

Manual of the “Intervention Team” in Protecting the Rights of Victims of Domestic and Gender-Based Violence

2024 „Staviame Mosty Pomoci
(Building Bridges of Help)“



#existujeriešenie

(solution exists)



**Manual of the "Intervention Team"
in Protecting the Rights of Victims of Domestic and Gender-Based Violence**

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INTRODUCTION

The mentioned publication aims to be an aid and a brief manual for members of the intervention team in the framework of helping victims of domestic and gender-based violence and protecting their rights. It is part of the outputs of the project Staviamе Mosty Pomoci (*Building Bridges of Help*) (SMP), which is co-financed from the Norwegian financial mechanism 2014-2021 and the state budget of the Slovak Republic. The entire intervention team is purposefully not listed in this manual, because within the activities of the SMP project, the significant need for cooperation, networking and effective coordination of all intervention components participating in the protection of victims' rights has emerged as one of the ever-current needs.

Brief description of the work, competences and possibilities of individual stakeholders is the call for further supplementing steps, including description of the work and competences of the prosecutor's office, the court, as well as the progress of rescue services in the entire system of assistance to victims of violence.

1. Definition of Terms in the Field of Gender-Based and Domestic Violence

Gender-Based Violence

Gender-based violence means any acts of violence that are directed against a certain person because of their sex, gender, gender identity or gender expression or that disproportionately affect persons of a certain sex. Gender-based violence is a violation of human rights and a violation of the prohibition of discrimination and the principle of equal treatment.

It differs from other forms of violence in that the gender of the victim is not random; women become victims of domestic violence as a result of unequal power relations based on differences between women and men in social and societal status, both in the public and private spheres. This type of violence is deeply rooted in the social and cultural structure, norms and values that govern society and is often supported by a culture of denial and silence.

Gender, in contrast to sex refers to a set of socially created roles, patterns of behavior, activities and attributes that society considers appropriate for women and men. Thus, gender is the social aspect of biological sex; while the signs of women's biological sex are the same all over the world, social roles and patterns of behavior - that is, gender signs - are different and often contradictory in different cultures and religions. As a rule, these expectations turn into general expectations, often associated with prejudices about the abilities of men and women, which we call "gender stereotypes". These stereotypes are characterized by a strong hierarchy (male superior to female) and thus form a kind of informal power structure.

„Gender conditionality“ of violence against women means that men's violence against women is understood in its broad social context and not as an individual problem of a specific relationship, or of domestic violence. It is based on the decisive stereotype of the man as the "head of the family", i.e. someone who has the right to bring order in the family. Violence against women is a product of the social construct of masculinity, a set of traditions, customs and beliefs that allow some men to gain dominance and control over women and thereby gain the right to use violence as a means of exercising that dominance and control.

Violence against women means any acts of gender-based violence directed against women and girls that result or may result in physical, sexual, mental, but also economic harm or suffering, including threats of such acts, coercion or arbitrary deprivation of liberty, whether in public, or in private life.

Gender-based violence against women is thus the result of social relations with an unequal distribution of power, in which women have a subordinate position to men - gender inequality. Although it most often happens in partner relationships, the perpetrator can also be a son, father or other relative on whom the woman is dependent or is in an unequal power position. A special form is sexual violence committed in public or in armed conflicts as part of the "destroy the enemy" tactic.

Domestic violence

Domestic violence includes any acts of physical, sexual, psychological, social or economic violence committed by a person who is or was a close person to the victim. Domestic violence includes intimate partner violence as well as violence between other family members.

Intimate relationship violence or intimate partner violence includes any acts of physical violence, sexual violence, mental violence and economic violence that occur between current spouses or former spouses or partners, regardless of whether the perpetrator shares or previously shared common household with the victim.

Domestic or partner violence against women is gender-based violence - the fact that it happens mainly to women is gender-based as a result of social inequality between men and women (gender inequality).

The perpetrator of domestic violence is usually a person in a position of power, and the victim is a person dependent on the perpetrator. This position is constant and unchanging, in contrast to common partner arguments and conflicts, the victim never dominates in the relationship.

Anyone can become a victim of domestic violence, but there are certain risk factors that increase the risk and make the victim particularly vulnerable, such as any of the following ones:

- **sex of the victim – women are usually physically weaker, pregnancy and joint children increase the degree of dependence on the perpetrator;**
- **dependence on the perpetrator – a housewife, a child, an elderly parent or a disabled family member;**
- **multiple disadvantage, such as ethnicity, foreign origin or immigrant status.**

Related Terms

Prevention: The basic goal of prevention is to prevent, limit and minimize the presented problem, disorders or phenomena. Prevention is based on standard procedures established on the basis of international conventions, especially the Convention on the Elimination of All Forms of Discrimination against Women.

Primary prevention is an activity aimed at preventing or eliminating the occurrence of violence or its tolerance even before the problem appears or arises. It is mainly about motivating a person to prefer values, attitudes and principles of non-violent behavior, respect for people and recognition of the equality of men and women. Primary prevention is often included in school, health or social programs. This includes, for example, gender-sensitive pedagogy aimed at education for the equality of men and women, work with children and youth on the topic of violence, critical articles in newspapers on this topic, confrontation of myths with facts, strategic materials and decisions, changes in laws, etc.

Secondary prevention contributes to the early recognition and stopping of violence and focuses on identifying the problems of individuals or groups and concrete assistance to victims. Secondary prevention is intended directly for persons at risk or risk groups of the population, while creating space for targeted activities in the social field, health care, education, psychology and law enforcement agencies. Secondary prevention is also intended to prevent the emergence or deepening of other problems stemming from violence, such as disorders of social and psychological development or health problems. For example, rapid police intervention with appropriate consequences for the perpetrator should in principle prevent the violence.

Tertiary prevention is an attempt to prevent the recurrence of violence or to mitigate the consequences of violence that has been committed. At the same time, it should prevent the worsening of the already existing condition and prevent its recurrence. It is about prevention within the framework of limiting the consequences, causes and manifestations of violence. Tertiary prevention begins after the failure of primary and secondary preventions, the target group being people with clearly named problems who, in addition to endangering themselves, also endanger their surroundings. The aim of tertiary prevention is mainly the resocialization and integration of individuals. Tertiary prevention is usually implemented by medical, social or school institutions, mainly in the form of social intervention programs with perpetrators of violence.

Secondary victimization is a situation where a victim of violence becomes a victim of violence repeatedly as a result of insensitive action, inadequate approach or failure to act by any person within the framework of helping victims of violence. Secondary victimization can also occur as a result of insensitive media coverage of cases of such violence.

Security plan is a list of contacts, measures or activities that serve the victim, if she is immediately threatened by violence, to ensure the safety of this victim and her close people.

Threat risk assessment is a procedure for individual assessment of the victim's imminent threat of violence and the consequent need to adopt special measures according to this law.

Social-intervention program for working with perpetrators of violence is a program provided by an accredited entity for the purpose of adopting non-violent behavior by perpetrators of violence in interpersonal relationships with the aim of changing the violent behavior patterns of the perpetrator of violence and preventing further violence.

2. Violence, its Manifestations, Forms

Manifestations of Violence Against Women

Violence against women, i.e. gender-based violence, is one of the most common forms of human rights violations in the world.

It has various manifestations:

- violence against women in couple relationships
- trafficking in women
- rape
- sexual abuse and sexual harassment
- forced prostitution
- female genital mutilation, etc.
- forced marriages

Violence against women in intimate relationships belongs to the most serious and widespread forms of violence against women. It is violence committed against women by their husbands, partners or ex-husbands and partners.

By violence against women, we understand any behavior aimed at exercising power.

Domestic or partner violence against women occurs in a certain socio-cultural context, in which men and women do not have the same position - that is, there is gender inequality, while society generally assigns greater authority and a higher status to men. In this context, we speak of "gender-based violence". The circumstances under which a violent act occurs and the motivation to commit it therefore usually differ between men and women.

Women mostly resort to violence in self-defense or in retaliation, and usually use it to solve intractable situations or conflicts for them.

Men most often use violence to control their immediate surroundings, to terrorize or oppress family members, especially partners.

Domestic violence is a serious crime that mainly affects women, regardless of age, education, social or social groups of the population. In addition to partner violence, domestic violence can also be directed against the weakest or dependent members of the family, most often against children, the elderly or the disabled. The whole family often suffers under the violence of one person. Domestic violence has a very negative impact on personal relationships, psychological and physical health of the victims, work opportunities and their social life.

Forms of Violence

In general, 5-6 forms of violence are distinguished:

- **Physical, bodily.** This includes various forms of harm with a wide spectrum of attack intensity, the consequences of which are visible on the victim (fights, slaps, punches and various objects, throwing, sucking, kicking, pulling the hair on the ground, burns, cuts, etc., after which visible traces remain on the victim's body).
- **Social.** This is isolation, preventing any contact with the outside world, including friends and relatives.

- **Economic.** This is refusal or minimization of financial support, preventing work, preventing employment and having one's own income, destruction of the victim's property and personal belongings, and others.
- **Sexualized.** This involves coercion on the part of the rapist to sexual intercourse or other sexual activities, often very absurd, physical harm to the victim before or during intercourse, forcing the victim to prostitution, oral, anal or vaginal rape and others, while the victim suffers physically and mentally; abuse of sexuality to exercise power and control.
- **Psychological and emotional.** By psychological violence we mean insults, criticism of appearance, behavior, family, friends or taste, threats (of the victim or someone from her family, e.g. even with death), humiliation - both at home and in public, ridicule, destruction of personal things, causing feelings of guilt, breaking confidence, shouting, swearing, slamming doors and punishing or punching, shouting, ignoring and others.
- **Institutional.** he so-called secondary damage, secondary victimization caused by those who should protect the victim from violence and abuse.

3. Characteristics of a Victim of Domestic or Gender-Based Violence and the Possibility of Helping Victims of Violence

A brief Characteristics of a Victim – a Woman Experiencing Violence

A victim who is subjected to violence is unable to defend herself, has an increased dependence on the abuser, shows learned helplessness, self-blaming tendencies, self-destructive reactions, an increased willingness to please others, especially the aggressor, loses plans for the future, rarely experiences joy, she shows increased irritability, a tendency to make excuses the behavior of the rapist, feeling sorry for him., There is a negative self-evaluation that is the result of long-term violence, the ability to behave spontaneously disappears. A woman experiencing violence often accepts the role of the culprit, creates a feeling that she deserves it. The so-called Stockholm syndrome or dissociation disorder can develop from the mentioned long-term survival of the victim. Long-term violence results in many cases in the suicide of the victim.

The behavior of victims of domestic violence can appear as if they are moving in a vicious circle. It is often incomprehensible to the layman why the victim is unable to effectively defend herself or leave the abuser. With the perception of the fact that a close person is violent and with fears for his own safety, the victim may feel shame or self-blame for the situation she is facing. Feelings of personal failure and incompetence are common. In connection with the fear of a violent person and with a persistent affection for the perpetrator or awareness of the commitment of family life, the victims experience ambivalent attitudes towards the rapist and violence and manifest the so-called counterintuitive reactions. Unsuccessful attempts to solve the situation usually change the victim's situation for the worse and damage her self-confidence so much that she loses the ability to help herself. If the abuser simultaneously intensifies the violence, the victim also loses the will to break free from the violence. It is more correct not to talk about a cycle, but about a spiral of violence, precisely because of the constant changes taking place in the victim's psyche, which reach a point where there is no way out, nor any more strength to endure the given situation.

Helping Victims of Violence from an Abusive Relationship

A victim who experiences violence or a woman who experiences violence in partner relationships has opportunities for help and support in Slovakia. However, even though it has declared protection in terms of legislation, the reality is, unfortunately, different from the perspective of several interested institutions. Manual of uniform procedures is missing, as well as targeted support for multi-institutional cooperation

involving several departments.

Many women are "lucky" if the violence occurs in a region where there is an organization (in most cases non-governmental) providing specialized support and protection. If there is no professional help in the region, the woman must rely on an educated policeman, social worker, doctor, who will sensitively approach help with understanding and taking into account the traumas she has experienced. If this is not the case, women encounter repeated victimization at several levels – family, state institutions, courts and others.

Our society is still subject to myths about violence against women. Many condemn a woman experiencing violence for "putting up with him for so long that she didn't leave and why she didn't leave yet, that she might have provoked him, because there was definitely alcohol involved, or they will condemn her because they think she is hungry for money". The overall blame for the violence a woman experiences gradually shifts to her. It is alarming that these myths are the starting point for many professionals and constantly affect the possibilities of helping, protecting and supporting women experiencing violence.

Violence in a partner relationship does not depend on the age, social status, education, ethnic and religious affiliation, temperament or mental equipment of the aggressor or of the victim.

It can take various forms. In practice, these forms of violence are often difficult to separate from each other. Physical violence is usually accompanied by psychological, sexual, physical and psychological violence and the like. However, unlike physical violence, psychological violence is more difficult to prove. For many victims, psychological violence is much worse than physical violence, because they cannot effectively defend themselves against it and have no way to prove it.

4. Professional Help of the Intervention and Counseling Center

Accredited Entity and Intervention Center

Rights of victims of crimes, including the right to professional assistance, were legislated by adopting Act no. 274/2017 Coll. on Victims of Crimes and on Amendments to Other Acts (Act on Victims). In order to ensure high-quality and accessible professional help, the law also regulates the conditions for providing professional help through an accredited entities and/or intervention centers.

Also on the basis of the support of the Ministry of Justice of the Slovak Republic, in the Slovak Republic, there is a support network of accredited entities and intervention centers providing general or specialized professional assistance to victims of crimes.

General professional assistance of victims includes:

- provision and proper explanation of information (especially regarding criminal proceedings, its procedures and rights, professional assistance);
- legal assistance for exercising the victim's rights;
- legal assistance for exercising the rights of a victim who has the status of victim or witness in criminal proceedings;
- psychological help;
- counseling regarding the risk and prevention of repeated victimization.

Specialized professional assistance for victims includes:

- provision of general professional assistance;
- provision of crisis psychological intervention;
- evaluation of the threat of danger to life or health;
- mediation of the provision of social services in an emergency housing facility and specialized social counseling if the life or health of a particularly vulnerable victim is in immediate danger.

At least one intervention center operates in each self-governing region, which provides victims of domestic violence with crisis intervention and professional assistance, which includes legal advice and representation, as well as professional psychological and social assistance. This assistance is provided by the intervention center for victims of domestic violence free of charge and, if so requested or if the protection requires so, also anonymously.

According to § 3 par. 1 of the Act on Victims, **Victim** means any person who claims to be a victim, until the contrary is proven or if it is not an obvious abuse of the victim's status according to this Act, regardless of whether the perpetrator of the crime has been detected, prosecuted or convicted.

Presumption of victim status is the following presumption that follows from § 3 par. 1 of the Act on Victims: Any person who claims to be a victim should be considered a victim until proven otherwise or if it is not an obvious abuse of the victim's status according to the Act on Victims.

Intervention centers provide crisis intervention and support not only to victims after deportation, but also to those who proactively seek help. The tasks of intervention centers include evaluation of the threat of danger to life or health and the drawing up of a security plan. Such evaluation evaluates the effectiveness of the reporting and enables the determination of the next procedure, e.g. transfer of the victim from the common residence, submission of a proposal for the issuance of an urgent measure. Experts in the fields of psychology, social work and law provide comprehensive and free professional assistance, accompanying victims in criminal proceedings, as well as their legal representation. At the same time, the intervention center helps the victim to contact other institutions and solve her personal situation, also thanks to psychosocial support and counseling. The decision to use or not to use these services is fully left to the victim of violence.

[Basic Procedures for the First Contact with a Woman at Risk of Violence in a Counseling Center](#)

Women experiencing violence often do not talk about their situation for many years. They are isolated, questioned, scared, and/or confused. They experience feelings of guilt, fear for their lives and the lives of their children. All these feelings affect the first contact with such a woman. For a woman experiencing spousal violence, it can be difficult and challenging to seek help and support.

A woman does not decide to seek help overnight. Already during the process of deciding whether or not to seek help, she formulates certain expectations. Such expectations can be linked to the past, they can be influenced by past experiences with seeking help. She may have experiences in the past that she repeatedly turned for help to institutions - Office of Labor, Social Affairs and Family (ÚPSVR), doctors, the police and was met with a dismissive attitude, belittling the violence she experiences or has the experience that she was not believed. In the case of such labeling, blaming and stigmatizing, it can be difficult for a woman to believe again that someone will believe her and can help her.

When providing assistance to women at risk of violence, security is paramount. It must be remembered that a woman living in an abusive relationship is putting herself and her children at risk if she seeks help. The fact that she came to the counseling center means that her situation is unbearable. Therefore, if we do not observe the principle of security, we expose the woman to danger and even femicide (i.e., the murder

of a woman by a former or current partner as a result of long-term violence against a woman - the trigger is usually the woman's departure from her partner).

The following rules should be adhered to in cases of violence against women and their children:

- protection of personal data of the woman and her children;
- non-disclosure of the identity of children at risk;
- ensuring confidentiality and anonymity at least at the beginning of the investigation.

Trust is an important part of contact and feeling safe and can positively or negatively affect the first contact with a woman. During the first contact, it is good to ask and talk about the woman's expectations. Talking to a woman about the experience of violence is not easy. It is very important that we try to gain the trust of the woman we are talking to and create a safe and pleasant environment for the interview. If possible, talk to the woman alone.

Workers in direct contact with women and their children who experience violence should follow the basic principles that ensure quality and comprehensive support and assistance for victims of violence.

Principles of Communication with the Victim about the Violence

Violence is never justified, there is no excuse for violence. A violent person is someone who is responsible for the violence and must bear the consequences for it. The consequences of violence can be long-lasting and can threaten the life of the victim - the woman and her children. Ending the cycle of violence is often difficult and can take several years. What is needed here is the courage of the victim to deal with her situation, detailed and safe help planning and a support network.

Social Work in an Intervention and Counseling Center

Social work within the framework of specialized counseling is primarily the provision of general, but also specialized professional assistance consisting mainly of the provision and proper explanation of information (especially regarding the criminal procedure, its procedures and rights, professional assistance), counseling regarding the risk and prevention of repeated victimization, in evaluating the threat of danger to life or health, developing a security plan, mediating the provision of social services in an emergency housing facility and specialized social counseling, if the life or health of a particularly vulnerable victim is in immediate danger, and/or in providing other specialized activities connected with the safe life of a victim of violence.

Psychologist in an Intervention and Counseling Center

Within the intervention and counseling center, specialized counseling in the social, legal and psychological fields is provided. Like the others, psychological help is an important area in the care of victims (survivors) of domestic and gender-based violence. Its focus may differ from the condition, needs and individual experience of each client (he or she – hereinafter simply referred to as the client) who begins to cooperate with the intervention and counseling center. However, there are certain principles and rules that we should follow in our approach to a person experiencing violence.

The provision of psychological help and crisis psychological intervention takes place mainly for the purpose of managing a stressful and traumatic event, as well as the consequences of violence on clients and their children. Since we perceive children as victims of violence not only if they are exposed to violent behavior directly, but also if they have witnessed it (as secondary victims), it is important to ensure that they are also provided with adequate psychological help.

Psychological help also focuses on overcoming changes and accepting a new life situation, which is often difficult. We provide clients with support and listening mainly in the form of a personal or telephone conversation. If necessary and possible, also in the form of an online meeting. In our work, we sometimes also use various techniques and methods that help us establish intimate contact with clients, such as therapeutic cards, drawing and other art therapy methods, family boards, and the like. These techniques also help clients tell their story and process the aftermath of a traumatic event. It is also important for clients that we can provide them with a safe place where they can talk about their experiences and ventilate their emotions in an appropriate way. We also help clients to realize the often negative perception of their own person, as well as to strengthen their own resources and coping strategies for managing current and long-term stress. We try to provide an objective overview and work on regaining confidence in one's own abilities. We develop and strengthen assertive communication, we support the restoration of social contacts and trust in interpersonal relationships.

Empathic approach is very important in the work of a psychologist, as well as understanding of the issue of domestic and gender-based violence, and a clear attitude of the helping workers, i.e., that violence is unacceptable behavior in relation to another person and must be clearly named where it is committed. It is also important to inform and educate clients about the nature and dynamics of such violence, to be able to distinguish it from conflict and ordinary quarrels, and to work with its consequences. In this way, we contribute to the prevention of a repeated return to a violent relationship or the establishment of a new relationship, where partner violence could occur again. It is necessary to unequivocally point out that the person who commits the violence is responsible for it. Clients need to hear and know about their rights, to be reminded of them, to know that it is okay to set boundaries in relationships and to have the same rights as another person and to be respected.

The consequences of surviving and experiencing domestic or gender-based violence will not only affect the physical health of the victims (survivors), but have a negative effect and long-term impact on their psychological health and overall survival. At first glance, the behavior of survivors can often appear illogical or unreasonable. The very fact that we spend time studying this issue and talking to clients helps us better understand the reasons why a person behaves in a certain way, and thus we can be more empathetic. This allows us (as helping workers) to realize which procedures and approaches are helpful and appropriate for our client, and which ones, on the contrary, are harmful. In this way, we can make our work more efficient and act preventively against burnout syndrome, which is a frequent phenomenon in our profession.

More attention is paid to the topic of domestic and gender-based violence, and nowadays we already have a lot of professional knowledge and experience that alert us to the need to protect victims (survivors) from further harm and damage. Despite this, it often happens that we provide psychological help and intervention in case of repeated and secondary victimization and retraumatization of our clients. We also help them cope with stigmatization from the environment (often even close family). These circumstances also subsequently contribute to slowing down the process of processing a traumatic event and represent a significant obstacle on the way to the recovery of clients.

In some cases, the screening examination is also part of the psychological work. Such examination focuses on the current experience of clients, mapping anxiety and depressive symptoms, as well as symptoms of an acute stress reaction or post-traumatic stress disorder. They are based on standardized diagnostic questionnaires and projective methods.

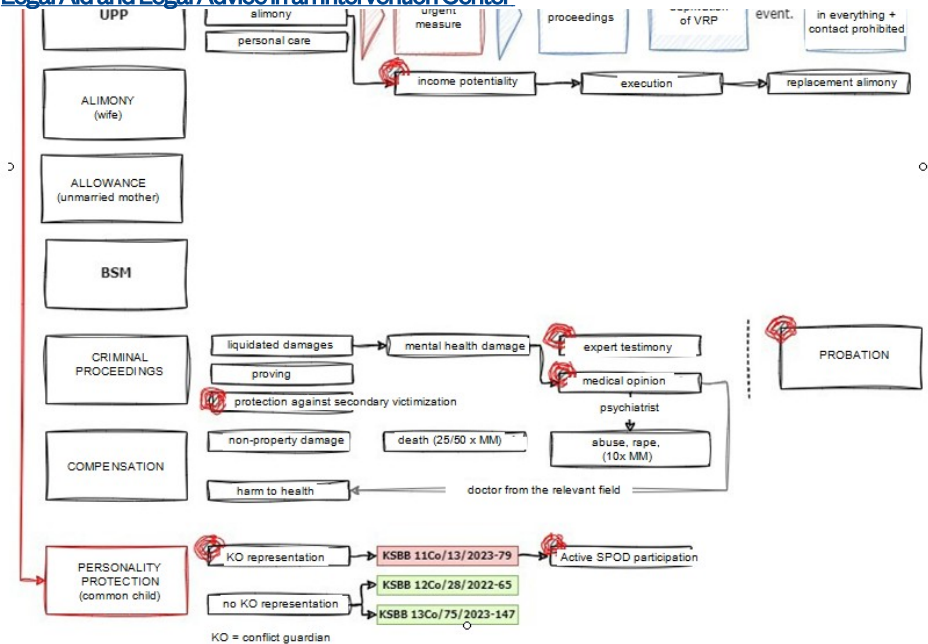
In the counseling process, we help clients to orient themselves in the relationship - what happened to her or what is happening to her, what problems she has, whether it is a conflict or violence. Then, we recommend further steps and appropriate procedures. We also talk with clients about healthy relationships in the family and partner life, about the relationship with children, how to communicate

with them about difficult topics. We also talk about the difference between a violent relationship where power and control dominate and an equal partnership where respect, trust and support prevail.

We know that clients have a tendency to often return to the usual way of functioning and to the behavior that they have adopted while living in their abusive relationship. In order to radically change it, they are usually hindered by great fear, feelings of shame or guilt. Sensitively motivating clients to change and respecting their current psychological, physical and social condition is very important. We can also motivate clients to change by using proven procedures within the concept "Motivational Interviewing" (W.R. Miller and S. Rollnick). The materials developed by the civic association MyMamy can also help us understand and gain insight into the experiences of clients and psychological work with women and children in the counseling process for victims (survivors) of domestic and gender-based violence: "Post-Traumatic Stress Disorder for Women Leaving a Violent Relationship and the Possibility of its Treatment in Counseling Practice - Methodology and the Mom, You Love Me - Methodology".

Since the topic of domestic and gender-based violence is very complex and difficult, we consider it important to continue to look for effective ways of working with clients, to share good practice among all workers who come into contact with victims (survivors) of violence and to consolidate what shows us as the most beneficial in working with this specific clientele. The common goal should be towards the elimination and prevention of domestic and gender-based violence in our society, as well as spreading awareness in the public space

Legal Aid and Legal Advice in an Intervention Center



5. POLICE and its Roles in the Process of Protecting Victims of Violence

Police Intervention

If the police expelled a close person from the residence and the reason is the fear that this person may pose a danger, the threat of another attack on life, health, freedom or human dignity. The expulsion is valid for 14 days. During this time, the expelled person may not return home and may not approach the threatened victim at a distance of less than 50 meters. The police have a legal obligation to send an expulsion report to the relevant intervention center in their self-governing region.

Basic Information about Criminal Proceedings

What are criminal proceedings?

The main goal of criminal proceedings is to clarify the committed crime, to find out the circumstances of its commission and to punish the perpetrator justly.

Answers on the following questions are established in particular in criminal proceedings:

- whether a certain act, which can be considered a criminal act, has taken place;
- who committed the act - the perpetrator;
- why and how the act was committed, what led the perpetrator to commit it;
- what the crime is, i.e. it is determined how to mark the act that was committed;
- to whom and what damage was caused by the crime.

Subsequently, in **criminal proceedings, decisions** are made on:

- fulfillment of the conditions for conviction of the offender;
- punishment for the offender (e.g. prison, fine, confiscation of property);
- possibilities to enter into a plea agreement or reconciliation;
- the amount of damages and compensation for the victim of the crime.

The criminal proceedings can be divided into two main stages as follows:

- **pre-trial proceedings**, which are divided into:
 - procedure before initiation of criminal prosecution;
 - preliminary proceedings;
- **Judicial proceedings**
 - review of the indictment by the court;

- main hearing;
- appeal proceedings;
- enforcement proceedings.

Concepts of criminal proceedings

Policeman

The member of the Police Force who is in charge of the investigation. Together with the prosecutor, he belongs to the law enforcement bodies (also referred to as ОДТК).

Prosecutor

The role of the prosecutor is to defend society's interest in the detection of crimes and the just punishment of perpetrators. In pre-trial proceedings, he supervises the police officer's progress and decides on the filing of an indictment and the initiation of court proceedings.

Court

According to the seriousness of the crime, a judge or a panel (composed of several judges) decides on guilt and punishment. On the basis of the indictment filed by the prosecutor, the decides on guilt and punishment for the perpetrator and damages for the victim of the crime. It also approves the plea agreement and decides whether to approve the settlement.

Indictment

An indictment is a prosecutor's submission addressed to the court, in which the accused is identified, the deed that occurred is described (including an indication of what kind of crime it is) and the proposed penalty, in the event of guilt being proven. Court proceedings begin with the filing of an indictment.

Accused

A suspect (a person who has allegedly committed a crime) becomes an accused as soon as a police officer charges him (a resolution to charge).

Culprit

The moment the court orders the main hearing, the accused becomes a culprit.

Injured (designation of the victim for the purposes of criminal proceedings)

A person whose physical, moral or other damage was caused by a criminal act, or whose rights or freedoms were violated or threatened.

6. Competence of the Office of Labor, Social Affairs and Family (ÚPSVR) in Providing Services to Women Experiencing Violence

The Work of Operatives of the Office of Labor, Social Affairs and Family (ÚPSVR) with Victims of Violence

Women experiencing violence, especially if their minor children are also victims of violence or witnesses of violence, are usually the first to contact the Office of Labor, Social Affairs and Family (ÚPSVR) in search of help. It is therefore very important to set up adequate assistance, but also to strengthen the skills, knowledge and competence of ÚPSVR employees. The ÚPSVR employees fulfill the tasks arising from Act No. 305/2005 Coll. on the social and legal protection of children and the social guardian and on the amendment of certain laws and tasks arising from Act No. 36/2005 Coll. about family.

They ensure the continuous protection of the child's life, health and favorable development, which is essential for his well-being and respects his best interest.

Along with psychological or physical violence, many women also experience economic violence. Therefore, it is appropriate to ask whether the client has financial resources, reserves, to explain to her how and under what conditions the Office of Labor, Social Affairs and Family (ÚPSVR) can apply for any of the following kinds of support:

- allowance in material need;
- child allowances (alternatively, if the abuser receives them, under what conditions the child allowances can be transferred to the mother);
- child allowance supplement;
- replacement alimony for the child;
- parental allowance.

Clear and comprehensible communication contributes to effective assistance. Many women who experience violence are stressed about talking about such intimate matters, so they may not record a lot of information during the interview. In such cases, printed instruction or leaflet would help with further decision-making and clarity of state social benefits. After counseling, a woman who experiences violence needs time to make a decision, to consider all alternatives. At the same time, it is necessary to respect her decision. The security of the woman experiencing violence and her children must be kept in mind.

Social-Legal Protection of Children and Social Guardianship Authority (hereinafter "SPODaSK")

The significant role of this department lies mainly in their competences:

- they perform the function of conflict guardian of children;
- they propose to the court the imposition of educational measures / restriction and deprivation of parental rights, entrusting the child to education, determination of alimony, adjustment and prohibition of contact;
- they have the authority to enter the homes of families where violence is present;
- they can use the option to summon violent men.

They can also provide the following information to women experiencing violence:

- the course and procedures of courts, criminal proceedings, as well as the competences of the Social-legal Protection of Children and Social Guardianship Authority("SPODaSK");

- contacts to the police and the prosecutor's office;
- National hotline for women experiencing violence, tel. 0800 212 212;
- specialized counseling centers for women experiencing violence;
- organizations providing free legal assistance/accredited entities pursuant to Act 274/2017 Coll. for victims of crimes or legal aid centers;
- accommodation options, availability and conditions in Safe Women's Houses, Emergency Housing Facilities or shelters in the region.

The most important role is played by workers of the Office of Labor, Social Affairs and Family (ÚPSVR) in the departments of social affairs at lawsuits. It is they who can do the most to protect the rights and legally protected interests of minors.

The conflict guardian has all the same procedural rights as lawyers of any other party to the proceedings. Their goal is to ensure that the rights and interests of minors are not violated.

It is very important that the conflict guardian, as well as other employees, realize that women experiencing violence usually contact the Office of Labor, Social Affairs and Family (ÚPSVR) the first. She is in danger, she faces threats from her husband or partner to destroy her, take her children, kidnap them or they will take them from her.

Collision workers are often confronted mainly by abusers. The abusers often visit institutions to defame their wives or partners. In a manipulative way, they say what good fathers they are, they discredit women, they defame the mothers of their children, they portray them as bad mothers. They reject the amount of child support or do not pay child support at all, they intensively insist on adjusting contact with minors even if their children reject them. Violent fathers are more authoritative towards their children than non-violent fathers – they control the children more, but they are less consistent and much more often manipulate their children and undermine the mother's parenting methods.

Open and clear communication rejecting his violent behavior weakens the abuser's power and weakens his sense of control over the woman or the environment. For the abuser, the weakening of his control and power means a weakening of his self-control and an increase in the probability of revealing his violence towards those around him. Children in abusive relationships are held hostage of lawsuits. They are direct witnesses of violence in their families. Therefore, the opinion of a minor child without the presence of a parent is very important. When investigating a family where violence is present, workers of the Office of Labor, Social Affairs and Family (ÚPSVR) have the advantage that they can know the families for a long time. There is a probability that a relationship has already been established between women in violent relationships and helping persons or it may be established based on mutual trust.

When carrying out social security, the following should be noted:

- Which parent personally raises the child and to what extent?
- How are housework and child support distributed in the family?
- Which of the parents takes care of the child?
- Which of the parents provides health care for the child?
- How is the family managed, who has access to the account, who saves?
- How and with whom do children spend their free time activities?
- What does the abuser say about his wife/partner?

Violence against women speaks of unequal positions in the family. Couple counseling or mediation is not recommended. In a given case, couple's counseling can be a means by which the abuser can get to the woman and continue to commit violence. Women are mostly not interested in restoring cohabitation, but in ending the violent relationship.

Conclusion

In conclusion, it is appropriate to thank the collective of authors for briefly summarizing the possibilities and individual procedures of the work of the intervention team.

It will be beneficial if the mentioned manual is accepted by the victims of violence themselves, in order to help them more closely and understandably navigate the existing network of professional help that is currently available to them so that they can break free from the cycle of violence.

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Internet resources:

<https://www.zastavmenasilie.gov.sk/pojmy/>

<https://www.justice.gov.sk/sluzby/pomoc-obetiam/obete-trestnych-cinov/>

<https://www.zastavmenasilie.gov.sk/news/intervenone-centra-pre-zeny-zazivajuce-nasillie-v-sr/>

<https://www.mymamy.sk/vsetko-o-nasilli/>

www.justice.gov.sk/sluzby/pomoc-obetiam/obete-trestnych-cinov/co-je-trestne-konanie/



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