Covid-19 Pandemic - A Determining Factor in the Increase of Violence Against Women. Case study: France

Claudia GILIA¹

¹ Assistant professor, Valahia
University of Târgoviște, Faculty of
Law and Administrative Sciences,
Târgoviște, giliaclaudia@yahoo.com

Abstract: Violence against women, regardless of their nature, remains a scourge that societies have been struggling with for a very long time and which, unfortunately, for various reasons are difficult to eradicate. Among the many side effects of the Covid-19 pandemic, it has become clear that the current health crisis provided a breeding ground for an increase in domestic and intra-family violence. In France, the incidence of violence against women is estimated to have increased by 30% during the first round of containment. Our study aims to analyze the situation in the French system, to present the legislative framework in this area, but also the institutions with a major role in the fight against violence.

Keywords: *COVID-19 crisis, lockdown, physical/ sexual violence, domestic violence, victims, protection.*

How to cite: Gilia, C. (2020). Covid-19 Pandemic - A Determining Factor in the Increase of Violence Against Women. Case study: France. *Journal for Ethics in Social Studies*, 4(1), 70-82.
<https://doi.org/10.18662/jess/4.1/29>

1. Preliminary considerations

Violence is a harmful phenomenon that affects people's normal lives. Violence against women is a violation of human rights with a wide incidence and a devastating impact, found all over the world. Violence against women has become a phenomenon that seems to be escalating and, unfortunately, it is met more and more often within the family, where, in fact, women should be protected. The figures from the latest statistics show the scale of the phenomenon and the diversity of the forms of violence.

Table no. 1 – Types of violence within the couple

Source: Centre Hubertine Auclert (2020)

Types of violence within the couple	Forms of manifestation
Physical violence	Choking, burns, subtraction of persons
Verbal violence	Insults, threats, intimidation
Psychological violence	Humiliation, emotional blackmail, ban on meeting friends and family
Sexual violence	Rape, other sexual acts, exhibitionism, voyeurism, administration of substances for the purpose of rape or sexual assault, sexual harassment, sexual mutilation, forced marriage
Material violence	Breaking objects, throwing objects
Economic violence	Control of expenses, of livelihoods, banning work
Confiscation of documents	Identity card, passport, family booklet, health card, diplomas
Cyber violence	Cyber harassment, cyber bullying

France already has one of the highest rates of domestic violence in Europe. Every year, it is estimated that 219,000 women, aged between 18 and 75, face physical or sexual violence by current or former partners, but only 20% report it. According to official figures (Center Hubertine Auclert, 2020), a woman is killed by a partner or an ex-partner every three days.

Table no. 2 - Victims of mental and / or sexual violence by their partner or ex-partner during a year
Source: Centre Hubertine Auclert (2020)

Types of violence	Average number of women victims / year	% of the total population
Victims of mental and / or sexual violence by the partner	219 000 ¹	1,0
Victims of psychological violence	154 000	0,7
Victims of sexual violence only	32 000	0,1
Victims of psychological and sexual violence	33 000	0,3

Statistics also show that one in five victims of mental and / or sexual violence in a couple says they have filed a complaint. Three out of ten women (28%) went to the police station or the gendarmerie and only 19% filed a complaint. A very high percentage (72% of the victims) did not take any action against the aggressor by appealing to the competent authorities.

Figure no. 1 – Percentage of women victims of mental and / or sexual violence who have taken action with the help of professionals
Source: Author's own compilation

¹ Of the 219,000 victims: 154,000 were victims of psychological violence alone, 32,000 of sexual violence alone, and 33,000 of both types of violence.

Unfortunately, 44% (CVS, 2019) of the victims did not take any action before any authority - the data come from the survey "Cadre de vie et sécurité (CVS)", which took into account women aged between 18 and 75 years, living in metropolitan France (CVS, 2019).

2. Institutions responsible for protecting victims of violence in France

At present, there is a Ministry of Equality, Diversity and Equal Opportunities that operates within the French Government (<https://www.egalite-femmes-hommes.gouv.fr/>).

In the French system, a High Council for Equality between Women and Men was created by presidential decree in January 2013 (President of France, 2013). This institution was subsequently regulated by the Equality and Citizenship Act of 2017 (French Parliament, 2017). This institution has been entrusted with a new mission, that of issuing an annual report on the state of sexism in France.

There is also a Directorate-General for Social Cohesion (DGS), which coordinates the action of public authorities, in particular in the field of equality between women and men and the promotion of women's rights. The Women's Rights and Gender Equality Service (WRGES) of the Directorate-General for Social Cohesion, under the authority of the Minister for the Protection of Women's Rights, coordinates the inter-ministerial action on women's rights and equality between women and men. A decentralized network implemented within the homeland territory, but also in the overseas territories, allows to carry out a series of actions that are coordinated to the actual problems as best as possible.

At a regional level, there is a regional directorate on women's rights and equality between men and women, under the authority of the prefect, an institution that is responsible for implementing all policies in the field. This institution also has the mission of preventing and combating violence against women and lead all necessary actions to achieve this goal in addition to local authorities, socio-economic bodies and various associations.

At the departmental level, those responsible for the protection of women's rights and equality between women and men are under the authority of the prefect of the department or the director of the departmental directorate for social cohesion and their main mission is the promotion of public policies for the protection of women's rights and equality.

3. The regulatory framework for the prevention of violence, protection of victims and the sanctioning of crimes against women and minors

In recent years, the French legal framework has been strengthened, along with the adoption of a series of normative acts to sanction various acts of violence, but also to prevent and repress sexist and sexual violence.

Table no. 3 - The regulatory framework for the prevention of violence, protection of victims and the sanctioning of crimes against women and minors in France

Source: Author's own compilation

Legislative act	Main provisions
Law no. 2018-703 of August 3rd, 2018 strengthening the fight against sexual and gender-based violence (French Parliament, 2018)	<ul style="list-style-type: none"> - aims to better prevent violence, provide more support for victims and punish perpetrators; - sets a limitation period of 30 years for sexual crimes committed against minors; - strengthens the protection of minors against sexual assault and rape by an adult; - introduces a new crime, involving verbal harassment in the street; - fights against new forms of aggression: digital raids on social networks, upskirting or voyeurism, rape drug; - a special regulation in the field, established by the Law of 24 June 2020 aimed at combating hate speech on the Internet, established an Online Hate Observatory within the Superior Audiovisual Council (CSA). Bringing together all Internet operators, as well as associations and administrations, this tool helps to better regulate and establish more effective detection and treatment systems for victims (French Parliament, 2020).
Law no. 2018-274 of March 7th, 2016 relating to the law of foreigners in France (French Parliament, 2016a)	- strengthens the protection of victims of violence by introducing the principle of the first automatic renewal of a temporary residence permit obtained as a French spouse when the holder justifies being a victim of domestic or family violence. The same applies to the first renewal of the temporary residence permit granted for family reunification.
Law no. 2017-86 of January 27th, 2017 relating to equality and citizenship (French Parliament, 2016a)	- the High Council for Equality between Women and Men is formed. This body is required to submit an annual report to the Prime Minister or Minister for Women's Rights, which is then made public.

Law no. 2016-444 of April 13, 2016 on strengthening the fight against the prostitution system and supporting prostitutes (French Parliament, 2016b)	<p>- this amendment, which was made to strengthen the fight against the prostitution phenomenon and to support prostitutes, extends the reporting of illegal content on the internet to acts that promote the use of human trafficking and / or the purchase of such services. It creates a way out of prostitution and social and professional integration for the benefit of any person who is a victim of prostitution, procurement and sexual exploitation;</p> <p>- penalizes the purchase of sexual services and repeating this behavior (offense punishable by a fine of 3.750 euros). The aggravating circumstance of committing certain crimes (torture and acts of barbarism, rape, sexual assault, violence) against a prostitute during the act of prostitution is introduced.</p>
Law no. 2015-993 of August 17, 2015 adapting the criminal procedure to European Union law (French Parliament, 2015a), that transposed the European Directive laying down minimum rules on the rights, support and protection of victims of criminality no. 20112/29 / EU of 25 October 2012	- the novelty in this law is the introduction of an article numbered as 10-5 in the Criminal Procedure Code, on the personalized assessment of victims to determine whether they need specific protection measures during criminal proceedings. Decree no. 201-214 of February 26, 2016 (French Prime Minister, 2016) on the rights of victims established the conditions for the application of this personalized assessment. Women victims of sexual and domestic violence, who are particularly exposed to the risk of retaliation or intimidation by the perpetrator, as well as the risk of secondary victimization, are particularly protected by these provisions.
Law no. 2015-925 of July 29, 2015 relating to the reform of the right to asylum (French Parliament, 2015b)	- this regulation has improved the protection of women asylum seekers who have been victims of violence. Thus, the law established the principle that gender issues must be taken into account in the interpretation of the 5 grounds for persecution of the Geneva Convention relating the status of refugees;
Law no. 2014-873 of August 4, 2014 for real equality between women and men (French Parliament, 2014)	- this law has significantly improved the prevention and combating of violence against women by strengthening sanctions and prosecution, as well as by supporting victims with the help of long term protective measures. The law has improved the order of protection for victims of violence within the couple. Children are also better protected: the scope of the protection order extends to

	<p>cases of violence against children within the family, while criminal courts can now convict a father or mother of the crime of intentional violation of the physical or psychological integrity of the child or the other parent. This will lead to the total or partial withdrawal of parental authority;</p> <ul style="list-style-type: none"> - the law has also strengthened the fight against all forms of harassment, including penalizing new offenses in order to punish other forms of harassment, such as repeated sending of malicious e-mails or the recording and dissemination of sexual harassment; - the law establishes the obligation to integrate modules on domestic violence and, in particular, on women in the curricular content for initial training of certain professions; - also, in order to fight against sexism and protect the image and rights of women and children, the prerogatives of the Superior Audiovisual Council have been extended: the new regulations must ensure the correct representation of women, promote equality between women and men in the fight against sexist stereotypes, degrading images and violence against women and domestic violence.
Law no. 2012-954 of August 6, 2012 relating to sexual harassment (French Parliament, 2012)	<ul style="list-style-type: none"> - the regulation provides a more precise and broader definition of the crime of sexual harassment. The new regulations increases the maximum penalties and penalizes discrimination against victims of sexual harassment. Finally, it strengthens the prevention of sexual harassment in the work place; - art. 222-33-I of the French Criminal Code provides that "sexual harassment is the act repeatedly forced on a person consisting of approach or behaviors with sexual connotations that harm their dignity, due to their degrading and humiliating nature, or create an intimidating, hostile or offensive situation"; - the aim is clear: to prevent this crime, to encourage victims to report the facts quickly and, for those around them, to testify about the acts of harassment they observe, thus strengthening the mechanisms of punishing the crime.
Law no. 2010-769 of July 9, 2010 on violence specifically against women, violence within	<ul style="list-style-type: none"> - the law marks a new step in the fight against violence related to women. It provides the judge with the means to prevent violence by giving him an innovative procedure, the order to protect victims. This legal framework adapts the legal arsenal for all forms of violence and uses new

couples and the impact of the latter on children (French Parliament, 2010)	technological means to strengthen the protection of women who are victims of violence.
Law no. 2006-399 of April 4, 2006 reinforcing the prevention and repression of violence within the couple or committed against minors (French Parliament, 2006)	- this regulation increases the scope of aggravating circumstances for new participants in the commission of a crime and recognizes rape between spouses.

This is a very useful tool for victims of violence, but also for the general public, because it offers a wide range of information: from the relevant legislation, to the means and instruments of victim's protection, to the listing of associations that can provide advice to victims, to the telephone numbers available for counseling cases of violence, as well as telephone numbers of authorities that may intervene in situations of violence. Telephone number 3919, surnamed "Violences Femmes info", is the national number for women who are victims of violence, for their relatives and for counseling professionals since 2014. The call is free, and can be used both in the French metropolis and in the Overseas Territories, 7 days a week, from 9 am to 10 pm on Mondays to Fridays and from 9 am to 6 pm on Saturdays, on Sundays and public holidays. Telephone number 0 800 05 95 95, surnamed "SOS Viols Femmes Informations", is a national number for victims of rape or sexual assault, close relatives of victims and counseling professionals. The call is free. Victims can call the number from Monday to Friday between 10 am and 7 pm.

On September 3rd, 2019, under the patronage of the French Prime Minister, the Government launched the action called "Grenelle des violences conjugales" [Preparing for domestic violence] (State Secretariat Responsible for Equality Between Women and Men and the Fight Against Discrimination, 2019). Eleven thematic working groups bringing together associations, experts, families of victims, as well as all specialized institutions have drawn up a package of ten emergency measures.

Oriented around three key axes: prevention, protection and sanction, 46 measures were drawn up in 2019. Among these, we mention:

- *bracelets for monitoring aggressors and the establishment of protection orders* - introduced in September 2020, this device is used in criminal matters, including as part of the procedure of judicial review, but can also be issued by a judge for family matters on the basis of a protection order;

- *1000 additional sheltered housing units will be created in the period 2020-2021* - at the end of 2021, in France, there will be 7,700 housing units for women victims of violence;

- *the conclusion of 53 departmental agreements allowing complaints on domestic violence are to be lodged in hospitals* - of the 213,000 women victims of physical, psychological or sexual violence, only 18% have lodged a complaint - in this context, as doctors are the first professionals to be addressed by victims, it was important to coordinate the work between the police and the management of hospitals and clinics, together with the regional health agencies, so that in these locations women are allowed to lodge complaints;

- *the opening of 18 care centers for perpetrators of domestic violence in 2020;*

- *hiring an additional 67 social workers in the gendarmerie and police stations to support the reception of victims of violence* - this number joins the 282 already existing social workers.

The Covid-19 pandemic has led to health problems and an alarming increase in domestic violence, often directed against women. Restricting freedom of movement during the pandemic has led to a 30% increase in domestic violence in France. Thus, among the registered sexual violence, the number of rapes or attempted rapes accounted for 45% of crimes in 2020, as compared to previous years (42% in 2019, 40% in 2018). Significant increase in sexual violence recorded in recent years is explained in particular by an evolution in the behavior of victims, who have not remained silent and have filed complaints. The case of Harvey Weinstein and the reactions on the social networks (#MeToo, #AgressionNonDenoncee) played a major role.

The Interministerial Mission for the Protection of Victims and the Fight against Trafficking in Persons (MIPROF, 2020) prepared a Report which it submitted to the Minister of Equality between Women and Men in July 2020, which revealed the increased number of domestic violence during the lockdown. The report also showed that the authorities have introduced new procedures to support victims, such as the platform "Arrêtons les violences" (<https://arretonslesviolences.gouv.fr/>), SMS 114 (this SMS number, originally used for emergencies by deaf or hearing impaired people, was extended from 31 May 2020 for victims of domestic violence), FLAG application.

A report prepared by the Ministry of Internal Affairs (2020) in January 2021 shows that the number of sexual violence crimes has increased compared to previous years.

Table no. 4 – Statistics on sexual violence

Source: Ministry of Internal Affairs (2021)

Types of violence	2020	2019	2018
	54 800	53 200	47 400
<i>Rape</i>	24 800	22 300	18 800
<i>Other sexual assaults (sexual harassment included)</i>	30 100	30 900	28 700

Table no. 5 – Statistics on sexual violence during the 2020 lockdown

Source: Ministry of Internal Affairs (2021)

Note - The reporting was made as compared to the same time periods in 2019

Sexual violence	First lockdown March 17, 2020 - May 10, 2020	Second lockdown October 30, 2020 - December 14, 2020
	- 55	5

New tools to give alerts on violence have been put in place during the pandemic crisis. Thus, the Minister of Internal Affairs, Christophe Castaner, said in 2020 that a woman who is a victim of violence could file a complaint with the pharmacy. If the victim was accompanied by the aggressor spouse / partner, she could use a Code - example - "MASQUE19". For her part, Marlène Schiappa, Secretary of State for Gender Equality, spoke in 2020 about setting up "temporary support locations" in shopping malls for victims of aggression from households.

During 2021, the budget allocated to the construction of 1000 sheltered housing for victims of violence has increased from 5 million euros to 10 million euros ("Domestic Violence", 2021). The government has also allocated 360 million euros to the fight against violence.

4. Conclusions

Analyses carried out by various French authorities have revealed an increase in the number of victims of various types of violence during the health crisis. Unfortunately, most of these victims are women. Also, the Covid-19 pandemic only exacerbates certain violent behaviors, which require rapid intervention by the state and society.

The French authorities have tried, through the measures they have taken, to support victims of violence, but also to take a series of actions to prevent such violence.

Violence against women is happening everywhere, there is no safe haven. It is our responsibility, of all of us, to work to prevent, unequivocally reject and condemn all forms of violence against women. No one should remain impassive to this phenomenon.

References

- Cadre de Vie et Sécurité (CVS). (2019). Rapport d'enquête "Cadre de vie et sécurité" 2019: Victimation, délinquance et sentiment d'insécurité [Investigation report "Living environment and security" 2019: Victimization, delinquency and feeling of insecurity]. <https://www.interieur.gouv.fr/Interstats/Actualites/Rapport-d-enquete-Cadre-de-vie-et-securite-2019>
- Centre Hubertine Auclert. (2020). Cyberviolences conjugales. Repérer, accompagner, orienter les victimes [Domestic cyberviolence. Identifying, supporting, guiding victims]. https://www.centre-hubertine-auclert.fr/sites/default/files/fichiers/guide-a4-cyberviolences-conjugales-web_1.pdf
- French Parliament. (1994). Code pénal [Criminal Code]. <https://www.legifrance.gouv.fr/codes/id/LEGITEXT000006070719/>
- French Parliament. (2006). Loi no. 2006-399 du 4 avril 2006 renforçant la prévention et la répression des violences au sein du couple ou commises contre les mineurs [Law no. 2006-399 of April 4, 2006 reinforcing the prevention and repression of violence within the couple or committed against minors]. <https://www.legifrance.gouv.fr/loda/id/JORFTEXT000000422042/>
- French Parliament. (2010). Loi n° 2010-769 du 9 juillet 2010 relative aux violences faites spécifiquement aux femmes, aux violences au sein des couples et aux incidences de ces dernières sur les enfants [Law no. 2010-769 of July 9, 2010 on violence specifically against women, violence within couples and the impact of the latter on children]. <https://www.legifrance.gouv.fr/loda/id/JORFTEXT000022454032/>

- French Parliament. (2012). Loi no. 2012-954 du 6 août 2012 relative au harcèlement sexuel [Law no. 2012-954 of August 6, 2012 relating to sexual harassment]. <https://www.legifrance.gouv.fr/loda/id/JORFTEXT000026263463/>
- French Parliament. (2014). Loi no. 2014-873 du 4 août 2014 pour l'égalité réelle entre les femmes et les hommes [Law no. 2014-873 of August 4, 2014 for real equality between women and men]. <https://www.legifrance.gouv.fr/loda/id/JORFTEXT000029330832/>
- French Parliament. (2015a). Loi no. 2015-993 du 17 août 2015 portant adaptation de la procédure pénale au droit de l'Union européenne [Law no. 2015-993 of August 17, 2015 adapting the criminal procedure to European Union law]. <https://www.legifrance.gouv.fr/loda/id/JORFTEXT000031045937/>
- French Parliament. (2015b). Loi no. 2015-925 du 29 juillet 2015 relative à la réforme du droit d'asile [Law no. 2015-925 of July 29, 2015 relating to the reform of the right to asylum]. <https://www.legifrance.gouv.fr/loda/id/JORFTEXT000030949483/>
- French Parliament. (2016a). Loi no. 2016-274 du 7 mars 2016 relative au droit des étrangers en France [Law no. 2016-274 of March 7th, 2016 relating to the law of foreigners in France]. <https://www.legifrance.gouv.fr/loda/id/JORFTEXT000032164264/>
- French Parliament. (2016b). Loi no. 2016-444 du 13 avril 2016 relative au renforcement de la lutte contre le système prostitutionnel et à l'accompagnement des personnes prostituées [Law no. 2016-444 of April 13, 2016 on strengthening the fight against the prostitution system and supporting prostitutes]. <https://www.legifrance.gouv.fr/loda/id/JORFTEXT000032396046/>
- French Parliament. (2017a). Loi no. 2017-86 du 27 janvier 2017 relative à l'égalité et à la citoyenneté [Law no. 2017-86 of January 27th, 2017 relating to equality and citizenship]. <https://www.legifrance.gouv.fr/loda/id/JORFTEXT000033934948/>
- French Parliament. (2018). Loi no. 2018-703 du 3 août 2018 renforçant la lutte contre les violences sexuelles et sexistes [Law no. 2018-703 of August 3rd, 2018 strengthening the fight against sexual and gender-based violence]. http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=107603
- French Parliament. (2020). Loi no. 2020-766 du 24 juin 2020 visant à lutter contre les contenus haineux sur internet [Law no. 2020-766 of June 24, 2020 aimed at combating hateful content on the internet]. <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000042031970>
- French Prime Minister. (2016). Décret no. 2016-214 du 26 février 2016 relatif aux droits des victimes [Decree no. 2016-214 of February 26, 2016 on the rights of victims]. <https://www.legifrance.gouv.fr/loda/id/JORFTEXT000032113212/>

- Interministerial Mission for the Protection Of Women Against Violence and the Fight Against Trafficking (MIPROF). (2020). Les violences conjugales pendant le confinement : evaluation, suivi et propositions [Domestic violence during confinement: Evaluation, follow-up and proposals]. <https://www.egalite-femmes-hommes.gouv.fr/wp-content/uploads/2020/07/Rapport-Les-violences-conjugales-pendant-le-confinement-EMB-23.07.2020.pdf>
- Ministère chargé de l'Egalité entre les femmes et les hommes, de la Diversité et de l'Egalité des chances. (n.d.). Homepage. <https://www.egalite-femmes-hommes.gouv.fr/>
- Ministry of Internal Affairs. (2020). Insécurité et délinquance en 2020 : Une première photographie - Interstats Analyse no. 32 [Insecurity and delinquency in 2020: A first snapshot - Interstats Analysis no. 32]. <https://www.interieur.gouv.fr/Interstats/Publications/Interstats-Analyse/Insecurite-et-delinquance-en-2020-une-premiere-photographie-Interstats-Analyse-N-32>
- President of France. (2013). Décret n° 2013-8 du 3 janvier 2013 portant création du Haut Conseil à l'égalité entre les femmes et les hommes [Decree no. 2013-8 of January 3rd, 2013 establishing the High Council for equality between women and men]. <https://www.legifrance.gouv.fr/loda/id/JORFTEXT000026894625/>
- State Secretariat Responsible for Equality Between Women and Men and the Fight Against Discrimination. (2019). Arrêtons les violences. De la mobilisation à l'action [Let's stop the violence. From mobilization to action]. https://www.egalite-femmes-hommes.gouv.fr/wp-content/uploads/2019/11/DP_De_la_mobilisation_a_la_mobilisation_a_laction.pdf
- Violences conjugales : le gouvernement s'engage à investir davantage dans l'hébergement [Domestic violence: Government pledges to invest more in accommodation]. (2021, April 30). https://www.lepoint.fr/societe/violences-conjugales-le-gouvernement-s-engage-a-investir-davantage-dans-l-hebergement-30-04-2021-2424381_23.php#