



Why do we need administrative data on intimate partner violence?

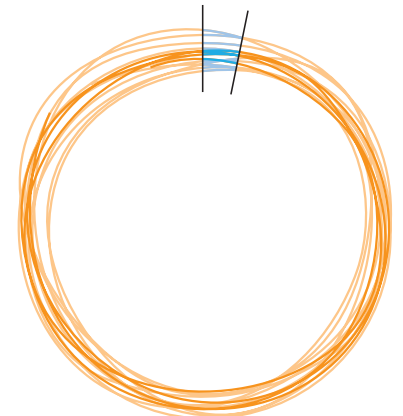
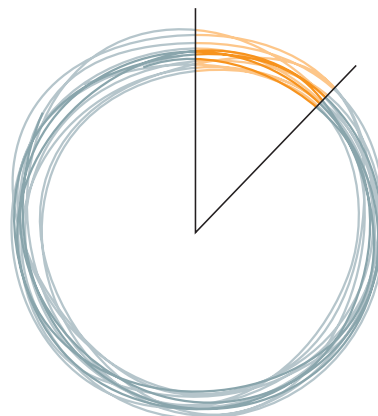
Many women victims of intimate partner violence in the EU Member States remain unprotected. Perpetrators often go unpunished due to inadequate law enforcement approaches, which do not align with international human rights treaties. A gender-neutral approach to the law, coupled with the unavailability of data and existing stereotypes result in the denial of violence against women and its tolerance or normalisation ⁽¹⁾. States must ensure that they carry out the due diligence principle to investigate and punish acts of violence and provide compensation to victims. Improving data collection and providing comprehensive and reliable administrative data is crucial to monitor the police and justice sectors' response to violence against women. It also shows a state's willingness to monitor the effectiveness of its law. High-quality administrative data is in line with the international commitments of Member States to combat violence against women as defined in Directive 2012/29/EU (the Victims' Rights Directive) and the Istanbul Convention.

The European Institute for Gender Equality (EIGE) defines intimate partner violence as all acts of physical, sexual, psychological or economic violence that occur between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim. It constitutes a form of violence which affects women disproportionately and which is therefore distinctly gendered.

EIGE's definition of intimate partner violence is in line with the definition of domestic violence of the Istanbul Convention.

In Belgium, 12.3 % of women have been victims of moderate to severe intimate partner violence over the 12 months preceding the survey.

Only 3.3 % of those women contacted the police.



⁽¹⁾ Office of the United Nations High Commissioner for Human Rights, *Report of the Special Rapporteur on violence against women, its causes and consequences*, 2017.

What does the law say?

In Belgium, intimate partner violence is criminalised under a number of related offences, including non-intentional homicide, physical assault, rape and sexual assault. When some of those offences, such as non-intentional homicide, rape and physical assault, are committed against a partner, it becomes an aggravating circumstance increasing the penalty. Despite the absence of a separate criminal offence, intimate partner violence is defined for statistical purposes and a uniform system to identify and register cases of intimate partner violence by the police and prosecution offices is in place.

Belgium signed and ratified the Istanbul Convention, which entered into force in July 2016.

Process of administrative data collection by police and justice sectors



POLICE



- Data on physical, sexual, psychological and economic intimate partner violence is available; however, victims' information such as sex is not recorded.
- For offences related to intimate partner violence, the following breakdowns are collected: age and sex of the perpetrator and relationship between victim and perpetrator.
- The police records each act of intimate partner violence separately and the relationship using the following categories: current or former spouses, current or former legal cohabitants, current or former partner/cohabitant.
- In 2014, the Act on the Function of the Police of 5 August 1992 was amended in order to allow for the recording of victim information. Technical changes are being undertaken for the collection of this information.



- Data is recorded in a local database before being transferred to a national database. The national database allows for tracking information on crimes as well as individuals for operational and statistical purposes. Information on offences labelled as intimate partner violence is not tracked.



- The federal police department of information and ICT oversees data collection and publication on its website.



JUSTICE

- Data on intimate partner violence is recorded and available from the prosecution services. However, victims' information is not systematically recorded and is thus not available.
- Prosecution and courts services have separate data collection systems.
- The courts' data focuses on the perpetrator, with no information on the victim-perpetrator relationship.

- Prosecution services record data electronically in a specific programme.
- Courts record data electronically using two types of databases, depending on the court.
- The judicial district of Eupen uses a different data collection system because the central programme is not available in German. Data for this district is not available and so is included in the national-level data.

- The Service of Criminal Policies of the Ministry of Justice oversees and publishes courts' data on its website.
- The Council of Public Prosecutors oversees and publishes prosecution data on its website.

Indicators on intimate partner violence

To support Member States in reporting on intimate partner violence under the Victims' Rights Directive and the Istanbul Convention, EIGE has developed 13 indicators based on uniform statistical definitions. These relate to administrative data from the police and justice sectors. By populating the indicators Member States will be able to meet the minimum requirements for data provision outlined in the Victims' Rights Directive and the Istanbul Convention.

What data is available?



POLICE

- 1. Annual number of women (aged 18 and over) victims of intimate partner violence committed by men (aged 18 and over), as recorded by police.
- 2. Annual number of reported offences related to intimate partner violence against women committed by men (aged 18 and over).
- 3. Annual number of men (aged 18 and over) perpetrators of intimate partner violence against women (and percentage of male population that are perpetrators).
- 4. Annual number of women (aged 18 and over) victims of physical intimate partner violence committed by men (aged 18 and over), as recorded by police.
- 5. Annual number of women (aged 18 and over) victims of psychological intimate partner violence committed by men (aged 18 and over), as recorded by police.
- 6. Annual number of women (aged 18 and over) victims of sexual intimate partner violence committed by men (aged 18 and over), as recorded by police.
- 7. Annual number of women (aged 18 and over) victims of economic intimate partner violence committed by men (aged 18 and over), as recorded by police.
- 8. Annual number of women (aged 18 and over) victims reporting rape committed by men (aged 18 and over), as recorded by police.
- 9. Women victims of intimate femicide (aged 18 and over) committed by a male intimate partner (aged 18 and over), as a share of the women victims of homicide (aged 18 and over).



JUSTICE

- 10. Annual number of protection orders applied for and granted in cases of intimate partner violence against women by type of court.
- 11. Annual number of men (aged 18 and over) prosecuted for intimate partner violence against women.
- 12. Annual number of men (aged 18 and over) sentenced for intimate partner violence against women.
- 13. Annual number of men (aged 18 and over) sentenced for intimate partner violence against women and held in prison or with a sanction involving a form of deprivation of liberty.

Low availability. No data is available or existing data is not sufficient to populate the indicator due to considerable lack of detail and necessary breakdowns, such as no information on the sex of the victim.

Medium availability. Some data is available but it lacks important breakdowns, such as the exact relationship between the victim and the perpetrator.

High availability. Data is available with necessary breakdowns.

Key recommendations for improving data collection on intimate partner violence



LEGISLATIVE

Continued commitment to improve administrative data collection

The adoption in 2006 of two circulars related to the handling of cases of domestic violence (including intimate partner violence) by police and prosecution services coupled with the adoption of a specific statistical coding for recording purposes has led to the improved recording of cases. Similar circulars or guidelines should be adopted by courts. In addition, continued commitment is essential to ensure the correct application of the existing legal and policy framework.



TECHNICAL

Ensure the recording of victim information by all services

Information on victims of intimate partner violence is largely missing from police, prosecution or courts records. Disaggregated data by sex and age of the victim is key to understand intimate partner violence and a requirement under the Victims' Rights Directive.



COOPERATION

Ensure the national police database includes data on intimate partner violence recorded by police locally

The national police database does not include all information on offences recorded in the local police databases and information on intimate partner violence is missing. The system is dated and new codes have to be introduced. The police uses other variables to partly count intimate partner violence, such as the information on the relationship when recorded by police officers and offences codes already holding relationship information.

European Institute for Gender Equality

The European Institute for Gender Equality (EIGE) is the EU knowledge centre on gender equality. EIGE supports policymakers and all relevant institutions in their efforts to make equality between women and men a reality for all Europeans by providing them with specific expertise and comparable and reliable data on gender equality in Europe.



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