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COMMONWEALTH  
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ASSOCIATION UK 

 UK  
Parliament

 Foreign, Commonwealth  
& Development Office

# LEGISLATIVE STRENGTHENING SEMINAR

TO ADDRESS  
GENDER-BASED VIOLENCE

*Report*





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# C ONTEXT

CPA UK's *Legislative Strengthening Seminar to Address Gender-Based Violence* took place between 22-24 October 2024. In parallel, a seminar to address modern slavery in supply chains also took place. Across both programmes, over 50 parliamentarians and legislative officials from 17 Commonwealth countries attended.

The seminar was part of a multi-year project designed to increase the ability of parliamentarians to address these issues and ultimately lead to a reduction in violence against women and girls and exploitation in (global) supply chains.

The seminar followed and built upon the knowledge established in an awareness-raising workshop which took place in Nairobi in November 2023. Many of the delegates who took part in the workshop also participated in this seminar, along with many new delegates and legislatures.

Whereas the Nairobi workshop sought to develop a core understanding of the issues and ways to raise awareness of them, this seminar aimed to increase the ability of parliamentarians to introduce, develop or strengthen legislation.

# KEY TAKEAWAYS

02

## FROM THE SEMINAR

### IDENTIFYING THE PROBLEM

- **Investigate** how effective current laws are and **identify gaps** in existing legislation.
  - **Analyse data** to understand **how well reported, enforced, and prosecuted** an individual crime is. This can inform understanding of how effective existing legislation is and how well it has been **implemented**.
  - Access a **diversity of sources** to **verify** government reporting.
  - Appoint a **dedicated commissioner** to **investigate** the impact specific **legislation** has on crime and justice. This has proved to be an effective use of resources in some jurisdictions.
  - **Consult** the public, experts, stakeholders and people with lived experience to gather **evidence** on the impacts of existing or proposed legislation.
  - For drafters: undertake a **pre-consultation** to work out exactly what the law is in a particular area, **identify** any **gaps** in legislation and create potential solutions.
- **Pre-legislative scrutiny** provides a mechanism for parliament to hear **evidence** from **diverse stakeholders** operating on the ground; collect data, including from novel methods made available through AI; and take account of **survivor perspectives** before a bill is formally introduced.

- **Post-legislative scrutiny**, through mechanisms such as **parliamentary committees**, allows parliamentarians to research and publish evidence on the **effectiveness of laws** and/or their implementation. This provides a platform for parliamentarians to **raise awareness** of ineffective legislation, issue **recommendations** and **advocate** for legislative change.
- Consider ways to **ensure** that post-legislative scrutiny **occurs**:
  - Introduce **systemic changes** so that post-legislative scrutiny is **mandated to occur** after a certain time period. This could include statutory duties requiring the government to report to parliament on the implementation and impact of legislation by the end of the parliament.
  - Make post-legislative scrutiny a legal requirement when passing legislation.

### *Discussed example*

When passing the *Fighting Against Forced Labour and Child Labour in Supply Chains Act* in Canada, legislators included a clause compelling post-legislative scrutiny to be conducted after five years.

## STRENGTHENING THE LAW

- **Considerations for legislation**
  - Before drafting definitions, undertake policy work to **identify** the **specific** abuse legislation seeks to address.
  - Proscribe **clear definitions** of forms of gender-based violence to ensure crimes can be **identified** and **charged** with confidence.
  - **Simplify** legislation where possible and appropriate. Delegates noted that the complexity of laws has resulted in **low levels of prosecution** and lengthy legal proceedings.
- Implementing **gender-sensitive scrutiny** of legislation as a **standard parliamentary practice** could ensure that legislation does not discriminate against any groups and that every opportunity to **enhance gender equality** is taken.
  - Introduce **standardised practices** to ensure that gender-sensitive scrutiny always takes place.

### *Discussed example*

Australia has introduced a requirement for all new policy proposals to undergo a 'Gender Analysis Summary' which aims to inform decision-makers on whether proposals will have a gendered impact.

For more information see:

<https://www.pmc.gov.au/resources/including-gender-aps-guide-gender-analysis-and-gender-impact-assessment>

## ADVOCATING FOR LEGISLATIVE CHANGE

- **Effective use of international conventions**

- International conventions often provide principles which are adopted in national legislation.
  - **Follow** these **principles** to **guide** areas of focus for legislation.
  - **Committee members** can also follow these principles to guide government **scrutiny** and inform **recommendations**.
- **Contrast** international **obligations** against **existing legislation**, providing an effective platform to advocate for legislative reform.

### *Discussed example*

In 2017, a UK parliamentarian introduced a Private Member's Bill requiring the UK Government to ratify the Istanbul Convention on preventing and combatting violence against women and girls. The PMB pointed out the delay in ratification and raised awareness of the issue to the public, placing pressure on the government to make progress. It also called on the government to take steps to make the law practice in the UK.

For more information see:

<https://commonslibrary.parliament.uk/research-briefings/cbp-7829/>

- Note that conventions can also be **negatively received**. For example, the CEDAW convention has not been ratified in all countries as it can be **seen to oppose** traditional patriarchal land laws. Advocates for their adoption should consider **how to place them** in a local/national context.

- **Cross-party and cross-sector collaboration** is important when dealing with **politically sensitive issues**. It puts external **pressure** on party leaders and governments to consider proposals.
- **All Party Parliamentary Groups (APPGs)** provide a useful forum for parliamentarians from all parties and stakeholders to **collaborate** on matters of **shared interest**.
- **Proactive media and social media campaigns** can **raise awareness** of existing laws, individual rights, and legislative proposals.
  - Use **clear language** to describe the **benefits** of changing legislation.
  - Focus the **media's attention** on an issue to create external **pressure**, helping to ensure that governments deliver on **assurances** and parliaments **complete the passage** of legislation.
- **Community outreach and engagement** can increase **citizen awareness** of the issues and **encourage victims** to come forward.
  - Consider provisions to enhance engagement with **rural communities**.
  - Consider ways to **overcome stigma** to engage a greater number of men in conversations on GBV.
  - Form **alliances** with **community** and **religious leaders**; these figures are often best placed to spread messaging among hard-to-reach segments of communities.





# TAKING ACTION

03

Parliamentarians developed new legislative proposals to strengthen legislation on gender-based violence. Additionally, they produced action plans outlining key milestones, expected time frames and challenges.

Some delegates planned to introduce comprehensive new laws, while others planned to amend existing legislation. Proposals included:

- Laying a new bill to ensure that women have equal rights to land inheritance.
  - Introducing new laws to protect domestic workers.
- Conducting post-legislative scrutiny on existing laws to review enforcement of laws and determine recommendations to strengthen them.
  - Setting up shelters to support victims.

Delegates also pledged to engage in community outreach, organising town hall and village square meetings to raise awareness of the issues and individual rights at a grass roots level.



# NEXT STEPS

04

CPA UK will work with Commonwealth parliamentarians to support them in delivering on their action plans.

We will build on networks established at the seminar and continue to facilitate peer-to-peer learning.

Subject to further funding, CPA UK hopes to extend the project into a third year, bringing Commonwealth parliamentarians together again to consider ways to strengthen actions to address gender-based violence.



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