

Universitat Autònoma  
de Barcelona



# **GENDER-BASED VIOLENCE, STALKING AND FEAR OF CRIME**

Country Report Spain

EU-Project 2009-2011



[WWW.GENDERCRIME.EU](http://WWW.GENDERCRIME.EU)

## **Gender-based Violence, Stalking and Fear of Crime**

EU-Project 2009-2011 – JLS/ 2007/ISEC/415

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### **Project website:**

[www.gendercrime.eu](http://www.gendercrime.eu)

### **Contact address:**

Prof. Dr. Encarna Bodelon  
Grup Antigona  
Departament de Ciència Política i Dret Pùblic  
Facultat de Dret  
Edifici B- Campus UAB-08193 Bellaterra (Cerdanyola del Vallès)  
Barcelona (Spain)

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# **GENDER-BASED VIOLENCE, STALKING AND FEAR OF CRIME**

## **Country Report Spain**

### **Authors:**

Prof. Dr. Encarna Bodelon

Dr. Noelia Igareda

Gloria Casas

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## COUNTRY REPORT - SPAIN

### ***1. Brief description of the tertiary education sector in Spain:***

The total number of Spanish private and public universities in 2011 is 76. Of this total:

- Public: 50
- Private: 26<sup>1</sup>

In the academic year 2009/2010, the total number of students in public and private universities in Spain was 1,412,472. Of this total, the distribution by gender is as follows:

- Women: 764,054 (54.09%)
- Men: 648,418 (45.91%)<sup>2</sup>

We can classify Spanish universities according to size:

- Small - 0 to 5,000 students: 14 universities
- Medium - 5,000 to 15,000 students: 26 universities
- Large - 15,000 to 30,000 students: 21 universities
- Very large - over 30,000 students: 15 universities<sup>3</sup>

It is difficult to classify all universities in Spain according to whether they are campus-style universities, non-urban universities, or urban universities (located around the city<sup>4</sup>).

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<sup>1</sup> Source: Websites of Spanish universities: [universityname.es](http://universityname.es)

<sup>2</sup> Source: INE: <http://www.ine.es/prensa/np655.pdf>

<sup>3</sup> Source: [http://www.universidad.es/universidades/universidades\\_espanolas](http://www.universidad.es/universidades/universidades_espanolas))

<sup>4</sup> The following sources were used for the classification below:

<http://universidades.aprendelo.com>;

<http://www.educacion.gob.es/educacion/universidades/educacion-superior-universitaria/que-estudiar-donde/universidades-espanolas.html>;

<http://www.tiadoc.com/universidades-espanolas-ordenadas-por-comunidades-autonomas/>

The most appropriate distribution is by autonomous community<sup>5</sup>:

Autonomous community	Urban universities	Non-urban universities
Andalucía	3	7
Aragón	1	1
Canarias	1	1
Cantabria	2	-
Castilla-La Mancha	3	-
Castilla-León	7	1
Catalonia	10	1 (1 open university)
Community of Valencia	7	1
Extremadura	1	-
Galicia	2	1
La Rioja	1	-
Balearic Islands	1	-
Madrid	8	6 (1 open university)
Murcia	3	-
Navarra	2	-
Basque Country	3	-
Principality of Asturias	1	-

In the entire Spanish territory there are 56 urban universities, 19 non-urban universities and 2 open universities (distance learning).

## ***2. The legal environment regarding sexual harassment, stalking and sexual assault in Spain:***

### **2.1. Behaviour that constitutes a criminal offence**

There are a number of behaviours generally present in different forms of sexual gender-based violence included in the Spanish Penal Code, such as:

- Habitual violence (Article 173 of the Penal Code) against a person with whom one has, or has had in the past, an emotional relationship (spouse or partner) or against a family member. To be considered “habitual”, the criminal behaviour must be repeated over time, and without a long period of time having elapsed between each violent act.

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<sup>5</sup> The Spanish State is organised into 17 autonomous communities of different sizes, some consisting of only one province and others encompassing several provinces.

- Physical violence (Article 148.4 of the Penal Code): physical violence becomes a crime when the offender has, or has had in the past, an emotional relationship with the victim. Physical violence means injury caused through the exercise of violence against another person.
- Threats and coercion (Articles 171.4 and 172.2 of the Penal Code) are behaviours which are punishable as crimes when perpetrated against someone with whom the offender has, or has had in the past, an emotional or family relationship.
- Threats, insults, or unfair treatment of a minor nature (Article 620.2 of the Penal Code).
- Breach of sentence, protective measure, prison, or precautionary measure (Articles 468.1 and 468.2 of the Penal Code).

In addition to the criminalisation of the above behaviours, sexual assault is also covered under the Penal Code as:

- Rape (Article 179 of the Penal Code). According to the Spanish Penal Code, rape is a form of sexual assault that involves penile penetration of the vagina, anus, or mouth, or the introduction of body parts or objects into the vagina or anus.
- Sexual abuse (Articles 181 and 182 of the Penal Code): acts that violate a person's sexual integrity without the use of violence or force, and without the consent of the victim. Also considered as non-consensual sexual abuse are acts perpetrated against minors of more than thirteen and under sixteen years old, mentally incapacitated persons, persons with a mental disorder, or acts committed cancelling the victim's will through the use of drugs or similar substances.
- Sexual abuses and aggressions to minors of thirteen years old (article 183 of the Penal Code): acts against the sexual indemnity of minors of thirteen years old.
- Sexual assault (Article 178 of the Penal Code): acts perpetrated against the sexual freedom of the victim with the use of violence or intimidation.
- Sexual harassment (Article 184 of the Penal Code): acts of a sexual nature intended to harass or to attack the integrity and dignity of the victim in an employment, educational, or business context. To be considered sexual harassment, such behavior must cause a situation that is objectively and seriously intimidating, hostile, or humiliating for the victim. Moreover, if the perpetrator is taking advantage of a position of superiority when committing these offences, then the punishment will be greater. When the victim is particularly vulnerable because of their age, position, or their circumstances, the punishment will also be greater.
- Cyberstalking (article 183bis of the Penal Code): approaching minors through internet, phone or other technologies with the purpose of sexual abuse or aggression.

## 2.2. Behaviours that are regulated under other legislations

In addition to criminal law, Spanish Organic Law 3/2007, of 22 March, for Effective Equality between Men and Women also contains some important provisions with respect to sexual harassment and harassment on the grounds of sex.

In Title I, the law provides general definitions of behaviours related to gender equality and establishes legal consequences for discriminatory conduct. It explicitly refers to:

- Sexual harassment as any behaviour, verbal or physical, of a sexual nature with the aim of, or with the effect of violating the dignity of a person, especially when it creates an intimidating, degrading, or offensive environment.
- Harassment on the grounds of sex, including any behaviour related to the sex of a person with the aim of, or the effect of violating their dignity and creating an intimidating, degrading, or offensive environment.

The legal response to any of the aforementioned behaviours is to declare the nullity of the actions and the possibility of seeking reparations and compensation through the legal system.

Also important are the provisions contained in the law governing labour relations, the Workers' Statute (Spanish Royal Legislative Decree 1/ 1995, of 24 March, which approves the consolidated text of the Workers' Statute Law). This legal code includes references to sexual harassment and harassment on the grounds of sex:

- Article 4.2 c) states the worker's right not to be discriminated against
- Article 4.2. e) establishes the right of every worker to protection of privacy and dignity against sexual harassment and harassment on the grounds of sex.

Any infringement of these rights in the context of an employment relationship will have consequences under the laws stipulating sanctions in the area of labour law, (Royal Legislative Decree 5/2000, of 4 August, which approves the consolidated text of the Law of Infractions and **Sanctions in the Social Order**):

- Article 8.11 states that any act or omission constitutes a serious breach of the privacy or dignity of the worker.
- Article 8.13 states that an act of sexual harassment, committed within an employment relationship and under the responsibility of the employer, constitutes a very serious offence, regardless of who the perpetrator may be.
- Article 8.13 *bis* states that an act of harassment on the grounds of sex, committed within an employment relationship and under the responsibility of the employer, will also constitute a very serious offence, regardless of who the perpetrator may be, provided that the employer is aware that it has occurred and has not acted to stop it.



## **2.3. Behaviours that are not regulated**

The legal treatment of stalking in the Spanish legal system is incomplete. Although it is true that Organic Law 3/2007 for Effective Equality between Men and Women covers gender harassment and sexual harassment, it does not, however, cover other behaviours associated with stalking, as is the case in other countries (e.g. Italy).

It has been recently added the article 183bis in the Spanish Penal Code (by Organic Law 5/2010, 5<sup>th</sup> June) that punishes the contact with minors of thirteen years old through internet, phone or new technologies with the purpose of sexual abuse or aggression.

## ***3. Summary of research and policy (if any) on gender-based sexual violence against female university students in Spain***

In Spain, we can highlight two research studies conducted in relation to the GAP project's study subject, which address sexual violence against women in the Spanish university population. These investigations are not only limited to research on sexual gender-based violence, but address gender-based violence in general, or a specific form of gender-based violence, such as sexual harassment and harassment on the grounds of sex.

### **3.1. Research from the University of the Balearic Islands**

An initial research study on sexual harassment and harassment on the grounds of sex was conducted by the University of the Balearic Islands<sup>6</sup>, and subsequently expanded and developed by the same authors, with further quantitative and qualitative research on gender-based violence in the Spanish university environment<sup>7</sup>.

In this initial research on sexual harassment and harassment on the grounds of sex (Bosch i Ferrer, 2000) the authors adopt the definition of violence against women not as a sum of different forms of violence (physical and psychological abuse, sexual violence, etc.) but that these forms of violence are manifestations in the continuum of male violence.

Within this continuum of violence against women, there is a progression from sexual devaluation to sexual assault. Sexual devaluation includes comments and

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<sup>6</sup> Bosch i Ferrer (2000).

<sup>7</sup> See Bosch, E., Ramis, C., Ferrer V., Navarro, C. (2006); Ferrer, V.A., Bosch, E., Ramos, C., Navarro, C., (2008); Ferrer, V., Bosch, E., Navarro, C. (2011).

sexist behaviour (jokes, gestures, glances) and inappropriate seductive or offensive behaviour (propositions, repeated requests to go out with the person) (Bosch i Ferrer, 2000:70).

It is estimated that only around 10% of sexual assault cases are actually reported. Some of the reasons for this low reporting rate are due to:

- The victims' fear of publicity.
- Fear of unfair or inappropriate treatment by institutions.
- Fear of the consequences for themselves or their family.
- Unawareness that what they are experiencing is a crime (or a form of gender-based violence) (Bosch i Ferrer, 2000:79).

One of the major difficulties with sexual harassment is that it has a subjective component and this makes it very difficult to establish which types of behaviour actually constitute sexual harassment and which do not (Bosch i Ferrer, 2000:89).

One of the conclusions drawn from the research conducted by the authors at the University of the Balearic Islands, is that students and teaching staff are more sensitised to the issue of sexual harassment in the academic environment; the former because they are, to a greater extent, the victims, and the latter because they are aware of the negative impact these behaviours may have on their career (Bosch i Ferrer, 2000:147).

In subsequent studies (Bosch et al., 2006), the authors analysed the beliefs and attitudes of male and female Spanish university students toward domestic violence. The results show that, in general, male students, and male and female students without specific education relating to gender issues, show a greater number of more tolerant beliefs and attitudes toward domestic violence.

In subsequent research (Ferrer et al., 2008) they looked more closely at how students of educational sciences (and similar university courses) perceive gender-based violence as a social problem, and the extent to which education professionals receive training on the subject.

Finally, the research team analysed the predictors of gender-based violence among university students (Ferrer et al., 2011). They interviewed 1,395 university students using a standard methodological tool, "Inventory of Distorted Thoughts about Women and Violence". From the study, they identified socio-demographic parameters and the educational level and sex of the people interviewed as predictor variables.

### 3.2. Research from the University of Barcelona

The University of Barcelona has carried out two studies on gender-based violence at university. One of the studies focused solely on Catalan universities (Valls, 2008a), and the other, subsequent study, on a sample of Spanish universities (Valls, 2008b).

The first study was conducted using a questionnaire created specifically for the purpose and given to 367 female university students at four Catalan universities (the University of Barcelona, University of Girona, University of Lleida, and Rovira i Virgili University).

The main findings from the study show that:

- 14 % of the students surveyed said they knew of a situation of gender-based violence that took place in the university or between people in the university environment (Valls, 2008a:11).
- 44% of the students surveyed said they had experienced, or someone they knew had experienced, at least one serious form of gender-based violence.
- 98% of the students surveyed did not know if their university had any type of service for victims of gender-based violence, although 95% believed that the university should provide this type of specific service (Valls, 2008a:13-14).

In the subsequent study, covering the entire Spanish territory (Valls, 2008b), a questionnaire containing 95 questions was distributed to students gathered together in halls for the purpose (the sample consisted of 1,083 students; 67% women and 33% men). In addition, in-depth interviews were carried out with teaching and non-academic university staff (29 people in total, 17 women and 12 men). Six universities took part in the study: the University of Barcelona, Seville, the Basque Country, Valladolid, Jaume I de Castellón, and Murcia.

Among the main findings of this study is the low recognition of gender-based violence, especially of those situations which do not involve physical violence (Valls, 2008b: 24).

Similarly, 92% of those surveyed did not know if their university had any type of service for victims of gender-based violence. Even so, most students thought that a special service should be provided (85%) and that it should involve the entire university community, including students, teachers, non-academic staff, etc.

Another important finding to emerge from the study is that 86% of the students thought the issue of gender-based violence should be addressed in more subjects, debates, seminars, and other university spaces (Valls, 2008b:25).

#### ***4. Description of how the research was conducted in Spain***

The research work of the GAP project included two methodological dimensions: qualitative fieldwork and online surveys.

The qualitative fieldwork took place during the first term of 2010 and involved 32 university students participating in 4 focus group discussions and 4 in-depth interviews. In the project, it was agreed that, as a way of contacting these students, the anonymous online questionnaire would include an invitation to students to volunteer to be interviewed, or to participate in the focus group discussions. The response using this resource was poor, so graduate, master, and doctorate students based where the UAB's research team work as professors were invited directly.

The qualitative fieldwork was supplemented with in-depth interviews with agents from inside and outside the university, with authority, responsibilities, or direct involvement in issues regarding sexual violence in universities. We interviewed 10 agents belonging to the university structures, the police, and government bodies outside the university.

The online questionnaire was distributed in the UAB on a single occasion, in Wave A, at the end of 2009 and the beginning of 2010. Permission was requested from the university authorities to send an e-mail to all UAB university students, inviting them to participate in the online questionnaire. We were given approval to send the mass mailing to all students in the faculties of Law, Medicine, Veterinary Science, Arts, Translation and Interpretation, and Science (the number of students from all these faculties amounted to 7,840, representing 64.06 % of the total number of students at these universities). It was not possible to target female students only, as the UAB's database of e-mail addresses is not disaggregated by sex.

The online questionnaire was distributed in a second phase (Wave B) in four Spanish universities, excluding the UAB: the University of Girona, Lleida, Zaragoza, and Huelva. The UAB did not agree to repeat the questionnaire, firstly because it had already been completed on one occasion, and secondly, because they had already agreed to participate in a similar project on gender-based violence at State level, so both studies would overlap. It was extremely difficult to secure the participation of other Spanish universities and, out of the approximately 24 universities contacted, finally only four agreed to take part. Some of them explicitly explained the difficulties, or refusal to participate, for economic or strategic reasons, or because the subject of the study could have negative consequences in terms of the universities' publicity or image.

In addition to there being only four universities in the study, student participation in this Wave B was very low. The contact persons at the universities sent the mass invitation via the student databases, and publicised the study on their

websites, etc. However, the lack of additional financial resources and the difficult economic situation currently experienced by Spanish universities, made it virtually impossible to achieve greater involvement.

## **5. Key data findings from this project regarding gender-based sexual violence in Spanish universities (from Wave A and Wave B):**

In the first phase (Wave A) the online questionnaire was distributed in the Autonomous University of Barcelona (UAB), and in the second phase (Wave B) in 4 other Spanish universities, excluding the UAB: the University of Girona, the University of Lleida, the University of Zaragoza, and the University of Huelva. In the second phase (Wave B) we tried again to persuade the UAB to participate, but the university authorities refused as previously explained. Given that the methodological tool used in the online questionnaire had been changed, it was impossible to add the data obtained in the first phase (Wave A).

### **5.1. Key data findings from Wave A**

The first phase of the online questionnaire was distributed in the UAB and 789 students successfully completed the questionnaire. The key findings are as follows.

#### **5.1.1. Prevalence and nature**

i) Sexual harassment

	Total	%
<i>Base:</i>	<b>789</b>	100%
0	<b>18</b>	3.6%
Often	<b>15</b>	<b>3%</b>
Occasionally	<b>90</b>	<b>18%</b>
Rarely	<b>218</b>	43.7%
Never	<b>158</b>	<b>31.7%</b>
Don't want to answer	<b>499</b>	-

When we asked participants in the study at the UAB how often they had experienced sexual harassment, we found that only 31.7% claimed never to have experienced such a situation. Less than half the student sample, 43.7%, responded that they had 'rarely' experienced this kind of situation, although choosing the 'rarely' response option implies the possibility of having experienced a situation on some occasion.

If we look at the students who claim to have experienced this type of harassment 'often' (3% of cases) or 'occasionally' (18% of cases), we find that **21% of the**

**students surveyed at the UAB frequently experienced sexual harassment situations.**

It is notable that 8% of these situations occurred while the students were at university, and 38.5% before starting university.

When students were asked about the most serious incident they had experienced while at university, **31.7% of the students said they had been subjected to dirty comments and/or wolf whistles.** We found that 12.6% of the students had received unwanted advances and 12.2% said they had been followed, pressured, and frightened.

When we asked where the most serious incidents of sexual harassment occurred, 33.9% of students said they occurred in the street, and 10.7% in outdoor spaces on campus. 8.9% of students were victims of sexual harassment on public transport (bus, train, taxi) and 8% in a club, bar, or café.

30.8% of respondents said they had felt threatened: 7.2% 'very threatened' and 23.6% 'quite threatened' (while 66.6% stated they did not feel this sense of threat: 23.6% 'not really threatened' and 21.5% 'not at all threatened. It is remarkable that, although the students considered episodes of sexual harassment to be serious incidents at the time of answering the questionnaire, more than half of them had not felt threatened.

ii) Harassment on the grounds of sex

Over 80% of the students in the study had 'never' (34.5% of cases) or 'rarely' (47.8%) felt pressured, persecuted, or frightened. However, in **14% of cases, students 'often' or 'occasionally' felt pressured, harassed, or frightened.** We should add that the response option 'rarely' implies the possibility of having being harassed on the grounds of sex on some occasion.

7.6% were victims of stalking while at university, and 24.8% before starting university.

15.8% of the students stated that they had received unwanted telephone calls, letters, e-mails, text messages or other messages. It should be pointed out that harassment on the grounds of sex, experienced by 23.7% of the students, occurred through more impersonal media such as the telephone or the Internet.

We found that **17.1% of students experienced gender harassment in the street,** and 7.9% in outdoor spaces on campus. 10.5% of the students said the incident occurred in their own flat/house.

42.1% of respondents said they had felt threatened: 10.8% 'very threatened' and 31.3% 'quite threatened' (while 53% said they did not feel this level of threat, with

36.1% who didn't feel 'that threatened', and 16.9% who didn't feel 'threatened at all'. As in the case of sexual harassment, it is remarkable that, although the students considered these situations to be serious incidents of gender harassment at the time of answering the questionnaire, more than half of them had not felt threatened.

iii) Sexual violence

Here we will differentiate between two forms of sexual violence: the first is non-consensual sexual acts which do not involve the use of violence or coercion, and which therefore, from a legal standpoint, would be treated as sexual abuse; and the second is forced sexual acts, where the offender has used physical force or threats to force the victim to engage in sexual acts, in which case would be considered sexual assault.

How often have you experienced **non-consensual sexual acts** in which you have been forced to participate, or you have done so under psychological or moral pressure?

	Total	%
<i>Base:</i>	<b>789</b>	100%
0	<b>16</b>	4.5%
Often	<b>3</b>	0.8%
Occasionally	<b>16</b>	4.5%
Rarely	<b>65</b>	<b>18.1%</b>
Never	<b>259</b>	<b>72.1%</b>
Don't want to answer	<b>359</b>	-%

**Only 5.3% of the students questioned said they had experienced non-consensual sexual acts 'occasionally' (4.5%) or 'often' (0.8%).** 72.1% of the students said they had 'never' experienced this situation, and 18.1% said they had experienced it 'rarely'.

However, this 'rarely' response is somewhat ambiguous, since many of the students who responded 'rarely' when asked about the list

of possible incidents, said that they had experienced non-consensual sexual acts.

## Frequency of forced sexual acts

Below we focus on forced sexual acts, where students have participated against their will due to the use of physical force or threats.

	Total	%
Base:	<b>789</b>	100%
0	<b>18</b>	5.0%
Often	<b>6</b>	1.7%
Occasionally	<b>6</b>	1.7%
Rarely	<b>41</b>	11.5%
Never	<b>286</b>	<b>80.1%</b>
Don't want to answer	<b>357</b>	-%

The survey data shows that 80.1% of the students claim 'never' to have been subjected to forced sexual acts. 11.5% said they had 'rarely' experienced this situation.

Note that **33.3% of the students experienced sexual violence in their own flat/house, and 20% in the flat/house of another person.**

We found that **13.3% of the students experienced sexual violence in the street, 13.3% in a club, bar, or café,** and 6.7% in outdoor spaces on campus.

56.3% of the students stated they felt 'very threatened' (18.8%) or 'quite threatened' (37.5%).

Only 1.7 % of the students experienced some form of sexual violence while at university, whereas 4% experienced it before starting university.

### 5.1.2. Perpetrators

#### i) Sexual harassment

96.1% of the most serious incidents of sexual harassment were perpetrated by males.

**In 67.7% of cases analysed in the study, the person responsible for the incident was not known to the student.** Where the victim knew the perpetrator, in 44.6% of cases it was someone in the university environment. It is notable that in 38% of cases the perpetrator was a classmate of the student.

#### ii) Harassment on the grounds of sex

In 95% of the incidents of gender harassment, the perpetrators were male.

**In 72.5% of the cases analysed in the study, the person responsible for the incident was known to the student.** Where the victim knew the perpetrator, in 17.2% of cases it was someone in the university environment. It is notable that **43.1% of cases the perpetrator was an ex-partner of the student.**



iii) Sexual violence

In **73.3% of the cases** analysed in the study, **the person responsible for the incident was known to the student**. Where the victim knew the offender, in 18.2% of cases it was someone in the university environment. It is notable that **in the majority of cases the perpetrator was the partner (27.3% of cases) or ex-partner (27.3% of cases) of the student**.

### 5.1.3 Disclosure

i) Sexual harassment

After the incident, **most of the students (60.5%) told someone what had happened**. 98.5% of these students told a family member or a close friend.

Disclosure person(s)	Percentage
One of my family or close friends	98.5%
Some person or authority at university	0.8%
Doctor	0.8%
Therapist	0.8%
Advisory Service	0
Pastor/Priest	0
Police	1.5%
Lawyer/Solicitor	0
Telephone Helpline	0
IT staff	0
Self-Help Group	0
Internet Forum	0.8%

The study reveals a **lack of confidence in university staff**, as only one student contacted a member of the teaching staff to discuss the incident.

50% of the students who did not tell anyone what had happened, did not do so because they considered it a one-off incident. 7.1% of the students blamed themselves for misjudging the situation.

Reasons for non-disclosure	Percentage
It didn't seem so bad at the time; it didn't seem necessary to tell anyone	2.5%
I didn't know who I should talk to about it	6%
I was in a state of shock and couldn't do anything	3.6%
I blamed myself for having misjudged the situation and having contributed to it happening	7.1%
I just wanted to be left alone and to forget that anything had happened	7.1%
I felt ashamed and couldn't find the words to describe what had happened	6%
It was too intimate a subject; I felt it was something I should keep to myself	4.8%
It was a one-off incident that was over and done with as far as I was concerned	50%
I didn't think anyone or anything could help me	2.4%
I was scared that the person would take revenge or would harm me in some way	0
I was scared of facing unpleasant questions	4.8%
I didn't want to put my relationship with the person at risk	3.6%
Other reasons	27.4%
Don't know	10.7%
Don't want to answer	4.8%

ii) Harassment on the grounds of sex

After the incident, most of the students, **60.5% told someone what had happened to them.** 95.7% of these students told a family member or a close friend. None of the students told anyone on the teaching staff. As with the sexual harassment cases, this reveals a lack of confidence in the academic staff.

35.7% of the students who did not tell anyone what had happened, decided not to do so because they considered it a one-off incident. It is notable that 21.4% of the students did not tell anyone about the incident because they wanted to forget about it.

Reasons for non-disclosure	Percentage
It didn't seem so bad at the time; it didn't seem necessary to tell anyone	3.6%
I didn't know who I should talk to about it	17.9%
I was in a state of shock and couldn't do anything	7.1%
I blamed myself for having misjudged the situation and having contributed to it happening	17.9%
I just wanted to be left alone and to forget that anything had happened	21.4%
I felt ashamed and couldn't find the words to describe what had happened	10.7%
It was too intimate a subject; I felt it was something I should keep to myself	10.7%
It was a one-off incident that was over and done with as far as I was concerned	35.7%
I didn't think anyone or anything could help me	7.1%
I was scared that the person would take revenge or would harm me in some way	7.1%
I was scared of facing unpleasant questions	7.1%
I didn't want to put my relationship with the person at risk	7.1%
Other reasons	17.9%
Don't know	14.3%
Don't want to answer	0

The lack of evidence (25%) and fear that the police would not believe them (17.9%) are some of the reasons why 42.9% of the students did not tell the police what had happened. Another 21.4% did not know why they didn't report it, and 35.7% stated other reasons for not doing so.

iii) Violence

Unlike the disclosure of incidents involving sexual harassment and gender harassment, in the case of sexual violence, only **46.7% of the students told someone what had happened to them.**

All of these students told a family member or a close friend. None of them told anyone on the academic staff.

We should point out that 35.3% of the students who did not tell anyone what had happened, did not do so because they thought the incident wasn't that serious at the time and did not think it necessary to tell anyone.

Reasons for non-disclosure	Percentage
It didn't seem so bad at the time; it didn't seem necessary to tell anyone	85.7%
I didn't know who I should talk to about it	0
I was in a state of shock and couldn't do anything	14.3%
I blamed myself for having misjudged the situation and having contributed to it happening	14.3%
I just wanted to be left alone and to forget that anything had happened	0
I felt ashamed and couldn't find the words to describe what had happened	4.3%
It was too intimate a subject; I felt it was something I should keep to myself	14.3%
It was a one-off incident that was over and done with as far as I was concerned	42.9%
I didn't think anyone or anything could help me	14.3%
I was scared that the person would take revenge or would harm me in some way	0
I was scared of facing unpleasant questions	14.3%
I didn't want to put my relationship with the person at risk	0
Other reasons	28.6%
Don't know	0
Don't want to answer	0

#### 5.1.4. Effect on victims

##### i) Sexual harassment

Of the list of possible effects that may result from the incidents described, we found that **avoidance of certain places and situations (31.5%) was one of the most common effects among participants in the study.**

Some of the **emotional disturbances** suffered by students who were victims of sexual harassment include: feelings of sadness and disappointment (28.6%), increased fearfulness (23.6%), feelings of sadness and depression (20.2%) low self-esteem and humiliation (15.3%), and feelings of guilt and shame (11.8%).

33% of the students said they were more aware of discrimination against women.

##### ii) Harassment on the grounds of sex

Of the list of possible effects that may result from the incidents described, **we found emotional disturbances to be the most common effects** among participants in the study. They specifically experienced feelings of sadness and depression (38%), avoidance of certain places and situations (35.2%), difficulties with relationships and trusting people (25.4%), increased fearfulness in general (25.4%), feelings of guilt and shame (18.3%), sadness and disappointment (21.1%), low self-esteem and humiliation (18.3%), and could not stop thinking about the incident (21.1%).

##### iii) Violence

Of the list of possible effects that may result from the incidents described, **we found emotional disturbances to be the most common effects** among participants in the study. Specifically, low self-esteem and humiliation (42.9%), feelings of sadness and depression (35.7%), difficulties with relationships and trusting people (35.7%), could not stop thinking about the incident (35.7%), avoidance of certain places and situations (28.6%), feelings of sadness and disappointment (28.6%), and increased fearfulness in general (21.4%),

28.6% of the students said they were more aware of discrimination against women.

#### 5.1.5. Fear / feeling of safety

In the university, **17.5 % of the students felt safe**, compared with 5% who did not feel safe at all.

**On public transport, 24% felt very safe** and 50.7% felt relatively safe, compared to 2.4% who did not feel safe.

**22.6% felt safe in the car park.**

Then we have the university dormitories, where only 47.3% felt very safe.

The majority of students reported feeling very safe in the lecture halls and seminar rooms (88.2%), and also in the libraries (84.9%). 79.1% felt very safe in the cafeteria and dining hall, 67.9% in the toilets, and 68.1% in the corridors and lifts.

59.2% felt very safe in sports facilities and/or changing rooms.

### **5.1.5. Perceptions of adequacy of services for victims**

With regard to services that are currently available at the Autonomous University of Barcelona to address these incidents, **over half of the students did not know about the equal opportunities service (73.7%), self-help groups or centres (56.4%), or other advisory services (57.9%).**

**Around 60% of the girls knew about, but had not used, certain services** such as the student committee/department (56.4%), the women's help centre (72.2%), and church ministers (59.1%).

When we asked the students what they would like to see in a service offering assistance, 82.4% stated the need to be heard and taken seriously, and 78.2% said the provision of free advice would be desirable.

Other desirable aspects include receiving advice without being pressured to go to the police (60.9%), being able to get an appointment quickly (68.8%), and being advice without the need for so much red tape (69.1%).

Services required from those in authority	Percentage
To be taken seriously	82.4%
To be treated with compassion.	12.1%
To be advised by a woman	30.9%
To be advised by a man	2.1%
To be advised without a third party being present	46.8%
To be advised in the company of someone I am close to	10.6%
To be advised anonymously	49.7%
To get an appointment straight away	68.8%
To be advised for free	78.2%
To be advised without a lot of bureaucracy	69.1%
To be advised and not be pressured	60.9%
To be able to contact someone 24 hours a day	58.2%
To be referred to other services if I request so	50.6%
To have a particular person allocated to me	38.8%
To be advised by telephone/email	44.4%
To have an interpreter	8.5%
Other requirements	1.2%

### 5.1.6. Conclusions

- The most common form of gender sexual violence experienced by students at the UAB was sexual harassment (21%), followed by stalking (14%), and lastly, sexual violence (5.3% sexual abuse and 3.4% sexual assault). A large percentage of the three situations took place before the student started university.
- With respect to sexual harassment, the perpetrator is usually someone unknown to the victim (67.7%), unlike the other forms of gender sexual violence analysed, such as stalking, where, in 72.5% of cases, the perpetrator was someone known to the victim (43.1% their partner or ex-partner), or, with regard to sexual violence, where the perpetrator was known to the victim in 73.3% of cases.
- Over half of the students told their family or friends about incidents of sexual harassment and stalking, but only 46.7% told their family or friends about episodes of sexual violence. There is a very low level of confidence in other resources, i.e. university authorities.

- The most common and most important reason in all three forms of sexual violence to explain why students did not tell anybody is because they considered it a one-off incident.
- Emotional disturbances were the most common effects in all three forms of sexual violence, with the exception of sexual harassment, where victims also stated the avoidance of places or situations in their everyday life.
- Students felt least safe in the university facilities in general, on public transport, and in car parks, whereas they generally felt very safe in the lecture halls, library, cafeteria, and corridors of the university.
- Most of the students were unaware of the existence of the few specific resources available in the university to deal with cases of gender-based violence. Other similar resources such as students' committees or women's help centres were known to more than half of the students who participated in the questionnaire, but even so, they would not go to them for help in the case of sexual violence.

## 5.2. Key data findings from Wave B

A total of 323 students from the four aforementioned universities successfully completed the online questionnaire. The sample, therefore, is small, since the response rate was very low in the universities that participated.

### 5.2.1. Prevalence and nature

#### i) Sexual harassment

When analysing how often the participants in this study had experienced sexual harassment situations, we see that only 27.2% claim to have 'never' experienced such situations. Less than half of the student sample (43%) said that they had 'rarely' experienced this kind of situation, although the response option 'rarely' implies a possibility, however remote it may be. Furthermore, if we look at the students who claim to have experienced this type of harassment 'often' (5.3% of cases), or 'occasionally' (19.5% of cases), we find that **24.8% of respondents frequently experienced sexual harassment.**

If we look at the list of possible situations which the students in the study could have experienced at some time, we see that **only 13.6% have 'never' experienced any form of sexual harassment.**



Analysing the situations that the other students say they have experienced, we find that 47.9% have experienced sexual harassment at some point, either verbally or in written form (based on the situations on the list, i.e. whistles, comments, insinuations, pressure, etc.). With regard to harassment situations involving physical contact, 22% of respondents claim to have been fondled, cornered, and pressured, etc. against their will. Lastly, we see that 11.5% of the study sample had experienced exhibitionist-type situations.

When we analyse the most serious incidents experienced by students in the study, again we see that **in the majority of cases (69.2%), verbal coercion was the most common form of sexual harassment involved.**

With respect to where the incidents occurred, while 76.8% of the sexual harassment situations did not take place at crowded events, it is shown that 19.6% of incidents did occur at this kind of party.

When asked about where the most serious incidents of sexual harassment occurred, **21.3% of the students responded that it was in public places such as the street, parks, car parks, etc.**, and 13.9% said it was in outdoor spaces on campus. It should be pointed out that the sexual harassment experienced by 16.7% of the students was via more impersonal types of media such as the telephone or the Internet.

ii) Harassment on the grounds of sex

Over 80% of the students participating in the study had 'never' (37.8% of cases) or 'not really' (42.9%) felt pressured, persecuted or frightened. However, in **15% of cases, students said they 'often' or 'occasionally' felt pressured, persecuted, or frightened.**

When questioned about the possible situations that cause some form of pressure, persecution or fear among students, only 41.2% said they had never experienced such an incident. This implies that 58.8% of the sample had at some point experienced threats, continuous harassment, or frightening situations.

The most common situation among participants in the study, accounting for 27.9% of cases, was harassment of the students themselves, or people close to them, by spying on her through third parties, or sending unwanted gifts, telephone calls, emails, letters, text messages, etc., over a long period of time. The second most common incident among 14.7% of the students involved danger to the physical integrity of those affected, with aggressive behaviour towards the victims or their family, breaking or destroying things of sentimental value to the victim, intimidation, and/or unlawful entry into their home, etc. And, lastly, 12.8% of cases involved threats to the students themselves or to people close to them.

iii) Sexual violence

To address the issue of sexual violence, we started by asking all the students who had responded to the questionnaire up to this point, how often they had experienced non-consensual sexual acts in which they had been forced to participate under psychological or moral pressure. **Only 7.1% said they had 'occasionally' (6.1%) or 'often' (1.1%) experienced non-consensual sexual acts.** 70.4% of students said they had 'never' experienced this kind of situation, and 16.1% claimed to have 'rarely' experienced it.

However, this last response option, 'rarely', is somewhat ambiguous, as evidenced in the following question, since many of the students who answered 'rarely', later referred to the incident in the following list of situations.

When we asked the students who had experienced sexual violence if this situation occurred for the first time since they started university, 55.9% said they did not experience any of these situations while at university, i.e. **it is likely that the forced sexual acts listed in the previous question occurred when they were minors.** 14.7% of the students were forced to engage in fondling, touching, and similar acts after starting university. When asked to explain which of these forced sexual acts experienced since they started university was the most serious, 33.3% of respondents stated that it was being forced to have sexual relations with the use of the penis of other objects to penetrate their body against their will, while 25% of the students stated that it was being forced to engage in fondling, touching, and similar acts. However, we must stress that we are dealing with a total of 12 cases, which means we have to treat these figures with some caution in order to extract results.

In 90% of cases, the incident did not occur at a party or crowded event. On the contrary, **in over 70% of cases the students explained that the places where they experienced the most serious incidents were in more intimate spaces,** such as inside or in front of their own flat/house (30%), in the flat/house of another person (30%), or within the students' residence.

## 5.2.2. Perpetrators

### i) Sexual harassment

	Total	%
<i>Base:</i>	<b>113</b>	100%
0	<b>2</b>	1.8%
Classmate	<b>26</b>	<b>23.0%</b>
Academic staff	<b>7</b>	6.2%
Non-academic staff at the university	<b>9</b>	8.0%
Someone outside the university	<b>69</b>	61.1%

Although most of the students experienced these incidents with people outside the university, in **23% of cases they occurred with a classmate.**

Moreover, despite being a residual percentage, neither can we ignore the fact that 14.2% of the students identified the perpetrators of the sexual harassment incidents as belonging to the academic staff (6.2%) or non-academic staff of the university (8%).

Although 60.3% of students had experienced these situations with people unknown to them, it is remarkable that 13.2% of students claim to have experienced them with people known to them; 10.3% with their ex-partner and 5.9% with members of a group of friends.

When asked if the perpetrator was someone they were dating, a large majority of students responded with 'no', despite the fact that 9% of respondents claimed that, in the cases where sexual harassment occurred while at university, it was perpetrated by their partner at the time of the incident. However, it was often not perceived as an act of sexual harassment if it had been perpetrated by a partner.

### ii) Harassment on the grounds of sex

When identifying the persons with whom they experienced the most serious incidents while at university, **75.5% of the students said that it was someone outside the university, while in 16.3% of cases it was a classmate at the university.** Continuing the comparison begun in the previous chapter, we observe an equivalent figure for academic staff that were responsible for these incidents of persecution (6.1% of cases) and academic staff responsible for harassment incidents (6.2%). We should also note that 8% of sexual harassment incidents perpetrated by non-academic staff had disappeared completely in terms of incidents of persecution.

If we analyse the cases of persecution where the perpetrator of the incident is from outside the university, we find that this data is quite different to the data regarding sexual harassment. In the previous chapter, while **60.3% of the students identified the perpetrator of the harassment situations as a stranger,**

**80.3% of the cases of persecution were perpetrated by persons known to the victim.**

40.5% of the students stated that the perpetrator of the most serious incidents of persecution experienced by them at university was an ex-partner, and in another 27% of cases it was someone known to them in the university's residences, or some other acquaintance.

31.3% of the students said they had an emotional relationship with the person responsible for the persecution.

iii) Sexual violence

When identifying whether these perpetrators belonged to the same university as the students, we find that in **80% of cases the person with whom they had the incident was from outside the university**. In only 10% of cases did it involve a classmate, and in 10% of cases it was someone from the university's academic staff.

Where the person with whom they had the incident was mainly from outside the university, we found that in **50% of cases the perpetrator was the student's ex-partner**. When asked if she was dating this person, 40% of the students said 'yes'. As regards the other students in the study who experienced this situation with someone from outside the university, in 25% of the cases it involved a stranger, and in the other 25% of the cases it involved either a relative (12.5%) or a partner (12.5%).

**When asked if there was any reason to believe that the person with whom they had the incident was under the influence of alcohol or drugs, or whether, at the time of the incident they themselves were under the influence of alcohol or drugs, 70% of the students responded with 'no'**. In 20% of the cases both the perpetrator and the victim were under the influence of alcohol or drugs. Furthermore, there was general agreement in 90% of the cases, that they do not believe that anyone spiked their drinks.

### 5.2.3. Disclosure

i) Sexual harassment

After the incident, the vast majority of the students (**73.1%**) **told someone what had happened**.

The reasons why 26.9% of the students did not tell anybody about the incident:

For half of these students, it was because the incident had not seemed that serious at the time.

Of the other half of the students who did not tell anybody, it was because:

They didn't know who to tell (14% of cases)

Because they blamed themselves for misjudging the situation (10%)

Because they wanted to forget about what had happened (10%).

As was usual among the students surveyed, the majority who told someone about the harassment they had experienced did so to a university classmate or to someone from outside the university. This question highlights a **lack of confidence in the university staff**, as only one student approached a professor to discuss the incident.

Of the students who told someone outside the university, half confided in a friend (48.8% of cases), while others chose to tell their family (33.8% of cases). We should stress the little use students made of the services available to them in these situations, including the police (6.3%), legal advice, etc.

ii) Harassment on the grounds of sex

Regarding the disclosure of the situations of persecution experienced by the students, we found that **a large majority of respondents (85.4%) told someone about the incidents**. 37.3% of the students told a classmate, while 58.8% told someone from outside the university. We again see a phenomenon similar to the sexual harassment situations, because only 4% chose to confide in a member of the academic staff (2%), i.e. a professor, or non-academic staff (2%).

iii) Sexual violence

**More than half of the students (60%) who had experienced forced sexual acts did not tell anyone about it afterwards**, while 40% did tell someone. For 80% of those who told someone, it was to someone outside the university environment.

A lack of evidence and lack of confidence in the police are some of the reasons why 33.3% of the students did not report what had happened to the police. Another 33.3% did not know why they had not reported it, or stated other reasons for not doing so.

The reasons why 60% of the girls who had experienced these incidents and who had not told anyone, was because of a feeling of guilt and the difficulty of explaining what had happened (14.7%), not knowing who to tell (11.8%), and wanting to forget about what had happened (11.8%), among others.

#### 5.2.4. Effect on victims

##### i) Sexual harassment

As we have seen in previous questions, there is a sense of concealment of the sexual harassment, as it is not experienced or considered as such by the students themselves. Notwithstanding this, when we analyse the question of the physical or psychological effects the students experienced after the most serious occurrence of sexual harassment, we found some inconsistency in the attempt to normalise the incident: **only 5.2% of students said that they experienced no negative effects as a result of the harassment.**

If we look at the list of effects, more than half of the cases, namely **53.6% of students, claim to have suffered one or several types of emotional disturbance**: feelings of sadness and depression, humiliation and low self-esteem, disappointment, guilt, and lack of trust. We should also note that 13.1% of the students said that they had become more aware of discrimination against women.

##### ii) Harassment on the grounds of sex

The most obvious consequences suffered by over half of the students who had experienced the previously-mentioned situations **are anxiety disorder** or a strong and long-lasting fear (20.4%), a **change of lifestyle** (19.4% of cases), or **fear for their physical integrity** (15.5%).

Fortunately, 43.7% of the students said that they had not suffered any of these effects.

##### iii) Sexual violence

In the list of possible effects that may occur as a result of the incidents described, we again find that emotional disturbance is the most common among the participants in this study. They specifically experienced feelings of guilt and shame (14.8%), were unable to stop thinking about the incident (13.1%), felt sadness and depression (11.5%) and low self-esteem and humiliation (8.2%).

**50% of the students involved in these situations saw a negative impact on their academic performance as a result**, and 20% of cases fell behind in their studies. Only 20% of students did not experience any impact on their studies.

Over 80% of the students experienced such incidents in their first years at university; 60% in the first year, and 20% in the second year.

### 5.2.5. Fear / feeling of safety

The students' feeling of safety varied significantly in terms of the spaces we looked at; **over half of respondents said they felt 'very safe' in the lecture halls and seminar rooms (68.7%), in the library (65.6%), and in the canteen/cafeteria (61.9%)**. However, the number of students who showed this high feeling of safety dropped by almost 15 percentage points when asked about the offices (53.3%), the lifts/stairs/corridors (49.5%), the toilets (47.7%), and the outdoor spaces on campus (42.4%).

Although 4 out of 10 respondents said they felt 'very safe' in outdoor spaces on campus, there was a similar percentage for the next response option ('more or less safe'), where 4 out of 10 students were doubtful about this safety. **40.2% of respondents said they felt 'more or less safe' in the outdoor spaces**. This feeling of doubt about safety was also experienced by 34% of the students with respect to the toilets and the lifts/stairs/corridors (34.7% and 34.1% respectively), and between 20% to 30% of the students with respect to the other spaces mentioned.

It is important to stress that the most isolated areas of the university, where there is not a continuous presence of people or a low likelihood of people passing by, we find that around **10% of the students did not feel very safe in the toilets, outdoor spaces, or in the lifts/corridors/ stairs**. If we add to the number of students who did not feel safe, those who expressed a feeling of doubtful safety as discussed above, and those who do not feel safe at all, (residual percentages that we have not stated) we find that almost half of the students who participated in the study show a non-negligible fear of crime in open spaces (52.6%), toilets (46.4%) and lifts/ stairs/corridors (45.8%).

As we showed earlier, many of the students claim to feel varying degrees of insecurity in the more isolated parts of the university. This data was even more alarming when we asked the students about whether they felt safe walking alone around the university in the dark; the lowest percentage of all the response options was 9.3% of students stating that they felt 'very safe' in this situation, while 17.6% said that they did not walk alone in the dark on campus. If we add the students who felt 'more or less safe' (34.4%) to those who did 'not feel very safe' (26.0%) or did 'not feel safe at all' (9.6%), we find that **70% of the students surveyed were afraid of being a victim of crime if they walked around the campus in the dark**.

### 5.2.6. Perceptions of adequacy of services for victims

With regard to services currently available in the universities to address these incidents, **more than half of the students did not know about: the equal opportunities service (65%), the advisory centres (68.9%), the self-help groups or centres (63.4%), and other advisory services (52.1%).**

**There are some services that around 50% of the girls knew about but did not use,** such as the student committee/department (52.9%), the women's help centre (48.2%), and church ministers (54.9%).

In terms of positive data, we should point out that 10.9% of students knew about and availed of the student committee/department, 13.6% knew about and availed of the women's help centre, and 18.3% knew about and availed of the doctors (this could be due to the fact that these professionals are obliged to maintain confidentiality).

Nevertheless, this data highlights the need to reorganise women's services in universities and to disseminate their actions.

### 5.2.7. Conclusions from Wave B

We can conclude from the data obtained for the various types of incidents, that:

- Sexual harassment is quite a socially-accepted practice, it is the most common of the three cases, it does not have much of an effect on the activities being carried out at the time of the incidents (i.e. as the research is being conducted within the university environment, the incidents do not affect studies), it may take place in public spaces and outdoors without much consequence for the perpetrator, who is generally not known to the victim.
- Harassment on the grounds of sex is less frequent but creates a feeling of threat over a long period of time, and has a greater effect on studies. It did not make the girls more aware of discrimination against women since the incidents took place in private, and because they were perpetrated by persons known to the victim (notably their ex-partner), and is identified more with emotional blackmail and sexual harassment.
- Sexual violence is carried out within the private sphere and is kept private by the person who has suffered it, since, in over half the cases analysed, the victims did not tell anyone about the incident. The feeling of threat is very high and there are also many negative consequences.



- We should stress that many of these situations were experienced before the students started university, which implies that a significant number of them were minors when the incidents occurred.
- We should also note that the three types of incidents resulted in various types of emotional disturbances in many students.
- The girls themselves were not very aware of gender inequalities, since, when they described the incidents, the majority did not consider the “sexual” connotation.
- The services currently available in universities appear to be isolated and generally unknown to those affected.

### **5.3. Comparison between Wave A and Wave B**

Although the results obtained from Wave A in the UAB and Wave B in the four Spanish universities cannot be added together because the questionnaire was improved and slightly modified after the experience of the first phase, there are still some coinciding results in both phases that allow us to draw some general conclusions:

- The most frequent form of sexual violence is sexual harassment (21 and 24.8% of the students surveyed), followed by stalking (14 and 15% of the students surveyed), and lastly by sexual violence (5.3 and 8.2%).
- In the case of sexual harassment, the perpetrator is generally someone unknown to the victim, in contrast to stalking and sexual violence, where the perpetrator is someone who belongs to the victim's circle of acquaintances, with the partner or ex-partner being responsible in many of the cases.
- The students in general felt less safe in open spaces on the university campus, followed by the car park and public transport. On the other hand, they felt safer in the university buildings, i.e. the lecture halls, libraries, or cafeterias. There are perhaps more differences between universities in terms of feeling safe in the toilets, corridors and lifts, where the architectural design of each university seems to have more of an influence.
- The percentage of cases that are eventually disclosed is quite high in the case of sexual harassment and stalking, but less than half of the incidents regarding sexual violence were disclosed. When these cases were disclosed, it was generally to a family member or a friend.

- In the two phases of the questionnaire, similar results were found regarding the lack of awareness about specific resources available at the university to deal with situations of gender-based violence, and other resources that were non-specific but which could serve as communication channels between university officials and the students. More than half of the participants knew about them but said that they would not avail of them in the case of sexual violence.

## ***6. Recommendations for improvements to prevention and response policies and practices in Spain***

Most of the recommendations and proposals derived from the research in the Spanish case were obtained from the qualitative fieldwork. Many similar proposals were made in the discussion groups and in-depth interviews with the students and interviews with the agents.

However, in the case of the students, there was a high degree of consensus that university authorities, and those outside the university, had a responsibility and obligation to implement preventive and response measures against gender-based violence in general, and sexual violence in particular.

However, in the case of those stakeholders interviewed, their ignorance of the phenomenon and its incidence and causes, means that many are not able to clearly see this responsibility, or to propose measures to prevent it or act upon it in the university.

- The first recommendation focuses on the **greater need to know the extent, prevalence, and causes of gender-based sexual violence in universities**. Although the students, but especially the stakeholders, demand more information about the phenomenon, the experience of the GAP project shows that the reluctance to conduct more research on this phenomenon is due not only to a lack of especially sensitive, but that no university wants to make it too visible.

Although the percentage of cases of gender-based sexual violence that were eventually brought to the attention of the university authorities is very low (and the percentage of students filing a legal complaint even lower), the fact that university authorities insist on minimising the phenomenon and limiting their responsibility given the low level of cases reported, makes it very difficult to put this recommendation into practice.

This recommendation was also included in previous research studies in Spain, i.e. Valls, 2008b, which also specified the need to include measures

to help identify the different forms of gender-based violence on campus, and to implement measures to increase the number of cases reported.

- It is also noteworthy that the university students in particular have some misgivings as to what the university authorities can do, and in any case, advocate **preventive measures above response measures or penalties**. The students want a life that is free from violence, and think that the university should focus on training and creating awareness, and include gender education as a core element of university education.
- The students also proposed that **courses on gender relations and gender-based violence be included as a mandatory part of all formal studies** and informal activities at the university.

However, not the same degree of consensus was reached with regard to preventive measures aimed at university staff. Some of the stakeholders interviewed thought it would not be useful or realistic to offer training or awareness-raising measures for professors in general, as the majority of them belong to a generation where sexual violence in the university is not a priority or a burning issue in their training preferences, and they also considered these to be isolated cases. They admitted that training courses on gender-based violence could be offered as an additional option to the permanent courses provided by the university to all professors in each academic year. However, since enrolment would be voluntary, only professors who are already aware of the problem and familiar with gender issues would participate in these courses.

Despite this opinion, other stakeholders emphasised the role of professors as socialising agents for the students, and their potential to change the values and beliefs of students.

- **The creation of specific services within the university to respond to cases of gender-based violence** is a proposal that some agree with but others disagree with certain elements of it. Although the majority of participants in the fieldwork agreed on the need for these specific services, some students are wary of the often paternalistic attitude of the authorities in these matters, forgetting that whom they should really be acting against are the perpetrators, and not the victims. In any case, they believe that there should be mechanisms in place to guarantee confidentiality and discretion, where priority is given to psychological support for the victim.
- Also proposed was **an institutional statement of zero tolerance for violence against women in general and sexual violence in particular**. This would facilitate accountability on the part of university authorities with regard to episodes of gender-based violence occurring on the university campus or between persons within the university environment. It

would also give students more confidence in reporting incidents of gender-based violence to the authorities, and would raise general awareness within the entire university community.

This was also one of the recommendations put forward in other similar research conducted in Spain, i.e. Valls, 2008c.

- Most of the stakeholders interviewed recommended **the establishment of a university protocol on what to do, where to go, and what resources exist within and outside the university to address gender-based violence**. This protocol will serve two purposes: one will be immediate and will serve as a tool for all students and staff working on campus, so that they know what to do in the case of gender-based violence; and the second purpose, equally important, is to raise awareness about these issues among university students and staff. If there is a protocol on this subject, it means that the university recognises that gender-based violence exists on campus as well as in other places in society. It could serve as an educational tool to create awareness of the problem.

Moreover, this internal protocol should be compared with existing protocols on gender-based violence in the territory. In Spain, and especially following the introduction of Organic Law 1/2004 of 28 December on Comprehensive Protection Measures against Gender-Based Violence, there are protocols for action in cases of gender-based violence, in order to ensure a coordinated response by the police, health services, social services, women's shelters, and counselling services.

This protocol should be widely disseminated throughout the university community, which was also recommended in similar research studies conducted in Spain (Valls, 2008c).

In addition, the protocol should have a dedicated student advice and complaints office, which can meet the demands of the university community. This recommendation too was included in other Spanish studies, to reproduce the positive experiences of several American universities (Valls, 2008c).

- We should specifically mention the **obligations under Organic Law 3/2007, of 22 March, on Effective Equality between Men and Women**. The law considers any form of gender-based violence to be a violation of the gender equality guaranteed by the Spanish Constitution and national laws. In particular, it emphasises that harassment and sexual harassment are violations of this principle of gender equality.

The law also contains obligations and recommendations for all higher

education institutions to promote education and research on gender equality and to include the subject in the curriculum.

Moreover, all public institutions (including all public universities) and private companies with over 250 employees (including private universities) are obliged to negotiate a corporate equality plan, designed to achieve equal treatment and opportunities for women and men within the company and to eliminate discrimination on the grounds of sex. The plan should address measures to prevent and respond to cases of sexual harassment and harassment on the grounds of sex. Therefore, all universities must negotiate an equality plan with the workers' legal representatives. This equality plan should include a protocol on sexual harassment and harassment on the grounds of sex.

The problem is that this protocol of prevention and action with regard to sexual harassment and harassment on the grounds of sex may be limited only to personnel who have a working relationship with the university, and students, therefore, do not have to be included.

### ***7. Recommendations for further research on this topic in Spain, including the establishment of a European scientific network.***

- It would be desirable to have more in-depth research, conducted using qualitative and quantitative methodology, on the prevalence and causes of gender-based violence, applying the same measurement parameters as in other macro surveys on gender-based violence carried out in the population (e.g. the macro survey on gender-based violence at State level, and the survey on male violence within the autonomous community of Catalonia).
- It would be advisable to conduct more in-depth research into the reasons why students do not inform university authorities of incidents of gender-based violence that occur while they are at university.
- It would also be interesting to conduct studies on those students who do actually disclose episodes of gender-based violence, especially those who go on to filing a legal complaint.
- It has been shown that there is a need in this university for greater analysis of the formal university graduate, postgraduate and doctoral training included in its programme to address issues of gender-based violence and sexual violence in particular.

- The conclusions, proposals, and recommendations that have emerged from this research are not the first to appear in Spain, and especially not for the university. As previously mentioned, universities have obligations under state and regional legislation regarding gender equality and gender-based violence. Guidelines have also been drawn up for preventing and dealing with gender-based violence in universities. However, it would be interesting to analyse how, and to what extent, Spanish universities have adhered to these obligations and/or followed the recommendations on preventing and responding to gender-based violence.

## **8. Bibliography**

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