



# Identification and Referral of Victims of Domestic Violence

Handbook for Training of Human Resources Professionals from the Public Administration



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Handbook for Training of Human Resources Professionals  
from the Public Administration

This publication aims to bring together the knowledge and guidance needed to identify and refer potential victims of domestic abuse amongst the staff that HR professionals work with on a daily basis. The handbook is not a domestic violence prevention tool - it is intended to be a reference point for public administration staff in cases of domestic violence.

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# INTRODUCTION

Fragmentary statistics at the national level indicate that one in three women in Bulgaria has suffered some form of violence.<sup>1</sup> This Handbook has been developed within the SHE initiative, which aims to support the fight against domestic violence in Bulgaria, contributing to better and more effective protection of victims' rights. It is designed for training aimed at enhancing the capacity of human resource professionals in public administration by building their skills to identify, refer and support victims of violence. It is these professionals who have the ability to directly and most successfully identify and provide resources to victims of violence they may encounter in their daily work, thus becoming involved in countering this serious social problem.

The handbook provides practical guidance on how professionals can identify every third woman, how to talk to her, which institution to refer her to, how to help her integrate back into a life free of violence, and more. The publication provides both theoretical information on domestic and gender-based violence and practical guidance on communicating with potential victims, real resources for getting help, and recommendations for successful identification, referral and support.

The handbook is divided into five thematic sections called "modules". The first four present the process of intervention and protection of potential victims of domestic violence in its four main steps - step by step and chronologically. Module 1 examines the historical and theoretical causes of domestic violence - why, since when and how it exists. The main aim of this module is to give a concrete insight into which actions and behaviours constitute domestic violence - diagnosis. Module 2 focuses on the main signs by which victims of domestic violence can be recognised - identification. Module 3 presents the legal side of violence: why and how it remains locked behind the institutional curtain of Bulgarian law and provides the tools to navigate this complex situation - institutionalisation. Module 4 looks at the already established civil infrastructure that victims can rely on - protection. Module 5 looks at the particularly vulnerable situation of children of women living with domestic violence.

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<sup>1</sup> According to the civil sector, which has access to hotlines for protection from domestic violence, one in three Bulgarian women is a victim of some form of gender-based violence.

# SHE

## MODULE **1**

### CONCEPTS OF VIOLENCE - DOMESTIC AND GENDER- BASED VIOLENCE:

#### *definitions, and myths about violence*

With the aim of acquiring basic knowledge, skills and dispositions related to the issues related to domestic violence, the module provides information on the socio-cultural context in the formation of gender perceptions (biological and social), and offers basic definitions of patriarchy and feminism, fundamental knowledge on the relationship between gender stereotypes, sexism and violence against women, and awareness of the myths and realities of violence against women and domestic violence.



## PART I. BIOLOGICAL AND SOCIAL SEX

In order to assist in the obtaining of basic knowledge, skills and attitudes, the module provides information about the socio-cultural context in the formation of perceptions of sex and gender (biological and social), offers basic definitions of patriarchy and feminism, fundamental knowledge of the relationship between gender stereotypes, sexism and violence against women, myths and realities about violence against women and domestic violence.

БИОЛОГИЧЕН ПОЛ – генетично определени биологични дадености

СОЦИАЛЕН ПОЛ – социално установените роли, поведения, дейности и характеристики, които в дадено общество се считат за подобаващи за мъжете или съответно на жените. Понятието се характеризира с многостранност и динамичност, т.е. съществуват различия по отношение на ролите на жените и мъжете в различните култури, социалните роли зависят от различното географско положение, от климатичните условия, и т.н.

For example, in Bulgaria the profession of “children’s teacher” is considered a female profession. Although technically there are no obstacles to a man being a kindergarten teacher, in fact this profession is not perceived as a male one, simply because in our culture we traditionally associate the upbringing and education of children in early childhood with the role of women. While a man’s role as a pilot is perfectly acceptable, his role as a nurse raises a slight puzzlement and challenges our idea of who a nurse could be.

In English, the term “gender” is well established. In the Bulgarian language, however, the term “social sex” or “sex as a social construction” has been adopted.<sup>2</sup> The term “gender” was introduced in the 1960s to distinguish the biological nature of the differences between men and women from the specific set of social and cultural characteristics that condition (determine) their behaviour, i.e. to highlight the difference between biological and social sex.

Gender as a social construction is an upgrade over physiological givens (biological sex). The concept of social sex includes expectations about the abilities and likely behaviours of both women and men (femininity and masculinity). These roles change over time and vary according to different cultural contexts. The concept of social sex is useful for understanding how commonly shared practices legitimate gender inequality.

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<sup>2</sup> The Council of Europe Convention on preventing and combating violence against women and domestic violence defines gender as: “gender” shall mean the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men (Art.3, c). “gender” means the socially constructed roles, behaviours, activities and characteristics that a given society considers appropriate for women and men.

## Patriarchy and Feminism

PATRIARCHY – a social system that is built upon the privileged position of men in society economically, socially and materially.

Historically, the patriarchy has manifested itself in the social, legal, political, religious and economic organization of a number of different cultures. In a patriarchal system, men make all decisions in both the family and society; men hold positions of power and authority; men control the finances and education; while women are not allowed to demonstrate independence.

Some patriarchal societies are also patrilineal, meaning that property and title are inherited through the male line.

Most modern societies continue to be patriarchal in practice, despite the development of socio-economic, cultural, legal and political systems. Bulgarian society has also changed over the centuries. Until the beginning of the 20th century, the Bulgarian patriarchal family usually consisted of three generations living in the same family home, its members observing a strict hierarchy among themselves and sharing a complex system of interrelations inherited from Bulgarian customary law. The head of the family, usually the eldest male, stands highest in this hierarchy and his word is law. He determines the economic activities and is, in reality, primarily responsible for the family's livelihood. As he grows older, he is replaced by his eldest son or by a younger brother of the elder. The sons participate in the family council, with married men having a greater say. The wife of the head of the family is the housekeeper, she is responsible for the housework, and the daughters-in-law are subordinate to her.

Nowadays, of course, we can hardly find the existence of such a hierarchy in the family in our country, but the patriarchal construction has left its mark. We still believe that the man's role is to feed the family and the woman's role is to clean the house. (Let's face it, window cleaning is still a job done by women, isn't it?) And while it is the case that we have about 60 women in the National Assembly from time to time, still, politics remains a place for men. The word 'politician' („политик“), in fact, exists only in the masculine.

Patriarchy is a term used in anthropology, social psychology and feminism, where they view patriarchal social relations through the lens of male dominance as a social rather than a biological phenomenon. Prof. Sylvia Walby gives the following definition of patriarchy: “a system of social structures and practices in which men dominate, oppress and exploit women”.<sup>3</sup>

Whether we agree or disagree with the definition given by prof. Walby, the man is a politician and the woman is a children's teacher. According to a June 2017 Eurobarometer survey, Bulgarians are the most likely in the EU to strongly believe that a woman's most important role is to take care of the home and family (81%) and that of a man is to earn money (also 81%).

<sup>3</sup> Sylvia Walby. *Theorizing Patriarchy*, Oxford, UK; Cambridge, MA, USA: B. Blackwell, 1990.

FEMINISM - a socio-political movement that defends the civil, social and human rights of women.

The term “feminism” entered the common vocabulary in the early 20th century. However, there is no established date for the dawn of feminist sensibility, but there are differing views on how long it has existed. Some see feminism in ancient myths - of the Amazons, for example - or in pre-Christianity, making connections to matriarchy as a social organization and the cult of goddesses. Others believe it emerged thanks to early European women writers such as Christine de Pisan (1364-1430), who championed female morality and intellectualism. The widespread persecution of witches in the 16th and 17th centuries can also be referred to as early feminist resistance.

Modern Western feminism developed alongside rapid industrialization, economic change, and metamorphosis in family structures and social organisation. A major philosophical influence on feminism was the Enlightenment concept of the free individual as possessing inalienable rights (i.e. rights that are due to every human individual and cannot be taken away). Contemporary scholarly feminist literature assumes that feminism means the *conscious protection* of women’s rights, but historical changes and cultural variations make feminism impossible to define in more monolithic terms.<sup>4</sup> Feminism encompasses a wide range of collective and individual views concerning the situation of women in society. According to Heller, feminism is a political strategy, a philosophical orientation, a theoretical analysis, a personal commitment to the generalization of organic theories and practices, a revolutionary struggle for human freedom, a model for an ideal welfare state, and a comprehensive view of the world encompassing everything from labour to economics, from language to psychology, from religion to spirituality.

Feminism is a movement that has historically fought for real equality between men and women. Traditionally, women have occupied a subordinate role to men in both public and private life. International institutions indicate that one in three women in the world is a victim of violence, and according to the United Nations, as of September 2022, only 26% of women in national parliaments worldwide are women. The feminist movement, or feminism in general, fights for the eradication of inequality and discrimination between men and women, as well as against violence that is conditioned by gender inequality. Thanks to feminism and social progress, relative equality has been achieved, but not in all areas and not in all countries. The different stages of the development of feminism have fought against various forms of discrimination against women, both in terms of changing legislation and changing the way of thinking about the role of women in society. Thus, different stages in the history of feminism have emerged, which are known as ‘feminist waves’.

*First wave of feminism* - from the French Revolution to the mid-19th century. The main demands during this period were access to education and women’s suffrage.

<sup>4</sup> See Dana Heller, *Feminism*, translated by Stanimir Panayotov, LiterNet, 2002. Dana Heller is a Professor and Director of the Institute for the Humanities at Old Dominion University, Virginia, USA, and author of a number of studies, including: *The Selling of 9/11: How a National Tragedy Became a Commodity*. 2005; *The Great American Makeover: Television, History, and Nation*. 2006; *Reading Makeover Television: Realities Remodeled*. 2007.

*Second wave of feminism* - from the mid-19th century to the mid-20th century, this wave is also called suffragism. This was the period of the two world wars when women acquired many jobs that were typically held by men and this created conditions for the emancipation of women. Women's suffrage was achieved in this period. New Zealand was the first country to endorse it in 1893, it was later followed by countries such as the United States and the United Kingdom. The last country in Europe to give women the right to vote was Switzerland, in 1971, but in some cantons women were only able to exercise this right in 1977.

In Bulgaria in 1937, for the first time, “women mothers by legal marriage” were given the right to vote, but only in local elections and without being elected. In 1938 this right was extended to voting in parliamentary elections for women over 21 who were “married, divorced or widowed”. This did not apply to unmarried women. In 1944, women in Bulgaria gained equal voting rights, and in 1945, the first 16 women were elected to the 26th Ordinary National Assembly - 5.7% female participation. Since then, the highest percentage of female participation in the country is 26.2%, in the period 2001-2005 during the 39th National Assembly.

*Third Wave Feminism* - in the 1960s.<sup>5</sup> This period was no longer just about suffrage or access to education, but also about sexuality, violence against women, and protecting the rights of women of other races, ethnicities, and cultures far from Western countries. In many countries, since the 1970s and 1980s, legislation has been passed in favour of true equality between men and women, including *legal protection in respect of abortion, rape and violence and protection against dismissal due to pregnancy*.

*Fourth Wave Feminism* - Many feminists and movement scholars believe that contemporary feminism is in its fourth wave. Some place its beginnings in the 1990s and others in the 21st century. According to them, the central themes of feminism today are violence against women, physical and verbal, but also new forms of online violence, surrogacy, forced prostitution and human trafficking.

Globally, the “me too” movement is a movement against sexual violence against women. The movement was created in the US after the accusation of sexual harassment by director Harvey Weinstein, and numerous demonstrations in support of those affected followed around the world. One of the successes attributed to this new wave is feminist visibility even in those countries where women are totally repressed.

MISOGYNY - the opposite of feminism.

<sup>5</sup> The starting point of this third wave are the publications of Betty Friedan, *The Mystique of Femininity*, and Simone de Beauvoir, *The Second Sex*.

Misogyny is hatred or contempt for women or girls. Misogyny, as a word, comes from the Greek *misos* (μῖσος, “hatred”) and *gynē* (γυνή, “woman”). Misogyny is usually associated with extreme acts of violence against women, but it is also recognized in other activities, such as refusing to talk to a woman simply because she is a woman. Misogyny is an antonym of misandry, the hatred of men or boys (another term is misanthropy, which is hatred or contempt for humanity in general).<sup>6</sup>

On 8 March 2017, in the Belgian town of Zaventem the first fine for public sexism was issued. The offender was a 23-year-old youth who raised his voice to a policewoman after a detention attempt while crossing a street in an unregulated area. “Shut your mouth, I don’t talk to women. Being a policeman is not a woman’s business,” the offender stated and made an unsuccessful escape attempt. He was arrested and issued a fine of some €3,000.

## Women in Bulgaria

The women’s movement in Bulgaria dates back to the Ottoman Empire, when in the 1850s the idea of changing the status of women was born. At that time, men (mostly teachers) began to think about this issue, influenced by the newspapers and magazines circulating in the Ottoman Empire. The first women’s society was founded by a man, the teacher Krustyu Pishurka, whom Botev ironised in his poem, “Why am I not a poet, a poet like Pishurka...”. Founded in 1857, the Society set itself the goal of educating women. By the Liberation, some 60 similar societies had sprung up across the country, with the aim of helping women in Bulgaria get an education by, for example, giving out scholarships to fund studying abroad. At the end of the 1890s, a petitioning movement was launched with the objective of getting women to be allowed to study at Sofia University. At that time, Sofia University did not admit women as students and it was only thanks to this action that this great injustice was addressed. In the 19th century, even after completing higher education, women had difficulties with their professional development. Women doctors had problems establishing themselves professionally for quite a long time, and until 1945 women lawyers were not allowed to practise their profession. The reason for the ban on women practising law is that, according to the perceptions in Bulgarian society, these professions were not for females.

## Masculinity and Femininity

Masculinity and femininity are dynamic sociocultural categories used in everyday language that refer to certain behaviours and practices recognised within a culture as “feminine” or “masculine,” regardless of which biological sex expresses them. These concepts are learned, i.e. passed on from generation to generation through upbringing, and do not describe sexual orientation or biological essence. They are variable depending on culture, religion, class,

<sup>6</sup> Marcus Tullius Cicero says that the Greek philosophers considered misogyny to be caused by gynophobia, that is, the fear of women. In the twentieth century, feminist theorists suggested that misogyny was both a problem, a cause, but also a result of patriarchal social structures.

time and other factors. For example, a man may participate in what are often stereotyped as “feminine” activities, such as caring for a sick parent or raising children.

## Gender stereotypes

THE CONCEPT OF STEREOTYPES - generally and briefly “stereotypes are beliefs about groups of people”.

“A stereotype is a generalized view or preconceived notion of attributes or characteristics possessed by members of a particular group, or the roles that are (or should be) performed by members of a particular group.”<sup>7</sup>

Stereotypes are part of human nature. It’s a way we categorise individuals, often unconsciously, into certain groups or types, in part to simplify the world around us. Stereotyped behaviours set others’ expectations of us, on the one hand, but also adjust our behaviour in accordance with those expectations. The stereotype of behaviour aligns our behaviour so that we do not stand out, so that we do not break out of the general norm, so that we are what we “should” be. In other words, to be what society expects, or play the role that society imposes on us.

### Traditional gender-based stereotypes

Our surrounding culture teaches us what it means to be a boy or a girl from a very young age, starting with the colour of the clothes and toys children play with. Later in our conscious lives, we are all influenced by daily messages that make us conform to different expectations of women and men.

Gender stereotypes have existed for as long as humanity has existed. Even the philosophers of ancient Greece wrote about the differences between men and women, assigning them diametrically opposed traits. Ever since then, the human (quite often called “man”) has been described as strong, active, rational, logical, powerful, while the woman has been described as weak, passive, emotional, impulsive, submissive. And these ideas about gender psychology turn out to be surprisingly stable. Centuries pass, one state system follows another, traditions, rules, etiquette, and religion change, but gender stereotypes remain unchanged. In the words of psychologist Elliot Aronson, “*the perception of women as biologically more predisposed to work in the home is comfortable enough in a society where the dominant role belongs to men and which wishes to continue to keep women tied to the vacuum cleaner.*”<sup>8</sup>

Even today, when no one is surprised by either a woman’s right to work or her right to choose and be chosen in governing bodies or in politics, the traditional formula “The man is the head, and the woman is the neck” still functions at the cultural level.

<sup>7</sup> Cook, R. J., and Cusack, S., *Gender Stereotyping, Transnational Legal Perspectives*, Philadelphia: University of Pennsylvania Press, 2010.

<sup>8</sup> Aronson, E., *The Social animal*, USA, 1972.

## Sexism

The Recommendation of the Committee of Ministers to member States on preventing and combating sexism CM/Rec(2019)11<sup>9</sup> (adopted by the Committee of Ministers on 27 March 2019 at the 1342nd meeting of the Committee of Ministers) introduces a definition of sexism:

“ Any act, gesture, visual representation, spoken or written words, practice or behaviour based upon the idea that a person or a group of persons is inferior because of their sex, which occurs in the public or private sphere, whether online or offline, with the purpose or effect of:

- violating the inherent dignity or rights of a person or a group of persons; or
- resulting in physical, sexual, psychological or socio-economic harm or suffering to a person or a group of persons; or
- creating an intimidating, hostile, degrading, humiliating or offensive environment; or
- constituting a barrier to the autonomy and full realisation of human rights by a person or a group of persons; or
- maintaining and reinforcing gender stereotypes. “

The academic literature<sup>10</sup> talks about two types of sexism.

### Hostile Sexism

Hostile sexism expresses antipathy/antagonism. It objectifies women, denies their human agency and reduces them to acting objects rather than autonomous actors.<sup>11</sup>

For example, “Women do not appreciate what men do for them”; “Women use sex to gain power over men”, etc.

### Benevolent Sexism

Benevolent sexism at first glance seems to express a positive opinion, but is actually a condescending attitude. It is “a set of interrelated attitudes towards women that are sexist in terms of their treatment of women, placing them in stereotypical roles, but which are subjectively positive in feeling and also tend to elicit behaviours typically categorized as prosocial (e.g., helping).”<sup>12</sup> It is often not recognised as a form of sexism as it takes the form of jokes and compliments.

<sup>9</sup> Council of Europe, [Recommendation of the Committee of Ministers to Member States on preventing and combating sexism CM/Rec\(2019\)11](#), 27 March 19.

<sup>10</sup> Glick, P., and Fiske, S., *Hostile and benevolent sexism: Measuring ambivalent sexist attitudes toward women*, 1997; Glick, P., and Fiske, S., *Ambivalent sexism revisited*, 2011.

<sup>11</sup> Glick, P., and Fiske, S., *Ambivalent sexism revisited*, 2011.

<sup>12</sup> Glick, P., and Fiske, S., *Hostile and benevolent sexism: Measuring ambivalent sexist attitudes toward women*, 1997

EXAMPLES: 'Honey, this car is too big for you, you won't be able to park!', 'Women should be protected from men'.

*Hostile and benevolent sexism are united by a common idea*, namely that men and women live in different worlds and inhabit different spheres where women are the weaker sex. Both types of sexism maintain and justify the status quo of inequality, reinforce men's structural power, and contribute to ongoing gender inequality. Benevolent sexism is particularly problematic because it is often not recognized as sexism.

**Sexism affects men too, and it is just as limiting of their abilities as it is for women.**

FOR EXAMPLE, "Be a strong boy and stop crying"; "This recipe is so easy, even a man can cook it"; "A man can't change diapers".

### Europe against sexism

Sexism is harmful to the whole of society, and its recognition is a necessary step towards overcoming violence against women. It is for this reason that the above-mentioned Council of Europe Recommendation CM/Rec(2019)11 states that member governments should take measures to prevent and combat sexism and its manifestations in the public and private spheres, monitor progress and ensure that the Recommendation and its Annex are translated and disseminated (in an accessible form).

The annex to the Recommendation contains a list of measures to prevent and condemn sexism and calls for concrete action in specific areas: language and communications; internet and social media; media, advertising and other communication methods; workplace, public sector; justice, educational institutions, culture and sport; and the private sphere. States are encouraged to adopt legislation that condemns sexism and criminalizes sexist hate speech. The Recommendation also requires states to monitor the implementation of anti-sexist policies at the national level and to report periodically to the Council of Europe.

In order to raise awareness about sexism, the Council of Europe has implemented a special campaign "Sexism: See it. Name it. Stop it."<sup>13</sup>

The campaign offers information in different languages, including Bulgarian. The campaign website also offers a test that can be taken anonymously and anyone can test how sexist their attitudes are towards the other gender. More information about the Recommendation and the concrete actions, as well as

<sup>13</sup> Council of Europe, [Campaign against sexism](#).



events and measures being taken in Bulgaria against sexism can be found on the website of the Bulgarian Platform of the European Women's Lobby.<sup>14</sup>

Thanks to the efforts of the non-governmental sector, Bulgaria in its *National Strategy for Promoting Equality between Women and Men 2021-2030 adopted overcoming gender stereotypes in various spheres of public life and combating sexism* as a priority area for action.<sup>15</sup> The strategy foresees activities aimed at raising awareness of the benefits of gender equality for society and the economy, as well as conducting focused monitoring of audio- and audiovisual content in terms of manifestations of sexism and negative gender stereotypes.

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<sup>14</sup> Bulgarian Platform to the European Women's Lobby, [Campaign against sexism in Bulgaria](#).

<sup>15</sup> Priority Area 5, [National Strategy for the Promotion of Gender Equality 2021-2030](#).

## PART II. VIOLENCE AGAINST WOMEN AND GIRLS AND DOMESTIC VIOLENCE: DEFINITIONS AND FORMS OF VIOLENCE AGAINST WOMEN

### General provisions

Violence against women and girls is a violation of human rights, a form of discrimination and a serious obstacle to achieving equality between women and men. Violence against women has no geographical boundaries; it happens everywhere in the world. International instruments recognise different types of violence against women (physical, sexual, psychological, economic, femicide) and consider the different forms in the context of institutional, workplace, community, family, and domestic violence.

The main international legally binding instrument that provides standards to prevent and combat discrimination against women and violence against women is the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).<sup>16</sup> In Article 1, the Convention defines discrimination against women: *“Discrimination against women” shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.*” In other words, discrimination General Recommendation 19 (GR 19) of the CEDAW Committee defines gender-based violence: *“Gender-based violence is a form of discrimination that seriously inhibits women’s ability to enjoy rights and freedoms on a basis of equality with men.”*

There are no statistics on women and girls - victims of gender-based violence in Bulgaria, nor does the state collect data on cases of domestic and gender-based violence (GBV). According to unofficial data, at least 22 women were killed by men in Bulgaria in 2021 and in almost all cases the suspects of the murders were their partners, husbands, or sons. However, there are no official statistics on these murders. According to various studies, one in three women has experienced physical and/or sexual violence. *Because of its inaction in the fight against domestic violence, Bulgaria has been condemned by the European Court of Human Rights (ECtHR) in Strasbourg.* NGOs in the country provide unofficial statistics, which are incomplete, as they only provide information on cases in which the victim has turned to them for help. The existing official statistics in the country are also incomplete, as they only provide information on cases of violence that have reached the judicial process. The Ministry of the Interior has recently been collecting and storing data on domestic violence cases, which it updates on a monthly basis. The data is collected by regional coordinators in the regional directorates of the Ministry of Interior on the basis of information received from the relevant court of the perpetrator’s permanent address. **In other words, if there is no court case, there are no statistics.** The lack of statistics poses serious obstacles

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<sup>16</sup> Adopted and opened for signature, ratification and accession by UNGA resolution 34/180 of 18 December 1979.

to the recognition of the problem in the country and leads to a lack of an adequate national policy to eradicate the phenomenon and provide effective protection to victims.

In July 2022, the Council of Ministers (CM) adopted two legislative amendments, drafted by the Ministry of Justice, which were necessitated by to the exacerbation of domestic violence and the increase in the number of victims during the COVID-19 pandemic. The amendments provide for the establishment of a National Council for the implementation of the State policy on prevention and protection from domestic violence. It also proposes the creation of a national information system and a national register of cases of domestic violence committed on the territory of the country or in relation to Bulgarian citizens abroad who have sought help and support. The data in the system will be accessible for the Ministry of the Interior, the Agency for Social Assistance, the Agency for the Quality of Social Services, the State Agency for Child Protection and the judiciary.

### Europe against violence against women

The most comprehensive international framework addressing violence against women and domestic violence in a comprehensive manner is the Council of Europe *Convention on preventing and combating violence against women and domestic violence*<sup>17</sup>, adopted on 11 May 2011 in Istanbul. The Republic of Bulgaria is one of the six EU Member States, together with the Czech Republic, Slovakia, Hungary, Lithuania and Latvia, which has not ratified the Convention. In addition to definitions of “gender”, “gender-based violence against women” and “victim”, Article 3 of the Convention defines:

- “**violence against women**” - a violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life;
- “**domestic violence**” - all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim.

Statistics show that there are more than 250 million women and girls victims of violence in the EU, which is more than half of the EU population. One in three women in Europe is affected by physical and/or sexual violence and one in two women in the EU has experienced sexual harassment by the age of 15 with intersecting forms of discrimination.<sup>18</sup> However, harmonised European legislation is still lacking and protection measures and prevention methods taken by different governments vary. In order to ensure the same level of protection for all women in the EU, it is necessary to ensure the harmonisation of existing EU legislative instruments on forms of violence against women and girls, complemented by the adoption of a horizontal EU directive with

<sup>17</sup> [Council of Europe Convention on preventing and combating violence against women and domestic violence](#) (CETS No. 210); COM(2016)111.

<sup>18</sup> European Union Agency for Fundamental Rights, [Violence against women: an EU-wide survey](#), 2014.

a holistic, gender-sensitive and cross-sectoral approach. It is for this reason that on 8 March 2022, the EC made a Proposal for a Directive of the European Parliament and of the Council on combating violence against women and domestic violence<sup>19</sup>, which recognises *violence against women and girls as a systemic problem at EU level that does not only occur in the private sphere*. The Proposal recognises that *“violence against women is gender-based violence that is directed against a woman because she is a woman or that primarily affects women”* and it includes *“all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts.”* The document stresses that violence against women is rooted in gender inequality, which is a manifestation of structural discrimination against women and girls. With regard to domestic violence, the document defines it as *“a form of violence against women because it primarily affects women,”* stating that *“domestic violence occurs within the family or household, regardless of biological or legal family ties, between intimate partners or between other family members, including between parents and children.”*

The proposed directive is an important first step towards a harmonised approach to violence against women and girls in the EU and is particularly necessary for Member States that have not ratified the *Council of Europe Convention on preventing and combating violence against women and domestic violence*, which is also the starting point for the proposal. At the same time, the document includes cyber violence against women, which is not specifically addressed by the Council of Europe Convention, proposes the criminalisation of rape, female genital mutilation and certain forms of cyber violence, and establishes minimum standards for prevention, prosecution, protection and integrated policies to combat violence against women. The directive will definitely help to significantly improve national legal systems in the EU Member States.

## Forms of violence against women

### The UN defines four categories of violence against women:

- Violence occurring in the family or home environment

This type of violence includes physical and psychological abuse and aggression; emotional and psychological abuse; rape and sexual violence; incest; marital rape, partner rape; crimes committed in the name of so-called “honour” (acid attacks, forced suicide, stoning, etc.); female genital and sexual mutilation; forced marriages; child marriages; virginity tests; domestic violence between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence as the victim; financial and economic violence and abuse; sex-selective abortion; stalking.

- Violence that happens in the community

The following forms of violence can be listed here: rape; sexual violence; sexual harassment and intimidation at work, in institutions or elsewhere; trafficking of women for sexual exploitation or economic exploitation;

<sup>19</sup> [Proposal for a Directive of the European Parliament and the Council on combating violence against women and domestic violence](#), COM/2022/105 final.

prostitution; gender-based harassment; exploitative violence; financial and economic abuse; extra-marital violence; femicide (killing of women); all forms of mobbing (group psychological abuse); violation of women's sexual and reproductive health and rights; media sexism, sexist advertising and virtual violence (sexist stereotyping, pornification of public space, cyber-violence and harassment); institutional violence in various settings such as hospitals, care institutions, prisons or reception centres for asylum seekers.

- Violence committed or condoned by the State or its officials

This includes violence against women in institutions, in prisons, in detention centres, in religious institutions; violence committed by officials such as police officers, carers, health professionals, justice professionals.

- Violation of women's human rights in situations of armed conflict

Hostage taking; forced displacement; systematic rape; sexual slavery, forced pregnancy; trafficking for sexual and economic exploitation.

The Council of Europe Convention on preventing and combating violence against women and domestic violence defines violence against women as falling into four main forms:

- physical
- sexual
- psychological
- economic.

The European Institute for Gender Equality (EIGE) has developed and uses uniform definitions of different forms of violence that support a comprehensive understanding of the scope of gender-based violence. These include, in addition to physical and sexual violence:

- **femicide** - the killing of a woman or girl because of her gender; it can take various forms, such as femicide as a result of intimate partner violence; torture; murder in the name of "honour";
- **coercive control** - coercive control is defined as oppressive behaviour, usually characterised by frequent but low levels of physical violence and sexual coercion combined with tactics to intimidate, humiliate, isolate and control victims;
- **psychological abuse** - any intentional behaviour that seriously harms the psychological integrity of another person through coercion or threats;
- **cyber-violence** - The increasing reach of the Internet, the rapid spread of mobile information and the widespread use of social media have led to the emergence of cyber-violence against women and girls, which is emerging as a growing global problem with potentially significant economic and societal implications. Research by the World Health Organization shows that despite the relatively new and growing phenomenon of Internet connectivity, one in ten women and girls over the age of 15 has experienced a form of cyberviolence;

- **female genital mutilation** - all procedures that involve partial or total removal of the external female genitalia or other injury to the female genitalia for non-medical reasons; etc.

The European Institute for Gender Equality also maintains a database on different forms of gender-based violence.<sup>20</sup>

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<sup>20</sup> European Institute for Gender Equality, [Gender-based violence](#).

## PART III. MYTHS AND REALITY OF VIOLENCE AGAINST WOMEN

A first step towards preventing violence against women, including domestic violence, is understanding why gender-based violence happens. There are many myths and stereotypes about the causes and consequences of violence in the home and violence against women in general that have a serious negative impact on victim assistance and protection. These false conclusions, which are not based on evidence or research, are often reinforced by society and the media. It is therefore important that professionals who are in regular contact with victims are aware of attitudes and perceptions regarding gender-based violence. Awareness of these myths, the reason why they arise and the consequences they can lead to is crucial. Myths can cause *secondary victimisation*. Secondary victimisation occurs when, instead of receiving respect, confidentiality and professional treatment, the victim finds that she is seen as untrustworthy or exaggerating. Secondary victimisation can occur when law enforcement or law enforcement officials, as well as other professionals (journalists, human resource professionals, teachers and educators, etc.), instead of being supportive and objective and making the victim feel at ease and protected, question the victim's actions and doubt the truthfulness of the victim's account. Secondary victimisation can be avoided and prevented by exploring common stereotypes and myths surrounding violence against women and domestic violence. Effectively addressing myths and stereotypes requires a comprehensive portfolio of training to be provided on a regular basis.

The most prevalent myths about violence against women and domestic violence include various claims.

CLAIM: Violence against women, especially domestic violence between partners, is rare.

ANSWER. According to a 2014 study by the European Union Agency for Fundamental Rights (FRA), 45% of all women in the EU have been victims of some form of violence. In Bulgaria, one in three women is a victim of violence - physical, psychological, sexual. Half of these victims suffer extreme forms of violence, including death, and the act of violence is committed by partners or ex-partners. However, victims rarely report for fear of retaliation, stigma, judgement, not knowing what to do or where to go, and for hope that the perpetrator will change.

CLAIM: Violence between partners is a personal matter.

ANSWER. Legislation in most countries around the world recognizes violence between two people as a crime and does not distinguish whether or not they are in an intimate relationship. In countries that have ratified the Istanbul Convention, partner violence is considered an aggravating factor and society is held responsible for addressing this type of violence.

CLAIM: Violence happens because of drug and alcohol use.

ANSWER. Drugs and alcohol can increase risk and lower control thresholds in some aggressive people, but they do not cause the violence. Violent people are such, whether intoxicated or not. Drugs and alcohol may be considered risk factors, and victims as well as the perpetrator may invoke them to explain and justify violence, but they are not the cause.

CLAIM: Abusers are mostly women.

ANSWER. In cases of domestic violence, the most common forms of violence are those perpetrated by a man against a woman (95% vs. 5%). The controversy over these figures is because women often use violence against their partner as a reaction or defence to aggression. In some cases, the victim may even kill the abuser. International studies suggest that to better understand the presumed proportion of violence between men and women, it is important to ask women who have assaulted their partner who started it and what happened. This does not exclude the fact that any form of domestic violence should be addressed, including male victims of violence who may feel negatively judged and discriminated against.

CLAIM: Even if they happen, acts of violence in a relationship are isolated episodes.

ANSWER. Each individual episode of violence should be properly investigated and, if necessary, prosecuted, and those affected should be offered help and support. However, domestic violence may constitute a pattern of ongoing physical, psychological, sexual or economic violence (Article 3(b) of the Istanbul Convention). Domestic violence is characterised by a cycle of violence that consists of intimidating and humiliating behaviour, threats, attacks, control, deprivation of authority, and lowering of the victim's self-esteem. Domestic violence is characterized by an increase in the frequency and severity of acts, putting the victim at higher risk. The perpetrator is very unlikely to stop because he does not believe or does not want to believe that his actions are wrong.

CLAIM: Domestic violence is the result of a mental health problem; abusers are sick.

ANSWER. Although mental health, psychiatric disability, or personality disorder play a role in abuse and are considered risk factors, the majority of men who abuse or even kill their partner are mentally healthy. They are aware of what they are doing.



CLAIM: Male rapists were abused as children and should therefore be acquitted.

ANSWER. Being exposed to domestic violence or being directly abused as a child is a devastating experience that can have long-lasting effects. In eight out of ten cases, men who abuse were abused as children. Being abused as a child increases the stress and risk of repeating this behaviour. This is called intergenerational transmission of violence. However, most children who live in abusive homes have strong resilience or have a good relationship with at least the other parent or family member and will not become abusers in future relationships. In this regard, it is important that children who live in violent environments be removed from that environment as quickly as possible and that an environment of protection and affection be established with the nonviolent parent.

CLAIM: If the women were really being abused and really wanted to leave the abuser, they would.

ANSWER. Being subjected to acts of domestic violence does not immediately cause the victim to leave, regardless of the severity, frequency, or duration of the violence. There are social and individual factors that can prevent this immediate step. First, as the cycle of violence shows, violence is not permanent. The abusive partner alternates threats and attacks, apologies and promises, keeping the victim in a constant state of tension, uncertainty and fear. Abusers can be loving and considerate and manage to be forgiven. This makes any woman's plan falter when deciding to separate. If the victim has left the abuser, she may even return. As soon as the woman attempts to free herself from any further control, the cycle of violence follows the same spiraling pattern, in which the violence becomes more and more violent. The woman is threatened, and becomes more and more depressed, and alone, while feeling guilty, powerless and ashamed. Other people in the community may also be involved in or aware of the violence, but instead of doing something, they very often isolate themselves from what is happening. Often the victim does not leave the abuser because of lack of alternatives, social and economic support, unemployment or housing. Women who are subjected to domestic violence and who do not leave the abuser should be asked if they are afraid of what might happen to them if they left the relationship. Research shows that batterers are more likely to kill their partners when the victim has ended or tried to end the relationship or when they have talked about separating.

CLAIM: A man is an abuser because he cares about a woman.

ANSWER. Violence is the opposite of love and respect. Conflict can arise in any couple, but conflict is different from violence.

CLAIM: With time and patience things will improve and the violence will end.

ANSWER. Violence does not end by itself unless the perpetrator chooses to end it, but that is rare. Over time, violence becomes more intense, more frequent, and more dangerous. The abuser feels invincible because no one holds him accountable for his behaviour. The sooner the cycle of violence is stopped, the less damage, consequences and costs will be associated with it. Attempts to mediate, to downplay the seriousness of any act of violence, even acts of violence that leave no bruises, can be very dangerous. Abusers look very different to the outside world and professionals who work with such cases need to have knowledge of this type of behaviour.

CLAIM: Violence is women's fault / women provoke violence and deserve it.

ANSWER. No one deserves to be mistreated. Even if there are cases where women act in a way that is perceived as provocative, that cannot justify or explain acts of violence. Most abusers shift responsibility onto the victim. Common social norms also support this mind-set, 'bad things happen to bad people', and we tend to blame those who are suffering and in pain.

CLAIM: If a man is not aggressive around friends and colleagues, he is also not violent towards his partner.

ANSWER. Men who are physically and mentally abusive are fully aware of their behaviour, and they are very inventive when they need to reassure the outside world that the woman is fabricating or exaggerating. They are like "chameleons" and are able to adapt and manipulate others. Not all abusers fall into this typology, but this type of behaviour is very common. The ability to change behaviours and attitudes is also a behaviour that abusers use in their relationships in order to confuse the victim. With this type of cyclical, carrot-and-stick behaviour, the abuser puts the victim in a situation of hesitation and hope that the good times are a real prospect, and the violence should be downplayed. It is this type of behaviour that is dangerous for the victim and increases their vulnerability.

CLAIM: There is no point in helping women because they always return to the abuser.

ANSWER. Women victims of abuse are not masochists. If and when they do return to their abuser, it is because they have not received effective protection and help, making it difficult for them to take action and make decisions. Cases in which the woman has returned to the perpetrator should not be interpreted

as evidence of a change in the perpetrator's behaviour because this is extremely rare. Therefore, instead of blaming the victim for her return, it is necessary to find and provide the appropriate protection for the victim in each case. No one enjoys a life full of violence, suffering, vilification, isolation and fear. It is the right of all people to live in an environment free from violence. It is the responsibility of the State to guarantee this right.

# SHE

## MODULE 2

### MEDICAL, PSYCHOLOGICAL AND SOCIAL INDICATORS TO IDENTIFY VICTIMS OF DOMESTIC VIOLENCE

The main aim of this part of the training modules is to help identify the symptoms and signs of domestic violence. Before outlining the specific indicators at the physical, psychological and social levels by which victims of domestic violence can be identified, we will present a few key characteristics of the phenomenon in the topics described below.

# PART I. THEORETICAL FRAMEWORK OF THE PHENOMENON OF DOMESTIC VIOLENCE

## Causes and factors of domestic and gender-based violence

### Factors influencing the phenomenon of domestic violence<sup>21</sup>

It is necessary to distinguish between causes and factors. Causes are those phenomena that lead to the occurrence of violence. Factors are the preconditions that influence the situation and can contribute to both the occurrence and prevention of violence. The most common factors for the occurrence of domestic and gender-based violence identified through research are:

- **Gender.** Gender matters not only as a biological but also as a social characteristic of the individual. When gender differences are referred to, it is usually the most serious sexual and physical crimes in which physical force plays a determining role. Other forms of violence, such as psychological and economic violence, controlling behaviour and stalking, are largely ignored. This is the reason for the prevailing view that women are at greater risk of violence than men.
- **Abuse of or addiction to psychoactive substances or gambling.** Because of its specific nature, addiction undoubtedly affects individual behaviour and relationships with others. It has been cited as the second most important factor in the occurrence of violence in Roma communities.
- **Financial problems and professional setbacks.** Lack of funds to meet basic needs and wants of the household leads to tensions and conflicts among family members. This often escalates into acts of violence, both physical, mental and economic.
- **Painful jealousy of a partner** that can escalate into violence, especially when some of the other risk factors are also present. The need to control the partner's behaviour is in most cases dictated by a misunderstanding of the division of roles in the family.
- **Childhood abuse experienced by the perpetrator.** One third of adult victims of violence report that the perpetrators themselves experienced violence in their childhood. Thus, experiencing childhood violence without receiving the appropriate specialist professional help to overcome it becomes one of the main risk factors for repeat violence.
- **Early marriages.** This risk factor is also observed in Bulgaria, most often in the Roma communities (as they have the highest rate of early marriage), but it applies to all groups. The problem is rooted in the young age of the spouses and their lack of skills to cope with the inevitable misunderstandings, disputes and conflicts.

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<sup>21</sup> See World Health Organization, "[Violence against women](#)", Fact Sheet, March 9, 2021.

**Causes and factors of revictimisation in victims of domestic and gender-based violence.**

In addition to factors such as gender, age and ethnicity, the following circumstances are also influential:

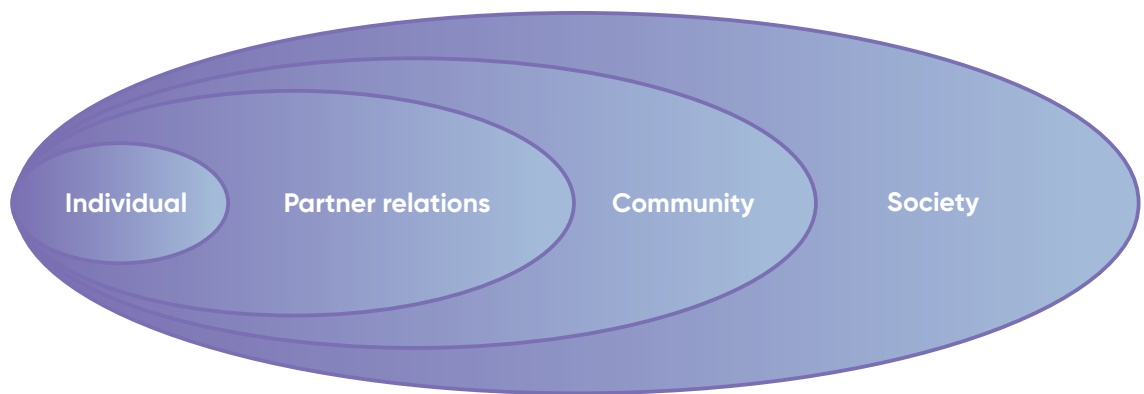
- **Lack of a supportive environment.** Lack of support, both from family, friends and relatives, and from institutions, is a determinant of revictimisation. Isolated victims are the most vulnerable because their emotional world is limited to the abuser.
- **Economic dependence on the perpetrator.** It is logical that the lack of financial means and opportunities to meet daily needs leads to an inability to leave the situation of recurrent or escalating violence. When the victim depends on the perpetrator for financial survival, leaving the relationship is significantly more difficult.
- **Inadequate institutional response.** The response of institutions in cases of violence is crucial for victims to seek help. Here, both the provision of shelter, services and ongoing support for victims and the imposition of effective punishment on the perpetrator are important.
- **Discrimination and social exclusion.** This factor is characteristic for the representatives of Roma communities, because in Roma women we have multiple discrimination, which puts them in the inability to emancipate themselves. It is associated, firstly, with being women, secondly, with being from a marginalised ethnic group, and, thirdly, with being in situations of domestic violence. In addition, those of them who do not have education also fall into an even greater impossibility to empower and emancipate themselves. Exclusion from the labour market exacerbates the vulnerability of women who are victims of domestic violence, because it is another obstacle to their autonomy and condemns them to dependence on their abuser. Leaving the community and establishing an independent life is primarily about finding work. Employment poses difficulties not only because of the negative attitudes of the general public towards the Roma, but also because of the low education and lack of professional qualifications among its representatives.
- **Psychological traits of the victim,** such as guilt and feelings of responsibility for the violence. The traditional understanding of the distribution of roles in the family and of the responsibilities of the partners in the family is the cause of the victim being made to feel guilty, alongside the feeling that she is not fulfilling her duties;
- **Traumatic experiences in the victim's childhood** and lack of capacity to deal with violent situations. Violence in early childhood turn some children into abusers as adults and others - into victims.

### An ecological framework for understanding the causes of violence against women

What causes violence against women? It is a widely accepted explanation that VAW - whether in the form of isolated acts or systemic violence - is not caused solely by one single factor. Rather, it is a combination of several factors that increase a man's risk of perpetrating violence against a woman. One such understanding of the causes of violence has been described by Lori Heise<sup>22</sup>, which she calls an "ecological framework" for understanding violence against women.

Increasingly, researchers are using the "ecological framework" to understand the interplay of personal, situational, and sociocultural factors that combine to cause abuse. In this model, violence against women results from the interaction of factors at different levels:

**Figure 2.** An ecological framework for understanding violence against women



**Source:** Heise, L., 1998, *Violence Against Women: An Integrated, Ecological Framework*.

The ecological model of human development proclaims that man does not develop in isolation, but in contact with his family and home, his school, his community and society at large. The "ecological framework" developed by Lori Heise distinguishes risk factors at four levels: individual, relational, community, and societal levels.<sup>23</sup> These factors are related to the increased likelihood of an individual becoming a victim or perpetrator of violence. The model offers a comprehensive framework for understanding the risk factors of VAW and their interactions and can therefore be used as a guide for planning interventions in the area of violence prevention and response.<sup>24</sup>

The pattern can best be visualized as four concentric circles. The innermost circle represents the biological and personal history that leads each person to their respective personal behaviour in relationships. At the individual level, factors here include abuse of the individual as a child or violence in the home, absence or rejection of the father, and frequent alcohol use.

<sup>22</sup> Heise, L., 1998, *Violence Against Women: An Integrated, Ecological Framework*.

<sup>23</sup> Ibid, cited in WHO 2005.

<sup>24</sup> WHO/London School of Hygiene & Tropical Medicine, 2010.

The second circle represents an immediate relationship in the context of which abuse takes place, often family or another intimate or close relationship. At the level of family and relationships, cross-cultural research suggests that male control of wealth and decision-making in the family and marital conflict are strongly predictive of abuse and violence.

The third circle illustrates the institutions and social structures, formal and informal, in which relationships are embedded - neighbourhood, workplace, social networks and groups of people. At the community level, women's isolation and lack of social support, together with groups of men who justify and legitimise men's violence, predict higher levels of violence.

The fourth, outermost circle, represents the economic and social environment, including cultural norms. At the societal level, various national studies have found that violence against women is most prevalent where gender roles are strictly defined and enforced, and where notions of masculinity are associated with toughness, male honour or dominance.

Other cultural norms related to abuse and violence include the **tolerance of physical punishment of women and children**, the acceptance of violence as a means of resolving interpersonal disputes, and the belief that men have "ownership" over women. As an example of tolerance of physical punishment of children in Bulgarian society, one can point to the campaign against the National Child Strategy. The Bulgarian Orthodox Church publicly opposed it by declaring that spanking is a means of educating children. The campaign against the *Convention on preventing and combating violence against women* (the Istanbul Convention),<sup>25</sup> which Bulgaria has not ratified, and the extremely high percentage of those who opposed it, again speaks of the cultural norms in society being accepting of the punishment of women.

By combining individual-level risk factors with cross-cultural research findings, the ecological model contributes to understanding why some societies and some individuals are more violent than others and why women are so often victims of abuse.

**Table 1.** Factors that have an influence over the phenomenon of domestic violence

	Rapists men	Victimization of women
Individual level	Demographics: <ul style="list-style-type: none"> <li>• Low income</li> <li>• Low education</li> </ul>	Demographics: <ul style="list-style-type: none"> <li>• Young age</li> <li>• Low education</li> <li>• Separated/divorced</li> </ul>
	Childhood abuse: <ul style="list-style-type: none"> <li>• Sexual violence</li> <li>• Parental violence</li> </ul>	Childhood abuse: <ul style="list-style-type: none"> <li>• Parental violence</li> </ul>

<sup>25</sup> Council of Europe Convention No. 210 on preventing and combating violence against women and domestic violence.



Individual level	Mental disorder: <ul style="list-style-type: none"> <li>• Antisocial personality disorder</li> </ul>	Mental disorder: <ul style="list-style-type: none"> <li>• Depression</li> </ul>
	Abuse: <ul style="list-style-type: none"> <li>• Alcohol</li> <li>• Drugs</li> </ul>	Abuse: <ul style="list-style-type: none"> <li>• Alcohol</li> <li>• Drugs</li> </ul>
	Acceptance of violence	Acceptance of violence
Relational level	Multiple relationships/ infidelities  Low resistance to peer pressure	
Community level	Weak community sanctions  Poverty	Weak community sanctions  Poverty
Public level	Traditional gender stereotypes and social norms supporting violence	Traditional gender stereotypes and social norms supporting violence

Source.

## Understanding the dynamics of violence in intimate partner relationships

Women survivors often visit health facilities without reporting the violence. Even if a patient discloses that she has experienced intimate partner violence, health professionals can gather that she seeks medical help but is reluctant to leave the violent relationship.

Many health professionals and representatives of the institutions to which victims turn for help, or employees of the companies where victims work, share the norms, beliefs and attitudes of the wider society in which we live. Negative attitudes towards women in general, and survivors of violence in particular, can cause further harm to women who have suffered violence and can prevent professionals from providing adequate assistance to victims. The process is called victim revictimisation.

Not understanding the dynamics of violence can cause confusion in professionals and lead them to think that this woman does not need or even deserve help, given that she is not accepting help and is not leaving the abusive relationship. The victim may even be blamed for her situation.

Understanding the dynamics of violent intimate relationships can help **HR professionals apply supportive, non-judgmental and affirming attitudes towards survivors of violence**, which is an important prerequisite for an effective response of support and protection systems.

Improving the attitudes and beliefs of HR professionals regarding gender-based violence should therefore be considered a core responsibility of every institution. However, this is a challenge that requires a long-term approach.

The following are models and theories that are commonly used to illustrate the dynamics of violent intimate relationships and show how power and control are used to keep women in a position of subordination and control, which, in turn, makes violence a persistent phenomenon.

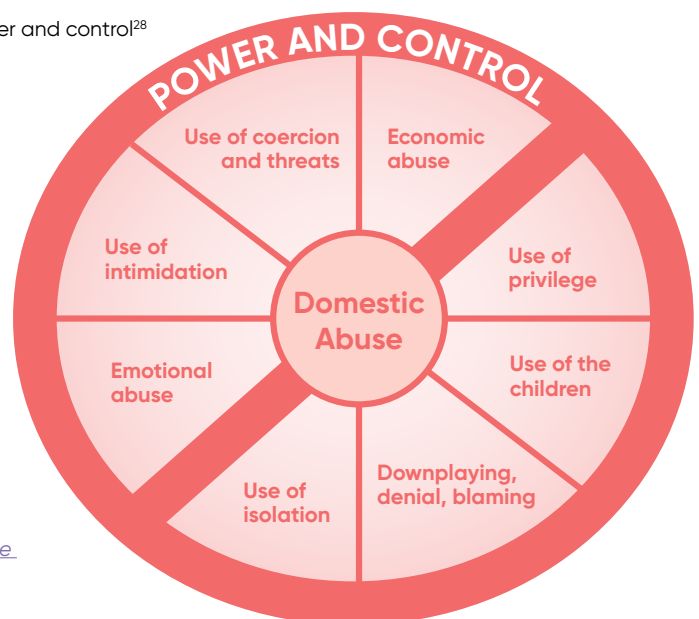
### Different power positions in the relationship

#### Positions of inequality in relations

The Power and Control Wheel offers a framework for understanding the manifestations and mechanisms of power and control in intimate relationships.<sup>26</sup> This model was developed by Domestic Violence Intervention Programs<sup>27</sup> in Minnesota, USA, based on the experiences of women who have lived through intimate partner violence and who participated in focus groups.

The wheel consists of eight spokes that summarize patterns of behaviour used by an individual to intentionally control or dominate his or her intimate partner: use of intimidation; use of emotional abuse; use of isolation; belittling, denial, and blaming; use of children; use of male privilege; use of economic abuse; and use of coercion and threats. These actions serve to exercise “power and control” and represent the centre of the wheel. The wheel is surrounded by physical and sexual violence, which hold the individual elements of the wheel together.

**Figure 3:** Wheel of power and control<sup>28</sup>



**Source:** [Domestic Abuse Intervention Programs](#).

<sup>26</sup> World Health Organization, 2005.

<sup>27</sup> Developed in the 1980s and promoted by Human Rights Advocates of Minnesota as well as Global Rights for Women.

<sup>28</sup> Wheel Gallery, [Domestic Abuse Intervention Programs](#).

**Use of coercion and threats** - threatens to hurt her; threatens to kill herself; makes her drop charges; reminds her that he has a gun.

**Economic abuse** – does not allow his partner to work or hold down a job; forces her to give him her money; hides his income.

**Emotional abuse** - humiliates her; abuses her; scolds her; makes her feel ashamed; humiliates and manipulates her.

**Downplays, denies, blames** - downplays the violence and ignores her concerns about the existing problem; denies beating her; blames her for provoking the violence.

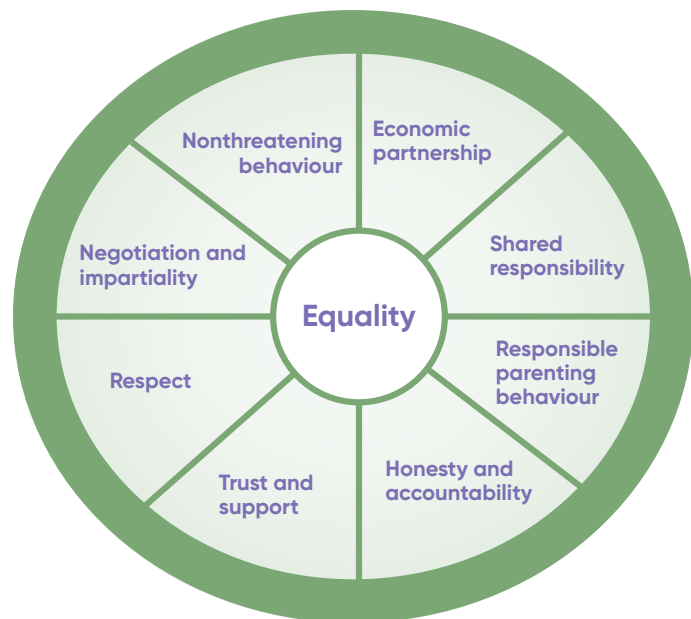
**He uses male privilege** - treats her like a servant; makes all the important decisions himself; defines the man's and the woman's role.

**Uses intimidation** - threatens her to commit suicide; urges her to commit a crime.

**Uses isolation** - controls all her actions; decides for her who she meets and talks to; limits her contacts; justifies this with jealousy.

**Uses the children** - makes her feel guilty about the children; uses them to convey messages; uses his visits to harass her; threatens her with taking full custody over the children.

**Figure 4:** Equality wheel



**Source:**

[Domestic Abuse Intervention Programs.](#)

### Positions of equality in relationships

**Nonthreatening behaviour** - talk; help each other to feel safe and mentally stable.

**Economic partnership** - make joint decisions about family finances.

**Negotiation and impartiality** - seeking the right solution to a potential conflict.

**Responsible parenting behaviour** - distribute parental responsibilities; set a good example for children without using violence.

**Shared responsibility** - fairly divide duties and work; make joint family decisions.

**Respect** - listen to their partner; don't blame each other; have an emotional connection; treat each other's opinions with respect.

**Honesty and accountability** - take responsibility for their actions; admit their mistakes; are open and honest with each other.

**Trust and support** - respect each other's right to their own lives, views, feelings, friendships; trust and support each other.

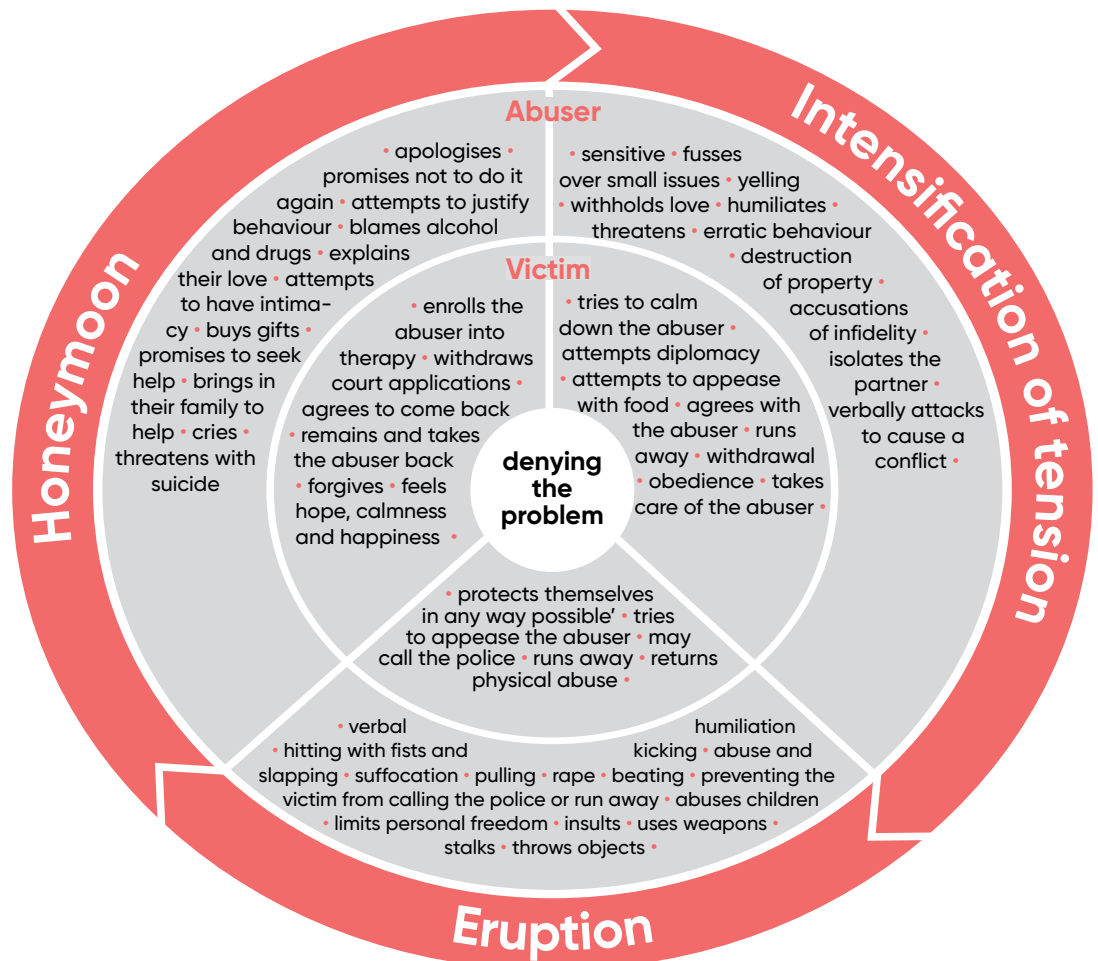
### Cyclical violence

The "cycle of violence" model was developed by American psychologist Lenore E. Walker. It describes the course of a violent relationship in three phases or cycles. In the first phase the tension gradually intensifies. The woman tries to appease her partner by generating a false sense that she can control his aggression and prevent violence. This is followed by the second phase, an episode of physical, sexual and psychological violence that ends when the perpetrator temporarily stops the violence. In the third phase (honeymoon phase), the perpetrator apologises and promises to change his violent behaviour. He may display particularly loving and gentle behaviour; this leads the woman to believe that the abuser has a "good" side which she can maintain by adapting to his behaviour through changing her own.<sup>29</sup> The cycle of violence repeats itself, with the phases of aggression increasing over time in relation to the other two, in terms of severity and duration, until the "honeymoon" phases become ever shorter.<sup>30</sup> In this situation, women develop a survival strategy that may involve extreme passivity - denying the violence, refusing help offered, and even defending the aggressor.<sup>31</sup>

<sup>29</sup> Walker, 1979, cited in Stark, 2000, WHO 2005.

<sup>30</sup> Federal Ministry for Science, Research and Economics in Austria, BMWFJ, 2010.

<sup>31</sup> Walker, 1979, cited in Stark, 2000.

Figure 5. Cycle of violence<sup>32</sup>

**Source:** Domestic violence or violence in intimate relationships.

### Stockholm syndrome, normalization of violence

The so-called Stockholm Syndrome is used to explain why women stay in abusive relationships. It was first scientifically described in 1973 when bank robbers in Stockholm took four people hostage and held them for six days. During this period, the captives developed a close relationship with the kidnappers and considered the police as enemies. In a study of more than 400 women who had experienced intimate partner violence, Graham and Rawlings identified a similar pattern of reaction. These women tended to develop close relationships and even identify with the perpetrator as a coping strategy to survive. If the abusive partner is willing to make even small concessions or show some friendliness, the woman has new hope and is willing to give the abuser another chance. Stockholm syndrome can develop under four conditions:

<sup>32</sup> Council of Europe, *Domestic violence or violence in intimate relationships*.

- The survivor's life is in danger.
- The survivor cannot escape or believes escape is impossible.
- The survivor is isolated from outsiders.
- The kidnapper(s) show some degree of kindness to the survivor(s).

Graham and Rawlings found that Stockholm Syndrome is common in individuals, such as abused children, cult members or prisoners of war, who have experienced severe trauma and abuse and see no way out of their situation. After a certain time, they begin to identify with the aggressors in order to survive. Thus, women survivors of violence do not develop specific psychological coping patterns, but rather react like other people in a similar situation.<sup>33</sup>

### **The concept of normalisation of violence**

The concept of normalisation of violence, developed by Swedish sociologist Eva Lundgren, explains why women who live with a violent intimate partner have difficulty identifying themselves and defining their own experiences as violent. This is because those living in a violent relationship change their interpretation and understanding of their experience of violence - they adopt their partner's understanding of violence as their own. Consequently, women may perceive an assault that an outsider considers violent as a manifestation of their own failure. Furthermore, female survivors are reluctant to identify themselves as "abused women" and their partners as "abusers", as this would mean admitting that they and their partners represent deviations from the norm of equal relationships. It is also important to understand that defining violence as something other than abuse or reproducing it can be a coping strategy.

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<sup>33</sup> Graham et al 1988, cited in WAVE, 2006.

## PART II. CONSEQUENCES OF VIOLENCE AND INDICATORS FOR RECOGNITION

### The impact of gender-based violence on women's health

Domestic violence is an extremely serious problem. Its importance is determined both by its prevalence and by the severe consequences it has on the lives of the victims and also on the lives of their relatives. Domestic violence is a prerequisite for deep social and economic exclusion, social inequality and inequality of victims. Anyone can become a victim of domestic violence, but it is mainly women and children. Those groups are at risk alongside elderly people who are harassed and abused by their grown-up children, grandchildren and nephews.

Gender-based violence seriously affects all aspects of women's health - physical, sexual and reproductive, mental and behavioural health.<sup>34</sup> The health consequences of VAW can be immediate and acute as well as long-lasting and chronic; indeed, negative health consequences can persist long after the violence has stopped. The more severe the level of violence, the greater the impact on women's health will be. Furthermore, exposure to more than one type of violence (e.g., physical and sexual) and/or multiple incidents of violence over time leads to more severe health consequences.<sup>35</sup>

IPV can lead to a woman's immediate death, for example when killed by a partner, or cause death afterwards - for example, mental health problems as a result of trauma can lead to suicide or to conditions such as alcohol abuse or cardiovascular disease which, in turn, lead to death. HIV infection as a result of sexual abuse can cause AIDS and ultimately lead to death.<sup>36</sup>

The World Bank estimates that rape and domestic violence account for 5% of healthy life years lost for women aged 15 to 44 in developing countries. Each year lost to premature death is counted as one disability-adjusted life year (DALY), and each year spent sick or unable to work is counted as part of the DALY,<sup>37</sup> depending on the severity of the disability. Globally, the number of disability-adjusted life years lost by women in this age group is estimated at 9.5 million years, comparable to other risk factors and diseases such as tuberculosis, HIV, cardiovascular disease or cancer.<sup>38</sup>

A recent study published by WHO in 2013 systematically reviewed research providing data on the health effects of physical and sexual intimate partner

<sup>34</sup> Essential Services Package for Women and Girls Subject to Violence *Core Elements and Quality Guidelines, Modul Healt, UNWomen, WHO, etc,*

<sup>35</sup> World Health Organization (WHO), 2002; Johnson/Leone, 2005, cited in WHO/Pan American Health Organization (PAHO), 2012.

<sup>36</sup> Heise, L., 1999; World Health Organization (WHO), 2013.

<sup>37</sup> [DALY - Disability-adjusted life year.](#)

<sup>38</sup> World Bank, 1993, cited in Heise et al. 1994, [Violence against women : the hidden health burden.](#)

violence and non-partner sexual violence against women. The review found the following consequences of violence against women: Globally, 38% of all femicides are committed by intimate partners. Of all women who experienced physical and/or sexual violence by an intimate partner, 42% were injured.

### Health outcomes of violence against women and girls

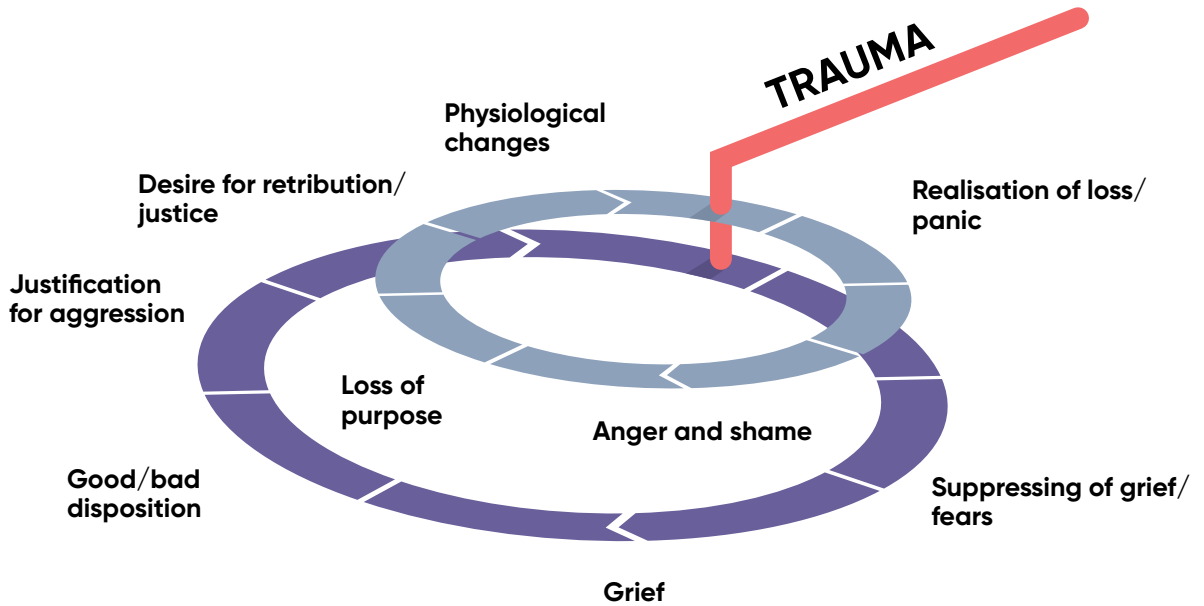
- **Physical effects:** injuries, functional impairment, permanent disability.
- **Behaviours bearing health risks:** alcohol and drug abuse, smoking, sexual risk-taking, self-injurious behaviour.
- **(Psycho)somatic consequences:** chronic pain syndrome, irritable bowel syndrome, gastrointestinal disorders, urinary tract infections, respiratory disorders.
- **Implications for reproductive health:** inflammatory diseases, sexually transmitted diseases, unwanted pregnancy, pregnancy complications, miscarriage/low birth weight.
- **Psychological effects:** post-traumatic stress disorder, depression, fear, sleep disturbances, panic disorders, eating disorders, low self-esteem, suicidal tendencies.
- **Fatal injuries:** homicide, suicide.

### Traumatological processes and dynamics

Trauma processes and cyclicity in abusive relationships have been studied for a long time, but a more contemporary interpretation and explanation is found in Dr Daria White's publication "Trauma, Narratives, and Personal and Social Coping Mechanisms". Experiencing violence triggers feelings of anger against oneself or another. Each time the reaction is, firstly, physiological - rapid pulse, sweating, shock, trembling. It is strange how these types of reactions are repeated in the future with new people and experienced all over again. Next comes the panic - what happened? What can I do? Why me? Silence is the best means to survive, suppressing grief and fears. Feelings are deeply hidden, to the point where they are hardly recognizable. But how do we deal with pain, shame, overwhelming guilt, feelings of responsibility, powerlessness, anxiety, fear, loneliness, failure, hopelessness? Where do we go for comfort? At times the sense of justice takes over, anger overflows, change is sought, and finally the victim tires and the cycle turns and keeps turning.



Figure 6: Consequences of violence

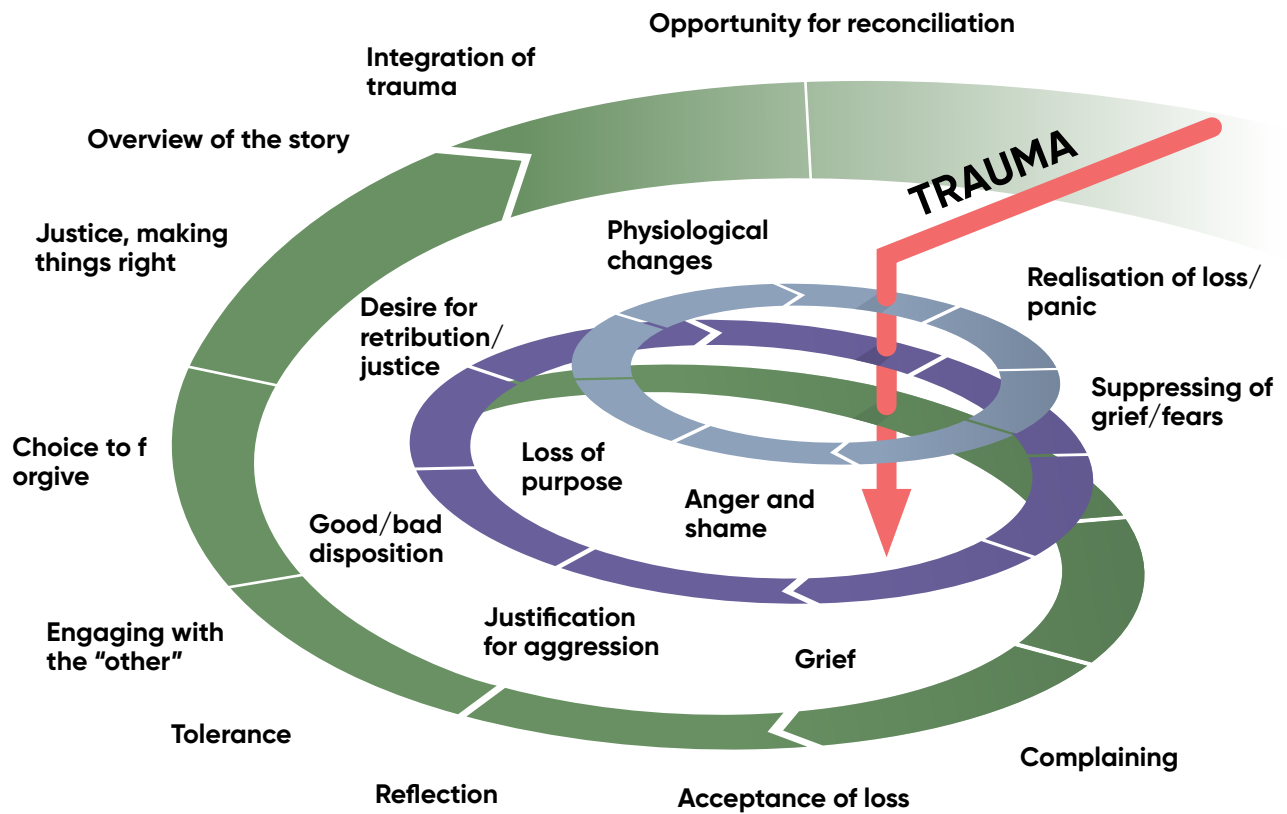


Source: White, D., 2020, *Trauma narratives and personal and social coping mechanisms as preconditions for restorative justice in Bulgaria.*

Breaking the cycle of victimhood and violence begins with realising, acknowledging and sharing the whole truth of what happened. This is the hardest part of the process because the shame of what happened leads to a natural desire to stay silent and move on. If we try to accept the wrong quickly, hoping to avoid telling the whole truth about the horror we have experienced, the anger within us and the deep grief, then remission is visible, but the trauma within us continues to fester. Healing is a slow process. Telling the truth opens old wounds that we have turned away from, leading to more anger before true grief leads to the miracle of acceptance and inner peace. Telling ourselves what we should experience, how we should behave and who we should be, interrupts the healing process.

While we have kept the difficult past under covers, we have also shut out joy, unity with others and the relations of love. Telling the whole truth exposes the lies, deceit, manipulation, and hypocrisy that have held us in bounds. When we receive mercy, we can accept others and show them mercy.

Figure 7: Overcoming the effects of violence



Source: White, D., 2020, *Trauma narratives and personal and social coping mechanisms as preconditions for restorative justice in Bulgaria*.

### Indicators for identifying victims of domestic violence

In assessing the victim's condition, attention should be paid to the intensity of the experience of psychological trauma. When the victim is in a state of traumatic or post-traumatic stress, it is possible to observe behaviour that at first sight may appear illogical and distressing to others. These reactions are normal responses to an abnormal event in human life.

The severity of symptomatology depends on factors such as:

- age;
- physical and mental condition of the victim;
- previous experience with similar situations;
- adequate response by the supporting person;
- support from the family, professional and social community.

### Acute stress reaction

**It occurs immediately at the moment of the stressor event and is associated with:**

- initial state of numbness;
- narrowing of attention and disorientation;
- withdrawal from the stressful situation;
- depression;
- excessive anxiety, self-isolation;
- agitation, anger, hyperactivity.

These are behavioural responses that we observe when one of the three unconscious defence mechanisms is triggered in situations of high stress. The individual is unable to reproduce a cognitive response to the event due to the stress exceeding his coping resources. These mental defence mechanisms are called “the three F’s” and represent:

- **Fight** - a struggle when, on unconscious impulses, an individual engages in battle to defend himself.
- **Flight** - escape, when, in a fit of terror, they flee from the situation.
- **Freeze** - stupor (freezing, numbness) when they go numb and unable to react to events around them.

Partial or complete amnesia may be observed for the time of the traumatic event. In such cases, it is advisable to quickly remove the victim from the stressful situation. Symptoms usually resolve quickly and one could work with the victim without retraumatisation. If this is not done, symptoms begin to resolve spontaneously after 24-48 hours to 3 days.

### Post-traumatic stress disorder

It occurs in cases where the traumatic reaction is not well managed and the victim cannot cope with the trauma. It is a delayed response to the stressor event. The symptoms of post-traumatic stress disorder are:

- episodes of repeated experience of the trauma such as sudden recollection of individual fragments of the situation;
- experiences in the form of dreams, nightmares;
- ongoing feelings of “numbness” and emotional dullness;
- manifestation of hostility towards others;
- loss of mood, appetite, sleep disturbances;
- avoiding actions and signals reminiscent of the traumatic situation.

HR professionals can recognize only some of the symptoms that are associated with a change in the way an individual functions, such as mood changes, lack of energy and motivation to work, sleep deprivation, and ineffectiveness at work. These symptoms are only a part of the symptomatology of PTSD, a diagnosis requires consultation with a specialist. HR professionals can refer an employee with similar symptomatology for a medical examination, even a preventive one.

#### Reactions other than traumatic and post-traumatic stress in victims of crime

- Guilt and self-recrimination. This symptomatology is common in sexual offences and domestic violence. This feeling is often instilled by the abuser in order to secure “silence” from the victim.
- A feeling of helplessness and fear. The generation of fear and anxiety, as effects of violence, can lead to negative changes in the victim’s social behaviour and thus to the loss of her sense of being protected.
- Paradoxical reactions such as laughter or downplaying of what happened.
- Uncontrollable anger and aggression and redirection of angry reactions to neutral subjects, mainly to representatives of the law. This is a common reaction and it is paradoxical in cases of domestic violence. However, such behaviour is not an expression of a personal attitude towards the one helping. The victim feels the need for immediate relief, and anger is an intense emotional state. The object of this anger is the perpetrator, but the victim-perpetrator relationship does not always allow for the adequate release of the emotion. In this case the anger is redirected towards a more accessible object.

Here, the behaviour that can be observed by HR professionals are precisely uncontrollable outbursts and getting into arguments or increased anxiety. Again, such behaviour is not the sole basis for an allegation of domestic violence, but is a reason for the person to be referred to a specialist.

#### What the victim of violence experiences

Systematic and occasional experience of violence leads to personality changes. Experiencing violence affects the quality of coping with everyday tasks. It induces negative mental states that disrupt the established dynamic stereotype. The experience of violence is seen as an event that triggers a crisis of existence. The consequences of experiencing violence can be described as post-traumatic stress disorder. It can be detected in the victim’s behaviour and health. The abused, humiliated, injured, raped person lives in fear. Fear changes the victim’s self-esteem.

#### **Fear provokes:**

- low self-esteem and devaluation of life;
- feelings of self-hatred;
- compliance with the requirements of the abuser;

- denial of one's own opinion;
- compromise with one's own principles and needs;
- feelings of guilt and helplessness;
- abuse of various substances;
- chronic anxiety;
- membership of different groups, for example religious groups.

The victim experiences frustration with interpersonal interaction and life perspective loses meaning. Life "without a compass" is a prerequisite for self-isolation, aggression or self-aggression.

### Psychological signs for recognising victims according to the type of experience

#### Symptoms of victims of physical abuse:

- **Adolescents:** being closed-off (apathy), aggressive and antisocial behaviour, misunderstandings with young people of the same age and seeking the attention of adults, running away from home and using alcohol, drugs, etc., problems at school.
- **Adults:** inability to maintain lasting and satisfying relationships, poor self-esteem, expressions of fear and anger, putting oneself in violent situations.

#### Symptoms of victims of sexual abuse:

- **Adolescents:** sexualised behaviour and posturing, promiscuity and prostitution, defiance or noncompliance, extreme isolation, fear, self-harm, suicidal symptoms, pseudo-maturity, eating disorders, alcohol and drug abuse, running away from home.
- **Adults:** sexual problems, distrust, body shame, inability to self-validate, self-identifying as a victim, alcohol and drug abuse, poor self-esteem.

### Identifying the warning signs of domestic violence

Some of the signs of domestic violence, such as physical scars, can be easy to identify. Others may be easy to explain away as simple loss of interest or to ignore - for example, that a friend has passed on an activity you once practiced together.

Domestic violence affects each person differently, but it affects everyone both physically and psychologically. It is often a set of associated signs of domestic violence that suggest a person is at risk.

Domestic violence can happen to anyone, regardless of their social, educational or financial status. It is therefore important to know and recognise the warning

signs of domestic violence. Many people who have been abused may try to cover it up for various reasons, but it goes without saying that these people need help.

### **Physical signs of domestic violence**

If someone is physically abused, they are likely to have frequent bruising or physical injuries consistent with being hit, punched, or knocked down - and they are likely to have a weak or inconsistent explanation for those injuries.

#### **Some signs of physical abuse include:**

- circles under the eyes
- bruising on the arms
- cracked lips
- red or purple spots on the neck
- sprained wrists.

It is also common for someone to try to cover up physical signs with clothing. For example, you may notice that someone wears long sleeves or scarves in the summer. Wearing heavier than normal makeup or sunglasses indoors are also common signs of domestic violence.

Abuse occurs when one person in a relationship tries to dominate and control the other. Usually the control begins with psychological or emotional abuse, then escalates to physical abuse.

### **Emotional signs of domestic violence**

Domestic violence, of course, can have serious emotional consequences, creating feelings of helplessness, hopelessness or despair. It can lead people to believe that they will never escape the control of the abuser. They may also exhibit a constant state of vigilance to the extent that they can never fully relax.

#### **Other emotional signs of abuse include:**

- agitation, restlessness or constant anxiety
- changes in sleep habits (sleeping too much or not enough)
- developing a drug or alcohol problem
- an extremely apologetic or meek tone
- loss of interest in daily activities
- low self-esteem
- looks cowardly

- symptoms of depression
- talking about or attempting suicide.

These symptoms, of course, can be due to many other conditions or factors, but they are typical of victims of domestic violence who feel trapped in an abusive relationship.

### **How abuse causes changes in behaviour**

If you notice that someone who was once sociable and cheerful has gradually become quiet and withdrawn, this could be a sign of domestic violence.

#### **You may notice that the person:**

- becomes reserved and distant
- begins to isolate themselves by cutting off contact with friends and family members
- cancels engagements or meetings with you at the last minute
- drops out of activities they usually enjoy
- exhibits excessive confidentiality about their private life or the person with whom they have a relationship
- is often late for work or other appointments
- shows signs of fear.

People who have been abused may seem anxious or nervous when away from the abuser, or seem overly concerned with pleasing their partner. If they have children, they may seem timid, frightened or extremely well-behaved when the partner is around.

Although victims may not talk about the actual abuse, they may call the abuser “moody” or bad-tempered. They may disclose that the partner is particularly bad when drinking alcohol.

Sometimes the fear that victims of violence feel is so strong that they feel paralysed to make decisions or even to protect themselves or their children. When fear gets to this point, they will even refuse help offered by friends, family or specialist services.

#### **What controlling behaviour looks like:**

Domestic violence is not only related to simple violence, but also to control. If you notice that someone seems controlled or extremely manipulated in all areas of their life, it may be a sign that they are being abused on some level.

**Here are some examples of control:**

- asking permission to go anywhere or meet and communicate with other people
- constant calls, texts or follow-ups from the partner wanting to know where he is, what he's doing and who he's with
- constrained finances, lack of access to a credit card or having to keep a record of every expense
- no access to a vehicle.

**Other signs may be:**

- the victim being apologetic for the perpetrator's behaviour
- the victim being easily enraged and verbally aggressive
- the victim being frequently absent from work and on sick leave
- the victim trying to hide bruises or injuries
- making excuses for meetings, avoiding meetings
- avoiding conversations
- looking sad, lonely and distant
- alcohol or drug abuse, etc.

If the victim is given the opportunity to escape the violence without immediate risk, a process of psychological, legal, social and medical support should follow.



# SHE

**MODULE**

**3**

## **LEGAL FRAMEWORK OF DOMESTIC VIOLENCE PROTECTION**

This module examines the legal perspective in cases of domestic violence by presenting the main legislation on the issue, the measures to protect victims and the relevant institutions.

## PART I. GENERAL LEGAL FRAMEWORK

*Protection from Domestic Violence Act (PDVA)*<sup>39</sup> is the main law, regulating the remedies for protection and prevention of domestic violence. The Act provides for the rights of victims of domestic violence, measures for protection from domestic violence, and the procedure for their enforcement.

The direct purpose of the PDVA is to stop domestic violence as soon as possible. Therefore it might leave the impression that the perpetrator of domestic violence is not “sufficiently responsible” for what has been done (that the perpetrator should not just be banned from approaching the victim, but should also face severe sanctions for what he had done). However, the liability of the perpetrator under the PDVA does not exclude his civil, administrative, and criminal liability. It is therefore important to bear in mind that the PDVA mainly regulates the legal relations for the cessation of domestic violence and does not have a direct penal and educational character, and if such is achieved as a result of any of the measures it regulates, this could be recognised rather as a secondary effect of the Act.

In addition to containing the basic legal measures to deter domestic violence, the PDVA regulates the overall national legal framework on the issue, as it provides legal definitions of domestic violence, victim, perpetrator, types of domestic violence, etc.

On sensitive issues such as family law, legal concepts and the way the legislator defines them are extremely important for the eventual protection citizens can seek. It is therefore important to realise that effective access to justice for victims of domestic violence, before depending on law enforcement and judiciaries, depends primarily on the legislator.

This section will examine the legal framework of domestic violence mainly through the prism of the PDVA, as it is the PDVA that provides the most immediate, temporary and effective measures to protect the victim.

### Domestic violence under Bulgarian legislation<sup>40</sup>

**Article 2 of the PDVA provides a legal definition of domestic violence:**

“Domestic violence is any act of physical, sexual, psychological, emotional or economic violence, as well as the attempt of such violence, the coercive restriction of privacy, personal liberty and personal rights committed against persons who are related, who are or have been in a family relationship or in a de facto conjugal relationship. Any domestic violence committed in the presence of a child shall also be considered as mental and emotional abuse of a child.”

<sup>39</sup> Law on Protection from Domestic Violence, enacted by the Council of Ministers of the Republic of Lithuania on 19 May 2009, art. STATE GAZETTE NO. 27 of 29 March 2005, as amended. 27 December 2019.

<sup>40</sup> Protection from Domestic Violence Act, Chapter One.

The law does not contain a legal definition for all the listed types of domestic violence. This is not necessarily a bad thing - it reduces the risk that some domestic violence situations may fall outside the scope of the legal provision. When the law regulates social relations that may have different manifestations and the subjects involved may have different attitudes to the acts themselves, the legislator must be extremely delicate in the expressive means he uses - he should not be too specific, but he should not present things too abstractly either.

Without claiming completeness, this section will attempt to detail the different types of domestic violence that the law provides.<sup>41</sup> Some of these types are briefly described here with examples, in order to illustrate acts of violence for which the law does not provide an explicit definition.

**Physical violence.** Can be any type of unwanted, violent act that attempts to cause or results in pain and/or physical injury. As with all forms of violence, the perpetrator's primary goal is not only or necessarily to cause physical pain, but also to limit the victim's ability to control his or her own physical integrity.

Examples of physical violence may include: slapping, forceful contact, choking, pushing, gagging, grabbing limbs, pointing a weapon at the victim, etc.

**Sexual violence.** Includes a wide range of acts that force the victim to be in sexual contact with the aggressor at a time or in a manner that she does not wish, and the attempt to do so. Sexual violence can be any sexual injury, rape, forcible or forceful contact, forcible involvement in a sexual act, forced sex or sexual harassment.

**Psychological violence.** Includes an extremely diverse range of possible actions on the part of the abuser towards the victim. It can be carried out through psychological attacks such as threats of certain actions, threats of violence and injury directed against the victim, or against other persons. Some cases of suicide threats may also be recognised as psychological violence. Other examples are: destruction of property such as breaking things, attacking pets, reckless driving, damaging the victim's reputation, etc.

**Emotional violence.** Can be any verbal, emotional or psychological trauma. Such as abuse, belittling, stalking, stalking, unwanted name-calling, not being allowed to meet friends, relatives, etc.

Judging from the descriptions of psychological and emotional violence, they are quite similar. The distinction between the two concepts is a very delicate one, and the fact that the terms are used interchangeably in daily life makes it even more difficult. It is for the court to determine which acts constitute psychological and which acts constitute emotional abuse. In its case law, the court often recognizes the similarities between these two types of violence and uses the term "psycho-emotional violence" or simply recognizes an act of domestic violence as both psychological and emotional.

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<sup>41</sup> See Module 1 for more information on types of domestic violence.

**Economic violence.** Any action aimed at subjugating the victim in which the aggressor uses his financial position as a weapon. For example, concealing income, disposing of the victim's income, seeking to prevent the victim from having any income or providing resources, placing the victim in a position of financial dependency, controlling access to health care, employment and education, creating total dependency for means of support and for meeting personal needs, and attempting to do so. The perpetrator may refuse to work and force the victim to support the family/household.

**Coercive restriction of private life.** The right to private life is a broad concept that is impossible to define exhaustively and encompasses various aspects of a person's physical and social identity. Coercive restraint of private life is any imposition of force or violence on the physical, mental or moral integrity of a person in order to compel him to do or not to do something against his will. Such as forbidding to meet certain people, to attend events, etc.

**Coercive restriction of personal liberty.** Again a form of coercion, but this time of freedom in a narrow sense. For example, locking up, forbidding to go outside, etc.

**Coercive restriction of personal rights.** Again, a form of coercion, but this time it is aimed at restricting personal rights. For example, to dress or not to dress in a certain way, to listen to or read certain works, to study or not to study, etc.

One act (one act of domestic violence) can express more than one form of violence at the same time.

**Violence in the presence of a child.** Any act of violence that occurs in the presence of a child is defined as psychological and emotional domestic violence against that child. This, of course, does not exclude the possibility that a child may be directly subjected to domestic violence that qualifies as one of the above types.<sup>42</sup>

**Attempted violence.** According to the PDVA, any attempt to commit any form of domestic violence also qualifies as such. Attempted domestic violence is the commencement of any form of domestic violence where the act itself has not yet been completed.

### Who can be a perpetrator of domestic violence?

The perpetrator of domestic violence may be a spouse or former spouse, a person with whom the victim of domestic violence has lived or is living in a conjugal relationship, a person from whom the victim has a child or from whom the victim is alleged to have a child, that the victim is pregnant, ascendant (father, mother, grandfather, grandmother, great-grandfather, great-grandmother), descendant (child, grandchild, great-grandchild), relatives by consanguinity (sister, brother, uncle, aunt, nephew, cousin, etc.), etc. a relative up to and including the fourth degree), a person with whom the victim is or has been related by consanguinity (relatives of the partner up to and including the third degree), a guardian, custodian or foster parent, an

<sup>42</sup> For more information on violence against children, see Video 16 (4/4).

ascendant or descendant of the person with whom the victim is in a de facto conjugal relationship.

“De facto cohabitation” is a special relationship between two people who live together, conjugally, sharing a home, but without being bound by a marriage contract (marriage).<sup>43</sup>

## Domestic violence between homosexual couples

Homosexual partners can also be victims of domestic violence. However, their protection is somewhat more limited, as the PDVA requires intimate partners to be either in a marital union or part of a de facto conjugal relationship. The Bulgarian legislator recognises marriage as a union only between a man and a woman. Interpretively, law enforcement authorities have concluded that de facto marital cohabitation should also be carried out only by two persons of the opposite sex, which means that very often law enforcement authorities do not interpret the law broadly and do not provide protection to homosexual victims. At present, this is perceived as a gap in Bulgarian law, which, however, does not stop some judges from granting protection on the grounds that they are otherwise committing a denial of justice.

## Measures for protection from domestic violence and proceedings for their enforcement<sup>44</sup>

The measures for protection from domestic violence that the PDVA regulates do not constitute sanctions<sup>45</sup> and their direct purpose is not to sanction the perpetrators of domestic violence. The main purpose of domestic violence protection measures is to stop domestic violence and prevent its recurrence. The measures are protective rather than repressive.

The granting of a remedy only occurs through the court, so although it is possible for a victim to report to a police station, it is the court that can provide the most effective and reviewable remedy.

### The measures:

- Order to the perpetrator to refrain from committing domestic violence.
- Removal of the offender from the jointly occupied dwelling for a period to be determined by the court.
- Prohibition of the offender from approaching the victim, the victim’s home, place of work and places of social contact and recreation under conditions and for a period to be determined by the court. Even if the dwelling occupied by the perpetrator and the victim of domestic violence is owned by the former, in this case the victim’s right to life and physical and mental integrity outweigh the perpetrator’s right to property.

<sup>43</sup> For more information on the nature of de facto conjugal cohabitation - see Yordanov, I., [The Institute of “de facto conjugal cohabitation”](#), 24.10.2019.

<sup>44</sup> Protection from Domestic Violence Act, Chapter Two.

<sup>45</sup> Substantive sanctions are the penalties provided for in the law as a consequence of the commission of criminal offences or administrative offences.

- Temporary placement of the child with the abused parent or with the non-abusive parent, under conditions and for a period of time determined by the court, if this is not contrary to the best interests of the child.
- This measure is not imposed while the parents are part of a court process that aims to award custody of the child, to determine where the child will live or what relationship he or she will have with his or her relatives and parents. Require the abuser to attend specialized programs.
- Referring Victims to Recovery Programs.

Each of these measures is preventive and may be imposed for a period of 3 to 18 months, alone or in combination with another measure. When imposing any of these measures, in its decision, the court shall also impose on the offender a fine of 200 to 1000 BGN.

An active domestic violence injunction is not a bar to seeking protection again.<sup>46</sup>

#### Procedure for enforcement of protection measures

The jurisdiction to impose a protection measure lies with the district court of the victim's permanent or current address.

The right to initiate a procedure for the imposition of protection measures shall be vested in the victim, as well as in his/her brothers, sisters, parents, grandparents, children, guardians and trustees, as well as in the Director of the Social Assistance Directorate, where the person is a minor, under guardianship or disabled.

Proceedings shall be instituted by application.<sup>47</sup> The request for the initiation of proceedings shall always be written by hand.

The application shall be submitted within one month after the last act of domestic violence.

No court fees shall be payable on application. At the conclusion of the trial, the court shall award fees and costs. Where a protection order is made, the costs and fees shall be awarded to the offender. If the order is refused or revoked, the costs shall be borne by the applicant (the person who made the application for protection), unless the application is for the protection of a minor, incapacitated or disabled person.

The rules for scheduling a hearing in a remedies proceeding are special and are intended to expedite the procedure.

The court shall give its decision in open court. If the application is granted, it shall issue a protection order which may impose one or more protection measures.

<sup>46</sup> For more information see [SCC Interpretative Decision 2/2019](#).

<sup>47</sup> See model application in Annex 1.

The decision may be appealed to a district court within 7 days of its service. The decision of the district court shall be final. The appeal shall not stay the execution of the order.

Where the application contains evidence of a direct, imminent or consequent danger to the life or health of the injured person, the District Court shall, in an open court proceeding without summoning the parties (i.e. without calling the parties to the proceedings to be heard), make an order for immediate protection within 24 hours of receipt of the application.

The order shall be served on the parties and shall be sent ex officio to the regional department of the Ministry of the Interior.

### Evidence

Very often, victims of domestic violence or people who know that their relatives are being abused are afraid to seek help from the courts because they think they might have difficulties proving certain facts. The legislator recognises how personal family relationships are and the fact that they remain visible only to family members. It has therefore also provided for certain 'compromises' - particularities in proving domestic violence as well.

Due to the specific and private nature of family relationships, very often acts of domestic violence have no witnesses. Therefore, in addition to the common evidence, the parties may also use documents issued by doctors, psychologists, social assistance directorates, as well as the declaration which is attached to the application for protection and in which the victim describes the act of violence committed. The parties to the proceedings shall have the possibility to request certified copies (copies signed by an official of the institution concerned) of documents from the Ministry of the Interior or other authorities which may be relevant to the domestic violence committed. For example, if the victim has reported the abuse to the Ministry of the Interior, they can request a report to use as evidence in the proceedings.

If there is no evidence in the case, the court may also issue a protection order based solely on the declaration<sup>48</sup> that the victim has completed.

## Execution of the protection order<sup>49</sup>

### The protection order shall be enforceable immediately.

Where the protection order imposes the following measures: ordering the perpetrator to refrain from domestic violence, removing the perpetrator from the jointly occupied dwelling for the period of time determined by the court, prohibiting the perpetrator from approaching the victim, the dwelling, the place of work and the places of social contact and recreation of the victim under the conditions and for the period of time determined by the court, the authorities of the Ministry of the Interior shall monitor the execution of the order.

<sup>48</sup> See Annex 1.

<sup>49</sup> Protection from Domestic Violence Act, Chapter Two, Section III.

In the event of non-compliance with the order of the court, the police authority which has detected the offence shall detain the offender and immediately notify the prosecution authorities. Such a finding may be made by the police officers following a tip-off by the victim as well as other people.

Where a measure “removal of the offender from the jointly occupied dwelling for the period set by the court” is imposed and the offender refuses to comply voluntarily, he shall be removed from the jointly occupied dwelling with the assistance of the police authorities of the district police station of the Ministry of the Interior where the dwelling is located.

## Specialised protection services

In addition to being able to take measures to prevent and stop domestic violence, the victim can also benefit from social services, which are elements of her fundamental right to access justice in domestic violence matters.

Currently, the law provides for social services to be provided by both state and non-state bodies - various social service providers, companies and NGOs.<sup>50</sup>

The State is responsible for organising programmes for the prevention and protection from domestic violence and programmes providing assistance to victims.

These programmes may include: social, psychological and legal counselling and assistance from specialists, referral to other necessary specialists and interdisciplinary counselling, as well as social services for victims of domestic violence, specialised programmes attended by persons who have committed domestic violence and which include social and psychological counselling, etc.<sup>51</sup>

## Domestic violence as a crime<sup>52</sup>

As mentioned, the immediate objective of the measures provided for in the *Protection from Domestic Violence Act (PDVA)* is to stop the act of domestic violence. Too often, however, an act constitutes both an act of domestic violence within the meaning of the PDVA and a criminal offence within the meaning of the Criminal Code (CC).

Domestic violence itself is not included as a separate offence in our criminal legislation. The Criminal Code regulates the various forms in which it can be committed, and in general each of these forms may constitute a separate offence.

Domestic violence is regulated in the Criminal Code as a qualifying feature of some of its acts, i.e. if a crime is committed in the context of domestic violence, this circumstance simply aggravates further the punishment to be imposed on the perpetrator. However, the Criminal Code adopts a legal definition of

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<sup>50</sup> See Annotated Work Plan, Annex 3. List of NGOs working with victims of domestic violence.

<sup>51</sup> See Module 4 for more information on Social Services.

<sup>52</sup> Penal Code, Chapter Two.



domestic violence different from that in the PDVA. The concept provided by the Criminal Code is a conservative one. According to the Criminal Code, “An offence is committed ‘in the context of domestic violence’ if it is preceded by the systematic exercise of physical, sexual or psychological violence, economic dependence, coercive restriction of privacy, personal liberty and personal rights and is committed against an ascendant, descendant, spouse or former spouse, a person from whom there is a child, a person with whom there is or has been a de facto conjugal relationship or a person with whom they live or have lived in the same household.”<sup>53</sup> As such, for a court to recognize an act as a qualifying offence committed in the context of domestic violence, it will be guided by the definition of the Criminal Code. The main difference between the definition in the two statutes is the requirement of systematicity, which means that the offence will not be qualified if the domestic violence is committed on a single occasion. This does not mean, however, that the act cannot be recognised as a crime under the Criminal Code.

For the purposes of the PDVA, an act will undoubtedly qualify as domestic violence when it meets the definition of domestic violence, but it will certainly also be a crime (whether or not its composition is qualified) if that act takes any of the following forms (not exhaustively listed):

- **Homicide** - when the abuser has intentionally or recklessly killed the victim of domestic violence.<sup>54</sup>
- **Bodily injury** - cases in which the abuser has taken physical action against the victim’s bodily integrity. It may have caused skin injuries, bruising, sprains, burns of a lesser degree, concussion, etc.<sup>55</sup>
- **Coercion** - where the perpetrator makes the victim do things against their will.<sup>56</sup>
- **Intimidation** - Threats to harm or commit some other crime are also included on their own merits.<sup>57</sup>
- **Stalking** - an invasion of privacy in which the perpetrator physically follows the victim, taps the victim’s phone, reviews the victim’s correspondence without consent, and all other forms of stalking that induce fear and make the victim fear for his or her life, health, and privacy.<sup>58</sup>
- **Unlawful imprisonment and kidnapping** - where a person’s freedom of movement is restricted, enabling them to choose for themselves where they wish to reside.
- **Kidnapping** - a particular hypothesis of deprivation of liberty, which is distinguished by the method of commission - by abduction, i.e. by taking the victim against his will to a place.
- **Rape and/or other sexual crimes** - these offences can take many forms. What they have in common is that they are characterised by the lack of

<sup>53</sup> Penal Code, Article 93, Section 31.

<sup>54</sup> Penal Code, Chapter Two, Section I.

<sup>55</sup> Penal Code, Chapter Two, Section II.

<sup>56</sup> Penal Code, Chapter Two, Section V.

<sup>57</sup> Penal Code, art. 144.

<sup>58</sup> Penal Code, art. 144a.

consent by one party to the sexual act (including those who are legally unable to consent - for example, children).<sup>59</sup>

- **Libel or slander** - When someone says or does something derogatory to the honor and dignity of another in their presence (libel) or when someone discloses a disgraceful fact about another or attributes a crime to them (slander).<sup>60</sup>

Every person who is a victim of domestic violence has the appropriate legal mechanisms to protect themselves. On the one hand, the PDVA provides a quick and effective way for victims to seek protection from the court, which can order the necessary protective measures. On the other hand, where the domestic violence committed carries out the elements of a crime, our criminal legislation also provides for the possibility of initiating criminal proceedings in which the perpetrator can be charged and, at the same time, the victim can obtain “retribution” and thus be compensated for his or her violated rights. When a person is a victim of domestic violence, in order to be able to protect both himself and his rights, he should, first of all, seek the help of a lawyer specialising in domestic violence cases. This is the only way that appropriate protective measures can be ordered quickly and in a timely manner, and the victim will also be able to obtain compensation for the material and non-material damage caused. The victim has the possibility of obtaining financial compensation for what he or she has suffered through an action for pecuniary and non-pecuniary damage. The claim may be filed either during the criminal proceedings or as a separate civil action. It is not necessary to initiate criminal proceedings in order to bring an action before the civil court. This means that if the victim does not wish to initiate criminal proceedings or if the act of domestic violence does not qualify as a crime under the Criminal Code, the victim is still entitled to receive compensation for the material and non-material damage caused by the perpetrator. The amount of the damages must be supported by evidence (e.g. receipts/invoices for hospitalisation, medication, etc.). The court shall decide on the monetary amount of compensation awarded. If the court rejects the claim in whole or in part, the court’s decision can be appealed to the district court and then to the Supreme Court.<sup>61</sup>

If victims of domestic violence are also victims of one of the following crimes: intentional homicide; attempted homicide; intentional grievous bodily harm; sexual assault; rape, they have rights under *the Victims of Crime Assistance and Financial Compensation Act*, including legal aid.<sup>62</sup>

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<sup>59</sup> Criminal Code, Chapter Two, Section VIII.

<sup>60</sup> Criminal Code, Chapter Two, Section VII.

<sup>61</sup> For more information: Human Rights Guide, [Compensation for Victims](#).

<sup>62</sup> Ibid.

## PART II. OPPORTUNITIES FOR THE INVOLVEMENT OF HUMAN RESOURCE PROFESSIONALS FOR SUPPORTING THE EMPLOYEES, WHO ARE VICTIMS OF DOMESTIC VIOLENCE

What legal action can HR professionals take if they have concerns that an employee is a victim of domestic violence? The options provided for them in the law are not a lot. In such a case, it may be most helpful for them to have sufficient knowledge to refer the victim to the appropriate institution.<sup>63</sup>

### Reporting cases of domestic violence

As it becomes clear, according to the PDVA, HR professionals cannot initiate a court proceeding for issuing a protection order for an employee.

They can advise the victim to consult with a specialist in her struggle to stop the domestic violence both for her and her children. They can seek out doctors, police officers, prosecutors and lawyers so that they are aware of the options the victim has and can pass on the information. They can also seek a psychologist to provide guidance on the woman's behaviour - the most appropriate would be those from specialised protection centres. Specialists from the protection centres should provide the necessary support as well as taking care of the victim herself.

Although they may not be a party to the court proceedings, HR professionals can play a key role in it through their good training and awareness.

It should not be forgotten, of course, that as a citizen, the human resources specialist has a responsibility to report crimes if there is evidence of them. In this sense, in the event of apparent actions by the perpetrator towards the victim, the HR officer can always report to the relevant authorities of the Ministry of the Interior or the Public Prosecutor's Office.

### Role, powers and duties of the institutions involved in protection from domestic violence

It is useful for HR professionals to know what role each institution plays in the fight against domestic violence so that they can refer the victim to it.<sup>64</sup>

#### Court

The role of the court has been described in detail, but if it has to be synthesised: the court issues the orders for protection and for immediate protection.

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<sup>63</sup> For more information on the approach to providing advice to an employee who is a victim of domestic violence, see the Annotated Work Plan.

<sup>64</sup> See Module 4 for information on the specific duties and powers of the institutions.

### Ministry of Interior (police)

The Ministry of the Interior is an administration whose activities are aimed at protecting the rights and freedoms of citizens, national security and public order.

With regard to citizens who are victims of domestic violence, the authorities of the Ministry of the Interior receive and act on reports and complaints of domestic violence. In cases of domestic violence, a copy of the warning report shall be provided to the victim upon request.

The authorities of the Ministry of the Interior accept requests for measures to be taken in accordance with the Law on the Ministry of the Interior when there is evidence of danger to the life and health of the injured person. As part of the proceedings for a protection order, they shall issue copies of any documentary evidence in their possession of domestic violence.

In some of the protection measures, the court shall serve a copy of the judgment and protection order on the district police office at the current address of the offender and the victim, and the police shall monitor the execution of the order and assist in the removal from the jointly occupied dwelling if necessary. The district offices also receive immediate protection orders *ex officio*.

### Public Prosecutor's Office

Whoever obstructs or frustrates in any way the execution of a court order or fails to comply with an order for protection from domestic violence shall be punished by imprisonment for a term not exceeding three years or a fine not exceeding five thousand leva.<sup>65</sup> Failure to comply with an order for protection is an intentional offence of a general nature.

In practice, the prosecution deals with the criminal aspect of domestic violence.

The Prosecutor's Office reacts fastest when the signal of violation (non-compliance) is submitted to the Ministry of Interior. In such cases, the victim is visited by a Ministry of Interior patrol car and, if the violator is still in violation or there is an apparent danger of violation, he is taken into custody. And if he is not there, his search and apprehension begins immediately. In such cases, criminal proceedings are initiated in one of the fast-track forms: immediate or summary proceedings. The immediate is investigated within 3 days and the summary within 7 days. In these cases, the prosecutor decides the case in the most expeditious manner: the immediate - immediately, and the summary proceedings - within 3 days. If an indictment is filed with the court, the case shall be heard by the court on the same day in immediate proceedings and within 7 days in summary proceedings. In this way, justice is obtained as soon as possible.

Another role that the prosecutor's office might have is to advice and guide victims of domestic violence toward filing a case under the Domestic Violence Protection Act and obtaining a domestic violence protection order and subsequently pursuing criminal retaliation for failure to comply with the order.

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<sup>65</sup> Criminal Code, art. 296.

### Social Assistance Directorate, incl. Social Assistance Agency

The Social Assistance Agency facilitates the identification of victims of domestic violence and refers them to community-based social services for help and support. The Agency's structures are directly involved in the follow-up of some of the protection orders related to minors under guardianship and persons with disabilities. In this regard, the Agency creates and maintains information on persons subject to these measures, conducts periodic checks on their implementation and responds to any report of non-compliance.

The Director of the Social Assistance Directorate shall apply to the District Court for the imposition of a protection measure where the victim is a minor, is under a guardianship or is disabled. Social Assistance Directorates may issue records, reports and other acts to serve as evidence in proceedings for the issuance of a protection order. The Social Assistance Agency shall keep a register of persons providing social services, including those directed at victims of domestic violence.

### Medical staff and others working in the field of healthcare

At the request of the injured person, any physician shall issue a document certifying in writing the injuries or signs of violence found by him.

## Role of NGOs in the combat against domestic violence

For the purpose of preventing domestic violence and providing assistance to victims, the state and the NGO sector have an ongoing cooperation, as set out in the PDVA. Thanks to this cooperation, there are numerous hotlines, help centres for both victims and perpetrators, free legal, medical and psychological assistance, etc.

Human resource professionals can also collaborate with the NGO sector, both by organizing victim awareness campaigns and providing services to victims of domestic violence. Professionals themselves can also benefit from the services that NGOs provide by approaching them for advice or information.

It is important to note that the services provided by NGOs are related to support and referral of victims. Neither they, nor human resource professionals, can simply report to an NGO and expect a protection measure to be issued as a consequence.

Human resource professionals can find a non-exhaustive list of organizations that provide specialized services to help victims of domestic violence in the Annotated Work Plan.

## Laws relevant to victims of domestic violence

- Protection from Domestic Violence Act, in force since 29 March 2005.
- Criminal Code, in force since 1 May 1986.
- Code of Criminal Procedure, in force since 29 April 2006.
- Obligations and Contracts Act, in force since 1 January 1951.
- Law on Assistance and Financial Compensation to Victims of Crime, in force since January 2007.
- Law on the Ministry of Interior, in force since 24 November 2009.

# SHE

## MODULE 4

### INTER-AGENCY SUPPORT AND REFERRAL OF POTENTIAL VICTIMS TO POLICE, HEALTH AND SOCIAL SERVICES

This module presents the practical application of the theoretical concepts and legislative regulations described in the previous modules, in relation to the needs of victims and the response of institutions and organisations providing care and protection within their remit.

## PART I. THEORETICAL FRAMEWORK OF INTER-INSTITUTIONAL SUPPORT

Inter-institutional support and referral of victims to institutions is based on two main documents. These are the Coordinated Community Response (CCR) Model and the United Nations (UN) Standards for Essential Services and Activities in Domestic Violence Cases.

Actions on inter-institutional support and referral of victims to relevant institutions are not specifically spelled out in any legislative document in Bulgaria. They are regulated in Bulgarian practice as part of the *Protection from Domestic Violence Act (PDVA)*<sup>66</sup>, where obligations are assigned to all line ministries for its implementation. The specific actions to be implemented by each line ministry are regulated in internal regulations in some of the institutions, such as “methodological guidelines” within the police system.

The practice that Demetra Association, and the formal network of organizations for the protection of victims of violence Alliance for Protection from Gender-Based Violence (APGBV) in Bulgaria, applies is based on the so-called Coordinated Community Response Model, or CCR.

The first CCR was developed in Duluth, Minnesota,<sup>67</sup> in the early 1980s by Thelen and Derry, working closely with the Duluth Domestic Abuse Intervention Project, and through this project the power and control wheel model was launched, providing an explanation of power relations in domestic violence.

Coordinated community response is widely recognized as one of the most effective methods of intervention in domestic violence. It has been implemented in many locations in North America, Europe, New Zealand and Australia. The method involves community organizing and advocacy, using training programs, policies, procedures, and narrative intake forms, report formats, assessments, checklists, and other materials designed to answer two basic questions, “How does each practice, procedure, form, or pamphlet improve or compromise victim safety?” and “What would better organize each institution/team to more effectively intervene in domestic violence?”

### Nature of the Coordinated Community Response Approach

The definition that Minnesota Advocates for Human Rights and Global Rights for Women<sup>68</sup> give for Coordinated Community Response is as follows: *a COR (Coordinated Community Response) is a system of networks, agreements, processes and approaches of different institutions and NGOs at the local level aimed at ensuring the safety of victims of GBV. The guiding principle is the safety of the GBV victim. CSOs mean that institutions should coordinate their actions by deciding what victim safety means in their community. CSA requires a fundamental change in the attitude of institutions - a change in the*

<sup>66</sup> Described in Module 3 of this Handbook.

<sup>67</sup> Gender Violence Institute, [Coordinated Community Response](#).

<sup>68</sup> Definitions of the nature of the model can be found on the Global Rights for Women website.



*attitude of the public and the criminal court, a change in the process that is otherwise focused on a single incident and established methods of proof.”*

In practice, the CCR model itself is implemented at two levels:

- signing agreements with institutions and agreeing on joint work, where meetings are held with the representatives of the different institutions and the parameters of the work are agreed, and cooperation agreements are signed;
- multidisciplinary casework team level, where each institution has sent a professional or has designated one to work on specific cases.

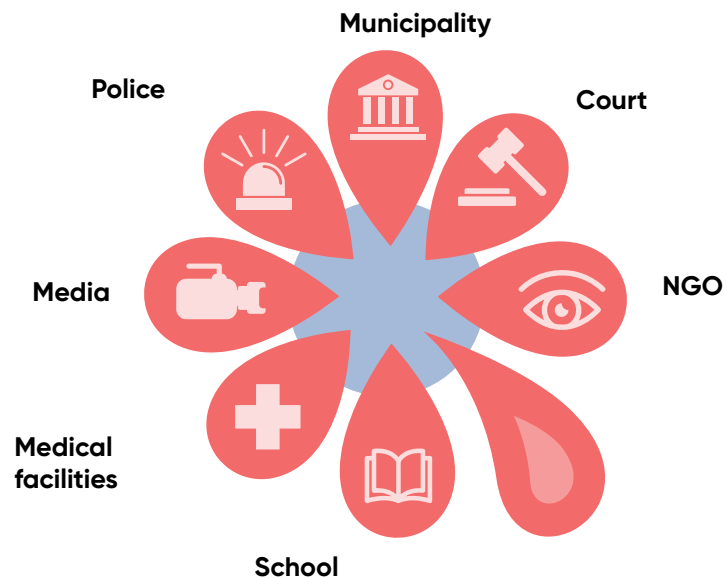
This practice-based model provides the basis for work in organisations providing assistance, support and protection to victims of domestic violence.

Following the philosophy of the CCR model, what we have been trying to put into practice over the years is first to write **cooperation agreements with the different institutions** to regulate precisely the **inter-institutional interaction** and support for victims.

This determines to have representatives from different professions and institutions in the teams, who start working together with the victims in order to ensure their safety as a primary task. The team thus formed is rallied around the implementation of specific activities related to the implementation of the CCR model, namely:

- establishing a consistent philosophical approach with victim safety as a central principle
- developing good practices and institutional protocols;
- reducing fragmentation of interventions;
- incorporation of monitoring into the system;
- providing support structures in the community;
- providing intervention for perpetrators to reduce violence;
- eliminating the harm to children from violence against women;
- evaluation of the intervention system from the victim’s perspective.

CCR require a change in the fragmented approach of institutions - social services, in most cases uncoordinated with institutions and organizations. The practice of institutions is crucial in breaking the pattern of violence. It sends messages to both the abuser and the victim.

**Figure 8.** Coordinated Community Response (CCR)<sup>69</sup>

**Source:** Demetra Association

The implementation of the CCR model involves all institutions that are relevant to the problem of domestic violence, such as in the above graphic: municipality, police, court, NGO, media, medical services, school, etc. In addition to the above, others who are part of the local community and have a commitment to address the problems in the community, such as churches, charities, etc. can be included as well.

The above diagram, prepared by the Demetra Association<sup>70</sup> and the Alliance for Protection from Gender-Based Violence, presents this model.

A coordinated response is important because it is very effective in terms of keeping victims or survivors of violence safe and holding perpetrators accountable for what they have done, as opposed to situations where different sectors work in isolation.

In addition, a form of financial and social autonomy could be included in a coordinated response to women's rights to reduce the risk of experiencing similar abuses in the future and to improve the ability to respond when they occur.

A coordinated response supports institutions and makes them more effective. By respecting minimum standards, partner institutions can provide consistent responses. Clarity on roles and responsibilities means that each sector can achieve excellence in its area of expertise, and the work of each professional is

<sup>69</sup> Project brochure "[To provide more effective help and reach hidden domestic violence](#)", Demetra Association, 2015.

<sup>70</sup> Training in the [CCR model](#) by the creators of the model from Deluth, Minnesota, 2013.

complemented by that of other professionals in the institutions. Coordination also enhances the ability of the justice system to hold perpetrators accountable. Shared protocols provide clear and transparent mechanisms for communication and accountability between institutions. Coordination means that victims and perpetrators can be given consistent messages and responses to the needs of the process. Shared data systems can support individual case management, such as ensuring an appropriate response to ongoing risk assessment results, and can serve as a source of information for programme monitoring and evaluation.

Coordination leads to greater impact and reach of programmes by pooling financial and human resources and by reducing duplication of effort, which is also more financially beneficial. Coordination provides opportunities to share practice-based resources, knowledge, innovation and research.

### Standards of basic services and activities in cases of domestic and gender-based violence

Another basic document which describes in concrete terms the actions of different institutions in counteracting domestic violence are the *standards for basic services and activities in cases of domestic and gender-based violence*, described in UN documents.

**Table 2.** Key services and activities in cases of domestic and gender-based violence<sup>71</sup>

Health system	Justice and Police	Social services
1. Identification of victims of violence	1. Prevention	1. Crisis information
2. Initial help and support	2. Initial contact	2. Crisis counselling
3. Injury care and emergency medical care	3. Evaluation / investigation	3. Hotline
4. Sexual abuse screening and care	4. Pre-trial and court proceedings	4. Safe places for accommodation – crisis centres, shelters
5. Mental health assessment and care	5. Liability of the perpetrator and benefits	5. Material and financial assistance
6. Documentation (medico-legal)	6. Post-trial processes	6. Creation, recovery, replacement of identity documents

<sup>71</sup> For more information, see [Essential Services Package for Women and Girls Subject to Violence, Core Elements and Quality Guidelines](#) - UNDP, UNFPA, WHO, UNDP, UNODC.

	7. Post-trial processes	7. Legal information, advice and representation in court
	8. Safety and protection, assistance and support	8. Psychosocial support and counselling
	9. Communication and information and justice sector coordination	9. Support targeted at women. Support for economic independence, recovery and autonomy
		10. Services for every child affected by violence
		11. Community information, education and outreach

**Source:** Demetra Association

This manual, based on the standards described in UN documents, describes which of these practices are developed and what are the specific actions of the representatives of the respective system in relation to victims of domestic violence, specifically for Bulgaria.

## Health system response

Women often seek health services, including for physical traumas, even if they do not disclose the associated abuse. However, studies show that abused women use health services more than non-abused women.<sup>72</sup> They identify medical staff as persons they can trust in disclosing abuse.

There is also a need for training of health care workers to effectively identify and treat victims of violence.

The provision of good services is an essential element of the health system:

- primary health care, e.g. in health facilities, centres and dispensaries, district hospitals.
- targeted healthcare including specialised services.
- initial (primary) support refers to the minimum level of support (including initial psychological support) that should be received by all women disclosing and confirming experiences of violence. “Initial emergency psychological support” is required to be provided by the physician in the context of an emergency involving action on the physical trauma.

<sup>72</sup> For more information, see [Essential Services Package for Women and Girls Subject to Violence, Core Elements and Quality Guidelines - UNDP, UNFPA, WHO, UNDP, UNODC](#).

When offering primary care to a victim of violence, four types of support should be considered:

- immediate emotional or psychological support;
- immediate physical and health care;
- cover subsequent security needs;
- ongoing mental health support.

All these steps are carried out without violating confidentiality. Often, primary care is also the most important.

Women disclosing any form of intimate partner (or other family member) violence or sexual assault should be supported immediately. At a minimum, health care providers should offer primary support when a victim shares abuse. Primary support includes:

- non-judgement, support and understanding of what victims are saying;
- providing practical care and support that meets the victim's needs and concerns, but without interfering with their independence;
- questions clarifying the history of violence, listening with understanding without pressing for answers or revealing other information;
- offering information to help people access different support resources;
- providing information on strategies to cope with stress;
- help to increase the safety of the victim and her children when necessary;
- providing social support;
- conducting consultations in a confidential environment.

The inter-institutional interaction with health institutions and the implementation of the above described standard for health services is at a very early stage in practice in Bulgaria.

In the implementation of the CSOs, Demetra Association has signed a Cooperation Agreement<sup>73</sup> with six health facilities in the city of Sofia. Sofia for joint actions to help victims of domestic violence and to implement the standards of health care for victims of domestic violence. The first initiative of the agreement is the specialized Hotline<sup>74</sup>

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<sup>73</sup> Cooperation Agreement between Demetra Association, DGNP and Health Facilities in the town of Sofia, March 2022.

<sup>74</sup> Hotline brochure under the Cooperation Agreement, September 2022.

Figure 9. Brochure in the framework of the Cooperation Agreement with Healthcare Facilities



Source.

The implementation of this standard will continue to evolve, as will the initiatives outlined in the agreement to conduct training with medical professionals on the provision of primary support for victims.

Currently, health professionals are legally obliged to provide victims with a medical certificate of examination. This document is required by the victim and is presented as evidence in court of the physical harm caused.

Where the physical injuries are more severe, a visit to a forensic doctor is necessary, who issues a forensic certificate, which is also presented in court.

### Actions of the police authorities

One part of the actions of police officers is set out in the PDVA. Uniformed security police officers take measures under the *Ministry of Home Affairs Act* (MHAA) and monitor the implementation of protection orders issued under the PDVA. In order to assist victims more effectively, an internal departmental document, the so-called “Methodological Guidelines for Police Officers in Cases of Domestic Violence”, has been drawn up.

Effective support to police officers would be possible if officers received specialised training and acquired relevant knowledge and skills. The following guidelines are based on the PDVA and the Methodological Guidelines and are described in the “Pocket Guide for Police Officers Working on Domestic Violence Cases” by the Positive Personal Skills in Society Foundation.<sup>75</sup>

<sup>75</sup> For more information, see PULS Foundation, [Pocket Guide for Police Officers Working on](#)

- **Active listening** at all levels of communication - factual information, recording of non-compliant behaviour, on-site view and recording of the current situation.
- **Assessment of specific needs** - the need for immediate protection, medical and forensic expertise, psychological needs for trust and support.
- **Assisting the injured person**, if necessary, to be examined by an emergency medical service and then, if possible, by a medical examiner. The production of a medical certificate stating the severity of the injuries, as well as certain invisible injuries, is also necessary in the taking of evidence.
- **Gathering**, if possible, **all facts and evidence** (addresses, names of witnesses, medical records) to clarify the offence. Many complaints submitted by victims do not reach resolution due to lack of evidence.
- **Emotional support** - non-accusatory attitude, showing understanding, acceptance and respect.
- **Positive reinforcement** (encouragement) of the victim's choice to seek help and break the silence: 'It is important that you dared to seek help', 'The shame is not for you, but for the one who caused it', 'It is not your fault'.
- **Equal respect and treatment for all victims** who seek help, regardless of their age, ethnicity, religion or other characteristics.
- **Providing all available information** on rights and options.
- **Follow up the case** and take effective measures in accordance with the Ministry of Interior Act. From the point at which the perpetrator is likely to go home (end of detention or release with or without judicial review), the police alert the victim so that they can take adequate follow-up protective measures.
- **Referral to other services** and professionals to support victims of domestic violence, including use of a crisis accommodation centre and rehabilitation programme.

Depending on the location of the alert, the actions of police officers vary and include four different approaches:

**Table 3.** Actions of police officers in domestic violence cases

Actions of the police in cases of domestic violence			
Report of domestic violence received (phone call)	Report of domestic violence investigated (in the home)	Complaint of domestic violence submitted or withdrawn	Cases in which the victim of domestic violence is a child

**Source:** Demetra Association.

### Actions of the police officers in case of receiving a signal for domestic violence

#### **A crisis situation that is currently developing:**

- the duty officer shall collect information regarding the name and address of the injured person, telephone number, where the person is calling from, location of the incident, previous reports, and what the report is about. Notifies the caller that he is sending help to calm him down. If there is immediate danger to the injured person and when children are present, the officer maintains telephone contact until help arrives.
- officers who visit the address are given a description of the situation by the officer on duty; the location of the offender; whether there is any serious danger (is there an armed person); the offender's use of alcohol or other intoxicants; and the number and relationship of the persons involved; the need for medical or other assistance; the specific condition of the women (pregnant, breastfeeding with a baby); the presence of a child/children at the scene; other particularities (witnesses, risk to others); the presence of an immediate protection order or a protection order under the PDVA. If the link breaks down, the duty officer reports to colleagues who must intervene with extreme caution, observing safety rules.

#### **The violence is over - then the victim can be given some advice:**

- close all exits if the perpetrator of the violence has left the scene of the act of domestic violence;
- to run to neighbours if the perpetrator is dangerous, and to show himself as soon as the police arrive;
- if there are no neighbours, to say where it can be found;
- target NGOs working with victims of domestic violence.

If the call is coming from a child, it is very important that they are reassured and counselled and, if young, hidden in a safe place.

### Actions of police officers in case of a domestic violence report (in the home)

- They visit the scene of the domestic violence and inform the Operational Duty Centres (ODCs) about the situation and may request assistance if necessary.
- Take action to separate the victim from the perpetrator. Give each side an opportunity to tell their side of the conflict. The victim and the perpetrator are interviewed separately and in private, possibly in different rooms. If necessary, ensure that medical assistance is provided by requesting a document from the medical person certifying this fact.
- Actions in relation to the perpetrator of violence: Take a written explanation. Questioning about the facts of the violence (present and past) takes place after the agitation has passed. Establish the identity of the perpetrator and his relationship to the victim (spouse, partner, ex-partner or ex-spouse, familial relationship). Inform the offender that he



has broken the law and his behaviour is unlawful. Inform the perpetrator of his/her responsibility for the act. Draw up a warning report.<sup>76</sup> In the presence of the prerequisites provided by law<sup>77</sup> detain the offender and take him to the RU. Police officers may detain the perpetrator for up to 24 hours if there is a danger to the victim's health and life. The police officer on duty must record the alert in the duty book, and in cases of domestic violence a special register is kept or a note is made that it concerns "domestic violence".

- Actions in relation to the victim: The attitude of the police authorities towards the victim should be particularly careful due to the stress and trauma suffered by the victim, and should: talk to/reassure the victim; inform themselves of the facts/take a written explanation; provide a copy of the caution protocol (if requested); suggest safety measures for the specific situation; discuss shelter options with friends or relatives; inform the victim of the possibility of using a crisis accommodation centre. If the victim wishes to stay at home: reassure, listen to and acknowledge the victim's right to choose; if there is further conflict, instruct the victim to call the RUC immediately; encourage the victim to consider where they might go if in danger; remind the victim that violence is prosecuted and punishable by law; refer the victim to specialist services and/or legal advice; agree a safety plan if there is further danger to the victim's life or health.

#### Actions of police officers when a complaint of domestic violence is submitted or withdrawn

- On admission to the district station/police station:

The situations that may lead a victim to go to the police and report domestic violence vary: being thrown out by her partner, sometimes with the children; seeking help from the police to stop the violence, or being called to the police as a result of police intervention for other reasons; coming to make a complaint; or coming to withdraw her complaint.

In all these situations, the victim has experienced painful moments that he can no longer bear. They experience complex feelings of shame about the situation and about themselves, of guilt for betraying their abusive partner who may also be the parent of their child/children, of fear of further violence against them or their loved ones. At the same time, even though he or she is conflicted, the victim does not want to cause trouble for the abuser. He or she is not always ready to accept the separation and hopes that the police can somehow stop the violence. Going to the police is a painful and difficult step that few victims of domestic violence take, and for this reason the officer who receives the victim must treat him or her appropriately: reassure the victim that what he or she is doing is right; provide the necessary conditions for the victim to share the facts; and show respect, calm and understanding to create a climate of trust.

When filing a complaint, it is necessary to record the following data: marital status and relationship of the victim to the perpetrator of violence (spouse, ex-spouse, intimate partner, ex-partner, friend, relative). The report file shall

<sup>76</sup> Art. 65 of the Ministry of Interior Act.

<sup>77</sup> Article 72 of the Ministry of Interior Act.

record the circumstances and facts concerning the current and any previous violence; the current and any previous departures from the home by the victim; the evidence available to the victim (witnesses, medical evidence, police reports, other complaints, any withdrawal of a complaint); the specific condition of the victim (pregnant, elderly, disabled).

If the victim is not prepared to formally report the facts by making a complaint, the police should remind him/her: that the violence is unacceptable and that he/she can seek protection under the PDVA in court.

- On appeal:

The police authority shall acquaint the victim with the possibilities of defence and prosecution provided by law. It shall be borne in mind that an act of domestic violence may: constitute a common offence; constitute an offence which is prosecuted on the complaint of the victim; or not constitute an offence. Where the act of domestic violence constitutes an offence of a general nature, the prosecution shall be initiated irrespective of the victim's will.

- When a protection order is issued under the PDVA:

The decision and the order shall also be sent to the Police Office of the offender's current address and to the victim. Police officers are the ones who shall monitor the implementation of the immediate protection order and/or protection order issued by the court, where it imposes measures under Article 5(1)(1), (2) and (3) of the PDVA (section 1 requiring the perpetrator to refrain from committing domestic violence; section 2 removing the perpetrator from the jointly occupied dwelling for the period determined by the court (3-18 months) regardless of ownership; and section 3 prohibiting the perpetrator from approaching the victim, the victim's home, place of work and places of social contact and recreation under conditions and for a period determined by the court (3-18 months)).

Where the protection measure is under Art. 5(1)(2) of the PDVA and the perpetrator refuses to voluntarily comply with it, he shall be removed from the jointly occupied dwelling with the assistance of the police authorities of the district department of the Ministry of the Interior at the location of the dwelling. In the event of non-compliance with the order of the court, the police authority which established the offence shall detain the offender and immediately inform the prosecution authorities.

*Failure to comply with a domestic violence protection order or a European protection order is punishable by imprisonment for up to three years or a fine of up to five thousand leva (Article 296 of the Criminal Code).*

- In case of withdrawal of the complaint/petition by the injured person:

Often victims of domestic violence are reluctant to withdraw complaints. Worldwide statistics show that this act is usually repeated up to eight times. Often the withdrawal of complaints is linked to emotional influence on the part of the abuser. In these cases, it is important to have: a non-accusatory attitude; a show of understanding; respect and support; information that the situation is likely to recur. *In this way the victim feels supported.*

The main reasons for withdrawal can be: pressure of the family environment; threat of punishment for the victim, his/her relatives and children; fear that the punitive consequences will necessarily lead to divorce or separation; the perpetrator of violence makes the victim feel guilty or dissatisfied with himself/herself, suggests to him/her that he/she has mental problems, etc.; the perpetrator ignores the violence and its seriousness, claiming that the violence did not happen; shifts responsibility to the victim, blaming him or her for causing it; emotional violence makes the victim dependent, weak and helpless.

### Social services in response to domestic violence

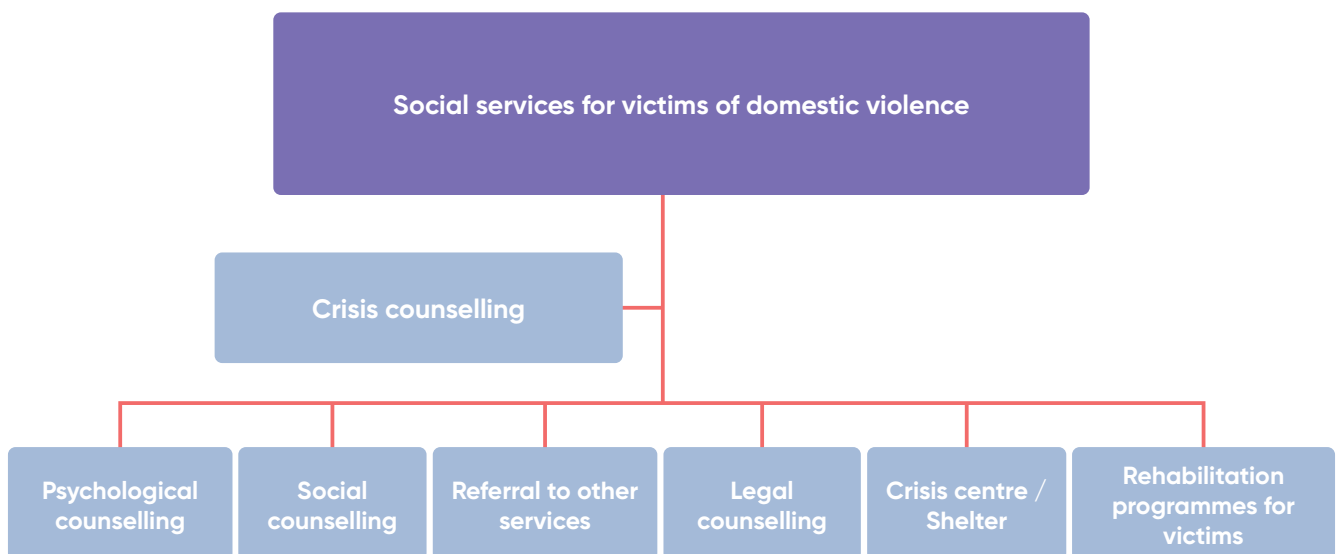
In Bulgaria, the practices in the provision of social services for victims of domestic violence are developed to the extent that they almost fully meet the standards developed by the UN. A challenge is the provision of financial and material assistance to victims, as well as the sustainability of the services themselves. They are inadequate in number, provided by NGOs and funding is inconsistent.

Social services are the link between the different institutions as a key element in their methodologies is case management. This, in turn, involves tracking and referring to different institutions, which gives the overall picture of the case. In this concept of CSC, social services are the main coordinator of support, protection and rehabilitation activities for the victim and place him at the centre of interventions, according to his needs and not those of the institutions.

Association "Demetra" has developed and provides the whole set of activities and social services described in the standards as follows:

Social services provided by Demetra Association:

**Figure 10.** Social services for victims of domestic violence



Source.

### Crisis counselling

- **Crisis counselling** aims to identify the problem and immediately assess needs, as well as refer to relevant services and professionals. Crisis intervention (CI) carried out by the social worker combines good listening, empathy, reassurance and appropriate guidance. Also, during crisis intervention, clients in need of follow-up assistance (legal and psychological support and police protection) are identified.

The aim of CI is to reduce the impact of the violence experienced and to accelerate the recovery of the victim's normal life. This type of counselling can be one of the forms of assistance provided by HR professionals.

### Psychological, social and legal counselling

- **Psychological counselling** to overcome the traumatic event: in psychological work with victims of domestic violence, it must be borne in mind that the individual has fallen under the influence of their partner, and in most cases this process has been in place for a long time. The aim of the help here is to recognize and name the violence by the client, to remove the feeling of guilt, to increase self-esteem, to set personal boundaries of functioning, to make an analysis of one's own past, and to begin to fight the dependence on the abuser.
- **Social counselling** can be provided as a follow-up to CI or on its own, and the consultation with a social worker includes discussing options for dealing with the violent situation and making the right decisions. This includes referral to other professionals and institutions after the initial risk assessment.
- **Legal counselling** includes explaining the procedures for conducting cases under the PDVA and assisting the client in preparing and filing the necessary package of documents. Clients will also be able to receive adequate guidance and advice under the Code of Civil Procedure (CCP) during the casework process. Legal counselling is part of the social services and not all locations/centres provide it. When it is part of the social service, it is free of charge for the client.

Clients who have used social services are issued a certificate/ copy of a register of clients as part of the evidence in the case.<sup>78</sup>

### Crisis centre/shelter, rehabilitation programme for victims

- **A crisis centre/shelter** is a facility that provides accommodation to the victim of domestic violence in cases where there is a high risk of violence or repeated acts of violence. A risk assessment is essential for entry to this service. The main aim of the service is to ensure the safety of the victim. The service is provided for a period of up to six months, during which time the victim may participate in a rehabilitation recovery programme.
- **A victim rehabilitation programme** is provided on a short-term basis, up to three months, and on a long-term basis, up to six months, and may include integrated services from a psychologist, social worker and lawyer.

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<sup>78</sup> Article 13 of PDVA.

The programme includes a range of themes and therapeutic approaches and aims to help the victim recover from the violence experienced and reintegrate back into society. The development of the strengths and positive characteristics of the user's value system is supported.

#### Referral to other services

- **Referral to other services** can also be part of the support provided by the HR professional. It may include: referral to a medical professional for examination and certification (if the victim has injuries); referral to a police inspector for assistance in writing an application; referral to and coordination with police officers from the local police department; referral to a municipal officer for information on how to apply for municipal housing and on vacancies within the municipal structure.

## PART II. OPPORTUNITIES FOR THE INVOLVEMENT OF HUMAN RESOURCE PROFESSIONALS IN PROVIDING ASSISTANCE AND SUPPORT TO VICTIMS OF DOMESTIC VIOLENCE

### Empathic listening, risk assessment, safety plan.

As stated above, CI is one of the forms of support in which the HR professional can participate. The main steps in this form of support are empathic listening and risk assessment.

When we talk about empathic listening, we should keep the following in mind:

- The hearing needs to take place in a safe and quiet place.
- It is a good idea to provide silence that will give the person a chance to reflect and understand their feelings. Silence will make it easier to understand what is most important at the time or to clarify thoughts and reactions accordingly. Listening to the person would be helpful.
- Paraphrasing - showing understanding, interest and empathy by repeating certain parts of what is being said. Paraphrasing also allows you to get feedback on whether you have understood correctly, to clarify what you have misunderstood, and once again to show that you are listening carefully - "So you are saying that...", "I heard you say...". Paraphrasing may seem awkward or uncomfortable, but it is actually an effective method of building trust.
- Confirmation of feelings - the HR professional may notice that the client's tone or body language expresses emotions such as anger, grief or fear. You might say, "You seem afraid to go home, is that true?" These types of questions will help the client express their emotions and needs.
- Give the client the opportunity to express their emotions - conveying strong emotions through tears or by speaking out will help the client cope with their feelings and become more aware of their specific needs at the time. The professional can help the client understand that what they are experiencing is completely normal and natural and they should not be embarrassed by their feelings.
- Talk to the client while you assess the risk to her/his security.<sup>79</sup> Do not ignore the fact that at this point the person is usually confused, anxious, shocked, which prevents him/her from thinking realistically about the situation. Help him/her to make the best decision for him/herself to ensure his/her safety.

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<sup>79</sup> See Annex 2.

**In no case should you:**

- make accusations;
- give opinions about the victim's partner;
- "push" the client to make decisions immediately.

**What can you say:**

- "I understand that you have lost your sense of safety and security, but in time you will feel better. "
- "It's understandable that you feel that way."
- "You have done nothing wrong. It is not your fault. You did the best you could."
- "Strong emotions and thoughts are normal. Don't think you're going crazy."

**The following basic guidelines must be followed when counselling a person who has suffered domestic violence:**

- Gaining the client's trust - we introduce ourselves; we express our willingness to listen and help; we assure that the information provided to us will be kept secret, it will not even reach her/his relatives or colleagues, but only the institutions that have a commitment to solve the problem.
- We listen calmly, without blaming;
- we show patience, allowing for the possibility that the injured person may give up or not take their decision immediately;
- we encourage and congratulate any progress; we appreciate that he/she dared to seek help and a new chance for himself/herself after years of abuse and harassment.

**If a high risk to the victim is identified**<sup>80</sup> provide a safe and secure environment (accommodation in a crisis centre, with relatives and acquaintances). It is a good idea to have a list of contacts of key institutions and professionals. Do not hesitate to refer the victim directly to the Specialist Hotline: 0700 40 150<sup>81</sup> or other hotlines in the country as indicated in the Annotated Work Plan.

If the victim is given the opportunity to escape the violence without immediate risk, a process of psychological, legal, social and medical support may also follow.

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<sup>80</sup> See Annex 2.

<sup>81</sup> 0700 40 150 is a Specialized Hotline for Domestic Violence, established by Demetra Association, National Police Directorate General and health facilities in the city of Sofia. Sofia.

**Develop a safety plan with the injured person.**<sup>82</sup> A safety plan is a series of steps that an injured person takes to reduce the risk to themselves and their children. Friends and relatives of the victim can be involved in safety planning. The safety plan should be individual, tailored to the victim, detailed and clear. It must correlate with any identified risks.

**The safety plan should include the following areas:**

- Safety in the family home - listing the safest places in the family home (secured doors, locks). Usually the kitchen (where there are knives and other sharp objects) and the bathroom are considered the riskiest.
- Workplace safety - how the victim should react in the event of workplace conflict, who to contact, who they can rely on.
- The safety plan should include the following areas: safety in public places; safety for children, especially in cases where the abuser threatens to abduct or injure them; safety in different situations - during separation, during a court hearing, when the abuser is under the influence of alcohol or psychoactive substances, etc.
- Reactions to a violation of a court protection order.
- Telephone numbers of institutions, relatives, friends, crisis centres.

### Informing about the possibilities for assistance and protection under the PDVA, referral to specialists and services

- **Refer to professionals and services** - contact police services for assistance (in cases where the victim wishes to take their personal belongings or children). Ensure contact with relatives and acquaintances if necessary. Put the victim in touch with social services, welfare services, health institutions, local and national organisations for follow-up assistance (depending on needs). If psychological interventions are needed, refer the client to a psychologist or psychiatrist. Refer the client for a consultation with a lawyer to explain the options for protection under the PDVA.
- **Explain to the client** that he or she can file for an order of protection directly with the district court. You can provide them with a form to complete and a declaration to accompany the application. Be sure to provide the information that filing for protection can occur up to one month from the incident (except in cases of emergency), so during that time it is good to gather evidence for the court.
- **Inform the client** that evidence in court can be medical evidence, copies of police files requested by the victim or a certificate from a social service used.<sup>83</sup>

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<sup>82</sup> See Annex 2.

<sup>83</sup> Art. 13 of the PDVA.



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## MODULE 5

### DOMESTIC VIOLENCE AS VIOLENCE AGAINST CHILDREN

This module aims to introduce professionals in the field of human resources with the forms of violence against children in the home, factors of its occurrence, its consequences and the possible ways of providing help and support.

## PART I. DEFINITIONS OF VIOLENCE AGAINST CHILDREN AND TYPES OF VIOLENCE

Like violence against women, violence against children is a global problem. It takes different forms and occurs in different settings: in the home and family, in schools and educational institutions, in institutions such as orphanages, children's homes or detention facilities, or in the community. Children experience violence most often from people who are part of their lives - parents, classmates, teachers, boyfriends/girlfriends, spouses or partners.

According to the World Health Organization's classification, child abuse is "Any form of physical and/or emotional abuse, sexual abuse, neglect or negligent treatment, commercial or other exploitation that results in actual or potential harm to the child's health, threat to the child's survival and development, or degradation of the child's dignity, arising from a relationship of responsibility, trust or authority" (1999, 2002).

In Bulgaria, the *Regulations for the Implementation of the Child Protection Act*<sup>84</sup> provides legal definitions of all forms of child abuse. According to §1, items 1-5 of the Additional Provisions of the Regulations:

"Violence" against a child is any act of physical, mental or sexual abuse, neglect, commercial or other exploitation resulting in actual or likely harm to the health, life, development or dignity of the child, which may take place in family, school or social settings. "

"Physical violence" is the infliction of bodily harm, including the infliction of pain or suffering without disturbing one's health. "

"Mental abuse" is any act that may have a harmful impact on the mental health and development of a child, such as belittling, ridiculing, threatening, discriminating, rejecting or other forms of negative treatment, as well as the failure of the parent, guardian, custodian or caregiver to provide an appropriate supportive environment. "

"Sexual abuse" is the use of a child for sexual gratification. "

"Neglect" is the failure of a parent, guardian, custodian or caregiver to provide for a child's development in one of the following areas: health, education, emotional development, nutrition, home and safety, when able to do so. "

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<sup>84</sup> [Regulations for the implementation of the Child Protection Act](#), Council of Ministers Decree No 153 of 14.07.2003.

## Data on violence against children

In 2021, for the first time in Bulgaria, the result of a representative UNICEF study on violence against children was published.<sup>85</sup> According to the survey, one in two children (47%) had experienced some form of violence by the age of 18, with emotional abuse being the most common type of violence (45.9%), followed by physical abuse (31.2%), sexual abuse (15.6%) and neglect (10.5%). Violence was most common among children at school (38.3%), followed by in the community (37.6%) and at home (30.9%). One in three children (34.8%) reported feeling unsafe at home, at school or in the community. Children and young people who have experienced abuse or neglect and those who feel unsafe have a much lower level of well-being than other children.

In terms of **types of violence**, the study found that almost one in three children and young people had been **physically abused** by the age of 18, with boys (37.2%) more likely than girls (25.6%) to have been victims of physical violence. **Emotional abuse** was the most common form of violence against children (45.9%), with boys and girls equally likely to report being victims. In contrast to physical violence, children experience emotional violence most often at school and in the community, rather than at home. One in 7 children report having been victims of **online bullying**, especially through social networking sites.

Around 16%, or almost 1 in 6 children and young people, report having been **sexually abused** in childhood. Girls (1 in 5) are significantly more likely than boys (1 in 10) to have been victims.

One in 10 children and young people report having experienced **neglect** in their childhood: 3.5% report that caregivers sometimes forgot to feed them, 6.8% report that caregivers sometimes forgot to take them to school or tell them to go to school, and 5.9% report that caregivers sometimes forgot to take them to the doctor when they were sick.

Children who have experienced any form of abuse are more likely to report smoking, drinking and drug use, and more likely to abuse other children. Feeling unsafe at home has **the greatest impact on children's well-being**: 64% of children who report feeling unsafe at home have low levels of well-being.

Adults who were **subjected to physical punishment in childhood** were significantly more likely to say that physical and emotional abuse of children is **acceptable** and less likely to be aware of the **harm** it causes than those who were not subjected to such punishment. Men and boys are more likely than women and girls to think that physical and emotional abuse of children is acceptable.

Child abuse in the family often occurs in the context of discipline in the form of cruel or humiliating physical punishment. It is not infrequently accompanied by psychological violence, such as insults, belittling, name-calling or rejection. In addition, there is increasing recognition of the occurrence of sexual violence in the home.

<sup>85</sup> UNICEF, [Study on Violence against Children in Bulgaria](#), 2021.

## Factors of violence against children

**Reporting Stigma:** A large percentage of violence against children remains hidden. Many children are afraid to report the violence they experience. This fear is closely linked to the stigma attached to reporting violence, especially in cases of rape or other forms of sexual abuse.

**Normalisation of violence:** Acceptance of physical, sexual or psychological violence by both perpetrator and child as normal.

**Lack of a sufficient number of reliable and safe ways for children to report abuse:** Bulgaria has a 24-hour helpline for children, 116 111, where children can report abuse. When violence is identified, the helpline specialists inform the police and child protection departments (CPD).

**Vulnerability of children:** Children are also directly or indirectly affected by intimate partner violence perpetrated against their mothers in the following ways: intentionally hurting children to threaten or control the victim (e.g. using a child as a physical weapon by throwing it at the woman) or physically or sexually abusing a child as a way to force the woman to do something; involuntarily hurting children during an attack (e.g. hurting a child when the mother is pushed against a wall holding the child or kicking a child who is trying to stop the attack on their mother); creating an environment in which children witness the abuse or its aftermath by directly watching the assault, eavesdropping, or seeing the effects of the mother's injuries; and using children to coercively control the survivor while the partners live together or after separation.

According to the Bulgarian *Protection against Domestic Violence Act*, " Any domestic violence committed in a child's presence is considered psychological and emotional violence against the child."<sup>86</sup>

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<sup>86</sup> PDVA, Art. 2(2)

## PART II. CONSEQUENCES FOR CHILDREN IN CASES OF DOMESTIC VIOLENCE

Child abuse in its various forms has a negative impact on children's physical, psychological and sexual health. When they witness intimate partner violence against their mothers - even if children are not physically harmed - this can lead to negative social and health impacts, including anxiety, depression, poor school performance and negative health outcomes.

Child abuse is related to the building of a self-preservation mechanism. Often in situations of abuse, the child is faced with the question of how to preserve his or her physical and emotional integrity. In order for this to happen, the child resorts to building a number of specific behaviours through which to survive. These can be both adaptive, helping the child, and pathological, leading to a worsening of the problem. Some of these reactions are described by P.U.L.S. Foundation.<sup>87</sup>

**Deviant behaviour:** In cases where there has been abuse, this type of behaviour may be an expression of memories or emotions of shame, anger, and pain that cannot be expressed through words and are given an outlet in behaviour. Such expressions are sudden angry outbursts, self-injurious behaviour, etc.

**Denial and repression:** Behaviour with which the child wants to "forget" the traumatic event. The child remembers only the pleasant moments associated with the abuser and ignores the conflicts. Systemic alcohol or drug abuse may also be a consequence of the desire to forget, inducing a state of mind in which memories of painful experiences are excluded. Denial enables the child to survive by not continually living in the past.

**Justifying the violence:** The child is constantly looking for ways to justify what is happening by making excuses in relation to either the behaviour of the abuser or his/her own resignation to the violence. The victim's desire is to change his/her own mind and memories, since reality cannot be changed.

**Desire to help others:** This is often the reaction that allows the victim to overcome the trauma. Awareness of one's own problems makes one want to help other children with similar fates.

**Psychosomatisation:** Headaches, fainting, dizziness, diabetes, psychogenic asthma, etc.

**Compulsive behaviour:** Child victims of abuse often reimagine to the abusive situation. The sense of loss of control is what manifests in psychological trauma. Reliving the situation repeatedly is a way for the child to regain control in his imagination.

**Acquiring the behaviour of the abuser** (identification with the aggressor): When a child has been severely abused, sexually or physically, the abusive parent is perceived as all-powerful. In order to cope with the feeling of

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<sup>87</sup> See [P.U.L.S. Foundation - Child Abuse \(pulsfoundation.org\)](https://pulsfoundation.org).

helplessness, the child begins to perceive himself as being as powerful as the abuser.

**Self-blame:** This is the most typical reaction in victims of violence. The child almost always feels over-responsible for what happened, which does not correspond to reality. He/she blames himself/herself for somehow causing the violence by his/her actions or thoughts, or for not being able to avoid it. Self-blame is associated with self-punishing behaviour, increased demands on oneself, self-humiliation, etc. It is the tolerance of violence that makes the victim of childhood abuse a potential victim in adulthood.

In materials<sup>88</sup> developed by Inga Huld children exposed to violence may exhibit some of the signs listed below.

**Anxiety, fear and a general feeling of unhappiness.** Often children are not mature enough to understand what is happening. The atmosphere in the home is oppressive and they feel insecure. This has a negative impact on them as they do not know how to react and feel frightened and helpless. In this case it is important to remember that children may find it difficult to express their feelings and very often show their anxiety by complaining of physical pain, such as headaches and/or stomach-aches. Children may also suffer from sleep disturbances, nightmares, or loss of appetite or overeating.

**A sense of guilt and responsibility.** Children living in a home with domestic violence very often blame themselves. They feel that they are somehow responsible. They try to be quiet and worry about causing further arguments and violence. Sometimes they even feel that they have betrayed their parent by not being able to prevent the violence. Children living with domestic violence are forced to deal with adult problems from an early age. They become “adults” in certain situations and therefore do not have the opportunity to develop at a normal pace. They begin to make unrealistic demands on themselves and take on domestic responsibilities to help their “broken” parents. It is also well known that children play the parental role and take over the care and protection of their younger siblings during difficult times.

When children are scared and anxious, they tend to behave like younger children. They may start wetting the bed again, sucking their thumbs, fidgeting or being afraid of strangers. Older children who are already independent and who felt safe before experiencing abuse in the home often begin to stay at home more than before.

**Behavioural problems.** Children living in abusive homes may suffer from a variety of behavioural or character problems that make their relationships with adults and other children more difficult. They may become very noisy and rude or, conversely, rigid and passive. Because they are unable to resolve conflicts around them, they may become aggressive or unable to defend themselves. Sometimes their aggressive behaviour and the problems they create are their way of dealing with the situation at home.

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<sup>88</sup> Information developed by [Inga Huld Hermóðsdóttir](#) and [Reynir Harðarson](#).

## PART III. VIOLENCE AGAINST CHILDREN AS DOMESTIC VIOLENCE IN BULGARIAN LEGISLATION

*The Protection against Domestic Violence Act (PDVA) defines any act of violence that occurs in the presence of a child as psychological and emotional domestic violence against that child. This, of course, does not exclude the possibility that a child may be directly subjected to domestic violence that qualifies as one of the types listed in Module 3.<sup>89</sup>*

When the court is hearing cases on the application of protection measures or immediate protection measures under the PDVA, they may also rule on the relationship regime between the child and the perpetrator/victim of domestic violence. Therefore, as a special measure of protection from domestic violence, the law provides for “temporary placement of the child with the victim parent or with the non-offending parent, under conditions and for a period to be determined by the court, if this is not contrary to the interests of the child”. However, this measure does not apply if the parents are at the same time part of another legal proceeding which has as its object the exercise of parental rights.

In addition, when considering cases of domestic violence, the court shall monitor whether the child’s best interests are at stake and, where it is made plain from the evidence in the case that it is necessary to take measures in respect of a child as provided for in the *Child Protection Act*, the court shall notify the Director of the Directorate for Social Assistance (DSA).

The Director of the Directorate for Social Assistance may apply to the District Court for the imposition of a protection measure when the victim is a minor, is placed under an incapacity mandate or is disabled. The Directorates for Social Assistance may issue records, reports and other acts to serve as evidence in proceedings for a protection order. The Social Assistance Agency (SAA) keeps a register of persons providing social services, including those directed at victims of domestic violence.

The State Agency for Child Protection (SACP) monitors, coordinates and controls compliance with the rights of the child. SACP seeks to coordinate between the different institutions in order to implement a better environment for the child. To this end, SACP analyses the information it collects from various sources and carries out on-site inspections. As a result of its analysis, SACP may issue binding directions and, if significant violations are found, refer the matter to the relevant responsible institution. Individual prescriptions constitute an individual administrative act which is subject to appeal.

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<sup>89</sup> For more information on child abuse - see Video 16 (4/4).

## PART IV. THE ROLE OF INSTITUTIONS IN CASES OF CHILDREN VICTIMS OF DOMESTIC VIOLENCE

### Actions of police officers

When the victim is a child, the police officer shall take immediate action to protect the child in accordance with the *Child Protection Act* and Ordinance No. I-51/2001 on the conditions and procedure for the provision of police protection to children by:

- ensuring the provision of medical care by requiring a document from a medical practitioner certifying this fact;
- notifying the Director of the SAA and the District Prosecutor's Office to take action under the Coordination Mechanism for cooperation in the cases of children victims of violence or at risk of violence;
- if necessary, immediately providing specialised assistance from a psychologist.

### Actions of the court

A child victim of domestic violence has the same right to receive state protection, to hold the perpetrator accountable for his or her actions, and to receive compensation as an adult victim of domestic violence.<sup>90</sup> Under the PDVA, a protection order can also be requested by a child if he/she is over 14 years of age. A particular departure from the general principles of civil capacity is the possibility recognised by this Act for a minor victim to act alone without the consent of his/her guardian. This capacity is justified through the fact that the legal representative of these persons is likely to be the perpetrator of the domestic violence and/or to act against the best interests of the child. Any of the measures of protection from domestic violence may also be ordered in proceedings initiated by a child's application, and the court must consider how they are to be applied and for how long. Additionally, as a person of higher vulnerability, a child is relieved of the payment of stamp duty and costs in the event of the order being refused or revoked.

### Actions of social services

One of the main goals of social work with a child at risk is to guarantee and protect his/her rights, which are regulated in the *UN Convention on the Rights of the Child*, ratified by Bulgaria in 1991. Child protection is defined as a system of legislative, administrative and other measures to guarantee the rights of every child.

Child protection is carried out by the child protection authorities, which take protection measures in the family environment and measures outside the family environment. In each case, priority is given to supporting the child

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<sup>90</sup> Human Rights Manual, [The Child Victim of Domestic Violence](#).



and the parents in order to ensure the child's right to be raised and brought up in his or her biological family. The Directorates of Social Assistance are part of the child protection system and as such need to interact effectively and work together in managing a case of a 'child at risk'. Child Protection Departments are also located within their structures and manage cases for each child at risk.

Case management for the protection of a child at risk is a method which ensures the connection, consistency and continuity of the helping process and which consists in the organisation, coordination and control of all relevant activities and services. In this sense, case management encompasses interventions both with respect of the child and his/her family, and of their living environment, including the institutions operating in that community. This requires the social worker to develop and maintain a trusting relationship with the child and parents, which can enable them to be linked to the organisations that can provide the services, resources and opportunities they need.

The main steps in the case management process of a child at risk are:

**Assessment:** the process of exploring and assessing the child's risk, the child's needs and parenting capacity, family environmental factors and community resources.

**Planning:** development of an action plan based on the assessment and prognosis made for the child's future well-being, and the agreement reached with the child and family.

**Implementation:** organising and coordinating case work on the implementation of an action plan (taking protection measures and providing a package of services).

**Periodic evaluation:** case review and assessment of results (effect of protection measures and interventions on child functioning).

In relation to the effective case management related to a child at risk, detailed standards for the specific actions of professionals at each stage of the case development are available.

Any citizen can report a child at risk to the CPDs in the following way:

- in writing (by post or on the spot at CPD);
- verbally (on the spot or by phone);
- by actively collecting information by a social worker from CPD (from the press, television, during surveys, etc.).

When a report of violence against a child is received, the DPO convenes a Coordination Mechanism,<sup>91</sup> which involves representatives of all institutions relevant to the problem, and child protection measures are taken under the *Child Protection Act*.

<sup>91</sup> [Coordination Mechanism for cooperation in cases of children victims of violence or at risk of violence and for cooperation in cases of crisis intervention 2017.](#)

## CONCLUSION

The purpose of the Handbook is to bring together in one place the knowledge and guidance needed to identify and refer potential victims of domestic violence among the staff with whom HR professionals work on a daily basis. The Handbook is not a domestic violence prevention tool - its purpose is to be a starting point for public administration employees in identifying and referring victims. This requires a rethinking of deeply held societal and cultural stereotypes, an effort to learn new information (sometimes new terminology from sociology, law, psychology, neurobiology, etc.), but most of all it requires courage and solidarity to intervene in a timely manner in a process from which we instinctively look away and console ourselves with the words "it's their business" or "someone else will help".

The handbook is intended as a desktop read, but can be referred to in times of need - when the symptoms of a colleague at the adjacent desk are not a figment of the imagination or "curious gossip"; in need for a quick reference to formal reporting procedures; in need for guidance on when and how to intervene; or simply in need to feel that no one is alone and there is always a way out... until it is too late.

**Annex 1:**  
**SAMPLE DOCUMENTS**

**TO  
DISTRICT COURT**

*(The application must be filed  
with the district court of the  
victim's permanent or current  
address)*

**APPLICATION**

From \_\_\_\_\_,

*(Full name of victim/applicant)*

PIN \_\_\_\_\_,

with address. \_\_\_\_\_,

boulevard / street / res. neighbourhood \_\_\_\_\_,

Nº \_\_\_\_\_, ex. \_\_\_\_\_, app. \_\_\_\_\_, contact

phone:

**DEAR MRS./MR. JUDGE,**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*(A detailed description of all the information you remember about the domestic violence act - date, time, place, manner of perpetration. You may describe how the act of domestic violence affected the victim, as well as other relevant circumstances and facts)*

The perpetrator of domestic violence is the person

\_\_\_\_\_, Personal Identification

Number \_\_\_\_\_ and may

to be summoned at \_\_\_\_\_, contact  
telephone\_\_\_\_\_.

*(Here you should indicate the address where you think the perpetrator can be found. This does not have to be his permanent or current address. You may give his work address, the address of the place where he is temporarily staying, etc.).*

**APPLICATION for the issuing of an immediate protection order.**

*(The application for the immediate protection order is solely an example. The applicant may choose any of the other protection measures detailed in Article 5 of the PDVA)*

I am enclosing and request the following to be admitted into evidence:

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_

**APPENDICES:**

- 1. Declaration under Art. 9(3) of PDVA  
*(when submitted by the injured party)*
- 2. \_\_\_\_\_

*(Here you can describe everything else you provide. Additional evidence may be any evidence that you feel would in any way help prove the act of domestic violence - photographs, medical documentation, etc.).*

Date:

Applicant:

**DECLARATION OF DOMESTIC VIOLENCE**

Art. 9(3) of PDVA

I, the undersigned.....  
*(Full name of domestic violence victim)*

Personal Identification Number ..... with address:

..... with this declaration and on the basis of Art. 3 of the  
Protection against Domestic Violence Act,  
DECLARE that :.....

*(Full name of the perpetrator of domestic violence)*

Personal Identification Number..... , with address: ....., with whom I am .....

*(Detailed description of the relationship you have with the perpetrator of domestic violence).*  
committed an act of domestic violence against me, consisting of the following

.....  
.....  
.....  
.....  
.....  
.....  
.....

*(A detailed description of all the information you remember about the domestic violence - date, time, place, manner of perpetration. If you have informed third parties, including state authorities, you can mention it here).*

I declare that all of the above is true and in consideration of this, I enter my signature, knowing that I am liable for false statements made in this declaration under the Criminal Code.

Date:

Declarant:

**TO  
DISTRICT COURT**

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**APPLICATION**

From \_\_\_\_\_,  
Personal Identification Number \_\_\_\_\_,  
with address. \_\_\_\_\_,  
          boulevard / street / res. neighbourhood \_\_\_\_\_,  
          No \_\_\_\_\_, ex. \_\_\_\_\_, app. \_\_\_\_\_, contact  
  phone: \_\_\_\_\_

**DEAR MRS./MR. JUDGE,**

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The perpetrator of domestic violence is the person

\_\_\_\_\_, Personal Identification  
Number \_\_\_\_\_ and may  
to be found at \_\_\_\_\_, contact \_\_\_\_\_.

**PLEASE issue an order for immediate protection.**

I am enclosing and request the following to be admitted into evidence:

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

**APPLICATIONS:**

1. Declaration under Art. 9(3) of PDVA

2. \_\_\_\_\_

Date:

Declarant:



**DECLARATION OF DOMESTIC VIOLENCE**

Art. 9(3) of PDVA

I, the undersigned.....

Personal Identification Number ....., with address:  
..... with this declaration, and on the basis of Art. 3  
of the Protection against Domestic Violence Act,  
DECLARE that:.....

Personal Identification Number..... , with address: ....., with whom  
I am .....  
committed an act of domestic violence against me, consisting of the following  
.....  
.....  
.....  
.....  
.....  
.....

I declare that all of the above is true and in consideration of this, I enter my signature, knowing  
that I am liable for false statements made in this declaration under the Criminal Code.

Date:

Declarant:

**Annex 2:**  
**SAMPLES FOR SPECIALISTS IN  
ASSISTIVE PROFESSIONS**

## Risk assessment card for specialists in assistive professions

**Notes:** In relation to the specific questions set out in the tool - questions 1, 3 and 7 assess for risks related to immediate events, therefore if the answer to one of these is positive this should be a red flag for the social worker examining these cases.

**Table** - Results obtained and risk level

Result obtained	Degree of risk
1 to 25 t.	Minimum risk
25 to 50 t.	Moderate risk
51 to 75 t.	Serious risk
76 to 100 t.	Imminent risk, security and support plan needed

### Degree of risk

During diagnosis, the level of risk should be assessed and based on this a safety or intervention plan should be drawn up and followed.

#### High level of risk:

These are cases where the victims' life could be in danger, and there is a need for specialised security and the victim should be sent to a protective shelter immediately after a risk assessment. Typically, such an assessment will include high risk factors, the presence of attempted murder, an abuser with access to weapons or a supporting network; women's degree of helplessness (or loss of control over the situation) depending on their physical and/or mental situation, their economic capabilities or personal resources such as language, background, etc. These references require extreme caution and discretion. Women do not have social support networks or, if they do, cannot get the support they need from them.

#### Medium level of risk:

These are cases of repeated violence with significant consequences that can be serious. The assailant may have an aggressive profile but no access to firearms, no felony convictions. Women have active and relatively safe support networks.

Low level of risk:

These are instances of mild violence, which may be verbal or emotional, in a cycle that begins without demonstrations at an escalating level. The person living with violence has the resources to cope with it, whether emotionally or economically, has an active support network, and spaces without obvious violence. The woman does not yet fear the consequences of a violent outburst, although she may show signs of personal insecurity.

Questions in the risk assessment card

Dear users, please answer the following questionnaire so that we can provide you with full support. The questionnaire consists of 10 questions, which you will answer by selecting the appropriate number next to the answer that you feel is closest to your situation: 1 to 3: NO: 4 to 7: Sometimes and 8 to 10: YES, where 1 is the lowest risk and 10 is the highest risk.

1. Are you currently afraid that your partner may verbally assault, abuse or hit you?

1	2	3	4	5	6	7	8	9	10
no			sometimes				yes		

2. Is your partner or boyfriend preventing you from seeing your family or having contact with your friends, neighbours, or colleagues?

1	2	3	4	5	6	7	8	9	10
no			sometimes				yes		

3. In the last three months, has your partner or boyfriend hit you, insulted you or threatened to kill you?

1	2	3	4	5	6	7	8	9	10
no			sometimes				yes		

4. Has your partner or boyfriend forced you to have sexual intercourse against your will, to have sexual intercourse without contraceptive protection, or caused you bodily harm during sexual intercourse?

1	2	3	4	5	6	7	8	9	10
no			sometimes				yes		

5. In the last three months, has your partner or boyfriend ever taken away the money you earn, saying you don't require personal expenses?

1	2	3	4	5	6	7	8	9	10
no			sometimes				yes		

6. In cases of conflicts or arguments with your partner or boyfriend, has he or she thrown objects, slammed doors, destroyed furniture, or chased you from your home?

1	2	3	4	5	6	7	8	9	10
no			sometimes				yes		

7. Has your partner or boyfriend ever threatened you with a gun, knife or similar weapon?

1	2	3	4	5	6	7	8	9	10
no			sometimes				yes		

8. Has your partner ever insulted or hit you, and then said that he/she didn't do "much of anything" or said that you were to blame for him/her hitting and insulting you?

1	2	3	4	5	6	7	8	9	10
no			sometimes				yes		

9. Does your partner or boyfriend often abuse alcohol or drugs?

1	2	3	4	5	6	7	8	9	10
no			sometimes				yes		

10. Has your partner or boyfriend ever threatened to kill themselves if you left them?

1	2	3	4	5	6	7	8	9	10
no			sometimes				yes		

11. If you have children, has your partner or boyfriend threatened to take, hurt or kill the children?

0	1	2	3	4	5	6	7	8	9	10
I have no children	no			sometimes				yes		

## SAFETY PLAN FORM (for victims of domestic violence)

### What is a safety plan?

A safety plan is a list of premeditated actions and measures you can take if the violence against you escalates to a level you cannot bear or if you decide to break the abusive relationship you are in. Once you have thought through the possible moves and identified steps and actions, you can write them down somewhere or remember them.

### Why is it important to have a safety plan?

- It is important to have a safety plan for at least two reasons. The first is purely practical - to be prepared and have a plan in place that will ensure you can leave the situation (if you so choose at the time) should a repeat (another) assault take place against you.
- The second reason to have a plan makes particularly important psychological sense. When you consider and change details in your plan, you are engaging in an active process which takes you, if only temporarily, out of the role of a passive subject who tolerates and endures the impact of the violence. In this way, you practice exercising control over what is happening.
- If you have come to the idea that you need a safety plan, this means that you have assessed the risk to you as high. This is a very big step that is unaffordable for most women in your situation. Chronic violence dulls your sense of fear and your instinct to protect yourself.
- If you're about to make a safety plan, you've probably overcome the illusion that every act of violence will be your last and your spouse will change.
- A safety plan is an alternative, a concrete option in the direction of resisting the impulse to stay.

## CUSTOM PROTECTION PLAN

During an incident of domestic violence, I may use some of the following strategies:

When I foresee an accident, I will try to move to a location with the least risk (e.g. not the bathroom, kitchen, or rooms without access to exterior doors).

I will tell \_\_\_\_\_ and \_\_\_\_\_ about the violence and ask them to call the police if they hear any suspicious noises coming from my home. (Give the names of at least two people who are your neighbours).

I will use \_\_\_\_\_ as my code words to my kids or friends so they know I want them to call for help.

I will teach my children our names and full address, and how to use the phone to contact the police and what to say.

I will teach my children where to go if they leave the house/apartment to be protected if I am attacked.

If I decide to leave, I will:

Think about how to get out safely. Which doors, windows, escalators or emergency exits will I use?

I can keep my bag, keys (home and car) and important documents \_\_\_\_\_ (specify location) with the aim of them being handy in case I decide to leave quickly.

If I leave home, I'll go \_\_\_\_\_

(consider this issue in advance, even if you don't think this will happen again).

If I can't go there, I can go \_\_\_\_\_ (another place) or \_\_\_\_\_.

Remember to let all the people you have mentioned here know of your plans, so that they know you will rely on them in times of need.

## SAFETY WHEN PREPARING TO LEAVE HOME

When you live in an abusive relationship there are many difficult moments after which you must have wanted to get out. Sometimes certain circumstances can force you to just run away without any prior preparation of where you are going to go.

If the thought of leaving home does cross your mind, it will be better for you (and your children) if you can prepare and plan for it, as men usually become very despotic and aggressive when they find out about a woman's decision to leave them. One of the reasons for this is that the abusive husband is strongly attached to the object of his abuse and would not want to lose it, as it would make him feel deprived of his usual "mainstay" in life: the imposition of total control over his partner's life. For the abuser, this is a way of asserting himself and compensating for the low self-esteem, emotional dependence, lack of security and trust that he will fight to maintain. Because of this, the abuser usually sees any attempt on your part to defend yourself (reporting you to the police, temporarily moving you out of the house, etc.) as a direct attack on his dominance in your relationship. For these people, it means putting their personhood in question. Therefore, once you take action to defend yourself, the likelihood that the violence will increase becomes huge. Choosing to leave him permanently is the only measure that would permanently protect you and your children.

When you decide to leave, it is best to have thought everything through strategically beforehand. This will make leaving safer for you.

When I plan to leave, I will use some of the following strategies:

1. I will leave money, a copy of important documents and spare keys at \_\_\_\_\_ so that I can leave quickly.
2. I will open a savings account at \_\_\_\_\_ in order to increase my independence.
3. I will seek legal advice from a lawyer who is aware of the specifics of the issue and is a specialist in the field.
4. I'll check with \_\_\_\_\_ and \_\_\_\_\_ to see who would let me stay at their place in case of unforeseen circumstances and/or loan me money.
5. I can leave spare clothes at \_\_\_\_\_.
6. I'll rehearse my escape/leave plan.
7. Other things I can do to increase my independence are:
  - I can buy a new mobile phone and know which number to call in case of emergencies;
  - I can contact my local hotline/support group/shelter: their phone numbers are \_\_\_\_\_;
  - I can review my safety plan every \_\_\_\_\_ in order to plan the safest way to leave.



## SAFETY WITH PROTECTION ORDER

I have a protection order in place but still feel threatened, to protect myself and get help quickly I can take the following steps:

1. I will keep my protection order (the original if possible) at \_\_\_\_\_ (location). Always keep it with or near you. If you are changing bags, this is the first thing to check for. It's also a good idea to make copies, just in case.
2. I will inform my employer, friends, neighbours, children's school, nursery (list it here) \_\_\_\_\_ that I have a protection order.
3. If the violator destroys the warrant, I can get another copy from the court, my attorney or \_\_\_\_\_.
4. If I expect trouble, I can inform the police and ask them to be on the lookout.
5. If the offender violates the warrant, I will call the police and make them and anyone else of relevance aware, including my attorney and the court/judge (report any violation of the warrant).
6. If the perpetrator attempts to make unwanted contact with me via social networks using his/her own or someone else's identity or makes threats against me or the children, I will inform the police.
7. If I am not satisfied with the actions of the police, I can file a complaint with the Chief of Police, and I can inform my lawyer, the judge, and anyone else who is involved.

## SAFETY IN MY HOME (subject to a protection order)

Safety measures I can use include:

1. I can change the locks on my doors and windows as soon as possible.
2. I can ask \_\_\_\_\_ to help me put window locks and/or a chain lock on my front door.
3. I can install security systems including simple locks, window bars, bars and an electronic alarm system.
4. I can replace wooden doors with iron/metal doors.
5. I can install a motion-triggered lighting system outside that lights up when someone approaches my home.
6. I can block the perpetrator's phone numbers on my mobile phone, or if they call me from other numbers I can ask for a printout from the operator and give it to the police.
7. I can buy a new mobile phone.

8. I can ask the police about any protective measures they might be able to help me with.
9. I will call the police if I see the perpetrator near my home or if they threaten/otherwise contact me.
10. I will ask \_\_\_\_\_ to call the police if he sees the perpetrator near my home.
11. I will teach my kids how to use the phone to call \_\_\_\_\_ if we are in danger or to call me if they are kidnapped.
12. I will inform all the people who take care of my children about who is allowed to take them and who is not.

## SAFETY AT WORK AND IN PUBLIC PLACES

When you're at work, it is important that other people know what is going on. This could be your closest colleagues or your manager and people like receptionist. They don't need to know the whole story, but they can be asked not to let someone in or not to let them ring you from the pass.

I can take any or all of the following measures:

1. If I trust him, I can inform my supervisor, the person in charge of security and \_\_\_\_\_ at work about my situation.
2. I can ask \_\_\_\_\_ to help me with the phone call research at work.
3. When I leave work, I can \_\_\_\_\_.
4. When I travel home, if a problem arises I can \_\_\_\_\_.
5. If I use public transportation, I can \_\_\_\_\_.
6. I can use different routes for shopping, going to the bank and other places to reduce the risk of contact with the perpetrator.
7. I can buy a new mobile phone.
8. I can buy a very loud alarm to keep in my pocket.
9. I can practise shouting very loudly "Get away from me!" or "Call the police, this man is dangerous!". Visualise in a relaxed state different situations of attack and imagine how to defend myself. Repeat this until the idea of your possible actions is automated. This will help you in a real situation not to panic and to reproduce the learned behaviour.

10. I can wear shoes that I can run in.

11. I can take a self-defence course to boost my confidence.

12. I can also \_\_\_\_\_.



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