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# V VIOLENCE IN INTIMATE PARTNERSHIPS BETWEEN WOMEN

## Introduction

The estimated proportion of homosexuals in the general population varies between 5% and 10%. While conservative ratings are based on the “Kinsey Report” from the end of 1950s, the figure of 10% is based on estimations that consider the far-reaching cultural and social changes in Western societies since middle of last century. Homosexuals are more visible, particularly in urban regions, since more gays and lesbians actually live their psychosocial identity openly. Present research indicates that the prevalence of domestic violence in same-sex partnerships is as high as in opposite-sex partnerships. Approximately one in four to one in five same-sex partnerships experience abuse/violence. However, studies focussing on same-sex partnerships vary in methodology, especially in terms of their definition of violence/abuse and sampling, and are thus not comparable. Despite the absence of reliable data on the prevalence of same-sex domestic violence, there is no doubt that the problem is extensive. Nevertheless, violence in lesbian and gay couples is not a subject often discussed in mainstream domestic violence discourse.

Most research focuses on the aetiology and prevalence of domestic violence in lesbian partnerships, especially the personality of perpetrators, the influence of societal factors and that violence occurs in a similar proportion of lesbian and heterosexual couples. The basis of our work, in contrast, is the analysis of the dynamics of violent relationships. We perceive violence and abuse as expressions of interaction that is determined by the behaviour of both partners. Therefore, the personality of the perpetrator does not stand at the forefront of our work. Rather, the focus of our considerations is on interactional structures, such as the interwovenness that exists between the partners. (See theoretical underpinning). We distinguish between mono-directional and und bi-directional violent dynamics, which in turn can be divided into two categories. Mono-directional patterns of violence include both abusive relationships and acts carried out in the heat of the moment. In bi-directional patterns of violence we find, first of all, an interwovenness between the partners, which is primarily characterised by the existence of a needy and a giving partner, whereby both women are self-actualised in their positions in the relationship. The relationship also includes dynamics of violence that can be traced back to trauma that is played out again in the relationship (See theoretical underpinning).

Which of the dynamics of violence becomes established in the relationship depends largely on the interaction between the partners. An important characteristic when describing a victim is her fear. For those involved in bi-directional violence, fear only arises sometimes and is limited to specific situations. However it does not characterise or carry the relationship. In addition, they maintain the violent relationship structure out of self interest. Consequently, these

women are not described as victims, but rather as participants in violence. (See theoretical underpinning).

## 1. Specific definition of domestic violence

The social contexts in which lesbian women live, are diverse: for example, there is the family of origin and the chosen family, which is often made up of a close circle of friends; some lesbian women have formerly lived in a heterosexual partnership, some are biological mothers, others are co-mothers. Lesbian couples might share a home, live separately or live in shared housing.

Lesbian women's experience of violence reflects these social structures so that the perpetrator can be the current partner or a former male or female partner. However, domestic violence is not limited to the partnership but must also include the family of origin: Especially when they are coming-out, many lesbian women experience violent assault from members of their family of origin, i.e. their parents and siblings. Since the members of the chosen family can also be violent, theoretically these must also be included among the group of possible perpetrators in a definition of domestic violence. However, because the distinction between good friends who belong to the chosen family and other good friends is difficult in practice, we include the chosen family under the concept of "close social environment". Former partners can direct their aggression, not only against the ex-partner but also against this person's new partner. The various constellations sketched here show the diversity of relationships and clearly illustrate the limitations of a definition of domestic violence that is reduced to violence within partnerships.

### **Definition of domestic violence/abuse in LGBT partnerships**

(definition by Constance Ohms 2008)

Physical, psychological (emotional and verbal) and sexual violence, force and controlling behaviour of a gay, lesbian, bisexual or transgender person by her/his present or former female, male or transgender partner or member of family of origin. This definition includes parents, brothers and sisters as well as former husbands from one of the couple as possible perpetrators.

## 2. Myths and stereotypes

Many prejudiced assumptions about violence in lesbian relationships can be traced back to the fact that the opposite-sex partnerships are considered the norm. Same-sex partnerships are often viewed and interpreted against the background of heterosexuality.

- Because in opposite-sex relationships the man is usually violent towards the woman, it is analogously assumed that in violent lesbian relationships, the more "masculine" ap-

pearing partner is the perpetrator. However, experience shows that a classification of this nature is not possible. Lesbian partnerships are not structured in accordance with the heterosexual pattern, i.e. the couple is not necessarily made up of a seemingly “male” and a seemingly “female” partner.

- It is also assumed that if persons are of the same biological gender, they also share a physical equality that allows the victim either to defend herself or to leave the partnership. Consequently, violent confrontations are all too often trivialised as a “conflict between equals”. These assumptions deny the multiplicity of dependency structures within a partnership that cannot be balanced out by physical means and lead, among other things, to the mistaken assumption that “violence among women” does not lead to severe physical injury and even death. Experience shows that this is less frequently the case than in opposite-sex partnerships, but cannot be excluded. Rather, it must be assumed that many lesbian victims do not seek (medical) help because they fear possible discrimination and that consequently less can be said about the actual severity and extent of violence.
- A further prejudice is that lesbian women in general, and especially lesbian perpetrators of violence, assume male norms and values. The means of dealing with one’s own aggression is part of socialisation and gender specific: While men are permitted a more open and outwards directed expression of aggression and this is viewed as an element of masculinity, this perspective is not part of the social image of femininity. Even if lesbian women adopted values that are only permitted men, they would not find comparable social acceptance as men. An aggressive, even violent man may have social acceptance, an aggressive or violent woman does not. Violent lesbian women are therefore guilty of a double breach of norms, their psychosexual identity is not of a heterosexual orientation and in addition they are violent. In conclusion however, it can be stated that only few women adopt values that are generally considered male for their personal concept of life – with the consequence that they are not recognised by those who perceive heterosexuality as the norm.

The prejudices and stereotypes presented here are found not only in heterosexuals, but also in lesbians and gays.

### **3. Anglo-American Research**

Most research on violence in lesbian relationships comes from Anglo-American countries and is primarily concerned with the extent and possible causes of violence. There is high discrepancy in the data, which can be attributed to the use of different definitions of violence and to the limited opportunities for research.

In the following exemplary studies, the focus is placed on physical assault: Further, a survey by the “Gay & Lesbian Community Action Council”<sup>1</sup> in 1987 found that 22% of the 900 lesbians and 17% of the 1,000 gay men questioned had experienced physical violence. More recent research by Tjaden/Thoennes/Allisson in 1999<sup>2</sup> reports the lifelong prevalence of physical violence in same-sex relationships to be 11.4%, in comparison to 20.3% in heterosexual partnerships. This study also addresses an additional aspect of domestic violence, that exercised by the male ex-partner. The authors come to the conclusion that the risk of lesbian women being assaulted by a male ex-partner is close to three times as high as the likelihood of being the victim of a female partner (30.4% vs. 11.4%)<sup>3</sup>. In view of the extent of physical violence in gay partnerships, the University of Georgetown (2003)<sup>4</sup> came to the conclusion

that of the 2,881 homosexual men questioned, 20% had experience violence from their partner. Although the two studies mentioned above conclude that the prevalence of physical violence in gay and heterosexual partnerships is comparable while that in lesbian partnerships is significantly less, the current literature on violence in lesbian relationships assumes, on the basis of other studies, that the prevalence is approximately the same in all three groups.

Since – as mentioned above – the focus of the cited studies lay on physical assault, they permit no conclusions on the occurrence of verbal and/or psychological violence. Information on the frequency of immaterial forms of violence is provided, for example, by the study by Lie/Schilit (1991)<sup>5</sup>. The authors come to the conclusion that of the 169 respondents, 26% had experienced physical or sexualised violence. When psychological coercion and other immaterial forms of violence are included, the percentage increases to 73%. In her research, Renzetti (1992) also comes to the conclusion that of 100 lesbian respondents, 87% had experienced physical and psychological abuse whereby psychological forms of violence occurred more frequently than physical assault. In addition, children were involved in 30% of all cases and household pets in 38%.

If one ignores the methodological problems, it can be generally concluded that most studies established an average prevalence of psychological violence in lesbian relationships between 20% and 30%. This allows the conclusion that, on average, physical violence is exercised in every fourth lesbian relationship. The degree of victimisation increases if psychological and verbal abuse are also considered. Here, the prevalence is assumed to be as high as 80%. According to most authors, the extent of violence in lesbian relationships is comparable to domestic violence in heterosexual relationships (i.e. Renzetti 1992, West 2002). There was also no difference established to the forms of violence exerted in violent heterosexual partnerships; lesbian woman use physical, psychological/verbal and sexualised violence (Elliott 1996). However, it was possible to establish a greater tendency to use immaterial forms of violence (Renzetti 1992; McLaughlin/Rozee 2001).

#### **4. Research limitations**

As mentioned in the introduction, the presented studies must be considered critically as they often relied on small, non-random samples and were regionally limited. In addition, the group of white, educated lesbians who stem from the middle class and openly live their same-sex partnerships is overrepresented (cf. Criticism by West, 2002). Several pieces of research are based on clinical samples, which allow no conclusions about the day to day aspects of violence in lesbian relationships. In the presented research it is also sometimes unclear over which term the experience took place. It also often remains open whether the research participants exercised and/or were the object of violence (cf. McLaughlin/Rozee 2001). The criticism also concerns the various measuring instruments, which do not allow a direct comparison of the studies. Many investigations are also based on the assumption that the exercise of violence is part of (negative) conflict behaviour. The studies presented here also make no distinction between different dynamics of violence and can consequently provide no information on how high the respective proportions are, for example, of abusive relationships, and of aggressive conflict behaviour in the violent partnerships.

## 5. Police crime statistics

### 5.1. Metropolitan Police Statistics

#### Introduction

This report outlines an analysis of domestic violence in same sex relationships using police records from the Metropolitan Police Service (MPS). More specifically this work is part of a joint research project aimed at increasing the understanding of women perpetrators of domestic violence in same sex relationships. The analysis also offers a comparison of domestic violence in same sex relationships, or 'same sex domestic violence' (SSDV) with domestic violence in heterosexual relationships.

#### Providing context: academic research on same sex domestic violence

Where there is much literature and research on domestic violence in heterosexual relationships there are only few pieces of research investigating domestic violence in same sex relationships.

The reasons for the lack of awareness of this area are numerous and are dealt with in more detail elsewhere on this CD. A recent study comparing domestic abuse in same-sex and heterosexual relationships by Donovan, Hester, Holmes and McCarry published in November 2006 suggests that this invisibility or lack of awareness could be because the LGBT community feel vulnerable to attack from a society it considers to be 'homophobic'. For further details, see:

<http://www.bristol.ac.uk/sps/downloads/FPCW/cohsarfinalreport.pdf>

The study above, as well as a report published by Henderson (2003) both found that approximately one in four people in same sex relationships experienced domestic abuse or violence. The report on "Prevalence of Domestic Violence amongst Lesbians and Gay Men" published in 2003 by Henderson can be viewed in full at the following site:

<http://www.sigmaresearch.org.uk/downloads/domesticviolence.pdf>

The AIDS Council of New South Wales (ACON) has carried out one of the few in-depth studies on same sex domestic violence in relation to their supported accommodation assistance programme and has found that same sex domestic violence increases the risk of homelessness in lesbians:

[http://www.facs.gov.au/internet/facsinternet.nsf/vIA/saap/\\$File/Homelessness\\_DV\\_October.pdf](http://www.facs.gov.au/internet/facsinternet.nsf/vIA/saap/$File/Homelessness_DV_October.pdf)

The Women and Equality Unit in the department for Trade and Industry (DTI) estimated that 6% of the UK population are gay. This would mean just under a million people in the UK could be experiencing domestic violence or abuse that is largely going unnoticed.

Even though the criminal justice system does have legal provisions to deal with violent perpetrators in same sex relationships there is not the same resource to help both victims and offenders for this type of violence. For example, there are only 18 beds in shelters for gay men and none for gay women. Also there are no offender programmes specifically designed for the LGBT community. Without more robust research there is no way of knowing if existing domestic violence programmes are suitable for this community.

Notwithstanding the many barriers to reporting incidents of same sex domestic violence to the police in the first place, the absence of detailed academic research or wider knowledge about women perpetrators of domestic violence in same sex relationships means that police crime data could be a useful source of information about these incidents. At the very least it provides a starting point for building an understanding of the nature, context and characteristics of some of these incidents.

## Using police crime data to research domestic violence in same sex relationships

There is an official requirement on the police in the United Kingdom to collect data on all domestic violence incidents reported to them, regardless of whether or not the incidents constitute a criminal offence. This criterion is far more inclusive than many other countries and this is reflected in the number of incidents that are reported to the MPS.

The MPS is able to identify domestic violence incidents through their electronic crime reporting information system (CRIS) and has an identifier for domestic incidents that enables these to be analysed separately. In the last financial year (2006/7) there were 101,119 domestic violence incidents reported to the MPS and of those incidents, 54,746 were considered as criminal offences.

It is encouraging that an identifier for domestic violence in same sex relationships was added to the system in December 2006. However, it is still not being used as extensively as it could be and a greater programme of awareness needs to be provided to the police officers filling in crime reports.

As a result, our sample of same sex domestic violence incidents for the calendar year 2006 had to be extracted from the system in stages. Taking first all incidents of domestic violence reported over this time period, these were then filtered to extract only those incidents where both the victim and suspect were recorded as being females. These, in turn, were then filtered to extract only those incidents where the relationship between the two was listed as being either partners or ex-partners. Each of these cases were then viewed to sift out those cases where either the gender or the relationship had been coded correctly, or the presence of multiple victims and suspects had confounded the data extraction process.

This process resulted in **206** cases of domestic violence in female same sex relationships being identified. It should be noted that other instances may have been recorded by the MPS over this time period but factors such as inaccurate recording practices and the data extraction process used may well have restricted the numbers identified.

Another reason for the low numbers reported could also be due to the LGBT community feeling less confident in reporting their experiences to the wider community, as Donovan et al explained in their report.

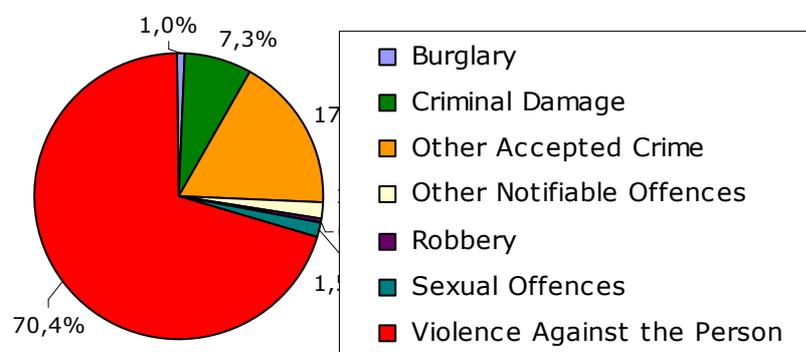
## Characteristics of same sex domestic violence incidents

### (i) Type of domestic violence incident that was committed

Out of the 206 incidents identified for the calendar year 2006, the majority (70.4%) of incidents reported were categorised as 'violence against the person' offences. Only 1.5% of the crimes were classified as sexual assault.

More specifically:

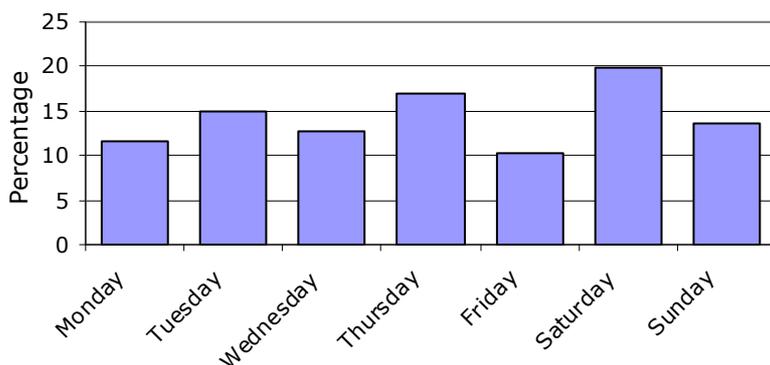
- 44.2% of incidents involved the offence of actual bodily harm,
- 12.6% involved common assault,
- 9.7% involved harassment, and
- 17.5% involved the offence category 'other accepted crime'.



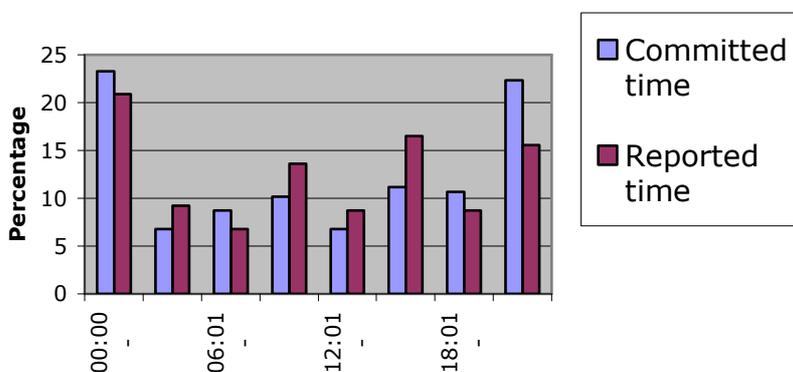
### (ii) When incidents were committed

- Almost half of the incidents (45.6%) were committed between 9 p.m. and 3 a.m.
- The largest proportions of incidents were committed on Saturdays (19.9%) and Thursdays (17.0%). In general, however, incidents are spread fairly evenly throughout the days of the week.

### Committed on/from day



### Time incidents were committed and reported



### (iii) When incidents are reported

Comparing the times incidents were committed and reported, more incidents were committed between 9 p.m. and 3am than reported at this time and more incidents were reported between 3 p.m. and 6 p.m.

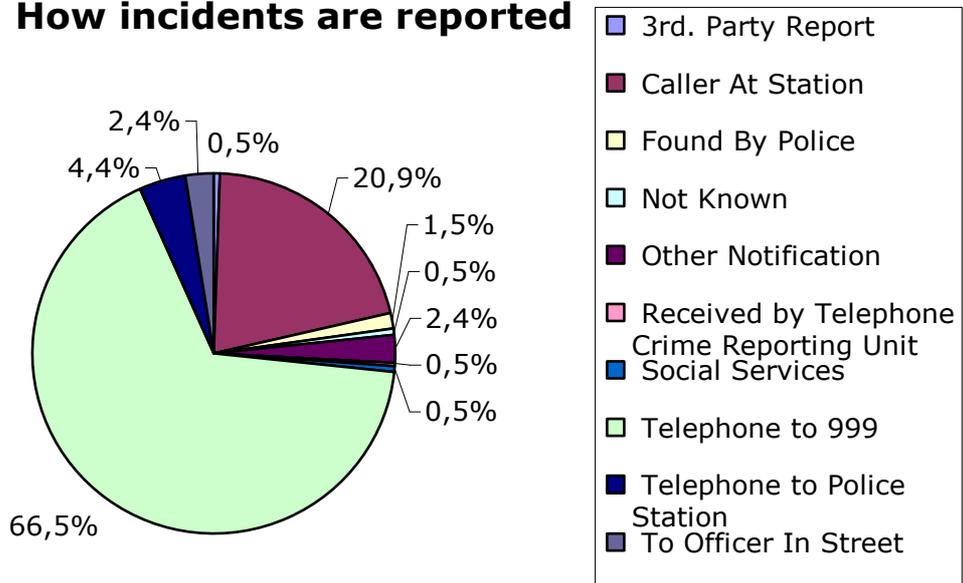
- While incidents were reported throughout the year, the largest proportions were reported in July (15.0%) and September (12.6%). The fewest incidents were reported in February (2.9%).
- The largest proportion of incidents (20.9%) was reported between midnight and 3 a.m.

The largest proportion of incidents was reported on Saturdays (21.4%). The incidents reported across on other days of the week were spread evenly across the days, with all other proportions ranging between 12.4% and 14.1%.

**(iv) How incidents are reported**

Approximately two in three incidents were reported by emergency 999 call.

**How incidents are reported**

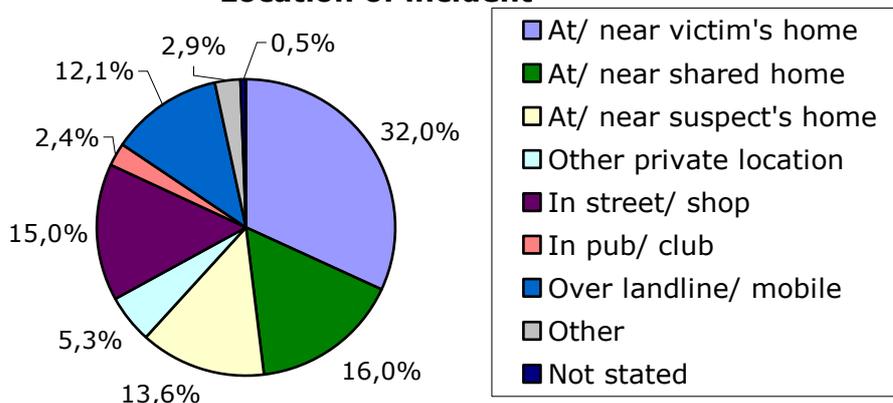


**(v) Location of incident**

The majority of incidents (66.9%) took place in a private location. Specifically, almost one third (32.0%) took place in or in the immediate vicinity of the victim’s home. Only a small proportion (2.4%) took place in a pub or club.

Further, it is interesting that more than one in ten incidents (12.1%) took place over the telephone or mobile. There is a growing awareness of harassment and psychological distress that that can be caused even when the couple are not in close proximity to each other.

**Location of incident**

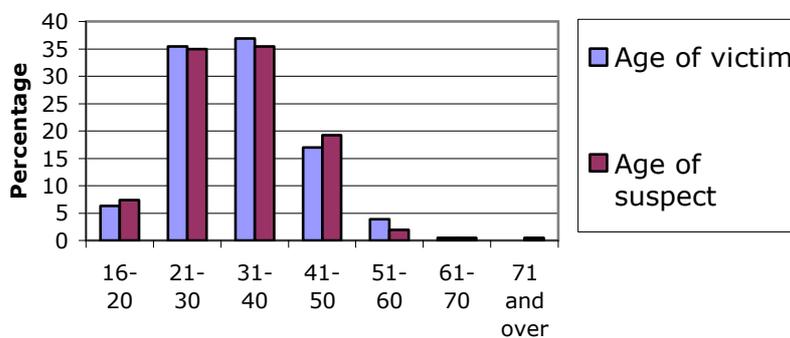


## Characteristics of victims and offenders same sex domestic violence incidents

### (i) Features of victims and suspects

- The age of victims and suspects is predominantly 21-40, with the next largest age grouping being 41-50.
- The majority of victims and suspects are “White European” in ethnic appearance (74.8% and 70.0% respectively).

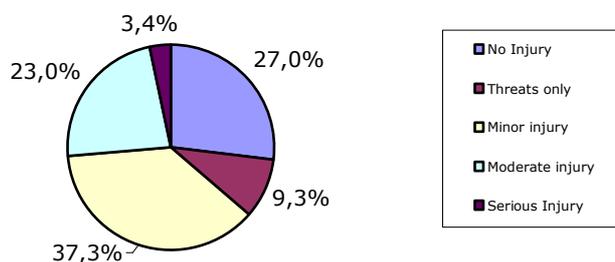
**Age of victims and suspects**



### (ii) Level and nature of injury

One in four (27.0%) incidents resulted in no injury and almost one in ten (9.3%) incidents involved threats but no injury. Although the remaining two thirds of incidents resulted in some level of injury, only 3.4% of the incidents were categorised as resulting in serious injuries.

**Level of injury experienced by the victim**



Perpetrators used weapons in just under one in five incidents (19.4%) reported to the police and almost one in four injuries (22.1%) required medical attention.

#### Type of weapons used:

- Knives
- Belts
- Batton
- Bottles

#### Type of injury received:

- Cuts
- Bruising
- Punching
- Slapping

- Dog chain
- Car
- Hammer
- Gun
- Shoes
- Lamps
- Matches
- Mop
- Broken
- Limbs
- Bites
- Burns
- Gun shot

The injuries requiring medical attention related to the victim's injuries in almost all cases. However, the suspect also required medical attention in 6 cases.

### **(iii) Repeat victimisation**

The proportion of repeat victims is 35.4%, according to the police definition of the victim having reported a previous incident over the preceding 12 month period. It is interesting to note that the same data for the time period of January 2001 showed similar proportions.

However, when looking in detail at the crime reports, over half of the victims (52.8%) indicated that they had experienced previous incidents of domestic violence.

### **(iv) Relationship between victim and perpetrator**

The majority of victims (51.5%) were ex-partners and 47.6% were recorded as being partners. In 11 instances separated partners were still living in the same house together.

### **(v) Whether the victim was on their own when the incident occurred**

In the majority of incidents (81.0%) the victim was on their own (in the case of receiving text messages or telephone calls) or alone with the perpetrator. However, in 19.0% of cases incidents took place while family, friends or others were present.

### **(vi) Whether the victim and/or suspect had children**

It was mentioned in the police report that in one in four incidents (23.8%) that either the victim or the suspect had children, although not all of the children lived with either the suspect or the victim. Only 7.8% of incidents state that the children were present when the incident occurred.

### **(vii) Issues while separating & reasons given for the conflict**

#### **Issues while separating**

- Abusive partner/jealously
- Already separated
- Still living together
- Buying out the other
- Injunction out on suspect
- Victim gone to refuge

#### **Reasons given for conflict**

- Termination of Relationship
- Accusations of cheating
- General abuse/harassment
- Alcohol/Drugs
- Property/belongings issues

- Couple seeing each other casually
- Divorced
- Victim having affair/seeing someone else

**(viii) Consumption of alcohol or drugs**

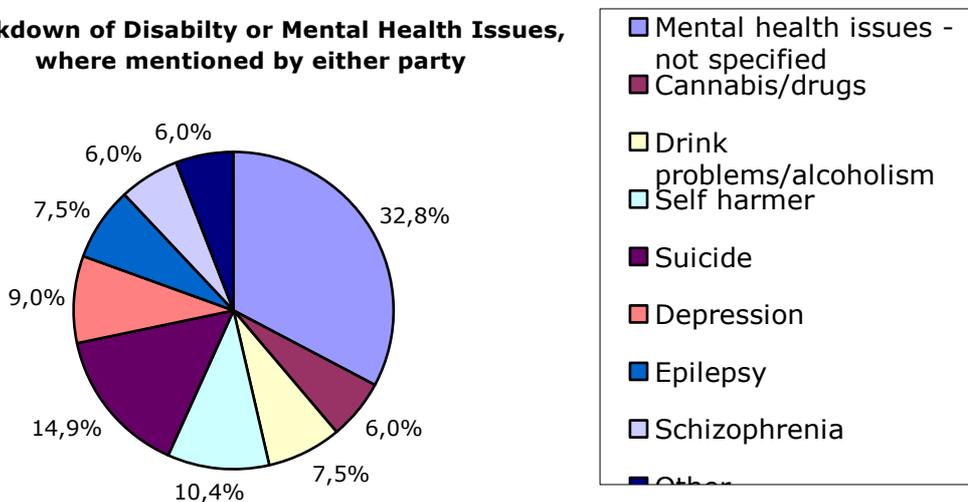
Alcohol or drugs are mentioned as being used to some degree in 45.6% of incidents. However, the extent of usage is unclear in many of these incidents.

**(ix) Information relating to either the victim or suspect having mental health or disability issues.**

Police officers’ records showed that just under a third of the couples (29.6%) either had disability or mental health issues. There were few cases where either the victim or suspect had a disability however the majority of the issues related to mental health problems. A third of the issues were identified as mental health issues but this was not specified any further.

The graph below provides a breakdown the disability or mental health issues mentioned by either party for those cases where issues were mentioned.

**Breakdown of Disability or Mental Health Issues, where mentioned by either party**



One in seven incidents mentioned that one of the parties either attempted suicide or felt suicidal. Approximately one in ten incidents stated that one of the parties was affected by self harm issues and a similar proportion stated that one of the parties was affected by depression. One in twelve incidents stated that one of the parties had epilepsy, and the same proportion of incidents mentioned one or both parties having drink problems or suffering from alcoholism. A smaller proportion stated that one or both parties had schizophrenia or were using drugs.

## *Actions taken by police in same sex domestic violence incidents*

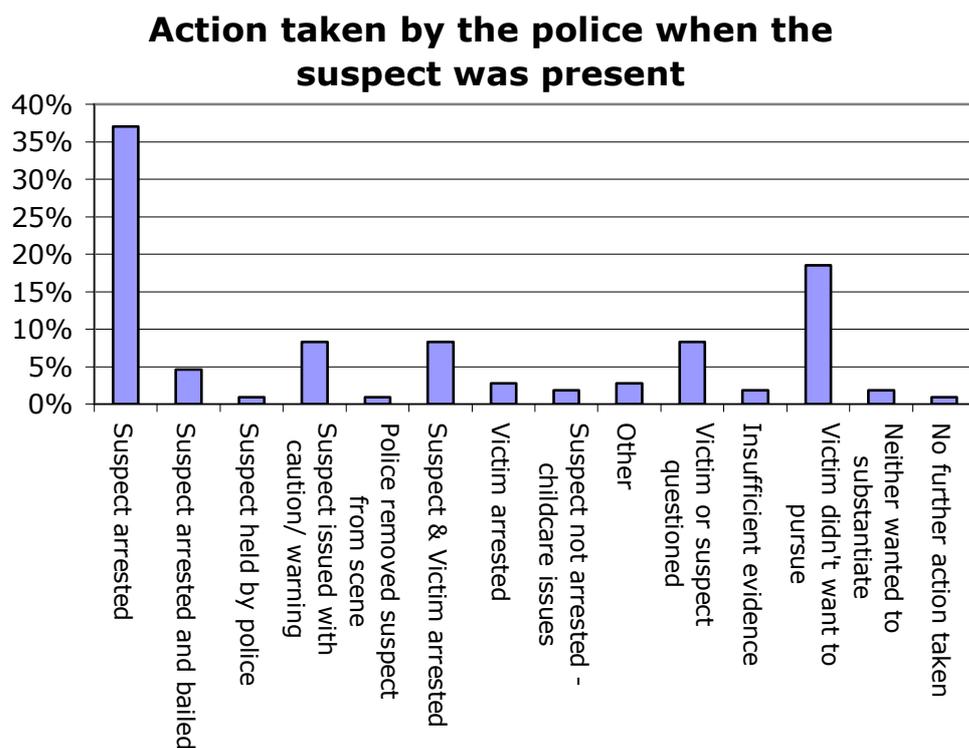
### **(i) Action taken by the police officer**

The MPS operates a positive action policy, which means that the responding police officer has the power to arrest the perpetrator if there is evidence that an offence has been committed, even if the victim does not wish to make an allegation. The overall arrest rates were 24.7%.

### **(ii) Action taken by the police officer when the suspect was present**

In over half of the incidents, the suspects were present when the officers arrived. In cases where the suspect was present, the arrest rate increased significantly to 48.1%.

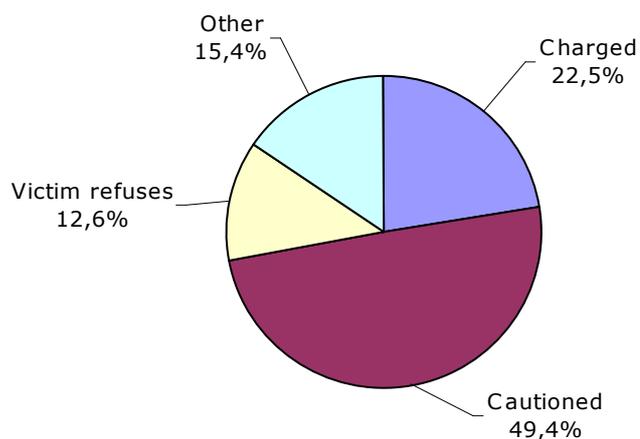
Further details about the action taken by the police officers can be seen in the graph below:



### (iii) Police action after arrest

Out of those incidents where an arrest was made:

- Just under half of the of the offenders were cautioned,
- one in five offenders were charged,
- one in eight offenders were dealt with in another manner (such as being given a fixed penalty notice), and
- in one in seven cases victims refused to make any allegations against the suspect.



Of those suspects who were charged or had proceedings taken out against them (and became known in the crime records as “accused” persons), one in five had previous convictions and were therefore previously known by the police and one in five of the accused also had criminal records on the police national computer.

## 6. Data from NGOs

The European data on domestic violence within the context of lesbian partnerships is meagre. In specialist counselling services for domestic violence, lesbians represent a marginal group, i.e. they only very seldom make use of these organisations. At the same time, there are hardly any specialist counselling services that specifically target lesbian women or lesbian, i.e. lesbian/gay/transgender counselling centers.

### Broken Rainbow e.V. 2006

From the year 2000 to 2006, Broken Rainbow analysed 142 cases of domestic violence and 120 cases of discrimination and hate crimes. In the following, case studies are presented to provide insight into the experience of violence by lesbian women.

Table 1: Areas of Incidence

Areas of Incidence				To-		
	2002	2003	2004	2005	2006	tal
Violence against lesbians	25	15	10	5	13	68
Violence in the partnership	16	11	9	9	20	65
Violence by family member or ex-partner	30	16	19	6	6	77
Violence in close social environment	25	18	6	9	1	58
No information	0	0	0	0	0	0
<b>Total</b>	96	60	44	29	40	<b>268</b>

The circle of perpetrators includes not only violent partners but also violent ex-partners, including male ex-partners, and violence can also be exerted by members of the family of origin. Assault by members of the chosen family were included under “violence in the close social environment” (See definition of domestic violence).

### \* Violence by the family of origin

#### Case Studies:

- After a family with an archaic patriarchal cultural background attempted to “convert” their daughter after her coming-out and found that this was unsuccessful, they threatened her with murder (2004/184).
- The parents of a lesbian threatened to kill her. This family also had an archaic patriarchal cultural background.(2004/183).
- The partner’s parents verbally abused the client as a lesbian and a whore, said she deserved to be gassed and forbade her from entering the house (2003/019).
- A client’s daughter choked her after she became aware that her mother was lesbian (2002/045).
- The girlfriend’s father forbade the client from any form of contact; she was also not permitted to enter the home. The meetings took place secretly. (2006/255).
- Because she was lesbian, the daughter was threatened with being married against her will and rejected by the family (2006/251).

### \* Violence by the current partner

The vast majority of cases involve physical abuse together with psychological/verbal violence, stalking or sexualised violence. There is usually a combination of different forms of violence and only in very few cases did psychological/verbal violence (insults, degradation, etc.) occur in the absence of other forms of violence. Sexualised violence also only occurred in one case without other forms of violence.

#### Case Studies:

- The perpetrator arrived drunk at the victim’s home and the victim demanded that she leave. The perpetrator responded with punches, pulled the victim’s hair and kicked her in the back. (2003/012).

- The perpetrator punched her partner during disputes when under the influence of alcohol (2003/033).
- The perpetrator grabbed her partner and slammed her head against the door. She also read her letters and e-mails. She was extremely jealous and forbade her partner from meeting friends or work colleagues. (2003/043)
- In another case a dispute escalated to physical assault when the perpetrator picked up a knife and injured the client (2002/093).
- During disputes, the client was pushed by her partner, hit in the face and choked (2002/096).
- During an argument, the client was struck so severely that she had to be brought to hospital (2006/266).
- In the course of the relationship there were repeated conflicts, particularly under the influence of alcohol, in which both women became aggressive: Pushing, shouting, leaving the partner without a house key (2006/253).
- Conflicts escalate so that both partners “also hit each other sometimes” (2006/252).

Almost all assaults took place in the victim’s own or the shared home, only one took place in a public place. Numerous violent confrontations between partners took place both in lesbian-gay venues and at home. Little information was provided about the time that the incidents took place. However, analysis of the little information available shows that the violence was omnipresent since the majority reported that the incidents occurred during the day as well as during the evening and the night. This makes the violence unpredictable for the victim and the danger omnipresent since there is no time when the risk is reduced.

Only very few of the abused lesbian women sought medical care; equally few took civil legal action. If support was sought, this occurred – in addition to consultation at lesbian support services – above all within the circle of friends (one third): The victims often fled to friends and stayed overnight or hid there. Only very few women visited other counselling services, sought legal advice or entered therapy.

### **\* Violence by the former partner**

The perpetrators were either the client’s or her current partner’s ex-partner. Analysis of the types of violence exerted shows that the occurrence of stalking activities by ex-partners strongly increases at the time of separation. This is usually associated with a combination of physical and psychological/verbal violence.

### **Case Study:**

- Following separation, the ex-partner constantly called and threatened the client. She felt harassed and threatened. She was also afraid that the ex-partner might do something to her new partner (2004/194).
- After the separation the ex-partner choked the client in the rest rooms of a scene bar, harassed her in front of her house, in the hallway and in the victim’s home. She choked her again and forced her to have sex (2004/195).
- The partner’s ex-partner threatened to professionally discredit the client (2003/022).
- The ex-partner constantly phoned and came to the client’s home. She kicked against the front door until the client called the police. Only after their intervention did the perpetrator leave the scene. (2002/034).
- The client was abused and sexually harassed by her ex-partner in her apartment (2002/039).

Most violence took place during the day or evening in the home of the victim, followed by public places, e.g. on the street. Often there was a combination of events, for example, being followed on the street and telephone terror at home. In comparison to violence by the current partner, which predominantly takes place in the victim's home, a differentiation of the scene of the violence can be recognised here. However, the extent to which this is significant cannot be established at the current time.

### **\*Violence by a former male partner**

In comparison to other perpetrator groups, domestic violence by male ex-partners displays a specific phenomenon: The great majority of assaults by male ex-partners took place in rural areas, one took place in a medium-sized city and five in a large city. The most common forms of violence exerted were psychological violence, followed by sexualised violence, physical assault and stalking.

#### **Case Studies:**

- After the separation, the client was repeatedly raped by her ex-husband and his friends. She finally sought assistance from the company social counselling service which referred her to the lesbian counselling service (2004/199).
- In one case, the ex-husband threatened to take the children away (2003/025).
- In another case, the ex-husband assaulted the new partner with a knife. He also formed an alliance with the client's father and demanded that the assets that his ex-wife brought into the marriage be transferred to him. The new partner's car was damaged by persons unknown (2003/051).
- The ex-husband choked his former partner (2002/02).
- The ex-husband verbally abused his ex-wife, threatened her, belittled her lifestyle and humiliated her (2002/036).
- The ex-husband hit his ex-wife in the face during an argument about the lesbian relationship (2002/053).
- The ex-husband threatened to slash the tyres of his ex-wife's lover's car (2002/056).
- The ex-husband attempted to rape his ex-wife (2002/090).
- During her lesbian relationship, the client's ex-partner subjected her to physical and sexual assault (2006/264).

Table 2: Nature of Violence

<b>Type of Violence</b>	2002	2003	2004	2005	2006	Total
Physical violence	27	19		11	19	76
Sexualised violence	15	10		6	5	36
Psychological/ verbal violence	47	37		16	31	131
Financial control	5	1		3	2	11
Stalking	10	9		3	3	25
Mobbing	7	5		1	6	19
Property damage	0	5		1	2	8
Use of weapon	2	0		1	0	3
Other	24	14		1	5	44

No information	0	0	2	0	2	
<b>Total</b>	137	100	0	45	73	<b>355</b>

\* The data for 2004 is included in the previous years.

This table makes it clear that a weapon is used against lesbian women in only very few cases. The table also shows that, as a rule, no form of violence is used alone but rather that a combination of several forms of violence is used.

Table 3: Relationship of Perpetrator to the Victim

	<b>Perpetrators</b>	2002	2003	2004	2005	2006	<b>Total</b>
<b>Gender</b>	Male	41	24	22	14	16	117
	Female	52	41	20	16	27	156
	No information	4	0	2	1	2	9
	<b>Total</b>	97	65	44	31	45	<b>282</b>
<b>Age</b>	Youth (-26)	7	5	4	2	5	23
	Adult	61	47	35	21	15	108
	No information	29	8	5	6	21	37
	<b>Total</b>	97	60	44	29	41	<b>168</b>
<b>Familiarity of Perpetrator</b>	Known person	52	44	44	16	10	166
	Unknown person	19	13	0	4	4	40
	Perpetrator from the scene	4	2			1	6
	No information	22	1		9	27	59
	<b>Total</b>	97	60	44	29	42	<b>271</b>
<b>Relationship</b>	Ex-husband/Partner	6	2	0	3	3	14
	Ex-partner	13	7	8	4	5	37
	Current partner	14	10	9	1	14	48
	Family of origin	5	5	7	3	3	23
	Chosen family	3	0	5	1	0	9
	Work colleague	6	4	15	1	3	29
	Other	21	25	0	9	6	61
	No information	29	7	0	7	8	51
<b>Total</b>	97	60	44	29	42	<b>272</b>	

\* Multiple entries are possible if there was more than one perpetrator.

## 7. Legal limitations and barriers

Many European countries have introduced legislation to provide protection against domestic violence. Nevertheless, in almost no European country domestic violence itself is a criminal offence; it is the actions which are prosecuted, like bodily harm, marital rape etc. The fact that those offences take place in a relationship might be subject to aggravating circumstances in passing judgement on the case.

However legislation on domestic violence is not accessible to same-sex partners in all countries, especially in those that do not recognise same-sex partnerships. This is true of many East European and the Baltic countries. So, for example, in Austria the police can impose an expulsion order for a period of ten days, however a temporary injunction under Section 383b of the Exekutionsordnung (Implementation Ordinance) can only be imposed on family members. Since same-sex partnerships are not recognised, this legal remedy is not available to lesbians/gays and transgender persons who experience violence in their relationship.

At the same time, some lesbian victims of domestic violence have great reservations in respect to the police and the judiciary. In many European countries, these were (and sometimes still are) instruments of persecution, i.e. have prosecuted homosexuality. Although the prosecution was/is mainly of male homosexuals, lesbian women also had to/have to reckon with legal prosecution. In Germany for example this occurred during the NS era, above all under classification as “Antisocial”. Reported experience from various European countries, e.g. Spain, Italy, the UK, Austria, Belgium and Germany supports the assumption that lesbian victims continue to experience discrimination from the police, e.g. complaints are not accepted or they are confronted with extremely active interest in the lifestyle but very little interest in protecting the victim.

In some European countries, e.g. Germany and the UK, the police have responded to this reservation and have provided police contact persons for lesbians and gays. Nevertheless, it requires an intensive and long-term effort to reduce or eliminate this reservation. Because in Germany many officers perform this role outside their “regular duties”, i.e. as voluntary work, intensive and continuous effort is not possible. This can only occur if this duty is included in regular work.

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<sup>1</sup> Gay and Lesbian Community Action Council, Minneapolis (MN) (1987): A survey of the Twin Cities gay and lesbian community: Northstar project. Unpublished paper. Cited in Elliott (1996), S. 3.

<sup>2</sup> P. Tjaden/N. Thoennes/C.J. Allison (1999): Comparing violence over the life span in samples of same-sex and opposite sex cohabitants. *Violence and Victims* 14, S. 413-425.

<sup>3</sup> Cited in Mc Laughlin/Rozee 2001:41.

<sup>4</sup> School of Nursing and Health Studies of the Georgetown University (2003). Published on the website: [http://gumc.georgetown.edu/communications/releases/battered\\_01242003.htm](http://gumc.georgetown.edu/communications/releases/battered_01242003.htm). Status: 24 January 2003.

<sup>5</sup> G. Lie/R. Schilit/J.Bush/M. Montagne/L. Reyes (1991): Lesbians in currently aggressive relationships: How frequently do they report aggressive past relationships? *Violence and Victims* 11, S. 85-103.