in connection with persons with disabilities	Via multipliers or directly at conferences
Work of the inspection commission pursuant to section 3 of the <i>SächsPsychKG</i> (Saxon Act on Assistance and Confinement in the Case of Mental Illness) in facilities and hospitals for mentally ill persons	<ul style="list-style-type: none"> • Persons with disabilities are involved in the inspection commissions • Inclusion of affected persons in the work of the <i>Land</i> advisory council on psychiatry • EX-IN projects – training affected persons to be recovery helpers who work in psychiatric facilities
Work of the inspection commissions pursuant to section 12 of the <i>Sächsisches Integrationsgesetz</i> (<i>SächsIntegrG</i> - Saxon Integration Act).	Persons with disabilities collaborate in the inspection commissions.
Training of multipliers for women’s representatives in connection with the project “Women’s Affairs Representatives in Facilities - An Idea Worth Emulating” which is being conducted by the <i>Weibernetz e.V.</i> and is funded by the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth. (The project is also funded through the Funding Guideline of the Saxon <i>Land</i> Ministry of Social Affairs and Consumer Protection on the Promotion of Self-determined Participation of Persons with Disabilities.)	The trainers for training women’s affairs representatives in facilities for persons with disabilities received their training in “duos”, each comprised of one specialist and one woman with a learning disability.
ST <i>Land</i> Action Plan to Implement the UNCRPD, area of activity: women and girls with disabilities - violence prevention	Persons with disabilities are included in the development of recommendations and guidelines for the prevention of violence and in connection with the implementation of all other measures (Working Group on Work, conferences on participation, symposia).
TH A number of sponsoring bodies (such as the <i>Lebenshilfe</i> association) implement violence protection strategies using, for example, awareness-raising measures, events, individual continuing training activities, individual guidance / individual talks.	The main thematic areas include contraception, women in the developmental stage, explaining the boundaries of violence and sexuality in order to strengthen the individual’s self-determination.
The content of the planned measures is implemented in the concepts for the individual facilities (adjusted to be in line with the UNCRPD).	
The supervisory authority for residential facilities is obligated under section 6 (1) of the <i>Thüringer Wohn- und Teilhabegesetz</i> (<i>ThürWTG</i> - Accommodation and Participation Act of Thuringia) to advise residents within the framework of the <i>ThürWTG</i> on their rights and obligations (section 6(1), <i>ThürWTG</i>).	

Violence protection strategy / measures	Form of participation on the part of persons with disabilities
<p>In addition the supervisory authority for residential facilities conducts routine inspections (every three years at the latest) and ad hoc inspections of each stationary facility. These inspections are intended to ensure that the requirements placed on the operation of a stationary facility pursuant to ThürWTG are fulfilled (section 15, ThürWTG).</p>	

Part 2

(2) It also recommends that the State party immediately establish or designate an independent body or bodies in accordance with Article 16 (3) of the Convention and

5. Planned / existing independent bodies

BW

127. One of the core measures proposed by the *Land* Action Plan was implemented with the establishment of the *Land* Coordination Unit for Combatting Violence Against Women at the Ministry of Social Affairs of Baden-Württemberg. This unit initiates the development of special concepts for protecting women with disabilities.

128. In Baden-Württemberg, facilities and programmes for persons with disabilities (stationary facilities and sheltered housing with social worker support) are monitored by independent supervisory authorities. The legal basis for this is the new Wohn-, Teilhabe- und Pflegegesetz (Accommodation, Participation and Care Act) that went into force in 2014. The Ministry of Social Affairs is the supreme supervisory authority in this connection. It has developed special inspection guidelines listing detailed inspection criteria for the supervisory authorities on location.

129. Baden-Württemberg's new Psychisch-Kranken-Hilfe-Gesetz (Act on Assistance for Mentally Ill Persons) went into force on 1 January 2015. It provides for comprehensive rights and assistance for persons who are ill or impaired due to a mental disorder. Under this law, facilities in which persons who are ill or disabled are confined against their will due to a mental disorder must be inspected on a regular basis (as a minimum, every three years) by independent inspection commissions. These commissions are obligated to report to an independent ombudsman of the *Land* Baden-Württemberg. Some €1 million in funding is allocated every year to implement the Act on Assistance for Mentally Ill Persons.

130. A *Land* Government Commissioner for Matters Relating to Disabled Persons and municipal commissioners for matters relating to persons with disabilities are appointed on the basis of the new *Landes-Behindertengleichstellungsgesetz* (Baden-Württemberg Equal Opportunity Act for Persons with Disabilities), which also went into force on 1 January 2015. This law has the purpose of implementing the UN Convention on the Rights of Persons with Disabilities. They serve as independent points of contact for all persons with disabilities and for their family members and investigate complaints. The *Land* government allocates €2.8 million a year for the municipal commissioners for matters relating to persons with disabilities.

BY

Schools

131. In the school domain, students who are victims of violence can contact the school authorities. The school authorities function as the point of contact for such cases, exercise supervisory rights and fulfil supervisory obligations.

Child protection

132. Being independent bodies in the area of child and youth welfare, the governments must also be mentioned in their capacity as the authorities in charge of supervision on points of law, plus the *Land* Council for Residential Facilities in the case of institutional care.

133. All child protection offices accept complaints. In addition, the welfare organizations established the Independent Ombudsman's Office for Child and Youth Welfare in Bavaria on 31 March 2015.

Stationary facilities

134. In the area of stationary facilities, the focus of the "FQA" (Centres for Long-term Care Facilities and Facilities for Persons with Disabilities - Quality Development and Supervision) is on protecting residents. They are consequently also the points of contact for any form of violence. This particularly includes violence against girls and women.

135. In cases of legal violations, the *Bayerisches Pflege- und Wohnqualitätsgesetz* (PfleWoqG - Quality of Care and Accommodation Act) provides for the use of effective sanction mechanisms against the individual facilities, which can extend to imposing an employment ban.

136. As a rule, an FQA is a multi-profession team comprised of doctors, social education workers, nursing staff/ care workers and administrative staff members. They check compliance with these rights in every facility once a year. They operate independently of sponsoring organizations and funding agencies. Their powers range from imposing conditions and issuing orders to take remedial action and extend to prohibitions on admitting new residents, employment bans and operating bans. Criminal incidents are reported to the law enforcement authorities when the facility's operator has not yet done so. The FQAs' work is audited by the governments as part of their legal supervision and operational supervision. The FQAs are available to residents and their families for counselling and information and for any complaints about abuses or irregularities in the respective facility.

137. In the nursing and long-term care field, a representative for patients' affairs and nursing care matters of the Bavarian government has been installed. This person also looks after complaints.

138. Long-term care insurance funds and the Medical Services of the Health Insurance Funds working for them plus the Audit Service of the Private Health Insurance Funds conduct quality audits of the individual care facilities and are frequently also a point of contact for complaints.

Forensic psychiatry

139. Independent bodies in the field of forensic psychiatry in Bavaria include the advisory boards for forensic commitment, the Central Commissioner for Complaints of the respective hospital / complaint management system, the patient advocate of the respective hospital and the substantive supervisory authority – the Bavarian Centre for Family and Social Affairs, the agency responsible for forensic psychiatry and forensic commitment.

140. All independent agencies in the area of forensic commitment in Bavaria also function as complaint agencies within the meaning of Concluding Observation 36.

Strategy for persons with disabilities

141. In addition, the Commissioner of the Government of the Free State of Bavaria for Matters Relating to Persons with Disabilities and the local municipal official responsible for matters relating to persons with disabilities also function as complaint agencies.

142. It should be noted that numerous guidelines, service agreements, prevention programmes, etc. regarding violence protection already exist at association and facility level.

BB

143. In facilities and other supportive living arrangements for persons with disabilities or who require care, the supervisory body for supportive living arrangements pursuant to the *Brandenburgisches Pflege- und Betreuungswohngesetz* (BbgPBWoG - Brandenburg Assisted Living and Long-term Care Facilities Act) carries out the regulatory mandate to protect residents. For this purpose, regular and ad-hoc inspections are conducted, largely without prior notification. At government level, the supervisory body for supportive living arrangements pursuant to the BbgPBWoG falls under a supreme *Land* authority. It consists of a multi-profession team of professional caregivers, occupational therapists, health care managers, youth workers, social workers, special needs teachers, lawyers, civil engineers and business administrators. Functional supervision of this authority is assigned to the Ministry for Labour, Social Affairs, Health, Women's Affairs and Family of the *Land* Brandenburg. The authority's supervisory tasks include safeguarding residents' personal and civil rights and liberties and ensuring their self-determination and participation to the greatest possible extent. These activities are based on the quality and structural requirements that are laid down in law plus a detailed monitoring plan and inspection guidelines.

144. The supreme *Land* youth welfare office is responsible for carrying out the protection mandate for children and juveniles with disabilities who live in residential facilities. Case-by-case assessments and expert consultations on sex education concepts, on violence prevention and other relevant topics are conducted during operations. A team of social workers and social education workers is supported by lawyers and works closely with the service providers at municipal level. Their tasks include assessing whether the requirements have been met for issuing a permit to operate the respective facility, local inspections, and consultation services during operation, development of *Land*-wide recommendations and guidelines.

145. In addition, the Remuneration System service unit which is mandated by the *Land*'s rural and urban districts ensures that the service agreed between the funding agency and the service provider is provided with the stipulated level of quality (structure quality, process quality and quality of the results). This service unit ensures this by conducting corresponding on-site inspections, among other activities, as part of the tasks assigned it in the area of contract law under the Social Code. Functional supervision is exercised by the Ministry for Labour, Social Affairs, Health, Women's Affairs and Family of the *Land* Brandenburg here as well.

146. The Commissioner of the Government of Brandenburg for Matters Relating to Persons with Disabilities serves an ombudsman function as well. Persons with questions, complaints or suggestions can directly contact the Commissioner. The Brandenburg women's counselling centres / advice centres for sex education and violence prevention round out the range of independent counselling and advice services on offer.

147. In addition, Brandenburg is giving consideration to a pilot project on violence prevention in the living and working environments of persons with disabilities. The project would be implemented by the agencies providing service for the disabled. An ongoing advisory service is planned as the point of contact.

148. The *Brandenburgisches Psychisch-Kranken-Gesetz* (Brandenburg Act on Assistance for Mentally Ill Persons) (see above) provides for the establishment of inspection commissions which monitor whether the rights and interests of persons with a mental illness or psychological disability are being safeguarded in accordance with the provisions of the law. These commissions audit the quality of the care and treatment of all patients. In addition to the inspection commissions for general psychiatric institutions for adults, there are commissions for forensic psychiatry and also specifically for child and adolescent psychiatry. The commissions visit the psychiatric institutions at least once a year, usually without prior notification. Inspection commissions are points of contact for patients and have the right to inspect all patient records and documentation insofar as the patient has given consent. These inspections are not to focus solely on individual cases but also to extend to general treatment conditions, material and personnel resources, and the collaboration between the respective occupational groups and responsible authorities. The

members of the inspection commissions are independent. They perform their duties on an honorary basis and inform the member of the *Land* government who is responsible for health affairs of the results of their inspections in reports on their visits.

149. Women's counselling centres and contact points are privately maintained and operate independently of government structures. Their tasks include providing against the threat of violence and initiating crisis intervention and emergency measures when women experience violence. This work is based on corresponding concepts, including concepts regarding cooperation with government offices responsible for protecting women and girls with disabilities, and on counselling, advisory and intervention guidelines.

HB

Name of the body:	Independent Complaints and Advocacy Office for Persons with Mental Disorders
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Organizational form:	Association
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Concrete requirements to monitor protection against violence:	Are explicitly contained in the concept.
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The body is:	Being planned.
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Its independence is:	Already ensured.
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Additional comments:

Name of the body:	Bremen Supervisory Agency for Residential Facilities and Care Services
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Organizational form:	Central organization in the government agency of the Senator for Social Affairs, Youth, Women, Integration and Sport of the Free Hanseatic City of Bremen
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Concrete requirements to monitor protection against violence:	BremWoBeG (Act to Ensure the Rights of Persons with Support, Care or Assistance Needs), section 1(2), Nos. 1 and 2; section 16(4); Personnel Ordinance to the BremWoBeG, section 5(1)
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The body is:	Already established.
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It independence is:	Already ensured.
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Additional comments:

HE

Name of the body:	Supervisory Agency for Support and Long-term Care Services
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Organizational form:	<i>Land</i> agency
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Concrete requirements to monitor protection against violence:	Section 16, <i>Hessisches Gesetz über Betreuungs- und Pflegeleistungen</i> (HGBP - Support and Care Services Act of Hesse) - Inspection Scope; section 25, HGBP - Competence of the Inspection Authorities
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HGBP (in particular, section 8)

“Specimen recommendation for action for dealing with inappropriate contact, sexual attacks and sexual violence against persons with disabilities in full-time and part-time care facilities for persons with disabilities”

The body is: Already established.
 It independence is: Already ensured.
 Additional comments:

HH

Name of the body: Supervisory commission pursuant to section 23, Hamburgisches Gesetz über Hilfen und Schutzmaßnahmen bei psychischen Krankheiten (HmbPsychKG - Hamburg Act on Assistance and Protective Measures in the Case of Mental Illness);
 Supervisory commission pursuant to section 48, HmbMVollzG (Forensic Psychiatry Act of Hamburg)

Organizational form: -

Concrete requirements to monitor protection against violence: See section 23, HmbPsychKG; section 48, HmbMVollzG

The body is: Already established.

It independence is: Already ensured.

Additional comments: -

Name of the body: Supervisory Agency for Residential Facilities and Long-term Care

Organizational form: Municipal agency/ district offices

Concrete requirements to monitor protection against violence: Legislation (HmbWBG - Hamburg Quality of Living Conditions and Care Act) and ordinances

The body is: Already established.

It independence is: Already ensured.

Additional comments:

NI

150. On 21 March 2012, the *Land* parliament of Lower Saxony adopted by a large majority the resolution “Take Resolute Action against Abuse and Discrimination in Our Schools – New Point of Contact Offers Victims Targeted Support” (printed document 16/4640) to set up an office for victims and matters of sexual abuse and discrimination in schools and day-care facilities for children at the start of the 2012/2013 school year.

151. The Point of Contact was established against the backdrop of the recommendations for action to prevent, investigate and address cases of sexual abuse and acts of violence in schools and school-related institutions which the Standing Conference of the Ministers of Education and Cultural Affairs of the *Länder* of the Federal Republic of Germany adopted on 20 April 2010.

152. The Point of Contact is an independent office in the remit of the Ministry of Education and Cultural Affairs and is responsible for requests and concerns of persons and institutions which assert accusations of sexual abuse or discrimination in schools and day-care facilities for children in Lower Saxony. It can be called in by children, juveniles, parents, local counselling centres, teachers, educational staff and other persons or bodies who have been approached by victims of sexual violence, assault or discrimination, as well as by victims of sexual violence or assault themselves. This office is the only one of its kind

in Germany. It commenced its work at the start of the 2012/2013 school year. The following responsibilities fall within the remit of the head of the Point of Contact:

- Matters of policy of the Point of Contact;
- Reporting to committees in the *Land* parliament of Lower Saxony;
- Developing and linking structures to provide support for and address cases of sexual abuse and discrimination;
- Working together with relevant bodies at federal, *Land* and regional level;
- Coordinating public relations work in consultation with the press office of the Ministry of Education and Cultural Affairs.

153. In addition, the Point of Contact has one female employee and one male employee in its interdisciplinary team. It has psychological, educational, criminological, police science expertise and - if required - specialized legal knowledge at its disposal. The work of the core staff revolves around:

- Analyses of the need for advanced training and the provision of support for this training;
- Evaluation, collaboration with research institutions;
- Advising the persons concerned / persons seeking help;
- Cooperation with the relevant competent advisors in the subordinate authorities of the ministry, at regional level and/or with the bodies responsible for the facilities;
- Progressive development and refinement of concepts for action (development of guidelines for action and training materials).

154. In addition, all counselling and support options that currently exist (e.g. psychological and/or emergency psychological support in schools) including options which were not specifically conceived or set up for this group of persons can be made use of.

NW

155. This body has already been established. Its independence is already ensured.

156. North Rhine-Westphalia has several points of contact that serve as complaint agencies: complaints can be directed to the *Land* Commissioner for the Concerns of Person with Disabilities, the Commissioner for Patients or the *Land* Commissioner for Forensic Psychiatry.

157. Matters of concern can also be directed to the Petitions Committee of the *Land* parliament of North Rhine-Westphalia in the form of an informal, written complaint. In the case of professional support, there is also the possibility of submitting complaints to the relevant supervisory authority and the corresponding social benefit providers.

RP

158. The *Land* government of Rhineland-Palatinate is guided by the conviction that rather than establish separate systems in the area of complaint agencies, it is better to establish a complaint management system that is open to everyone.

159. A regular inspection system exists through the advisory and inspection authorities pursuant to the LWTG (Rhineland-Palatinate Act on Forms of Residential Accommodations and Participation).

160. The consumer advice centres and long-term care hotline also offer services that are also available to persons with disabilities.

161. Persons with disabilities can also direct complaints and petitions to the Ombudsman of the *Land* Rhineland-Palatine.

SN	Name of the body:	Inspection commission pursuant to section 3, SächsPsychKG (Saxon Act on Assistance and Confinement in the Case of Mental Illness)
	Organizational form:	Anchored in law - pursuant to section 3(2) Members of the independent inspection commission are appointed by the Saxon State Ministry for Social Affairs and Consumer Protection.
	Concrete requirements to monitor protection against violence:	No concrete requirements for monitoring protection against violence. Under Section 3(1) however affected parties have the possibility of submitting requests and complaints.
	The body is:	Already established.
	It independence is:	Already ensured.
	Additional comments:	Is a complaint agency in accordance with art. 16, para. 3.
	Name of the body:	Inspection commission pursuant to section 12, SächsIntegrG (Saxon Integration Act)
	Organizational form:	Under section 12(1), the State Ministry for Social Affairs and Consumer Protection appoints independent inspection commissions which inspect workshops for persons with disabilities and the associated support and care domains plus residential facilities and their external residential groups, usually without prior notification.
	Concrete requirements to monitor protection against violence:	The commissions check whether it is possible for persons with disabilities to enjoy equal participation in society and live a self-determined life. The relevant persons and their legal representatives are to be given an opportunity to voice wishes or complaints. Persons with disabilities are integrated into the inspection commissions.
	The body is:	Already established.
	It independence is:	Already ensured.
	Additional comments:	Is a complaint agency in accordance with art. 16, para. 3.
	Name of the body:	Kommunaler Sozialverband Sachsen (KSV - Association of Municipal Social Welfare Providers)
	Organizational form:	Corporation under public law of regional social assistance agencies and regional care service agencies
	Concrete requirements to monitor protection against violence:	Competent supervisory authority (for facilities providing stationary or part-time residential / institutional care in facilities devoted to social integration, long-term care facilities) pursuant to section 18(1), SächsBeWoG (Care and Accommodation Quality Act of Saxony) -> conducts an inspection of each facility once a year, usually without prior notification.
	The body is:	Already established.

It independence is:	Already ensured.
Additional comments:	Is a complaint agency in accordance with art. 16, para. 3.
Name of the body:	Medizinischer Dienst der Krankenkassen Sachsen (MDK Sachsen - medical review board of the health insurance funds in Saxony)
Organizational form:	Independent legal entity (registered association)
Concrete requirements to monitor protection against violence:	Inspections are conducted according to an inspection checklist (inspectors are sensitized to signs of violence).
The body is:	Already established.
Its independence is:	Already ensured.
Additional comments:	Is a complaint agency in accordance with art. 16, para. 3.

SL

162. The Coordination Office against Domestic Violence aims to combat domestic violence in Saarland at structural level. This entails systematic improvements in the effective and sustained protection of victims, in rigorously holding perpetrators accountable and in condemning violence.

163. Stationary facilities: the advisory and inspection authority under the *Landesheimgesetz Saarland* (Residential Accommodation Act of Saarland) is the government supervisory authority for some 120 residential and long-term care facilities for adults with disabilities in Saarland.

164. By virtue of his office, the *Land* Commissioner for the Concerns of Persons with Disabilities is also the chairman of the *Land* Advisory Board for the Concerns of Persons with Disabilities and point of contact for the fundamental, individual and general problems of persons with disabilities, their family members and associations and institutions of persons with disabilities.

165. On 15 May 2013 the Saarland *Land* parliament elected a Commissioner for the Concerns of Long-term Care Patients, Their Relatives and Care Workers. This person is bound by instructions and serves as the point of contact for matters revolving around the subject of nursing and long-term care. The remit of the *Land* Commissioner extends beyond nursing and long-term care to also include persons who are ill or have a disability.

ST Name of the body:	Competent authority pursuant to the Wohn- und Teilhabegesetz Land Sachsen-Anhalt (WTG LSA - Accommodation and Participation Act of Saxony-Anhalt)
Organizational form:	<i>Land</i> authority
Concrete requirements to monitor protection against violence:	Yes, section 19(2) and (4) of the WTG LSA
The body is:	Established
Its independence is:	Ensured
Additional comments:	Is a complaint agency in accordance with art. 16, para. 3.

Name of the body:	Committee for matters of psychiatric health care, inspection commissions
Organizational form:	Body without a legal form. Although it is appointed by the <i>Land</i> government, its members are external.
Concrete requirements to monitor protection against violence:	Pursuant to section 29 of the PsychKG LSA (Assistance for Mentally Ill Persons and Protective Measures Act of Saxony-Anhalt), monitors whether the rights and interests of patients and persons with disabilities are safeguarded.
The body is:	Already established.
Its independence is:	Already ensured.
Additional comments:	Complaint agency in accordance with art. 16, para. 3.
Name of the body:	<i>Land</i> Commissioner for the Concerns of Persons with Disabilities (BBM)
Organizational form:	<i>Land</i> employee
Concrete requirements to monitor protection against violence:	Section 23 of the BGG LSA (Act of the <i>Land</i> Saxony-Anhalt on Equal Opportunities for Persons with Disabilities) provides that everyone has the right to submit complaints to the <i>Land</i> Commissioner for the Concerns of Persons with Disabilities.
The body is:	Already established.
Its independence is:	Already ensured.
Additional comments:	Is a complaint agency in accordance with art. 16, para. 3.
Name of the body:	Medizinischer Dienst der Krankenkassen Sachsen-Anhalt (MDK Sachsen-Anhalt - medical review board of the health insurance funds in Saxony-Anhalt)
Organizational form:	Independent legal entity (registered association)
Concrete requirements to monitor protection against violence:	Inspections are conducted according to an inspection checklist
The body is:	Already established.
Its independence is:	Already ensured.
Additional comments:	Is a complaint agency in accordance with art. 16, para. 3.
Both the PsychKG LSA (Assistance for Mentally Ill Persons and Protective Measures Act of Saxony-Anhalt) and the WTG LSA (Accommodation and Participation Act of Saxony-Anhalt) are to be amended. In the process, it will be examined whether to further strengthen the independent complaint agencies anchored in these laws.	

Part 3

(3) ensure that complaints linked to incidents in institutions are handled by an independent body.

6. Existing or planned independent structures in which / through which complaints arising from cases of violence or abuse against persons with disabilities in facilities are (also) handled

<i>Land</i>	<i>"Complaint agency"</i>	<i>Mode of operation and type of powers</i>	<i>Independent advisory services ensured? When yes, how?</i>
BW		The previously mentioned <i>Wohn-, Teilhabe- und Pflegegesetz</i> (Accommodation, Participation and Care Act) of Baden-Württemberg separately provides that residents of stationary facilities or shared accommodations that are supervised on an ambulant basis can direct complaints to the competent independent authorities that oversee the facilities. Based on the Accommodation, Participation and Care Act, residents' advisory boards can also be set up in (stationary) facilities. In addition advisory boards consisting of family members or caregivers can be established.	
		In future, persons who are sick or disabled due to a psychological disorder can address suggestions and complaints to patient advocates or to information, advisory and complaint agencies. Baden-Württemberg's rural and urban districts are currently establishing the structures necessary for this. The patient advocates appointed by the rural and urban districts and the information, advisory and complaint agencies set up by the rural and urban districts are independent. The independent ombudsman of the <i>Land</i> Baden-Württemberg advises them on legal matters.	
BY		See answer to question 5	
BE	Psychiatry Complaints and Information Center in Berlin (BIP)	The BIP receives complaints relating to the psychiatric assistance system and aims to find solutions together with the person lodging the complaint and, if desired, with the facility/ organization/person receiving the complaint or higher-level bodies. The BIP assumes responsibility for the process when this is desired by the person lodging the complaint. Complaints pertaining to violence or abuse are also accepted. The BIP has not been vested with powers of intervention or rights of supervision. Its work is comparable to mediation.	Independent advisory services are ensured by the fact that the body responsible for the BIP is not active in the psychiatric assistance system as a service provider or stakeholder and the fact that it is funded by the <i>Land</i> Berlin.
BB		Please see the answer provided in Section 2 regarding the supervisory bodies under legislation regulating residential facilities that provide support, long-term care or nursing care. The supervisory bodies give complaints priority over regular inspections. The work of various, usually independently sponsored, points of contact and counselling centres in the area of child protection, victim protection, women's / family counselling centres and services for persons with disabilities puts violence prevention and intervention into practice in facilities. This ensures independent processing of complaints. However adjustments still need to be made in the area of barrier-free access to offices and information. Suitable arrangements that make it possible to lodge complaints in personal matters must be available in facilities for children and juveniles with disabilities. Some facilities already have external possibilities for lodging complaints. In addition,	

<i>Land</i>	<i>“Complaint agency”</i>	<i>Mode of operation and type of powers</i>	<i>Independent advisory services ensured? When yes, how?</i>
		complaints are processed independently by the supervisory body.	
		The independent counselling and complaint structures are subject to regular controls and inspections and are continuously refined and adjusted in the wake of changes in society and the ever-changing interplay between the competent government players and independent players. The pilot project “Prevention of Sexual Violence in the Living and Work Environments of Persons with Disabilities” was launched with the aim of establishing a complementary organizational structure for civil society and for facilities for persons with disabilities which, in addition to its work to prevent violence, also collects complaints, provides individualized support and, if needed, takes necessary measures.	
HB	Independent Complaints and Advocacy Office for Persons with Mental Disorders	Responsible for all psychiatric services offered by the City of Bremen. Agreement with all service providers on complaint handling.	Independent (funded by Deutsche Gesellschaft für Soziale Psychiatrie e.V. (DGSP - German Society of Social Psychiatry) and triologic association (affected persons and family members involved)
	Pilot projects in individual facilities (Initiative zur sozialen Rehabilitation e.v. - registered association: Initiative for Social Rehabilitation)	Advocacy, information improvement	Not independent because the facility pays.
	Bremen Supervisory Agency for Residential Facilities and Care Services	Central organization in the government agency of the Senator for Social Affairs, Youth, Women, Integration and Sport of the Free Hanseatic City of Bremen Extensive powers of inspection pursuant to sections 21 - 24 of the BremWoBeG (Act to Ensure the Rights of Persons with Support, Care or Assistance Needs) and regulatory sanctioning options pursuant to sections 25 - 29 of the BremWoBeG	Yes, through organizational linkage which is independent of service providers and funding agencies
HH	Supervisory commission under section 23 of the HmbPsychKG	Regular visits made to facilities; rights of access to facilities and to inspect medical records	Voluntary service with a statutory basis. A summary of the supervisory commission’s reports is submitted to the Hamburg Parliament every two years.

<i>Land</i>	<i>“Complaint agency”</i>	<i>Mode of operation and type of powers</i>	<i>Independent advisory services ensured? When yes, how?</i>
	<p><i>Wohn-Pflege-Aufsicht</i></p> <p>(Office for the Supervision of Residential Facilities and Long-term Care)</p>	<p>Advisory services, regular inspections and ad hoc inspections in facilities and service providers.</p> <p>Regulatory powers vis-à-vis facility operators and service providers which care for persons with disabilities, among other individuals: advisory services for remedying shortcomings, orders, prohibitions on admitting new residents, employment bans, prohibitions</p>	
		<p>In its Plan for Combatting Violence Against Women and Girls, Hamburg committed to setting up a complaint management system (see Hamburg Parliament document 20/10994), as already outlined in Part 1.</p>	
HE	Supervisory authority for support and long-term care	<p><i>Land</i> authority; monitors compliance with the provisions of the HGBP (Support and Care Services Act of Hesse); has regulatory powers, the right to issue orders and to order the closure of facilities; facility operators are obligated to report cases of violence and abuse.</p>	<p>Yes because this is a government body. Required by law to be independent. Mandate to advise is laid down in the HGBP.</p>
MV	<p>In terms of regulatory law, the answers to the aforementioned questions are provided in the <i>Länderheimgesetz</i> (<i>Länder Act on Residential Accommodation</i>) and in Mecklenburg-Vorpommern in the <i>Einrichtungenqualitätsgesetz</i> (Facility Quality Act). The supervisory bodies for residential facilities at the individual rural and urban district governments are responsible. Legal supervision lies with the competent district administrator, lord mayor or ministry of the interior, depending on the type of complaint.</p> <p>Functional supervision lies with the Ministry of Social Affairs of Mecklenburg-</p>	<p>Inspections in the area of care facilities and facilities for persons with disabilities include unannounced routine inspections which are conducted once a year in accordance with the law and inspection scenarios or ad hoc inspections which are conducted as required.</p> <p>The powers are regulated by law. The options for imposing sanctions range from conditions and fines and extend to closure orders.</p>	<p>The independent inspection of care facilities and facilities for persons with disabilities is ensured by law.</p>

Land	"Complaint agency"	Mode of operation and type of powers	Independent advisory services ensured? When yes, how?
		<p>Vorpommern.</p> <p>Complaints can also be lodged by means of a petition. To avoid fragmentation of responsibility, the supervisory authority for long-term care facilities and facilities for persons with disabilities remains the sole inspection and verification authority in regulatory matters.</p>	
NI	Supervisory authority for residential facilities	<p>Complaints are investigated on a case-by-case basis, as a rule using unannounced ad hoc inspections and by obtaining statements and involving the persons concerned.</p> <p>In accordance with section 9(2) of the NHeimG (Residential Accommodation Act of Lower Saxony), the persons charged by the supervisory authority to conduct inspections are authorized:</p> <ul style="list-style-type: none"> to enter the property used for the facility and the facility premises. However, rooms that fall under the respective resident's domiciliary right may be entered only with the resident's consent; to conduct inspections and surveys; to inspect the records pursuant to section 8 of the NHeimG; to contact residents, resident representatives and resident advocates; to examine, with the individual's consent, the state of the respective resident's care; and to question employees and persons working in the facility about its operations. 	<p>Employees of the Land Office for Social Affairs, Youth and Family are employees of the Land. As such, they are subject solely to the employment regulations of the Land. Dependence vis-à-vis persons outside the Land government is not given.</p>
		<p>There are no plans extending beyond this at present because it is already ensured that employees of a Land authority handle complaints on an independent basis.</p>	
NW		<p>The provisions set forth in section 8 of the <i>Wohn- und Teilhabegesetz NRW</i> (WTG - Accommodation and Participation Act of North Rhine-Westphalia) established extensive precautionary measures against all forms of violence in long-term care facilities and in facilities devoted to social integration which are also subject to monitoring by the WTG authorities.</p> <p>Should these rules be violated, the WTG authorities are in a position to recognize these violations and punish them under regulatory law.</p> <p>Under section 8 of the WTG, operators must put in place a complaint processing system.</p> <p>This system must, as a minimum, regulate:</p> <ol style="list-style-type: none"> 1. informing residents about their right to file complaints. A reference regarding the availability of the competent authority is also to be included in this information; 2. the appointment of a person to be responsible for handling complaints; 3. the specification of a reasonable time limit for processing complaints; and 4. the suitable documentation and evaluation of the complaints and of the type of 	

<i>Land</i>	<i>“Complaint agency”</i>	<i>Mode of operation and type of powers</i>	<i>Independent advisory services ensured? When yes, how?</i>
		action taken to settle them.	
		<p>The Krankenhausgestaltungsgesetz des Landes Nordrhein-Westfalen (KHGG NRW - Hospital Organization Act of the <i>Land</i> North Rhine-Westphalia) regulates the possibilities of lodging complaints for persons with a psychological impairment who are being treated in psychiatric hospitals. The respective hospital must ensure that an independent body accepts and processes complaints. Under section 5 of the KHGG NRW, “the hospital shall make arrangements to have an independent body receive and process patient complaints; this independent body should work closely with generally recognized institutions of preventive medicine and patient protection and with self-help bodies.”</p>	
		<p>In cases where treatment is provided in the course of confinement pursuant to the Gesetz über Hilfen und Schutzmaßnahmen bei psychischen Krankheiten (PsychKG NRW - Act on Assistance and Protective Measures in the Case of Mental Illness), means of lodging complaints in such cases are stipulated through a reference to the KHGG NRW. According to section 24 of the PsychKG NRW, “the persons concerned are to be informed [in hospitals] in an appropriate way of the name, address, area of responsibility and office hours of the members of the patient complaint agency pursuant to section 5 (1) of the KHGG NRW”. Within the framework of their duties, the members of the patient complaint agencies have the right to inspect the accommodations and treatment rooms and, in the event of identified shortcomings, to work to effect a change. They immediately inform the supervisory authority of any serious shortcomings. The ministry responsible for the health care system additionally appoints inspection commissions that make unannounced visits at least once in every twelve months to hospitals in which persons are confined pursuant to this law, and check whether the special responsibilities connected with the confinement of mentally ill persons are fulfilled (section 23, PsychKG NRW).</p>	
		<p>In the area of forensic psychiatry the Maßregelvollzugsgesetz Nordrhein-Westfalen (MRVG NRW - Forensic Psychiatry Act of North Rhine-Westphalia) provides for multi-tier administrative and functional supervision. When no legal provision has been made for exceptions that allow the delegation of tasks, the respective director of the Landschaftsverband Rheinland (Rhineland Regional Council) or the Landschaftsverband Westphalia-Lippe (Regional Council of Westphalia-Lippe) carries out the task of a lower public authority (section 29(2) of the MRVG NRW). This person is subject to the administrative and functional supervision of the <i>Land</i> Commissioner for Forensic Psychiatry who as a fundamental rule is also responsible for supervision of forensic psychiatry in North Rhine-Westphalia (section 31(1) and (3) of the MRVG NRW), in other words in the area of the transfer of functions as well. The supreme supervisory authority is the ministry responsible for health (section 31(1) MRVG NRW). As part of this multi-tier supervision, patients have the possibility of sending petitions or complaints verbally, in writing or electronically to supervisory authorities. The respective allegations are investigated. The author of the petition or complaint always receives a reply or notification. There is also the option of having the commitment order, the duration of the commitment as well as individual measures during the commitment reviewed by a court of law.</p>	
		<p>Under section 32 of the MRVG NRW, the aforementioned inspection commissions that have been set up pursuant to the PsychKG NRW are also responsible for forensic psychiatry. Persons who have been committed to forensic psychiatric hospitals of the Regional Council of Westphalia-Lippe can also contact a “complaint commission”. These commissions consist of politicians from all parliamentary groups belonging to the Health Care and Hospital Committee of the Regional Council of Westphalia-Lippe.</p>	
		<p>Both regional councils in North Rhine-Westphalia have, in their capacity as regional social welfare agencies and as bodies responsible for facilities and services, established mechanisms for the independent handling of complaints. Examples include the central complaint management system of the Rhineland Regional Council (LVR) (see Annex 1) and comparable instruments of the</p>	

<i>Land</i>	<i>“Complaint agency”</i>	<i>Mode of operation and type of powers</i>	<i>Independent advisory services ensured? When yes, how?</i>
		Regional Council of Westphalia-Lippe (LWL). Being the service provider, the LWL-Wohnverbund housing association ensures that complaints are handled by various means including a complaints commission that has been set up in the Regional Assembly (“parliament” of the Regional Council of Westphalia-Lippe).	
		In the context of the continued evaluation of the Concluding Observations, this subject will be brought into the consultations of the interministerial working group on the implementation of the UN Convention on the Rights of Persons with Disabilities and into the Advisory Council on Inclusion of the <i>Land</i> North Rhine-Westphalia.	
SL	<i>Landesheimgesetz Saarland</i> (LHeimGS - Residential Accommodation Act of Saarland)	The provisions of the LHeimGS establish far-reaching precautionary measures against every form of violence in long-term care facilities and in facilities devoted to social integration which are also subject to the control of the advisory and inspection authority pursuant to the LHeimGS. Annual unannounced inspections as stipulated by law and ad hoc inspections are conducted. Should these the provisions of the LHeimGS be violated, the advisory and inspection authority is in a position to recognize these violations and also punish them under regulatory law.	<i>Land</i> employees who are subject solely to the employment regulations of the <i>Land</i> . Dependence vis-à-vis persons outside the <i>Land</i> government is not given.
		In the context of the Bundeskinderschutzgesetz (Federal Child Protection Act) and in conjunction with especially sections 8b, 45, 79a of Book VIII of the German Social Code, child and youth welfare services are required to ensure that minors are protected against violence, to develop and implement internal participation and complaint mechanisms for children and to develop, apply and regularly review responsible, suitable quality criteria for ensuring the rights of children and youths in facilities.	
		As part of its quality assurance plan for advisory services on sexual abuse, the Saarland government has been working since mid-2000 together with the youth welfare offices of the rural districts and the regional council to improve child protection structures, and particularly to better intermesh the protection and assistance services offered for victims of sexual abuse.	
		The SOS-Kinderschutz und Beratung is the counselling centre of the SOS-Kinderdorf Saarbrücken e.V. association. In its capacity as a specialized counselling centre it has participated through its counselling and support services in the areas of prevention and intervention in Saarland’s quality assurance plan against the sexual abuse of children. Since autumn 2014 it has conducted the project “Child Protection Competence Centre for Advisory Services and Continuing Training” on behalf of the <i>Land</i> government of Saarland.	
		This project is 100% financed by the <i>Land</i> government through its provision of a part-time employee. This project is to continue the federal pilot project “National Continuing Training Campaign 2010 - 2014 to Strengthen the Capacity of Child and Youth Welfare Workers to Prevent Sexual Violence”, which the SOS counselling centre had been commissioned to conduct since 1 May 2011. This project has the following tasks:	
		<ul style="list-style-type: none"> • Teaching professionals working in facilities specialist knowledge on the subject of sexual violence against children and youths • Supporting management in connection with the development of preventive structures that prevent (sexual) violence (analysis of 	

Land	"Complaint agency"	Mode of operation and type of powers	Independent advisory services ensured? When yes, how?
		<p>potential facility-specific risks, dealing with them and implementing child protection standards and developing a culture of dealing with persons with disabilities in ways that respect their personal boundaries)</p> <ul style="list-style-type: none"> • Providing advice in connection with the implementation or refinement of binding processes for dealing with suspected or proven cases of sexual violence (in the facilities or outside of them) <p>The services offered by the Child Protection Competence Centre for Advisory Services and Continuing Training are aimed at the independent organizations that provide welfare services for children, juveniles and persons with disabilities and at their facilities.</p> <p>The objectives of this project can be summarized as follows:</p> <ul style="list-style-type: none"> • Sustained protection of girls and boys against sexual violence and inappropriate contact - with particular attention being directed to the special circumstances of persons with disabilities in an institutional environment. • Providing comprehensive training for the specialized personnel working in the child and youth welfare services, and particularly in facilities devoted to social integration. • Anchoring in the facilities' quality management systems prevention measures and codes of practice for dealing with sexual violence. • Ensuring institutional structures that hinder the occurrence of sexual violence. • Well-formulated, clear and binding child protection orientation during personnel selection and development. • Establishing a complaint management system that incorporates external counselling centres - with special attention directed to the special needs of children and youths with disabilities. 	
SN	Patient advocates (psychiatric hospitals and other psychiatric facilities) in all municipalities	<p>Laid down as a rule in law (section 4 of the PsychKG):</p> <ul style="list-style-type: none"> • Use of volunteer patient advocates who do not work in this type of facility, who advise, and accept and record patient wishes and complaints - • When serious shortcomings in the care being provided are determined and these shortcomings are not remedied within a reasonable period of time, the head of the facility, the organization funding the facility and the inspection commission are informed. 	Yes, for psychiatric hospitals, including psychiatric facilities (in accordance with section 4 of the PsychKG)

<i>Land</i>	<i>“Complaint agency”</i>	<i>Mode of operation and type of powers</i>	<i>Independent advisory services ensured? When yes, how?</i>
	Inspection commissions pursuant to section 3 of the PsychKG	<ul style="list-style-type: none"> • May receive / record complaints and conduct inspections pursuant to section 3(5) of the PsychKG. • The persons concerned may also notify the inspection commission in writing or by telephone of their complaints. 	Yes, in accordance with the PsychKG
	Inspection commissions pursuant to section 12 of the SächsIntegrG (Saxon Integration Act)	During the usually unannounced inspections of workshops for persons with disabilities, the support and care domains, residential facilities and their external residential groups, persons with disabilities and their legal representatives are to be given an opportunity to voice wishes or complaints pursuant to section 12(1) of the SächsIntegrG.	Yes, in accordance with section 12 of the SächsIntegrG
	<i>Heimmitwirkungsverordnung</i> (Ordinance on the Participation of Residents in Matters concerning the Operation of the Residential Facility) currently federal level (plans foresee it being incorporated into the SächsBeWoG (Care and Accommodation Quality Act of Saxony) in the course of the reform of Germany’s federal system)	Complaint agencies in all residential facilities	Yes, currently in accordance with federal law
	Kommunaler Sozialverband Sachsen (Association of Municipal Social Welfare Providers)/ Supervisory body for residential facilities	Hears stationary and part-time residential care facilities devoted to social integration and long-term care facilities regarding the detected shortcomings and advises them on remedial measures. When this is not sufficient, orders to remedy the shortcomings are issued.	Yes, the supervisory body is legally independent of the body responsible for the facility.
	Medizinischer Dienst der Krankenkassen Sachsen e.V.(MDK Sachsen e.V. - medical review board of the health insurance funds in Saxony) and the PKV-Prüfdienst (medical review	The MDK Sachsen and the PKV-Prüfdienst also process and investigate complaints in long-term care facilities. Following a hearing of the body responsible for the facility, the regional associations of long-term care insurance funds decide on remedial measures.	Yes, MDK Sachsen and PKV-Prüfdienst are legally independent of the bodies responsible for the facilities.

<i>Land</i>	<i>“Complaint agency”</i>	<i>Mode of operation and type of powers</i>	<i>Independent advisory services ensured? When yes, how?</i>
	board of the private health insurance funds)		
ST	Competent authority under the Wohn- und Teilhabegesetz LSA (Accommodation and Participation Act of Saxony-Anhalt)	Regular inspections and ad hoc inspections. Discussions with residents.	Yes, this authority is legally independent of the bodies responsible for the facilities.
	Committee for matters pertaining to psychiatric medical care, inspection commissions	This committee sets up inspection commissions which have the task of inspecting at least once a year the hospitals and other facilities in the area assigned them by the committee. When they deem it advisable, they can dispense with announcing their inspections in advance. Persons with disabilities have the right to correspond directly with the committee, the inspection commissions and their members. Monitoring or restricting this correspondence in either direction is not permitted.	Yes, the members of the committee, the inspection commissions and their representatives are not subject to instructions. They are bound to not to disclose confidential information.
	<i>Land</i> Commissioner for the Concerns of Persons with Disabilities (BBM)	When the <i>Land</i> Commissioner gains knowledge of facts indicating that persons with disabilities are being discriminated, the Commissioner together with public authorities clarifies the facts of the case and mediates between the parties involved. In this connection the Commissioner can ask for reports and statements, obtain information and examine files. Everyone has the right to contact the <i>Land</i> Commissioner for Matters Relating to Disabled Persons when he or she is of the opinion that the rights of persons with disabilities are being violated or that their concerns are not being appropriately responded to.	Yes, the BBM is not required to follow instructions from other bodies.
SH	Competent authority under the <i>Selbstbestimmungsgesetz</i> (SbStG - Act to Strengthen the Self-determination and Protection of Persons Who Require Care or Have Disabilities)	The competent authority under the SbStG has the task of realizing the rights of adults with disabilities. These rights include: 1. Safeguarding and promoting their independence, self-determination, self-responsibility, equal participation in social life; 2. Protecting their dignity, privacy, interests and needs against impairment; 3. Ensuring the quality of the housing, care and support which complies with	Competent authority under the SbStG

<i>Land</i>	<i>“Complaint agency”</i>	<i>Mode of operation and type of powers</i>	<i>Independent advisory services ensured? When yes, how?</i>
		<p>the generally accepted state of specialist knowledge in the field;</p> <p>4. Safeguarding their interests as consumers;</p> <p>5. Meeting the obligations and duties incumbent on the service providers and facility operators vis-à-vis persons who require care or have disabilities.</p> <p>For this purpose, the authorities conduct regular inspections on a yearly basis as a rule. Ad hoc inspections, for example in response to complaints, are also permissible (section 20 of the SbStG). Inspections are not announced in advance.</p> <p>The persons conducting the inspections may, for example, enter the property and rooms used for the facility, contact the residents and ask employees questions.</p> <p>Depending on the type of shortcoming, the competent authority has the power to advise, issues orders, impose an employment ban or a ban on operations.</p>	
	Residents’ advisory board pursuant to SbStG	The residents’ advisory board is elected by the residents of a facility to represent their interests. Its responsibilities include participating in measures to promote the quality of the housing and care; forwarding complaints and suggestions to the facility management; and discussing and negotiating them with the management.	Residents’ advisory board pursuant to SbStG
	<i>Land</i> -wide hotline pursuant to SbStG	Persons in need can call the number 01802 - 494847 (6 cents per call) for advice and assistance. Social pedagogues, psychologists, lawyers, nurses and professional caregivers provide tips concerning any critical care situation and, if desired, can connect or put the caller in touch with a local point of contact. This service is available 24 hours a day, seven days a week, including Sundays and holidays.	The PflegeNotTelefon (care hotline) is financed by the Ministry of Social Affairs of the <i>Land</i> Schleswig-Holstein and coordinated by the Schleswig-Holstein regional association of the Workers’ Welfare Association AWO as a project for a group of 50 organizations and associations in the nursing care and health care sector.

<i>Land</i>	<i>“Complaint agency”</i>	<i>Mode of operation and type of powers</i>	<i>Independent advisory services ensured? When yes, how?</i>
TH	Supervisory authority for residential facilities	According to section 1 of the <i>Thüringer Wohn- und Teilhabegesetz</i> (ThürWTG - Accommodation and Participation Act of Thuringia) the supervisory authority for residential facilities is responsible for overseeing the protection that is to be provided by the state for older persons, persons with disabilities and adults who require care in residential facilities or in sheltered housing with social worker support. The level of protection is based on the degree of structural dependence arising from the individual’s particular living, care and assistance situation, the choice of living arrangement and the underlying contractual agreements for this.	
	Inspection commission pursuant to section 24 of the ThürPsych KG and section 43 of the <i>Thüringer Maßregelvollzugssetzung</i> (ThürMRVG - Forensic Psychiatry Act of Thuringia)	Visits / inspections of stationary facilities in which mentally ill persons are confined	Inspection commission pursuant to section 24 of the ThürPsych KG and section 43 of the ThürMRVG
	Patient advocate pursuant to section 25 of the ThürPsych KG and section 22 of the ThürMRVG	Visits / inspections of stationary facilities in which mentally ill persons are confined; Access to the files	Dependent on instructions pursuant to the law