



### Why do we need administrative data on intimate partner violence?

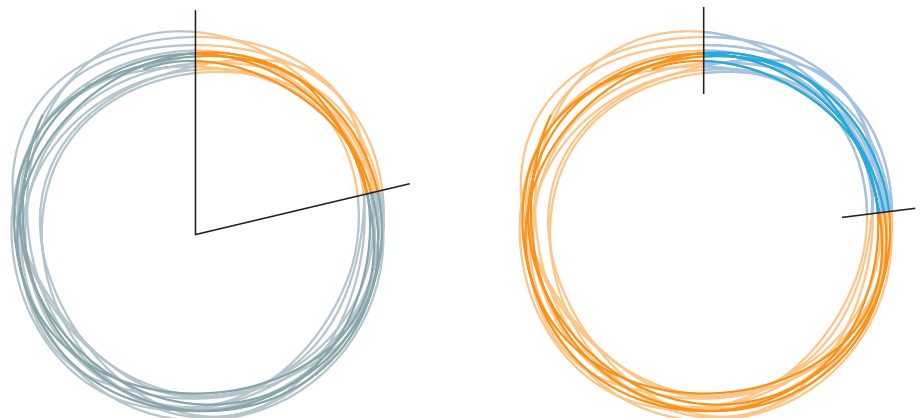
Many women victims of intimate partner violence in the EU Member States remain unprotected. Perpetrators often go unpunished due to inadequate law enforcement approaches, which do not align with international human rights treaties. A gender-neutral approach to the law, coupled with the unavailability 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 Luxembourg, 22 % of women have been victims of intimate partner violence in their lifetime.

Only 23 % 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?

A specific Domestic Violence Act provides an exhaustive list of domestic violence offences for which specific breakdowns and information must be recorded by the relevant institutions. The act takes into consideration people that live and have lived together. It links to the Criminal Code, which provides for aggravating circumstances for specific offences when committed in the context of domestic violence (which covers all types of relationship within the same household).

Luxembourg ratified the Istanbul Convention in August 2018.

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



### POLICE



- The police collects information on the age and sex of the victim and the perpetrator, the relationship between the victim and the perpetrator and the presence or absence of cohabitation for the offences listed in the Domestic Violence Act.
- In 2015, the police recorded 728 women victims of intimate partner violence.



- Data is recorded using a code list that corresponds to the categories of offences in the Criminal Code.
- In cases of domestic violence two documents are used: the police report to follow the case along the justice chain and the eviction request.



- The police publishes general statistics on domestic violence in its annual report.
- The Cooperation Committee publishes a comprehensive report annually.
- The data is obtained from various sources including the police and the courts.



### JUSTICE

- The prosecution services, like the police, collect information on the age and sex of the victim and the perpetrator, the relationship between the victim and the perpetrator and the presence or absence of cohabitation for the offences listed in the Domestic Violence Act.
- Less statistical data is available in the later stages of the justice chain: information on the victim and the relationship between the victim and the perpetrator might be recorded in case files, but this information can only be extracted manually.

- Data is recorded by the courts and prosecution services in the same database, also using the code list corresponding to the categories of offences of the Criminal Code.

- The annual report of the Cooperation Committee includes statistical information from the prosecution services.
- The Ministry of Justice publishes general statistics concerning pending cases and convictions.

# 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

## Ensure ongoing efforts on administrative data collection

The commitment of decision-makers gives impetus for change and ensures its durability by embedding systematic practices in administrative data collection on intimate partner violence in the police and justice sectors. Recommendations for the further improvement of the already high standard data collection process in Luxembourg are detailed below.



TECHNICAL

## Improve data collection by the police

The current data collection system relies on the form used for eviction orders. Detailed statistical information on the relationship between the victim and the perpetrator is therefore limited to incidents involving an eviction order. It is recommended to record the sex and age of the victim and the victim–perpetrator relationship for all the offences reported to the police, including those without an eviction order. The standard police report should include this information and recording should be compulsory.

## Improve data collection from the justice sector

Data collection on detailed breakdowns (such as the sex of the victim and the perpetrator and the relationship between the two) within the justice system currently covers the stages from the police intervention to the beginning of the court case. Statistics from the court do not include these breakdowns. It is recommended to record the sex of both victim and perpetrator and their relationship to provide complete statistical data from all stages of the justice sector.

## Publish more data, ideally in the form of dynamic tables

The annual report of the committee for cooperation between professionals working in the field of the fight against violence (*comité de coopération entre les professionnels dans le domaine de la lutte contre la violence*) provides static tables which do not cross-reference variables like type of offence or relationship between the victim and the perpetrator. This results in limited published information concerning the instances of intimate partner violence. It is recommended to publish accessible data in the form of dynamic tables, allowing for cross-referencing variables like type of offence and victim–perpetrator relationship.



COOPERATION

## Support ongoing cooperation

The ongoing high level of cooperation between the different law-enforcement institutions (such as the prosecution services and the police), victims' services and the committee for cooperation between professionals working in the field of the fight against violence should be supported so that data collection continues to improve.

### 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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