

CROATIA

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



The recommendations were developed after an 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 5 July 2017 in Ljubljana, Slovenia. The suggestions were revised upon participants' feedback. The recommendations aim to improve administrative data collection on intimate partner violence 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

Political commitment is crucial to improving administrative data collection on intimate partner violence. It provides a catalyst for change and ensures the sustainability of systematic and harmonised data collection practices on intimate partner violence in the police and justice sectors.

A new Act on the Protection against Domestic Violence, which transposes relevant provisions of the Istanbul Convention and the Victims' Rights Directive, came into force on 1 January 2018. The act covers intimate partner violence ⁽¹⁾ and also regulates data collection on domestic violence (Article 20). In 2009, the then Protection from Domestic Violence Act had been amended to introduce 'economic violence' into the definition of domestic violence. A new national strategy for the protection against domestic violence in the period 2017-2022 ⁽²⁾ was adopted in September 2017 and proves a strong political commitment to the issue. Moreover, the government aims to increase coordination among the Ministry of the Interior, the Ministry of Justice and the Ministry of Demographics, Family, Youth and Social Policy ⁽³⁾.

It is recommended to strengthen political commitment to ensure that progress on the improvement of administrative data collection is sustainable and that new initiatives relating to data collection are prioritised.

Develop an action plan to facilitate the estimation of the costs of intimate partner violence against women

No studies have been undertaken that endeavour to estimate the economic burden of intimate partner violence on the police and justice sectors. By developing an action plan to estimate the costs of intimate partner violence and violence against women, the phenomenon can be understood in the context of the economic burden it creates.

It is recommended that a purpose-built economic model be adopted in order that the costs of intimate partner violence against women to the police and justice sectors can be estimated. The purpose-built model developed by EIGE can be used for this purpose.

2. Data collection infrastructure and cooperation between different authorities

Improve the data collection coordinated by the Ministry of Justice and make data publicly available

According to the new Act on the Protection against Domestic Violence, the Ministry of Justice is responsible for coordinating the data collection on domestic violence and making it publicly available. Article 21 of the legal act foresees the establishment, within the Ministry of Justice, of a committee for monitoring and improving the activity of the police and justice sectors. The committee is responsible for collecting data on domestic violence and drafting annual reports on the implementation of the act.

Previous to the implementation of the new act, the database managed by the Ministry of Demographics, Family, Youth and Social Policy was the only one that systematically collected information from the police and justice sectors, in addition to social welfare centres. Information in the database included reported cases from the Ministry of the Interior as well as additional data from the justice sector. However, there was no clear guidance on the use of the database by the different ministries and bodies responsible for data collection on intimate partner violence, meaning that data was often not comparable or complementary. Only a portion of the information on domestic violence was provided by the Ministry of Demographics, Family, Youth and Social Policy in its annual statistical report. While data had been collected on the relationship between the victim and the perpetrator, this information was not available in the public reports.

⁽¹⁾ Government of the Republic of Croatia, Act on the Protection against Domestic Violence (*Zakon o zaštiti od nasilja u obitelji*) *Narodne Novine*, 70/17, 2017, Article 10.

⁽²⁾ Ministry of Demographics, Family, Youth and Social Policy, Public hearing on the Draft National Strategy for Protection from Domestic Violence for the period from 2017-2022 (*Otvoreno javno savjetovanje o Nacrtu prijedloga Nacionalne strategije zaštite od nasilja u obitelji, za razdoblje od 2017. do 2022.*), 2017 (<http://www.mspm.hr/vijesti-8/otvoreno-javno-savjetovanje-o-nacrtu-prijedloga-nacionalne-strategije-zastite-od-nasilja-u-obitelji-za-razdoblje-od-2017-do-2022/4445>) (not available in English).

⁽³⁾ The Advocates for Human Rights and the Autonomous Women's House Zagreb, *Implementation of Croatia's domestic violence legislation: Follow-up report, 2016, 2016.*

Recording the relationship between the victim and the perpetrator is absolutely fundamental to any form of data collection on cases of intimate partner violence: publishing this disaggregation enables the identification of offences in the context of an intimate relationship.

It is recommended that the committee established within the Ministry of Justice collect and make information publicly available on specific offences and on the relationship between the victim and the perpetrator to differentiate intimate partners from other domestic relationships.

3. Technical recommendations

Improve and standardise data collection methodology in both sectors

The police faces the challenge of varying criminal definitions and different classification systems when collecting administrative data on intimate partner violence. Moreover, data is collected from several sources, which makes the comparison of criminal offences problematic. Both the police sector and the Ministry of Justice face issues related to a lack of continuity in data collection methods. Furthermore, the quality of the data collected depends largely on the field officers (police) who enter the data into the system, in addition to the administrative staff who transfer the data into the databases. At the beginning of 2018 the Ministry of Justice had started drafting new guidelines and rules for data collection.

It is recommended that the Ministry of Justice establish a clear set of guidelines and a harmonised data collection methodology with accompanying well-defined responsibilities for the police and justice sectors with regard to the process of statistical input.

Indicator 1 — Annual number of women (aged 18 and over) victims of intimate partner violence ⁽⁴⁾ committed by men (aged 18 and over), as recorded by police

No data is collected specifically on intimate partner violence, but data is collected under 'domestic violence' offences. The annual statistical police report provides the annual number of women victims of domestic violence, which can be used to partially populate this indicator. The age of the victims is available. However, available data does not specify the age of the perpetrator or the relationship between them and the victim.

It is recommended to record the type of intimate partner violence offence and the age of the perpetrator. Moreover, the relationship between the victim and the perpetrator should be recorded in order to differentiate intimate partners from other relationships in the domestic sphere. This information should be published online on the official police website.

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

The data for domestic violence incidents with women victims and men perpetrators (by relationship between the victim and the perpetrator, including: ex-partners and current partners) is available upon request.

It is recommended to record the relationship between the victim and the perpetrator to differentiate intimate partners from other relationships in the domestic sphere. This information should be published online on official police platforms.

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)

The data to populate this indicator is partially available in the annual statistical report published by the police. However, the data refers to domestic violence and includes the number of male perpetrators of domestic violence without further specifications (except for the age of the perpetrator, which is available). There is no information on the victim or on the relationship between the victim and the perpetrator.

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

It is possible to partially populate this indicator. The number of protection orders according to Article 11 of the Act on the Protection against Domestic Violence is available and includes those applied and granted in all domestic violence cases.

For indicators 3 and 10

It is recommended to further record the type of offence and the relationship between the victim and the perpetrator to differentiate intimate partners from other domestic relationships. This information should be published online on official police platforms.

Indicator 4 — Annual number of women (aged 18 and over) victims of physical intimate partner violence ⁽⁵⁾ committed by men (aged 18 and over), as recorded by police

There is no specific category for physical intimate partner violence. However, the Ministry of the Interior distinguishes between the following categories of domestic violence:

- domestic violence-related attempted homicide with women victims and men perpetrators, by relationship between the victim and the perpetrator;
- domestic violence-related assault with women victims and men perpetrators, by relationship between the victim and the perpetrator.

The information is available only on request from the police.

Indicator 5 — Annual number of women (aged 18 and over) victims of psychological intimate partner violence ⁽⁶⁾ committed by men (aged 18 and over), as recorded by police

There is no specific category of psychological intimate partner violence, but the police collects data on domestic violence-related threatening behaviour and coercion incidents with women victims and men perpetrators, by relationship between the victim and the perpetrator.

The information is available only on request from the police.

For indicators 4 and 5

It is recommended to set up a working group to discuss the possibility of recognising physical and psychological violence as forms of domestic violence. It is additionally recommended to collect sex-disaggregated data with a breakdown on the victim–perpetrator relationship to differentiate intimate partners from other relationships in the domestic sphere. This information should be regularly published online on official police platforms.

Indicator 6 — Annual number of women (aged 18 and over) victims of sexual intimate partner violence ⁽⁷⁾ committed by men (aged 18 and over), as recorded by police

The police collects data on domestic violence-related sexual assaults with women victims and men perpetrators, by relationship between the victim and the perpetrator (distinguishing between current and former partners).

The information is available only on request from the police.

It is recommended to make this data publicly available. Information on the age of the victim and of the perpetrator should be included in the information published online on official police platforms.

⁽⁵⁾ 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).

⁽⁶⁾ 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).

⁽⁷⁾ Any sexual act performed on the victim without consent. Sexual violence can take the form of rape or sexual assault (EIGE, 2017).

Indicator 7 — Annual number of women (aged 18 and over) victims of economic intimate partner violence (8) committed by men (aged 18 and over), as recorded by police

The data collected by the police does not include information on economic intimate partner violence.

It is recommended to set up a working group to discuss the possibility of recognising specific offences (e.g. the non-payment of alimony, Article 172 of the Criminal Code) as constituting economic violence and to collect sex-disaggregated data with a breakdown on the relationship between the victim and the perpetrator.

Indicator 8 — Annual number of women (aged 18 and over) victims reporting rape (9) committed by men (aged 18 and over), as recorded by police

Data is available to populate this indicator. The crime statistics concerning rape are also publicly available in the annual police report.

No recommendation is needed.

Indicator 9 — Women victims of intimate femicide (10) (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 criminal statistics concerning homicides of women are publicly available in the annual police report. However, the data provided in the report does not specify the age of the victim (11). Detailed data on homicides of women, including homicide and attempted homicides by men 'known to the victim', is available upon request. The current categories used include current and former partners, married or unmarried.

It is recommended to add further information on the age of the victim and to make this data publicly available online on official judicial platforms.

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

It is possible to populate this indicator. The number of men prosecuted for domestic violence according to Article 10 of the Act on the Protection against Domestic Violence is available, and information on the relationship between the victim and the perpetrator is also available.

It is recommended to enable the categorisation of an intimate partner violence offence within the current offence of domestic violence.

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

It is possible to partially populate this indicator. Data is available on prison sentences imposed on men (conditional and unconditional) in addition to monetary sentences. However, the data available includes all domestic violence offences under the Act on the Protection against Domestic Violence.

It is recommended to further detail the type of offence as well as the relationship between the victim and the perpetrator to differentiate intimate partners from other relationships in the domestic sphere. Moreover, this information should be published online on official judicial platforms.

Indicator 13 — Annual number of men 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. Only data on the number of men sentenced for domestic violence offences is currently available.

It is recommended that the Ministry of Justice publish the data with the necessary breakdowns, including the sex of the victim and of the perpetrator, their age and the relationship between them in order to differentiate intimate partners from other domestic relationships. Moreover, this information should be published online on official judicial platforms.

(8) 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).

(9) 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).

(10) 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).

(11) Ministry of the Interior, Statistics report, p. iv (http://stari.mup.hr/UserDocImages/statistika/2017/Statisticki%20pregled_2016_2.pdf) (not available in English).



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