

SLOVENIA

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 5 June 2017 in Ljubljana, Slovenia. 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

Strengthen political commitment

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.

Slovenia's political commitment to combating violence against women can be seen in the way administrative data on intimate partner violence is already collected across a number of different institutions, namely the police, the courts, the State Prosecutor's Office and the Statistical Office. Slovenia also ratified the Istanbul Convention in February 2015. However, there are still obstacles to improving current data collection practices. These include persistent technical issues, the absence of a national coordinating body and the fact that data is collected across institutions and sectors according to different methodologies and is ultimately not collated. Addressing these issues is in line with Slovenia's international commitments regarding the Istanbul Convention and the Victims' Rights Directive.

It is recommended to strengthen political commitment to ensure that progress on the improvement of administrative data collection is sustainable, and to prioritise any initiative that serves to address current obstacles to improving data collection practices.

Incorporate the term 'intimate partner violence' into the existing Domestic Violence Prevention Act

The Domestic Violence Prevention Act clearly defines and criminalises domestic violence in line with the definition provided by the Istanbul Convention. Although the act covers a broad concept of 'family members', including the case of intimate partners after divorce or separation, it does not specifically recognise the concept of intimate partner violence. Including the term 'intimate partner violence' in the act would send a strong message to society of intolerance towards intimate partner violence, help improve comprehensive administrative data collection and provide support to relevant government bodies, ministries and civil society organisations.

It is recommended that the specific concept of 'intimate partner violence' be incorporated into the existing Domestic Violence Prevention Act.

Identify different types of violence within the concept of domestic violence in the Criminal Code

Although domestic violence is criminalised under both the Domestic Violence Prevention Act and the Criminal Code, the offence is recognised as consisting of physical, sexual, psychological and economic violence in the act, whereas the Criminal Code contains no such classification. The absence of a specific classification of the types of violence that constitute domestic violence in the Criminal Code prevents extensive and disaggregated data from being available to populate the indicators outlined here. As such, information relating to physical, sexual, psychological and economic violence within intimate partner violence cannot be isolated for comparison or analysis.

It is recommended that the criminal offence of domestic violence outlined in the Criminal Code be amended to include physical, sexual, psychological and economic violence.

Develop an action plan to facilitate the estimation of the costs of intimate partner violence

No studies have been undertaken that endeavour to estimate the economic burden of intimate partner violence on the police and justice sectors; a lack of interest in the issue is observable by stakeholders across the institutions. Developing an action plan to estimate the costs of intimate partner violence and violence against women could lead to a better understanding of the phenomenon in the context of the economic burden it creates.

It is recommended that a purpose-built economic model be adopted so that the cost of violence against women on the police and justice sectors can be estimated. The purpose-built model developed by the European Institute for Gender Equality (EIGE) can be used for this purpose.

2. Data collection infrastructure and cooperation between different authorities

Take steps to collate and centralise data collection across institutions

There is currently no mechanism in place through which data collected from across institutions becomes centralised. Data is shared between different bodies by specific requests. Data collection efforts from across the police and justice sectors, the Ministry of Labour, Family, Social Affairs and Equal Opportunities and the Centre for Social Work are not currently collaborative or unified. Different types of data are collected by different institutions, making comparative analysis of information on intimate partner violence from different sectors difficult. At the beginning of 2017 a pilot project began to exchange and pool data on criminal offences between the police and the State Prosecutor's Office. This is a step in the right direction.

It is recommended to take the necessary steps to ensure that all administrative data on intimate partner violence is shared amongst those institutions that collect it, and stored digitally. This data should include the necessary breakdowns on the sex and age of both the victim and the perpetrator and the relationship between them.

Establish a coordinating body

At present, there is no coordinating body in place to regulate and monitor administrative data collection on intimate partner violence. The existence of such a body would mean data could be centralised and published accordingly. In addition, it would promote good practices and procedures on data collection on intimate partner violence. In the absence of a coordinating body, there is limited potential to improve data harmonisation at national level.

It is recommended to establish a coordinating body for the purpose of improving and managing data collection practices across sectors and institutions.

3. Technical recommendations

Record the relationship between the victim and the perpetrator in the police and justice sectors

Data collection practices differ at police and justice levels. At police level, the administrative data collected includes information on the criminal offence and the sex and age of both the victim and the perpetrator. At justice level, courts record court procedures and information on the offender, including their age and sex. However, there is no requirement that stipulates that the relationship between the victim and offender must be recorded at either level. Recording the relationship between the victim and the perpetrator enables the identification of offences committed in the context of an intimate relationship.

It is recommended that Slovenia take steps to make recording the relationship between the victim and the perpetrator compulsory for any criminal offence which includes intimate partner violence or which is covered by those offences that constitute domestic violence under the Domestic Violence Prevention Act.

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

The data available to populate this indicator is sourced from criminal offences that constitute an offence under the Domestic Violence Prevention Act (Article 191) and that are committed specifically against women aged 18 and over. However, there is no information on the sex of the perpetrator.

(¹) 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).

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

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)

Currently available administrative data collected at police level does not provide the relationship between the victim and the perpetrator, therefore it is not possible to immediately identify the direct number of intimate partner violence offences or the number of men perpetrators of intimate partner violence. The number of victims and perpetrators, both of whose sex is identifiable, is available separately.

For indicators 1, 2 and 3

It is recommended that data be disaggregated and cross-referenced, so that every reported case of intimate partner violence necessarily includes information on the perpetrator, the victim and the relationship between them.

Indicator 4 — Annual number of women (aged 18 and over) victims of physical intimate partner violence ⁽²⁾ committed by men (aged 18 and over), as recorded by police

Indicator 5 — Annual number of women (aged 18 and over) victims of psychological intimate partner violence ⁽³⁾ committed by men (aged 18 and over), as recorded by police

Indicator 7 — Annual number of women (aged 18 and over) victims of economic intimate partner violence ⁽⁴⁾ committed by men (aged 18 and over), as recorded by police

Under Article 191 of the Domestic Violence Prevention Act, the definition of domestic violence incorporates various types of violence, including physical, psychological and economic violence.

For indicators 4, 5 and 7

It is recommended that the categories of physical, psychological and economic violence be made available on the questionnaire used for administrative data collection by the police.

Indicator 6 — Annual number of women (aged 18 and over) victims of sexual intimate partner violence ⁽⁵⁾ committed by men (aged 18 and over), as recorded by police

The police collects data pertaining to sexual intimate partner violence on offences which are individually criminalised. These include rape, sexual violence and the sexual abuse of a defenceless person. In addition to the recording of these separate offences, the relationship between the victim and the perpetrator can be recorded (including current and former partners).

No recommendation is needed.

Indicator 8 — Annual number of women (aged 18 and over) victims reporting rape ⁽⁶⁾ committed by men (aged 18 and over), as recorded by police

Data is available to populate this indicator. Rape is criminalised under Article 170 of the Criminal Code.

No recommendation is needed.

⁽²⁾ 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).

⁽³⁾ 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).

⁽⁴⁾ 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).

⁽⁵⁾ Any sexual act performed on the victim without consent. Sexual violence can take the form of rape or sexual assault (EIGE, 2017).

⁽⁶⁾ 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).

Indicator 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)

Data is available to populate this indicator. Manslaughter and murder are criminalised under the Criminal Code (Articles 115 and 116 respectively) and administrative data on such offences includes information on the relationship between the victim and the perpetrator.

No recommendation is needed.

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

Currently available administrative data to populate this indicator is sourced from the Supreme Court, in the context of the number of applications for protection orders registered under Article 191 of the Domestic Violence Prevention Act. Due to inconsistencies in the way protection order applications are recorded (the Supreme Court estimates that around 50 % of granted protection orders are not recorded), the administrative data on protection orders is not reliable enough to populate the indicator.

It is recommended that the system through which protection order applications are registered be greatly improved in order for this indicator to be populated.

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

Administrative data recorded under Article 191 of the Domestic Violence Prevention Act at justice level does not include the relationship between the victim and the perpetrator.

It is recommended that an additional field in which this relationship can be recorded be included in the questionnaire completed by the courts and the State Prosecutor's Office.

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

Current administrative data from the Statistical Office does include information on the number of individuals prosecuted and the number of final sentencing decisions. However, more specific and relevant information on the number of men prosecuted under Article 191 of the Domestic Violence Prevention Act is not available publicly on the official website of the Statistical Office.

It is recommended that the database sent from the justice level to the Statistical Office be widened so that data on the number of prosecutions under specific acts is made publicly available — in this context under Article 191. It is also recommended that an additional field in which the relationship between the perpetrator and the victim can be recorded be included in the questionnaire completed by the courts and the State Prosecutor's Office.

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

Data on the number of men held with a final sentencing for intimate partner violence against women is not available.

It is recommended to start recording this data and to make it publicly available.

(?) 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).



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