

FORENSIC ASPECTS OF DOMESTIC VIOLENCE: MEN AS VICTIMS OF INTIMATE PARTNER VIOLENCE

Teodora Kiryakova*, Alexander Alexandrov**

* *Medical Institute of the Ministry of Internal Affairs, Sofia, Bulgaria*

** *Department of Forensic Medicine and Deontology, Medical faculty, Medical University - Sofia, Bulgaria*

Abstract

Intimate partner violence (IPV), also referred to as domestic violence, is a "silent" pandemic that has been considered a problem of the family for many years. It can take various forms, including psychological, sexual and physical violence, harassment and/or threats of violence, stalking, etc., between former or current spouses or partners, in a heterosexual or homosexual relationship. Victims can be both female and male. The present study aims to assess the prevalence of IPV against men, the age characteristics of the victims, the type of perpetrator and the types of injuries caused. A retrospective joint study of cases of IPV identified during forensic examinations at the Department of Forensic Medicine and Deontology, Medical University - Sofia and the Forensic unit at the Medical Institute of the Ministry of Internal affairs was conducted for the period 2017-2021. 553 of the victims out of 3027 cases of domestic violence, were male. It was indicated that in just over 50% of them the perpetrator of the crime was the intimate partner. The mean age of the affected men was 41.6 years. The injuries found during the forensic medical examinations were most often superficial, with isolated cases of more severe trauma. The prevalence of IPV against men and its main characteristics have so far been studied to a small extent, compared to that of women. The ability to identify the signs of violence and their proper assessment, appropriate behaviour and documentation of each cases should be among the competencies of every doctor.

Keywords: *intimate partner violence, domestic violence, physical violence, male victims, forensic medicine*

Introduction

Domestic violence is a serious problem and widespread phenomenon around the world. It is often called a "quiet" pandemic, as it has been considered a family problem for many years. Intimate partner violence (IPV), also referred to as domestic violence, can take various forms, including psychological, sexual, physical and economic abuse, harassment and/or threats of violence between former or current spouses or partners, whether the perpetrator lives or has lived with the victim, in both heterosexual and homosexual relationships [1]. According to the World Health Organization (WHO), IPV is one of the main risks to women's health around the world, but this type of violence is not unique to women only [2, 3, 4]. There is a general consensus that men can also be victims of IPV [5, 6], but there are still relatively few studies that have examined the problem [7, 8, 6]. According to the U.S. Centers for Disease Control and Prevention, one in three women and one in four men have experienced some form of physical violence by their intimate partner in their lifetime, including a number of behaviours, such as slapping, squeezing, pushing, shaking, which often leaves no traces [9, 10]. In addition, one in seven women and one in twenty-five men have been hurt by an intimate partner, and one in seven women and one in eighteen men have been harassed by an intimate partner in their lifetime to the point where they felt scared or believed that they or someone close to them would be injured or killed [11]. It is estimated that a large proportion of domestic violence cases are not reported, with studies showing that only about 35-40% of victims file complaints to the police or the prosecutor's office. A 2005 report by the National Crime Council in the Republic of Ireland found that 5% of men who had experienced

IPV, reported it to the authorities, compared to 29% of women. [12] A similar report from the UK and Scotland for 2010-2011 found that only 10% of male victims reported it to the police, compared to 27% of women, and only 19% of men had reported to different organizations, compared to 44% of women [13]. A 2004 pilot study by Walter W. et al., examining violence among men from childhood to adulthood, found that one in four men experienced physical violence at the hands of their partner at least once in their lifetime [14].

The present study aims to assess the prevalence of the physical aspects of IPV against men, the age distribution of the victims, the type of perpetrator, the types of injuries identified during forensic examinations and the objects that caused them.

Materials and methods

A joint retrospective study of cases of domestic violence was conducted at the Department of Forensic Medicine and Deontology of the Medical Faculty, Medical University - Sofia and the Forensic Unit of the Medical Institute of the Ministry of Internal affairs (MIA) for the period 2017 – 2021. For this period, 15789 cases of people seeking assistance for forensic medical examination, associated with physical trauma, were investigated. Among them were determined the cases of domestic violence according to the definition of domestic violence, enshrined in the “Protection against Domestic Violence” (PADV) law [15], adopted in the Republic of Bulgaria in 2005 – “any act of violence against people who are related, who are or have been in a family relationship or in de facto cohabitation, is categorized as an act of domestic violence”. The cases were divided by gender and only men who had reached the age of 18 and identified their intimate partner as the perpetrator, were included in the study. Additionally, they were separated into age groups with 10 years’ intervals, for reporting and subsequent analysis of the age distribution. Each investigated case was analysed in detail in order to draw basic forensic conclusions.

Results and discussion

For the period 2017-2021 a total of 3,027 cases of violence caused by a family member were investigated (Figure 1). For this period, there was a significant increase in the number of cases of family violence in 2019, when a peak is formed. This increase was due to the increased awareness of people’s rights but also represented the widespread and systematic nature of this violation. In addition, it coincided with changes made in the Criminal code of Republic of Bulgaria [16]. The revision of the Criminal Code, which entered into force in February 2019, included domestic violence as an aggravating circumstance in homicides, bodily injuries, abduction, unlawful imprisonment, coercion and death threats, and also the criminalization of stalking. For bodily injuries received in conditions of domestic violence, the law provides imprisonment for the perpetrator from three to fifteen years for heavy battery; from two to ten years for medium battery; up to three years in case of light battery under Art. 130, para. 1 and up to one year or probation under Art. 130, para. 2. [16]

From all the cases of family violence, in 553 of them, men were victims of physical abuse. They reported that their intimate partner was the perpetrator of the act in 290 (52,4%) of the cases. The most frequently reported perpetrator of IPV against men were the women with whom the men lived together in one household: in 146 of the cases, men victims of IPV identified the perpetrator of the assault as their wife, followed, in 88 of the cases, by the woman with whom they live on a family basis. This forms 80.6% of the surveyed cases. The remaining 20% of IPV against men the

accused perpetrator was the mother of their children - in 26 of the cases, followed by the ex-partners (ex-wife or ex-girlfriend) - in 22 cases. Only in eight cases, the current girlfriend was indicated (Figure 2).

Our study revealed that in 2017, men victims of IPV were 63 and in 2018, there was a reduction in the reported cases of IPV against men to 49 cases, regardless the rise in the total number of the reported cases of family violence in the forensic units. In 2019, an increase of the IPV cases up to 76 (35%), was observed, following the general increase in cases. There was a reduction in the total number of people seeking forensic assistance in connection with physical violence against them in 2020, including IPV against men - the number of reported cases was the lowest for the examined period – only 46 men sought forensic help. These changes coincide with the onset of COVID-19 pandemic. In cases of IPV, frequently used actions and mechanisms by abusers to control a partner are social exclusion, movement monitoring and/or monitoring of the daily activities [17]. In the COVID-19 situation, these mechanisms overlap with the efforts of governments around the world to suppress and limit the spread of infection, giving abusers both increased credibility and legitimacy in the demands placed on their partners [12, 18]. The reduction of IPV against men cases in 2020 can be explained on one hand by the measures imposed in addition to the introduced lockdowns with limited mobility, that made it difficult for victims to seek adequate help, and on the other hand by the fear of contracting the Corona virus infection when visiting a hospital. In addition, the deteriorating financial situation of the victims in connection with job closures and the loss of income of a large part of the population, which does not allow them to spend money on a forensic certificate, can also be considered a reason for the decline. Despite the fact that the number of those seeking forensic care decreased in 2020, since the beginning of the state of emergency in Bulgaria on March 13, 2020, the domestic violence hotlines have registered a 30% increase in the number of calls, compared to previous years. Only from March till the end of May 2020 more than 4000 calls were registered on the 112 emergency line and for the first six months of 2020 they were 14 666. The COVID-19 isolation has led to an increase in the tension at home, which has often escalated into violence. There are no official statistics on domestic violence cases in Bulgaria [19], with available data mainly from non-governmental organizations, focusing on violence against women and children. According to the Report on implemented activities under the plan for implementation of the Crime Prevention Strategy for 2019. [20], the total number of identified victims of domestic violence during the year was 890, of which 226 are women, 6 are men and 658 are children. According to the Ministry of Interior, in 2020 the Bulgarian courts issued 3,057 restrictive orders under the PADV law throughout the country, of which 349 were issued for violence against men, 898 for violence against children, and the remaining 1,810 for violence against women [21].

Our study showed that in 2021 there was a slight rise by 22% in the reported cases of IPV against men in the forensic units. Despite the significant increase in the reports of male victims of IPV, in Bulgaria this problem remains hidden and is not the subject of research, public policy or public attention. There are many theories as to why men may be reluctant to report cases of domestic violence, including their own shame, government scepticism about a woman's ability to harm a man and anxiety that this will destroy their family. In addition, the problem of violating men's dignity and masculinity also exists. The perception of the nature of the concept of "domestic violence" and the nature of violence used by women is also different, as for most men being slapped by their partner is not considered violence, unlike most women. In addition, medical

professionals rarely ask men if their injuries are the result of domestic violence, which is a precondition for them to identify harder the victims. Other less common reasons why men are less likely to report domestic violence are identical to those of female victims. Such reasons are the hope that their partner will change [14], concern for their children, the fear of never seeing their children again, the lack of money, the lack of a place to go, the threats that she would commit suicide, or the fear that she would kill him.

The analysis of the age distribution of the cases of IPV against men, showed that for the entire studied period, the most affected by the problem were middle-aged men - 121 cases of men between 31-40 years and 91 cases between 41-50 years; or above that age - 31 cases of men between 51-60 years. Kolbe V and Büttner A (2020) obtained similar results in their research on the problem. Men under the age of 30 rarely seek forensic medical assistance for violence from their intimate partner - only 28 cases have been identified over a five-year period. There is a gradual reduction in the cases reported in the forensic units after the age of 60 - 15 cases have been identified in the age range 61-70, and sporadic cases have been reported after that age period - 3 cases between 71-80 years, and only 1 case between 81-90 years (Figure 3). The mean age of the affected men was 41.6 years.

In cases of domestic violence, women often resort to the use of various weapons, tools or random objects to overcome the physical strength of men, which carries the risk of severe traumatic injuries and even death. Todt et al. examined 199 women and 17 men victims of domestic violence, and described the most common injuries found - hematomas, abrasions and erythema, which most often involve the upper limbs, head and body of the victim [14, 22]. Walter and colleagues found that 21% of men reported hematomas and injuries, 7% reported pain, and 5% reported head injuries [3, 13, 14]. According to forensic studies conducted by Kolbe V and Büttner A (2020), between 53.8% [3] and 85% [23] of men and 64% of women who reported IPV had mostly minor injuries, such as abrasions and bruises on the skin [13, 23], while serious injuries, such as bone fractures, were found in only 5% [23]. In our study, IPV against men was associated with relatively minor traumatic injuries. These were mainly superficial skin injuries, such as abrasions, bruises and various types of wounds (lacerations, cut wounds), rarely fractures of the nasal bones without displacement of the fragments and on rare occasions - fractures of long bones and severe tendon damage. In 98.6% of the examined cases for the period, it was found that the injuries caused the so-called "Light battery", according to Art. 130, paragraph 1 ("Health disorder, other than the cases of heavy battery and medium battery") and paragraph 2 ("Light battery, causing pain and suffering, without health disorder") of the Criminal Code of the Republic of Bulgaria, and only in 1.4% - "Medium battery" according to art. 129 of the Criminal Code of the country (Figure 4). These traumatic injuries, found during the forensic medical examinations, in 97.2% of the cases were caused by the action of a blunt objects. These objects do not have sharp corners or cutting edges, and they can be weapons, tools or random objects. Parts of the human body are also considered blunt objects. The impacts are most often inflicted with the upper limbs in the form of slaps, punches or fingernail scratches, compression or pushing, less often - with the feet with kicks, as well as with various objects (cups, vases, chairs or other piece of furniture or kitchen utensils). In 2.8% of the cases, the active object was sharp – knife, broken fragments of glass and others (Figure 5).

Many studies exist that show women as the most common victims of violence [4, 24] Our study shows that they may also be the perpetrator of such a crime. Even though, usually women tend to

initiate or use physical assault when motivated by the need for self-defence or in response to justice from previous and ongoing attacks by their partner. For this reason, it should not be overlooked that IPV violence can be conducted on a mutual basis [25]. Muellemann et al. in their study reported that more than half of those affected men had already spent some time in prison as perpetrators of domestic violence [26]. This corresponds with the results of a study reported by Swan et al., which shows that 92% of women who have committed domestic violence have previously experienced violence from their partners [27]. More research is needed to identify how many of the accused female perpetrators are also victims of IPV in Bulgaria.

Conclusion

In all violent relationships, there is an imbalance of power and control. Physical abuse consists of any intentional act attempting to cause pain and/or physical injury to another person through bodily contact. It can be the culmination of other abusive behaviour (such as the use of frightening and hurtful words) and includes beating, burning, kicking, punching, scratching, biting, maiming, killing, or the use of objects or weapons, in order to dominate over the victim. Women are more likely to report assault than men, which is why the general perception of intimate partner violence is related to attempts to subjugate females or inflict various injuries on them by males. This is one of the reasons why the spread of violence against men and the risk factors for it have so far been studied to a small extent. Men can also be victims of violence, and like women victims, they initially seek help and report their injuries to either their general practitioner or the emergency room specialists. Domestic violence against men can be defined as a topical issue that doctors of all specialties should be informed about and take into account when conducting examinations with data of traumatic injuries. Therefore, the competence of each doctor should include the ability to identify signs of violence, to assess and document them accordingly and adequately.

Statement for potential conflicts of interest: The authors declare that they have no conflict of interest.

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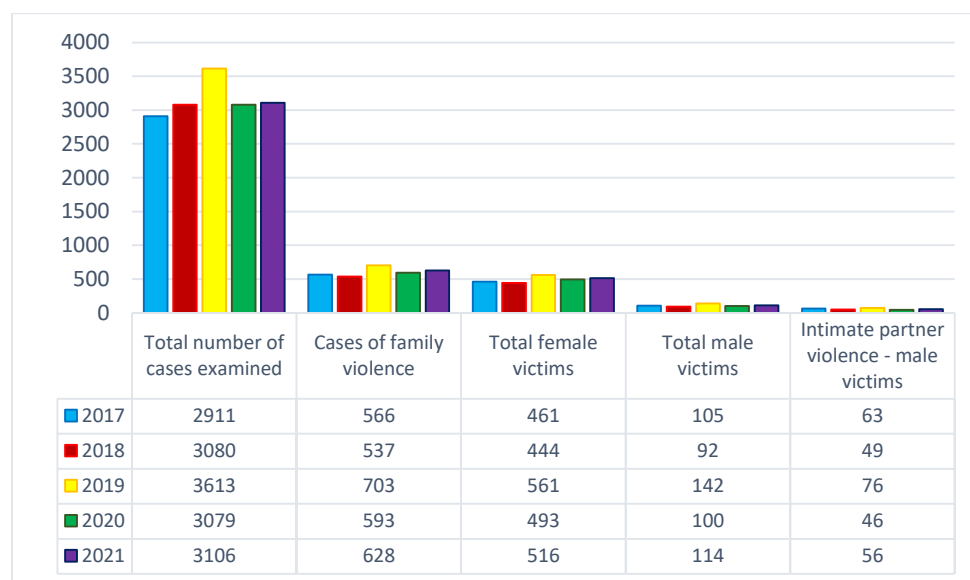


Figure 1. Detailed distribution of the cases of violence by type, gender and year

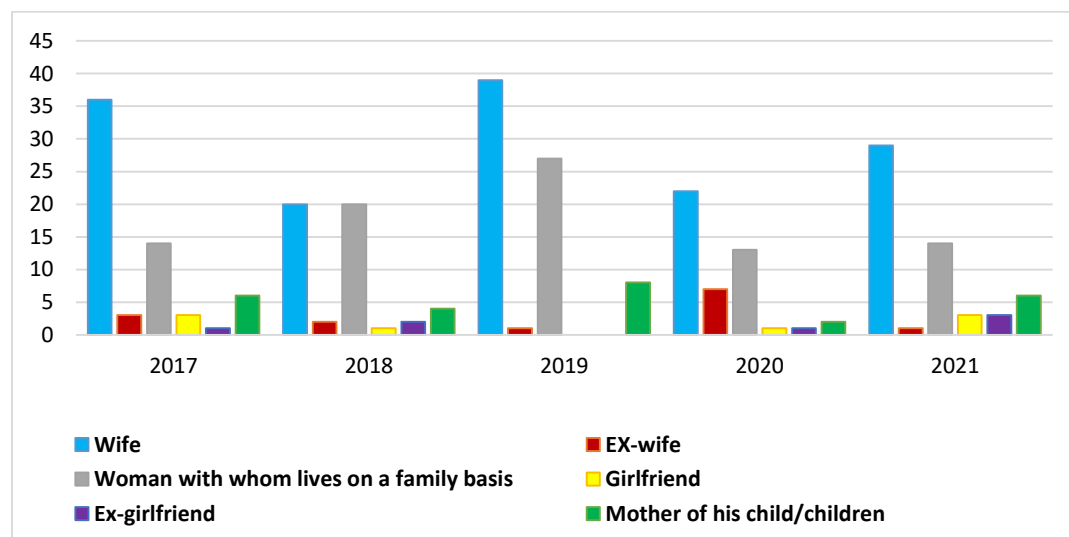


Figure 2: Perpetrators of IPV indicated by male victims for each of the studied years

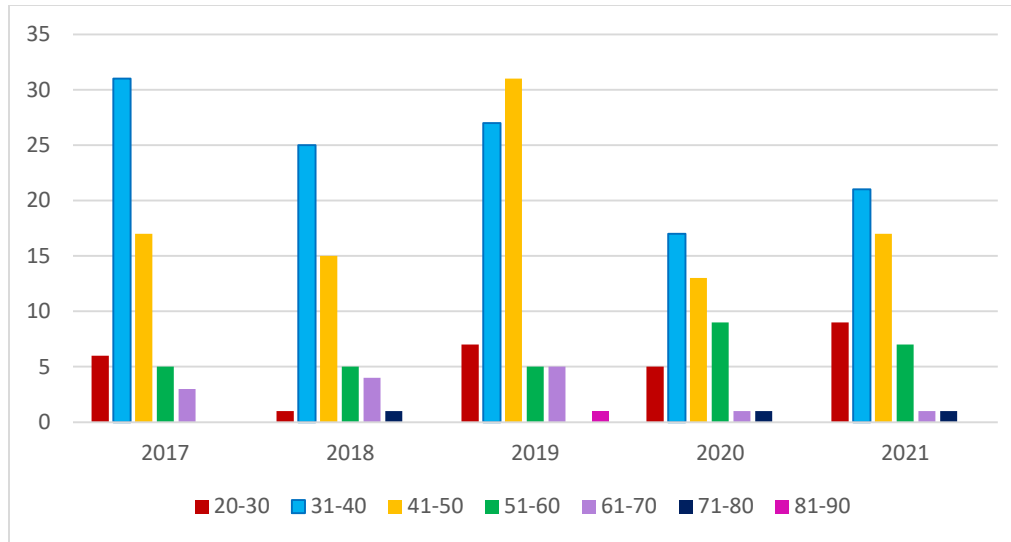


Figure 3. Age distribution of cases of IPV against men by year

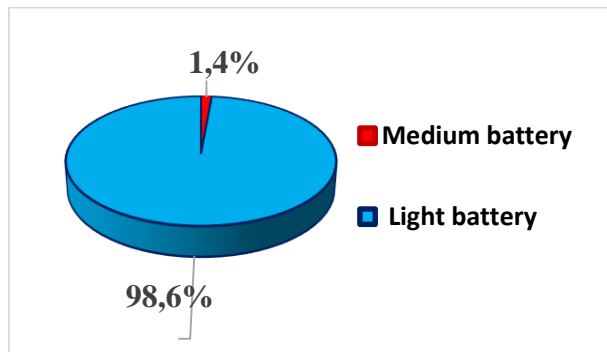


Figure 4. Types of battery

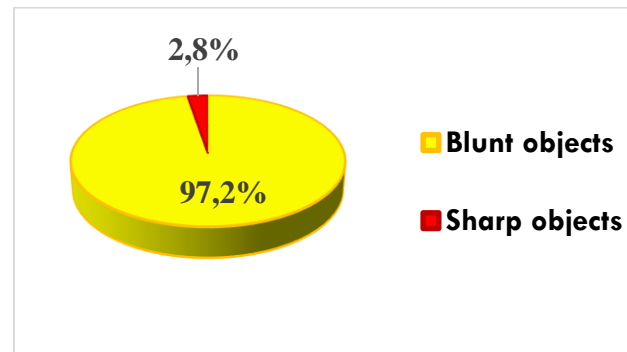


Figure 5. Types of objects used