

CYPRUS

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 6 April 2017 in Athens, Greece. 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 essential in order to improve 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 the judicial sectors.

The police and the courts both play key roles in the administrative data collection of intimate partner violence at different stages of the criminal procedure. The Ministry of Justice and Public Order should provide its support to efforts to improve the administrative data collection of intimate partner violence by including specific provisions within their action plans, identifying focal points in relevant institutions and monitoring progress of implementation.

It is recommended to strengthen political commitment to ensure that progress on the improvement of administrative data collection is sustainable, and that current initiatives relating to data collation are prioritised. The Ministry of Justice and Public Order should help facilitate political commitment.

Amend existing legislation and legal definitions relating to intimate partner violence

Intimate partner violence is recognised within the context of violence in the family (domestic violence). Article 3 of the violence in the family (prevention and protection of victims) law covers some aspects of intimate partner violence but its scope is so broad that it extends to intergenerational violence between parents and children or elderly family members. Even though the legal definition of a 'member of the family' can include both current and former partners, its scope does not recognise relationships between those who have never shared a residence.

The current legal definition of domestic violence includes different forms of violence, including physical, sexual and psychological. However, it excludes economic violence and thus falls short in comparison to the full definition of intimate partner violence outlined in the Istanbul Convention.

It is recommended to include violence between former and current partners that do not share a residence as constituting intimate partner violence in existing legislation. It is additionally recommended to recognise economic violence as a form of domestic violence under the violence in the family (prevention and protection of victims) law.

Enhance the legal regulatory framework on data collection of intimate partner violence

While administrative data collection on intimate partner violence in Cyprus is regulated by legislation on statistics, there is no specific legal framework that regulates the data collection of intimate partner violence or violence against women. The existence of such a legal framework would prove useful in supporting the harmonisation of data collection between different institutions and government bodies. A legal framework would also provide an impetus for the creation of policies that aim to improve the quality of the data collected and strengthen the collaboration between institutions responsible for data collection nationwide.

It is recommended that a working group be established to help formulate a legal regulatory framework to improve administrative data collection on intimate partner violence.

Develop guidelines to better implement the existing policy framework for data collection

At policy level, the national action plan to combat domestic violence (2010-2013) provides the framework for the development of a standardised data collection system, while the Advisory Committee for the Prevention and Combating of Violence in the Family plays a coordinating role. However, progress toward implementation has been slow. The national action plan for equality between men and women (2014-2017) also foresees the creation of a standardised data collection system and has allocated EUR 20 000 for its implementation. There is no indication that more concrete progress has been made.

It is recommended that a set of guidelines on the implementation of the policy framework for data collection be formulated and that the Advisory Committee for the Prevention and Combating of Violence in the Family direct this. These guidelines should establish the scope of data collection, the specific variables that need to be recorded (as well as who is responsible for said process) and the data collection methodology. They should also include an implementation timeline and details of potential participants and a provision regarding the linkage of the various databases or datasets from the different data sources.

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

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. In Cyprus, no studies have been undertaken that endeavour to estimate the economic burden of intimate partner violence on the police and justice sectors. 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 to allow the cost of intimate partner violence on the police and justice sectors to 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

Standardise data collection infrastructure at the judicial level

At present, data obtained by the police provides important insight into the phenomenon of intimate partner violence against women. However, obtaining equivalent data from the judicial sector is essential to enable a comprehensive assessment of intimate partner violence in the country.

Data collection infrastructure within the justice sector is not unified and judicial authorities do not collect data on violence against women. In 1998, following an increase in domestic violence and child abuse cases, a system of mandatory reporting to the Attorney General's Office was introduced. This had the following goals: to ensure that the prosecutor would act accordingly and inform other services on how to treat each case; to monitor domestic violence through the development of a centre for the collection and analysis of data; and to exchange information between authorities and strengthen cooperation. However, this has not yet been developed into a single data collection mechanism.

It is recommended to take steps to implement the development of this mechanism to ensure the standardisation of data recording in the justice system. This will provide insight into how victims of intimate partner violence progress from the police to the justice level.

Develop a unitary recording method to assist in the collation of data between the police and justice sectors

Statistics obtained from both the police and justice sectors are necessary in order to fully comprehend the scale of intimate partner violence against women. Both the police and justice sectors use Penal Code classification to collect data on intimate partner violence offences. However, as this is done through different database systems, the potential for data harmonisation between both sectors is limited.

It is recommended that both the police and justice sectors use complementary systems to record data and ultimately develop a standard data collection system which caters to both sectors. This would be facilitated by the common classification code both use. In addition, a unique identifier for each case in both police and justice sectors should be established in order to create a unified database with data from the two government institutions.

Improve the organisational structure for data collection by establishing a coordinating body

At present, no official body is responsible for the compilation and dissemination of data on intimate partner violence; the existence of one would enable data on intimate partner violence to 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. A relevant regulatory body should gather and collate data from various stakeholders in order to develop a new or enhanced system for data collection. The Advisory Committee on the Prevention and Combating of Violence in the Family could take the initiative to organise the collaboration framework on data collection, and inform authorities on Cyprus' reporting obligations under legal instruments.

It is recommended to establish a coordinating body — or that The Advisory Committee on the Prevention and Combating of Violence in the Family extends its mandate — for the purpose of improving and managing data collection practices across sectors and institutions.

3. Technical recommendations

Improve data collection from the police sector through the systematic recording of the relationship between the victim and the perpetrator

The most significant challenge at police level with regard to data collection on intimate partner violence is the current method of recording the relationship between the victim and the perpetrator. In recent years, the police have moved to using a standardised online form for administrative data collection. However, the relationship between the victim and the perpetrator is still not recorded. Although incidents can be recorded as domestic violence, the nature of the relationship between the victim and the perpetrator is unclear. Recording the relationship between the victim and the perpetrator is absolutely fundamental to any form of data collection on cases of intimate partner violence: this disaggregation enables the identification of offences in the context of an intimate relationship.

It is recommended that the recording system used by the police require the systematic recording of the relationship between the victim and the perpetrator as a separate variable to differentiate between intimate partners and other relationships in the domestic sphere. The relationship should be recorded alongside other defined variables, including the age and the sex of the victim (which are already systematically recorded).

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

Police collect data on the number of women victims of domestic violence. This data includes three forms of intimate partner violence against women: physical, psychological and sexual. While such data is available for women aged 18 and above as required by the indicator, the relationship between the victim and the perpetrator is not specified, meaning it is not possible to determine whether the offence constitutes intimate partner violence or intergenerational domestic violence.

It is recommended that information on the relationship between the victim and the perpetrator be collected in order to differentiate intimate partners from other relationships that fall within the domestic sphere.

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

Only limited data on the number of reported intimate partner violence offences against women is available. Although police collect data on the number of instances of domestic violence (physical, psychological and/or sexual), the relationship between the victim and the perpetrator is not specified. This means that it is not possible to determine whether the offence constitutes intimate partner violence or intergenerational domestic violence.

It is recommended that information on the relationship between the victim and the perpetrator be collected in order to differentiate intimate partners from other relationships that fall within the domestic sphere. In addition, when the unit of measurement is 'offence', the sex of the victim and of the perpetrator should also be recorded and made available.

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)

Only limited data on the number of male perpetrators of intimate partner violence offences against women is available. Although police collect data on the number of male perpetrators of domestic violence (physical, psychological and/or sexual), the sex of the victim and the relationship between the victim and the perpetrator are not specified. This means that it is not possible to determine whether the offence constitutes intimate partner violence or intergenerational domestic violence.

It is recommended that information on the relationship between the victim and the perpetrator be collected in order to differentiate intimate partners from other relationships that fall within the domestic sphere. In addition, when the unit of measurement is 'perpetrator', the sex of the victim should also be recorded and made available.

⁽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 9 — Women victims of intimate femicide ⁽²⁾ (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)

At present, Cyprus publishes data on homicides but there is no breakdown by sex, and the relationship between the victim and the perpetrator is not systematically recorded in cases of domestic violence. For this reason, current available administrative data does not allow the number of women victims of intimate femicide committed by an intimate partner to be identified.

It is recommended that information on the sex of the victim and the relationship between the victim and the perpetrator be collected in order to differentiate intimate partners from other relationships that fall within the domestic sphere.

Indicator 4 — Annual number of women (aged 18 and over) victims of physical intimate partner violence ⁽³⁾ committed by men (aged 18 and over), as recorded by police

Current administrative data collected by the Cypriot police includes the number of women victims of domestic violence, including cases of physical intimate partner violence. However, available data cannot be broken down by the sex of the victim and does not specify the relationship between the victim and the perpetrator in a domestic violence context.

Indicator 5 — Annual number of women (aged 18 and over) victims of psychological intimate partner violence ⁽⁴⁾ committed by men (aged 18 and over), as recorded by police

Current administrative data collected by the Cypriot police includes the number of women victims of domestic violence including cases of psychological intimate partner violence. However, available data does not break down the sex of the victim and does not specify the relationship between the victim and the perpetrator in a domestic violence context.

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

Current administrative data collected by the Cypriot police includes the number of women victims of domestic violence including cases of sexual intimate partner violence. However, available data cannot be broken down by the sex of the victim and does not specify the relationship between the victim and the perpetrator in a domestic violence context.

For indicators 4, 5 and 6

It is recommended that information on the sex of the victim and the relationship between the victim and the perpetrator be collected in order to differentiate between intimate partners and other relationships that fall within the domestic sphere.

Indicator 7 — Annual number of women (aged 18 and over) victims of economic intimate partner violence ⁽⁶⁾ committed by men (aged 18 and over), as recorded by police

Economic violence is not recognised as a form of domestic violence in the Cypriot legal system, thus there is no recorded data that relates to this particular form of intimate partner violence.

It is recommended that the Advisory Committee for the Prevention and Combating of Violence in the Family work together with the police in order to differentiate between intimate partners and other relationships that fall within the domestic sphere and introduce the concept of economic violence as a facet of intimate partner violence.

⁽²⁾ 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).

⁽³⁾ 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).

⁽⁴⁾ 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).

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

⁽⁶⁾ 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).

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

It is currently possible for Cyprus to populate this indicator. According to the Cypriot Penal Code, rape is considered a gendered crime and so administrative data is currently available on the total number of women victims reporting rape to police.

No recommendations needed.

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

It is not currently possible to populate this indicator. The statistical data from the justice sector required to determine the number of protection orders applied and granted in cases of intimate partner violence against women is lacking. Administrative data collected at justice level does not record information on either the victim or the perpetrator, or on the relationship between them.

It is recommended that information on the victim, the perpetrator and the relationship between them be recorded in cases where protection orders are sought by women in the context of intimate partner violence. The justice sector should make systemic changes to its recording system.

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

It is not currently possible to populate this indicator. The statistical data from the justice sector required to determine the number of men prosecuted for intimate partner violence against women is lacking. Administrative data collected at justice level does not record information on either the victim or the perpetrator, or on the relationship between them.

It is recommended that information on the victim, the perpetrator and the relationship between them be recorded in cases in which men are prosecuted for intimate partner violence against women. The justice sector should make systemic changes to its recording system.

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

It is not currently possible to populate this indicator. The statistical data from the justice sector required to determine the number of men sentenced for intimate partner violence against women is lacking. Administrative data collected at justice level does not record information on either the victim or the perpetrator, or on the relationship between them.

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

It is not currently possible to populate this indicator. The statistical data from the justice sector required to determine the number of men sentenced for intimate partner violence against women and held in prison or with a sanction involving a form of deprivation of liberty is lacking. Administrative data collected at justice level does not record information on either the victim or the perpetrator, or on the relationship between them.

For indicators 12 and 13

It is recommended that the relationship between the victim and the perpetrator be recorded at justice level so that the number of men held in prison for intimate partner violence offences against women can be determined (as separate from other domestic violence offences). The justice sector should make systemic changes to its recording system.

(?) 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).



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