

NATIONAL REPORT SPAIN 2016

DETAILS REPORT WRITING ORGANISATION

Country: SPAIN

Organisation writing report: Associació Conexus

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Representing any other organisations? No

1. ORGANISATIONS/PROGRAMMES

WHAT TYPE OF ACTIVITIES RELATED TO DOMESTIC VIOLENCE PREVENTION HAS YOUR ORGANISATION CARRIED OUT DURING THE LAST THREE YEARS?

Conexus offers an Integrated Intervention Programme (PAI) against domestic violence that includes interventions and support for, firstly, women victims/survivors, secondly, for children affected by violence and their mothers and thirdly, for (non-court-ordered) male perpetrators, including an integrated support service for their (ex-) partners. The PAI started in 2011 and receives limited funding from the Ministry of Health, Social Services and Equality, the Catalan Government, the Province of Barcelona and since this year, the Barcelona City Council, for its work with children, mothers and perpetrators.

In 2012 we started the Integrated Intervention in Ascendant Violence programme (AIVA), a project for families with adolescents who have used violence against their parents. The programme offers treatment for both victims and perpetrators and is funded by the Department of Social Welfare and Families of the Government of Catalonia and by the Barcelona City Council.

The Programme for Universities Against Gender Based Violence (PUC) was initiated in 2015 with the goal of providing training and support services, and raising awareness among young people who do not usually have access to specialised services. The programme is aimed at both women who suffer violence and men who use violence. Currently we have agreements with three of the biggest Catalan Universities and collaborate with two more.

This year we have started a small project offering psychological support to people from the LGBTI community who suffer from, or perpetrate, violence in their intimate relationships, and another that aims to prevent homophobic bullying in schools. Both projects are funded by the Barcelona City Council.

Since 2006 we have collaborated with the Public Health Agency of Catalonia's Programme on Substance Abuse to address intimate partner violence in substance abuse treatment centres. This collaboration has included a review of relevant research, the development of a theoretical model, surveys of practitioner's needs, the development of best practice recommendations and the training of professionals. Currently, we are creating a network of reference workers for addressing IPV in each substance abuse treatment centre. Further, we are developing a specific model for IPV screening and group intervention among men undergoing substance abuse treatment.

Beyond these ongoing projects we offer violence prevention activities including workshops for schools in various municipalities, and training activities for professionals. We participate in scientific and awareness-raising events around domestic violence at local, national and international levels. We are also involved in research projects on domestic violence and perpetrator work, such as the European Daphne III project "IMPACT – Evaluation of European Perpetrator Programmes".

WHAT WOULD YOU DEFINE AS THE BIGGEST OBSTACLES/CHALLENGES REGARDING VIOLENCE PREVENTION TO YOUR ORGANISATION/S? PLEASE FOCUS ON THE LAST THREE YEARS.

Although we have been able to start some new projects, and there has been a growing recognition of our work in the field of domestic violence, the biggest obstacle we face is still the lack of stable, sufficient funding, both for prevention measures in general, and for our work with perpetrators specifically. This lack of funding affects other agencies as well, and makes the highly important collaboration and coordination between agencies and services (e.g. between perpetrator work and victim support, or domestic violence and child protection) even more difficult.

2. COUNTRY

PLEASE GIVE AN OVERVIEW OF GENERAL SITUATION IN YOUR COUNTRY REGARDING WORK WITH PERPETRATORS.

There has been little change in the general picture of work with perpetrators in Spain over the past three years. Cutbacks in funding continue to affect community-based programmes for men who participate voluntarily. There remains an active scene of research on the topic.

Within the criminal justice system there has been continued growth in work with perpetrators since the law against gender-based violence came into force in 2004, particularly in the context of probation. In 2013, 14,299 (46.5 %) of the 30,776 convictions for gender-based violence included participation in a perpetrator programme as a probation measure, and 9,142 perpetrators completed programmes that same year (to which we should add 890 in Catalonia).

Currently, 55 probation teams (“Servicios de Gestión de Penas y Medidas Alternativas”) across Spain deliver the [Programa de Intervención para Agresores](#) (intervention programme for perpetrators, or PRIA). PRIA was established in 2010 as an intervention manual to be applied both within prisons and in the community, albeit adapted to these

specific contexts. PRIA has since been updated to include a gender perspective in a much more transversal manner, but this latest version is yet to be published. Apart from statutory probation services, the PRIA is also delivered by around 40 organisations under contract from probation, mainly consisting of NGOs, University Departments or Psychological Associations. In Catalonia, the [Programa Marc de Tractament en Violència de Gènere](#) (frame programme for the treatment of gender-based violence) is published by the Catalan Department of Justice. It guides both in-prison and probation-based interventions and is delivered by five or six NGOs to between 800 and 1000 perpetrators on probation per year. Moreover, between 1000 and 1500 inmates convicted of gender-based violence voluntarily participate in the PRIA programme (or its Catalan equivalent). The programmes are offered regularly in around 40 prisons, or around two thirds of prisons in Spain.

We do not have national statistics on the number of men who voluntarily participate in community-based perpetrator programmes outside the criminal justice system. It is estimated that less than 1000 men have participated voluntarily in such programmes in Spain, partially due to the cutbacks to programme funding.

Research on work with perpetrators in Spain has remained active in recent years. Indeed, the [review](#) carried out within the Daphne project “Evaluating European Perpetrator Programmes” shows that Spain has produced the most evaluation studies of any country in Europe.

PLEASE GIVE AN OVERVIEW OF YOUR COUNTRY'S CRIMINAL AND CIVIL RESPONSE TO DOMESTIC VIOLENCE, ESPECIALLY ANY CHANGES WITHIN THE LAST 3 YEARS? (I.E. WHAT ARE THE MOST IMPORTANT LEGAL AND POLICY MEASURES AND HOW HAVE THEY BEEN IMPLEMENTED?)

There have been some legal changes in the past few years, for example, Law No. 4/2015 on the legal status of the victims of crime and Organic Law No. 1/2015 amending the Penal Code with regard to violence against women. These changes have primarily aimed to give children the legal status of victims of gender-based violence, and to improve some legal proceedings and rights for victims. In addition, Law No. 21/2015 includes the right to legal assistance for women victims of gender-based violence immediately before reporting/pressing charges with the police, and creates a corresponding permanent guard for the lawyers' association.

The National Strategy for the Eradication of Violence against Women (2013-2016) had four main objectives: (1) breaking the silence around domestic abuse, (2) improving institutional responses to avoid secondary victimization, including personalized plans of support, (3) supporting children and women who are particularly vulnerable, and (4) making visible, and addressing, other forms of violence against women.

The Ministry of the Interior has continued to develop a system to monitor and follow up cases of gender-based violence. The system combines information from different public administrations and services ([Sistema VioGén](#)), as well as from [telematic control devices](#) (bracelets) for convicted high-risk perpetrators.

Statistics on gender-based violence in Spain until December 2013 are available in the "[7th Annual report by the national observatory on violence against women](#)".

PLEASE TELL US ABOUT THE PROGRESS YOUR COUNTRY HAS MADE IN RELATION TO ISTANBUL CONVENTION.

Many of the requirements of the Istanbul Convention were already fulfilled when it came into force, with some important exceptions: the need to include other forms of violence against women in the law on gender-based violence, and the close coordination of (criminal justice) perpetrator programmes with victim support services (see below).

DO YOU KNOW ANY OTHER ORGANISATIONS/PROGRAMMES IN YOUR COUNTRY THAT CARRY OUR DOMESTIC VIOLENCE PERPETRATOR WORK? IF YES, PLEASE, LIST THEM.

There are several other organisations working with perpetrators of domestic violence in Spain. Most operate within the criminal justice system, under contract with the Ministry of Justice (in penitentiary institutions). Most of these organisations are in the WWP-EN database because they have participated in the surveys of the Daphne projects “WWP” and/or “IMPACT”.

3. BEST PRACTICES

TELL US ABOUT BEST PRACTICES IN WORK WITH PERPETRATORS IN YOUR COUNTRY.

We consider it good practice that criminal justice programmes work in a systematic and internally coordinated way, and are thus able to respond to a high number of men convicted for domestic violence annually. This avoids a reliance on other penal measures, such as probation measures.

Furthermore, the active research community, mentioned above, strengthens work with perpetrators undertaken in Spain.

4. NEEDS AND RECOMMENDATIONS

WHAT HAS TO BE DONE TO PREVENT DOMESTIC VIOLENCE IN YOUR COUNTRY (REGARDING WORK WITH PERPETRATORS)?

There are three main issues to focus on for improvement. The most important issue is the criminal justice system's limited practice of partner contact, and limited coordination with victim support services (as called for in the Istanbul Convention). Due to concerns regarding data protection and confidentiality, the criminal justice system's offices for victims of crime only establishes victim contact with women who have reported their partner. There is no coordination whatsoever with other victim support services.

Secondly, there is growing demand among social, health and child protection services for the possibility to refer men to programmes that they can attend voluntarily. There is a significant lack of such services in most of the country (with some exceptions) due to the aforementioned cutbacks to funding. Indeed, coverage was already far from sufficient before the crisis.

The third issue is the lack of a national network for organisations and/or professionals who offer domestic violence perpetrator programmes. This is in spite of the large number of such organisations in Spain, and a history of more than 20 years of developing work with perpetrators. Such a network could, among other things, establish agreed-upon national quality standards for working with perpetrators, which do not yet exist in Spain.

WHAT ARE THE MOST IMPORTANT TASKS AND STEPS THAT YOU FEEL SHOULD BE FOCUSED ON IN YOUR COUNTRY IN ORDER TO TACKLE DOMESTIC VIOLENCE ON A GENERAL LEVEL?

In general terms, gender-based violence needs to become a political priority once again in Spain. There is some hope that this might become the case under the new, minority government, due to pressure from the opposition. A commission has recently been put in place to prepare a State Pact on gender-based violence with the objective of providing sufficient funding for prevention activities and support services for victims. Further, the

pact will include other types of violence against women (committed outside intimate relationships) as a legal measure to comply with the Istanbul Convention.

There has been a deterioration in protective services for women subjected to domestic violence, both because of cutbacks in funding and because of changes in law enforcement practices. For example, the percentage of protection orders granted to women who demand them has gone down to as little as 34% in some autonomous communities. Mandatory training for judges, prosecutors and other law enforcement officials on gender-based violence is clearly required. Further, support services for women and children remain limited in some areas, particularly rural ones.

The prevention measures envisioned in Organic Law No. 1/2004 have only been implemented in a very limited way. For example, the inclusion of gender and gender-based violence in relevant university curricula remains an exception.

The interface and coordination between domestic violence and child protection policies and services can clearly be improved. Twenty children have been killed by their fathers during the exercise of visiting rights between 2008 and 2014.

Legislation regarding violence against women must be revised to include further forms of gender-based violence, such as violence by care providers, police violence and violence in public spaces, workplaces and schools.

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