



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.

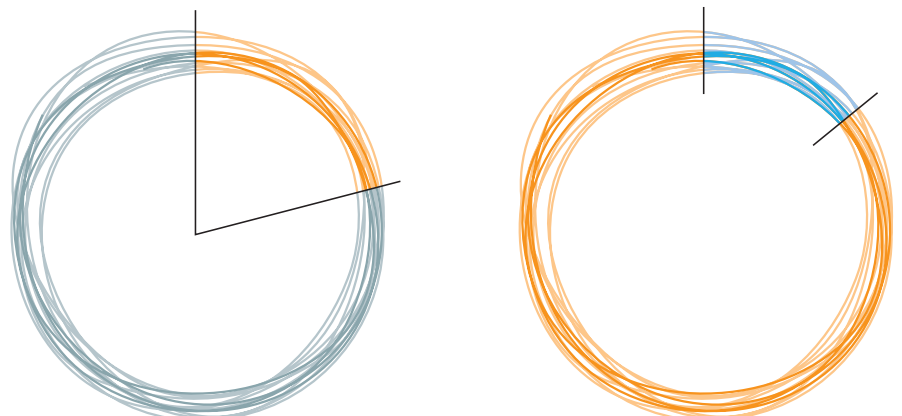
Improving data collection and providing comprehensive and reliable administrative data is crucial to monitor the police and justice sectors' response to violence against women. It also shows a state's willingness to monitor the effectiveness of its law. High-quality administrative data is in line with 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 Hungary, 21 % of women have been victims of physical and/or sexual violence by a partner since the age of 15.

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?

All offence provisions are codified in the Criminal Code ⁽²⁾. The Criminal Code does not contain a specific offence provision corresponding to intimate partner violence in particular ⁽³⁾. Instead, several offence provisions penalise behaviours committed against intimate partners. 'Relationship violence (kapcsolati erőszak)', which is a subsidiary offence ⁽⁴⁾, covers violence in intimate relationships along with other family relations. Certain crimes, as specified in Article 212/A(2) of the Criminal Code ⁽⁵⁾, are subject to more severe penalties if committed against a partner. Finally, certain crimes are more severely punishable if committed against a relative. The term 'relative' also covers partners and spouses.

Process of administrative data collection by police and justice sectors



POLICE



- For all offences, including those linked to intimate partner violence, the following breakdowns are recorded by the police via ENYÜBS ⁽⁶⁾: the victim's age and sex and the relationship between the victim and the perpetrator.
- The authorities register various characteristics, including the relationship of the victim with his/her perpetrator. The system in place only allows for one entry regarding this characteristic. This in practice means that in cases where multiple perpetrators commit a crime, only data on one of the perpetrators would appear in the official records. As a result, many cases committed by multiple perpetrators are registered as 'ordinary crimes', instead of crimes committed by intimate partners.
- Official statistics are not yet harmonised with the International Classification of Crime for Statistical Purposes (ICCS) ⁽⁷⁾.
- In 2015, 238 women victims in cases of relationship violence were recorded by the police ⁽⁸⁾.



- The data is recorded by the police via ENYÜBS.
- The coding system of ENYÜBS is publicly available. The system uses a specific coding system consisting of 35 letters and numbers.



- The Ministry of the Interior publishes ENYÜBS.
- The Central Statistical Office publishes some data.
- Not all available data is analysed and published.



JUSTICE

- ENYÜBS is also used by the Prosecution Service for the recording of data; therefore the same breakdowns are available.
- The National Office for the Judiciary (*Országos Bírósági Hivatal*) collects data on the number of final decisions taken in criminal judicial proceedings. It does not collect data on the victim's age, sex or relationship with the perpetrator given the lack of legal obligation to do so ⁽⁹⁾.

- The Prosecution Service also uses ENYÜBS for recording criminal statistics.
- The data is recorded by the National Office for the Judiciary using a system different from that of the police ⁽¹⁰⁾.

- Some data collected by the prosecution is published via ENYÜBS.
- The National Office for the Judiciary publishes judicial data that does not cover all offences.

⁽²⁾ Act C of 2012 of the Criminal Code (*2012. évi C. törvény a Büntető Törvénykönyvről*) (http://njt.hu/cgi_bin/njt_doc.cgi?docid=152383.344322).

⁽³⁾ Information obtained via a meeting with relevant stakeholders, 11 July 2017, Budapest.

⁽⁴⁾ Subsidiary offences can only be applicable if no other, more serious crime has been committed.

⁽⁵⁾ Article 212/A(2) of the Criminal Code sets out the offence provision of relationship violence.

⁽⁶⁾ Unified system of criminal statistics of the investigative authorities and of public prosecution (*Egységes nyomozó hatósági és ügyészégi bűnügyi statisztika — ENYÜBS*).

⁽⁷⁾ The authorities noted that they are currently working on a data collection system which could be matched with the ICCS classification. This system is expected to be operational by the end of 2017. Information received from the Prosecution Service on 9 February 2017.

⁽⁸⁾ The offence provision of relationship violence does not fully conform to the offence provision of intimate partner violence. Several offence provisions, as set out in the Criminal Code, could correspond to the offence provision of intimate partner violence. Therefore, this data is to be considered as partial.

⁽⁹⁾ Information received from the National Office for the Judiciary on 1 September 2017.

⁽¹⁰⁾ The National Office for the Judiciary publishes data via annual statistical books (<http://birosag.hu/kozerdeku-informaciok/statisztikai-adatok/statisztikai-evkonyvek>).

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⁾

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.

⁽¹⁾ The table provides some indication to the extent of intimate partner violence cases. The information contained therein, however, should not be considered as complete. This is due to the fact that in Hungary, there is no single offence provision corresponding to the offence provision of intimate partner violence, as set out in the Istanbul Convention. The authorities, therefore, have provided only partial data, often covering only one or few of the offence provisions that would fall under the category of intimate partner violence.

Key recommendations for improving data collection on intimate partner violence



Ratify the Istanbul Convention

Hungary signed the Istanbul Convention on 14 March 2014 but has not yet ratified it. Nor have any authorities been officially assigned to data collection and reporting to the Council of Europe ⁽¹²⁾. It is recommended that Hungary ratify the Istanbul Convention and designate an authority responsible for the coordination of data collection.



Align data classification with international standards

Hungary's data collection methods are not yet fully harmonised with the ICCS classification. Promising steps have been taken by the government towards addressing this problem in the near future.

It is recommended that predefined variables include separate categories which can then be used to identify incidents that occur between different types of current or former partners. They should include current and former spouses and current and former intimate partners, with or without cohabitation.



Harmonisation of data collection methods

Data collection systems are partially integrated between the police and the prosecution. The National Office for the Judiciary uses a different system.

It is recommended that an integrated system be developed so that the judiciary, the police and the Prosecution Service can collect data in a similar fashion.

With the entry into force of the new Criminal Procedure Code (1 July 2018), the Ministry of the Interior and the National Office for the Judiciary are considering the revision of ENYÜBS to ensure the collection of harmonised data by the police, the Prosecution Service and the judiciary.

Publication of more data

Whilst some data is publicly available, the datasets do not provide enough information regarding the scale of the issue. Moreover, some relevant datasets can only be accessed upon request. Although it would not be efficient to publish data unselectively ⁽¹³⁾, an optimal solution should be found.

It is recommended that data regarding the indicators be published or thematic reports on the topics be prepared to provide more information on the subject.

Make data more accessible

None of the existing data sources contain data in English.

It is recommended to publish data also in English. To this end, a glossary matching Hungarian terms with their English-language counterparts should be developed. Such a glossary would help the authorities in their work of registering and subsequently publishing data in a harmonised way.

⁽¹²⁾ The National Crime Prevention Council (*Nemzeti Bűnmegelőzési Tanács*) will be entrusted with this task.

⁽¹³⁾ The authorities purposefully limit the amount of data that they publish via ENYÜBS. This is due to the fact that they collect a wide range of data. It would not be efficient to publish all datasets; especially as upon request any data could be made available.

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.



European Institute for Gender Equality
Gedimino pr. 16
LT-01103 Vilnius
LITHUANIA

Contact details

<http://eige.europa.eu/> 
facebook.com/eige.europa.eu 
twitter.com/eurogender 
youtube.com/user/eurogender 
eurogender.eige.europa.eu 
eige.sec@eige.europa.eu 
 +370 52157444 