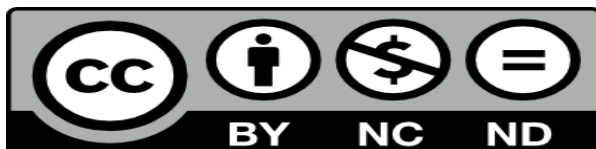

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Introduction

The main objective of this poster is to analyze different aspects of the prosecution of violence against women. As part of this task we examine the victim's testimony overall role as well as the characteristics of the relationship between aggressors and victims. The poster also attempts to measure the prevalence of recidivism and to answer the question whether the lack of medico-legal documentation is ever a problem in prosecuting these crimes.

Results

Demographic and clinical data

Table 1. Characteristics	Victim	Aggressor
Age: mean (max, min)	35.43 (79-16)	38.35 (83-19)
Marital status:		
Single	36%	34%
Partner	2%	3%
Married	41%	42%
Separate	6%	8%
Divorced	6%	5%
Widow	1%	0%
Unknown	8%	8%
Nº of children:		
No children	19%	
Children with abuser	51%	
With other partner	12%	
With both	8%	
Pregnant during abuse	3%	
Unknown	8%	
Residence:		
Urban	62%	57%
Semiurban	10%	11%
Rural	28%	31%
Unknown	0	1%
Country of origin:		
Spanish	81%	83%
European countries	2%	4%
Other countries	16%	11%
Unknown	1%	2%
Profession:		
Qualified	5%	6%
No qualified	27%	43%
Unemployed	24%	23%
Housewife	7%	0%
Retired	5%	6%
Student	5%	0.5%
Unknown	28%	23%
Socioeconomic level:		
High	3%	7%
Medium	8%	24%
Low	51%	31%
Unknown	38%	38%
Addictions:		
Alcohol	5%	46%
Narcotics	9%	23%
Gambling	0%	2%
Unknown	87%	43%
* 2 or more type of adiction	2%	14%

The 243 files of gender violence included in this study were distributed as shown in Fig. 1. Demographic characteristics of victims and abusers are shown in Table 1. As can be seen most victims are adult woman, of Spanish origin, married, with children, living in an urban population and belonging to a low socioeconomic level. Abuser profile showed that he is a Spanish adult, who lives in an urban population, and belongs to a middle-low socioeconomic level. Usually, he has a component of violent personality (52%, as reported by the victim) and criminal history. Moreover, most of them consume some type of drug, mainly alcohol. Regarding the peculiarities of the relationship (Table 2), the majority of victims live with their abuser at the time of the assault, sharing the house with children.

Fig. 1. Number of files/year

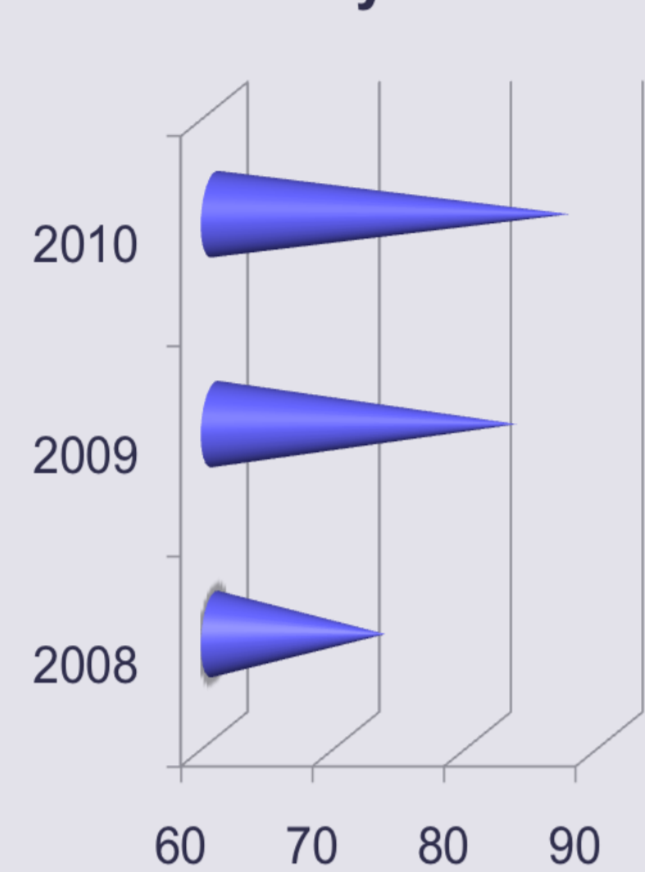


Tabla 2. Relationship characteristics

Years living together:	10.78 (min: 0.02 – máx: 61)		
Years of abuse:	9.81 (min: 0.01 – máx: 45)		
Living together at aggression:	Other people at home:		
Yes	59%	No	20%
No	41%	Children	63%
		Other family members	14%
		Other people	4%
		Unknown	13%
		*2 or more different people	14%
Type of housing:	Home ownership:		
Flat/apartment	61%	Proprietary	34%
House	33%	Hire	37%
Unknown	6%	Unknown	29%

It has been demonstrated that gender abuse has long-term negative health consequences for victims, being apparent as increased use of health services. 89% of women have been treated in the Emergency Department of Santiago de Compostela's University Hospital for different causes (Fig. 2) and 66% of victims have been hospitalized sometime (Fig. 3).

Fig. 2. Emergency assistance

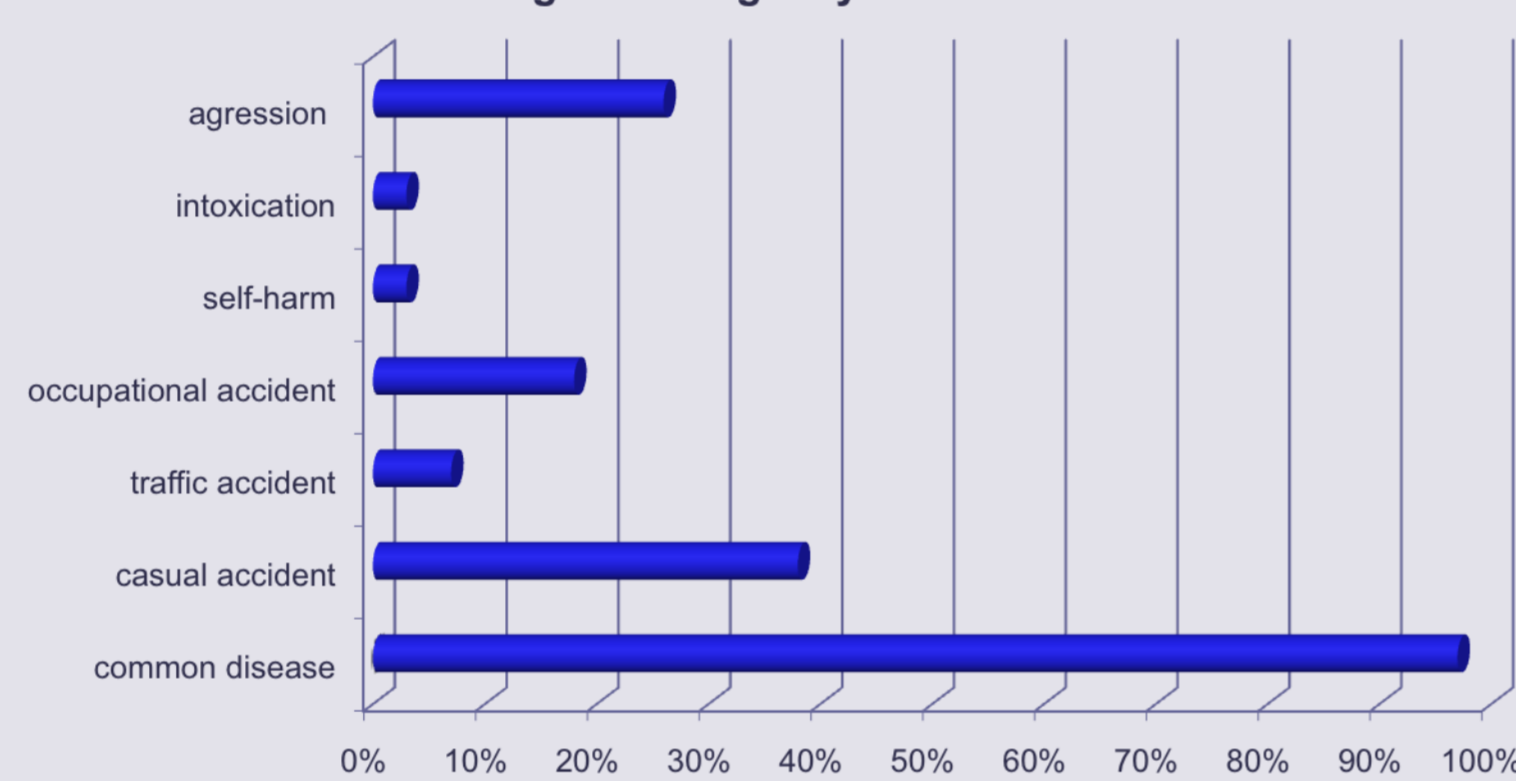


Fig. 3. Hospitalization

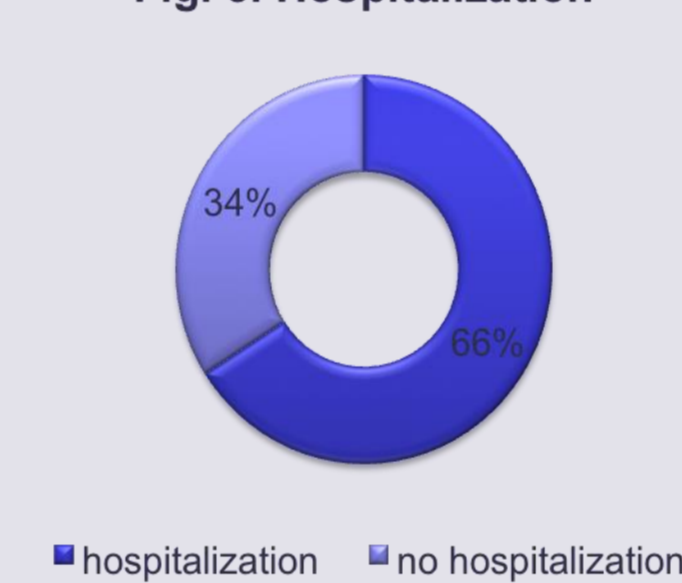


Fig. 4 shows the number of visits for medical care of victims in a period of 5 years. The average of times that victims seek for medical attention at different hospital was 11 times in a period of 5 years. 19% of casualties were attended in the mental health service (Fig. 5). The same proportion has been treated in a family orientation center and 80% of them were attended in hospital outpatient services. These results show high consumption of medical care, including hospital assistance.

Fig. 4. Medical care

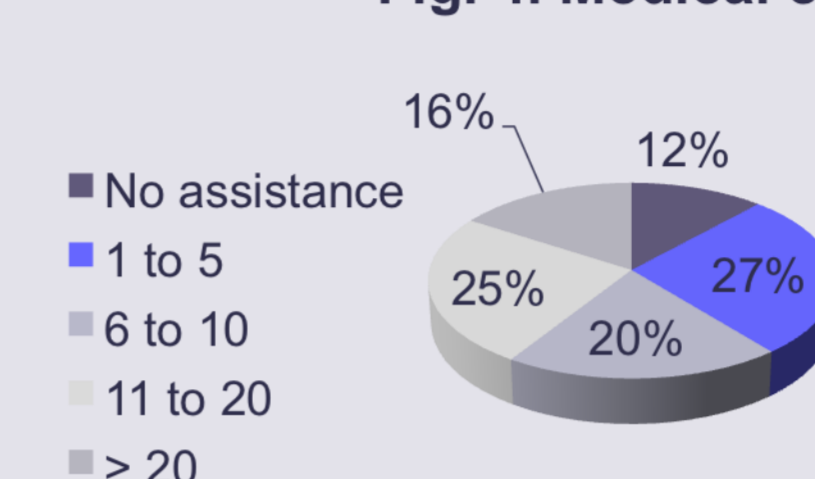
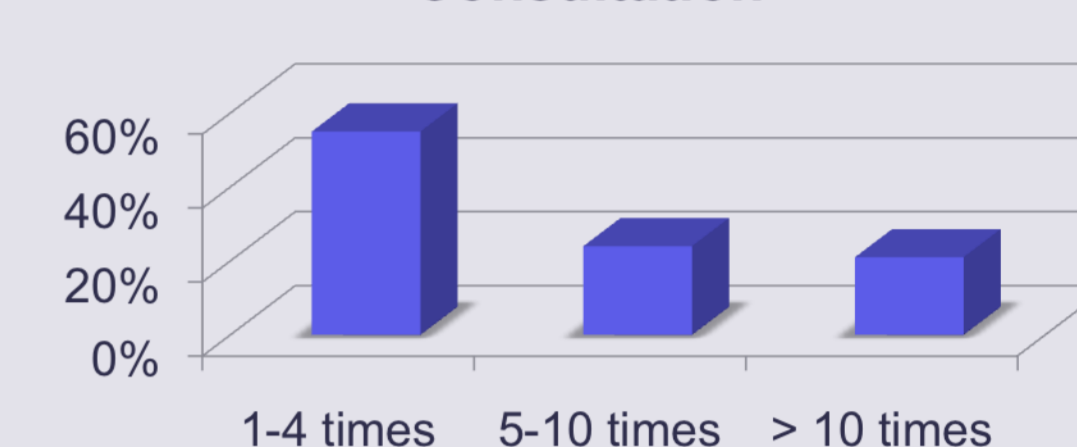


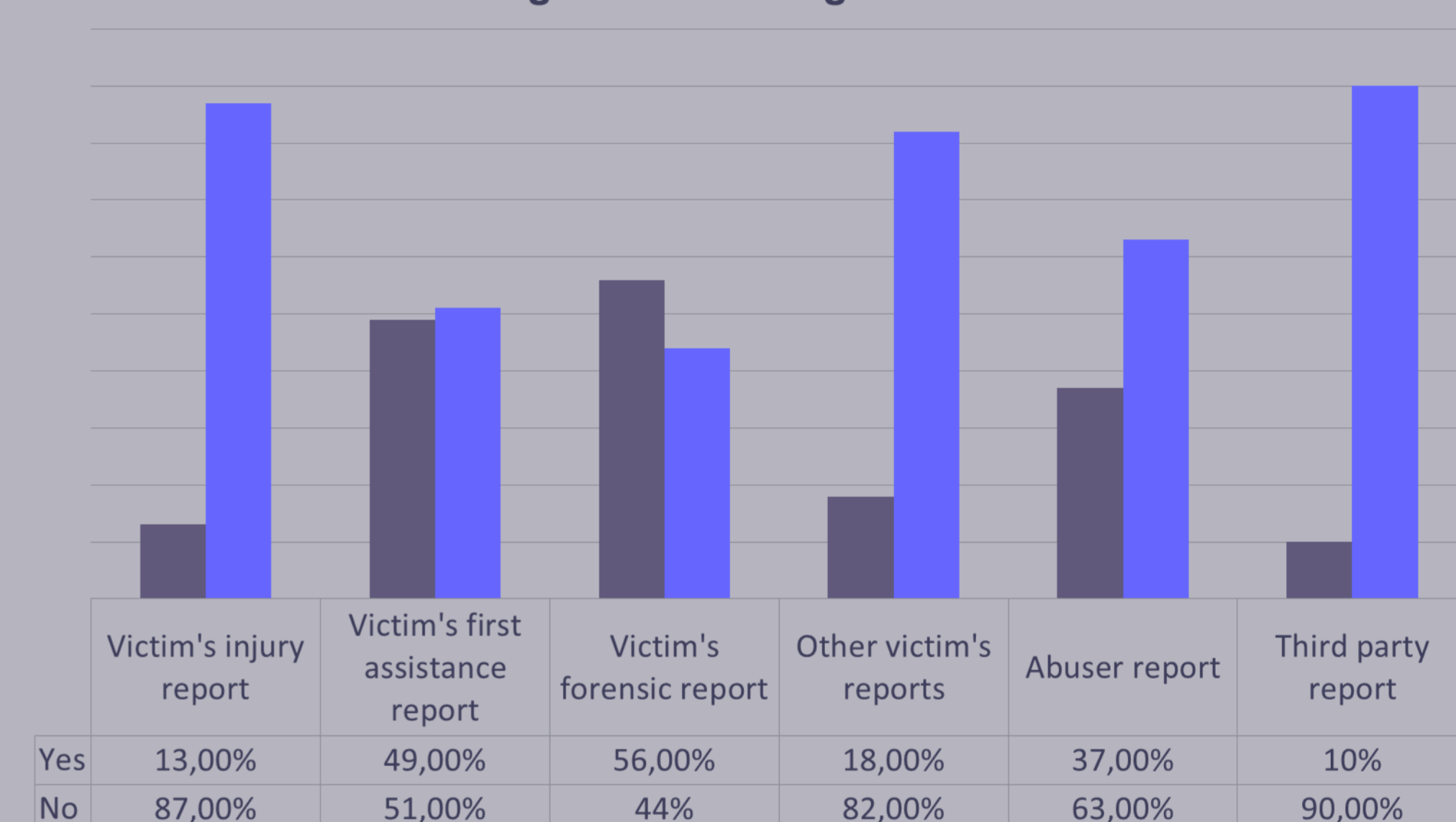
Fig. 5. Mental Health Department Consultation



Medico-legal data

Half the victims needed medical care due to injuries or problems caused by the abuse, being accredited in 97% of these cases by emergency or first assistance medical reports. However the percentage of injury reports was reduced to 26% of victims assisted by a physician. The fact of a woman not receiving medical assistance does not necessarily indicate her not being examined by a forensic doctor. Indeed, victim's forensic medical reports were issued in 56% of cases. Furthermore, in 17% of cases, some other type of medical document (psychiatry reports, family doctor reports, etc) was included in the prosecutor files. Fig. 13 shows the percentages of different medico-legal documents issued with regards to victim, abuser and third parties. It is clearly seen that the majority of reports are produced by first assistance and forensic doctors.

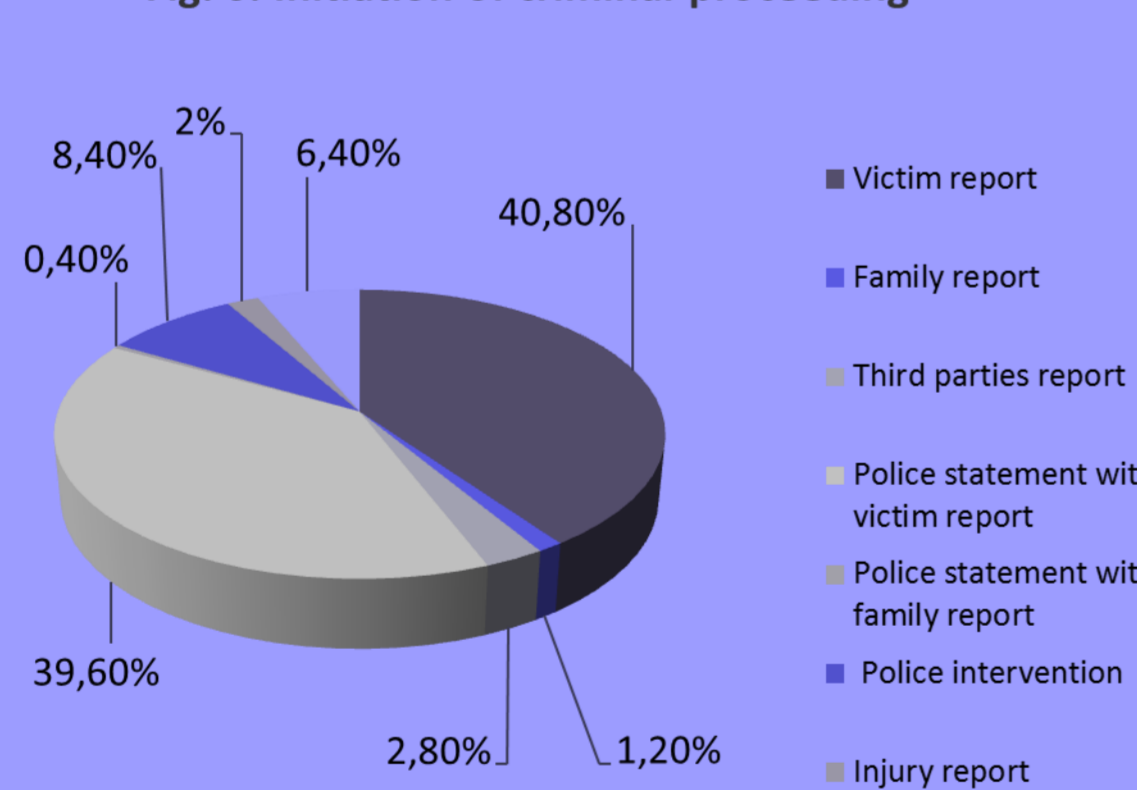
Fig. 13 Medico-legal documents



Criminal proceeding data

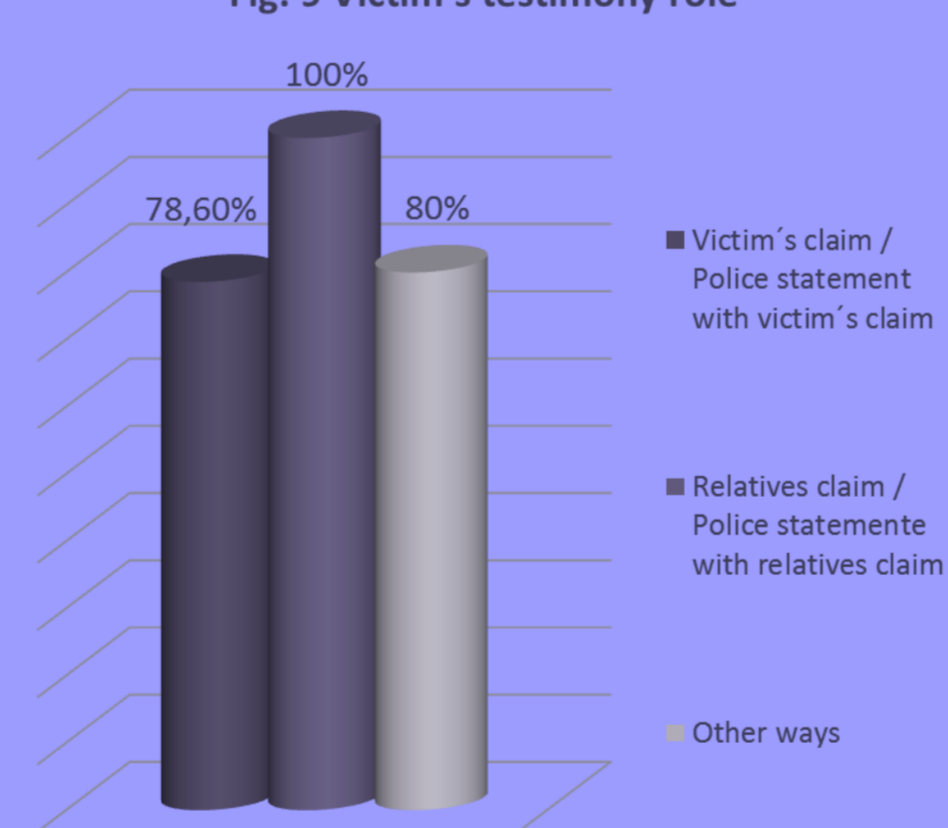
A 40.80% of the gender-based violence proceedings were initiated by the victim's report, a 39.60% by the police statement with victim's report and a 8.40% by police report as a result of their intervention. Other possible ways of initiation of the criminal proceedings presented a poor relevance. (Fig. 6).

Fig. 6. Initiation of criminal proceeding



201 files began with a victim's report or with a victim's report supporting a police statement. In a 78.60% of the cases the victim's own testimony was the strongest or one of the strongest evidence of the abuse. This rate increases when the files began with a police statement (to a 80%) and, specially, with a relative's report (or with a relative's report supporting a police statement (to a 100%).

Fig. 9 Victim's testimony role



Regarding the aggressor penal profile we want to highlight the following aspects: In a 68% of the files analyzed the aggressor hadn't been previously condemned for any crimes. Nevertheless in a 20% of the cases he had police records for crimes against persons (in a 9.41% for intimate partner violence) and in a 13.52% for other crimes.

Fig. 10 Aggressors Criminal Records

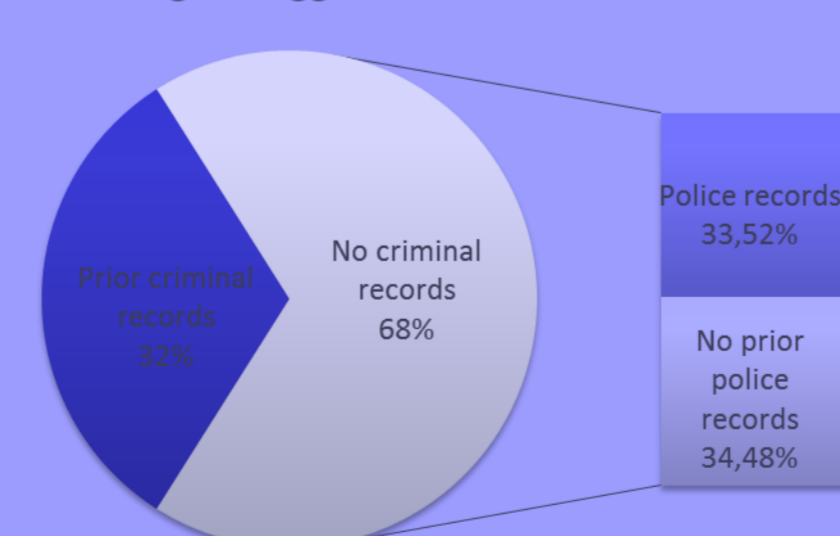
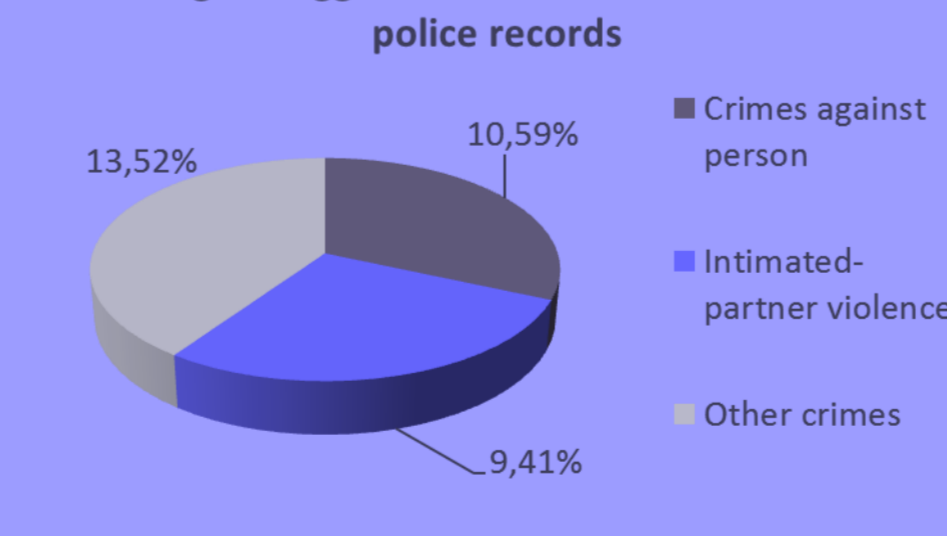


Fig. 11 Aggressors with no criminal but police records



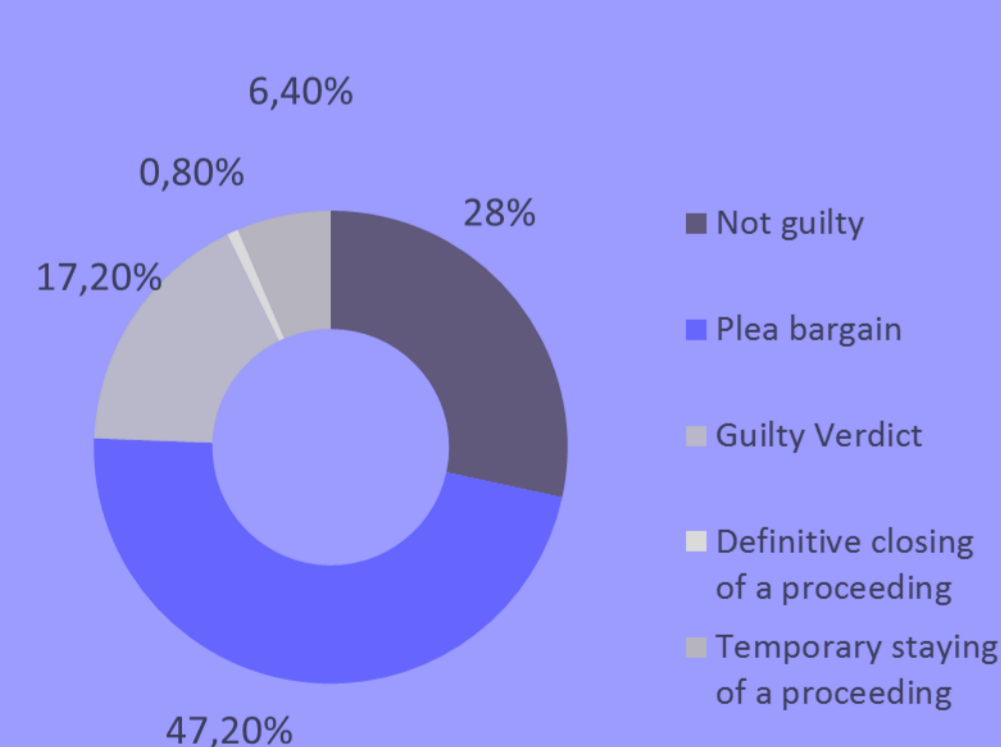
In a 11.22% of the cases the aggressors had criminal records for intimate partner violence, in a 4% for other crimes against persons and in a 12.8% for other crimes. Examining the files related to injuries we found that in a 25% of the cases the author had already been condemned for intimate partner violence. In the files related to habitual mistreatment this rate escalates to a 31.25%.

In a 3.2% of the cases the pair had started divorce proceedings and in a 4.4% separation proceedings. In a 75% of the files related to injuries and in a 75% of the ones related to habitual mistreatment the pair was living together.

Fig. 12 Aggressors with criminal records

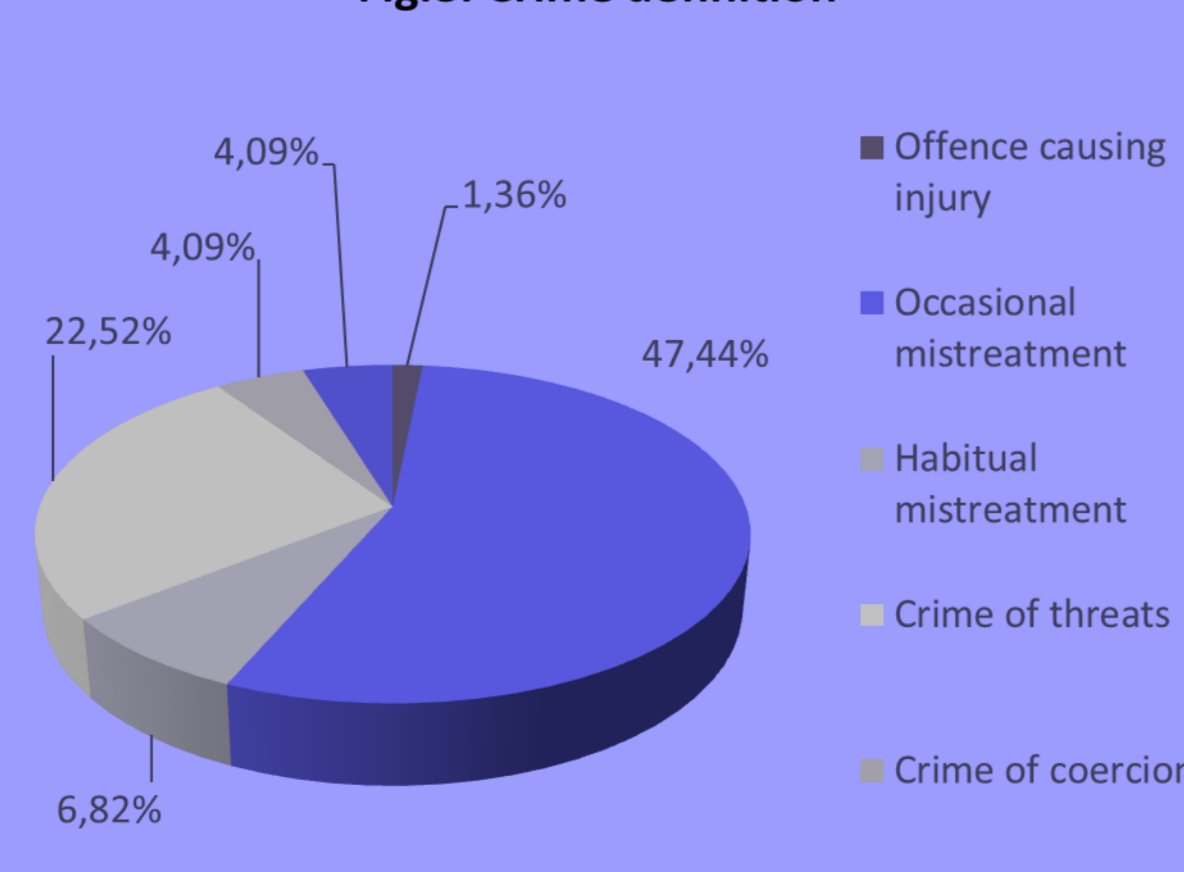


Fig. 7. Ending of criminal proceeding



The verdict was guilty in the 64.40% of the files analyzed and not guilty in the 28.40% of them (Fig. 7). We have analyzed the different reasons which have based the verdict of not guilty, and we have checked that the most relevant was that the victim decided to make use of the dispensation of her duty to declare recognized by the art. 416 Code of Criminal Procedure (43.66%).

Fig. 8. Crime definition



Most of the gender-based proceedings, which ended with a verdict of guilty, were about the crime of occasional mistreatment (47.44%), followed by threats (22.52%) and habitual mistreatment (6.82%) (Fig. 8).

During the 2008 to 2010 any murder or manslaughter was committed against the women in the area of the prosecutor office of Santiago de Compostela.

In seventeen files (6.8%) the author's alcohol and / or drugs abuse play a significant role in the dynamic of the aggression, as a mitigating circumstance or conditioning the criminal's liability. Following types of behaviour were affected: occasional mistreatment (12 files), threats (5 files), coercion (3 files), misdemeanors (3 files) and injuries (2 files).

Conclusions

- Abused women presented in different health care settings with diverse physical and mental health problems and demographic characteristics, although married Spanish women, with children, belonging to a low socioeconomic level, were the most prevalent.
- A significant group of offenders with no prior criminal records have police records for crimes against persons. The rate of those who have criminal records (having been involved in domestic violence offences or in other forms of criminal behaviour) is relevant.
- Victim's decision to testify is stronger when she feels that her personal environment supports the charges against the aggressor and appreciates that her testimony is consistent with the norms of the family.
- The occasional maltreatment was the main kind of crime in which the gender-based violence translated.
- The main aggression was accompanied, in a considerable percentage, of other violent acts.
- Aggressiveness escalates during divorce or separation: 7.6% of all cases took place when the pair had started divorce or separation proceedings.
- It is important to remark that although the guilty verdict was also higher when medico-legal reports of the victim were lacking, in up to 41% of these cases medico-legal documents of abuser or third parties were present. Therefore, it could be argued that medico-legal documents are an important piece in gender-based violence proceedings.