

# Use of Technological Devices and (Re)victimization in Gender-based Crimes in Spain: A Qualitative Study on Professionals' Perceptions\*

## Uso de dispositivos tecnológicos y la (re)victimización en delitos de género en España: estudio cualitativo sobre las percepciones de los y las profesionales

---

CLARA SAINZ-DE-BARANDA ANDUJAR  
Department of Communication and Media Studies  
Institute on Gender Studies  
Universidad Carlos III de Madrid  
Calle Madrid 133, 28903 Getafe, Madrid  
E-mail: cbaranda@hum.uc3m.es  
ORCID: 0000-002-2456-1959

IRENE DE-LAMO VELADO  
Department of Penal Law, Procedural Law and History of Law  
Institute on Gender Studies  
Universidad Carlos III de Madrid  
Calle Madrid 126, 28903 Getafe, Madrid  
E-mail: ilamo@der-pu.uc3m.es  
ORCID: 0000-0001-5980-0617

PATRICIA NIETO ROJAS  
Department of LLabour Law  
UNED  
Institute on Gender Studies (UC3M)  
Calle Obispo Trejo, 28040, Madrid  
E-mail: pnieto@der.uned.es  
ORCID: 0000-0003-3734-3392

DOI: <https://doi.org/10.24197/st.1.2022.56-72>

RECIBIDO: 15/09/2021  
ACEPTADO: 22/12/2021

---

\* Este trabajo se ha realizado en el marco del Proyecto de Investigación “EMPATÍA-CM (Ref: Y2018/TCS-5046)”, del programa de proyectos sinérgicos de I+D en nuevas y emergentes áreas científicas en la frontera de la ciencia y de naturaleza interdisciplinar, cofinanciada con los Programas Operativos del Fondo Social Europeo y del Fondo Europeo de Desarrollo Regional, 2014-2020, de la Comunidad de Madrid; y el proyecto “Identificación de sesgos de género en inteligencia artificial. Prácticas y discursos tecnológicos, científicos y mediáticos / PID2019-106695RB-I00 / AIGENBIAS /10.13039/501100011033” financiado por la Agencia Estatal de Investigación.

**Resumen:** En España, el cumplimiento de las órdenes de protección en los delitos de violencia de género, en ocasiones, se monitoriza con dispositivos electrónicos. El objetivo de este trabajo es analizar el uso de los dispositivos electrónicos desde la perspectiva de los y las profesionales implicadas en la asistencia a las víctimas. Método: Hemos realizado entrevistas en profundidad con profesionales del sector de la violencia de género en la Comunidad de Madrid. En concreto, 59 personas expertas (n=59), del ámbito de la abogacía, psicología, trabajo social, agentes policiales, etc. Resultados: Desde la perspectiva de los y las profesionales los dispositivos actuales no contribuye al bienestar de las víctimas, sino que en gran medida revictimiza a las mujeres. Además, pueden ser contraproducentes porque podrían reducir el miedo a la delincuencia, ya que no disminuyen la vulnerabilidad real.

**Palabras clave:** Violencia de Género; Revictimización; Tecnología; COMETA; Dispositivos Electrónicos.

**Abstract:** In Spain, compliance with protection orders in gender-based violence crimes are sometimes monitored with electronic devices. The objective of this paper is to analyze the use of electronic devices from the perspective of professionals involved in the assistance of victims. Method: We have carried out in-depth interviews with professionals in the gender-based violence sector in the region of Madrid. In particular, 59 workers (n=59), such as lawyers, social workers, psychologist, police officers, etc., have been interviewed. Results: From the perspective of the professionals electronic devices do not contribute to the well-being of the victims, but revictimizes survivors who wear the device. Moreover, these devices might be counterproductive because they could reduce the fear of crime but does not decrease real vulnerability.

**Keywords:** Gender-based Crimes; Revictimization; Technology; COMET; Electronic Devices.

## 1. INTRODUCTION

This paper addresses the use of technological devices in gender-based violence crimes in Spain from the perspective of the professionals involved in the assistance of victims. More specifically, the main research question is if the use of technologies could lead to a secondary victimisation.

### 1.1. Legal framework of Gender-based violence in Violence in Spain

A legal framework was established in Spain to fight gender-based violence by Organic Law 1/2004, that was passed on the 28th of December regarding Comprehensive Protection Measures against Gender-based Violence (hereinafter LO 1/2004). This law defines "gender-based violence" as violence against women by their male partners, even if they did not live together (art. 1.1)<sup>1</sup>. The most relevant

<sup>1</sup> Currently, a proposal has been made to broaden the term "gender-based violence" to the international regulation, namely to that applied by the Council of Europe Convention on preventing and combating violence against women and domestic violence approved in 2011 and ratified by Spain in 2014, as proposed by the non-legislative motion urging for a State Pact on Gender-based violence by the

measures of LO 1/2004 are the design of specialised courts, the Courts for Violence against Women (García-Jiménez, Cala Carrillo, & Trigo, 2019, p. 2) and the increase of penalties for several crimes in the case of gender-based violence. In particular, injuries (art 147 related to art. 148.4 of the CC), physical abuse (art. 153.1 of the CC), threats (art. 171.5 of the CC), coercion (art.171.2 of the CC) and constant abuse (art. 173.2 of the CC).

Other important milestone concerning gender-based crimes in Spain was the Law 4/2015 dated 27th of April on the Statute of Victims (hereinafter Statute). In particular, article 13 of the Statute allow victim certain participation in the enforcement phase (art. 13.2) and a strengthened statute for gender-based violence victims (art. 13.1). This legislation made the Spanish legal system the only one in Europe where victims can appeal certain rulings during penal enforcement (Castillejo Manzanares, 2016; Leganés Gómez, 2015; Lousada Arochena, 2017; Magro Servet, 2015; Nistal Burón, 2017; Plasencia Domínguez, 2016; Plasencia Domínguez, 2019)

Although feminism in Spain has reached important levels of legal equality, in practice gender-based violence victims in Spain wait eight years and eight months to report their situation. Some of the reasons are a lack of trust on Public Authorities and the Spanish judicial system: no knowledge on where to ask for help (21%), fear and lack of knowledge on the process (19%) or because they thought they could not help them (15%) (Gómez Plaza et al., 2019).

## 1.2. Protection Orders in Gender-based Crimes

Protection orders were introduced in Spanish legislation through Organic Law 11/1999 dated 30th of April, which modified Title XIII of Book II of the Criminal Code, approved by Organic Law 10/1995 dated 23rd of November (hereinafter, CC). Protection orders can be imposed as preventive measure, as an additional penalty, as an alternative measure to imprisonment or as a post-penal security measure in a guilty verdict. Concerning gender-based crimes, criminal law (art. 57.2 of the CC in relation to art. 48.2) determines as mandatory for Courts to establish the Protection order as a penalty.

Moreover, protection orders are also mandatory to offenders as an alternative measure when the sentence is suspended (subparagraph 4 of art. 83.1 of the CC). A large part of prison sentences for gender-based crimes are suspended under the ordinary regime regulated in articles 80ff of the CC that sets that three requirements: first offence, prisons sentence of less than two years and payment or commitment to pay civil liabilities. Indeed, according Spanish Ministry of the Interior (General Secretariat for Penitentiary Institutions, 2016, p. 215; 2017, p. 211 and 2018, p. 152), a total of 22.98% of gender-based violence convictions in 2016; 24.25% in 2017; and 24.15% in 2018 were suspended. Quite a high percentage in comparison to other

---

national government, the regional and local governments and the Spanish federation of municipalities and provinces, approved unanimously in 2016.

types of crimes such as personal injuries, where 7.45% of the imprisonment convictions in 2016 were suspended, 8.29% in 2017 and 10.20% in 2018. Therefore, protection orders are rather common in gender-based crimes, especially during the enforcement phase of criminal proceedings. Finally, if the offender under a protection order intentionally meet victim, he could be punished with imprisonment of six months to one year, according to art 468.2 CC. However, if it is not proved the intend of the offender, he will be acquitted.

### 1.3. The Use of Technological Devices in Protection Orders

Compliance with protection orders are monitored with electronic means, more specifically, through the Monitoring System with Electronic Means of the Restraining Measures and Convictions in the area of Gender-based violence, known as COMETA Device. The main aims of COMETA device are: fulfilling the victim's right to her safety and contribute to her recovery, as well as deterring the perpetrator or individual under investigation and to document any potential breach of this security measure, penalty or alternative measure. COMETA is regulated through two soft law rules: (i) Action protocol for the monitoring system with electronic means for the compliance of restraining measures or penalties in cases of gender-based violence, approved by the Agreement signed between the Ministry of Justice, the Ministry of the Interior, the Ministry of Health, Social Services and Equality, the General Council of the Judiciary and the State Public Prosecutor's Office, on the 11th of October 2013; and the (ii) Action protocol for the penitentiary system for the monitoring with electronic means of the compliance of restraining measures or penalties in cases of gender-based violence, approved by the Agreement signed between the General Council of the Judiciary, the Ministry of Justice, the Ministry of the Interior, the Ministry of Health, Social Services and Equality, and the State Public Prosecutor's Office, on the 19th of October 2015.

COMETA works using three electronic devices whose placement, monitoring and control are carried out by the COMETA Control Centre. Two of the devices are for the convict, a Radio frequency transmitter (RF) placed on his body and a GPS tracking unit (2Track). Moreover, the victim must also carry an electronic moving warning device (2Track). This is a "GPS moving warning device that gives a sound, visual or vibration alarm when the transmitter of the person under investigation/convict is within the range set"<sup>2</sup> and it also has a panic button for the survivor. In this sense, the Action protocol for the monitoring system of electronic means for the compliance of restraining measures and penalties in cases of gender-based violence foresees that the COMETA control centre will contact the victim (i) each time the offender enters the exclusion area (subparagraph 2.1.2), (ii) when the

<sup>2</sup> Please refer to subparagraph 2 of "Annex. System components." for the Action protocol of the monitoring system with electronic means for the compliance of restraining measures or penalties in cases of gender-based violence.

victims presses the panic button (subparagraph 2.2.3); (iii) when there is a minor problem with the device's operation and a situation of risk may arise (subparagraph 2.2.1) or when a serious problem takes place (subparagraph 2.1.1).

#### **1.4. Background to the Research**

The issue addressed in this paper has been identified through the study of different research projects that stressed out the inefficacy of protection orders (Cordier et al., 2019; Kanuha & Ross, 2004; Logan & Walker, 2009; Russell, 2012); the use of technology by offenders to harass and stalk their victims in the gender-based crimes (Dragiewicz et al., 2019; Lopez-Neira, 2019; Woodlock, 2017; Yardley, 2020); and the counterproductive effects of target hardening of devices, like CCVT alarms, and personal safety apps (Hockey, 2016; Kuhns et al., 2012; Maxwell et al., 2019; Tilley et al., 2015), in particular, concerning violence against women (Bivens & Hasinoff, 2017; McMillan, 2019).

#### **1.5. Violence Against Women in the Digital Era**

The importance of technology is changing the nature of gender-based violence (Blanco-Ruiz, 2014, DeKeseredy, 2020; Harris & Woodlock, 2018; Hill & Johnson, 2019), “where technologies are not merely tools of abuse, coercion, and harassment, but also often integral to the perpetuation of harm, suffering, and stigma to victims” (Henry, Flynn & Powel, 2019). Indeed, workers involved in the assistance of victims have emphasized the common use of technological devices among offenders to stalk, harass and threaten their partners (Henry & Powell, 2015; Woodlock, 2017 and Fiolet et al., 2021).

Moreover, Melanie Woodlock (2017) and Elizabeth Yardley (2020) highlighted the use of the technology by the offenders in gender-based domestic violence to establish their “omnipresence” and constant presence in the victims’ life. Offenders may access different devices of the survivors, such as mobile phones or iPads (Dragiewicz et al., 2019) However, after separation abusers also use GPS trackers in the victims’ possessions, such as mobile phones (Dimond et al., 2011 and Southworth et al., 2007), or even smart house devices (Lopez-Neira, 2019), to monitor their movements.

#### **1.6. The Effectiveness of Protection Orders and Consequences for the Victims**

Different literature, that addressed the effectiveness of protection orders (PO), found that protection orders did not stop or prevent the abuse of victims at 100% (Cordier et al., 2019). Between 30% to 70% of protection orders are not effective (Russell, 2012; Kanuha & Ross, 2004 and Logan & Walker, 2009).

The literature highlighted that protection orders can increase the safety of the victims (Bell & Goodman, 2001; Logan & Walker, 2010 and Russell, 2012). However, if the victims are stalked by the offenders the effects of the protection order are not beneficial for their mental health. Lisa Logan and Jennifer Cole (2007) have found, in a survey with a sample of 662 women in the United States, that 57.4% of the women with a protective order were stalked. Stalking impact directly the mental health of victims, that have the most severe psychological abuse and post-traumatic stress disorder (Logan & Cole, 2007; Logan, Cole and Walker, 2006).

### **1.7. Target Hardening of Devices and Personal Safety Apps**

Regarding the potential use of technology as a tool to prevent violence against women, several research papers alerted that personal safety apps can perpetuate patriarchal imaginary. In fact, the technological responses to violence against women, such as anti-rape apps, are based in the self-defense idea and they perpetuate rape myths (Bivens & Hasinoff, 2017) and still make responsible victims (Hollander, 2018). As Deborah White and Lesley McMillan (2019) pointed out “perhaps the key limit to all such technologies is that they fail to address the root structural causes of rape and sexual assault, and to address those truly responsible for it”.

Other scholars stressed out several general counterproductive effects of target hardening of devices, like CCVT alarms, and personal safety apps. Offenders may not be dissuaded by personal alarms (Hockey, 2016; Kuhns et al., 2012 and Tilley et al., 2015) but these personal safety apps reduce the fear of crime (Maxwell et al., 2019). Thus, the fear of crime and perceived safety (e.g. Blöbaum & Hunecke, 2005; Lee & Hilinski-Rosick, 2011) are not related to real vulnerability (Maxwell et al., 2019).

## **2. METHOD**

### **2.1. Participants**

In total, 59 workers (n=59) in the gender-based violence sector in the region of Madrid were interviewed. Keeping in mind that professionals' perspective cannot replace survivors experience, several studies highlight that practitioners working with victims have a deep understanding of gender-based violence (Piippo et al. 2020; Henry & Powell, 2015). The expertise of professionals might offer useful information and reach a first diagnostic (Ruiz Olabuénaga, 2007) to conduct more in-depth studies (Woodlock, 2017).

Some of the professionals interviewed worked in 18 Support Centres for Women victims of Gender-based violence of the regional Government of Madrid (Puntos municipales del Observatorio Regional de Violencia de Género) part of the regional system for the assistance to victims of gender-based violence. In these support centers, the workers provide basic information, legal advice, psychological

and social assistance (Comunidad de Madrid, 2020). Other professionals interviewed worked in 6 civil society organisations that also provide legal advice and psychological assistance to victims of gender-based violence in the region of Madrid. Workers of the Family and Woman unit of the National Police Force (Unidades de Atención a la Familia y Mujer de la Policía Nacional) established in region of Madrid also were interviewed. These polices are specialized in gender-based violence and they are in charge of collect the complaint and provide the protection the victim needs.

The following variables were considered to select the participants: level of specialization in gender-based violence, occupational category and professional experience in gender-based violence sector. The professional profiles of the workers were: psychologists (n=22; 37.29%) social educators (n=3; 5.08%) and social workers (n=9; 15.25%) that provided psychological and social assistance to victims; lawyers (n=5; 8.47%) that give legal advice lo victims; police officers (n=5; 8.47%) specialized in gender-based crimes that provide protection to victims; finally, coordinators (n=15, 18.64%), managers (n=3; 5.08%) and secretaries (n=1; 1.69%) of the Support Centres and victim support organizations that contact the victims and organize the different services. The average length of time working in the gender-based violence sector was 15 years, and during their professional life they have work with victims of gender-based violence that have worn COMETA system.

Interviews were carried out between March and August 2019. Fieldwork corpus is made up of 14 group interviews and 20 individual interviews, with a total of 59 participants. The professionals participated in either an individual or group interview, but none were interviewed in both modalities. The groups were conformed of 2 or 3 professionals of the same support centre or victim support organizations and the same questions were asked in the group and individual interviews. The main reason in combination of group and individual interviews the availability and organisation of the Support Centres and victim support organizations, however each participant was identified and contacted individually.

## 2.2. Measures

We have carried out semi-structured in-depth interviews with professionals in the gender-based violence sector in the region of Madrid. The interviews were carried out within the framework of a research project on gender-based violence and technology and the research team elaborated a flexible interview script to facilitate fluency of the speech (Erlandson et al., 1993). Regarding technological devices, three questions were formulated:

Question 1. How can technological devices help improve safety of victims of gender-based violence? This question allowed us to collect the views of professionals about potential uses of technology for the safety of victims of gender-based violence.

Question 2. Is there any reason for victims of gender-based violence to reject technological devices? With this question we hoped to gather perception of the practitioners towards victims' rejection of available technological devices

Question 3. What would be the design of a technological device that effectively protect victims of gender-based violence? (shape, size...) This question allowed us to learn about possible improvements of available technological devices from the perspective of workers in the gender-based violence sector

### 2.3. Data analysis

Interview transcripts were read in their entirety to identify main discourses and themes. The interviews were imported into a qualitative software (Atlas.ti program) for their subsequent coding. A total of 43 codes were generated and then structured on different categories for further analysis within the frame of above-mentioned research project. For this paper, we crossed/analysed several codes included in the category of Devices (DIS): DIS- Aggressor; DIS- Empowerment y DIS-Use. Discourse follows the concept links selected and explained in Table 1, with a total of 113 verbatim obtained in the Atlas ti coding.

Table 1: Codes and its descriptions used in qualitative analysis

Code	Description
DIS-Aggressor	Aspects related to the COMETA electronic device
DIS-Empowerment	Feeling of security/empowerment of gender-based violence victims thanks to technology: technology dependency, technology as a patch to a social problem, etc.
DIS- Use	Issues about the use of protection devices in cases of gender-based violence: acceptance/rejection, difficulties, etc.

## 3. RESULTS

### 3.1. Fear of a crime and real vulnerability

The general perception of professionals is that technological devices helps women feel more supported and protected because the victims believe that they can easily call the police. The use of COMETA device increase the safety perception and decrease the fear of crime in the victims of gender-based violence.

"Carrying a device can help them feel safer". Psychologist of a municipal centre of the Regional Observatory on Gender-based violence (E30\_2019\_07).

"The women we work with who have the remote assistance service. They feel safer, right? They feel that, if something happens, they just press a button and everything is



set in motion. So this, that I am just quickly going over, can help them, I think". Psychologist at a municipal centre of the Regional Observatory on Gender-based violence (E22\_2019\_06).

"Yes, it is as if people can react. If you are blocked at a time when emotionally you do not feel able to make a decision and you now that just with the use of a phone, a device, you will respond, right? You may feel accompanied. "Well, I will call the police" and whilst you do that you can say "Stay there, etc.". Social worker at a municipal centre of the Regional Observatory on Gender-based violence of the Region of Madrid (E22\_2019\_06).

The workers interviewed pointed out that using COMETA decrease the fear of crime of victims but they also mentioned that these devices do not decrease real vulnerability and they highlighted their malfunctioning.

"The opinion I have is based on women who have this type of device is because the offenders carry the bracelet and, in fact, it does not receive very good press in the media. We always hear of cases where it did not work well". FMP Psychologist for women who have suffered violence in their relationship (E21\_2019\_06).

"Normally, women who have the COMETA device, for instance, do experience rejection because it seems to malfunction a lot". Social worker at a municipal centre of the Regional Observatory on Gender-based violence of the region of Madrid (E20\_2019\_06).

### 3.2. Omnipresence

Practitioners perceive that COMETA device make the victims feel anxious and constantly controlled. These sensations can make the victims feel exhausted by a constant presence

"When they put the ...COMETA bracelet on, something they say 'It is as if I have to explain myself, as if it is me being controlled, the one that has to go...' for this or that, sometimes they get really tired and feel exhausted". Psychologist at a municipal centre of the Regional Observatory on Gender-based violence of the region of Madrid (E12\_2019\_04).

"(...) well, the COMETA device ends up becoming sometimes a harassing tool against women, even also to detect where they are located, right? And sometimes it also generates a constant sense of alarm... So there is a lot left to research there". Social worker at a gender-based violence centre of the Region of Madrid (E20\_2019\_06).

"Because for them is like...'one more concern', one other stressful situation in the end...Do I turn it off, Yes... I will, or maybe I leave it on...". Legal advisor at a municipal centre of the Regional Observatory on Gender-based violence of the region of Madrid (E12\_2019\_04).

In this sense, workers also refer that COMETA devices remind victims of the violence suffered.

"It is also true that many times when I see it it reminds me of it, every time you carry it you know [...] and feel a victim. And when I give it to the, sometimes it reminds me of the case with my partner. In fact if I use it as if I was carrying a pepper spray at night, well, that is different, you take it just in case [13'] it is already making a mark, it is victimising me...". Psychologist at a municipal centre of the Regional Observatory on Gender-based violence of the region of Madrid (E11\_2019\_04).

"It is good to feel accompanied and safe with something that gives you a sense of support, because it is there, but it cannot constantly remind them of their situation". Social worker at a municipal centre of the Regional Observatory on Gender-based violence of the region of Madrid (E20\_2019\_06).

Moreover, if the alarm is urgent COMETA centre does not contact the victim, security forces find her directly. Police presence can make victims constantly on the alert and even gives them a sense of being chased.

"They try to call. They call her, to check if she has seen him, etc. And, if it is considered urgent, the security forces go straight to find her." Police officer (E07\_2018\_10).

"(...) something we are seeing a lot, especially with COMETA: a constant presence of forces, security forces, it gives a sense of alarm and everyone...well first you feel like activating it all, and maybe it is not necessary. Well, I have worked with them on that and, sometimes, they also feel that they are constantly followed...they don't feel like they can just go to have a drink with someone without alarms being triggered during their meeting and having the security forces come". Social worker at a municipal centre of the Regional Observatory on Gender-based violence of the region of Madrid (E20\_2019\_06).

The workers interviewed also mentioned that the device itself can be used for convicts to harass their victim. As stated above, if the offender under a protection order intentionally meet victim, he could be punished with imprisonment of six months to one year, according to art 468.2 CC. However, if it is not proved the intend of the offender, he will be acquitted.

"So the devices works like this...If they set a restraining order for 500 metres, when [13'] the attacker is closer than 500 metres - if they both have the device working properly and so on -, an alarm is triggered at the contact centre, but she gets an alarm too. And sometimes...well, it has been shown that some attackers cross the limit in fact to harass them. "And it is constantly beeping". Even if he is not thinking of attacking her physically at all, he knows where the borders are and he crosses them. And what they get is...I can't tell you whether a vibration, a beep... but an alarm is triggered". Police officer (E07\_2018\_10).

### 3.3. Victim blaming

Several professionals stressed the need to change perspective: stop designing tools for the victim and focus the efforts on the abuser's behaviour.

"We are always putting the responsibility and the prevention on the victim herself. (...) But of course, we always leave prevention on the hands of the victim". Coordinator at a municipal centre of the Regional Observatory on Gender-based violence of the region of Madrid (E22\_2019\_06).

"I don't know to what extent we are asking women to look after themselves, to do everything, It is a discourse that entails other things in the end". Coordinator at a municipal centre of the Regional Observatory on Gender-based violence of the region of Madrid (E20\_2019\_06).

"Women who are victims have to adapt their whole life to that of a man who does not leave them in peace, carrying devices, changing provinces, home.... A real mess! And nothing happens to the men.... nothing happens to them! Absolutely nothing! Even in cases with a restraining order...it is true that they can't get close...." Coordinator at a municipal centre of the Regional Observatory on Gender-based violence of the region of Madrid (E16\_2019\_06).

"Whilst we still focus on women...protection measures will be difficult. There are so many control systems. Fear does not just appear with physical presence, fear can also be caused by receiving a voice message and making themselves noticed. And therefore, it is impossible. Right now, trying to guarantee someone's safety without removing the perpetrator. When are you safe? When you are in prison. And not even then, because sometimes threats come via third parties". Social worker at a municipal centre of the Regional Observatory on Gender-based violence of the region of Madrid (E22\_2019\_06).

The professionals stressed out the need to improve technological devices and to focus them on empowering women who have suffered from gender-based violence and stop make blame them for suffer an aggression.

"It is what concerns us most. In all cases: identifying risk when they don't live together, being able to intervene if necessary and, in any case, to turn it into a tool for them. What they are scared of is reporting the offenders and not being listened to. So they say: "I won't report him!". And we advise them to do that, you know? If there is no proof do not report. And they say, "So what happens? I cannot separate from him because if I tell him I want to break-up, he will kill me!" So, if we manage to do something that helps her, that gives them strength to take a leap and report because we have tools to help her, wow! That would be amazing!". Lawyer at a municipal centre of the Regional Observatory on Gender-based violence of the region of Madrid (E18\_2019\_06).

"I think a lot can be done, because of what I said... For victims, but I would also focus on the abusers. To keep them, now that we have the means...to keep them...I mean, for the victim to know, to have information [about the abuser], if he is near or far. That would give [victims] safety. A device that could detect, locate, if he is 300 m or 200 m away...that would be great. But as a part of a whole. I think in this case, judges, justice, should... The device should be linked to the convict, not to the victim. In this country everything is the wrong way around: Victims have to take on the consequences of the abusers! Well, enough! She should be able to move with freedom and should be able to know when he is near, so that she can call the police and has time to make the

emergency call". Social Services Director and coordinator at a municipal centre of the Regional Observatory on Gender-based violence of the region of Madrid (E14\_2019\_05).

#### 4. DISCUSSION AND CONCLUSION

In an overview, professionals perceive COMETA as a harmful technology for victims of gender-based. Firstly, wearing these devices means a constant presence or omnipresence through alarms and police visits. Moreover, the perpetrator might even use the device to harass the victim. The effect of perceiving a constant presence could be similar to the effect of omnipresence caused by technology-based violence perpetrated by the offender. Several papers have noted that abusers often use technology to harass the victim by developing a sense of omnipresence in the victim's life (Woodlock, 2017; Yardley, 2020). Moreover, similar to target hardening of devices (Blöbaum & Hunecke, 2005; Lee & Hilinski-Rosick; Maxwell et al., 2019), COMETA might be counterproductive because it reduces the fear of crime but does not decrease real vulnerability. Finally, practitioners also pointed out that COMETA blame the victim responsible for further victimisation. Similar results have been found in research on anti-rape apps that aim to prevent violence against women but reproduce patriarchal ideology (Bivens & Hasinoff, 2017; Hollander, 2018; White & McMillan, 2019). More generally, the findings of this exploratory study are in line with literature that point out that digital technologies and Artificial Intelligence (AI) are biased in terms of gender, sex, work, class, ethnicity (Hicks, 2017; Kenny & Donnelly, 2019; Leavy, 2018; Sumartojo et al., 2016; Wajcman, 2004). In fact, COMETA system might be reinforce gender stereotypes and continue blaming the victims.

In short, from the perspective of the professionals, COMETA system does not contribute to the well-being of the victims, but revictimizes women who wear the device. In other terms, it generates a victimisation that "derives from the victim's relationship with the justice system" (Rodríguez Luna and Bodelón González, 2015, p. 109). The main limitation of this exploratory study is based in the perception of professionals that work in the gender-based violence sector in the region of Madrid instead of victims' perception. However, this paper offers an initial diagnosis of the use of technology with survivors of gender-based violence for further research.

#### 5. REFERENCES

Bell, M. E. & Goodman, L. A. (2001). Supporting battered women involved with the court system. *Violence Against Women*, 7(12), 1377–1404. DOI: <https://doi.org/10.1177/10778010122183919>

- Bivens, R., & Hasinoff, A. A. (2017). Rape: is there an app for that? An empirical analysis of the features of anti-rape apps. *Information, Communication & Society*, 21(8), 1050–1067. DOI: <https://doi.org/10.1080/1369118x.2017.1309444>
- Blanco-Ruiz, M. (2014). Implicaciones del uso de las redes sociales en el aumento de la violencia de género en adolescentes. *Revista Comunicación y Medios*, 30, 124-141. DOI: <https://doi.org/10.5354/rcm.v0i30.32375>
- Blöbaum , A., Hunecke, M. (2005). Perceived danger in urban public space: The impacts of physical features and personal factors. *Environment and Behavior*, 37, 465-486. DOI: <https://doi.org/10.1177/0013916504269643>
- Castillejo Manzanares, R. (2016). El estatuto de la víctima y las víctimas de violencia de género. *Diario La Ley*, (8884).
- Comunidad de Madrid (2020). Red de atención integral para la violencia de género. Retrieved from: <https://www.comunidad.madrid/servicios/asuntos-sociales/red-atencion-ntegralviolencia-genero#>
- Cordier, R., Chung, D., Wilkes-Gillan, S., & Speyer, R. (2019). The Effectiveness of Protection Orders in Reducing Recidivism in Domestic Violence: A Systematic Review and Meta-Analysis. *Trauma, Violence, & Abuse*, 152483801988236. DOI: <https://doi.org/10.1177/1524838019882361>
- Dimond, J. P., Fiesler, C., & Bruckman, A. S. (2011). Domestic violence and information communication technologies. *Interacting with Computers*, 23(5), 413–421. DOI: <https://doi.org/10.1016/j.intcom.2011.04.006>
- Dimond, J., Casey, F. & Bruckman, A. (2011). Domestic violence and information communication technologies. *Interacting with Computers*, 23(5):413-421. DOI: <https://doi.org/10.1016/j.intcom.2011.04.006>
- Dragiewicz, M., Harris, B., Woodlock, D., Salter, M., Easton, H., Lynch, A., Campbell, H., Leach, J., Milne, L. (2019). *Domestic violence and communication technology: Survivor experiences of intrusion, surveillance, and identity crime*. The Australian Communications Consumer Action Network (ACCAN).
- Erlanson, D. A., Harris, E. L., Skipper, B. L., & Allen, S. D. (1993). *Doing Naturalistic Inquiry: A Guide to Methods*. SAGE.

- García-Jiménez, M., Cala-Carrillo, M. J., & Trigo, M. E. (2019). Predicting Disengagement from Judicial Proceedings by Female Victims of Intimate Partner Violence in Spain: A Systematic Replication with Prospective Data. *Violence Against Women*, 26(12-13), 1493–1516. DOI: <https://doi.org/10.1177/1077801219882502>
- Gómez Plaza, A., Villajos Pozuelo, S., Candeira de Andrés, L. & Hernández Gómez, A. (2019). *Estudio sobre el tiempo que tardan las mujeres víctimas de violencia de género en verbalizar su situación*. Madrid: Ministerio de la Presidencia, Relaciones con las Cortes e Igualdad Centro de Publicaciones.
- Harris, B., Woodlock, D. (2018). Digital coercive control: Insights from two landmark domestic violence studies. *The British Journal of Criminology*, 59(3), 530–550. DOI: <https://doi.org/10.1093/bjc/azy052>
- Henry, N., & Powell, A. (2015). Beyond the “sext”: Technology-facilitated sexual violence and harassment against adult women. *Australian & New Zealand Journal of Criminology*, 48, 104–118. DOI: <https://doi.org/10.1177/0004865814524218>
- Henry, N., & Powell, A. (2015). Embodied Harms. *Violence Against Women*, 21(6), 758–779. DOI: <https://doi.org/10.1177/1077801215576581>
- Henry, N., Flynn, A., & Powell, A. (2020). Technology-Facilitated Domestic and Sexual Violence: A Review. *Violence Against Women*, 26(15-16), 1828–1854. DOI: <https://doi.org/10.1177/1077801219875821>
- Hicks, M. (2017). *Programmed Inequality: How Britain Discarded Women Technologists and Lost Its Edge in Computing*. MIT Press.
- Hill, C., & Johnson, H. (2019). Online Interpersonal Victimization as a Mechanism of Social Control of Women: An Empirical Examination. *Violence Against Women*, 26 (12-13): 107780121987060. DOI: <https://doi.org/10.1177/1077801219870608>
- Hockey, D. (2016). Burglary crime scene rationality of a select group of non-apprehend burglars. *SAGE Open*. DOI: <https://doi.org/10.1177/2158244016640589>
- Hockey, D. (2016). Burglary crime scene rationality of a select group of non-apprehend burglars. *SAGE Open*, DOI: <https://doi.org/10.1177/2158244016640589>

- Hollander, J. (2018). Women's self-defense and sexual assault resistance: The state of the field. *Sociology Compass*, 12: e12597 DOI: <https://doi.org/10.1111/soc4.12597>
- Kanuha, V. K., & Ross, M. L. (2004). The use of temporary protection orders (TROs) as a strategy to address intimate partner violence. *Violence and Victims*, Jun; 19(3): 343-56. DOI: <https://doi.org/10.1891/vivi.19.3.343.65766>
- Kenny, E. J., & Donnelly, R. (2019). Navigating the gender structure in information technology: How does this affect the experiences and behaviours of women?: Human Relations. DOI: <https://doi.org/10.1177/0018726719828449>
- Kuhns, J. B., Blevins, K. R., & Lee, S. (2012). *Understanding decisions to burglarize from the offender's perspective*. Technical report for the Department of Criminal Justice & Criminology, University of North Carolina at Charlotte.
- Leavy, S. (2018). Gender bias in artificial intelligence: The need for diversity and gender theory in machine learning. *GE '18: Proceedings of the 1st International Workshop on Gender Equality in Software Engineering*. May 2018: 14–16. DOI: <https://doi.org/10.1145/3195570.3195580>
- Lee, D. R., Hilinski-Rosick, C. M. (2012). The role of lifestyle and personal characteristics of fear of victimization among university students. *American Journal of Criminal Justice*, 37, 647-668. DOI: <https://doi.org/2010.1007/s12103-011-9136-0>
- Leganés Gómez, S. (2015). La víctima del delito en la ejecución penitenciaria. *Diario La Ley*, (8619).
- Logan, T. & Walker, R. (2009). Civil protective order outcomes: Violations and perceptions of effectiveness. *Journal of Interpersonal Violence*, 24, 4, 675-692. DOI: <https://doi.org/10.1177/0886260508317186>
- Logan, T. K. & Walker, R. W. (2010). Civil protective order effectiveness: Justice or just a piece of paper? *Violence and Victims*, 25(3), 332–348. DOI: <https://doi.org/10.1891/0886-6708.25.3.332>
- Logan, T., Shannon, L., Cole, J., & Walker, R. (2006). The Impact of Differential Patterns of Physical Violence and Stalking on Mental Health and Help-Seeking Among Women With Protective Orders. *Violence Against Women*, 12(9), 866–886. DOI: <https://doi.org/10.1177/1077801206292679>

- Lopez-Neira, I., Patel, T., Parkin, S., Danezis, G., & Tanczer, L. (2019). "Internet of things": How abuse is getting smarter. *Safe—The Domestic Abuse Quarterly*, 63, 22–26. DOI: <https://doi.org/10.2139/ssrn.3350615>
- Lousada Arochena, J. F. (2017). Aproximación al estatuto de la víctima del delito desde la perspectiva de género. *Aequalitas: Revista Jurídica De Igualdad De Oportunidades Entre Mujeres Y Hombres*, (40), 12-26. Retrieved from: <https://dialnet.unirioja.es/descarga/articulo/6235650.pdf>
- Magro Servet, V. (2015). Novedades de la ley 4/2015, de 27 de abril, del estatuto de la víctima del delito y especial incidencia en la violencia de género. *Diario La Ley*, (8638).
- Maxwell, L., Sanders, A., Skues, J., & Wise, L. (2020). A Content Analysis of Personal Safety Apps: Are They Keeping Us Safe or Making Us More Vulnerable? *Violence Against Women*, 26(2), 233–248. DOI: <https://doi.org/10.1177/1077801219832124>
- Fiolet, R., Brown, C., Wellington, M., Bentley, K. & Hegarty, K. (2021). Exploring the Impact of Technology-Facilitated Abuse and Its Relationship with Domestic Violence: A Qualitative Study on Experts' Perceptions. *Global Qualitative Nursing Research Volume*, 8: 1–8. DOI: <https://doi.org/10.1177/23333936211028176>
- Nistal Burón, J. (2017). Los derechos de la víctima del delito en el ámbito de la ejecución penal. El «derecho a saber» y el «derecho a recurrir» en los términos establecidos en el estatuto de la víctima (Ley4/2015). *Diario La Ley*, (8999).
- Piippo, S., Hirvonen, P., & Anand, J. C. (2020). Professional Self-Positioning of Indian Social Workers in Response to Domestic Violence. *Journal of Interpersonal Violence*. DOI: <https://doi.org/10.1177/0886260520922920>
- Plasencia Domínguez, N. (2016). Participación de la víctima en la ejecución de las penas privativas de libertad. *Diario La Ley*, (8683).
- Plasencia Domínguez, N. (2019). Violencia de género y ejecución penal. *Diario La Ley*, (9429).
- Rodríguez Luna, R. & Bodelón González, E. (2015). Mujeres maltratadas en los juzgados: la etnografía como método para entender el derecho "en acción".



- Revista de Antropología Social*, 24, 105. DOI: [https://doi.org/10.5209/rev\\_RASO.2015.v24.50645](https://doi.org/10.5209/rev_RASO.2015.v24.50645)
- Russell, B. (2012). Effectiveness, Victim Safety, Characteristics, and Enforcement of Protective Orders. *Partner Abuse*, 3(4), 531–552. DOI: <https://doi.org/10.1891/1946-6560.3.4.531>
- Southworth, C., Finn, J., Dawson, S., Fraser, C., & Tucker, S. (2007). Intimate Partner Violence, Technology, and Stalking. *Violence Against Women*, 13(8), 842–856. DOI: <https://doi.org/10.1177/1077801207302045>
- Sumartojo, S., Pink, S., Lupton, D., & LaBond, C. H. (2016). The affective intensities of datafied space. *Emotion, Space and Society*, 21, 33-40. DOI: <https://doi.org/10.1016/j.emospa.2016.10.004>
- Tilley, N., Thompson, R., Farrell, G., Grove, L., & Tseloni, A. (2015). Do burglar alarms increase burglary risk? A counter-intuitive finding and possible explanations. *Crime Prevention and Community Safety*, 17(1), 1-19. DOI: <https://doi.org/10.1057/cpcs.2014.17>
- Tilley, N., Thompson, R., Farrell, G., Grove, L., Tseloni, A. (2015). Do burglar alarms increase burglary risk? A counter-intuitive finding and possible explanations. *Crime Prevention and Community Safety*, 17(1), 1-19. DOI: <https://doi.org/10.1057/cpcs.2014.17>
- Wajcman, J. (2004). *El Tecnofeminismo*. Madrid: Cátedra.
- Walter S. DeKeseredy, W.S. (2020). Bringing Feminist Sociological Analyses of Patriarchy Back to the Forefront of the Study of Woman Abuse. *Violence Against Women*, 27, 5, 621-638. DOI: <https://doi.org/>
- White, D., & McMillan, L. (2019). Innovating the Problem Away? A Critical Study of Anti-Rape Technologies. *Violence Against Women*, 107780121985611. DOI: <https://doi.org/10.1177/1077801219856115>
- Woodlock, D. (2017). The Abuse of Technology in Domestic Violence and Stalking. *Violence Against Women*, 23(5), 584–602. DOI: <https://doi.org/10.1177/1077801216646277>
- Yardley, E. (2020). Technology-Facilitated Domestic Abuse in Political Economy: A New Theoretical Framework. *Violence Against Women*, 107780122094717. DOI: <https://doi.org/10.1177/1077801220947172>