



# GUIDE TO THE SYSTEM OF ACTION AND COORDINATION IN CASES OF GENDER VIOLENCE IN SPAIN



**Pacto de Estado**  
contra la violencia de género

**JULY  
2019**



GOBIERNO  
DE ESPAÑA

MINISTERIO  
DE LA PRESIDENCIA, RELACIONES CON LAS CORTES  
E IGUALDAD

SECRETARÍA DE ESTADO  
DE IGUALDAD

DELEGACIÓN DEL GOBIERNO  
PARA LA VIOLENCIA DE GÉNERO

# **GUIDE TO THE SYSTEM OF ACTION AND COORDINATION IN CASES OF GENDER VIOLENCE IN SPAIN**

**JULY 2019**



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This guide has been developed by the Government Delegation for Gender-based Violence, under the State Secretariat for Equality, in collaboration with the Ministry of Foreign Affairs, European Union and Cooperation, the Ministry of Justice, the Ministry of Interior and the Ministry of Territorial Policies and the Civil Service.

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## PRESENTATION OF THE GUIDE

There are many countries around the world who are interested in our system for intervening in and coordinating cases of gender-based violence, which has inspired the creation of similar legislation in their legal systems. In 2014, institutions such as the *UN*, the *World Future Council* and *Unión Interparlamentaria (UIP)* acknowledged Spain's *Organic Law 1/2004* as one of the most effective regulations in the world for combating gender-based violence, which it defines as a serious breach of human rights and, more importantly, is considered as such by the public, who see it as an attack on their rights.

The firm commitment of the Spanish parliament was demonstrated when the “State Pact against Gender Violence” was passed unanimously in September 2017. This legislation followed up on Spain's signing of the “*Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence*” (*Istanbul Convention*) in 2014, with the same conviction that Spain had previously signed the *Convention on the Elimination of all forms of Discrimination against Women (CEDAW)* to continue its progress in guaranteeing women's human rights, along with those of their children.

This guide is intended to be a working resource for all public institutions and professional teams that, directly or indirectly, work with women who are victims/survivors of gender-based violence. The text is intended to be of practical use, both for Spanish women who are either in Spain or abroad, and for foreign women who require an understanding of the system for providing information and support, should they need it.

The guide was created with this purpose in mind, as a map of the resources of the intervention and coordination system. We want to provide details about the layers of protection that are provided, from central government as well as the autonomous communities and local councils. The guide can be used by Spanish citizens, male or female, because we have realised that people are not always aware of these support services and we would therefore like to show where they are how they work.

Practical information is required to ensure that people can enjoy the right to live without violence, and this is the aim of this guide.

Soledad Murillo de la Vega  
SECRETARY OF STATE FOR EQUALITY

Rebeca Palomo Díaz  
GOVERNMENT DELEGATION FOR GENDER-BASED VIOLENCE



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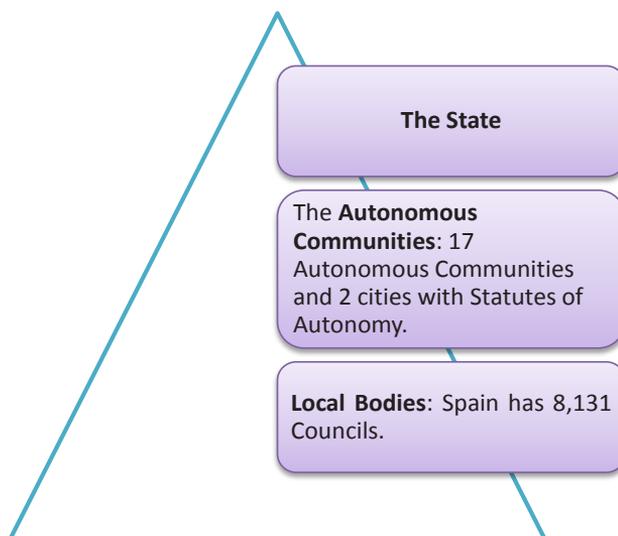
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# 1. PRELIMINARY EXPLANATIONS ABOUT THE SPANISH TERRITORIAL SYSTEM

## 1.1. The Spanish Territorial System

Spain is a strongly decentralised state, as indicated in article 2 of the Spanish Constitution, which “recognizes and guarantees the right to autonomy of the nations and regions that form part of it and solidarity between them”.

The **territorial organization of the Spanish State** (Title VIII of the SC) consists of three levels:



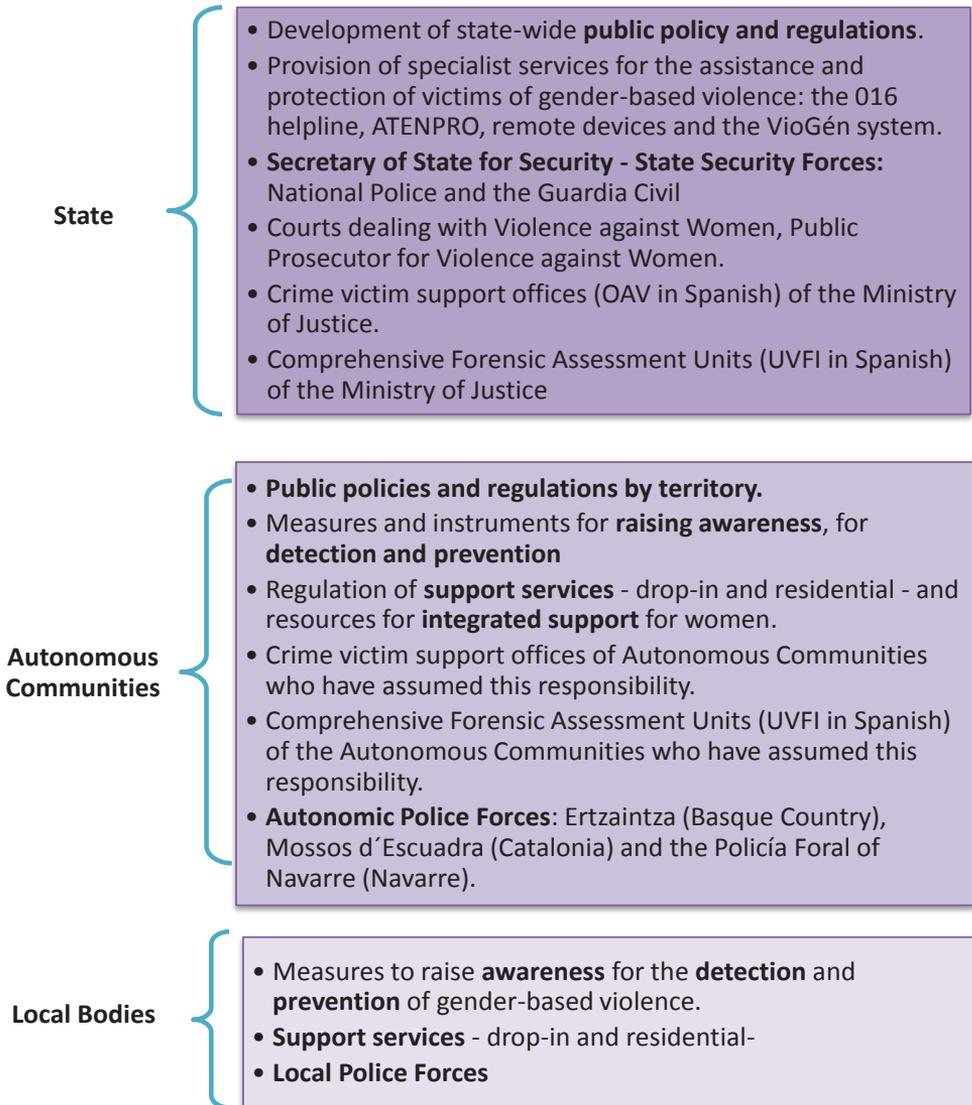
*Structural diagram 1: Territorial organization*

The complexity of the territorial organization requires significant effort to **coordinate and exchange information** between the different **public administrations** responsible for protecting and guaranteeing the human rights of **women victims of gender-based violence**, as well as their **children**.

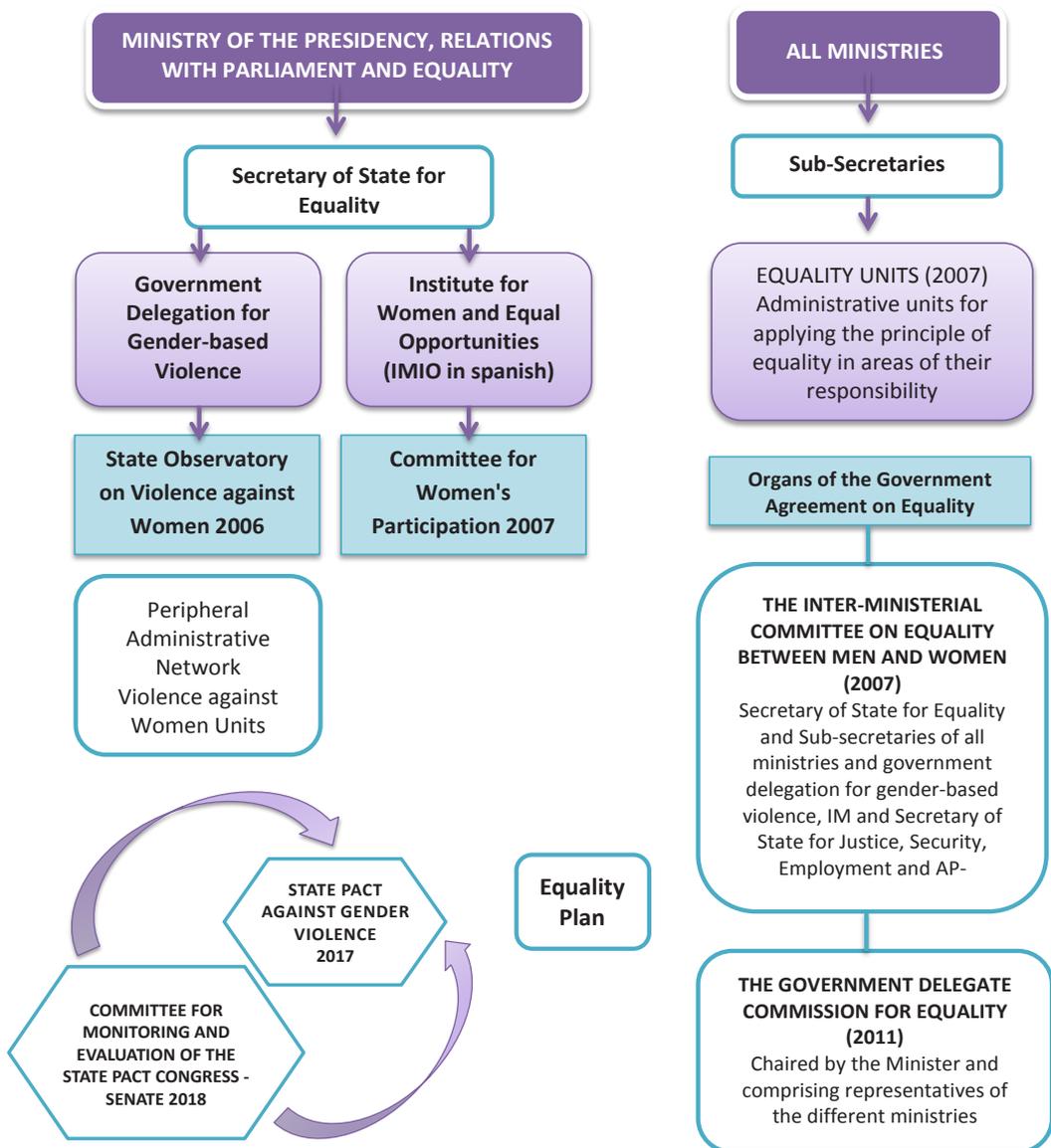
## 1.2. The responsibilities of the State, Autonomous Communities and Local Bodies in the question of gender-based violence

The distribution of responsibilities concerning human rights and gender-based violence in Spain is based on the principle of interconnected public policies.

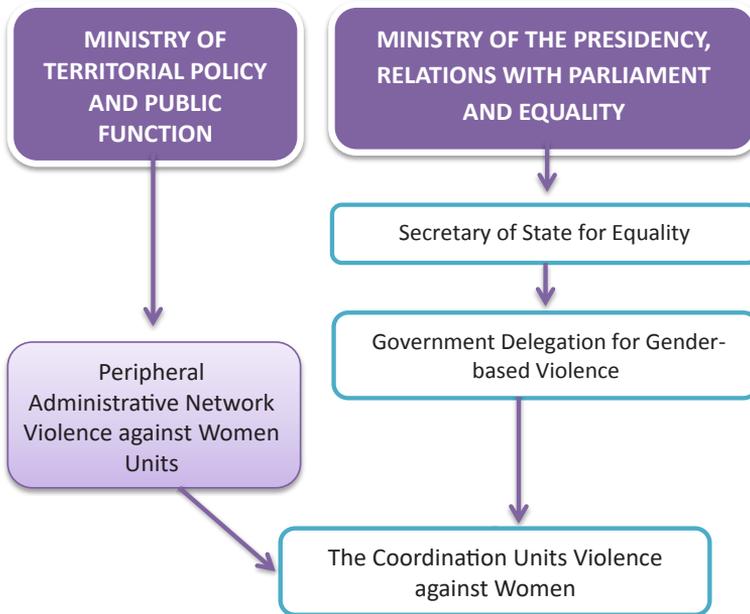
The responsibilities for the issue of gender-based violence are shared between the three levels mentioned above:



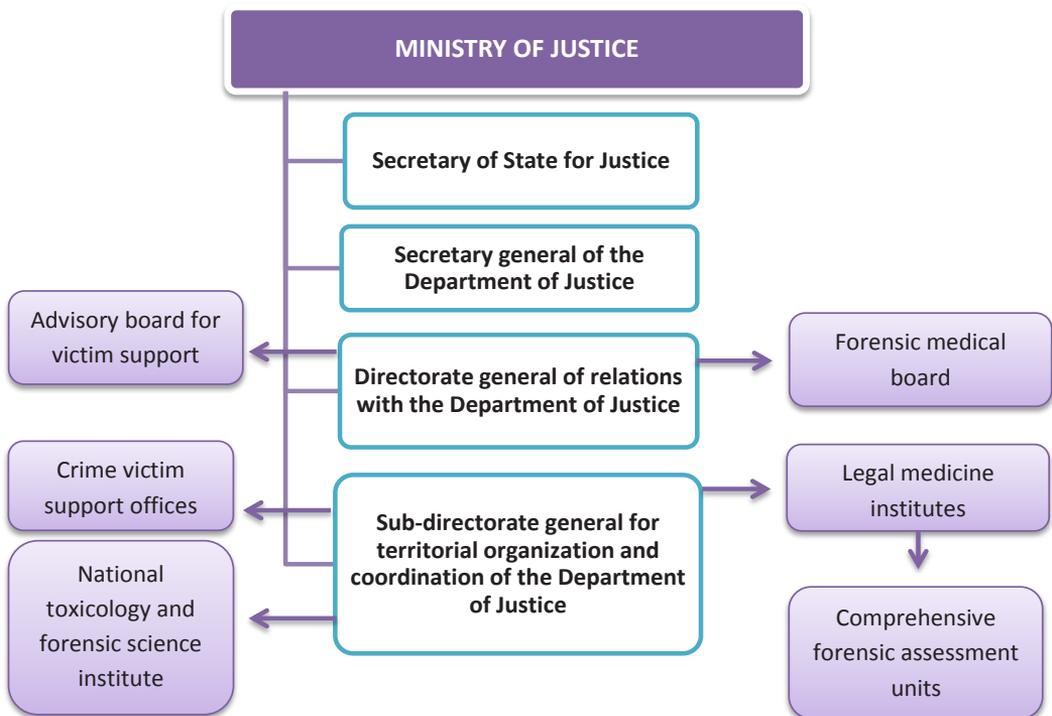
### 1.3. Structures of the Spanish Government Administration (AGE) on matters of Equality and Gender-based Violence that promote, coordinate and collaborate in applying the resources against gender-based violence



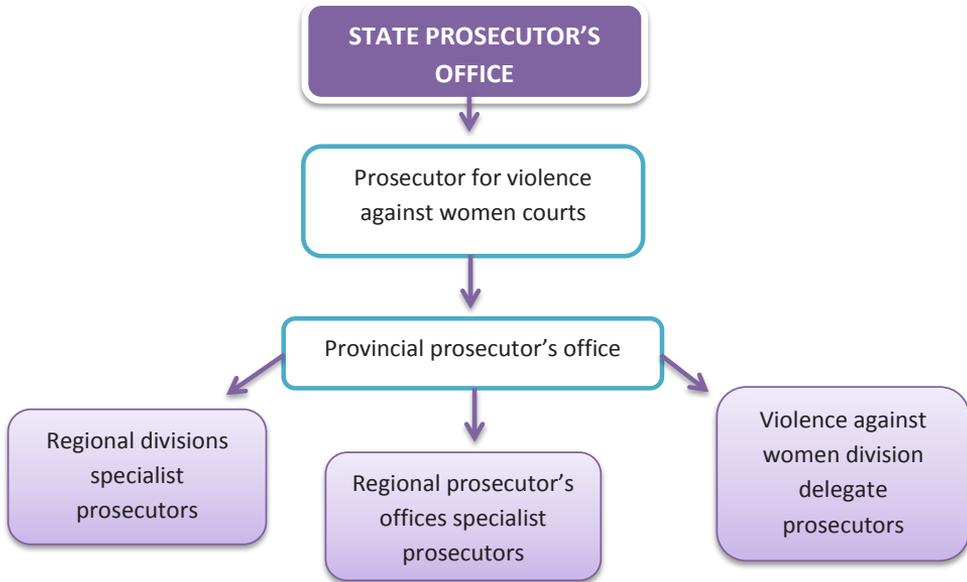
Structural diagram 2: Ministry of the Presidency, Relations with Parliament and Equality; Equality Units; Collegiate bodies on matters of equality.



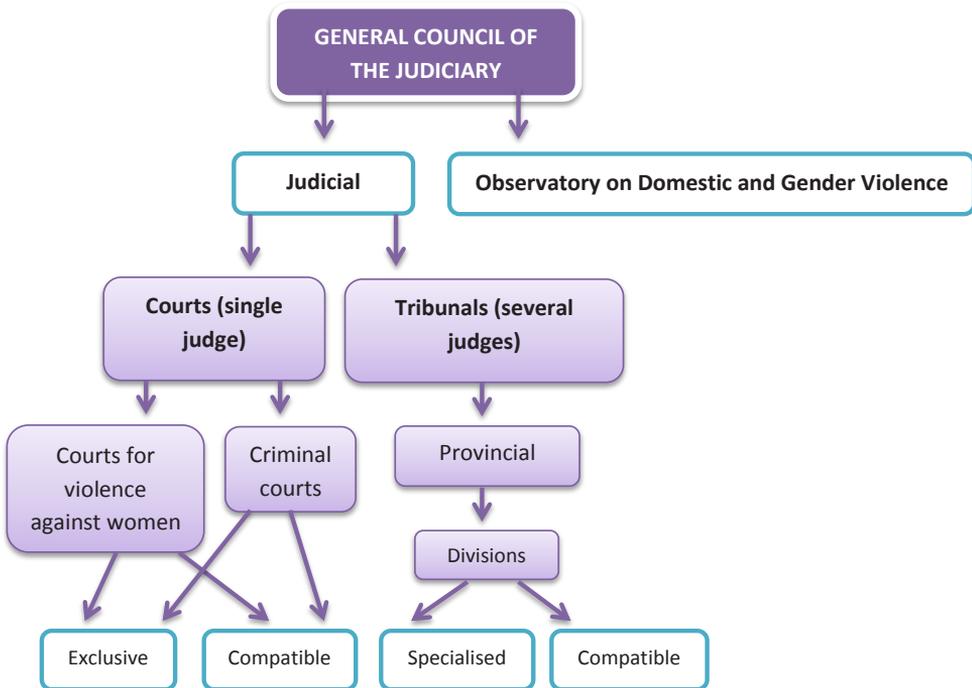
Structural diagram 3: The Coordination units and the Violence against Women Units of the Governmental Delegations and Sub-delegations and the Island Offices.



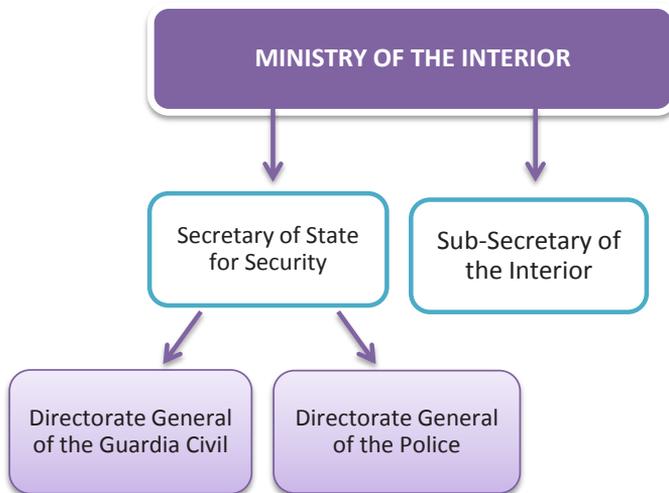
Structural diagram 4: Ministry of Justice.



Structural diagram 5: Prosecutor's Office of the Court for Violence against Women.



Structural diagram 6: Judicial bodies and the Observatory of Domestic and Gender Violence of the Judiciary.



*Structural diagram 7: Ministry of the Interior.*

## 2. NATIONAL PUBLIC POLICY ON GENDER-BASED VIOLENCE

### 2.1. Legislation

#### 2.1.1. International Framework

- Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). 1979.
- General Recommendation No.35 on gender-based violence against women, updating General Recommendation No.19 of the Committee for the Elimination of Discrimination against Women. 2017.

#### 2.1.2. European Framework

- The Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). 2011.

#### 2.1.3. National Framework

- Organic Law 1/2004 of 28 December, on Integral Protection Measures against Gender Violence.
- Organic Law 3/2007 of 22 March, for Effective Equality between Women and Men.
- Law 4/2015 of 27 April, on the Statute of Victims of Crime.

- Royal Decree - law 9/2018 of 3 August, on urgent measures for developing the State Pact against Gender Violence.
- Royal Decree - law 6/2019 of 1 March, on urgent measures to guarantee equal treatment and opportunities between women and men in work and employment.
- Law 23/2014, of 20 November on Mutual Recognition of Criminal Sentencing in the European Union, to regulate the European Investigation Order.
- Organic Law 3/2018 of 5 December, on the Protection of Personal Data and Guarantee of digital rights.
- Organic Law 2/1986 of 13 March, on the Security Forces.
- Law 2/2014 of 25 March, on State Foreign Policy.

## **2.2. National plans, strategies and protocols for action to combat gender-based violence**

- State Pact against Gender Violence - Congress and Senate - (2017).
- Strategic Plan for Equal Opportunities (2019-2022).
- Forensic medical protocol for urgent assessment in cases with risk of gender violence. (2011)
- Common Protocol for Health Action in cases of Gender Violence in the National Health System (2012).
- Action protocol between the Ministry of Foreign Affairs and Cooperation, the Ministry for Employment and Social Security and the Ministry of Health, Social Services and Equality for Attention for Spanish Women Victims of Gender-based Violence abroad (2015)
- Instruction 12/2018 of the Secretary of State for Security - Ministry of the Interior, on reinforcing police risk assessment actions in cases of gender-based violence and controlling the safety of victims.
- Instruction no. 4/2019 of the Secretary of State for Security, establishing a new protocol for police assessment of the level of risk of gender violence (LO 1/2004) and controlling the safety of the victims and supervising cases through the integrated monitoring system for cases of gender-based violence (ViogGen System).
- Joint instruction by the Ministries of Justice, the Interior, Tax and Public Administrations, Employment, Social Security and Health, Social Services and Equality, on the operation of Coordination Units on Violence against Women in the Government Delegations and Sub-delegations and Island Offices that make up the National Network of Violence against Women Units. (2013)

### 3. SYSTEM FOR ACTION, SUPPORT AND COORDINATION IN CASES OF GENDER-BASED VIOLENCE IN SPAIN

#### *Secretary of State for Equality (SEI in Spanish)*

#### 3.1. Government Delegation for Gender-based Violence<sup>1</sup> (DGVG in Spanish)

The **Government Delegation for Gender-Based Violence** is the body responsible for promoting, coordination and collaborating with actions and measures against the different forms of violence against women.

The **Sub-Directorate General for Inter-Institutional Coordination on Gender-Based Violence** is a subsidiary body of the Government Delegation that is responsible for promoting of **coordination and collaboration between the different services with responsibility to ensure integrated action with regard to the assessment and management of risks** in cases of gender-based violence.

##### 3.1.1. Government Delegations in the different Autonomous Communities and Government Sub-delegations in the provinces: Coordination of the Violence Against Women Units Network and of the Violence against Women Units

The purpose of the **Coordination Units Network on Violence against Women** and the **Violence against Women Units** is to **monitor gender violence** in their respective areas and offer an **official response** for the protection and **complete recovery** of the victims.

These Units are part of the Government Delegation or Sub-delegation, respectively, or of the Island Office, and they belong organically to the Ministry of Territorial Policy and Public Services, which is responsible for providing the material and human means necessary for carrying out their functions. They also depend on the Ministry of the Presidency, Relations with Parliament and Equality for part of their activities.

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<sup>1</sup> The Government Delegation for Gender-Based Violence, was created by article 29 of Organic Law 1/2004 of 28 December, on Integral Protective Measures against Gender-Based Violence To see its scope and functions, see [Royal Decree 816/2018](#) of 6 July, to develop the basic organic structure of the Ministry of the Presidency, Relations with Parliament and Equality.

Their main **functions** include:

- Actions in relation with fatal victims of gender-based violence: compilation and submission of information to the DGVG; monitoring, review and coordination of institutions for studying each case; updating data for “cases in the investigation stage”.
- Personalized supervision and support for each situation of gender-based violence in their territory.
- Supervision and coordination of the resources and services of the State Administration to support situations of violence against women in their territory.
- ✓ Permanent contact with the State Police Forces (FCSE), Prisons, Employment Service, Support Offices for Victims of Crime, Immigration Office, etc.
- ✓ Coordination with judicial bodies and the Prosecutor’s Office.
- ✓ Collaboration with the administrations of the Autonomous Communities

### 3.1.2. Resources, specialist services and rights of the victims of gender-based violence of the State Administration, Autonomous Communities and Local Bodies

- **STATE**
  - ✓ **016 Service:** the 016 service offers information and legal advice on issues of gender-based violence and is available through the quick-dial number 016 and the email address: [016-online@msssi.es](mailto:016-online@msssi.es).

Calls to this number are free and guaranteed to be confidential, because no personal details are collected from callers, nor are the incoming calls recorded.

It is available 24 hours a day, every day of the year. It is accessible for people with hearing and/or speaking difficulties and is available in 53 languages.

The 016 service reroutes emergency calls related with gender-based violence to the 112 Autonomic service; it reroutes calls to the telephone numbers of Autonomous Communities which have information and legal advice services similar to the 016 system.
  - ✓ **ATENPRO:** is the telephone device for assistance and protection of victims of gender-based violence. The service offers the victims of gender violence immediate remote assistance through the use of a mobile terminal that enables them to be in permanent contact with a support centre that can respond quickly to cope with any situation that may arise, 24 hours a day, 365 days a year, wherever they may be.

Victims can access this service when they do not live with their aggressor, take part in specialist support programmes for victims of gender-based violence and they request it at the local centres for social/equality services closest to their home.

- ✓ **Remote monitoring devices:** the remote monitoring system makes it possible to monitor compliance with precautionary measures and restraining orders prohibiting approximation to the victim imposed by procedures against gender violence in cases where the Courts approve their use for this purpose. Their main purpose, therefore, is to increase the safety and protection of victims of gender-based violence.

It provides permanently updated information about issues that affect compliance or non-compliance of precautionary measures or sentences, or any possible incidents, whether accidental or deliberate, in the operation of the equipment used.

The monitoring system consists of two essential elements: the devices for the victim and the user and the control centre that is responsible for installing, maintenance and removal of the devices, as well as handling any events they indicate (alarms, alerts, etc.).

- ✓ **Accreditation of victims of gender violence:** as stated by Organic Law 1/2004 of 28 December, on Integral Protection Measures against Gender Violence in article 23: *“The Situations of gender violence that activates the rights regulated in this chapter shall be accredited by a sentence condemning a crime of gender violence, a protection order or any other judicial verdict that imposes a precautionary measure in the victim’s favour, or a report from the Public Prosecutor that indicates that there is evidence that the claimant is the victim of gender violence. Situations of gender violence can also be demonstrated through reports from social services, specialist services, support services for victims of gender violence of the competent Public Administration; or any other form of accreditation that may be included in the regulatory provisions of the sector that covers access to each of these resources and rights.”*. As part of the Sectoral Conference on Equality, the Government and Autonomous Communities reached agreement on the design of the basic procedures to set up and start accreditation systems for situations of gender violence. Two documents were approved to comply with this requirement for the Sectoral Conference on Equality that was held on 3 April 2019:

- A list of social services, specialist services or shelters for victims of gender violence that can accredit the condition of victim of gender violence for administrative purposes and for the rights included in articles 21 and 22 of Organic Law 1/2004 (employment rights, social security rights and labour market integration benefit);
  - A Common Accreditation Model so that different autonomous administrations can apply standard procedures for official accreditation of victims of gender violence.
- ✓ Organic Law 1/2004 enshrines and guarantees a series of **rights for all women who are or have been victims of gender-based violence in relation with their partner or ex-partner**, regardless of the administrative situation in which the woman finds herself, her country of origin, age or disability. All the rights that women can claim are contained in the [“Guide to the rights of Women Victims of Gender Violence”](#), which was updated in May 2019.
  - ✓ **Police and National Security Forces**, in accordance with Organic Law 2/1986, are entrusted with the mission of protecting the free exercise of rights and liberties and to guarantee public safety, performing this function across the country as follows: National Police in provincial capitals and municipal and designated urban centres, and the Guardia Civil in the remaining national territory and sea.
- **AUTONOMOUS COMMUNITIES**
    - ✓ **Drop-in resources and support services:** all victims of gender violence, regardless of their nationality and administrative situation, have the right to full social support. Autonomous Communities have a **Network of drop-in and support resources** (specialist services offering information, advice and intervention, emergency accommodation, long- term accommodation and sheltered accommodation) for victims of gender violence and their children.
    - ✓ **Autonomous Police and Security Forces: Ertzaintza (Basque Country), Mossos d’Esquadra (Catalonia) and the Policía Foral of Navarre:** created as police forces of the Autonomous Communities with the role of enforcing Court Orders, they form part of the public police service in their regions under the terms established by the respective Statutes and in accordance with Organic Law 2/1986 of Police and Security Forces.

▪ **LOCAL BODIES**

- ✓ **Drop in resources and support resources:** Local Entities may also run **drop in and care services**, which may consist of arrangements for emergency situations, information, advice and intervention centres for the short, medium or long term, emergency accommodation or short-term shelters.
- ✓ **Local Police Forces:** Local authorities, through their Local Police Forces, will take part in ensuring public safety in their municipal areas, under the terms contained in the Law regulating Local Authorities, the laws of Autonomous Communities and Organic Law 2/1986 of Police and Security Forces. At present, 404 Local Police Forces collaborate with the State Police and Security Forces to protect victims of gender violence.

**EMERGENCY CENTRES**

**Total No. of emergency centres:** + than 60 emergency centres

**Total No. of professionals working in the emergency centres:** more than 309 (in 2017)

**SHELTERS**

**Total No. of shelters:** more than 71 shelters

**Total No. of professionals working in shelters:** more than 660

**No. of places available:** more than 1580

**STAFFED HOUSES**

**Total No. of staffed houses:** more than 96 houses with live-in staff

**Total No. of professionals working in shelters:** more than +125

**Total No. of places available:** more than 494 staffed houses

**INTEGRATED SUPPORT CENTRES**

**Total No. of integrated support centres:** more than 110 integrated support centres

**Total No. of professionals working in the integrated support centres:** more than 607

**Total No. of places available:** more than 494 staffed houses

## Ministry of the Interior

### 3.2. State Police and Security Forces (FFCCSE in Spanish)

The State Police and Security Forces are responsible for the **investigation and persecution of cases of gender violence that come to light through any means**, as well as the **protection** of the women who are victims of this violence and any children in their care. They have the following means to fulfil this duty

- **Police assessment of the risk of further violence in each case** (VPR in Spanish).
- **Management of the resulting assessed risk** and application of protection measures **adjusted** to the level of risk detected.
- Monitoring **changes in the level of risk** and **supervising compliance with the enforcement of court orders** for the purpose of protecting women victims.

The structure and responsibilities of the FFCCSE are contained in Royal Decree 952/2018, which establishes the basic organic structure of the Ministry of the Interior:



**DIRECTORATE GENERAL OF THE POLICE - NATIONAL POLICE FORCE:**  
Emergency hotline 091 - <https://www.policia.es> - App ALERTCOPS – TWITTER – FACEBOOK – INSTAGRAM.

Resources available in the territories where they have operational responsibility: provincial capitals, municipal areas and urban centres with large populations:

- **Specialist units: 173 UFAM**, Family and Women's Units in all police stations in Spain, with a total of **1272 specialists**
  - ✓ UFAM opening hours: continuously mornings through to afternoons on working days.
- **Offices for Citizen Complaints and Support:** These exist in police stations in Spain distributed in provincial capitals, cities, towns, municipal areas and districts of major cities.
  - ✓ Offices for Citizen Complaints and Support: Continuous opening 24 hours a day, 7 days a week (hereafter 24/7).



**DIRECTORATE GENERAL OF THE GUARDIA CIVIL (GC):** Emergency hotline 062 - <https://www.guardiacivil.es> - app ALERTCOPS – TWITTER – FACEBOOK – INSTAGRAM.

Resources available in the territories where they have operational responsibility: towns and smaller urban centres, court jurisdictions and rural centres:

- **Specialist units: 269 agents in Specialist support centres (PAE in Spanish)** in provinces and counties, with a 24/7 timetable and **631 EMUME, women and minors specialists** at provincial level.
  - ✓ Opening hours: continuously mornings through to afternoons on working days.
- **Citizen Safety Units: Principal posts and Ordinary posts. 219 with a 24/7 timetable.** Those Posts which do not have the timetable above use the number 062, rerouted to the Headquarters in each region.
  - ✓ This operates as a permanent point of contact and emergency support 24/7.

Both Forces are present on **all social networks** and dispose of tools to enable **specialist care for individuals** (especially victims) with any kind of functional diversity, specifically:

- **Visual App** for persons with hearing difficulties to contact the FFCCSE using a video interpretation service.
- **Interpreters** for sign language and foreign languages.
- Content in **easy reading format appropriate to different groups according to age, maturity and education** etc... This content includes: rights, contact information and services, specifically on gender violence and child abuse (what to do and how, rights, support, help and access to specialist units).

### 3.2.1. VioGén System (Integrated Supervision System for cases of Gender Violence)

The VioGén System is a **web application** that gathers together all the actions of different public institutions with responsibility on the issue of gender violence in the same place, including the State Police and Security Forces and some Autonomous and Local police forces that take part in the protection of victims of gender violence.

The goals of the VioGén System are:

1. **Integrate all information** of interest that it considers necessary on issues of gender violence in specific cases.
2. Make an **estimate of the risks**.

3. Monitor the case and, where necessary due to the risk involved, (Police Risk Assessment: not detected, low, medium, high and extreme), **provide the victim with protection** wherever she may be in the country.
4. Provide the victim with a “**Personal Safety Plan**” with measures for self-protection adapted to their personal situation.
5. Carry out **preventive steps** by issuing warnings to the different institutions involved when an incident or event of interest for the protection of the victim is identified.

## Ministry of Justice

### 3.3. Courts for Violence against Women

The Courts for Violence against Women were created under Organic Law 1/2004 as specialised courts with jurisdiction for criminal and civil cases on acts that constitute crimes of gender violence.

#### Map of the Courts for Violence against Women (exclusively) distributed by Autonomous Community

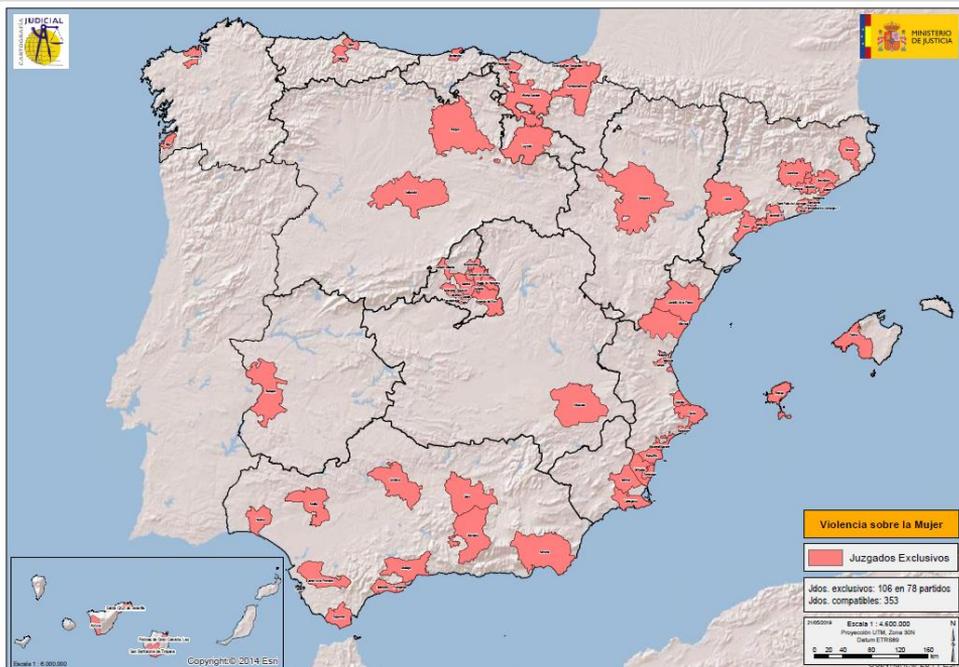


Illustration 1. Map of the Courts for Violence against Women.

<b>Exclusive Courts</b>	106
<b>Compatible Courts</b>	353
<ul style="list-style-type: none"> <li>- <b>341 First Instance and Instruction Courts</b></li> <li>- <b>14 Instruction Courts</b></li> </ul>	
<b>Specialised Criminal Courts</b>	33
<b>Provincial Courts. Specialist sections</b>	70

Under Title V, Legal Process of Organic Law 1/2004 there is a first mention of Courts for Violence against Women as part of the judicial organization as **courts that specialise in criminal and civil responsibilities for acts that constitute crimes of gender violence.**

In order to ensure a unified approach towards all the legal procedures that victims of gender violence may find themselves involved in, it was decided that these courts would assume **responsibility for issues of civil law as well as the issues covered by criminal law**, so that at least in the **first instance, both aspects are handled by the same court.**

Therefore, in accordance with Organic Law 1/2004, **there must be a criminal prosecution case for gender violence for the courts of instruction to adopt civil measures.** If this were not the case, the responsibility would lie exclusively with the civil courts.

In order to improve actions against gender violence, Organic Law 7/2015 of 21 July, modifying Organic Law 6/1985 of 1 July, on the Judiciary, contains an **extension of the powers of the courts dealing with violence against women:**

- Offences against the right to privacy, to protection of one's personal reputation and the right to honour for women.
- Instruction of proceedings to demand criminal responsibility for the crime of breach of sentence or precautionary measure of article 468 of the Criminal Code.

The transfer of these proceedings to the Court of Violence against Women will result in greater efficiency in terms of protecting the victim, accumulating a larger number of facts that any other judge in order to assess the situation of risk.

In those jurisdictions where courts dealing exclusively with cases of Violence against Women are not created, the Judicial Council may agree that these issues are heard in one of the Courts of Instruction or First Instance and Instruction, where relevant, so that these functions are compatible with the rest of the criminal and criminal-civil order in the jurisdiction in question.

Since Organic Law 1/2004 of 29 June 2005 came into force, a total of **106 Courts dealing exclusively with cases of Violence against Women and 353 compatible courts** have been created.

### **3.3.1. Groups of jurisdictions of Courts for Violence against Women**

Organic Law 1/2004 makes it possible to extend the jurisdiction of Courts of Violence against Women over two or more court districts through a royal decree without the need to modify Law 38/1988 of 28 December, in Demarcation and Judicial Organization. The purpose of **grouping together the court districts for Violence against Women is to reach a balance between maintaining a reasonable distance of the court from the victim and offering the specialised response that this type of procedure calls for.**

### **3.3.2. Specialization in Criminal Courts for Violence against Women**

The Organic Law of the Judiciary establishes that in order to ensure that proceedings begun by the Courts of Violence against Women are heard without delay, and due to the number of cases presented, **one or more courts in each province should be specialized in this area.**

Some of these courts should also be assigned the trial and verdicts in relation with crimes of breach of sentence or of safety measures in relation with cases of violence against women.

The specialization of Criminal Courts for Violence against Women is the responsibility of the Judicial Council.

At present, 33 of the 388 Criminal Courts in operation today are courts specializing in violence against women.

### **3.3.3. Specialization in gender violence in certain sections of the Provincial Courts**

Appeals on civil and criminal matters against the verdicts handed down by the Courts of Violence against Women within a particular province shall be tried by the Criminal and Civil Sections, respectively, of the Provincial Court. To enable these appeals to be heard, and in view of the number of cases presented, the Judiciary Act requires Provincial Courts to ensure that one or more Sections are specialized in criminal law and to have the same specialization in civil law.

The Criminal and Civil/Criminal Sections of Provincial Courts that specialise in violence against women, or are compatible with them, shall have exclusive responsibility for hearing:

- Appeals on civil and criminal matters against the verdicts handed down by the Courts of Violence against Women.
- Appeals against verdicts handed down on these issues by Criminal Courts in these provinces.
- Issues that correspond to the Provincial Court to judge in first instance, except for those which are the responsibility of the Jury.

On 31 December 2018, the Judicial Council has **specialized 70 Sections in violence against women**.

### 3.4. Public Prosecutor for Violence against Women

Organic Law 1/2004 created the figure of “**Prosecutor for Violence against Women**” as a delegate of the State Prosecutor’s Office.

Regional prosecutor’s offices have created the “**Section for Violence against Women**” which intervenes in **criminal and civil cases** and issues heard by the Courts for Violence against Women.

The responsibilities of the **Court Prosecutor for Violence against Women** include:

- Supervise and coordinate the Prosecutors Offices’ Sections for Violence against Women and their criteria for interventions.
- Open the many discussions necessary between institutions that are carried out with the Government Delegation for Gender-based Violence, the Ministry of Justice, Ministry of the Interior, Ministry of Health and the Observatory of Domestic and Gender Violence and the Judicial Council, among others.

Each Provincial Prosecutor’s Office has a section for Violence against Women, which are often run by the respective Delegate Prosecutors.

Following the approval of PRE/720/2007 Order of 21 March, the creation of new exclusive Courts for Violence against Women entails the creation of a Prosecutor position to work exclusively with the specialised course which it is attached to.

### 3.5. Comprehensive Forensic Assessment Units (UVFI in Spanish)

Organic Law 1/2004 put a new tool in the hands of the courts that handle gender violence, the Comprehensive Forensic Assessment Units (UVFI) which are made up of multi-disciplinary teams: a forensic pathologist, a forensic psychologist and a social worker.

The goal is to create high quality forensic evidence that includes the medical, psychological and social perspective as well as assessment of the victim, aggressor, environment and circumstances. This will make it possible for the judge to have the best possible information when weighing the criminal aspects, questions of civil liability, protections and the creation of preventive measures that apply in each case.

The UVFI, in the sphere of the Ministry of Justice, were set up between 2005 and 2013, staffing them (with doctors, forensic psychologists and social workers) and adopting them as functional units within pre-existing technical bodies, the **Institutes of Legal Medicine** which changed their names to Legal Medicine and Forensic Science Institutes (IMLCF in Spanish) when they included psychologists and social workers.

The UVFI have to ensure **specialist technical expert testimony in gender violence, the design of global and integrated protocols for intervention, the collection and processing of the data generated and promote educational and research work**, thereby contributing to social awareness, knowledge of the real situation and the design of public and private actions and programmes on this issue.

### Map of Comprehensive Forensic Assessment Units (UVFI)



Image 2 - Map of the UVFI.

### 3.6. Victim support offices (OAV)

Crime Victim Support Offices are specialist administrative bodies that provide a **public service of integrated support and care in legal, psychological and social aspects for victims of crime** (not only those related with gender violence).

Support for victims is offered in four stages (article 25 of Royal Decree 1109/2015 of 11 December):

1. **Shelter-advice**
2. **Information**
3. **Intervention**
4. **Supervision**

The **functions** of the OAV include:

- **Intervention in legal matters:** The OAV offer information about the type of support that the victims are entitled to in the course of the legal proceedings, the rights they can exercise, how they can receive legal guidance and under which conditions and the type of service or organization they can approach to request help.

The legal support offered will always be general and related with the course of proceedings and how to exercise the rights in question, while the legal guidance and support for the case in question is the responsibility of the legal representative.

**The OAV are particularly intended to provide information about how to start legal action and the procedure for submitting it, how to obtain legal defence and advice and, where relevant, how this can be obtained for free, offering victims guidance on their financial rights in relation with the case**, especially in relation with help for compensation that they may be entitled to as a result of the injuries and losses they have suffered through the crime and, if so, the procedure to claim it.

- **Intervention in psychological matters:** The OAV offer victims emotional support; they offer guidance about how to avoid secondary victimization, accompanying the victim throughout the process, in court if necessary, and in the various criminal facilities. They will also prepare a psychological support plan for the more vulnerable victims.
- **Intervention in social aspects:** The OAV will inform victims about specialist services, any psycho-social support resources available and how to access them. The OAV also coordinate and assign victims to social services, support institutions and organizations for them to obtain safe accommodation, urgent medical treatment, any financial support they may be entitled to, especially in

cases of disability, hospitalization, death and cases which are particularly serious because of the vulnerability of the victims.

- **Collaboration and coordination** with the relevant bodies, institutions and entities to offer victims support services: The courts, prosecutor's office, Councils, State Police and Security Forces, psycho-social services of the Department of Justice, health services, Coordination Units for Violence against Women and Violence against Women Units, contributing to the creation of a coordinated support network that includes all the services with responsibilities for supporting victims in the territory in question.

The support of the OAV may derive from a **request from the victim of the crime**, or **derive from the Judge, Prosecutor's Office or Judicial Officer** in cases of particular seriousness or when the victim requests it.

**\*Access is free and confidential** and is not dependent on the prior initiation of legal action.

### [Map of Victim Support Offices of the Ministry of Justice.](#)

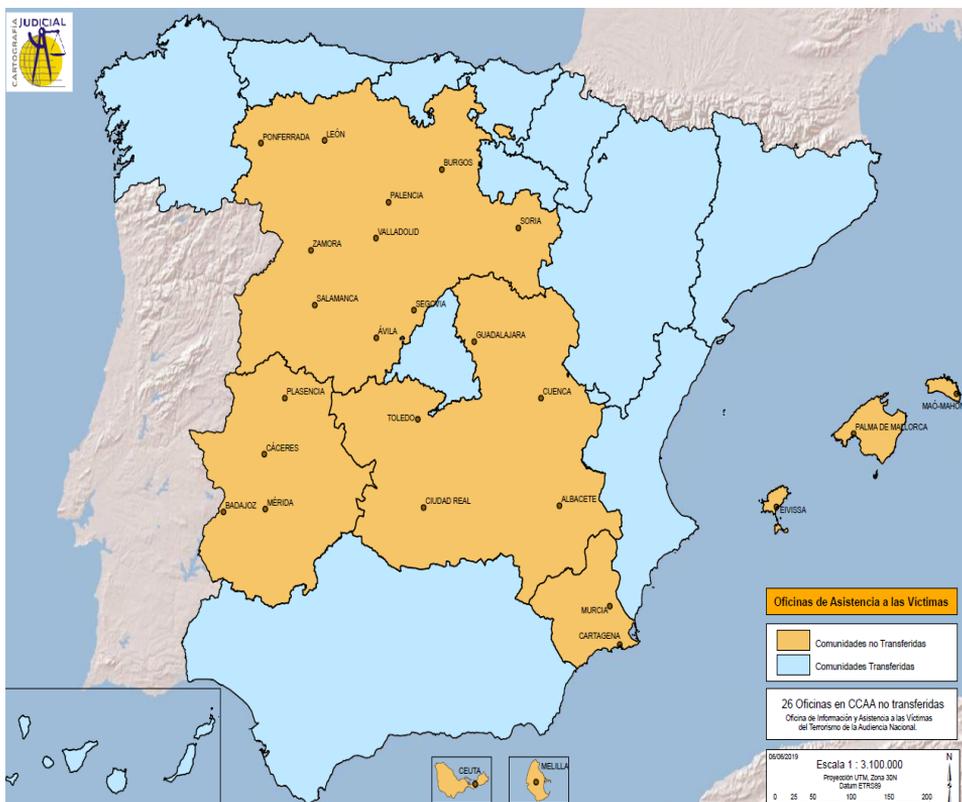


Image 3 - Map of the OAV of the Ministry of Justice.

### 3.7. Free legal assistance for victims of gender-based violence

Organic Law 1/2004 regulates the right to immediate legal aid for victims of gender violence, regardless of whether they have resources to press charges.

Organic Law 1/1996 of 10 January, on free legal aid, in its area of application recognizes the right to legal aid for victims of gender violence, regardless of whether they have resources to press charges. It also establishes that this assistance must be provided by the lawyer who represents the victim in the different cases that may exist as a result of their condition as a victim of gender violence, as long as this duly guarantees the right to legal defence.

**The right to free legal aid is available to victims of gender violence**, a condition acquired by **presenting an accusation or a legal action**, or by starting **criminal proceedings** and sustained as long as the criminal action is ongoing or when, after its end, a guilty verdict has been handed down.

The right to free legal aid is lost when an irrevocable not guilty verdict is passed or when criminal proceedings are irrevocably shelved, although there is no obligation to pay the cost of the services provided free up to this point.

The legal aid is provided by the Law Society through the **roster system specifically set up to provide support for women victims of gender violence**.

The **free legal assistance specialised in gender violence** is governed by the following **principles**:

- Assessment prior to pressing charges
- Provision of personalised legal support
- Privacy and confidentiality in the support offered
- Professional advice throughout the process
- Complete legal defence
- The service provided must be effective.

### 3.8. Responsibilities in Justice of the Autonomous Communities

Some Autonomous Communities also have responsibilities for Justice in cases of gender violence.

<b>Autonomous Community</b>	<b>Type of Community (transferred)</b>
Andalusia	Royal Decree 142/1997 of 31 January.
Aragon	Royal Decree 1702/2007 of 14 December.
Asturias	Royal Decree 966/2006 of 1 September.
Canary Islands	Royal Decree 2462/1996 of 2 December
Cantabria	Royal Decree 817/2007 of 22 June
Catalonia	Royal Decree 966/1990 of 20 July
Galicia	Royal Decree 2166/1994 of 4 November
Community of Valencia	Royal Decree 293/1995 of 24 February
La Rioja	Royal Decree 1800/2010 of 30 December
Madrid	Royal Decree 600/2002 of 1 July
Foral Community of Navarre	Royal Decree 813/1999 of 14 May
Basque Country	Royal Decree 1684/1987 of 6 November

Autonomous Community	Type of responsibility
<p><b>ANDALUSIA</b></p>	<p><b><u>Legislation on gender violence: Law 13/2007 of 26 November, on integral protective and preventive measures against gender violence.</u></b></p> <p>The Victim Support Service of Andalusia (SAVA) was set up in 1998 to provide help for victims of crime in the region.</p> <p>The team is made up of the following professionals: 18 LEGAL EXPERTS, 11 PSYCHOLOGISTS AND 9 SOCIAL WORKERS. There are 38 experts in total (31 women and 7 men). SAVA covers every province of Andalusia.</p>
<p><b>ARAGON</b></p>	<p><b><u>Legislation on gender violence: Law 4/2007 of 22 March, on Integral Protection and Prevention for Women Victims of Violence in Aragón.</u></b></p> <p>There are Crime Victim Support Offices to attend to victims of crimes in Zaragoza, Huesca and Teruel that were set up under the Agreement of the Government of Aragon of 8 May 2018.</p> <p>Each Office has:</p> <ul style="list-style-type: none"> <li>– A case manager who is in charge of coordinating the Office and the reception, evaluation and assessment of the victims.</li> <li>– A legal aid criminal lawyer on duty who is a member of the respective branch of the Legal Society and who is responsible for providing the victims with legal advice.</li> <li>– Specialist psychological support service staffed by qualified professionals.</li> </ul>
<p><b>CANTABRIA</b></p>	<p><b><u>Legislation on gender violence: Law 1/2004 of 1 April, for Integral Prevention Measures against Gender Violence and Protection for its Victims.</u></b></p> <p>The Crime Victim Support Offices to attend to victims of crimes in Cantabria is a body attached to the Court Registry of Santander.</p> <p>The staff of the Crime Victim Support Office is made up of a civil servant of the Justice Department (procedural manager), a psychologist assigned by the College of Psychologists of Cantabria.</p>

<b>Autonomous Community</b>	<b>Type of responsibility</b>
<b>CATALONIA</b>	<p><b><u>Legislation on gender violence: Law 5/2008 of 24 April, on the right of women to eradicate sexist violence.</u></b></p> <p>The Crime Victim Support Offices of Catalonia were set up in 1996 to attend to victims of crime in the region (Decree structuring the Justice Department).</p> <p>There are 5 Offices staffed by civil servants in the fields of psychology, law, social education and social work, as well as administrative staff and an office manager.</p>
<b>COMMUNITY OF MADRID</b>	<p><b><u>Legislation on gender violence: Law 5/2005 of 20 December, against Gender Violence in the Community of Madrid.</u></b></p> <p>The Victim Support Service provided by the Criminal Courts of Madrid are the equivalent to the Crime Victims Support Offices for attending to victims of crimes in the Community of Madrid. This service was created from Law 35/99 of 11 December, on Help and Assistance for the victims of violent crimes and against sexual freedom.</p> <p>There is also the protection service for victims, witnesses and other persons at risk. This was created in 2009 through the Collaboration agreement signed by the Prosecutor’s Office for the Community of Madrid and the Community of Madrid. This service will be phased out in the near future as the Collaboration agreement in question has ceased to be in effect.</p> <p>There are 5 Victim Support Offices in Madrid.</p> <p>As regards the Offices in Madrid capital, one of them is in the Criminal Courts and the other in the Gender Violence Courts.</p> <p>There are 5 procedural managers in each of the 5 existing Offices and an Area Manager for all the Offices.</p> <p>The Offices in the outskirts are located in the local courts of these districts.</p>

Autonomous Community	Type of responsibility
<p><b>COMMUNITY OF VALENCIA</b></p>	<p><b><u>Legislation on gender violence: Law 7/2012 of 23 November, against Violence against Women in the territory of the Community of Valencia.</u></b></p> <p>The Network of Offices of the Generalitat for the assistance of Victims of Crime was set up through:</p> <ul style="list-style-type: none"> <li>• DECREE 165/2016 of 4 November, of the Council, creating and regulating the Network of Offices of the Generalitat for the assistance of Victims of Crime.</li> <li>• DECREE 12/2018 of 5 June, of the Council, creating the offices of the Generalitat for the assistance of crime victims in Carlet, Ontinyent, Llíria, Picassent and Utiel.</li> </ul> <p>As regards the staff in 2018:</p> <ul style="list-style-type: none"> <li>• Psychologists: 25</li> <li>• Lawyers: 30</li> <li>• Social Workers: 13</li> <li>• Others: 3</li> <li>• Total: 70</li> </ul> <p>The OAV Network has 26 offices.</p>
<p><b>EUSKADI</b></p>	<p><b><u>Legislation on gender violence: Law 4/2005 of 18 February, for Equality between Women and Men.</u></b></p> <p>The Victim Support Service (SAV in Spanish) was created in 1991 and consists of a 14-person multi-disciplinary team (social work, law, psychology and administration).</p> <p>There are 4 SAV Offices in Araba, Guipuzkoa and Biskaia, where there are 2 Offices, another in Barakaldo and another in Bilbao.</p>
<p><b>GALICIA</b></p>	<p><b><u>Legislation on gender violence: Law 11/2007 of 27 July, on the Prevention and Integral Treatment of Gender Violence.</u></b></p> <p>The Victim Support Offices are included among the Common Services for Citizen and Victim Support, which are attached to the Registries of the 7 cities of Galicia (A Coruña, Ferrol, Santiago, Lugo, Ourense, Pontevedra and Vigo).</p>

Autonomous Community	Type of responsibility
	<p>The following laws govern the creation of the Offices in Galicia:</p> <ul style="list-style-type: none"> <li>• RESOLUTION of 5 February 2004, of the Justice Department, setting up the Common Service of Citizen and Victim Support, which is attached to the Registry of the courts of the city of A Coruña and Pontevedra.</li> <li>• RESOLUTION of 15 February 2008, of the Justice Department, setting up the common services of citizen and victim support, which is attached to the Registry of the courts of the cities of Ferrol, Lugo, Ourense, Santiago de Compostela and Vigo.</li> </ul> <p>As regards the Office personnel, they must be staffed by civil servants of the Justice Department assigned to each Common Service of Citizen and Victim Support, which are attached to the Registries of the 7 cities in accordance with the workforce established for this service.</p> <p>There are also 7 psychologists (1 in each Office) who are employed by the Xunta de Galicia.</p>
<p><b>LA RIOJA</b></p>	<p><b><u>Legislation on gender violence: Law 3/2011 of 1 March, on Protection, Prevention and Institutional Coordination on Violence in La Rioja.</u></b></p> <p>The Crime Support Victims Office of La Rioja was created in 1999.</p> <p>The Office staff is made up of 3 Social workers, 4 psychologists, 2 Lawyers, 1 Criminal Lawyer (Head), 3 Administrative staff and 1 Social and Employment insertion officer.</p> <p>There is one Office in each Court District (Logroño, Haro and Calahorra), all based in the corresponding Courthouse.</p>

Autonomous Community	Type of responsibility
<p><b>NAVARRRE</b></p>	<p><b><u>Legislation on gender violence: Foral Law 14/2015 of 10 April, to act against violence against women.</u></b></p> <p>There is a Crime victim support section and collaboration with the courts.</p> <p>The following personnel are employed in the Section:</p> <ul style="list-style-type: none"> <li>• 1 team coordinator and responsible for legal guidance.</li> <li>• 2 social workers.</li> <li>• 1 psychologist.</li> <li>• 1 administrative worker to deal with the public</li> <li>• 1 administrative worker to head the restorative justice service.</li> </ul> <p>The Section is housed on the ground floor of the Palace of Justice of Pamplona.</p>
<p><b>PRINCIPALITY OF ASTURIES</b></p>	<p><b><u>Legislation on gender violence: Law 2/2011 of 11 March, for Equality between Women and Men and the Eradication of Gender Violence.</u></b></p> <p>There are two Victim Support Offices, in Oviedo and Gijon.</p> <p>The personnel who staff the Office shall consist of 1 psychologist (employee) and a civil servant from the Case Management Department.</p> <p>The Offices are housed in the Palaces of Justice of Oviedo and Gijón.</p>

## *Spanish administration overseas*

Spanish women residing overseas, who suffer gender violence along with their children, where present, are a group with certain features that make them more vulnerable to gender violence. Their unfamiliarity with the customs, potential linguistic barriers, the lack of social or family support or simply the absence of the rights which they enjoy in Spain are all circumstances that make the difficult situation they find themselves in outside our frontiers even more serious. The commitment of public authorities to attend and assist victims of gender violence must therefore include all citizens who reside in foreign countries.

In this sense, the general obligation to protect Spaniards abroad is added to that of complying with the provisions of Organic Law 1/2004, so that Law 2/2014 of 25 March on Foreign Acts of the State, in which the then Minister of Foreign Affairs and Cooperation, Employment and Social Security, and the Ministry of Health, Social Services and Equality all signed the action protocol on 8 October 2015, for the assistance of Spanish women victims of gender-based violence abroad, which aims to:

- Promote effective **equality** between women and men.
- **Prevent and address situations of violence suffered by Spanish women who are outside Spain** and to collaborate in aiding them through the Spanish foreign administration, offering them attention and information about their rights and the resources they have in their country of residence.
- Develop measures intended to enable **consular protection and the return of Spanish women living abroad** and their children, if there are any, who are victims of gender violence when the situation requires this.



## Colaboran:

### **Ministerio de Asuntos Exteriores, Unión Europea y Cooperación**

Dirección General de Españoles en el Exterior y de Asuntos Consulares



### **Ministerio de Justicia**

Dirección General de Relaciones con la Administración de Justicia



### **Ministerio del Interior**

Secretaría de Estado de Seguridad, Gabinete de Coordinación y Estudios



### **Ministerio de Política Territorial y Función Pública**

Secretaría General de Coordinación Territorial, Subdirección General de Coordinación de la Administración Periférica

