

UNITED KINGDOM

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 26 July 2017 in London, United Kingdom. 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

Maintain political commitment to streamline intimate partner violence legislation

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.

Political commitment towards combating domestic violence in the United Kingdom is strong. Plans have been announced for the creation of a new law (the Domestic Violence and Abuse Act) to deal with domestic abuse in England and Wales ⁽¹⁾. This new legislation will aim to generate greater consistency across law-enforcement bodies and will be coordinated by the Home Office and the Ministry of Justice. Likewise, the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 came into force this year, allowing for an offence to be aggravated by domestic abuse ⁽²⁾. The Domestic Abuse (Scotland) Bill was also introduced to the Scottish parliament and passed stage 3 of parliamentary proceedings on 1 February 2018; becoming an Act of the Scottish Parliament after receiving Royal Assent on 9 March 2018. ⁽³⁾ The act creates an offence for intimate partner violence and also provides the opportunity to recognise other forms of domestic abuse, such as coercive and controlling behaviour. A process has also begun in Northern Ireland to introduce laws against coercive control, targeting domestic abusers. Such political developments are encouraging and could generate a greater need for administrative data on domestic violence to inform policy. While the United Kingdom signed the Istanbul Convention in 2012, it has not yet been ratified. A bill was passed in 2017 which requires the government to present annual reports to parliament on the measures being taken to enable the United Kingdom to ratify the convention ⁽⁴⁾. The government published the first such report on 1 November 2017.

It is recommended that the United Kingdom maintain this political momentum in order to provide a stronger legal basis for improved administrative data collection on intimate partner violence.

Introducing a specific code for intimate partner violence should capture specific types of such violence

Currently, none of the police sectors across England and Wales, Northern Ireland and Scotland record incidents of intimate partner violence according to the four types of such violence recognised by the Istanbul Convention: physical, sexual, psychological and economic. It is necessary to differentiate between these specific forms of intimate partner violence when recording data in order to make data comparable across the EU. England and Wales and Northern Ireland recognise these four forms of violence in their definitions of domestic violence and abuse. Scotland recognises only three of these types of violence in the Scottish government's working definition of domestic abuse (physical, sexual and psychological). Nevertheless, economic violence is subsumed within a wider catch-all category of 'mental and emotional abuse', and the police in Scotland released data on all four types of violence in October 2017, which will either be published online or be available on request.

It is recommended to introduce a specific code for recording intimate partner violence at police level that captures the specific type of intimate partner violence (physical, psychological, emotional or economic) across England and Wales, Northern Ireland and Scotland.

Introduce a policy and legal framework

In England and Wales, Northern Ireland and Scotland, there is no specific offence for intimate partner violence or domestic violence. Instead, intimate partner violence is criminalised under several offences in the criminal code, depending on the type of physical violence that occurred. The fact that the offence occurred in a family or intimate partner context then represents an aggravating

⁽¹⁾ United Kingdom government press release, *Prime Minister's plans to transform the way we tackle domestic violence and abuse*, 2017 (<https://www.gov.uk/government/news/prime-ministers-plans-to-transform-the-way-we-tackle-domestic-violence-and-abuse>).

⁽²⁾ Scottish government, *Criminal proceedings in Scotland, 2015-16*, 2016, p. 33 (<http://www.gov.scot/Resource/0051/00512934.pdf>).

⁽³⁾ Domestic abuse (Scotland) bill, 2017 (<http://www.parliament.scot/parliamentarybusiness/Bills/103883.aspx>).

⁽⁴⁾ Preventing and Combating Violence Against Women and Domestic Violence (Ratification of Convention) Act 2017 (<http://services.parliament.uk/bills/2016-17/preventingandcombatingviolenceagainstwomenanddomesticviolence.html>).

circumstance of the offence. Furthermore, there is no policy/legal framework on collecting data on intimate partner violence or violence against women, and crime statistics recorded by the police and justice sectors are collected and published separately. This absence of a legislative requirement to collect data on intimate partner violence limits the quality of administrative data on intimate partner violence and the ability to meet the requirements of the Istanbul Convention. In Scotland, a positive change in this regard is evidenced by the recently passed Domestic Abuse (Scotland) Act 2018 that introduces the specific offence ‘partner abuse’.

It is recommended that a new policy/legal framework for collecting administrative data on intimate partner violence be introduced in order to overcome inconsistencies in reporting and create a more streamlined and harmonised process. Such a framework could be introduced through a national action plan on administrative data collection.

Continue to develop methodologies to estimate the costs of intimate partner violence

Violence against women in general and intimate partner violence in particular have far-reaching impacts on societies. A considerable amount of human and financial resources is devoted to dealing with cases of violence within the police and justice institutions. Based on the cost methodology developed by the European Institute for Gender Equality (EIGE), it was estimated that in the United Kingdom, the costs of intimate partner violence against women is approximately EUR 13.7 billion per year ⁽⁵⁾. The Home Office in England and Wales has already taken steps to develop its own methodology for calculating such costs to any of the administrative sources covered in this study ⁽⁶⁾. Currently, the Home Office methodology uses data from the crime survey for England and Wales.

It is recommended that this good practice from the Home Office be further developed and expanded to Northern Ireland and Scotland. It is also suggested that the Home Office methodology be further developed in order to use administrative data from the police and justice services. This could be facilitated once the Home Office Data Hub has been fully implemented.

2. Data collection infrastructure and cooperation between different authorities

Maintain development of a streamlined, electronic system of police data collection, through the Home Office Data Hub in England and Wales

At present, the collection of data on crimes by police is carried out through an online tool — the Home Office Data Hub. Since April 2015, police sectors in England and Wales apply a flag to any offence they record to indicate whether it was domestic abuse. In January 2018 the tool was in a transition phase; as of February 2017, 37 of the 44 police forces in England and Wales were providing data solely through this hub. The remaining forces all provided data, but this was not considered of good enough quality to replace their manual data collections. Nevertheless, improving data quality is a priority and the eventual objective is to ensure all police forces use this system. Police Scotland submit their data electronically. In Northern Ireland, all crimes are electronically recorded in the Police Service of Northern Ireland (PSNI) system. Data is used to compile monthly and annual publications. In consequence, data regarding intimate partner violence can be extracted from these systems.

It is recommended that the Home Office continue to transfer data collection methods for all police forces in England and Wales to the data hub.

Harmonise data collection by police forces across the devolved administrations

Owing to the United Kingdom's devolved administrative structure and different legal frameworks, inconsistencies in data collection can arise. Even though all police are required to follow the Home Office counting rules, differences in the quantity and quality of training courses for police forces can influence the quality of data collection. Effective harmonisation can be facilitated by streamlining guidelines and training for police forces. In their capacity as auditors, Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) in England and Wales and Her Majesty's Inspectorate of Constabulary in Scotland (HMICS) could take the role of coordinating such training and guidance for police forces.

It is recommended that efforts be made to harmonise data collection across local police forces. This can be achieved by strengthening and promoting police force training to ensure all local authorities follow the same processes. HMICFRS and HMICS together with the College of Policing could be responsible for police training coordination.

⁽⁵⁾ The figure is calculated according to the methodology used in EIGE's 2014 study based on broad extrapolation of United Kingdom data (EIGE, *Estimating the costs of gender-based violence in the European Union: Report*, Publications Office of the European Union, Luxembourg, 2014).

⁽⁶⁾ Brand and Price, *The economic and social costs of crime*, Home Office Research Study, 2000.

3. Technical recommendations

Harmonise standards across devolved administrations and different legal frameworks

Differences in recording standards across the devolved administrations and the different legal frameworks lead to impaired potential for data sharing. The Home Office counting rules state that when more than one offence is committed at the same time by the same perpetrator(s), only the most serious offence is recorded. While this provision has positive effects on police workloads, it can lead to under-reporting on 'less serious' offences such as psychological abuse and to reducing the perceived seriousness of the overall incident. Recording repeat offences as one offence is problematic as it leads to a lack of data on repeated victimisation. Some data can be gathered based on the 'coercive control' offence, however this data does not reflect the full number of incidents of violence against women.

It is recommended to ensure that all types of offences, in addition to repeat victimisation, are recorded as separate offences for statistical purposes.

Systematically record intimate relationship information in the police and justice sectors

Currently, police and justice sectors across the devolved administrations do not consistently record the relationship between the victim and the perpetrator. This is a significant challenge to national administrative data collection on intimate partner violence. The terms 'domestic violence and abuse' (England and Wales) and 'domestic abuse' (Northern Ireland and Scotland) encompass all domestic relationships. The absence of a possibility to specify the type of relationship means that intimate partners cannot be distinguished from other domestic relationships. However, the introduction of the new data hub for England and Wales exemplifies how changes to recording systems can be implemented to incorporate a relationship variable. Introducing electronic systems with mandatory categories will ensure information on the relationship between the victim and perpetrator can be consistently recorded.

It is recommended to make the necessary changes to the recording systems used by the police and justice sectors in England and Wales, Northern Ireland and Scotland to ensure a systematic recording of the intimate relationship between the victim and the perpetrator.

Systematically record the sex of the perpetrator in England and Wales

England and Wales is falling behind Northern Ireland and Scotland when it comes to collecting data on the sex of perpetrators. They are the only administration to not collect this information, thus severely limiting the quality of their administrative data on intimate partner violence.

It is recommended that the Home Office make recording information on the sex of the perpetrator mandatory for all police forces in England and Wales.

Improve quality assurance procedures in the justice sector

Administrative data on intimate partner violence is limited within the justice sectors across the administrations. For offences related to intimate partner violence and rape, there are few breakdowns. Only the Crown Prosecution Service in England and Wales collects data on the sex of the victim and of the perpetrator, although these datasets are published separately, meaning that the sex of the victim and that of the perpetrator cannot be correlated. The Scottish government only collects data on the sex of the perpetrator, and the Northern Ireland Courts and Tribunal Service does not collect any data on the sex of the victim or the perpetrator. This limits the overall quality of judicial data, making it difficult to monitor outcomes after an incident has been reported to the police. The Crown Prosecution Service collects caseload data through its Case Management System, which is subject to possible errors in data entry and processing. Consequently this data cannot contribute to official national statistics, while inconsistencies remain because some data relates to offences, some to incidents and some to perpetrators.

It is recommended that a set of guidelines be created and enforced by the Ministry of Justice, the Crown Prosecution Service, the Northern Ireland Courts and Tribunal Service and the Scottish government to provide a minimum set of criteria which all justice services should employ. It will be necessary to include the recording of the sex of the victim and the perpetrator and the relationship between them, in order to identify intimate partner violence cases.

Indicator 1 — Annual number of women (aged 18 and over) victims of intimate partner violence (7) committed by men (aged 18 and over), as recorded by police

- *England and Wales* is currently unable to provide this data as the sex and age of the victim and their relationship to the perpetrator are not currently recorded by all police forces. The new data hub has already started collecting such data, and once all police forces begin using it, data for this indicator will soon become available.

It is recommended to ensure the comprehensive implementation of the Home Office Data Hub in order to record the age and sex of the victim and the perpetrator and the relationship between them.

- *Northern Ireland* is currently unable to provide sufficient data to populate this indicator because the victim–perpetrator relationship is not recorded. Consequently, the only data available is the number of domestic abuse crimes where the victim is female.

It is recommended that the PSNI record information on the age and sex of the perpetrator and the victim–perpetrator relationship.

- *Scotland* is able to populate this indicator. The Scottish government provides data on the number of women victims of domestic abuse aged 16 and over, where domestic abuse is restricted to relationships between partners or ex-partners. Single age information is also available on request. However, the data is on the number of crimes, not the number of women.

No recommendation needed.

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

- *England and Wales* is currently unable to populate this indicator since data regarding the sex of the perpetrator is not currently collected. In addition, the sex and age of the victim and their relationship to the perpetrator are not currently recorded by all police forces. The new data hub has already started collecting such data, and once all police forces begin using it, data for this indicator will soon become available.

It is recommended to ensure the comprehensive implementation of the Home Office Data Hub in order to record the age and sex of the victim and the relationship between the victim and the perpetrator by all police forces. It is also recommended to collect data on the age and sex of the perpetrator.

- *Northern Ireland* is currently only able to provide partial data to populate this indicator. The data available from the PSNI is the number of domestic abuse crimes against women aged over 18. However, this data does not include information on the sex of the perpetrator or their relationship to the victim.

It is recommended that the PSNI record information on the age and sex of the perpetrator and the relationship between the victim and the perpetrator.

- *Scotland* is able to populate this indicator.

No recommendation needed.

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)

- *England and Wales* is currently unable to provide data for this indicator. Police data refers to offences, not perpetrators; therefore the Home Office does not collect this. The United Kingdom could provide this data if it collected information on the sex of both the perpetrator and the victim. The new data hub has already started collecting such data.

It is recommended to ensure the comprehensive implementation of the Home Office Data Hub in order to record the age and sex of the victim and the perpetrator and the relationship between them.

- *Northern Ireland* is currently only able to provide partial data to populate this indicator. Police data refers to the number of male offenders for detected crimes with a domestic abuse motivation. However, this data does not include information on the sex of the perpetrator or their relationship to the victim.

It is recommended that the PSNI record information on the age and sex of the perpetrator and the victim–perpetrator relationship.

(7) 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).

- *Scotland* is able to populate this indicator. However, data is on the number of crimes, suggesting there might be overcounting.

It is recommended to count the number of male perpetrators of offences, not only offences.

Indicator 4 — Annual number of women (aged 18 and over) victims of physical intimate partner violence ⁽⁸⁾ committed by men (aged 18 and over), as recorded by police

- *England and Wales* is currently unable to provide data for this indicator, as it does not record the offender's sex.

It is recommended to ensure the comprehensive implementation of the Home Office Data Hub in order to record the age and sex of the perpetrator.

- *Northern Ireland* is not able to provide exact data to populate this indicator. PSNI data refers to the number of domestic abuse crimes (excluding fraud) where the offence is 'violence with injury' (including homicide) and the victim is a female aged 18+. As no information is provided on the relationship between the victim and the perpetrator, intimate partner offences cannot be distinguished.

It is recommended that the PSNI record information on the age and sex of the perpetrator and the relationship between them.

- *Scotland* is currently unable to provide any data to populate this indicator. However, data was released in October 2017 providing information on the different types of intimate partner violence. If this data is not published online, it should be made available on request.

It is recommended to ensure that the data published in October 2017 will be made available online.

Indicator 5 — Annual number of women (aged 18 and over) victims of psychological intimate partner violence ⁽⁹⁾ committed by men (aged 18 and over), as recorded by police

- *England and Wales* — data has been collected on coercive and controlling behaviour since the implementation of a new law in 2015 which criminalised such behaviour. The new offences fall under the main category 'assault without injury'; from this a 'coercive' offence can only be extracted by the police forces that are using the new data hub. Consequently data is only partially available.

It is recommended to ensure the comprehensive implementation of the Home Office Data Hub in order to record the age and sex of the victim and the perpetrator and the relationship between them.

- *Northern Ireland* is not able to provide any data on this indicator. Northern Ireland should follow the example of England and Wales by making coercive and controlling behaviour a legal offence, so that psychological violence is recognised as a form of intimate partner violence.

It is recommended to recognise psychological violence as a distinct offence in Northern Irish legislation.

- *Scotland* is currently unable to provide any data to populate this indicator. However, data was released in October 2017 providing information on the different types of intimate partner violence. If this data is not published online, it should be made available on request.

It is recommended to ensure that the data published in October 2017 will be made available online.

Indicator 6 — Annual number of women (aged 18 and over) victims of sexual intimate partner violence ⁽¹⁰⁾ committed by men (aged 18 and over), as recorded by police

- *England and Wales* is unable to provide data on this indicator as data on the sex of the perpetrator is not collected. Currently, police flag sexual offences when they are domestic abuse-related.

It is recommended that sexual violence become a distinct variable whose recording is mandatory in the context of an intimate partner violence offence.

⁽⁸⁾ 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).

⁽⁹⁾ 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).

⁽¹⁰⁾ Any sexual act performed on the victim without consent. Sexual violence can take the form of rape or sexual assault (EIGE, 2017).

- *Northern Ireland* is not able to populate this indicator. The PSNI only provides data on the total number of sexual offences with a domestic abuse motivation. However there is no data on the sex or age of the victim, or their relationship with the perpetrator.

It is recommended that the PSNI record information on the age and sex of the perpetrator and the relationship between them.

- *Scotland* is currently unable to provide any data to populate this indicator. However, data was released in October 2017 providing information on the different types of intimate partner violence. If this data is not published online, it should be made available on request.

It is recommended to ensure that the data published in October 2017 will be made available online.

Indicator 7 — Annual number of women (aged 18 and over) victims of economic intimate partner violence ⁽¹¹⁾ committed by men (aged 18 and over), as recorded by police

- *England and Wales* is unable to provide data on this indicator. Currently, police flag criminal damage and arson offences when they are domestic abuse-related. The data does not provide any information on the sex or age of the perpetrator. Additionally, it omits other forms of economic intimate partner violence, such as withholding money from a partner or financial blackmailing.

It is recommended to recognise economic violence as a distinct form of violence in the context of recording an intimate partner violence offence.

- *Northern Ireland* is only able to provide proxy data on this indicator. The PSNI provides data on domestic abuse crimes where the victim is a female aged 18+ and the offence is 'theft' (including burglary) or 'criminal damage'. This does not provide any information on the relationship between the victim and the perpetrator, and also excludes other forms of economic intimate partner violence, such as financial blackmailing.

It is recommended that the PSNI record information on the age and sex of the perpetrator and the relationship between the victim and the perpetrator. It is additionally recommended to recognise economic violence as a distinct form of violence in the context of recording an intimate partner violence offence.

- *Scotland* is currently unable to provide any data to populate this indicator. However, data was released in October 2017 providing information on the different types of intimate partner violence. If this data is not published online, it should be made available on request.

It is recommended to ensure that the data published in October 2017 will be made available online.

Indicator 8 — Annual number of women (aged 18 and over) victims reporting rape ⁽¹²⁾ committed by men (aged 18 and over), as recorded by police

- *England and Wales, Northern Ireland and Scotland* are able to populate this indicator.

No recommendation needed.

Indicator 9 — Women victims of intimate femicide ⁽¹³⁾ (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)

- *England and Wales* is able to populate this indicator. The crime statistics concerning homicides of women and those committed by an intimate partner are available from the Office of National Statistics (ONS).

It is recommended to define different age categories so that femicide victims aged 18 and over can be identified.

- *Northern Ireland* is able to populate this indicator. The PSNI provides data on the number of domestic abuse homicides of female victims, where the relationship to the offender is partner/ex-partner. The PSNI also provides data on the total number of homicides of women.

No recommendation needed.

⁽¹¹⁾ 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).

⁽¹²⁾ 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).

⁽¹³⁾ 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).

- *Scotland* is able to provide data to populate this indicator. The Scottish government provides data on the number of female victims of homicide by a partner or ex-partner, and on the total number of female victims of homicide aged 16 and over. However, disaggregated data on single ages can be requested, which will provide data on victims aged 18 and over.

No recommendation needed.

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

- *England and Wales* is only able to provide data on protection orders for domestic violence, which is provided by HMICFRS. However, the relationship between the victim and the perpetrator is not specified, therefore intimate partner violence cases cannot be identified.
- *Northern Ireland* is unable to fully populate this indicator. The Northern Ireland Courts and Tribunal Service only provides data on the outcome of applications under the family homes and domestic violence order. It does not provide any data on the relationship between the victim and the perpetrator.
- *Scotland* is not able to populate this indicator. The Scottish government's civil justice statistics provide data on the number of family procedure cases initiated and disposed of in the sheriff courts, where the case type is exclusion order.

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

- *England and Wales* is unable to fully populate this indicator. The Crown Prosecution Service only provides data on the number of domestic abuse prosecutions by defendant sex. However, the victim's sex is only specified in a separate dataset, therefore it cannot be distinguished how many men were prosecuted for intimate partner violence against women.
- *Northern Ireland* is unable to fully populate this indicator. Data is available on prosecutions at court for offences recorded by either police or the Public Prosecution Service (PPS) as having a domestic violence motive. However, information on the relationship between the victim and the perpetrator cannot be provided.
- *Scotland* is not able to populate this indicator. Data is available from the justice sector on the number of males convicted with a domestic abuse aggravator recorded against the main charge. However, no data is provided on the sex of the victim.

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

- *England and Wales* is unable to provide full data to populate this indicator. The Crown Prosecution Service only provides data on domestic abuse prosecution outcomes where the outcome is conviction. The victim's and defendant's sex are not specified in this dataset, therefore it cannot be distinguished how many men were sentenced for intimate partner violence against women.
- *Northern Ireland* is unable to fully populate this indicator. Data is available in relation to convictions at court for offences recorded by either police or the PPS as having a domestic violence motive. However, information on the relationship between the victim and the perpetrator cannot be provided.
- *Scotland* is not able to populate this indicator. Data is available from the justice sector on the number of males convicted with a domestic abuse aggravator recorded against the main charge. However, no data is provided on the sex of the victim.

Indicator 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

- *England and Wales* is unable to provide full data to populate this indicator. The Crown Prosecution Service only provides data on domestic abuse prosecution outcomes where the outcome is conviction. The victim's and defendant's sex are not specified in this dataset, therefore it cannot be distinguished how many men were sentenced for intimate partner violence against women.
- *Northern Ireland* is unable to fully populate this indicator. Data is available on convictions at court which resulted in a custodial sentence for offences recorded as having a domestic violence motive by either police or the PPS. However, information on the relationship between the victim and the perpetrator cannot be provided.
- *Scotland* is not able to populate this indicator. Data is available from the justice sector on the number of males convicted with a domestic abuse aggravator recorded against the main charge. However, no data is provided on the sex of victim.

For indicators 10, 11, 12 and 13

It is recommended that the relevant judicial authorities in each administration (the Ministry of Justice; the Department of Justice; the Crown Office and Procurator Fiscal Service) provide a set of guidelines on the key criteria by which the judiciary should collect information. This should include information on the victim, the perpetrator and the relationship between them.



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Luxembourg: Publications Office of the European Union, 2018

Print	ISBN 978-92-9470-360-6	doi:10.2839/009341	MH-01-18-128-EN-C
PDF	ISBN 978-92-9470-361-3	doi:10.2839/082808	MH-01-18-128-EN-N

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