

ASSIGNMENT

In late April 2021, the government tasked the Swedish Gender Equality Agency with raising the level of knowledge about the situation of victims of violence who live with protected personal data, and of applicable legislation, with the focus on women and children. The assignment included observing the specific vulnerability of certain groups and was therefore implemented from a LGBTQ+ perspective, a disability perspective and a child rights perspective. The situation for adults and children exposed to honour-related violence and oppression have also been observed. On 31 March 2022, the Swedish Gender Equality Agency delivered an interim report on the assignment to the government. The final report was submitted on 31 March 2023.

Living with a protected identity

A summary of the Swedish Gender Equality Agency's assignment to increase knowledge of victims of violence who live with protected personal data

Swedish Gender Equality Agency
Gothenburg, August 2023
Ref. No.: ALLM 2021/132



A negative impact on life as a whole

Living with protected personal data has a negative impact on the entire life situation of women and children. It complicates everyday situations and turns what would otherwise be routine contacts into potential security threats. Being unable to provide personal data makes it difficult or even impossible for women to access society's support, assistance and services.

Many of the identified areas for improvement are relevant not only to those living with protected personal data but also to abused women and children in general, for example, the economic consequences, the need for long-term support and permanent housing, access to schools and children's need for a secure existence. However, living with protected personal data often exacerbates the situation.

When designing and developing support in this area, it is also important to give due consideration to the specific vulnerabilities of certain groups, the difficulties that may arise and how society can deal with them. For example, accessibility for people with intellectual or physical disabilities, or assessing the appropriate protection for children, young people and adults subjected to honour-related violence and oppression who live with protected personal data.

Facts:

There are three different types of protected personal data: protected Population Register data; which means being registered on a different location than where one actually lives; confidentiality marking, which alerts public authorities to the situation; and a new identity, which means being given a new name and personal identity number. The Swedish Tax Agency decides whether someone's data in the Population Register should be protected or on confidentiality marking. The Swedish Police Authority decides whether someone should be given a new identity.

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I didn't dare to report the violence against me. I reported the offence against the children to draw a line in the sand, but that had to be enough. It's better not to rub him up the wrong way. I don't really want him in prison because then the family will turn up on the doorstep, and you can't lock them all up. This all made perfect sense to them at the women's refuge but the social service's child welfare officer seemed to take it to mean that he couldn't be that dangerous, or I would have reported him.

Women and children living with protected personal data because of domestic violence

The Swedish Gender Equality Agency's interim report included the results of an interview study conducted on behalf of the agency with women and children living with protected personal data because of domestic violence. In the study, 86 women and 15 children were interviewed. In most cases, the perpetrator of violence was a man with whom the woman has had an intimate relationship; in many cases, the perpetrator was also the father of the woman's child(ren). Twenty per cent of the women were victims of honour-related violence and oppression, while a handful had been exploited in prostitution.

The violence is extensive and has serious consequences

The Swedish Gender Equality Agency can confirm that the violence that victims are subjected to is extensive and has serious consequences. Almost all of the women interviewed have been subjected to violence by a partner over an extended period of time. They have been subjected to physical, psychological, economic, sexualised and material violence to various extents. As a consequence of this violence, two thirds of the women have been diagnosed with post-traumatic stress disorder (PTSD), as have several of the children.

Many children live in daily fear

Several of the children describe violence against their mothers and that fear is something they live with every day. This fear often gives rise to physical symptoms. Older children are not only afraid for themselves; they also express the fear that their actions will result in harm to their mother or siblings.



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My daughter called the police. She was 14 years old. She said ‘I’m only a child and I can’t protect you anymore’. That’s when I understood that my children couldn’t take any more – I had to do something.

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I grabbed his shirt and shouted: ‘Please dad, stop’. He pushed me away. I was terrified that he would kill her. That fear stayed with me for many years. Somehow it felt like my fault, because I couldn’t stop him.

Foto Stina Gränfors

Serious deficiencies identified in society’s support

Many women have told various public authorities and professionals about the violence they are exposed to without receiving the support they need and are entitled to. It is also relatively common that a report of concern for a child has been filed. Deficiencies in society’s support have been identified with regard to:

- remaining securely in school;
- access to healthcare;
- protection against continued vulnerability, such as in relation to the child’s visits to a violent father;
- assessments and decisions concerning protected personal data and other protective measures;
- the ability of organisations to adapt to those living with protected personal data, such as with regard to gainful employment and applying for housing;
- post handling;
- public authorities’ processing of personal data; and
- long-term support and monitoring of the victim’s situation.

Difficulties in the labour market

Many of the women interviewed say that they have difficulty supporting themselves due to being forced to move away and leave their job on being given protected personal data, and that it has been difficult to find a new job. It is not unknown for employers to be suspicious about why a woman has changed jobs so often, or to be concerned that a threat against a woman might also threaten the workplace. Some of the women are unable to work full-time or part-time due to injuries inflicted by a violent partner.



They ask why I change job all the time. My answer varies. Sometimes I tell the truth, that I have problems with an ex and that he has turned up at my workplace and made threats. They listen but it's obvious that they don't see me as a safe bet. I've started studying now.



Foto Mostphotos

Long-term economic consequences

The consequences of economic violence against women are particularly far-reaching and may persist long after the relationship ends and protected personal data is granted. Many of the women in the survey have accrued debts as the perpetrator of violence has stopped meeting joint commitments such as bank loans, emptied the joint bank account or taken out new loans in the woman's name.



I paid our loans and fees for two years to avoid debts ending up with the enforcement authority. I didn't have the right to sell the apartment as we were married. He had the right of residence but wasn't liable to pay rent and interest. All the liabilities were mine. I guess it's the fault of the system.

Personal data disclosed

Several women explain that their personal data has been disclosed by, for example, social services, the courts, the Swedish Police Authority, the Swedish Prosecution Authority, the Swedish Tax Agency, schools and universities, the Swedish Social Insurance Agency, women's refuges, healthcare providers or private-sector organisations. This is often a matter of a wrongly addressed letter or email or that information has not been redacted as it should be.



After a meeting with social services, he had my telephone number. I think they'd left some papers lying out on the desk.



The women state that moving on multiple occasions is very expensive. For example, there are many bills for double accommodation, cleaning, security doors and personal alarms. Some must also pay travel expenses when a joint child visits the violent former partner.

Many children are forced into visitation

Both public authorities and non-governmental organisations highlight custody, residence and visitation as one of the greatest problems for women and children living with protected personal data. The right of a parent who has inflicted violence to have access to a joint child presents a very significant risk that protected personal data will be disclosed. It is not unusual for a woman to be forced into meeting the perpetrator of violence under various circumstances. Such circumstances also place an enormous responsibility on the child not to reveal where they live or any other information about their life situation.



After the last visit she was apathetic. A week later, the preschool called. She was sitting in a corner and had wet herself; she was screaming that she didn't want to see her father and that he had grabbed her and was going to kill her mother. She didn't want her mother to die. Social services reported the matter to the police but also said that they 'must remain neutral'.

CONCLUSIONS

Based on its assignment with women and children living under a protected identity because of domestic violence, the Swedish Gender Equality Agency can confirm the following:

- Women who live with protected personal data due to domestic violence and/or honour-related violence and oppression tend to have poorer mental and physical health and suffer more serious consequences if their personal data is disclosed, compared to people who have protected personal data for other reasons.

- Many women have told various public authorities about the violence they are exposed to without receiving the support they need and are entitled to.

- Support for children living with protected personal data is deficient, both during and after any stay in a women's refuge.

- The long-term support for women and children who are victims of violence and live with protected personal data is currently often dependent on efforts carried out by civil society organisations. Men in distance programmes have access to more structured and far-reaching support efforts.

- There are major differences between how social services and healthcare providers deal with, treat and support women and children living with protected personal data.

- Women and children living with protected personal data because of domestic violence do not have the same access to healthcare as other citizens

- Living with protected personal data has economic consequences such as increased expenses for moving, reminder fees and debt collection fees due to delayed post, obstacles to applying for housing support and difficulties finding and/or keeping a job that can be combined with the woman's need for protection.

- Both professionals and the women subjected to violence see the need for a single contact person as a guide and contributor to the societal support that women and children living with protected personal data need. It is vital that these contact persons have a clear mandate and that their work is followed up to ensure that the function is fulfilling its intended purpose.

- Certain groups with protected personal data are less likely to be reached by information efforts, especially younger children, people with disabilities, asylum seekers and newly arrived migrants.

- Information concerning protected personal data for women and children who are the victims of domestic violence must also include more advice about maintaining protection. This information must be conveyed repeatedly, not only in the acute phase.

- Public authorities need to take a holistic approach to protective measures in order to strengthen security for the individual. For example, there is a risk that a petition to extend the terms of a restraining order will reveal the whereabouts of a woman living with protected personal data. Any proposed legislative amendments need to be assessed based on the potential risks they present to women and children living with protected personal data.



- Court judgements on violent fathers' visitation rights endanger the protection of women and children who are victims of violence and make it more difficult to grant new identities. Forcing a child to spend time with a violent father may have extremely negative consequences for the child's mental health.

- Many actors who meet women and children living with protected personal data need greater competence in maintaining protection, through protected personal data and other protective measures. In cases involving children and young people subjected to honour-related violence and oppression, this may, for example, apply to foster homes, residential care homes and assisted living facilities for children and young persons, and legal representatives.

- The need for knowledge remains great among professionals, not least concerning the practical processing of protected personal data and an understanding of the potential consequences of disclosing such data.

- Over recent years, several public authorities have taken measures to develop expertise, working methods and procedures for the protection of personal data within their own organisations. That said, more needs to be done to disseminate and apply the results of this work within different agencies.

Long-term planning

In its final report on the assignment, the Swedish Gender Equality Agency has made a number of recommendations and put forward a proposal for a long-term plan for the development of work with the target group and follow-up over time. The recommendations include increased equality and improved quality assurance nationwide in terms of the support and protection provided to children, young people and adults who are subjected to violence, and that the rights of the child must be strengthened and advocated to a greater degree.

The long-term plan is based largely on the difficulties faced by women and children who are victims of violence and live with protected personal data, as well as the necessary improvements to public authorities' support and management identified by the Swedish Gender Equality Agency. The plan puts forward proposals for 29 measures in five areas that the agency believes are particularly important:

- **Overall development and follow-up of support efforts to reach the target group.**
- **Access to public services and protection.**
- **School, work and leisure.**
- **Permanent housing.**
- **Consequences of economic violence.**

For all proposals, please refer to the agency's final report on the assignment: *Att leva med skyddade personuppgifter - behovet av samhällets långsiktiga stöd* [Living with protected personal data: The need for society's long-term support] (2023:04), Swedish Gender Equality Agency (jamstalldhetsmyndigheten.se).

Information and support material

The Swedish Gender Equality Agency has compiled information and support material for both the target group and professionals on the agency's website.

- Information and support if you are living with protected personal data Swedish Gender Equality Agency (jamstalldhetsmyndigheten.se)
- Information and support if you meet people living with protected personal data Swedish Gender Equality Agency (jamstalldhetsmyndigheten.se)

Further reading

- *Skyddade personuppgifter – oskyddade personer [Protected personal data – Unprotected People]* (2022:10) Swedish Gender Equality Agency (jamstalldhetsmyndigheten.se)
- *Att leva med skyddade personuppgifter - behovet av samhällets långsiktiga stöd* [Living with protected personal data: The need for society's long-term support] (2023:04), Swedish Gender Equality Agency (jamstalldhetsmyndigheten.se)
- *86 gömda kvinnor och deras 128 barn. Djupintervjuer med kvinnor som inte kan synas men vill bli hörda. [86 hidden women and their 128 hidden children: In-depth interviews with women who must remain invisible but who want to be heard]* (jamstalldhetsmyndigheten.se)



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