



Why do we need administrative data on intimate partner violence?

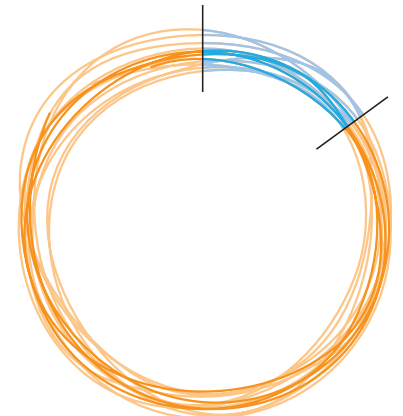
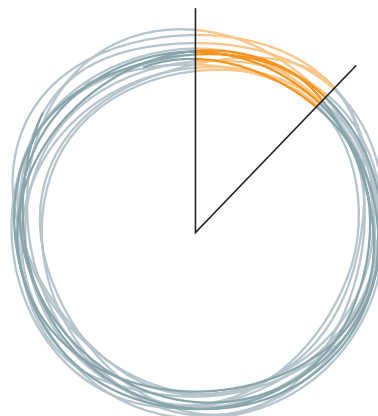
Many women victims of intimate partner violence in the EU Member States remain unprotected. Perpetrators often go unpunished due to inadequate law enforcement approaches, which do not align with international human rights treaties. A gender-neutral approach to the law, coupled with the unavailability 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 Malta, 12 % of women have been victims of intimate partner violence in their lifetime.

Only 14 % 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?

The Domestic Violence Act covers intimate partner violence. There is no separate provision criminalising intimate partner violence per se. Instead, intimate partner violence is criminalised under several offence provisions of the Criminal Code. The legal framework covers mostly physical and psychological aspects of intimate partner violence. Sexual and economic violence remains outside the scope of the Domestic Violence Act.

Malta signed and ratified the Istanbul Convention, which entered into force in November 2014.

Process of administrative data collection by police and justice sectors



POLICE



- For the offences related to domestic violence, the following breakdowns are collected by the police: age and sex of the victim and the perpetrator.
- The relationship between the victim and the perpetrator is not recorded in a systematic manner.
- Cases of economic and sexual violence are not reflected in the statistics.
- In 2014, the police recorded 717 women victims of domestic violence (?).



- The data is recorded by the police through the Police Incident Reporting System (PIRS) using the articles of the Criminal Code.



- The information collected from different institutions is harmonised and published by the Commission on Domestic Violence in an annual report.



JUSTICE

- There is no data available on intimate partner violence from the justice sector.
- Variables such as the sex and age of the victim and of the perpetrator and the relationship between the two are not recorded.

- LECAM is the case management system used to store data on civil court cases. There is no centralised system for criminal courts.
- The recording systems of the criminal courts are mainly manual and the system is not designed to distinguish between the victim and the perpetrator.

- The Ministry of Justice publishes statistics in very general terms on the number of proceedings.
- There is no data published on cases of neither domestic nor intimate partner violence.

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



Create guidelines for better data collection

The Domestic Violence Act establishes a strong framework in terms of data collection and coordination between different institutions. This can be strengthened with the adoption of guidelines to ensure better and sustained implementation.

The guidelines should establish the scope of the data collection, the specific variables that need to be recorded and by whom, and the methodology for data collection.



Improve the systematic recording of victim-perpetrator relationship

The PIRS is able to record the information on the relationship only for the offences related to domestic violence. Even in those cases, specific variables to record this information are not compulsory and not used systematically.

Necessary changes should be made to the data recording system. The system should require the recording of the relationship for all incidents reported to the police regardless of the offence. This will also remedy the lack of information on economic and sexual violence cases.

Improve data availability from the justice sector

Statistical data is currently not available from the courts. The recording systems are mainly manual and the system does not enable the recording of necessary information (such as data on the victim and the perpetrator, and their relationship). Changes should be made to the system so that the data is recorded and stored electronically in a standardised manner across the country.



Strengthen cooperation between the National Statistics Office and the Commission on Domestic Violence

The Commission on Domestic Violence is the coordinating body for the implementation of the Istanbul Convention. This includes data harmonisation and publication on the incidents of domestic violence. In fulfilling this task, the Commission on Domestic Violence would benefit from a close cooperation with the National Statistics Office. This would provide the expertise the commission needs to produce the harmonised statistics in a more detailed and sustainable manner and would ensure continuity in case of turnover of personnel.

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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