

# Measuring femicide in Malta

## Femicide

Femicide can be understood as the extreme end of a continuum of violence against women that happens in all European Union Member States <sup>(1)</sup>. There is no standard agreed definition of femicide among EU Member States or around the world. The lack of a uniform definition hampers the measurement of femicide, which becomes invisible among general homicide data <sup>(2)</sup>. The general concept of femicide refers to the killing of a woman or girl because of her gender. The United Nations Vienna Declaration on Femicide <sup>(3)</sup> was the first to identify different types of femicide, including:

- murder of women as a result of intimate partner violence;
- torture and misogynistic slaying of women;
- killing of women and girls in the name of honour;
- targeted killing of women and girls in the context of armed conflict;
- dowry-related killing of women;
- killing of women and girls because of their sexual orientation and gender identity;
- killing of aboriginal and indigenous women and girls because of their gender;
- female infanticide and gender-based sex selection foeticide;
- genital mutilation-related deaths;
- accusations of witchcraft;
- other types of femicide connected with gangs, organised crime, drug dealers, human trafficking and the proliferation of small arms.

## Femicide in Malta

There is no definition of femicide in the Maltese Criminal Code. However, this type of offence may fall under other provisions of Maltese criminal law. The relevant articles of the Criminal Code for identifying femicide cases are, inter alia, Articles 211, 212 and 220 <sup>(4)</sup>.

### Article 211 – Wilful homicide

(1) Whosoever shall be guilty of wilful homicide shall be punished with imprisonment for life.

Definition of ‘wilful homicide’

(2) A person shall be guilty of wilful homicide if, maliciously, with intent to kill another person or to put the life of such other person in manifest jeopardy, he causes the death of such other person.

### Article 212

The provisions contained in the last preceding article shall also apply even though the offender did not intend to cause the death of any particular person, or, by mistake or accident, shall have killed some person other than the person whom he intended to kill.

### Article 220 – Grievous bodily harm from which death ensues

(1) Whosoever shall be guilty of a grievous bodily harm from which death shall ensue solely as a result of the nature or the natural consequences of the harm and not of any supervening accidental cause, shall be liable:

(a) to imprisonment for a term from 6 to 20 years, if death shall ensue within 40 days to be reckoned from the midnight immediately preceding the crime;

(b) to imprisonment for a term from 4 to 12 years, if death shall ensue after the said 40 days, but within 1 year to be reckoned as above.

## About the study

Data collection systems vary widely across EU Member States, as they draw on various sources. To improve the collection of administrative data on femicide, EIGE has been working to establish indicators that can harmonise data collection processes across Member States’ jurisdictions.

EIGE has collected information from a wide variety of stakeholders through a questionnaire sent to official data providers and an online survey filled in by national experts. The ultimate goal is to identify a classification system of femicide with mutually agreed variables that can be used by all EU Member States.

## Methodology for data collection

To address the lack of comparable data on violence against women, EIGE developed 13 indicators with uniform definitions of the multiple forms of intimate partner violence, femicide and rape <sup>(5)</sup>. A detailed report regarding the methodology for the collection, reporting and validation of data, along with detailed metadata per country, has been published <sup>(6)</sup>. The data presented in this factsheet refers to indicator 9 on intimate partner violence: ‘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’. The data can be accessed through EIGE’s Gender Statistics Database ([https://eige.europa.eu/gender-statistics/dgs/browse/genvio/genvio\\_int](https://eige.europa.eu/gender-statistics/dgs/browse/genvio/genvio_int)).

<sup>(1)</sup> This factsheet includes data collected before the United Kingdom left the EU, so the reference to EU Member States includes the United Kingdom.

<sup>(2)</sup> European Institute for Gender Equality (EIGE) (2017), *Glossary of definitions of rape, femicide and intimate partner violence*, EIGE, Vilnius.

<sup>(3)</sup> UN Economic and Social Council (2012), *Vienna Declaration on Femicide*, UN, New York ([https://www.unodc.org/documents/commissions/CCPCJ/CCPCJ\\_Sessions/CCPCJ\\_22/E-CN15-2013-NGO1/E-CN15-2013-NGO1\\_E.pdf](https://www.unodc.org/documents/commissions/CCPCJ/CCPCJ_Sessions/CCPCJ_22/E-CN15-2013-NGO1/E-CN15-2013-NGO1_E.pdf)).

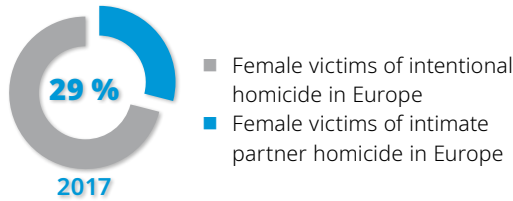
<sup>(4)</sup> For more information, see indicator 9 or the Gender Statistics Database ([https://eige.europa.eu/gender-statistics/dgs/indicator/genvio\\_int\\_adm\\_ipv\\_\\_ipv\\_indic\\_9/metadata](https://eige.europa.eu/gender-statistics/dgs/indicator/genvio_int_adm_ipv__ipv_indic_9/metadata)) and the Maltese Criminal Code (<https://justice.gov.mt/en/pcac/Documents/Criminal%20code.pdf>).

<sup>(5)</sup> European Institute for Gender Equality (EIGE) (2017), *Terminology and Indicators for Data Collection: Rape, femicide and intimate partner violence*, EIGE, Vilnius.

<sup>(6)</sup> European Institute for Gender Equality (EIGE) (2020), *Intimate Partner Violence: data collection methodology*, EIGE, Vilnius.

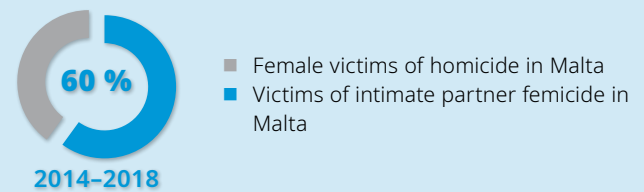
### Intimate partner femicide in Europe

From a statistical perspective, and based on the International Classification of Crime for Statistical Purposes (ICCS), the UN Office on Drugs and Crime (UNODC) highlights that intentional homicide of female victims perpetrated by intimate partners or family members is the most prevalent form of femicide <sup>(7)</sup>. UNODC estimates that, in Europe <sup>(8)</sup>, about 29 % of female victims of homicide <sup>(9)</sup> are killed intentionally by an intimate partner.



### Intimate partner femicide in Malta

From a statistical perspective, the working definition that the European Institute for Gender Equality (EIGE) uses for femicide is 'killing of a woman by an intimate partner and the death of a woman as a consequence of a practice that is harmful to women. Intimate partner is understood as a former or current spouse or partner, whether or not the perpetrator shares or has shared the same residence with the victim'. In Malta, most femicides would be covered by Article 211 of the Criminal Code. According to the Malta Police Force, between 2014 and 2018 <sup>(10)</sup> there were 10 female <sup>(11)</sup> victims of homicide <sup>(12)</sup>, of whom 60 % were victims of intimate partner femicide <sup>(13)</sup>.

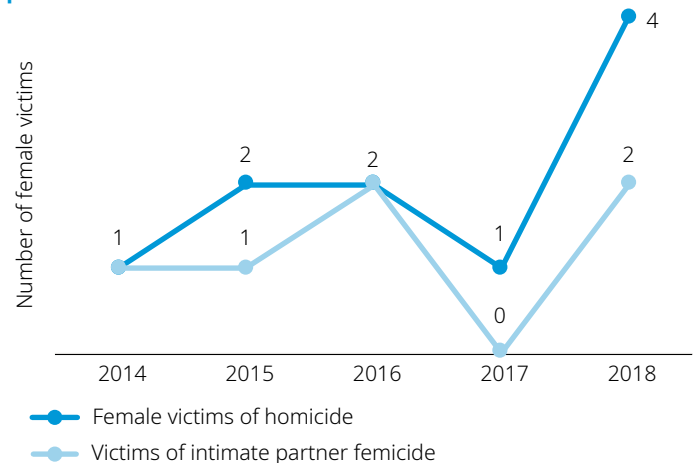


## Female victims of homicide and intimate partner femicide in Malta

The official administrative data used in Figure 1 is collected by the Malta Police Force. The victim-perpetrator relationship is not systematically recorded; however, the Malta Police Force is able to provide this data because of the very low number of homicides.

EIGE has gathered data on homicide of female victims and intimate partner femicide for 2014 to 2018. Figure 1 includes data regarding female victims of homicide and intimate partner femicide. There was a high degree of variability in the number of female victims of homicide during this period, with 2018 having the highest number of female victims of homicide.

Figure 1: Female victims of homicide and intimate partner femicide in Malta



Source: EIGE's Gender Statistics Database.

<sup>(7)</sup> UN Office on Drugs and Crime (UNODC) (2019), *Global Study on Homicide – Gender-related killing of women and girls*, UNODC, Vienna.

<sup>(8)</sup> Data from UNODC includes European jurisdictions other than the EU Member States. There is no estimation of the percentage of female victims of homicide who were victims of intimate partner femicide limited to EU Member States.

<sup>(9)</sup> The term 'homicide' is used when reporting UNODC data given that it is the term used in the original source (p. 17). The gender-related motivation is not recorded, because of the lack of a standardised definition. However, it is clear from the report that this data quantifies a significant share of all gender-related killings of women and girls.

<sup>(10)</sup> Aggregated data for 2014 to 2018 is displayed because of the low numbers of homicides in Malta.

<sup>(11)</sup> The term 'female' is used instead of 'woman', as it is not always possible to disaggregate data by the victim's age, meaning that the victim could be either a woman or a girl aged under 18 years.

<sup>(12)</sup> The term 'homicide' is used given that the gender-related motivation for the intentional homicides is not recorded, and therefore it is not possible to classify all the killings as femicides.

<sup>(13)</sup> Data is available at: [https://eige.europa.eu/gender-statistics/dgs/indicator/genvio\\_int\\_adm\\_ipv\\_ipv\\_indic\\_9/metadata](https://eige.europa.eu/gender-statistics/dgs/indicator/genvio_int_adm_ipv_ipv_indic_9/metadata)

## Collecting administrative data on femicide



**What is administrative data?** Administrative data is collected for recording, organising and monitoring purposes <sup>(14)</sup>. Administrative data on femicide can be obtained from different institutions, namely those that are involved in criminal investigations, prosecutions, the punishment of perpetrators and victim support – that is, institutions in the **police and justice sectors**. Administrative data might include information about the prevalence and types of femicide, the characteristics of the victim, the perpetrator and their relationship, the characteristics of and motive for the crime, and data about the criminal process.

In order to help policymakers design effective policies to combat femicide, it is necessary to understand the nature and prevalence of the issue. The collection of comparable administrative data on femicide across Member States is key to gaining this understanding <sup>(15)</sup>. It is particularly important that the motive for the killing is established by the police or judiciary and that this is then translated into standardised statistical data. The ICCS is a standardised tool for obtaining comparable

administrative data. However, it lacks a gender-related motive variable. This means that the concept of femicide cannot be properly operationalised, which prevents the collection of data that fully captures the phenomenon. The collection of data on femicide would make the issue more visible, which would strengthen the political will to eradicate it. Administrative data on femicide also enables countries to monitor trends over time and evaluate the effectiveness of measures.

## What administrative data on femicide is available in Malta?

### Definition of femicide and availability of data

Definition of femicide used for statistical purposes	No	
Collection of data on femicide	Yes, official data	Yes, non-official data

Two institutions collect or analyse data regarding femicide in Malta: the Malta Police Force <sup>(16)</sup> and the European Observatory on Femicide Malta country group <sup>(17)</sup>. Where data on femicide presented in this factsheet was obtained from a com-

prehensive overview of available data from these institutions, this is indicated by <sup>(a)</sup> and <sup>(b)</sup>, respectively. There may be other institutions or researchers who collect and analyse data on femicide in Malta.

	Institution <sup>(a)</sup> Malta Police Force	Institution <sup>(b)</sup> European Observatory on Femicide Malta country group
Type of data collection	Official	Non-official
Sources of data	Police data	Police reports and press reports
Stage at which the homicide is established as a femicide	Not established	During data analysis
Stage at which the homicide is registered as a femicide	Not registered	In the reports
Parameters for establishing the killing as a femicide	Victim–perpetrator relationship, overall context of the crime	According to different variables
Regularity of data collection	Annual	Annual
Availability of data to the public	Data not publicly available (only upon request)	Information not available

<sup>(14)</sup> UN Women (2020), *A synthesis of evidence on the collection and use of administrative data on violence against women*, UN Women, New York.

<sup>(15)</sup> It is important to note that data and statistics should be produced, developed and disseminated in compliance with the principles in the *European Statistics Code of Practice*: Eurostat (2018), *European Statistics Code of Practice*, Publications Office of the European Union, Luxembourg (<https://ec.europa.eu/eurostat/documents/4031688/8971242/KS-02-18-142-EN-N.pdf/e7f85f07-91db-4312-8118-f729c75878c7?t=1528447068000>).

<sup>(16)</sup> <https://pulizija.gov.mt/en/Pages/Home.aspx>

<sup>(17)</sup> <http://eof.cut.ac.cy/>

Official and non-official sources inform administrative data collection in Malta. In line with EIGE's data collection, official administrative data for the total number of female victims of

homicide and intimate partner femicide is displayed for 2014 to 2019 <sup>(a)</sup>. However, data may be available in Malta for other years.

● Official data available    ● Non-official data available    ○ No data available

Data availability	2014 <sup>(a)</sup>	2015 <sup>(a)</sup>	2016 <sup>(a)</sup>	2017 <sup>(a)</sup>	2018 <sup>(a)</sup> <sup>(b)</sup>	2019 <sup>(a)</sup> <sup>(b)</sup>
Female victims of homicide	●	●	●	●	●	●
Victims of intimate partner femicide	●	●	●	●	●	●

Official and non-official sources collect data on intimate partner femicide, but also on other types of femicide. The latest data from the Malta Police Force shows that, in 2019, 2 women

were killed, both by the same perpetrator, who was in both cases a family member.

Types of femicide	
Intimate partner femicide <sup>(a)</sup>	●
Family-related femicide <sup>(a)</sup> <sup>(b)</sup>	●
Child femicide <sup>(b)</sup>	●
Prostitution-related femicide <sup>(b)</sup>	●
Robbery-related femicide <sup>(b)</sup>	●
Other types of femicide <sup>(b)</sup>	●

Characteristics of the victim and the perpetrator	Victim	Perpetrator
Age <sup>(a)</sup> <sup>(b)</sup>	●	●
Sex <sup>(a)</sup> <sup>(b)</sup>	●	●
Gender identity <sup>(a)</sup> <sup>(b)</sup>	○	○
Sexual orientation <sup>(a)</sup> <sup>(b)</sup>	○	○
Nationality <sup>(a)</sup> <sup>(b)</sup>	●	●
Education <sup>(a)</sup>	○	○
Occupation <sup>(a)</sup> <sup>(b)</sup>	○	○
Applied for protection order <sup>(a)</sup> <sup>(b)</sup>	○	n/a
Active protection order <sup>(a)</sup>	n/a	○
Socioeconomic profile <sup>(a)</sup> <sup>(b)</sup>	○	○
Recidivist status <sup>(a)</sup>	n/a	●
Alcohol/drug abuse	○	○
Victim-perpetrator relationship <sup>(a)</sup> <sup>(b)</sup>	●	●
Other <sup>(b)</sup>	● Disability; ethnic minority background; pregnancy <sup>(b)</sup>	● Ethnic minority background; mental health problems <sup>(b)</sup>

Motive for femicide		Contextual variables	
Context of sexual violence <sup>(a)</sup> <sup>(b)</sup>	●	Method of killing <sup>(a)</sup> <sup>(b)</sup>	●
Prior intimate partner violence <sup>(a)</sup> <sup>(b)</sup>	●	Location <sup>(a)</sup> <sup>(b)</sup>	●
Prior complaints or requests for protection measures <sup>(a)</sup> <sup>(b)</sup>	●	Suicide of the perpetrator <sup>(a)</sup> <sup>(b)</sup>	●
Recent separation <sup>(a)</sup> <sup>(b)</sup>	●	Children present <sup>(a)</sup> <sup>(b)</sup>	●
'Shame or dishonour' brought on the family <sup>(a)</sup> <sup>(b)</sup>	●	Other killings in connection with the femicide <sup>(a)</sup> <sup>(b)</sup>	●
Refusal to enter into an arranged marriage <sup>(a)</sup> <sup>(b)</sup>	●	Other <sup>(b)</sup> Witnesses <sup>(b)</sup>	●
Other All motives that are relevant to femicide <sup>(b)</sup>	●		

Analysing femicide		Investigating femicide	
Homicide reviews / domestic homicide reviews	○	Protocol for investigating femicide	○
Analysis of court cases	○		
Administrative data from police <sup>(a)</sup>	●		
Administrative data on cause of death <sup>(a)</sup>	●		
Media information <sup>(b)</sup>	●		

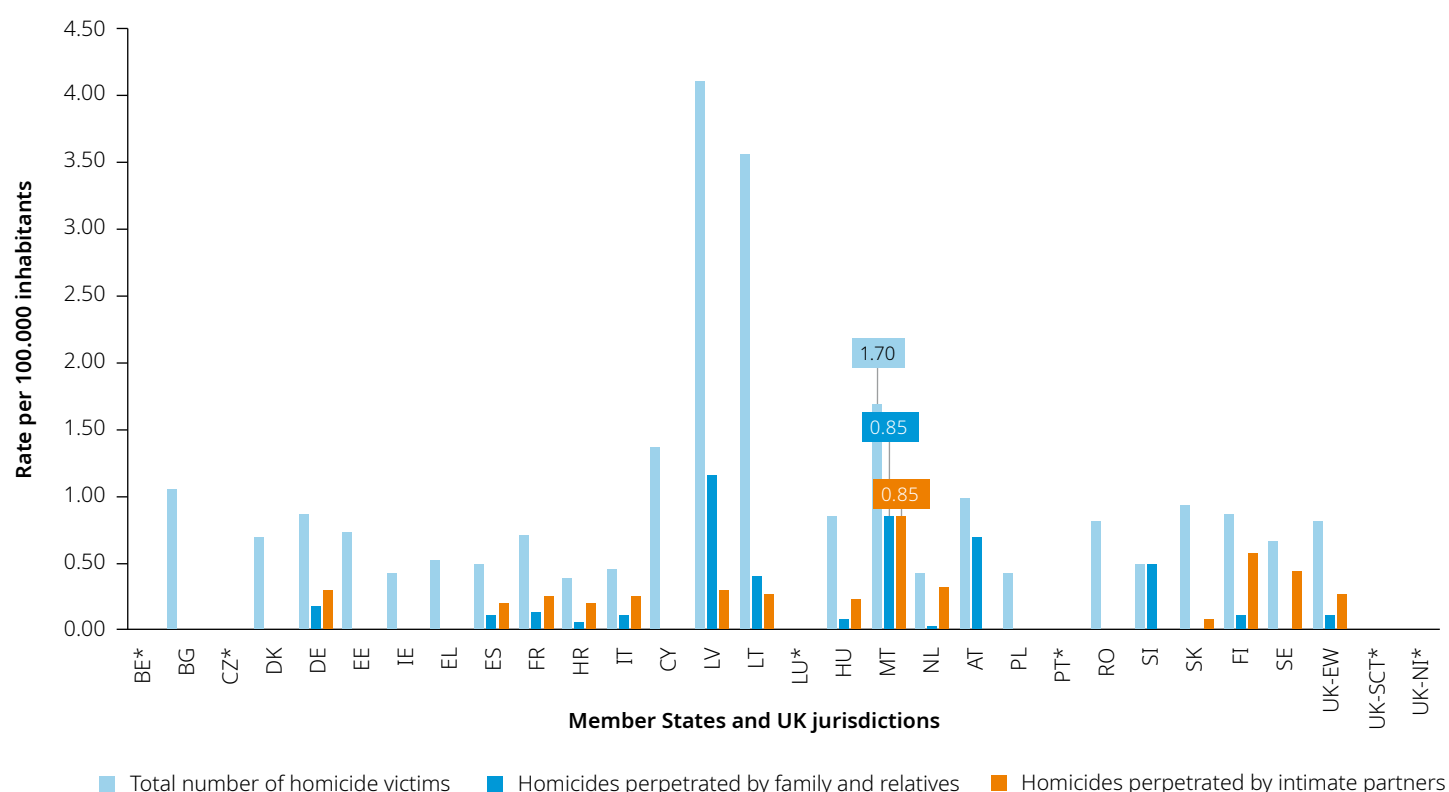
NB: n/a, not applicable.

## Female homicide in the EU Member States and the United Kingdom (Eurostat)

At the EU level, based on the ICCS, Eurostat compiles data on intentional female homicides, focusing on intimate partner and family-related homicides, disaggregated by age, gender and relationship with the perpetrator. The data from Eurostat presented in Figure 2 reveals that, in 2018, the rate of female victims of homicide in Malta was 1.70 per 100 000 inhabitants,

the third highest rate among the 24 Member States for which information is available and the United Kingdom. Malta has the second highest rate (0.85) of female victims of homicide perpetrated by family and relatives (out of 14 jurisdictions) and the highest rate (0.85) of female victims of intentional homicide perpetrated by intimate partners (out of 15 jurisdictions).

Figure 2: Rate of female victims of intentional homicide in EU Member States and the United Kingdom (2018)



(\*) No data available.

NB: UK-EW, England and Wales, United Kingdom; UK-NI, Northern Ireland, United Kingdom; UK-SCT, Scotland, United Kingdom.

Source: Eurostat.

### Data information

Eurostat regularly publishes figures on crime and criminal justice. Intentional homicides are recorded by the police in each of the Member States and the United Kingdom. It is not possible to collect information about the gender-related motivation for homicide, the sex of the perpetrator or the age of the perpetrator using this database. Therefore, it is not possible to provide precise data on femicide.

Figures for 2008 onwards are based on the joint Eurostat-UNODC data collection. In this database, homicide is classified by the ICCS.

Data is available on Eurostat’s website (<https://ec.europa.eu/eurostat/data/database>).

## Key findings

- Malta does not have a legal definition of femicide. However, the perpetrator may be liable for wilful homicide or grievous bodily harm from which death ensues.
- There are two main institutions that collect or analyse data for the identification of femicide. Data on intimate partner femicide and other types of femicide is available.
- EIGE has gathered data on homicide and intimate partner

femicide for 2014 to 2018; however, data may be available in Malta for other years. Available data includes information about the characteristics of the victim and the perpetrator, contextual variables, and motive.

- Femicide is analysed on the basis of official and non-official sources, such as data from police, data from court cases, established causes of death and media information.

## Recommendations

The collection of accurate and comparable data on femicide by the police and justice sectors across Member States helps to increase knowledge and improve responses to prevent femicide<sup>(18)</sup>. It is therefore important to:

- develop a femicide definition for statistical data collection, in order to reflect the specific circumstances relating to the killing of women;
- implement a process of continuous data collection;
- establish comprehensive data collection, adding variables that are important for detecting key aspects of femicide, such as those describing the context and the circumstances of the killing, the gender-related motivation, and the victim and perpetrator characteristics, in order to systematise and harmonise the collection of data for statistical use;

- cross-reference the variables of the victim and those of the perpetrator, and analyse them using an intersectional approach;
- ensure that the gender dimension of homicide data is made visible.

### Recommendations for data collection on femicide in Malta

To populate EIGE's indicator on femicide (indicator 9) and to improve understanding of intimate partner femicide, it is recommended that the exact relationship between the victim and the perpetrator be recorded using the categories of current and former partners and current and former spouses<sup>(19)</sup>.

This factsheet is based on information from EIGE's study 'Advancing administrative data collection on intimate partner violence and gender-related killings of women' (2021) and has been prepared by the Alternative and Response Women's Association (UMAR). For more information, visit <https://eige.europa.eu/gender-based-violence/femicide>.

<sup>(18)</sup> European Institute for Gender Equality (EIGE) (2018), *Recommendations to improve data collection on intimate partner violence by the police and justice sectors – Malta*, EIGE, Vilnius; European Institute for Gender Equality (EIGE) (2017), *Recommendations for the EU to improve data collection on violence against women*, EIGE, Vilnius; European Institute for Gender Equality (EIGE) (2021), *EIGE's indicators on intimate partner violence, rape and femicide: Recommendations to improve data quality, availability and comparability*, EIGE, Vilnius.

<sup>(19)</sup> Indicator 9 of the Gender Statistics Database ([https://eige.europa.eu/gender-statistics/dgs/indicator/genvio\\_int\\_adm\\_ipv\\_\\_ipv\\_indic\\_9/metadata](https://eige.europa.eu/gender-statistics/dgs/indicator/genvio_int_adm_ipv__ipv_indic_9/metadata)).

### 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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