

# **FACT SHEET – Sexual and Domestic Violence in France**

## **1. Definition**

Sexual violation, according to Article 222-22 of the Penal Code, constitutes sexual assault as "any sexual act committed with violence, coercion, threats, or by taking advantage of someone's vulnerability." This means that French law considers there to be no consent when the act is imposed under one of these conditions. Sexual violence therefore encompasses all sexual acts committed without the consent of the victim and constitutes a criminal offense.

Furthermore, Article 222-23 of the Penal Code defines rape as "any act of sexual penetration, of any nature whatsoever, committed on another person or on the perpetrator by violence, coercion, threat, or surprise." Rape represents the most serious form of sexual violence and is classified as a crime under French law.

Thus, according to the Penal Code, sexual violence includes rape and other sexual offenses committed without consent, all of which are punishable by law.

Source: Penal Code (articles 222-22 and 222-23)

This violence can take many forms: physical, sexual, psychological, economic, administrative, and digital. It can affect anyone, regardless of age, gender, or social background.

## **The cycle of violence**

Domestic violence is not isolated: it is often part of a repetitive cycle that traps the victim.

- Phase 1: Climate of tension

The author gradually creates an atmosphere of fear (criticism, anger, control). The victim tries to calm the situation, doubts herself, and is careful about her behavior.

- Phase 2: Explosion of violence

The perpetrator acts on their impulses: physical, sexual, or verbal violence. The victim experiences fear, shame, humiliation, and distress.

- Phase 3: Justification

The perpetrator minimizes the facts, shirks responsibility, or blames the victim. The victim may feel guilty and seek to understand or excuse the perpetrator.

- Phase 4: Honeymoon

The perpetrator apologizes, promises to change, and offers gifts. The victim regains hope and is able to forgive.

This cycle repeats and intensifies over time, leading to a loss of bearings and psychological exhaustion in the victim.

**Physical violence:** this refers to any attack on the body or physical integrity, such as blows, slaps, injuries, strangulation, or even kidnapping. It can be direct, meaning physical violence inflicted directly on the person, or indirect, such as the destruction of objects or threats against relatives or animals.

## 2. Types of sexual violence

According to Article 222-23 of the French Penal Code, rape is defined as any act of sexual penetration committed with violence, coercion, threats, or by taking advantage of someone's vulnerability. It is the most serious form of sexual violence and is classified as a crime under French law.

According to Article 222-22 of the Penal Code, sexual assault constitutes any sexual act committed under the same conditions, but without penetration. This could include, for example, unwanted touching of the victim.

Sexual harassment is defined by Article 222-33 of the Penal Code as repeatedly imposing on a person words or behavior of a sexual nature that violate their dignity or create an intimidating, hostile, or offensive environment. The law also penalizes exerting serious pressure, even if not repeated, with the aim of obtaining a sexual act.

Regarding the protection of minors, Article 227-25 of the Penal Code stipulates that any sexual offense committed by an adult against a minor under the age of fifteen constitutes a crime, even in the absence of violence, coercion, threats, or surprise. The minor's consent is therefore not recognized by law.

Finally, sexual exhibition, as defined by article 222-32 of the Penal Code, corresponds to the act of imposing the presentation of one's naked body on the sight of others in a place accessible to the public.

Consent is a central element: it must be freely given, meaning without pressure, clear and explicitly expressed, informed, therefore fully conscious, and reversible, meaning it can be withdrawn at any time. Silence, fear, alcohol, or sleep never constitute consent.

Source: Penal Code (articles 222-22, 222-23, 222-32, 222-33, 227-25)

## 3. Psychological violence

Psychological violence These behaviors are often invisible but highly destructive, consisting of repeated actions designed to destabilize the victim, such as insults, humiliation, belittling, gaslighting, emotional blackmail, and threats. They can lead to significant consequences, including anxiety, depression, loss of self-esteem, sleep disturbances, and difficulties with concentration and decision-making.

Psychological abuse is also recognized by law, particularly through the offense of psychological harassment. Article 222-33-2-2 of the Penal Code punishes repeated actions that aim to or result in a deterioration of the victim's living conditions, likely to impair their physical or mental health. When these acts are committed within a couple, they are specifically addressed by Article 222-33-2-1 of the Penal Code.

#### **4. Economic and administrative violence**

Economic and administrative violence aims to make the victim dependent by establishing control over their resources and autonomy, notably through control of money, prohibitions on working or studying, and confiscation of personal documents such as passports or bank cards. These forms of violence severely restrict the victim's freedom and make any attempt to leave or gain independence particularly difficult.

#### **5. Coercive control**

control refers to a comprehensive strategy of ongoing domination aimed at exerting power over the victim, particularly through social isolation, constant surveillance, and deprivation of autonomy. This gradual process leads to a loss of independence, to the point where the victim may come to feel trapped, or even "imprisoned," within the relationship.

Legally, it is addressed through several offenses, notably psychological harassment within a couple (Article 222-33-2-1 of the Penal Code). It can also be punished through other offenses such as threats, invasion of privacy, or psychological abuse. Furthermore, civil measures such as protection orders can ensure the safety of victims.

#### **6. Figures in France**

Sexual violence is a significant problem in France. According to data from Public Health France, approximately 230,000 people are victims of sexual violence each year. Surveys by the Ministry of the Interior show that the vast majority of victims are women, representing about 85% of cases. Furthermore, INSEE statistics indicate that less than 10% of victims file a complaint. The High Council for Equality also points out that one in two victims was a minor at the time of the assault. This data shows that such violence is frequent but still... largely underreported.

Sources: Public Health France; Ministry of the Interior ; INSEE; High Council for Equality

#### **7. Profile of the aggressors**

In most cases, the perpetrator of sexual violence is someone known to the victim. This

could be a family member, a spouse or ex-spouse, a friend, a colleague, or someone in the victim's social circle. The violence often occurs in a private setting, which makes reporting more difficult and partly explains the low number of complaints filed. This reality is confirmed by statistical studies from the Ministry of the Interior .

Source: Ministry of the Interior

## **8. The penalties provided for by law**

### **Principle: increased penalties**

All violence is considered aggravated when committed within a couple (spouse, partner, civil union partner, or former partner). Penalties are determined based on the seriousness of the acts, their consequences, and aggravating circumstances (minor, authority figure, weapon, etc.).

### **Crime**

Crimes related to sexual and domestic violence are tried by the Assize Court or the Departmental Criminal Court and are subject to a twenty-year statute of limitations from the date of the offense. Among these offenses, administering harmful substances is punishable by fifteen years' imprisonment in accordance with Article 222-15 of the Penal Code. Violence resulting in death without intent to kill is punishable by twenty years' imprisonment according to Article 222-8. Rape, defined by Article 222-23 of the Penal Code, is punishable by fifteen years' imprisonment, a sentence that can be increased to twenty years or more in cases of aggravating circumstances, particularly under Article 222-24. Finally, murder is punishable by life imprisonment under Articles 221-1 and 221-4 of the Penal Code.

### **Crimes**

Offenses related to sexual and domestic violence fall under the jurisdiction of the criminal court and are subject to a six-year statute of limitations from the date of the offense. The recording and distribution of sexually explicit images are punishable by two years' imprisonment and a fine of €60,000, in accordance with Article 226-2-1 of the Penal Code. Violence resulting in a total incapacity for work of eight days or less is punishable by three years' imprisonment and a fine of €45,000, pursuant to Article 222-12, while violence resulting in an incapacity of more than eight days is punishable by five years' imprisonment and a fine of €75,000, according to Article 222-13.

Harassment within a couple is a crime under Article 222-33-2-1 of the Penal Code and is punishable by three to five years' imprisonment and a fine of €45,000 to €75,000. Habitual violence is punishable by five to ten years' imprisonment and a fine of €75,000 to €150,000 under Article 222-14. Threats of violence are punishable by six months to three years' imprisonment and a fine of €7,500 to €45,000, while death threats are punishable by five years' imprisonment and a fine of €45,000 to €75,000, in accordance with Article 222-17 of the Penal Code.

Sexual assault, as defined by Article 222-27 of the Penal Code, is punishable by five

years' imprisonment and a fine of €75,000, a penalty that can be increased to seven years' imprisonment and a fine of €100,000 in cases of aggravating circumstances, particularly under Article 222-28. Finally, sexual harassment is punishable under Article 222-33 of the Penal Code, which provides for a sentence of two years' imprisonment and a fine of €30,000, which can be increased when the acts are committed by a person abusing the authority conferred upon them by their position or when the victim is a minor.

## **9. The protection of minors**

According to Article 227-25 of the Penal Code, any sexual assault committed by an adult against a minor under the age of fifteen constitutes a criminal offense, even when carried out without violence, coercion, threats, or surprise. The law therefore does not recognize the minor's consent below this age, meaning that the adult can be held criminally liable in all cases.

The law also provides for harsher penalties when the offense is committed by an ascendant, a person in a position of authority over the minor, or someone who abuses the victim's trust. These aggravating circumstances aim to strengthen the protection of children and adolescents against the risks of sexual exploitation and violence.

Thus, French law establishes a specific legal framework to protect minors and to punish more severely those who commit sexual offences against them.

Source: Penal Code (Article 227-25)

## **10. The rights and support of victims**

### **Protection of victims**

In France, victims of sexual and domestic violence benefit from several protection, support and care systems, both medically, psychologically and legally.

From a medical and psychological perspective, Community Mental Health Centers (CMP) offer specialized consultations covered by national health insurance with no upfront costs. These centers provide assessments, advice, and psychological support tailored to victims. An increasing number of professionals trained in the treatment of domestic violence are working there, allowing for specific follow-up and better addressing the trauma experienced.

Furthermore, Forensic Medical Units (UMJ) play a crucial role in recognizing and proving violence. Medical examinations can be initiated by the victim after filing a complaint, at the request of judicial police officers, or by order of a magistrate, particularly following a report. The UMJ's mission is to support victims, document the physical and psychological consequences of the violence, assess any potential total temporary incapacity for work (TTI), and refer them for psychological support or specialized services. These examinations also provide essential medical evidence for use in legal proceedings. Legally, every victim has the right to file a complaint, in accordance with Article 15-3 of the

Code of Criminal Procedure, at a police station or gendarmerie, even long after the events in certain cases, particularly when the victim is a minor. This step allows for an investigation to be initiated and for legal proceedings to be brought against the perpetrator.

In addition, victims are entitled to a medical examination to document the violence and receive treatment, in accordance with the provisions of the Public Health Code and the Social Action and Families Code (articles L.1110-5 and L.1142-1). The law also provides for psychological, social, and legal support. Pursuant to article L.112-1 of the Social Action and Families Code, victims may be referred to specialized organizations to receive appropriate support.

A protection order is a crucial measure available to victims. It is issued by the family court judge within a maximum of six days from the date the hearing is scheduled. It takes effect immediately and aims to protect the victim and their children in cases of violence perpetrated by a spouse or former partner. Its duration is a maximum of twelve months, with the possibility of extension in the event of divorce proceedings, separation, or a dispute concerning parental authority.

This order may include various measures, such as prohibiting contact with the perpetrator of the violence, prohibiting access to certain locations, prohibiting the possession of a weapon, allocating housing to the victim, establishing parental authority and child support arrangements, and withholding the victim's address from the proceedings. It may also grant provisional legal aid. Failure to comply with these measures constitutes an offense punishable by three years' imprisonment and a fine of €45,000.

Finally, victims have access to numerous support and assistance services. The number 3919 is a national listening, information, and guidance service available 24/7, both in mainland France and its overseas territories, including for people with disabilities and non-native French speakers. An online chat service is also available for those unable to make a phone call. In case of serious and immediate danger, it is possible to contact 17 (police and gendarmerie) or 112. 114 allows victims unable to call to alert emergency services by SMS, while 115 provides access to emergency accommodation, and 119 is dedicated to the protection of children in danger. Online services also allow victims to report violence directly to the authorities. If these resources are inaccessible, the victim can report the abuse to a pharmacist, who will then alert the police.

Numerous specialized organizations provide support to victims, such as the National Federation of Women's Solidarity (FNSF), the National Federation of Women's and Family Rights Information Centers (FN CIDFF), Femmes Solidaires, and SOS Men Beaten France. At the local level, various services exist, including shelters for single-parent families, the CHRS La Source, the SAAS, La Boussole, the Family Planning center, and the ASAP center.

Finally, the ACJM (Aid to Victims, Citizenship, Justice, Mediation) plays a central role in supporting victims. It can be appointed as an ad hoc administrator to represent children and protect their interests. It refers victims to specialized lawyers and care facilities, while ensuring comprehensive follow-up. It also intervenes in the treatment of perpetrators,

notably through the CPCA (Center for the Prevention of Recidivism), to prevent recidivism, and collaborates closely with judicial authorities, particularly the public prosecutor, in the context of social investigations, criminal mediation, and judicial supervision.

Sources: Code of Criminal Procedure (Article 15-3); Social Action and Families Code (Article L.112-1); Public Service (3919)

*This violence affects all profiles, regardless of age, gender, or social status, whether men, women, young people, or the elderly. In the majority of cases, the perpetrator is known to the victim, whether it be a spouse, a family member, or someone in their social circle, which makes reporting and speaking out particularly difficult.*