

# FEMINIST LAW LETS RAPISTS OUT OF PRISON IN SPAIN

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Jurists and critics of the law had warned that, as

written, the law would result in reduced sentences for those already convicted of sexual assault.

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In Spain, rapists are getting out of jail early, thanks to a law purported to better protect women against sexual violence.

The ‘Solo sí es sí’ law (‘only yes is yes’), went into effect in October 2021, but since then, Spain may have become more dangerous for women: 17 rapists and abusers have been released from prison, and another 117 have had their sentences reduced, some by as much as seven years, Europa Press [reports](#).

Designed by the far-left element of the country’s explicitly feminist, socialist coalition government, the recent reform is intended to make it easier to prosecute sexual violation as the higher crime of sexual assault. The new law eliminates what was previously considered the lesser crime of sexual abuse and expands the definition of sexual assault to include sexual violations committed without violence or coercion.

“No woman is going to have to prove that there was violence or intimidation in an attack for it to be considered an attack. We recognize all attacks as sexist violence,” the Spanish minister for equality, Irene Montero, whose department wrote and championed the law, explained to the media.

The change [stems](#) from a controversial case of gang rape that occurred in 2016. In the initial trial, the five men accused of raping a sixteen-year-old girl during the country’s famous San Fermin Festival in Pamplona were convicted only of sexual abuse, as the first court did not find enough evidence of violence in the case to elevate the crime to assault. A public outcry ensued, and the case then made it to the country’s highest court, where the

conviction was changed to rape.

But legal experts had warned, before the approval of the ‘Solo sí es sí’ law by parliament, that, as written, the law would result in reduced sentences for those already convicted of sexual assault. Under Spanish law, prisoners must have the law applied to them in the most favourable way possible, including a revision of their sentence if a law is changed.

Since October, the critics have been proven right. In addition to the 133 convicted sex criminals whose sentences had been reduced as of December 31st, hundreds of other cases are under review, according to Europa Press. So far, of the cases reviewed, the majority have resulted in a reduction of prison time, varying from a matter of days to an immediate release.

Minister for Equality Montero has [stood by](#) the legislation, blaming judges for misinterpreting it, calling for the education of judges in “gender perspective” and dubbing them “fascists in togas.” As the backlash continued, her defence then moved to the excuse that significant legal changes, particularly feminist regulations, always require a period of adjustment.

Eventually, all the country’s convicted rapists will have had their cases reviewed and the sentence reductions will end, while those convicted since October will directly benefit from the lighter sentencing for rape mandated by the feminist law.

Criminal lawyer Bárbara Royo told *EL Debate* that the law shows a lack of technical legal expertise in its formulation, being a product instead of inept activism and political showmanship.

Royo said: “The banners, the campaigns, the modification of the language ... are demagoguery and propaganda that has nothing to do with the protection of women.”

The law also adds the crimes of sexual femicide, street harassment (such as cat calls), and

digital sexual violence (such as sexual extortion through the threat of using images in social media or non-consensual pornography) to the criminal code in which sexual femicide is considered, "the most serious violation of human rights linked to sexual violence," while street harassment is a misdemeanour. Additionally, it mandates sex education in schools and the creation of 50 shelters for battered women throughout the country, with an allocation of €66 million to build them.