

DOMESTIC VIOLENCE: PUBLIC POLICY CONCERN AND MEASURING CHALLENGE

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As a complex, often **recurring** phenomenon that risks to remain undeclared, domestic violence is a problem that has been recently approached on its own terms by the Romanian public policy. There are currently several series of statistical data provided by the institutions that are entrusted with fighting domestic violence. The combined analysis of these data creates a puzzling image about the phenomenon. This study includes a diagnosis of the phenomenon over the past years, and explores the relationship between public policy and the dynamic of the phenomenon, in (the) periods of building up the integrated monitoring system. In apparent contradiction with the qualitative perception of the COVID-19 pandemic as favoring factor, the study identifies the differentiated impact of the pandemic on domestic violence over the period 2020–2021.

Keywords: domestic violence; public policy measurement; gender inequality; COVID-19.

INTRODUCTION

The year 2021 marked a decade since the establishment of the Council of Europe Convention on preventing and combating violence against women and domestic violence. Signed in Istanbul, it is known as the Istanbul Convention¹. Currently, the Convention is enforced in 21 member-states of the EU, among which Romania is one of the signatories (Law 30/2016). The year 2021 is also the year when Turkey withdrew from among the states that assume and implement the regulations of the Convention, by Presidential Decree², and thus the first country to ratify the Convention (2012) became the first to denounce its provisions.

With regard to the infringement on fundamental human rights and liberties, the Convention targets gender stereotypes and inequalities, aggressive behaviors between the members of the family, whether customary or not. From the viewpoint of the equality of chances, and of the gender dimension, national and international

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¹ <https://rm.coe.int/168046253e>.

² Council of Europe, Parliamentary Assembly – The functioning of democratic institutions in Turkey, Doc. 15272, 21 April 2021 <https://www.ecoi.net/en/file/local/2050294/doc.+15272.pdf>.

regulations have already sanctioned the unequal access and discrimination in education, on the labor market, the freedom of opinion, the abuse and sexual harassment. More than any other of them, domestic violence occurs in the privacy of the family, and is *a priori* less visible in public. As the phenomenon became better documented by experts, its complexity and its role in perpetuating gender inequality in the public and private sphere was profiled, and hence the opportunity of regulating it distinctly emerged.

At the time of ratification, Romania enforced the Law on preventing and combating family violence (Law 217/2003) and the National Strategy on preventing and combating family violence had been formulated on two time-scales. The Convention, just like the Romanian law provided for the registering, monitoring and documenting the situations of domestic violence among the tasks of public authorities with attributions in its prevention and combating.

Searching for statistical information in the field of domestic violence in Romania reveals several sources of administrative data, which motivates expectations for a consistent analysis of the phenomenon. At first glance, the data depict a very different picture of it.

By attempting to explain these differences and, at the same time, to achieve the purpose of analyzing the phenomenon, the paper takes into account four aspects, namely: theoretical and legislative benchmarks that define and influence the phenomenon; the institutional practice on which the available data resources rely, the actual analysis of the dynamic and particularities of the phenomenon, and respectively of the determinants of domestic violence.

The paper is based on documentary and secondary data analysis, and makes use of online identified data and reports, respectively data available on the websites of the institutions with attributions in the field, or delivered based on an institutional subscription. Even though the data is observed over the period 2015–2021, the legislative and monitoring changes of the last decade restrict the time horizon on which comparative analyses are feasible in relation to the period 2018–2020.

CONCEPTUAL CLARIFICATIONS AND THE PERSPECTIVE OF THE VICTIMS

The Convention defines domestic violence as *all acts of physical, sexual, psychological or economic violence that occur in the family unit [...] or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim (Art. 3), and this regardless of whether it is motivated by customs or as revenge for injured honor*. The Convention outlines some minimal standards of intervention in the public sphere for protecting the individual against violence in the private sphere, at home, and proposes a comprehensive approach resulting from corroborating four directions of

action: integrated policies, violence prevention, protect of victims and punishment of perpetrators (the four “Ps”).

Its provisions consider all members of a *domestic unit*, women and men, children and elderly. Given the conditions of forced marriage or sterilization, mutilation, rape or abuse, etc. which are fed by customary practices establishing the authority of men over girls and women in the family, it applies mostly in defending women³. In this context, the Convention defines also violence against women as violence resulting from considerations related to gender, respectively acts of violence affecting disproportionately women.

Close to the concept of domestic violence, Liiceanu, Saucan and Micle (2004) use the concept of intrafamily violence, which does not, however, lay emphasis on the gender dimension; it also makes reference to the aggression of parents against children by economic exploitation or neglect, the aggression of children against parents, between siblings, or against the elderly on non-gender motivated reasons. In fact, neglect is a form of violence which is found among those regarding the child (Pinheiro 2006, 54), but not among those regarding domestic violence.

The Convention and the specific Romanian legislation target not only at battering and physical damage, sexual abuse and harassment, but also persistent behaviors inhibiting the free will or health of the individual, of the woman in the present context: threats, insults, denigration, activity control, stalking, imposing some actions against their will, deprivation of financial resources, social relationships, hindering the professional path, prohibition of entertaining hobbies, certain religious beliefs or exploitation.

In Romania, there are no customary practices, or rights of man (husband, father, brother) that would motivate the mutilation of women, but there are stereotypes regarding gender roles in the family, and the subordination of the woman to the man in the couple. A study by the Institute for Research and Prevention of Criminality (ICPC) of the General Inspectorate of the Romanian Police (IGPR) makes reference to the violence between the members of a couple as way of operationalizing domestic violence in the spirit of the Convention (ICPC 2016). Because this does not capture aspects of violence against women motivated customarily by other male relatives (*e.g.*, fathers/brothers/uncles deciding upon the actions of the woman in the family, in the absence of a husband), the violence in the couple is not the equivalent of domestic violence in the understanding of the Convention. Summarizing these considerations, it can be said that, in the Romanian context, violence in couples is the closest to the Convention’s understanding.

Practitioners, and qualitative studies regarding the situation of the victims indicate the complexity of domestic violence. It implies not only various factors leading to violence, but also frequent combinations of them (Liiceanu, Saucan and

³ EC, The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention): Questions and answers, <http://www.coe.int/conventionviolence> (May 2022).

Micle 2004; Curic and Vaetis 2005; ANPF (c.) 2007; Atena Delphi/Pulse Bulgaria 2016; Bonea 2016; ICPC 2016; CCSAS/ ANES 2018; Mootz *et al.* 2019; IGPR Report 2020).

Understanding the phenomenon from the perspective of the victims leads to profiling it as a recurring one, which might begin by verbal aggressions and continues over the years, on a daily basis, or at large intervals between violent episodes, while it might intensify or diversify. Violence in the family environment is perpetuated because:

- the violent episodes are caused by aggressor's addictive habits, sometimes of the victim as well, which feeds reprehensible behaviors and/or endanger the material resources of the family. Just like these, jealousy, frustration triggered by various failures, aggressiveness as a way of life might lead to the emergence of some extreme situations.

- after the violent episode ends, the situation calms down, and the aggressor expresses regret for the created situation, promises that there will be no repeat, while the victim hopes that the situation will change or, that in the future, she could better manage the relationship;

- the victim is attached emotionally to the aggressor, resorts to self-incrimination, or is systematically accused as being the one to provoke the aggressor;

- the victim is ashamed to make the situation known (to relatives, neighbors, work colleagues), and afraid of community disapproval, and that she/he will not be believed, or fears the retribution of the aggressor;

- the victim does not trust in the ability to manage financially without the support of the partner (who controls, very often, the financial resources of the family), and does not have alternative to abandoning the dwelling, and believes that by leaving she/he will be exposed to a far more unfavorable situation;

- the victim does not wish to deprive the children in the relationship of the other parent who, leaving aside violent episodes not aimed at the children, can develop good relations with them;

- the victim does not know how she/he might be helped (institutions, regulations and support services), does not have access to them, or does not believe that someone might interfere efficiently in her/his protection against the aggressor; such opinions are substantiated sometimes even by knowledge about some instances of failure in protecting the victim or of lacking reaction of the competent institutions (Athena Delphi/Pulse Bulgaria 2016; ICPC 2016, 5; CCSAS 2019, 108–128).

More and more, the victim loses the skills of standing against and putting an end to the aggression/violence. Repeated insults and threats might diminish confidence or self-esteem and might lead, gradually, to abandoning some professional plans, hobbies, spiritual life, and contact to acquaintances (even if these are not prohibited explicitly by the aggressor), just as physical violence might induce terror, and might render permanent psychological violence. These have negative impact also on the children (as witnesses, direct victims or participants

instigated by the aggressor). Exposed to domestic violence, the impact on children is diverse. This includes developmental delays (personal and professional), anxiety states, failure in identifying hobbies, restrictive circle of age-specific friends, abandonment of their own family, or developing, in their turn, some aggressive relationships against their own life partners, parents, children or colleagues (FRA 2014; Rațiu, Hizo-Miloș, Budușan *et al.* 2016; Carlson *et al.* 2019; Meyer *et al.* 2020).

The intergenerational transfer of the aggressive behavior depends on the severity and duration of the violent acts to which children were exposed, but also on the protective factors. These pertain to the individual psychological profile, as well as to the environmental factors, and to the way in which society relates and reacts to domestic violence (Carlson *et al.* 2019). The actions of public policy, informing and making aware students, public opinion and professionals, the accessibility of support services, and the perception that the punitive process against domestic violence is truly functional are expected to prevent and combat the phenomenon.

ROMANIAN LEGISLATIVE-INSTITUTIONAL MILESTONES IN COMBATING DOMESTIC VIOLENCE

In the first draft of the L217/2003, *sheltering and supporting family* is defined as a *goal of national interest*, thus creating the basis of public intervention. Up to the moment of ratifying the Convention, this law already had undergone seven revision attempts that also occurred after its ratification. Every year, public policy measures have become more and more diverse, fields of intervention and communication improving the chances of access for victims, and the awareness and possibilities to combat domestic violence. Among these are:

- operationalizing the free-of-charge emergency phone line HELPLINE (2016) under the management of the National Agency for the Equality of Chances (ANES);

- introducing the provisional protection order (L174/2018) issued by the Police, with immediate action and five days validity, which might change or not into a protection order issued by the court, with a longer duration of action;

- the urgent intervention of the mobile team, in the cases of notified domestic violence (Order MMJS 2525/2018). This includes representatives of the local social assistance institutions, but they might also be members and representatives of the profile NGOs, cults and voluntaries, etc. On site, the mobile team and the police evaluate the risk degree (imminent or not) of the notified situation, and issue or not the provisory protection order, respectively assistance measures are taken as necessary (separating the victim from the aggressor, informing the victim and the aggressor about their rights, obligations, and support services, initiating criminal investigation, etc.).

– legislative amendments (2020) by which criminal investigation against one family member might be initiated ex-officio, and the criminal responsibility is no longer removed if the parties reconcile.

DATA SOURCES

Ad-hoc monitoring or diagnosis reports regarding domestic violence make use frequently of two data sources: IGPR and ANES. Apart from these, only for the Public Ministry (MP), respectively the Directorate-General of Social Assistance and Child Protection (DGASPC) were identified systematic public statistics of interest for the domestic violence. Their particularities are summarized hereunder.

The *IGPR* data record notified criminal acts in which a family relationship exists (according to the legal definition) between the victim and the aggressor, structuring the information based on the Penal Code articles to which the reported violence is circumscribed (*Annex 1*). It might be said that these rather reflect the violence potential to which family members are exposed, which represents a *general perspective* on domestic violence, based on the following considerations:

– some offences might not represent violence acts *stricto sensu*, but the risk of affecting and disorganizing family life (for instance: failure to comply with the measures regarding the entrustment of the minor, or even infringing the protection orders);

– the notified offences might include also consensual situations between the family members, but not accepted legally in the contemporary society or which do not occur in the domestic sphere, respectively between spouses (for instance, killing on demand of the victim, bigamy, sexual relations with teenagers, human trafficking);

– there are included reports of some violent deeds, that the Police evaluates on site, but not always the claims are maintained or can be substantiated in court, as there might be repeated reports for the same address. In 2020 (the only year for which information is available), the statistics on intervention cases of the police for what is considered as violent offence in the family, as result of calls to the Emergency Service 112 and of reports by alternative means has reached a higher level than the one specified in *Annex 1*: 53 978 interventions. Only 26.6% of these interventions (respectively 14 658 cases) were evaluated as situations with imminent risk, and in about 42% of these risk bearing situations the victim refused the issuing of a provisory protection order. This last indicator is in resonance with the idea of repetitiveness of the phenomenon reported by the practical perspective.

The *IGPR* statistics allow for identifying violence in the couple, the residence environment in which the acts occurred, the presence of minors and the consumption of alcohol in the case of the notified offences.

The *MP* data show the situations in which criminal investigation was concluded and where, based on evidences, the aggressors could be sent to trial for a

singular cause or for multiple causes with the same perpetrator. The range of criminal acts that are circumscribed to the causes reported by MP is narrower compared to the ones monitored by IGPR (marked in color in *Appendix 1*), but the reports related to them represent over 80% of total offences registered by IGPR (*Table no. 1*). It should be noted that in this monitoring are not included acts that precede physical violence and/or lead to victim's control – harassment/ threats/ blackmail/ violation of private life (dwelling, e-mail correspondence, etc.), nor the use of a minor for beggary purposes, hindering the participation to education, or infringing on a protection order; as the available information does not specify whether the statistics refer to the main criminal act, the most severe, or any other priority criterion in the case of reunited causes, one may consider that only these offences are in the competence of the MP, while for the others there are alternative types of sanctions. These are documented with much more difficulty, or a routine for their sanctioning is still non-existent (Alexa 2020).

The similarity with the IGPR statistics consists in that the nature of the family relationship between the victim and the perpetrator is identified (but more comprehensively), the violence in the couple (also), but without being able to detail further (residence of the couple).

The difference resides in the fact that it allows for the identification of the minor children who are victims of the perpetrator (as the probability is high that they live together with the parents) and, thus, the offences committed in the nuclear family. These last situations accrue in more than half of the total of the victims, for whom the causes were sent to trial (52.9%, average for 2018–2020). However, the information is not disaggregated based on gender, residence environment, or the presence of some risk factor.

Table no. 1

Dimension of domestic violence in MP causes in relation to the IGPR records

	2018	2019	2020
Criminal acts in the IGPR records on categories monitored by the MP statistics (sub-total)	33 552	36 743	35 961
Criminal acts in IGPR records on categories monitored by the MP statistics, as % from total offences recorded by IGPR	87.3%	83.3%	82.3%
Number of perpetrators in the causes sent to trial (MP)	1 360	1 459	1 331

Source: Processing after MP, IGPR.

The *ANES* statistics refers to the situations in which the victims benefitted, on demand, of social services (ANES 2019). Here are recorded forms of domestic violence (according to the legislation) to which the victims were exposed, the provided services, and a wider range of risk factors. As opposed to IGPR, ANES records separately the cybernetic-type violence only as of 2021, next to other two new forms: verbal and spiritual. Moreover, in 2021, all forms of violence encountered

in a case were recorded, not only the dominant/main one, so that, in this year, the comparability of the domestic violence structure with the previous years is relative (*Table no. 2*). Based on the fact that the intervention monitored by ANES is more applied, we may consider this perspective as the *specific perspective*.

Table no. 2

Forms of violence and their prevalence in situations monitored by ANES

	% out of total victims			
	2018	2019	2020	2021
By deprivation/neglect	55.1	48.4	51.6	66.1
Psychological	18.3	21.3	21.7	20.0
Physical	19.8	22.8	20.6	21.5
Sexual	3.8	4.3	3.8	4.2
Economic	2.7	1.9	1.2	4.5
Social	0.7	1.4	1.1	2.4
Other forms	–	–	–	6.0
Total victims	13 182	14 074	11 607	12 479

Source: Processing after ANES.

The core of violence in the monitored situations is represented by *neglect or material deprivation*, which represents about half of the forms of violence which are in counselling. Next, up to 2020, psychological and physical violence which have relatively equal weights, have motivated the use of social services in over 90% of the monitored cases.

Even though the monitoring of the cases is systematic, also this statistic has notable limitations. Thus, even in these kind of data, the level of disaggregation of the information is, in general, the primary one, so that a series of statistics (regarding income, occupational status of the victims, ownership of the dwelling) lose their information value, given that, in 80% of the cases, the beneficiaries are minors (*Table no. 4*), no information is available on the duration of the support intervention, and the emphasis is laid on the number of victims, rather than on the number of cases. The high share of minors leads legitimately to the question: *to what extent is the demand for such services not requested due to the presence of minors in the family?* This motivated a brief overview of the DGASPC statistics regarding violence against children. Moreover, the high presence of children in the monitored situations explains also the presence of *neglect* as a dominant form of violence.

ANES monitors, as well, the statistics about the calls to HELPLINE. The yearly reports (ANES/HELPLINE, 2016–2021) regarding these calls contain information about the reported situation, reminders about situations preceding the ones notified, the distribution by county, etc. The victims benefit of phone counselling, but, with the agreement of the victim, local social, legal or police

services may be called in. Available after 2016, this reporting is still not standardized, so that only summary information can be pursued dynamically.

Similar to ANES, the DGASPC data pursue the logic of case management. These cover also situations of violence against the child occurred outside the family, but the number of child-victims of violence occurring in the family represent about 90% from the total cases recorded by the institution. In the DGASPC statistics, as well, the abuse by deprivation or neglect is predominant (74.4% from total violence against children occurred in the family, on average, for 2018–2020).

Next to the domestic violence acts to which they are exposed (here are also cases included from some of those notified to HELPLINE), the data of a qualitative study regarding the chances of integration in the labor market of the youths exiting placement centers⁴ complete the understanding of the range of situations that require the intervention of DGASPC. Among these are the death of the parents, abandonment of child on birth, lack of minimum living conditions, exposure of children to health/ physical integrity risks (for instance: child abandoned in the forest by the parents), abandonment of the child while the parent/parents are working abroad, physical violence against children, sending pre-adolescent children to beg (even in another town than the town of residence, and even by maintaining good relationships between the children and parents, without any other forms of violence), sending adolescents to work, preponderantly boys (for securing the resources needed for family's survival), cessation/sale of young teenage girls to human trafficking networks, child's elopement (running away) from home. The majority of these situations are cases of domestic violence, but do not meet also the criteria of gender motivated violence.

The non-domestic violence instances against children, and the fact that DGASPC approaches the child according to the legal understanding (up to 26 years of age if the child attends a form of vocational education) lead to levels of violence against the child a bit higher than the ones recorded by ANES (*Figure 1*). This source, as well, does not allow for differentiations according to the residence environment, or gender. As it exceeds the immediate objective of the study, this analysis is not continued in what follows.

Ad-hoc studies regarding the issue of gender equality or domestic violence may offer nuanced information about the phenomenon at different moments in time. The methodological inconsistency of these sources determined by the

⁴ Qualitative study (beneficiary the Foundation Scheherazade, with financial support from the Foundation Konrad Adenauer Stiftung Romania) realized by Ilie S., Eremia D., Iordache M., in centers of the child protection system from Bucharest and Prahova County in the year 2014. On concluding the contracting period, the research was continued by the same team within the framework of an institutional research theme, based on interviews with experts and NGOs active in the field of child protection (unpublished report).

objective and methodology of the study does not allow, however, the identification of a dynamic of the phenomenon. By way of example, we make reference to the results of two studies, which had as basis probabilistic national samples (*Table no. 3a–3b*).

Table no. 3a

Perception of domestic violence 2013/2018

Study	Question	Yes (%)
INSCOP/ Adevărul* (2013)	Existence of a law regarding domestic violence	54
CCSAS/ ANES (2018)	Existence of a law regarding domestic violence	57
INSCOP/ Adevărul* (2013)	As of the beginning of this year, did you hear among your acquaintances or in the area where you live about situations of domestic violence (aggressive husband, aggressive wife, battered children, battered elderly):	43.5
CCSAS/ ANES (2018)	Did you hear in the last year about cases of domestic violence among your acquaintances?	24

Source: INSCOP/ Adevărul (2013); CCSAS/ ANES (2018).

*Adevarul [The Truth] is a Romanian newspaper.

Table no. 3b

Who was the victim of domestic violence? 2013/ 2018 (% from total of those who know about cases of domestic violence)

	Wife/ partner	Minor boys	Minor daughters	Adult boys	Adult daughters	An elderly woman	An elderly man	Husband	Someone else	Don't know
INSCOP/ Adevărul (2013)	66	38				20		4	3	8
CCSAS/ ANES (2018)	84	26	22	3	4	17	7	9	11	--

Source: INSCOP/ Adevărul (2013); CCSAS/ ANES (2018).

The INSCOP survey queries domestic violence by providing the text of the question with examples, as to guide the respondent. In the second situation, the “definition” of the phenomenon is not explicit, but results from the succession of questions. The indicator-question regarding the prevalence of the phenomenon is preceded by querying the perception of the respondent about some displays as being or not domestic violence: battering, beating, threats, intimidation, sexual aggression, insults, prohibiting some social relations or restricting freedom of movement, deprivation of economic means, failure to pay some expenditures or the child’s allocation, etc. The synthesized results presented in *Table no. 3a* show that a study covering just one half of a year (INSCOP), by using an explicit definition,

even though summary, identifies a sensibly higher prevalence of the phenomenon, than the one covering an entire year which does not, however, provide an explicit definition.

Both make enquiries about the identity of the victim in the known cases (much more detailed in 2018), and capture domestic violence as violence in the family, by profiling frequently the woman as victim of the violence. The gender dimension is not confirmed in the case of violence against children. At the same time, the study from 2018 identifies physical violence as the most frequent form of domestic violence. This observation is maintained and analyzed based on gender, while violence of a social nature and the economic one is less associated with domestic violence by men, than by women (66% vs. 79%, respectively 63% vs. 71%) (CCSAS/ ANES 2018, 5–6).

At a distance of 15 years between them, the thematic studies have indicated similar shares of awareness regarding the existence of a law regarding domestic violence, despite the institutional, legislative and media openness aimed at discouraging the phenomenon that occurred meanwhile.

DYNAMICS AND PARTICULARITIES OF DOMESTIC VIOLENCE

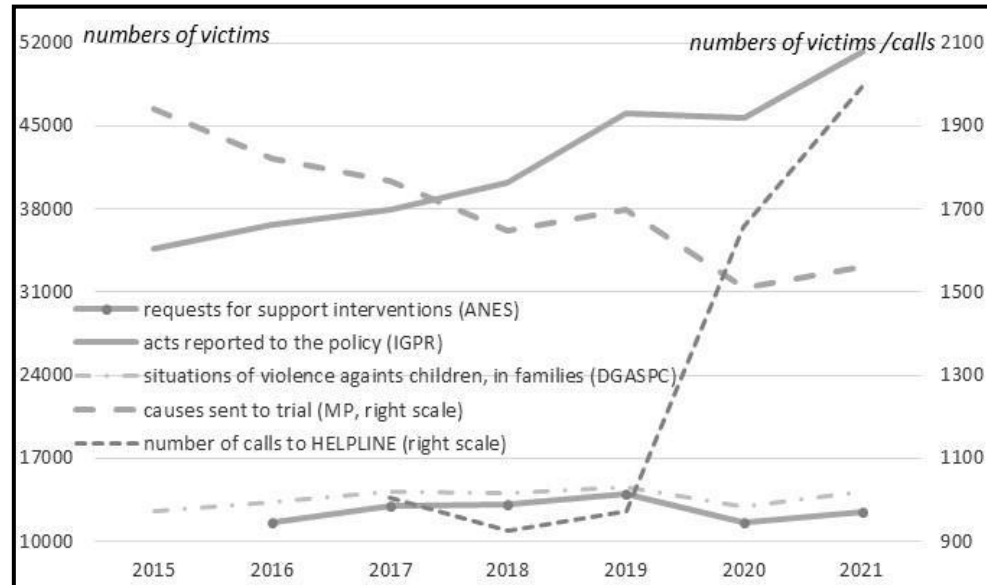
Figure 1 reflects not only very different levels of the phenomenon, but also dynamics, rates and dissimilar senses, depending on the data sources.

From a general perspective (IGPR) the dimension of the phenomenon is three to four times higher than the one resulting from monitoring the beneficiaries of support services (ANES); a comparable level with the specific perspective (ANES) would be, as shown above, only the number of situations evaluated by policemen as carrying imminent risk. At the same time, the number of perpetrators sent to trial represents only 3–4% out of the number of reported violent acts; this difference also results from the different stages of combating the phenomenon in which these institutions intervene. Even if it sanctions multiple acts of violence of the same aggressor, the difference speaks about the lengthy process underwent from denouncing a domestic violent act to its sanctioning.

Opposed to the public perception, for the year 2020, there is a decreasing trend of domestic violence, compared to 2019. The exception to this dynamic is represented by the number of calls to the HELPLINE, which had a marked increase for 2020 (+70% against 2019). For the year 2021, all data sources register an increase in the phenomenon.

Figure 1

Prevalence of domestic violence according to the monitoring institution



Source: IGPR, MP, ANES, ANES/HELPLINE, DGASPC.

It should be noticed that the dimension of the phenomenon from the perspective of the cases sent to trial is at a very low level, compared with the total number of victims benefitting from social services (*Table no. 4*); even though not legally confirmed, the latter are still cases of domestic violence, in the understanding of the law that justified the provision of support services. Moreover, legal counselling and representation in court provided to the victims represents a low share in the total provision of social services.

Minors have very different weights in total number of victims monitored by various institutions, but there is a common trend of decrease for the last two to three years. Available for a longer time-horizon, the causes sent to trial document most clearly this decrease from 68.2% in 2013 to 39.8% in 2021. This trend is indicative for a higher transparency regarding domestic violence, also in contexts that are not related to children.

In the HELPLINE statistics, the highest weight of violence in the couple is identified (69%) as detailed hereunder, as opposed to IGPR and MP data, in which the levels were on increase for the last five years.

Table no. 4

Violence in the couple, presence of minors and proximity to the legal solution

	2016	2018	2019	2020	2021
Victims in cases sent to trial, % from total victims benefitting of social services (MP/ANES)	15.6	12.5	12.1	13.0	12.5
Legal counselling services and representation in court, % in total services provided to the victims (ANES)	9.4	11.7	6.7	8.2	8.2
Minors, % in total victims benefitting from social services (ANES)	83.9	82.4	79.3	79.6	74.7
Minors, % in total victims for the cases sent to trial (MP)	51.2	42.6	38.9	40.9	39.8
Minors, % in total victims for notified criminal acts ale (IGPR)	28.6	24.9	21.2	17.8	16.7
Victims in a couple relationship with the aggressor (wife, husband, partner, % out of total victims of the cases sent to trial/ MP)	22.7	28.7	33.5	34.3	42.4
Victims in a couple relationship with the aggressor (wife, husband, partner, % out of total victims of reports/ IGPR)	52.3	56.0	58.4	58.9	59.3

Source: Processing after ANES, IGPR, MP.

Figure 2

Dimension of the domestic violence phenomenon, by gender and residence environment (number of victims)

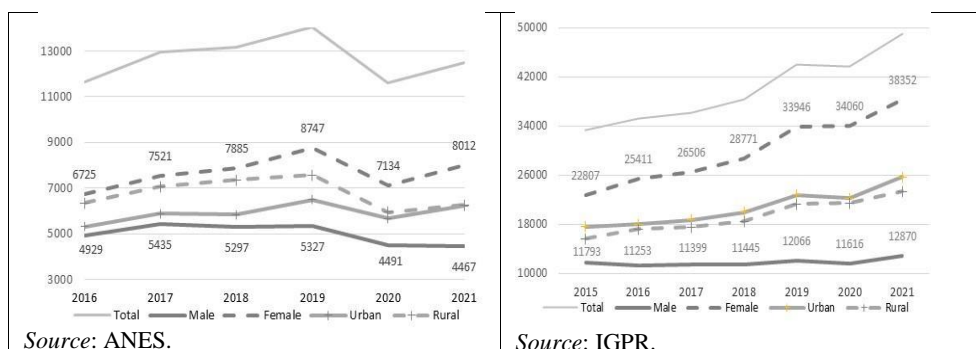


Figure 2 reflects the fact that the general dynamics of the phenomenon is given by the dynamics of the women victims. Next to the dimension of the phenomenon, the difference between the two main sources of data is with regard to its structure, according to both criteria:

– The weight of women victims is relatively equal to the share of men, from the specific perspective, respectively two to three times higher from the general perspective.

– The level of urban violence is slightly higher than the one in the rural, from the general perspective, while in the ANES records, the number of those benefitting of support services was higher in the rural, but undergoing a decrease up to reaching equal levels over the COVID-19 pandemic period.

– The decrease noticed in 2020 against 2019 is due, mainly, to the violence decrease in the rural (-21.5% against -12.9% in the urban), while from the general perspective, a relative stagnation is recorded between the two periods.

The most important particularities of the violence, based on the criminal offences (*Table no. 5*) are summarized, as follows:

– *Physical aggression, family abandonment and threat* are the most frequent risks of violence in the family: together with *failing to comply with protection orders* these represent 90% from total reported acts, while *battering and other damages*, alone represented 61.4%.

– Save for *family abandonment*, the most frequent criminal acts increased as weight in total acts recorded in 2020, against 2019, but also against the reference year. Next to these, *sexual aggression*, including the one against children, and *failure to comply with protection orders* increased over the first year of the COVID-19 pandemic, as opposed to the general trend of the phenomenon's decrease. Legislative amendments (for instance, introducing the provisory protection order in 2018 that might or might not change into a protection order), as well as the extension of acts considered relevant for monitoring the risk of violence against the family (from 29, in 2015 to 39, in 2020) might induce variations in the structure of domestic violence, according to the category of recorded facts. However, the yearly number of reported criminal acts introduced recently is relatively low (a few dozen), and these acts are not necessarily of occurrence yearly, so that the impact on the general dynamic is not major. The exception is the regulation of the provisory protection order, as of the beginning of the year 2019.

– *Physical aggressions* and, at the limit, *sexual aggressions* are more present in the rural than in the urban areas. If we take into account also that the incidence of the situations evaluated as presenting an imminent risk is notably lower in the rural (20.7% against 33.6% in the urban, from total interventions of policemen over the year 2020), and that the refusal of issuing the protection order in such instances by the victim is higher in the rural (47.9% against 37.2%), the conclusion begins to take shape that the intervention in the rural occurs later, and for more severe forms of domestic violence.

– Only three categories of offences record a decreasing trend over the observed period: murder, bad treatments of the minor and family abandonment. Together, they do not exceed 20% from the total of recorded criminal acts.

– Women are the main victims, not only in the case of acts that do not imply explicitly the minor (bad treatments against the minor and failure to comply with the custody measures regarding the minor). Gender neutrality in the abuse against the minor is also remarked in the ad-hoc study from 2018 (*Table no. 3b*).

– Minors are the preponderant victims in sexual abuse offences (rape, sexual aggression and harassment, respectively incest), and, naturally, family abandonment. Incest (about 10 to 20 cases) occurs as a rule between adult aggressors and victims, but when the offence takes place against a minor, the victims are women. In about 90% from the rape and sexual aggression cases, the victims are women.

Table no. 5

Particularities of the dynamic for the notified criminal acts

	(Attempted) murder death	battering+ body injuries	Threat, blackmail, harassment	Violation of privacy*	Deprivation of freedom, exploitation	Sexual abuse + incest	Minors; bad treatments	Sexual corruption of minors	Family abandon.+ bigamy	Failure minor custody**	Infringement of PPO and PO
% in total notified acts											
2015	0.63	47.2	7.92	0.19	0.34	0.55	3.53	0.25	33.0	5.31	1.00
2019	0.37	58.9	8.87	0.45	0.42	0.70	1.54	0.24	17.5	4.41	6.55
2020	0.36	61.4	9.97	0.51	0.42	0.81	1.17	0.33	13.8	4.48	6.76
Dynamic of the criminal category, 2015 = 100%											
2019	77	165	148	258	266	169	58	130	70	110	864
2020	76	170	165	284	231	196	44	172	55	111	885
Acts perpetrated in rural areas, % out of total reports											
2015	61.0	54.0	31.4	50.0	25.9	48.4	15.6	39.8	48.0	25.3	31.4
2019	60.9	52.9	35.0	40.2	42.1	56.8	30.1	53.7	48.9	27.8	39.8
2020	61.6	54.4	33.1	39.3	36.6	52.2	32.2	52.4	49.3	29.1	39.5
Women victims, % from total reports											
2015	53.2	75.9	78.7	64.6	67.5	92.5	46.8	90.4	55.2	35.7	89.9
2019	52.7	79.7	83.7	70.2	75.6	86.0	47.2	88.2	55.8	41.2	90.2
2020	51.3	79.4	82.6	74.8	76.6	91.9	46.4	92.5	55.5	40.8	88.9
Child victims, % from total reports											
2015	17.7	5.9	1.2	1.5	56.7	64.0	100	100	70.2	34.6	4.5
2019	19.4	5.0	1.4	2.4	40.6	64.6	100	100	72.8	30.7	2.4
2020	17.5	4.4	2.0	1.3	36.0	63.4	100	100	72.0	30.1	2.2

Source: Processing after IGPR

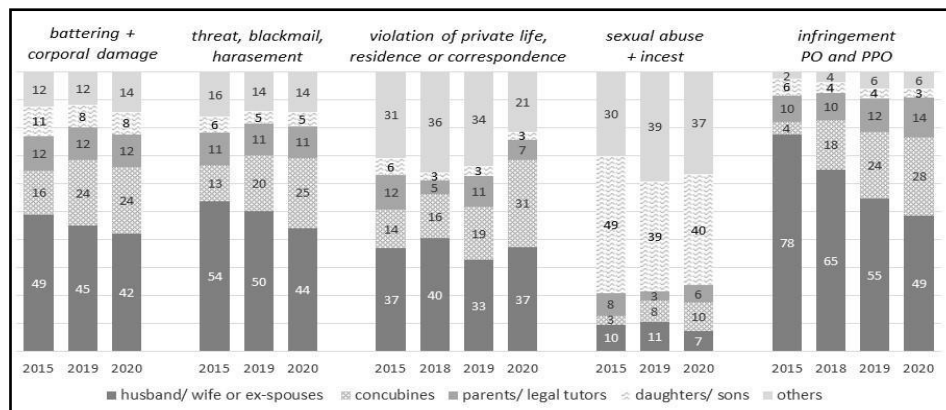
*) Violation of private life residence, correspondence.

**) Failure to comply with measures of custody regarding minors.

A dynamic pursuing the nature of the relationship between the victim and the aggressor, according to the offences notified most often, or with the largest increases (*Figure 3*) captures the expansion of criminality in the informal couple relationship; even in the case of sexual abuse, the change in the structure is from the family nucleus (spouses and their children) towards its exterior (*other members of the family*). In turn, the infringement of the protection order (PO) and of the provisory protection one (PPO) indicates direction not only towards informal couple relationships, but also to introducing in the public sphere the dysfunctions of the parental relationships, most probably against the elderly parent.

Figure 3

Relationship of the victim with the aggressor (% of total victims on criminal categories)



Source: Processing after IGPR.

Regarding the specific perspective, broken down by age groups, even the violence against new-born and children less than 2 years exceeds, as weight, the one aimed at adult victims (*Figure 4a*). The age group 18 to 25 years of age marks the point of inflection regarding domestic violence, where it decreases significantly. The debut of marital life, of university studies, entering the labor market (even breaking the relationships of financial dependency), or exiting the family of the childhood bring change to the daily context of the individual and of his/her social network. At this age, the individual might leave behind, or might enter into a violent relationship. The data also express the agglomeration of male victims in the group of male minors. In the case of adults, the victims are almost all women. Between 2018 and 2020, the weight of children below 10 years of age decreases, but increase for adolescent males and for the ages from 35 to 65 years.

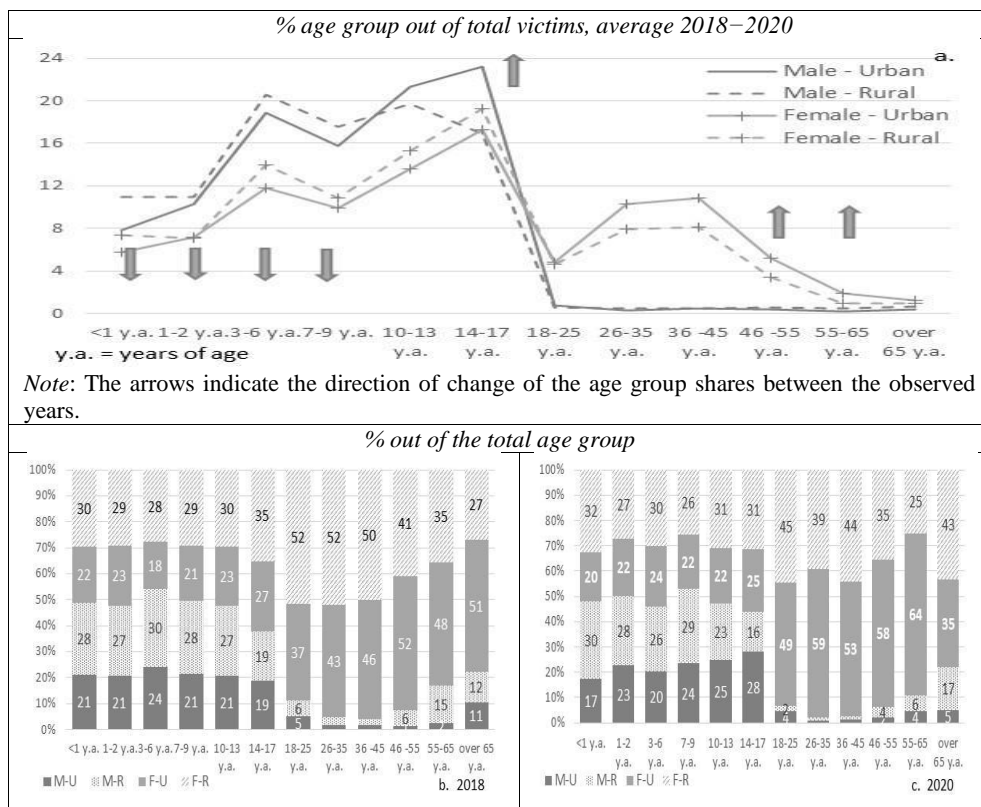
At the same time, the presence of elderly in the rural increases, and in the case of minor boys and adult women, the prevalence gap is markedly towards the urban (*Figure 4b–4c*).

Additionally, if in the case of minors just a bit over 60% were exposed to violence by neglect/ deprivation, in the case of adults, where the victims are women, violence was, as share, close to the one of physical nature. For both age groups, the second form of violence was the psychological one. Even though a form of infringing on fundamental human rights, with impact on the development of children, the inclusion of neglect/ deprivation simultaneously with the violence of the economic type, this might induce confusion regarding the nature of the situations covered by these statistics (Figure 5).

Such weights, of one or another type of violence, might vary year by year, however, without changing the general structure of the phenomenon, according to its forms. The number and services provided actually differ from one year to another, depending on the severity and complexity of the cases requiring support (Table no. 6).

Figure 4

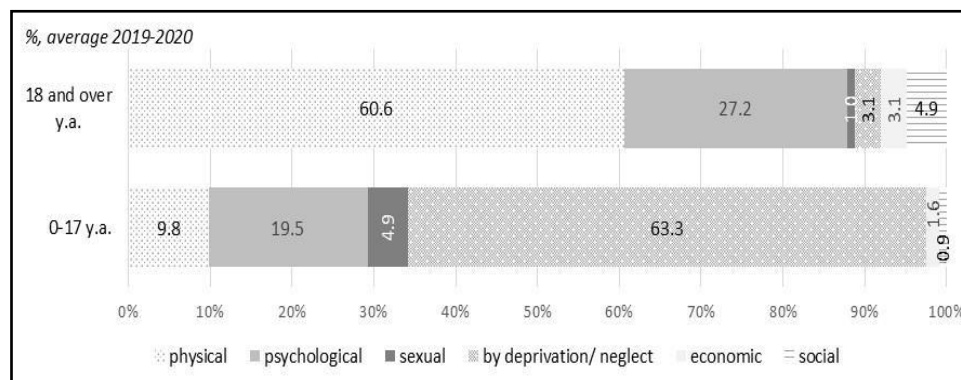
Particularities of the domestic violence by age, gender and residence area



Source: Processing after ANES.

Figure 5

Domestic violence structure by forms and age groups of the victims



Source: Processing after ANES.

In this sense, the social type of domestic violence (one which the social relationships of the victim are restrained) is minimally encountered in the assisted cases for 2019 and 2020, but it has an increased risk of turning permanent in 2020; in 2019, the situations in which the social contacts of the victim were restricted at least weekly represented only 53.3% from the total, against the year 2020, when three out of four victims have been subjected to this type of violence at least weekly. At the same time, the weight increased for the cases in which sexual violence was involved, respectively physical violence was very frequent.

The average number of services provided to the victims differentiates psychological violence, physical violence, and social violence from the other forms of violence, as they require several more interventions.

Table no. 6

Particularities by forms of domestic violence and services offered

	Violence frequency (%)				Number of services/ victims, average 2019–2020
	Daily, weekly			Monthly/ less often 2020	
	2017	2019	2020		
By deprivation/neglect	72.8	74.3	70.7	29.3	2.5
Psychological	72,6	67.7	66.4	33.6	3.1
Physical	43.9	28.4	38.4	61.6	3.4
Sexual	27.5	13.8	22.4	77.6	3.0
Economic	52.4	45.3	43.5	56.5	2.0
Social	58,2	56.3	74.8	25.2	2.5

Source: Processing after ANES.

Table no. 7

**Prevalence of services benefitting the victims (% from total services after the type of violence),
average 2019–2020**

	Primary counselling	Social counselling	Psychological counselling	Social assistance	Hosting	Legal counselling	Social protection measures	Medical assistance and care	mediation	Representation in court	Forensic examination certificate payment
By deprivation/neglect	27.8	23.9	18.4	10.2	4.3	4.4	6.2	1.6	1.5	1.6	0.0
Psychological	23.7	18.3	14.9	11.5	7.6	7.6	4.5	4.8	3.1	1.4	0.7
Physical	21.8	18.7	20.4	10.7	7.7	6.5	3.8	4.7	2.9	0.9	0.1
Sexual	26.9	21.9	25.1	9.7	2.1	6.3	3.6	1.9	1.1	0.7	0.3
Economic	30.6	13.5	13.8	12.0	8.6	7.5	6.8	3.0	0.6	1.9	1.1
Social	20.9	18.8	14.5	11.7	7.9	10.9	5.6	3.7	0.7	0.8	0.2
<i>Total services</i>	<i>25.3</i>	<i>21.0</i>	<i>18.2</i>	<i>10.6</i>	<i>5.9</i>	<i>5.9</i>	<i>5.1</i>	<i>3.2</i>	<i>2.2</i>	<i>1.3</i>	<i>0.2</i>

Source: Processing after ANES.

The services provided most frequently (*Table no. 7*) are the ones of primary and social counselling, while payment of the forensic examination certificate occurs in very few situations. Physical and economic violence stand out as complex, requiring services relatively more diverse and costly. The economic and social type of violence, though much less prevalent, require a complex of measures that involve (also) hosting infrastructure, more frequently than other forms.

In the annual reports regarding calls to HELPLINE, a summary description of the domestic violence cases notified by phone is available only for the years 2017 and 2018. The analysis of the data from this source leads to conclusions that confirm the profile of the domestic violence resulting from the perspective of the practitioners, being also the only institutional quantitative-type source that contains such information. Thus:

- in 6.7% of the cases out of the 163 ones detailed for the two years, the report is not confirmed, and in 27% the victim does not follow up the report/complaint because the victim reconciles with the aggressor/ the situation becomes stable again, the intention is of separation in an amicable way, the involvement of the authorities is not desired, the victim is afraid to file a complaint. Out of the 150 confirmed complaints.

- 69% are situations of violence in the couple: 44% between spouses (with a single case of aggression against husband and mother-in-law), 5% are against the former wife, 20% against the concubine or the former concubine. 19% are cases of

violence against other family members, and in the other situations the relationship between victim and aggressor is not specified.

– in 65% of the cases are involved also minors/children of the couple, but only in 14% of the cases was the minor the direct victim. The reported situations cover cases in which the wife/concubine is pregnant, but also cases where the family have more than 5 underage children. Even though the correct number of children cannot be determined based on available data, their high presence in the reported cases is demonstrated by the calls made by the operator to DGASPC and corresponds to the high presence of minors in the ANES statistics.

– the reported cases cover a wide range of situations regarding the intensity and duration of violence: from threats to battering of the spine (which triggered temporary paralysis) or at the level of the head (triggering loss of consciousness), respectively from accidental situations to exposure for over 10 years to violent episodes, and even forensic examination certificates existing at the time of the call.

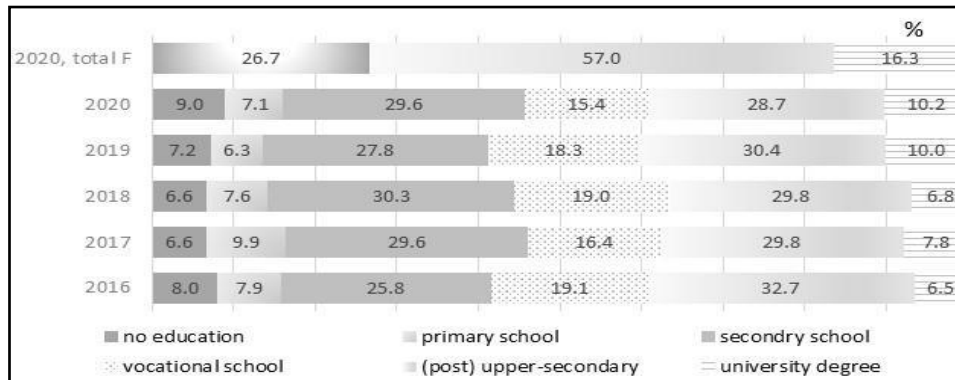
– in 37% out of the situations, the victims received hosting/housing, and in 21% out of the cases the victims were outside the residence at the time of the call (being kicked out, in hospital, taking refuge to neighbors/relative/public rooms). Situations were reported, as well, in which as result of the violent episode, the minors of the couple remained separated from the mother-victim, respectively one from the other (some remained with the father-aggressor, others with the mother-victim; ANES/ HELPLINE 2017–2018).

DETERMINANTS OF DOMESTIC VIOLENCE

Personal context. From the perspective of the practitioners, domestic violence occurs in the couple relationship as result of the unequal relationship in the physical and/or economic power, and have frequently as victim the woman. The display of physical power tends to depend on individual resorts of the aggressor, such as the poor management of conflictual situations, frustration, self-image/ insecurity, jealousy, impulsiveness, alcohol/ drug/ gambling dependence, or a mental disorder. However, without being *sine-qua-non* conditions for displaying violence, these might be amplified by the material situation, or lacking education, or a life-course history marred by violence and gender prejudice (ANPF (c.) 2007). Moreover, the INSCOP/Adevărul (2013) study has highlighted that a low share of the population agreed with an exclusivist determinism in this respect: only 8.5%, respectively 15.3% agreed with statements like *domestic violence (between spouses) is encountered only in poor families*, respectively that *domestic violence is encountered only in the case of uneducated people*. It should be mentioned that the highest shares of agreement in relation to both statements were recorded in the case of those with higher education and high incomes; this observation tends to support the idea that in the case of high incomes and education, domestic violence is less visible outside the family.

Figure 6

Structure by education of adult victims



Source: Processing after ANES, Eurostat.

Table no. 8

Risks associated with cases of violence, %

	CCSAS/ ANES (2018)	ANES					
		Victim			aggressor		
		2018	2019	2020	2018	2019	2020
Excessive alcohol consumption	74,4	3.1	6.4	6.6	36.2	38.6	33.8
Infidelity/jealousy	58	--	--	--	--	--	--
Precarious living conditions/financial difficulties	57	67.6	65.0	67.2	35.9	33.0	41.3
Violence originating in the childhood/violent environment	33	13.8	14.5	13.4	15.1	14.4	13.1
Drug consumption	3	0.4	0.5	0.6	0.9	1.7	1.2
Criminal antecedents	--	4.0	0.3	1.3	6.6	6.9	5.5
Mental disorders	--	2.6	2.9	2.3	3.4	3.6	3.6
Isolation from friends and family	--	8.5	10.4	8.7	1.9	1.7	1.5
Others	16	--	--	--	--	--	--

Source: ANES, CCSAS/ ANES (2018, 9).

The distribution by education level of the adult victims (*Figure 6*) captures indeed the higher prevalence of the phenomenon among those with lower levels of education (at most 8 grades): 45.7% out of the total number of victims, against 26.7% in total population. For the comparison with total population, we used the distribution of the female population aged between 18 and 74 by level of education, starting from the observation that adult victims of domestic violence in the ANES statistics are, in their quasi-totality, women. Another observation resulting from analyzing the figure is that the weight of domestic violence victims with high education, and of those without studies was on increase as of 2019.

Even though among the respondents to the CCSAS/ANES survey, lacking education tends to stand out as determinant of domestic violence more strongly than the living standard (15.3% vs. 8.5%), as the latter is not blamed directly for the situations of known domestic violence. From the perspective of public opinion, alcohol consumption is the main risk factor, followed by infidelity/ jealousy and financial difficulties, respectively inter-generational transfer of violence (*Table no. 8*).

However, the living standard gains profile as a strong determinant of the domestic violence, it being actually the specific context of the victim which exposes her to violence. Regarding the aggressor, the living standard is profiled on a position of equality with alcohol consumption up to the time of the pandemic context, when financial difficulties were placed at the top of risk factors for the aggressive behavior.

As opposed to public perception, the institutional statistics do not validate alcohol as main risk factor for domestic violence, but only as frequent factor, while drug consumption remains a marginal vector. The IGPR statistic reports even a lesser influence of alcohol consumption on perpetrating the reclaimed act (of about 13% in 2018–2020), with increases in the case of physical violence (18–22%) and, practically, the lack of this influence in five of the pursued acts categories. It might be ascertained that violence directed towards minors does not occur under the influence of alcohol consumption. In similar shares, the HELPLINE statistic indicates alcohol as enhancer in only 16% of the cases. The entire range of risk factors – alcohol consumption, criminal antecedents, mental disorders, drug consumption, jealousy, gambling and financial aspects – enhanced domestic violence in 24% of the cases recorded by HELPLINE.

Without questioning the role of alcohol consumption (or of poverty) as favoring factors, it should be noted that their level of impact recorded in the administrative data brings to attention also other determinants of domestic violence: more specifically, factors pertaining to the psychological profile of the aggressor, or to the environment (as reflected in the synthesis of Carlson *et al.* 2019). Among these, the intergenerational transfer of violent behavior joins the range of significant risk factors, including here public opinion. However, this is the second risk factor as importance that renders vulnerable the victim faced with acts of domestic violence, followed by the separation from family and friends.

At low levels among the risk factors, the excessive consumption of alcohol of the victim, respectively the existence of mental disorders indicates also the specific perspective of the social services as an answer to violence in the family, in general, and not of gender motivated violence in the family.

Public policy. As compared with the opposition against the premature entry of children in the labor market, or the acknowledgement of woman's citizenship rights (access to higher education, or the right to vote, now more than a century ago), the opposition at the level of public policy against the complex phenomenon of domestic violence has a history of less than 50 years (Carlson *et al.* 2019; Ashley 1973). It is reasonable to expect that diversification and increased accessibility of services provided to the victims, the perception of the punitive system as being operational and receptive to the dynamic of the display forms of

domestic violence, next to strengthening public awareness about its existence (by media campaigns, in schools) and promoting gender equality in the paradigm of human rights will have an impact on its prevalence within society.

The awareness campaigns about the phenomenon are circumscribed, next to other efforts of public institutions aiming at protecting public health (such as diminishing sugar and alcohol consumption, promoting active lifestyles, environmental protection, etc.), to what is today known as social marketing. With roots, as well, half of a century ago, it is seen as a tool instrumental in changing social attitudes or behaviors, in planned social change in general (Andreasen 1994).

The evaluation of the impact of these campaigns is very particularized, and appeals to a large range of qualitative and quantitative approaches, intended to catch the changes occurred on a shorter or longer period of time (Stead *et al.* 2007). For the context of domestic violence, such estimates are more difficult. On the one hand because the change is evaluated by third parties (and not by the person for whom the behavioral change is intended), and on the other hand because the perspective of the practitioners provides arguments in understanding the phenomenon as being understated. Hence, which is the indicator of change in the case of domestic violence? The increase in the prevalence of the phenomenon, as a result of population openness in reporting the acts (victims or witnesses), or its decrease as result of abstaining from acts of domestic violence? What is pursued, of course, is to eliminate violent behaviors. Additionally, what is the reasonable time-horizon in which this would be reflected in the statistics? How should be the statistics regarded, especially over the period of building up the monitoring system for the phenomenon?

As time-horizon and approach, a referential might be the one of positive changes regarding gender stereotypes acknowledged as enhancers of domestic violence. At a distance of almost two decades, between 2000 and 2018, the share of those who expressed agreement regarding relevant statements about gender relationships and roles in the family, changed as follows:

- the woman must follow her man: from 78% to 65%,
- it's more the duty of men than of women to bring money in the house: from 70% to 61%
- partners must be allowed to solve alone their issues: from 35% to 20% (Grünberg *et al.* 2019, 18)

The limits of such an approach depend, as shown previously and as stipulated even by the authors (Grünberg *et al.* 2019), on the methodological comparability of the data.

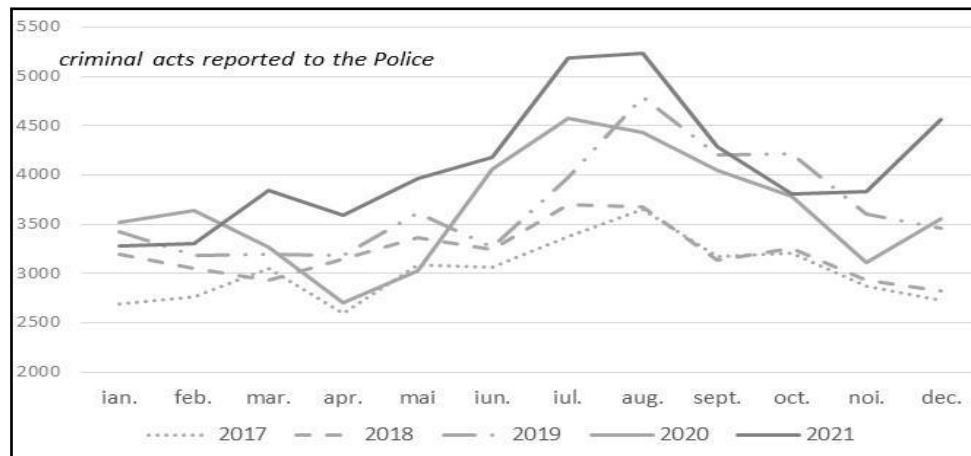
We also retain the fact that *in the first 10 months of the year 2015, the number of reported cases to the Police in the sphere of intrafamilial violence was on increase against the previous years* (ICPC 2016, 22–23). In the opinion of the authors of the study, this increase expresses the trend to report acts, as result of the formulation of some legal provisions which provide for better protection of the victim (changes of the Penal Code, the introduction of the protection order, etc.),

and not as result of changes in the dynamic of this type of criminality. The observation is encouraging because, under the conditions in which only one-fifth of the population considers that *spouses should be left to solve their issues alone*, the awareness about the existence of opposition at the level of public policy (sanctioning, support forms for the victims) against intrafamilial violence encourages (as well) the opposition at individual level.

The COVID-19 pandemic. The concern regarding the interpretation of the available statistical information is also pertinent for the pandemic context of the years 2020–2021. Information from some organizations with activity in the sphere of protection for victims of domestic violence (FILIA/ ANES 2021; Dojan 2021⁵), the experience of other pandemics (EIGE 2021) has tended to present the limitation of the freedom of movement and of some incomes, under the conditions of the emergency and alter-state, as favoring factors of domestic violence, by forecasting its increase. Nevertheless, only in 2021, and in the HELPLINE statistic for 2020 such a trend is present (Figure 7).

Figure 7

Dynamic on months for criminal acts defining domestic violence



Source: IGPR.

Undoubtedly, the state of austerity in the first half of 2020 constituted the period of highest uncertainty, due to the severe limitations on the mobility of the population (restricted to certain hours and under certain conditions), through the suspension, restriction or translation of professional activities at home, under the pressing need to rethink the way of functioning of institutions and households,

⁵ <https://www.europarl.europa.eu/news/en/press-room/20200406IPR76610/covid-19-stopping-the-rise-in-domestic-violence-during-lockdown>.

including the communication between them. Additionally, the population experienced income drops (even if not always job loss). As mitigation for the crisis situation, the institutions resorted to simplifying some procedures for granting some benefits/services and to online communication (Ilie 2021), but also to postponing some interventions until the formulation of new working routines, conditioned by the impact that the pandemic context had on the health state of its own personnel.

The dynamic in reporting criminal acts incident to domestic violence observed on months shows minimum yearly levels over the period February–April, and an increase of them in the warm season (*Figure 7*). In 2020, the decrease between February and April is more marked, but based on the available data, this cannot be identified as an atypical dynamic of domestic violence; marked drops in April against March are noticed also in 2017, just as a marked increase in the months of summer is noticeable also in 2019. However, against the previous years, in 2020 the sinusoidal trend of reporting facts is shaped more clearly, after the start of the second epidemic wave and restrictions in the autumn months.

Reviewing the empirical information (Dojan 2021), we notice that it indicates rather an intensification in the domestic violence phenomenon with the beginning of the COVID-19 pandemic than its expansion. The lockdown at home, and restricting work opportunities have led to the increasing of the time spent with the aggressor, and limiting the possibilities of asking for help simultaneously, with a more marked psychological pressure on the victim. Threatening the victim with denouncing in case of leaving the residence was a new form of constraint, as long as in the form for justifying leaving the residence was not included, among the reasons, also the safety of the person. Paradoxical situations, such as the quarantine of the aggressor at the residence together with the victim, under the conditions of an existing order of protection against the aggressor, or the refuse to welcome in a center the victim of some domestic violence acts brought by the police on grounds of not being tested (Alexa 2020) are included in the range of institutional difficulties in adjusting to a completely unknown context.

Detailed aspects of the administrative data regarding the dynamic of domestic violence after 2019 tend to confirm the increased intensity of domestic violence and to point out towards a general decrease in the year 2020, as result of a period of adjustment and of searching solutions, in the context imposed by the pandemic. Thus, between 2019 and 2020:

- the general perspective, and the specific one as well, capture an increase in physical violence and in the violence of sexual nature, given that physical violence is slightly over 60% from the reported domestic violence acts;
- the IGPR statistic captures increases in acts of threat and harassment, and in violation of private life;
- the most consistent decrease is shown in the statistics of the institutions with activities involving more systematic documentation or intervention in the case

(ANES and MP); for both sources, the dimension of the phenomenon is maintained also in 2021, and below the level of the year 2019;

– the more noticeable decrease in the number of beneficiaries is in the rural areas (ANES), given that the shares of rural/urban domestic violence do not change considerably also in the IGPR statistics.

On the other hand, the sinusoid is no longer visible in the 2021 trend; the period of maximum is maintained up to the end of summer, but this is not preceded by a decrease in the intensity of reporting at the beginning of spring; only the month of April (the Eastern celebrations month) disturbed the progressive trend of the first half of the year.

It might be said that the impact of the COVID-19 pandemic on domestic violence was visible (statistically) with a one-year delay, after successive waves of restrictions (even if less restrictive), after sustained efforts of institutional adjustments, also for the family life, to the new contexts of coexisting and functioning.

CONCLUSIVE NOTES

Practitioners outline the phenomenon of domestic violence, consisting of acts that disproportionately affect women, as a particularly complex one, with mechanisms of a personal and social nature. With roots in culturally associated gender roles, the economic dependence on the aggressor might represent the support-vector of domestic violence. Domestic violence is a high probability recurring phenomenon, but also in risk of being underdeclared, even if it might occur with the knowledge of relatives, neighbors, and even of the police. Until recently, in the absence of the victim's complaint, the trial against the aggressor could not take place. Physical violence is the form associated most frequently with domestic violence. Public policy aims to bring to attention also other forms of abuse between persons who have/had family relationships, including the ones resulting from customary practices. These forms are reported less frequently, either because they are less perceived as inadequate as they are supported by stereotypes, or because they are harder to document, or because they take new forms of display not covered yet by the legislation.

Once the complexity of domestic violence is understood, it becomes obvious that operationalizing and monitoring it from the statistical viewpoint is a challenge. The awareness of professionals with attributions in all stages of combating the phenomenon in all its complexity is essential to achieve this goal.

By complying with legislative provisions, various institutions with attributions in identifying, sanctioning, and supporting interventions in situations of domestic violence have systematic statistics regarding the phenomenon. Statistical records are inherently shaped by the institutional role and the stage in the process of combating domestic violence in which they intervene. After 2016, they do not

suggest a common pattern of domestic violence in Romania, and the scope of the phenomenon differs notably between the sources, so that, at first sight, the statistic information is confounding.

The administrative data lose the advantage of continuity of the statistical series during the period of building up the monitoring system, but also because of the multiple legislative changes; even though they aim to outline an integrated and nuanced opposition against the phenomenon, the changes limit the year-to-year comparability of data.

By carefully corroborating administrative statistical information, it is possible to identify the particularities of domestic violence reported by theoreticians in the field, indicator-trends for the positive impact of public policy on combating the phenomenon, as well as the risk of intensification in the context of the COVID-19 pandemic.

The risk factors for domestic violence include the (low) living standard, alcohol consumption, the precarious level of education and socialization, into a violent family environment. An echo of the change in the way the population relates to acts of domestic violence might be considered the increase in the share of victims in a couple relationship with the aggressor (either formalized or not), irrespective of the source, or increased presence of the victims with higher education and of those without any studies among the ones requesting the assistance of social services. The COVID-19 pandemic has impacted in two ways on the phenomenon. As a result of the processes of adaptation to the new economic and social context, in the first year of the pandemic its size decreased overall, but most likely intensified in the background; the general “closure” in society favored and concealed it. Only in the second year did the growth of the phenomenon become statistically visible.

In the Romanian practice and its monitoring, domestic violence is *de facto* equivalent with family violence. Despite the fact that violence in the couple is close to the operationalization of domestic violence in the spirit of the Convention, and all sources allow its identification, the disaggregation level of the data on this dimension remains the primary one, thus restricting the possibility of analysis. Other disaggregation criteria are not necessarily common, so that it is not possible to analyze the dynamic of the process of combating the phenomenon, from report to the intervention of the social services, respectively its legislative sanctioning. The observation is consistent with the conclusions of the GREVIO report which underpins the lack of coordination and comparability of data (GREVIO/Inf(2022)6: 23–27). It recommends standardization of records at least by gender, age, relationship of the aggressor with the victim, type of violence, as well as increased attention, or studies regarding less visible acts (for instance, harassment by stalking), to which we would add the residence area and possibilities of additional disaggregation for violence in the couple.

Annex 1

Domestic violence according to IGPR records (number of cases)

Criminal act (main) reported to the IGPR (article corresponding to the Penal Code/New Penal Code)	2018	2019	2020
1. Murder (188–189 NCP)	77	79	72
2. Attempted murder (188–189 NCP)	69	54	58
3. Killing on request of the victim (190 CP)			
4. Determining or facilitating suicides (191 NCP)	2		
5. Battering or other violence (193 NCP)	22 619	25 968	26 809
6. Corporal damage (194)	25	16	16
7. Battering or death causing injuries (195 NCP)	8	7	8
8. Bad treatments against the minor (endangering severely the development of the minor; 197 NCP)	387	425	397
9. Murdering or injuring the new-born committed by mother (200 CP)	10	9	9
10. Disruption of pregnancy (201 CP)	14	12	12
11. Damaging the fetus (202 NCP)	3	10	1
12. Illegal deprivation of freedom (205 NCP)	119	161	157
13. Threat (206 NCP)	2 784	3 665	4 023
14. Blackmail (207 NCP)	44	40	65
15. Harassment (208 NCP)	116	207	268
16. Human trafficking (210 CP)			1
17. Trafficking of minors (211 CP)	4	4	7
18. Subjection to forced or obligatory labor (212 CP)	1	1	
19. Soliciting (213 NCP)	5	9	18
20. Exploitation of beggary (214 NCP)	31	11	7
21. Using a minor for beggary (215 NCP)	181	159	66
22. Rape (218 NCP)	171	198	226
23. Sexual aggression (219 NCP)	76	97	111
24. Sexual act with a minor (220 NCP)	81	83	112
25. Sexual corruption of minors (221 NCP)	25	21	28
26. Solicitation of minors for sexual purposes (222 CP)			2
27. Sexual harassment (223 NCP)		1	2
28. Violation of residence (224 NCP)	100	167	146
29. Violation of private life (audio or video recordings/ unrightful publishing of a person in private room; 226 CP)	17	20	45
30. Violation of the secret of correspondence (302 CP)	9	12	16
31. Illegal access to an information system (360 CP)			17
32. Infantile pornography (374 CP)		4	1
33. Bigamy (376 CP)	18	21	13
34. Incest (377 NCP)	11	12	17
35. Family abandon (leaving or letting without help a person against whom there is the legal obligation of ensuring subsistence; 378 NCP)	8 126	7 701	6 026
36. Failure to comply with the measures regarding entrustment of the minor (with the conditions regarding the relationships with the child; 379 CP)	1 800	1 944	1 958

Annex 1 (continued)

37. Hindering access to general compulsory education (380 NCP)	88	89	42
38. Prohibiting the exercise of religious freedom (381 CP)		1	
39. Offences regarding the infringement of a protection order), or a provisory protection order by the person against whom the order was issued	1 424	2 886	2 956
Total acts recorded by IGPR	38 445	44 090	43 712

Source: IGPR.

In the analysis we opted for grouping the 39 criminal acts from the IGPR records into 11 categories, according to the classification hereunder. In the classification procedure we attempted to separate the acts that targeted the minor. The exception is represented by the category *murder, attempt, death*, which – given the relatively lower number of cases – includes also aggression against the minor or fetus resulting in death.

	Categories	Articles (New) Penal Code
1	murder, attempt, death	188–191, 195, 200, 201
2	battering + corporal damage	193–194, 202
3	Threat, blackmail, harassment	206–208
4	violation of private life, residence, correspondence	224, 226, 302, 360
5	deprivation of freedom, exploitation	205, 210, 212–214, 380
6	Sexual abuse + incest	218, 219, 223, 377
7	Bad treatments against the minor	197, 211, 215, 380
8	Sexual corruption of minors	220, 221, 222, 374
9	Family abandon + bigamy	378, 376
10	Failure to comply with measures regarding the minor	379
11	Infringement of PO and PPO	

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A dese repetitivă, dar în risc de a rămâne nedeclarată, violența domestică este un fenomen relativ recent abordat per se în politica publică românească. În prezent, există mai multe serii de date statistice furnizate de instituțiile care au atribuții în combaterea sa. Analiza combinată a acestor date creează o imagine confuză asupra fenomenului. Studiul realizează o diagnoză a fenomenului în ultimii ani, explicând totodată particularitățile instituționale din care derivă statistica disponibilă și pune în discuție relația dintre politica publică și dinamica fenomenului, în perioade(le) de construcție a monitorizării integrate. În aparență contradicție cu percepția calitativă a pandemiei de COVID-19 ca factor favorizant, studiul identifică impactul diferențiat al acesteia asupra violenței domestice în perioada 2020–2021.

Cuvinte-cheie: violență domestică; monitorizare politici publice; inegalitate de gen; COVID-19.

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