



### 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.

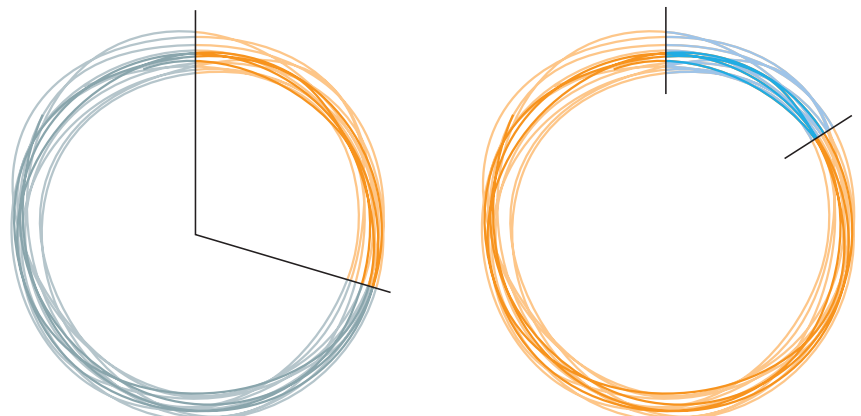
Improving data collection and providing comprehensive and reliable administrative data is crucial to monitor the police and justice sectors' response to violence against women. It also shows a state's willingness to monitor the effectiveness of its law. High-quality administrative data is in line with 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 Austria, 29 % of women have been victims of physical intimate partner violence in their lifetime.

Only 16.5 % 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?

Intimate partner violence is criminalised under several offences of the Criminal Code. Violence against family members is considered an aggravating circumstance. Austria ratified the Istanbul Convention on 14 November 2013. The convention entered into force in Austria in August 2014. As a result, it is bound to collect disaggregated relevant statistical data at regular intervals on cases of all forms of violence covered by the convention.

## Process of administrative data collection by police and justice sectors



### POLICE



- Data is available on violence against family members living in the same household and family members living in a different household <sup>(?)</sup>, by victim's and perpetrator's sex.
- Information on the victim–perpetrator relationship is also collected; however, the categories do not allow identifying intimate partner relationships. The data only distinguishes between the following categories: acquaintance, family relationship in the same household, family relationship not in the same household, unknown, acquaintance by chance, no relationship.
- Data is collected on emergency barring orders.



- Data is recorded according to the Criminal Code. Police reports are collected by the Department for Crime Statistics at the Federal Criminal Police Office.
- Statistical definitions are those of the individual offences in the Criminal Code.



- The Ministry of the Interior annually generates police crime statistics (*Polizeiliche Kriminalstatistik*) and publishes them as part of the safety report (*Sicherheitsbericht*). In the section 'Crime report — statistics and analysis' (*Kriminalitätsbericht — Statistik und Analyse*) there is data on the individual offences broken down by victim–perpetrator relationship and in a separate table broken down by victim's sex and age.



### JUSTICE

- Data is recorded by the prosecution bodies and the courts using a classification of offences in the Criminal Code and supplementary penal provisions (no specific coding system).
- Data is available on prosecuted cases, by sex of perpetrator and of victim, and on convicted male perpetrators (sex of victim not recorded); for each, the FAM flag is recorded <sup>(?)</sup>.

- Data is centrally collected through the following two electronic systems that are relevant for the purpose of statistics on violence against women.
  1. The Criminal Record (*Strafregister*) contains information on legally binding convictions. However, no information is available on victims.
  2. The Automated Justice Registry (*Verfahrensaufautomation Justiz*) contains information on the different cases (courts' and prosecutions' registries), including on the victim's age, sex and nationality, as well as the FAM flag.

- Statistics Austria annually publishes data on final convictions (and reconstructions) by Austrian courts (*Gerichtliche Kriminalstatistik*). In order to prepare these statistics, Statistics Austria receives information recorded in the Criminal Record. The Ministry of Justice annually publishes a report on the activities of the criminal justice, as part of the safety report (*Sicherheitsbericht — Bericht über die Tätigkeit der Strafjustiz*), including data on victims by sex for aggregated offences.

<sup>(?)</sup> Additional relationship categories being: acquaintance, unknown, acquaintance by chance.

<sup>(?)</sup> The FAM (meaning 'family') flag indicates whether an offence has taken place in the family context. However, this flag is not seen as reliable.

# 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



LEGISLATIVE

## Strengthen the commitment to improve administrative data collection

A policy framework like the national action plan on the protection of women against violence 2014-2016 should again be adopted and include measures to improve administrative data collection.

## Estimate the costs for changes in data collection

To assess the cost-effectiveness of future changes in data collection it is recommended to carry out cost estimations of necessary changes in relationship categories for police and judicial crime statistics; and to make transparent the current costs of data collection and the costs of specific data extractions.



TECHNICAL

## Improve the classification of victim–perpetrator relationship

Systematic recording and processing of the relationship between victim and perpetrator for all relevant criminal offences in the police and the justice sectors is advisable. In order to differentiate intimate partner relationships, new categories would need to be recorded to include current and former spouse and partner.

## Collect data on all cases reported to the police

Data collection should again be extended to cover all types of police interventions and cases reported to the police (e.g. through telephone calls, visits at the police stations).

## Publish detailed data annually

Annual police crime statistics should include breakdowns of individual offences by the victim's sex and age and the victim–perpetrator relationship combined; annual justice statistics should include at least data on offences broken down by the sex of the victim and the suspect combined.



COOPERATION

## Establish a central web domain for statistics on violence against women

A central website containing all relevant data from different sources from which users could either download data tables or relevant reports would be useful. This website could be interlinked with the websites of different authorities collecting the data.

### 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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