



### 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 <sup>(1)</sup>. States must ensure that they carry out the due diligence principle to investigate and punish acts of violence and provide compensation to victims.

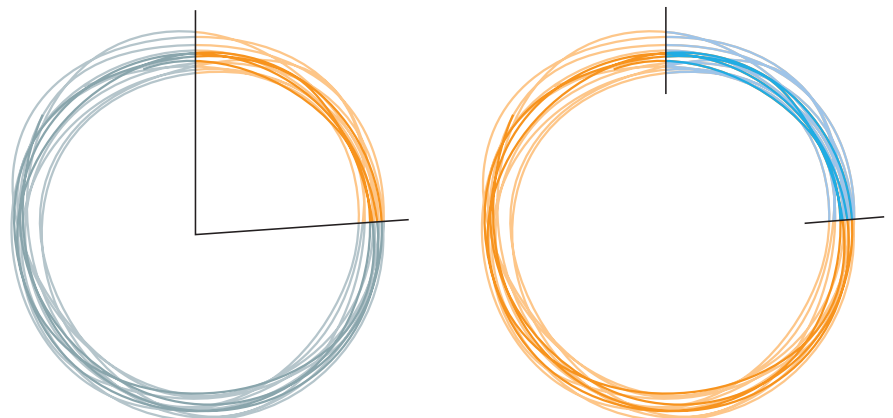
Improving data collection and providing comprehensive and reliable administrative data is crucial to monitor the police and justice sectors' response to violence against women. It also shows a state's willingness to monitor the effectiveness of its law. High-quality administrative data is in line with 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 Lithuania, 24 % of women have been victims of intimate partner violence in their lifetime.

Only 24 % of those women contacted the police.



<sup>(1)</sup> 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?

The Law on Protection against Domestic Violence defines the relations between persons involved in domestic violence incidents as including intimate current and former partners, intergenerational family members and people linked through a common domicile or household. However, intimate partner violence and domestic violence are not recognised as specific and distinct offences. Rape and sexual assault are defined in the Criminal Code <sup>(2)</sup>. In 2013, the Criminal Code and the Code of Criminal Procedure were amended so that a pretrial investigation must be initiated in all cases where the offence bears characteristics of domestic violence. The Istanbul Convention was signed in June 2013 but has not been ratified yet.

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



### POLICE



- As intimate partner violence is not a legally recognised offence, there is no administrative data collected on it.
- Available variables relating to the victim include their sex, age and their relationship to the perpetrator.
- Available variables relating to the perpetrator include their sex and age but not their relationship to the victim. Consequently, there is no possibility of identifying intimate partner violence from data collected on the perpetrator.
- 'Domestic violence' is an additional variable which is at the discretion of the investigator to mark when inputting data on the offence at pretrial investigation level.
- In 2015, police recorded 38 510 calls made to them regarding domestic violence incidents against women. Out of those, 10 703 pretrial investigations were started <sup>(3)</sup>.



- A police investigator registers data on an offence using a specific code that corresponds to offences in the Criminal Code.
- An offence is used as a unit for recording purposes.
- Data is first recorded by police at the moment an incident is registered. A police officer submits data through a questionnaire to the Database of Registered Incidences on date, time and address.
- 'Domestic violence' is an available category used to identify the type of case.



- The Information and Technology Department produces statistics on criminal offences from the Departmental Register on Criminal Offences.
- These statistics are published by the Department of Statistics.



### JUSTICE

- The Courts Register collects data on the criminal procedure and on persons participating within it.
- This includes information on the perpetrator and contact information for any victims, witnesses, experts or specialists involved.
- Recording data on the victim is not mandatory for reasons of protection.
- Data collected on the perpetrator includes information on nationality, citizenship, age and education but does not include the sex of the victim or their relationship to them.
- Identifying instances of intimate partner violence in court procedures and judgments is only possible through descriptive information provided by the court. This is because intimate partner violence and violence against women are not uniquely defined in penal legislation.

- Like the police, the justice system registers data using a specific code that corresponds with the Criminal Code.
- A case is used as a unit for recording purposes.
- Only manual case-by-case analysis is possible to identify cases of intimate partner violence across the police and justice sectors.
- Since 2016 all registers, including police and justice, have become integrated to form the Integrated Information System of Criminal Procedure in order to digitalise the criminal process.

- The National Courts Administration provides aggregated data for the Department of Statistics in an annual report <sup>(4)</sup>.

<sup>(2)</sup> Articles 149, 150 and 151 and Article 151(1) of the Criminal Code, Law No VIII-1968, 2000 ([www.legislationline.org/documents/id/17832l](http://www.legislationline.org/documents/id/17832l) Code).

<sup>(3)</sup> Bajorinas, A., *Statistika ir tendencijos*, 2016 (<http://www.policija.lt/index.php?print=1&id=37004>).

<sup>(4)</sup> *Report on courts' work (Teismų veiklos apžvalga)*, 2016 ([http://www.teismai.lt/data/public/uploads/2017/04/d2\\_lietuvos\\_teismai\\_ataskaita.pdf](http://www.teismai.lt/data/public/uploads/2017/04/d2_lietuvos_teismai_ataskaita.pdf)).

# 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



### Ratify the Istanbul Convention

Lithuania signed the Istanbul Convention in June 2013. It is recommended that it now be ratified in order to meet minimum data requirements for international comparisons. Among other benefits, one advantage of ratifying the Istanbul Convention in terms of data collection would be the availability of EU comparable data. This would assist policymakers and practitioners in their efforts to combat intimate partner violence and rape.

### Introduce the definition of intimate partner violence

The current concept of domestic violence in Lithuania covers a broad variety of familial relationships. 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

While psychological violence is covered by the Criminal Code, its definition is very narrow. Consequently, instances of stalking are difficult to prove within a legal framework. Additionally, at present, economic violence is not recognised in the Criminal Code. It is recommended that Lithuania adopt an amendment to the Criminal Code or a separate law on stalking to contribute to better legal investigations into psychological violence crimes. It is additionally recommended to recognise economic violence as a form of intimate partner violence.



### Systematically record relationship information

Recording the relationship between the victim and the perpetrator at all stages of the criminal process enables intimate partner violence offences to be distinguished from other domestic violence cases. Recording an offence as domestic violence is left to the discretion of one investigator. It is recommended that domestic violence become a separate mandatory variable. This variable should contain separate categories in order to distinguish intimate partners from other domestic relationships.



### Improve the integrated electronic database

Steps have been taken to merge the different systemic aspects of the criminal process under one integrated system. However, because the registers that were merged record different variables, it is still not possible to identify data on domestic violence from initial police reports to eventual conviction. It is recommended that the integrated electronic database be further improved to standardise variables in order to monitor intimate partner violence cases throughout the entire criminal process.

### Make information publicly available and reliable

Publicly available information on crime statistics is covered by the Information and Technology Department under the Ministry of the Interior. However, information on intimate partner violence is not yet publicly available. The National Statistics Department publishes crime statistics obtained from the police and justice registers which are disaggregated by age and sex, but not the relationship between victim and perpetrator. It is recommended to publish relevant and accurate statistics on intimate partner violence; this will contribute significantly to improving public awareness on intimate partner violence.

#### 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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Print 978-92-9470-326-2 10.2839/15989 MH-07-17-083-EN-C  
 PDF 978-92-9470-327-9 10.2839/352004 MH-07-17-083-EN-N

Images: Steve Debenport (iStockphoto), belenox (iStockphoto)