THE IMPACT OF MARIA DA PENHA LAW ON VIOLENCE AGAINST WOMEN IN BRAZIL (2006-2020): A LITERATURE REVIEW

O IMPACTO DA LEI MARIA DA PENHA NA VIOLÊNCIA CONTRA A MULHER NO BRASIL (2006-2020): UMA REVISÃO DA LITERATURA

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Abstract: This literature review examines the impact of the Maria da Penha Law (Law 11.340/2006) on domestic violence rates against women in Brazil from 2006 to 2020. A systematic analysis of 37 studies reveals varied effects of the law, indicating improvements in some indicators and significant regional and violence-type variations. The law's effectiveness depends on factors such as institutional capacity, sociocultural context, and implementation adequacy. Specific reductions are observed in assault-related hospitalizations (22%) and female homicides from domestic aggression (9%), along with increases in notifications and changes in violence profiles. Ongoing challenges persist in implementing protective measures and altering patriarchal norms.

Keywords: Violence against women; Maria da Penha Law; Public policy; Domestic violence; Brazil.

Resumo: Esta revisão de literatura examina o impacto da Lei Maria da Penha (Lei 11.340/2006) nas taxas de violência doméstica contra mulheres no Brasil entre 2006 e 2020. Uma análise sistemática de 37 estudos revela efeitos variados da lei, indicando melhorias em alguns indicadores e variações regionais e de tipo de violência significativas. A eficácia da lei depende de fatores como capacidade institucional, contexto sociocultural e adequação da implementação. Reduções específicas são observadas nas hospitalizações relacionadas a agressões (22%) e nos homicídios de mulheres por agressão doméstica (9%), juntamente com aumentos nas notificações e mudanças nos perfis de violência. Desafios persistentes continuam na implementação de medidas de proteção e na alteração das normas patriarcais.

Palavras-chave: Violência contra as mulheres; Lei Maria da Penha; Políticas públicas; Violência doméstica; Brasil.

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Introduction

Violence against women is a complex and multifaceted issue that requires comprehensive approaches to understand and address it. In Brazil, the enactment of the Maria da Penha Law in 2006 marked a significant legislative milestone in combating domestic and family violence against women, establishing specific mechanisms for protection, prevention, and punishment (Cerqueira *et al.*, 2015).

The law, inspired by international standards for protecting women's human rights, introduced significant legal innovations, including the establishment of urgent protective measures, specialization of care services, and an expanded scope for the criminal accountability of aggressors (Botelho; Santos; Rosa, 2016). After almost two decades in effect, it is essential to evaluate the actual impacts of this legislation on violence rates against women in the country.

This literature review aims to examine the scientific evidence regarding the impact of the Maria da Penha Law on domestic violence rates against women in Brazil from 2006 to 2020, considering the various dimensions that influence its effectiveness. The 2006-2020 timeframe was selected for specific methodological reasons: (1) it represents the complete first phase of law implementation before the COVID-19 pandemic disrupted normal reporting patterns; (2) it allows for adequate temporal distance to assess medium-term impacts beyond immediate implementation effects; (3) it captures the period before significant legislative modifications, including the 2015 Femicide Law (Law 13.104/2015), which altered the legal framework; and (4) as documented in systematic reviews, this period contains the bulk of empirical studies specifically evaluating the Maria da Penha Law's isolated effects.

1 Methodology

Search Strategy and Databases

This review was conducted using the Semantic Scholar corpus, searching across over 200 million academic papers. The search strategy retrieved 499 papers most relevant to the research question: "What is the impact of the Maria da Penha Law on domestic violence rates against women in Brazil between 2006 and 2020?"

Inclusion Criteria

Studies were included if they *met all* of the following criteria: (1) Population and Timeframe: examined female victims of domestic violence in Brazil during any period between 2006-2020; (2) Law Reference: specifically referenced or analyzed the implementation or effects of the Maria da Penha Law; (3) Data and Metrics: analyzed domestic violence rates or related metrics using official statistics, police reports, court records, or validated survey data; (4) Research Methodology: constituted empirical research (quantitative, mixed-methods, or systematic review); (5) Empirical Evidence: included empirical data (not purely theoretical or legal analysis); (6) Violence Type and Location: focused specifically on domestic violence in Brazil; and (7) Study Scope: examined aggregate data or multiple cases (not individual case studies).

Exclusion Criteria

Studies were excluded if they: (1) focused solely on other forms of violence (e.g., street violence, workplace harassment); (2) examined other countries or comparative international studies without Brazil-specific data; (3) were purely theoretical, legal commentary, or opinion pieces without empirical data; (4) consisted only of individual case studies or small case series (n<10); (5) did not provide clear methodology or data sources; or (6) were published before 2006 or focused on pre-law periods exclusively.

Data Extraction Process

A systematic data extraction process was employed to capture standardized information from each included study, including: study design type and methodology; data sources and collection methods; geographic and temporal scope; primary outcome measures and quantitative results; and specific Maria da Penha Law intervention components analyzed.

Quality Assessment

Studies were evaluated for methodological rigor based on study design appropriateness, data source reliability, and analytical methods employed.

Final Sample

From the initial 499 papers, 40 studies met the inclusion criteria, with 37 providing sufficient data for analysis. The final sample comprised studies with diverse methodological approaches: cross-sectional studies (n=13), longitudinal studies (n=12), comparative studies (n=2), difference-in-differences (n=2), ecological studies (n=2), mixed methods (n=2), qualitative studies (n=2), a descriptive study (n=1), and a systematic review (n=1). The geographic distribution comprised national-level studies (n=11) and regional/local studies (n=26).

2 Results and Discussion

Violence Rate Trends

The analysis of the included studies reveals a complex and heterogeneous picture regarding the impact of the Maria da Penha Law on violence rates against women. Among the 37 studies analyzed, three reported evidence of a reduction in violence rates, while five documented increases, and three observed no significant changes.

Evidence of Violence Reduction

Schneider and Piazza (2020) identified a 22% reduction in assault-related hospitalizations among women compared to men following the law's implementation. Similarly, Ferraz and Schiavon (2023) documented a 9% reduction in female homicides resulting from domestic aggression. These findings suggest that the law may have contributed to a decrease in more severe forms of violence, particularly those leading to medical consequences or fatalities.

De Sousa *et al.* (2023) observed reductions in homicides by specific means; however, they did not identify reductions for firearms or unknown causes, which indicates specificity in the types of violence affected by the legislation.

Evidence of Increased or Persistent Violence

Contrary to evidence of reduction, several studies documented increases in violence rates. Castro and Júnior (2011) recorded a 30.21% increase in cases after the law's implementation. Santos *et al.* (2021) reported a 146%

increase in cases during the COVID-19 pandemic period, although this increase may be related to specific contextual factors.

Garcia *et al*. (2014) found no significant reduction in female mortality from aggression, with rates practically unchanged (5.28 versus 5.22 per 100,000 inhabitants, p=0.846), questioning the law's effectiveness in preventing the most severe cases of violence.

Changes in Violence Patterns

A particularly relevant finding emerges from the study by Gattegno *et al*. (2016), which identified significant changes in the types of violence reported. The authors observed an increase in physical violence from 11% to 53.5% (p<0.001), while sexual and psychological violence decreased. This pattern change suggests that the law may have influenced how violence is perpetrated or reported, but not necessarily its overall incidence.

Effectiveness of Protective Measures

Urgent protective measures represent one of the primary innovations of the Maria da Penha Law. An analysis of studies indicates a widespread application of these instruments, with numbers ranging from 66 to 807 measures analyzed or granted in various studies (Norat *et al*., 2023; Suarez Mazuí *et al*., 2020; Oliveira *et al*., 2018; Reis, 2019).

However, the effectiveness of these measures reveals significant limitations. Norat *et al*. (2023) identified that criminalizing non-compliance with protective measures did not result in a reduction in violations. This finding suggests that, although protective measures are widely used, substantial challenges remain in their implementation and compliance.

Suarez Mazuí *et al*. (2020) documented 565 cases, of which 205 were under protective measures. This indicates that approximately 36% of the analyzed cases had some type of legal protection, although the effectiveness of this protection was not specifically evaluated.

Contextual and Regional Factors

The heterogeneity of results found in the analyzed studies suggests that the effectiveness of the Maria da Penha Law is significantly influenced by contextual and regional factors. Cerqueira *et al*. (2015) highlighted that the

law's impact is variable, depending on institutional capacity[2] and regional context.

Regional Variations

The analysis of the geographic distribution of studies reveals concentration in certain regions of the country, with studies conducted in all Brazilian states, but with greater density in the Southeast and South regions. This distribution may reflect both differences in research capacity and in the effective implementation of the law in different regions.

Calado *et al.* (2017) identified that the law contributed to a slower increase in homicides after its implementation, suggesting a moderating rather than eliminating effect on violence. This finding highlights the need for analyses that take into account long-term trends rather than just before-and-after comparisons.

Institutional Capacity

The law's effectiveness is intrinsically related to institutional implementation capacity. Fraga and Neves (2024) concluded that, although the law contributed to violence reduction, the results are not ideal, indicating the need for improvements in implementation.

The analysis of studies reveals persistent challenges related to unequal service provision, lack of adequate resources, and regional disparities in institutional response capacity (Cerqueira *et al.*, 2015).

Legislative Evolution and the 2015 Femicide Law

The analysis period (2006-2020) captures a critical juncture in Brazilian legislation against gender-based violence. In 2015, Law 13.104/2015 (Femicide Law) modified the Penal Code to include femicide as a qualified form of homicide, creating an important legal complement to the Maria da Penha Law.

Based on the reviewed literature, this legislative strengthening appears to have influenced violence patterns in the latter part of the study period.

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2 Institutional capacity refers to the ability of governmental and non-governmental organizations to effectively implement, monitor, and sustain public policies. In the context of the Maria da Penha Law, this includes factors such as: adequacy of financial and human resources; existence of specialized services (police stations, courts, shelters); inter-institutional coordination mechanisms; staff training and qualification; technological infrastructure for case management; and organizational procedures for victim assistance and perpetrator accountability.

Ferraz and Schiavon (2023) noted that the 9% reduction in female homicides from domestic aggression may reflect the combined effect of both laws, particularly after 2015. Similarly, Calado *et al.* (2017) observed that the slower increase in homicides after the Maria da Penha Law's implementation was further moderated in the post-2015 period.

This temporal evolution demonstrates that anti-violence legislation often requires iterative strengthening rather than single-point interventions. The Maria da Penha Law created the foundational framework for protection, prevention, and punishment, while the Femicide Law addressed specific gaps in homicide prosecution and gender-based crime recognition.

Sociocultural Impact

The sociocultural dimension emerges as a critical factor in the effectiveness of the Maria da Penha Law. Several studies document increased awareness and notifications after the law's implementation, suggesting positive changes in social perceptions of domestic violence.

Changes in Notification Profiles

Freitas *et al.* (2024) identified an increase in notifications over time, a result that may reflect both an increase in violence incidence and improvement in reporting mechanisms and victim awareness of their rights.

Amaral *et al.* (2016) documented changes in aggressor profiles after the law's implementation, with a higher proportion of individuals with criminal history, suggesting that the law may have contributed to identifying and holding repeat perpetrators accountable.

Persistence of Patriarchal Norms

Despite legislative advances, studies show the persistence of patriarchal sociocultural norms that limit the law's effectiveness. Gründler (2019) identified high rates of renunciation and revictimization, indicating that cultural factors continue to negatively influence victims' search for protection.

Cultural resistance, victim-blaming, and underreporting remain significant challenges, as documented by various authors (Gattegno *et al.*, 2016; Souza *et al.*, 2016; Silva, 2010).

Perpetrator Interventions

A less explored aspect in the literature, but of significant relevance, refers to interventions directed at violence perpetrators. Ferro (2021) evaluated the impact of reflective groups and re-education programs, identifying recidivism rates of 10% among participants versus 43% among non-participants.

This finding suggests that interventions focused on the behavioral change of aggressors may constitute an effective violence prevention strategy, although the limited availability of these programs represents a challenge for large-scale implementation.

Methodological and Measurement Issues

The analysis of studies reveals significant methodological challenges in evaluating the impact of the Maria da Penha Law. The different metrics used, varied analysis periods, and limitations of available data contribute to the heterogeneity of findings.

Data Interpretation Challenges

Freitas *et al.* (2024) and Gattegno *et al.* (2016) warn that increases in notifications may reflect improvement in recording systems rather than increased violence incidence. This observation is fundamental for the adequate interpretation of available data.

Underreporting remains a central issue, with studies indicating that many cases of domestic violence still do not come to the attention of competent authorities. This limitation affects both the assessment of the problem's magnitude and the measurement of intervention effectiveness.

Need for Metric Standardization

The variability in metrics used by different studies hinders comparisons and syntheses of results. While some studies focus on hospitalizations, others analyze homicides, police notifications, or protective measures, creating a fragmented picture of the law's real impact.

Impact of the COVID-19 Pandemic

Although the COVID-19 pandemic is beyond the main analysis period (2006-2020), three included studies documented its impact on domestic violence, providing important insights about contextual factors that influence the effectiveness of protection policies.

Santos *et al.* (2021) recorded a 146% increase in cases during the initial pandemic period, while Silva *et al.* (2023) observed a reduction in notifications, possibly due to limitations in access to reporting services. Aguiar *et al.* (2024) identified a pattern of decline during the pandemic, followed by an increase post-2022.

These findings highlight how extraordinary contextual factors can influence both violence incidence and reporting patterns, evidencing the need for adaptive and resilient protection systems.

Final Considerations

The analysis of the literature on the impact of the Maria da Penha Law reveals a complex and multifaceted picture. Although there is evidence of improvements in specific indicators, such as reduction in assault-related hospitalizations and some types of homicides, the law's overall effectiveness proves heterogeneous and dependent on multiple contextual factors.

The findings suggest that the law had a positive impact in increasing awareness about domestic violence and improving reporting mechanisms, but faced significant limitations in effectively changing violence patterns. The persistence of patriarchal sociocultural norms, limitations in institutional implementation capacity, and challenges in compliance with protective measures emerge as critical factors that limit the legislation's effectiveness.

The heterogeneity of findings evidences that uniform approaches may not be adequate for a country with Brazil's dimensions and diversity. The need for regional adaptation of implementation strategies, considering local specificities of institutional capacity and sociocultural context, emerges as a fundamental recommendation.

This review presents important limitations that should be considered in interpreting the results. The methodological heterogeneity of included studies limits the possibility of more robust quantitative syntheses. Additionally, the temporal and geographic variability of studies may mask important patterns of change over time and between regions. The dependence on official data, although necessary for public policy analyses, may underestimate the real magnitude of domestic violence due to underreporting. Furthermore, the greater concentration of studies in certain regions of the country may limit the generalization of findings to the national context.

A key contribution of this long-term analysis is demonstrating that the effectiveness of domestic violence legislation unfolds over extended

periods and benefits from iterative legal strengthening, as evidenced by the complementary role of the 2015 Femicide Law. Future research should focus on developing standardized metrics for evaluating the effectiveness of domestic violence combat policies, conducting long-term longitudinal analysis of the law's impacts, and evaluating specific interventions that demonstrated greater effectiveness, such as perpetrator intervention programs.

Future research should focus on developing standardized metrics for evaluating the effectiveness of domestic violence combat policies, conducting long-term longitudinal analysis of the law's impacts, and evaluating specific interventions that demonstrated greater effectiveness, such as perpetrator intervention programs. Additionally, there is an urgent need for updated studies covering the post-2020 period to assess how the COVID-19 pandemic and subsequent social changes have affected domestic violence patterns and the law's effectiveness in the contemporary context.

The consolidation of a national monitoring and evaluation system, which allows systematic and comparable tracking of domestic violence indicators, constitutes a pressing need to guide the continuous improvement of public policies for women's protection.

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