



**HELLENIC POLICE FORCE HEADQUARTERS
ADMINISTRATIVE SECTOR
DIVISION OF ORGANIZATION AND LEGISLATION**



Dealing with Family Violence

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HELLENIC POLICE FORCE HEADQUARTERS
CHIEF

Violence within the family constitutes first and foremost a violation of human rights. It brings about negative effects at the individual as well as at the social level. It affects the victims physical and mental health, it contributes to the victim's social exclusion and it may have a negative impact to the other members of the family.

The Police must guarantee an official intervention proportional to the seriousness of this social phenomenon. Police staff is called upon to apply in practice the advisable procedures so as to handle cases of violence within the family.

Police intervention focuses mainly on protecting the victims of violence, on investigating the commitment of acts punishable by law and on collecting the evidence of criminal behavior so as to bring the perpetrator to justice.

This manual is published to best serve this purpose. We strongly believe that this manual will be studied meticulously by Police Officers, thus contributing to raising their awareness when dealing with family violence.

Athens, April 10th, 2005

THE CHIEF
GEORGE AGGELAKOS
POLICE LIEUTENANT GENERAL

Dealing With Family Violence

Every case of family violence is unique. There may be common features in all of them, nevertheless, each case is different and it should be considered as such.

Definition of family violence

Family violence is considered to be any kind of physical, sexual or psychological violence on the victim from their former or present spouse or companion as well as from members of the family.

The major forms of expression of family violence are violence between spouses or companions, attacks of teenagers to parents, abuse or exploitation of minors or elderly members of the family.

Family violence can occur in various forms, such as psychological violence, economic exploitation, physical and sexual abuse. Family violence, apart from offending the individual's personality, usually includes a series of offences (insult, illegal violence, threat, illegal confinement, physical damage, misappropriation, rape, incest, trafficking etc), which are included in our penal code and therefore are liable to punishment, pursuant to the legislation in force.

One of the most common forms of family violence is the violence committed by the (former or present) spouse or companion to the respective spouse or companion.

Dealing with family violence

Family violence is a complex social phenomenon. It occurs in all countries, in all social and economic classes, as well as in all ages. It can be considered as a "dark" phenomenon, since it is difficult to make it known to the immediate social surroundings.

Coordinated and specialized action in multiple levels is necessary to deal with this phenomenon, which goes beyond the field of police competence.

The objectives of the police intervention in cases of family violence

- Protection and security of the victim.
- Respecting the right of self-determination and the victim's choices.
- Dealing with the problem based on judicial rules, if penal offences are brought to the attention of the police or if they are confirmed.

Rules of procedure when dealing with cases of family violence

When police officers come across a case of family violence, they must show their:

- ❖ seriousness,
- ❖ patience,
- ❖ sensitivity,
- ❖ impartiality
- ❖ objectiveness,
- ❖ secrecy and
- ❖ absolute discretion.

The police officer, who undertakes the handling of such a case, must comply thoroughly with the Ethics of the Police Profession.

Particularities in the role of the Police when dealing with abused women.

The role of the Police in the case of abuse of women is considered to be of paramount importance.

In particular, the Police is called upon to act in such a way, so as for the victim to feel immediately safe and protected.

Guidelines

Immediate response

When a victim arrives at the Police Department or when there is a telephone complaint for a case of family violence, police officers should immediately grant priority to the handling of this case.

Security and protection of the victim

Police officers should have as their primary objective to provide for the security and protection of the victim. The police intervention is necessary whenever the victim's life, physical integrity or health is threatened.

Examination of the victim

In order to examine the victim in better or safer conditions, police officers should proceed to the following:

- ❖ Introduce immediately the victim in a private office, so as for the complaint to be made on this particular problem, and the examination to take place.
- ❖ Make sure that there are no spectators or listeners at the examination room, except for the police officers who handle the case, so that the victim can speak out freely.
- ❖ One or two of the police officers examining the victim should be of the same sex with the victim, if possible.

Objectiveness

The police officer, who receives the complaint, should:

- ❖ Listen carefully to the victim
- ❖ Avoid expressing opinions, comments and criticism on the abused person.

Choices and not "solutions"

In case the complaint lodged on the punishable act is not taking place ex officio, the victim can decide on his/her own whether to press charges or ask for recommendations to be made to the perpetrator.

Police officers must inform the victim regarding the legal options available, without imposing their will.

Police officers should respect the victim's decision.

Careful with the Penal Offences

If punishable acts pursuant to the penal code have been committed in a case of family violence – brought to justice either ex officio or after charges have been pressed – the Police Officer must proceed to the following:

- ❖ Draw up the examination report of the victim or the report on the verbally pressed charges on behalf of the victim or formally receive the legal complaint of the victim, written in the form of charges or otherwise

- ❖ Brief the competent Public Prosecutor's Office and
- ❖ Proceed to all judicial and legal actions provided for by the legislation.

Secrecy

Any conversation taking place between the Police Officer and the victim is considered to be confidential material. Publishing this material or commenting it in public with other police officers or citizens is not permitted.

Referral to experts

The police officer should not play the role of:

- ❖ The psychologist
- ❖ The family counsellor
- ❖ The social worker or mediator, nor should the police officer intervene in their work.

The police officer should indeed refer the victim to the experts or provide the necessary channels of communication with them.

There are competent and specialized services to provide counselling and psychological support, manned by professional experts, trained in the field of social and psychological support.

The police officer should inform the victim that they can address those support mechanisms and social services against violence (*relevant table is annexed herein*).

Safe stay

If the victim wishes to change domicile and cannot secure such a place on its own, the competent social services providing accommodation (for instance, guest house for abused women) or the National Centre for Immediate Social Aid (dial "197") should be informed. The latter is competent according to the law to cover the accommodation and catering needs of the victim.

Preventing secondary victimization

The Police Officer must aim at developing a relationship of confidence with the victims, so as for the latter to feel comfortably and not that there are being judged.

When Police Officers approach the victim, they should always bear in mind the following:

- **Victims find it difficult to speak their minds.**

The police officer must be able to recognize the victim's fears and concerns, respecting their experiences.

For instance, a way to correctly approach the situation is the following:

"We are aware of your situation. We know you are going through a very difficult time. We want you to know that we will do anything that is humanly possible to help you. We will have to ask you some questions in order to be able to help you. We know that it may be difficult to talk about what has happened to you. However, try to answer please, to help us in our work".

- **Victims need to feel that the police officers believe in their accusations.**

This is particularly the case when the perpetrator is someone beyond doubt.

- **When examining the victim, it is preferable to make open-end questions,** such as: *"What happened when the husband came home? In which way did he abuse you?"* and not closed-end questions such as: *"Did your husband abuse you?"*

- **Victims must be asked to describe facts in a chronological order,** starting before the event of abuse. For instance: *"What time did you get back in the house that afternoon? What happened next?"*

- **Victims must be allowed to testify freely and police officers must listen carefully, without comments.** In case the victim cries or needs time to calm down, s/he must not be under pressure to keep talking.

- **Accusations regarding abuse and injuries, particularly at the stage of examination, must be written down in the form of direct questions and answers,** such as: *"Where did he hit you? How did he hit you? Did he use his fists, an instrument maybe, or a gun?"*

- **Victims must not feel that they are being held responsible.** Victims should never take questions, such as: *"What did you do and he hit you?"* Victims of family violence are not guilty and bear no responsibility whatsoever for the perpetrators' motives or intentions.

- **There should be no questions or remarks that victimize or throw guilt on the victim.** Questions or remarks of such type may be the following, among others:
 - *"Why are you still living with him?"*
 - *"Since you are still there, this means you like it."*
 - *"What did you do to make him hit you?"*
 - *"Try to calm him down."*
 - *"Learn to make a few concessions."*
- **A statement or confirmation to the victims that they are not responsible for the abuse they have gone through** and that no one has the right to become violent in any way to their detriment, might contribute so that the victims feel more safe and decide to denounce the facts.
- **Victims must never take questions on this incident in the presence of the alleged perpetrator.** They feel fear preventing them to testify. It is necessary for the victims to feel safe and protected by the police force, in order to be able to fully testify on the violence they have suffered.
- **Investigation should not just focus on physical violence** but also in the other forms of accusations, such as threats, sexual assault, destruction of objects etc.

Dangers in abuse

The victim's safety should be taken into consideration in any police intervention.

This is why it is of paramount importance not to focus on the particular incident of abuse only, but to embark on a broader evaluation of the victims' situation to assess whether they are in danger.

The following questions may facilitate the process of risk-assessment undertaken by the police officer:

- *When did the abuse start?*
- *Has this situation been going on for years?*
- *Are the attacks to the victim getting more frequent and more serious?*
- *What is the most dangerous injury caused to the victim and when did this happen?*
- *Are there any weapons in the house (knives, bats or fire arms)?*
- *Has the offender ever threatened to use any kind of weapon?*
- *Has the offender ever tried to strangle the victim?*
- *Does the offender consume alcohol or take drugs?*

- *Does the offender abuse, having consumed alcohol or taken drugs?*
- *Has the offender threatened to kill the victim or anyone else?*
- *Does the victim fear of being killed by the offender?*
- *Does the victim fear that the offender might commit suicide?*
- *Is the offender extremely jealous?*
- *Does the offender suffer from depression?*
- *Does the victim have suicidal tendencies?*
- *Does the offender closely monitor the victim's moves, spy, and control or harass the victim?*
- *Does the offender have a criminal record? Has the offender injured other people?*
- *Is the victim (either spouse or companion) thinking of separating or getting a divorce?*

If the answer to several of the questions mentioned above is confirmative, the victim might be in high risk. It is of paramount importance for the police officer to immediately discuss with the victim ways of protection, knowing that:

- The safety and protection of the victim constitute the main objectives of the police intervention, according to the law and the police rules of procedure.
- Victims of family violence usually try to understate the violence that they suffer from. One of the reasons for this may be that violence has escalated gradually and the victim may not have realized how serious the situation is.
- Several victims are so ashamed or shocked because of the abuse that they suffer from, that they are not aware how high the risk might be.
- Some victims have been made to feel guilty in such a way that they consider themselves responsible and therefore, their feelings of guilt lead them to underestimate the risks.
- Quite frequently the victim is not willing to cooperate with police officers regarding security measures.
- It is important to ask the victims what does it take to make them feel safe and in which way have they tried to protect themselves and their children.

Instructions for the protection of the victim

In any case of police violence, the police officer should proceed to the following to protect the victim:

- If there is a need for medical care, the police officer must advise the victim to get some medical care or in serious cases, the police officer must take care of the victim's transportation to a hospital or health centre.

- If the case is at the stage of preliminary investigation, the police officer must proceed to all the procedural and legal actions, pursuant to related legislation (*for instance, ordering a medical examination of the victim, seizing weapons, informing the Public Prosecutor's Office, registering the events in the book of offences and incidents etc*).

In case the victim and the perpetrator do not live together, police officers must discuss with the victims the following measures of protection:

- Change of lock, if the perpetrator has keys.
- Complementary security systems at the windows and the doors of the house.
- Informing neighbours on the situation, who can call the Police in case they realize that the victim might be in danger.
- The prospect of a relative or friend staying with the victim for some time.
- Changing the telephone number or making it classified.
- If there are minors in the house, they must know the address and the phone number of their house, so as to contact the Police in case of emergency.

If the victim has recently broken the relationship with the perpetrator, police officers may suggest to the victim the following:

- The victim should consider changing work time-schedules and tell colleagues not to provide information.
- The victim should change the itinerary usually followed to and from the workplace.
- The victim should change the stores usually visited (supermarket, hairdresser's, cafeteria etc), until a solution is brought to the problem.

Basic principles of the police officer

Police officers are responsible persons holding a public office and therefore, must condemn the use of violence as a means to solve

problems within the family, and must suggest dialogue as the way to solve those problems.

Police officers must prove in practice these principles, which should reign in their own family as well as in their professional attitude, when called upon to undertake cases of family violence.

Violence in the family of a police officer

Police authorities might be asked to handle cases of family violence, in which the Police Officer is the perpetrator.

In this case, the Police Officer in charge of the case should not be "hemmed in" views such as:

- The victim is over-reacting because the colleague is beyond doubt.
- The violence is justified or at least, tolerated due to the victim's bad behaviour.
- It is preferable to deal with the complaints in the form of a so-called "friendly intervention", due to "solidarity among colleagues".

On the contrary, the police officer handling the case, should thoroughly examine the complaints and in particular, the police officer must pay special attention to whether the violent behavior of the offending police officer comes together with the threat to use the professional equipment, so as to take all necessary measures to protect the victim.

Respecting in absolute terms the Police Ethics and reporting this incident, so as to examine the violent behavior of the offending police officer, are acts which shall establish a relationship of trust that is of paramount importance for the victim to feel safe.

Dealing with the situation in any other way shall be to the detriment of the victim.

Remark: Careful with the victims of trafficking

In case of human trafficking aiming at sexual or economic exploitation, the police officer must deploy all possible efforts to make the victim cooperate, so as to investigate criminal acts. It is well-known that the law provides for the security and protection even of foreigners who are residing illegally in our country, if the Public Prosecutor's Office considers them to be victims of trafficking. In this case, police officers must

follow the special instructions issued to this purpose so as to combat human trafficking and provide aid to the victims.

A text drawn up by the Head of the Police Division of Samos, Mr. Vassilios Gatsas, constituted the basis for this manual.

**INDICATIVE CHART OF SOCIAL AGENCIES
THAT POLICE AUTHORITIES SHOULD CONTACT IN CASES OF
FAMILY VIOLENCE**

NATIONAL CENTRE OF IMMEDIATE SOCIAL AID TEL. 197

The National Centre of Immediate Social Aid is mainly focused on abused children and adolescents, as well as abused women, victims of family violence. The Centre operates on 24/7 basis.

Police Authorities also contact the National Centre of Immediate Social Aid regarding victims of trafficking (see 3007/38/90 according to the order issued on 8-3-2005 by the Division for Public Security).

SOCIAL SUPPORT CENTRES (SSC) OF THE NATIONAL CENTRE OF IMMEDIATE SOCIAL AID IN THE REGION OF ATTICA

SSC in AGHIOS IOANNIS RENTIS

9, Thessalonikis st., Ag. Ioannis, Rentis. Tel. +30 210 4257553, 4257551

SSC in AMPELOKIPI

135, Vas. Sofias ave. & Zaharof, Ampelokipi, Tel. +30 210 6497706, 6497771,

SSC in DRAPETSONA

Kountouriotou & Papaflessa st., Drapetsona. Tel. +30 210 4614083

SSC in KALAMAKI – AG. SOSTIS

7, Tsoukaneli st., Kalamaki. Tel. +30 210 9844734

SSC in LAVRION

Roumanika area, Lavrion. Tel. +30 2292069163

SSC in N. IONIA

Galinou & Ag. Olgas st., N. Ionia. Tel. + 210 2790086

SSC in Piraeus

19, Karaoli Dimitriou & Iroon Polytehniou st., Piraeus. Tel. +30 210 4122088

SSC in VATHI SQUARE

16, Karolou st., Athens. Tel. +30 210 5236641, 5236541

SOCIAL SUPPORT CENTRES OF THE NATIONAL CENTRE OF IMMEDIATE SOCIAL AID IN THESSALONICA

SSC in PHOINIKAS

Eth. Antistaseos & Thisseos st., Thessalonica. Tel. +30 2310 471101

SSC in Pili Aksiou
1, Galanakis st., Xirokrini. Tel. +30 2310 550905, 550906

OTHER DEPARTMENTS OF THE COUNTRY

LOCAL AUTHORITIES SOCIAL SERVICES