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Recommendations to improve data collection on intimate partner violence by the police and justice sectors



The recommendations were developed after in-depth analysis of data collection from the police and justice sectors. The relevance and feasibility of the recommendations were discussed with national professionals whose work is closely related to the topic at a meeting on 22 June 2017 in Vienna, Austria. The suggestions were revised upon participants' feedback. The recommendations aim to improve administrative data collection on intimate partner violence in order to better inform policies and to help the Member States meet the monitoring requirements outlined in both Directive 2012/29/EU (the Victims' Rights Directive) and the Istanbul Convention.

1. Legislative and policy recommendations

Strengthen political commitment

The national action plan 2014-2016 is a relevant framework for data collection on violence against women, however it does not include any specific measures to improve administrative data collection.

It is recommended that a policy framework, such as the national action plan on the protection of women from violence 2014-2016, be adopted again, and that it include measures to improve data collection in light of the recommendations outlined here (e.g. more regular and detailed analysis and publication of data).

Take steps to estimate costs for changes in data collection and specific extractions

The cost in terms of both financial and human resources is a recurring argument against improving the data collection system to facilitate the production of specific data on violence against women/intimate partner violence ⁽¹⁾. However, no such cost estimates have been undertaken or communicated to relevant stakeholders ⁽²⁾.

It is recommended to carry out cost estimates on implementing the necessary changes to relationship categories for police and judicial crime statistics. Furthermore, the current costs of data collection and of specific data extractions ⁽³⁾ on intimate partner violence should be estimated and communicated to stakeholders.

2. Data collection infrastructure and cooperation between different authorities

Improve the use of data in the Automated Justice Registry

The Automated Justice Registry (*Verfahrensautomation Justiz*) contains information on cases that can be retrieved electronically ⁽⁴⁾. Since 2011, information on victims' age, sex and nationality has also been recorded ⁽⁵⁾. Cases that occur in a family context are flagged (with the FAM flag, meaning 'family').

It is recommended that this source be used regularly to produce statistics on cases of violence against women at different stages of the procedure ⁽⁶⁾.

Create a central web domain for statistics on violence against women

Different data from the police and justice sectors is currently published on different websites and in different reports, creating challenges for users in terms of accessibility and data compilation. Additionally, data compiled by social services is published in yet another report.

It is recommended to create a central domain containing all relevant data on intimate partner violence from different sources, from which users could download either data tables or relevant reports.

(1) Based on questionnaire answers from the author of the Group of Experts on Action against Violence against Women and Domestic Violence (Grevio) report received on 17 February 2017 (Secretariat of the monitoring mechanism of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, *GREVIO Baseline Evaluation Report Austria*, Council of Europe, Strasbourg, 2017, available at <https://bit.ly/2xUXGoc>).

(2) Based on stakeholder comments at the June 2017 meeting; a telephone call with representatives of the Domestic Abuse Intervention Centre Vienna.

(3) Such as those presented in the report to Grevio.

(4) Ministry of Justice (*Bundesministerium für Justiz*), 2014, *eJustice Austria — IT tool in the Austrian judiciary (eJustice Austria — IT-Anwendungen in der Österreichischen Justiz)*, p. 6.

(5) Ministry of Justice (*Bundesministerium für Justiz*), *Security Report 2015 — Report on the activities of the criminal justice sector (Sicherheitsbericht 2015 — Bericht über die Tätigkeit der Strafjustiz)*, p. 223.

(6) For example as has been done for the preparation of the report to Grevio.

3. Technical recommendations

3.1. Recommendations on data recording and publication

Improve the classification of the victim–perpetrator relationship within the police sector

Currently, police data only distinguishes between the following categories: family relationship in the same household, family relationship not in the same household, acquaintance, acquaintance by chance, unknown, and no relationship ⁽⁷⁾. This does not allow the identification of intimate partner violence. In their recommendation on administrative data collection, the Gender-Stat Working Group ⁽⁸⁾ has addressed this issue and suggested other relationship categories ⁽⁹⁾. Changing to these categories is feasible in the short-term, requiring little resource input. It would require changing the names of the categories in the electronic data recording systems and familiarising police officers with the new categories.

It is recommended that the existing categorisation be reorganised and the categories changed in order to identify intimate partner relationships. The classification suggested by Gender-Stat could be a useful reference point. Furthermore, the domestic context should be recorded separately, as also suggested by Gender-Stat ⁽¹⁰⁾.

Improve the classification of the victim–perpetrator relationship within the justice sector

Data from the justice sector flags solely those incidents occurring in a family context (with the FAM flag) ⁽¹¹⁾. However, what this flag means and how it is applied is not clear and the associated data is considered somewhat unreliable ⁽¹²⁾.

It is recommended that data from the justice sector be recorded using the same categories of victim–perpetrator relationship as those of police data. This will ensure that statistics clearly show the flow of events (e.g. number of convictions compared to number of offences reported to the police). This is a longer-term recommendation, as the recording of data in this detailed manner would require more substantial changes.

Calculate and publish data separately for under-18s and over-18s

Current published data on intimate partner violence ⁽¹³⁾ includes victims of all ages. However, the indicators proposed by the European Institute for Gender Equality (EIGE) ask for data on victims aged 18 and above.

It is recommended that separate data for this 18+ age group be included in reports on intimate partner violence.

Analyse and publish specific data on an annual basis

At present, the Ministry of the Interior's annual publication of crime statistics ⁽¹⁴⁾ includes only breakdowns by victim–perpetrator relationship and victim's sex separately, but not combined. Similarly, the annual security report from the Ministry of Justice (*Sicherheitsbericht*) does not report data by victim's sex or victim–perpetrator relationship for any of the relevant crimes.

It is recommended that annual reports on police crime statistics ⁽¹⁵⁾ include a table combining breakdowns that show incidents of violence against women by men and incidents of intimate partner violence and domestic violence against women.

Furthermore, it is recommended that the section on victims in the Justice security report (*Sicherheitsbericht* ⁽¹⁶⁾) present data that shows cases of violence perpetrated by men against women.

⁽⁷⁾ Ministry of the Interior, *Crime report — Statistics and analysis — 2015 (Kriminalitätsbericht — Statistik und Analyse — 2015)*, p. A4.

⁽⁸⁾ Gender-Stat Working Group, *Recommendations for administrative data collection on violence against women and domestic violence (Vorschläge für administrative Datenerhebung zu Gewalt gegen Frauen und häuslicher Gewalt)*, 2014, p. 4.

⁽⁹⁾ These suggested categories are partner/former partner/spouse/former spouse/father/mother/son/daughter/other relative/acquaintance/not acquainted/relationship not identifiable/unascertainable.

⁽¹⁰⁾ Gender-Stat Working Group, *Recommendations for administrative data collection on violence against women and domestic violence (Vorschläge für administrative Datenerhebung zu Gewalt gegen Frauen und häuslicher Gewalt)*, 2014, p. 4.

⁽¹¹⁾ Ministry of Health and Women's Affairs, *Grevio — First country report of Austria (Grevio — Staatenbericht Österreich)*, August 2016, p. 6.

⁽¹²⁾ NGO-Coalition, *Austrian NGO shadow report to Grevio (Österreichischer NGO-Schattenbericht für Grevio)*, 2016, p. 20, comments at the stakeholder meeting in June 2017, Vienna.

⁽¹³⁾ Grevio report.

⁽¹⁴⁾ Ministry of the Interior, *Crime report — Statistics and analysis — 2015* (not available in English) (*Kriminalitätsbericht — Statistik und Analyse — 2015*).

⁽¹⁵⁾ Ministry of the Interior, *Crime report — Statistics and analysis — 2015* (not available in English) (*Kriminalitätsbericht — Statistik und Analyse — 2015*).

⁽¹⁶⁾ Ministry of Justice, *Security report 2015 — Report on the activities of the criminal justice sector (Sicherheitsbericht 2015. Bericht über die Tätigkeit der Strafjustiz)*.

Table 1: Offences for which relevant breakdowns are published (Grevio report) and additional offences for which breakdowns should be added (short-term and long-term)

General category for indicator	Existing offences — statistical classification (offences for which relevant breakdowns are published)	Additional offences — statistical classification (offences for which breakdowns are recorded and should be published) — short-term	Additional offences — statistical classification (offences for which breakdowns are NOT recorded and should be recorded and published)
Physical intimate partner violence	Article 83 (bodily harm) — regarding Articles 83-88, use either bodily harm OR assault, in German it is always the same term, Article 84 (serious assault), Article 85 (assault leading to serious permanent consequences), Article 86 (assault leading to death), Article 87 (intentional serious assault), Article 107b (continued use of violence)	Article 76 (manslaughter), Article 80 (non-intentional homicide), Article 81 (strongly negligent manslaughter), Article 82 (abandonment), Article 88 (non-intentional bodily harm) and Article 89 (endangerment of physical safety), Article 99 (deprivation of liberty)	
Sexual intimate partner violence	Article 201 (rape), Article 202 (sexual coercion), Article 205 (sexual abuse of a vulnerable or mentally impaired person)	Article 205a (violation of sexual integrity)	
Psychological intimate partner violence	Article 105 (coercion), Article 106 (serious coercion), Article 107 (dangerous threat), Article 107a (persistent stalking)		Article 111 (defamation), Article 115 (insult), Article 107c (continuous harassment through telecommunications or IT)
Economic intimate partner violence		Article 104 (slavery), Article 104a (human trafficking), Article 215 (forced prostitution), Article 198 (violation of maintenance obligation)	Article 127 (theft), Article 128 (aggravated theft), Article 141 (purloinment)

Record and publish data on all cases known to the police

Published police crime statistics⁽¹⁷⁾ include only cases for which a criminal complaint was filed (*Anzeigenstatistik*)⁽¹⁸⁾. However, the number of criminal complaints filed does not include all cases reported to the police. For example, it excludes those cases where the police intervened (e.g. through dispute settlement or following a call from neighbours), but no complaint was subsequently filed. This type of data was collected in Austria until 2011. Since that time only data on emergency protection orders has been collected.

It is recommended that separate data be collected on these incidents. Data collection on all types of police interventions, as well as those cases that become known to the police (e.g. through telephone calls or visits to police stations), should be re-established.

⁽¹⁷⁾ Including those on intimate partner violence against women, as published in the Grevio report (Ministry of Health and Women's Affairs, *Grevio — First country report of Austria (Grevio — Staatenbericht Österreich)*, August 2016, p. 87: Annex: Police crime statistics 2014 and 2015 (*Polizeiliche Kriminalstatistik 2014 und 2015*)) and in the Crime report (Ministry of the Interior, *Crime Report — Statistics and Analysis — 2015 (Kriminalitätsbericht — Statistik und Analyse — 2015)*, Table 3 (B16-20) and Table 4 (B20-22)) (not available in English).

⁽¹⁸⁾ Ministry of the Interior, *Crime report — Statistics and analysis — 2015 (Kriminalitätsbericht — Statistik und Analyse — 2015)*, p. A4.

3.2. Recommendations on the indicators proposed by EIGE

Indicator 1 — Annual number of women (aged 18 and over) victims of intimate partner violence ⁽¹⁹⁾ committed by men (aged 18 and over), as recorded by police

Data to populate this indicator is only partially available, as the victim–perpetrator relationship is not recorded in sufficiently precise detail, and such data is not collected for all relevant offences.

It is recommended that the relationship categories be changed to include former and current spouses and partners and relevant breakdowns provided for additional offences (as per the table above). Data is only available for all ages combined. This data should be processed and published for the 18+ age group separately.

Indicator 2 — Annual number of reported offences related to intimate partner violence against women committed by men (aged 18 and over)

Data to populate this indicator is only partially available, as the victim–perpetrator relationship is not recorded in sufficiently precise detail, and such data is not collected for all relevant offences.

It is recommended that the relationship categories be changed to include former and current spouses and partners, and relevant breakdowns provided for additional offences (as per the table above). Data is only available for all ages combined. This data should be processed and published for the 18+ age group separately.

The following table includes the list of offences suggested for inclusion in data collection for the different types of violence covered by the indicators.

Table 2: Existing offences under the four general categories of intimate partner violence. Offences in bold are those for which relevant breakdowns (relationship and victim sex) have been published; offences in italics are those for which these breakdowns should also be published

General category for indicator	Existing offences — statistical classification
Physical intimate partner violence	Article 83 (bodily harm), Article 84 (serious assault), Article 85 (assault leading to serious permanent consequences), Article 86 (assault leading to death), Article 87 (intentional serious assault), Article 107b (continued use of violence), Article 76 (manslaughter), Article 80 (non-intentional homicide), Article 81 (strongly negligent manslaughter), Article 88 (non-intentional bodily harm) and Article 89 (endangerment of physical safety), Article 99 (deprivation of liberty)
Sexual intimate partner violence	Article 201 (rape), Article 202 (sexual coercion), Article 205 (sexual abuse of a vulnerable or mentally impaired person), Article 205a (violation of sexual integrity)
Psychological intimate partner violence	Article 105 (coercion), Article 106 (serious coercion), Article 107 (dangerous threat), Article 107a (persistent stalking), Article 107c (continuous harassment through telecommunications or IT), Article 111 (defamation), Article 115 (insult)
Economic intimate partner violence	<i>Article 104 (slavery), Article 104a (human trafficking), Article 215 (forced prostitution), Article 127 (theft), Article 128 (aggravated theft), Article 141 (purloinment), Article 198 (violation of maintenance obligation)</i>

⁽¹⁹⁾ Any act of physical, sexual, psychological or economic violence that occurs between former or current spouse or partner, whether or not the perpetrator shares or has shared the same residence with the victim (EIGE, *Terminology and indicators for data collection: Rape, femicide and intimate partner violence*, Publications Office of the European Union, Luxembourg, 2017).

Indicator 3 — Annual number of men (aged 18 and over) perpetrators of intimate partner violence against women (and percentage of male population that are perpetrators)

Figures on the numbers of perpetrators of intimate partner violence are not directly available. While there are figures on cases with male perpetrators and female victims, it is possible that the same perpetrators are counted multiple times where they commit several crimes with different victims ⁽²⁰⁾.

It is recommended that counting rules be specified for any specific statistics published on intimate partner violence. In addition, a separate data analysis should be carried out in order to identify the number of perpetrators as distinct from the numbers of offences committed.

As for the other indicators, indicator 3 also necessitates a change in the relationship categories, with the inclusion of relationship information for additional offences and a separate analysis for 18+ age groups.

Indicator 4 — Annual number of women (aged 18 and over) victims of physical intimate partner violence ⁽²¹⁾ committed by men (aged 18 and over), as recorded by police

Data to populate this indicator is only partially available, as the victim–perpetrator relationship is not recorded with sufficient precision. Furthermore, relationship information and victim sex information is recorded, but not published, for additional relevant offences that would constitute physical intimate partner violence.

It is recommended that the relationship categories be changed to include former and current spouses and partners, and breakdowns provided for additional offences (as per the table above).

It is recommended that the following offences also be included in the abovementioned annual reports on police crime statistics and any additional annual reports on intimate partner violence: Article 76 (manslaughter), Article 80 (non-intentional homicide), Article 81 (strongly negligent manslaughter), Article 82 (abandonment), Article 88 (non-intentional bodily harm), Article 89 (endangerment of physical safety), Article 99 (deprivation of liberty).

Data is only available for all ages combined. This data should be processed and published for the 18+ age group separately.

Indicator 5 — Annual number of women (aged 18 and over) victims of psychological intimate partner violence ⁽²²⁾ committed by men (aged 18 and over), as recorded by police

Data to populate this indicator is only partially available, as the victim–perpetrator relationship is not recorded in sufficiently precise detail and relationship information is not recorded for all offences relevant under the definition suggested by EIGE.

It is recommended that the relationship categories be changed to include former and current spouses and partners, and relevant breakdowns provided for additional offences (as per the table above).

It is recommended that the detailed relationship information also be recorded for the following offences in the Criminal Code: Article 111 (defamation), Article 115 (insult), Article 107c (continuous harassment through telecommunications or IT).

Data is only available for all ages combined. This data should be processed and published for the 18+ age group separately.

Indicator 6 — Annual number of women (aged 18 and over) victims of sexual intimate partner violence ⁽²³⁾ committed by men (aged 18 and over), as recorded by police

Data to populate this indicator is only partially available, as the victim–perpetrator relationship is not recorded in a sufficiently precise manner.

It is recommended that the relationship categories be changed to include former and current spouses and partners, and relevant breakdowns provided for additional offences (as per the table above).

⁽²⁰⁾ Ministry of Health and Women's Affairs, Ministry of Health and Women's Affairs, *Grevo — First country report of Austria* (Grevo — Staatenbericht Österreich), August 2016, Annex, pp. 97-98.

⁽²¹⁾ Any act which causes physical harm to the partner or former partner as a result of unlawful physical force. Physical violence can take the form of, among others, serious and minor assault, deprivation of liberty and manslaughter (EIGE, 2017).

⁽²²⁾ Any act or behaviour which causes psychological harm to the partner or former partner. Psychological violence can take the form of, among others, coercion, defamation, verbal insult or harassment (EIGE, 2017).

⁽²³⁾ Any sexual act performed on the victim without consent. Sexual violence can take the form of rape or sexual assault (EIGE, 2017).

It is recommended that the following offences also be included in the abovementioned annual reports on police crime statistics and any additional annual reports on intimate partner violence: Article 205a (violation of sexual integrity).

Data is only available for all ages combined. This data should be processed and published for the 18+ age group separately.

Indicator 7 — Annual number of women (aged 18 and over) victims of economic intimate partner violence⁽²⁴⁾ committed by men (aged 18 and over), as recorded by police

Data to populate this indicator is not available, as the victim–perpetrator relationship is not recorded for offences that might constitute economic violence. Relationship information is not recorded for all offences relevant under the definition suggested by EIGE. Furthermore, relationship information and victim sex information is recorded, but not published, for additional relevant offences that would constitute economic intimate partner violence.

It is recommended that the relationship categories be changed to include former and current spouses and partners, and relevant breakdowns provided for additional offences (as per the table above).

It is recommended that detailed relationship information also be recorded for the following offences in the Criminal Code: Article 127 (theft), Article 128 (aggravated theft) and Article 141 (purloinment).

It is recommended that the following offences also be included in the abovementioned annual reports on police crime statistics and any additional annual reports on intimate partner violence: Article 104 (slavery), Article 104a (human trafficking), Article 215 (forced prostitution), Article 198 (violation of maintenance obligation). Data is only available for all ages combined. This data should be processed and published for the 18+ age group separately.

Indicator 8 — Annual number of women (aged 18 and over) victims reporting rape⁽²⁵⁾ committed by men (aged 18 and over), as recorded by police

Austria can populate this indicator, as data by victim sex combined with age on rape is published in the annual police crime statistics.

Indicator 9 — Women victims of intimate femicide⁽²⁶⁾ (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)

Data to populate this indicator is partially available, as the victim–perpetrator relationship is not recorded precisely enough, and information is not collected on the victim–perpetrator relationship for all relevant offences. Data is only available for all ages combined.

It is recommended that the relationship categories be changed to include former and current spouses and partners. Data is only available for all ages combined; this data should be processed and published for the 18+ age group separately.

Indicator 10 — Annual number of protection orders applied for and granted in cases of intimate partner violence against women by type of court

Data on protection orders is only available from the police sector (emergency protection orders). This data has some quality issues.

It is recommended that this information be recorded as reports and not only in logbooks⁽²⁷⁾.

The civil courts collect data on the protection orders issued but no annual statistics are produced (sources are unsuitable for producing statistics). No data is collected on protective measures in criminal proceedings (issued by the criminal courts).

It is recommended that data be collected on the three types of civil court protection orders⁽²⁸⁾ and on criminal court protection measures. This data should be broken down by sex and age of the victim and the perpetrator, victim–perpetrator relationship, and type of violence⁽²⁹⁾.

⁽²⁴⁾ Any act or behaviour which causes economic harm to the partner. Economic violence can take the form of, among others, property damage, restricting access to financial resources, education or the labour market, or not complying with economic responsibilities, such as alimony (EIGE, 2017).

⁽²⁵⁾ Sexual penetration, whether vaginal, anal or oral, through the use of object or body parts, without consent, using force, coercion or by taking advantage of the vulnerability of the victim (EIGE, 2017).

⁽²⁶⁾ The killing of a woman by an intimate partner and death of a woman as a result of a practice that is harmful to women. Intimate partner is understood as former or current spouse or partner, whether or not the perpetrator shares or has shared the same residence with the victim (EIGE, 2017).

⁽²⁷⁾ This is in line with NGO-Coalition, *Austrian NGO shadow report to Grevio* (Österreichischer NGO-Schattenbericht für Grevio), 2016, pp. 18-19.

⁽²⁸⁾ Protection order for protection in the sphere of living; protection order for general protection against violence; and protection order against stalking.

⁽²⁹⁾ This is in line with NGO-Coalition, *Austrian NGO shadow report to Grevio* (Österreichischer NGO-Schattenbericht für Grevio), 2016, p. 19.

Indicator 11 — Annual number of men (aged 18 and over) prosecuted for intimate partner violence against women

Data to populate this indicator is only partially available, as the FAM flag is not sufficiently precise to identify intimate partners and is thus considered to have low reliability.

It is recommended that the relationship categories be changed to include former and current spouses and partners, and further offences included in the statistical definition. Data is only available for all ages combined; this data should be processed and published for the 18+ age group separately.

Indicator 12 — Annual number of men (aged 18 and over) sentenced for intimate partner violence against women

Data to populate this indicator is only partially available, as the FAM flag is not sufficiently precise to identify intimate partners and is thus considered to have low reliability.

It is recommended that the relationship categories be changed to include former and current spouses and partners, and further offences included in the statistical definition. Data is only available for all ages combined; this data should be processed and published for the 18+ age group separately.

Indicator 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

Data to populate this indicator is not available, as the FAM flag is not sufficiently precise to identify intimate partners and it is therefore considered to have low reliability.

It is recommended that the relationship categories be changed to include former and current spouses and partners, and further offences included in the statistical definition. Data is only available for all ages combined; this data should be processed and published for the 18+ age group separately.



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