



CRIME

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on the Prevention of Crime
and the Treatment of
Offenders**

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**Offenders and victims: accountability and fairness
in the justice process**

Intimate Homicides in Croatia, by Irma Kovco, I (Croatia)

Statements submitted by experts*

Note by the Secretariat

1. In its resolution 53/110 of 9 December 1998, the General Assembly emphasized the importance of the workshops to be held within the framework of the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, and invited Member States, non-governmental organizations and other relevant entities to support financially, organizationally and technically the preparations for the workshops, including the preparation and circulation of relevant background material.
2. In its resolution 54/125 of 17 December 1999, the General Assembly encouraged Governments to make preparations for the Tenth Congress, including by establishing national preparatory committees, with a view to contributing to a focused and productive discussion of the topics and to participating actively in the organization of and follow-up to the workshops, the submission of national position papers on different agenda items and the encouragement of contributions from the academic community and relevant scientific institutions. In the same resolution, the Assembly called upon the specialized agencies and other relevant United Nations bodies and institutes and other intergovernmental and non-governmental organizations to participate effectively in the Tenth Congress and to contribute to the formulation of regional and international measures aimed at preventing crime and ensuring justice.
3. Pursuant to rule 60 of the provisional rules of procedure for United Nations congresses on the prevention of crime and the treatment of offenders (A/CONF.187/2), written statements related to the work of the Congress submitted by the designated representatives, individual experts or observers are to be distributed by the secretariat to all delegations in the quantities and in the languages in which the statements are made available to the secretariat for distribution, provided that a statement submitted on behalf of a non-governmental organization is on a subject in which it has a special competence.

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Two research summaries are presented.

INTIMATE HOMICIDES IN CROATIA

(Kovco, I. (1996): Characteristics of intimate killings in Croatia. Croatian annual of criminal law and practise, Vol.3, No.1: 111-127.)

Methodology

Aim of this study was to establish some features of intimate homicides in Croatia with special emphasis on gender differences. The *sample* were sentenced persons for killing intimate partner (husband-wife: 84,3%, lovers: 7,8%, boyfriend-girlfriend: 7,8%) who serve their sentence in a state penitentiary in a period from 1974 to 1994 (N= 102).

Data are gathered from personal files in a prison. Chi square was applied in testing gender differences.

RESULTS

Women make 53,9% of the whole sample. This fact is interesting because women participate in overall crime with about 20%. However, this result fits in common knowledge that female homicides are focused on a family members and intimate persons while male victims are from much broader area.

Three types of homicide were included in this sample:

1. homicide ("whoever kills another person")
2. severe forms of homicide - when homicide is committed:
 - a) in a cruel and treacherous manner
 - b) in a way which endangers a life of other persons
 - c) from greed, in order to commit or to cover up another criminal offence, out of heedless vengeance or other base motives
 - d) homicide of official person in a line of duty.
3. manslaughter ("whoever kills another on the spur of the moment, after being brought without his fault into a state of strong irritation or fright by another person's attack, maltreatment or serious insult").

New legal reform (Criminal law which is effective since January, 1st 1998) brought some modifications in homicide definition.

Dominant type of homicide is "simple" homicide (81,4%). There is significant difference - women tend to commit more severe homicide (10,9% comparing with male 6,4%) and manslaughter (18,2% comparing with male 0%).

Tempore criminis majority of offenders were in the age from 41 to 50 years (28,4%), from 26 to 30 years (22,5%) and from 31 to 40 years (20,6%).

Speaking in terms of gender, there are some differences which are not significant. Dominant age groups for men are from 31 to 40 years (29,8%) and from 41 to 50 years (23,4%), and for women from 41 to 50 years (32,7%) and from 26 to 30 years (27,3%).

Dominant victims' age group are those from 51 to 60 years (35,3%) and from 41 to 50 years (23,5%). Gender distribution shows that women's victims are slightly older than men's victims.

Dominant method in this sample was use of cold weapon (mostly knife – 50%) and fire arms (22,5%). Gender differences show that males most frequent used cold weapon (44,7%) and fire arms (29,8%) while female method was cold weapon (51,5%) and tools (20%). This findings speaks about our culture in which cold weapon is still dominant, although fact of recent war (and thus increased occurrence of weapon) might change this finding in future.

Motives for this type of homicide are tight to interpersonal sphere. Dobash and Dobash (1995) and Wilson and Daly (1995) noted that intimate violence can be result of male power assurance and mechanism for women control. In this regard even threat of homicide could be efficient control mechanism.

In this sample dominant motives are marital dispute (56,9%) and jelaousy (18,6%). Dominant male motives are jelaousy (31,9%) and marital dispute (25,5%) while dominant female motive is marital dispute (83,6%).

Data about accomplices are interesting. Men commit a crime without accomplice while 15,5% women had accomplices. This can be result of different circumstances and could support thought that women insure crime accomplishment with accomplice (because they presuppose their physical inferiority).

Attitude toward committed crime was also analysed. Attitude means behavioral value from offender himself. It must be stressed taht 37,3% of offenders are not critical toward committed crime – they think that “victim got what he/she earned”. There are no gender differences in this respect.

10,8% of offenders attempted suicide after homicide. Men participated with 12,8% and women with 9,1%. This difference is not significant. Block and Christakos (1995) and Daly and Wilson (1988) offer explanation for higher male participation.

Alcohol is very often associated with violent crimes. Three variables regarding alcohol were analysed:

1. offenders' excessive drinking and alcoholism
2. offenders' intoxication tempore criminis
3. victims' intoxication tempore criminis.

Excessive drinking was present in the whole sample in 52% - men: 61,7%, women: 43,6%. This difference is not significant.

Intoxication tempore criminis (crime committed under the influence of alcohol) is very similar with previous results – 51% of the whole sample committed a homicide under the influence – men: 61,7% and women:41,8%.

Victims are found to be under the influence of alcohol in 49%. Females' victims were significantly often intoxicated (76,4%, males' 17%).

Aggressivness was analysed as a personal feature (personal file consist results of psychological tests). More then ½ offenders exhibit above average aggressivness: men: 68,1%, women: 50,9%.

17,6% of offenders had a prior convictions for violent crimes: men:31,9%, women: 5,5%.

The most frequent sentence was a prison sentence in lenght from 5 to 10 years (31,4%) then from 10 to 20 years (24,5%) till 3 years (25,5%) and at least from 3 to 5 years (36,4%). There is significant gender differnce which shows that women get a shorter sentences (the most frequent sentence for women are till 3 years: 36,4% and for men from 10 to 20 years: 38,3%).

Results of this study point at the data about aggressivness and alcoholism as issues that have to be incorporated in treatment of those offenders (special prevention measures) and preventive programs (general prevention measures).

GENDER DIFFERENCES IN HOMICIDE IN CROATIA

(Kovco, I. (1997): Gender differences in some socio-economic, phenomenologic and penal features of homicide perpetrators. Doctoral disertation. Educational - rehabilitational Faculty, University of Zagreb.)

Methodology

Sample comprises of persons who served a prison sentence for a homicide (murder, aggravated murder and manslaughter) in two state penitentiary: Lepoglava (for males) and Pozega (for females) in a period from 1980 to 1995 (N=492, M=383, F=109).

Several sets of variables were analysed:

- pasive socio-economic status (features of family in which offender was raised),
- active socio-economic status (actual features),
- crime and criminal procedure variables
- behavior in prison.

Discriminant analysis was applied in testing gender differences.

Hypothesis were these:

- H1: there are significant gender differences in pasive SES – worse features are expected for female offenders,
- H2: there are significant gender differences in active SES – worse features are expected for female offenders,
- H3: there are significant gender differences in crime and criminal procedure variables – heavier modalities of crime are expected for female offenders,
- H4: there are significant gender differences in prison behavior – better behavior is expected for female offenders.

RESULTS

H1 hypothesis is confirmed: families of female offenders have more disruptive family relationships and psychiatric illness.

H2 hypothesis is also confirmed: results show lower education for female offenders, disruptive family relationships, better material circumstance but worse living conditions.

H3 hypothesis is partially confirmed : sober women kill victim who is under the influence of alcohol, less often confesses crime, less often abuse a victim (excessive victim abuse was expected), less often commit a crime in a exceeding the limits of self-defence and more often is sentenced for one crime.

H4 hypothesis is also partially confirmed: female offenders are more often engaged in some leisure activity, more often are awarded (oral or money) have more conveniences (there are rules of convenience and rules of discipline measures in Croatian prisons).

Results of this study show that homicide offender can be seen as social excluded people. They fit into this category because of not knowing or ignoring non violent means of dealing with conflict situation. Also, homicide as a reaction to conflict speaks about one - way perception. This can be particularly applied to female offenders who use patterns they got in their own families (learned helplessness).

Females' victims are in their intimate space while males' circle is much broader. Thus preventive measures regarding female homicide is preventing family violence and providing help and support in this situation. "Shame" of family violence should be overcome. GOs and NGOs should create a network of informations, programs, services and help with a clear message that there are efficient means for non violent problem resolution.

This archiving project is a collaborative effort between United Nations Office on Drugs and Crime and American Society of Criminology, Division of International Criminology. Any comments or questions should be directed to Cindy J. Smith at CJSmithphd@comcast.net or Emil Wandzilak at emil.wandzilak@unodc.org.