



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.

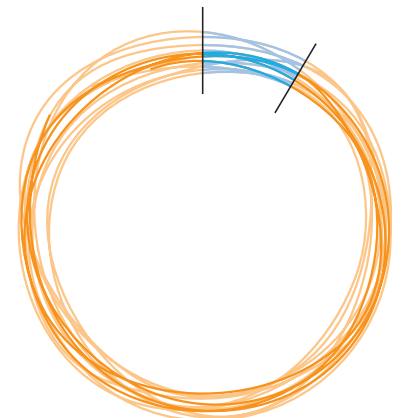
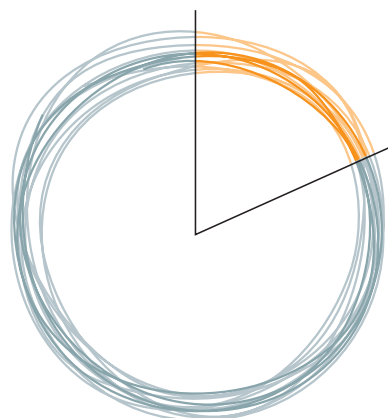
Improving data collection and providing comprehensive and reliable administrative data is crucial to monitor the police and justice sectors' response to violence against women. It also shows a state's willingness to monitor the effectiveness of its law. High-quality administrative data is in line with 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.

20 % of women have been victims of physical and/or sexual violence by a partner since the age of 15.

Only 10 % 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 offences in the Penal Code, which encompass physical, sexual, psychological and economic forms of violence, including threat, sexual harassment, harassing pursuit, physical abuse, sexual assault, manslaughter and homicide. Relevant legal provisions are based on the category of 'violence in close relationships and dependency relationships', which is broader than intimate partner violence and can refer to relationships between family members. There is no distinctly criminalised intimate partner violence offence. Estonia ratified the Istanbul Convention in 2017.

Process of administrative data collection by police and justice sectors



POLICE



- As intimate partner violence is not a legally recognised offence, there is no specific data collected on it.
- Offences are instead listed mostly under the category of physical abuse, where Article 121(2) and (3) of the Penal Code apply.
- Data is collected with the following breakdowns: the age, sex and nationality of both the victim and the perpetrator and their relationship.
- Variables for the relationship include: spouse, cohabitating partner, ex-spouse/cohabitating partner, immediate family members, other.
- As recording the relationship between the victim and perpetrator is not mandatory, identifying intimate partner violence cases is problematic.



- The police uses legal codes based on the Penal Code.
- The police uses an electronic database, which includes several different submodules such as the Police Proceedings Database, the Police Operations Database and the Police Information System.
- In intimate partner violence cases, a specific template in the report is filled in the e-File System.
- This report contains a category to record the relationship between the victim and perpetrator, but this field is not mandatory..
- The quality of the data recorded depends on the thoroughness of the officer.



- Annual reports on crime are prepared by the Criminal Statistics and Analysis Division of the Ministry of Justice.
- Official data on intimate partner violence is not publicly available.



JUSTICE

- The justice system's centralised e-File System includes information on homicide, rape and incidents of intimate partner violence.
- These are recorded using relevant legal codes.
- The e-File System includes the following breakdowns: the age and sex of the victim, the sex and age of the perpetrator in homicide and rape cases and their relationship.
- The Criminal Records Database aggregates data from the Court Information System, Prison Information System and Probation Information System.
- The Criminal Records Database data is disaggregated by age and sex of the perpetrator.
- There is no breakdown for the relationship between the victim and the perpetrator.

- The judiciary uses legal codes based on the Penal Code.
- Data is recorded in the e-File System, which aggregates all data on criminal, civil, administrative and misdemeanour procedures.
- The chief processor of the e-File System is the Ministry of Justice.
- Data in the Criminal Records Database is recorded qualitatively and disparities can occur.
- Data on persons convicted of intimate partner violence can only be obtained by making a specific request to the Court Information System.

- The Ministry of Justice publishes an annual report based on national safety survey and e-File System data.
- Statistics Estonia publishes data on intimate partner violence, but not on the sex/age of the victim and the perpetrator, nor on their relationship.

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



Introduce a definition of intimate partner violence

At present, intimate partner violence offences are criminalised under more general articles in the Penal Code, as there is no distinct criminal offence for intimate partner violence. The existing criminal category of 'violence in close relationships and dependency relationships' contains a broader definition than intimate partner violence. It is recommended to introduce the concept of intimate partner violence as a specific offence in domestic legislation, based on the Victims' Rights Directive and the Istanbul Convention.

Recognise specific forms of intimate partner violence

There is a need to provide legal clarification on what constitutes economic and psychological intimate partner violence. For example the concept of stalking has not been introduced into domestic legislation. It is recommended to establish a working group to table definitions of different forms of intimate partner violence — particularly psychological and economic — and consider how they can be implemented into domestic law and be recorded in data collection.



Systematically record relationship information

Recording the relationship between the victim and perpetrator at all stages of the criminal process enables intimate partner violence offences to be distinguished from other domestic violence cases. Although data can be collected on the relationship between the victim and the perpetrator at police and justice levels, it is not mandatory and consequently the quality of this data is low. It is recommended to make mandatory the recording of the relationship between the victim and the perpetrator in order to specify intimate partners.



Establish a coordinating body to harmonise data across sectors

When data collected on intimate partner violence is comparable across institutions and sectors, a more comprehensive understanding of national prevalence could be obtained. This collation and harmonisation could be facilitated by employing appropriate bodies for coordinating purposes. The steering committee of Estonia's violence prevention strategy 2015-2020 is well placed to advise on standardising intimate partner violence definitions for data comparison purposes and to discuss improvements for data collection and analysis. In light of the decision in 2016 to reduce Statistics Estonia's reporting on crime, there is a need to discuss effective cooperation between this body and the Ministry of Justice. The Ministry of Justice is well placed to act as a coordinating body to manage data collection across sectors.

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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