WOMAN SUPPORT CENTER in THE VILLAGE of STRAZHETS
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REPORT

Implementing the Law on Protection against Domestic Violence

2009–2010

Short version

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Association "Women Support Center in the Village of Strazhets" is registered with decision №1 on February 15, 2005 of the District court of Razgrad as a non-profit legal entity of public benefit, firm file . №1/2005
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I. RESSUME

The report contains the data and the dynamics to the problem of domestic violence in Razgrad municipality: over 265 clients, 850 consultations and 100 cases. We have indicated the actions taken by various institutions for solving the problem - court, prosecution and police. The main problems have been analyzed which hinder implementation of the law - lack of statistics, non-enforcement of court fines, inconsistent work of police and prosecution for violation of the protection act.

We identified good practices of working on domestic violence cases in the Women Support Cetnre in the village of Strazhets in cooperation with the NGOs Center in Razgrad, which is working since 2005 on issues of domestic violence and has very rich experience in this field.

II.GOOD PRACTICES AND STATISTICS

Application of the Law on Protection against Domestic Violence in Razgrad municipality has a five-year history. The first best practices and real results appeared - more than 100 cases filed only in the District Court in Razgrad, more than 210 domestic violence victims and 55 offenders received services.

The Consultative Centre for Domestic Violence problems, with the hotline is developing very successfully as a new social service community.

Till this moment, the Consultative Centre for Domestic Violence problems gave support to more than 210 victims of domestic violence and over 850 consultations have been provided. With the help of the Centre in District Court - Razgrad were registered 100 cases under the Law on Protection against Domestic Violence, as on 90 of them magistrates decreed measures for protection victims and their children.

There is an increase in prosecutions under this Act and enhanced activity of local police. The courts correctly applied the law and provide adequate protection to victims.

Cases are scheduled and processed within the prescribed 30 days. In many of the cases are issued acts for immediate judicial protection. Usually cases are completed in one, maximum two hearings with both sides questioning and examination of the evidences.

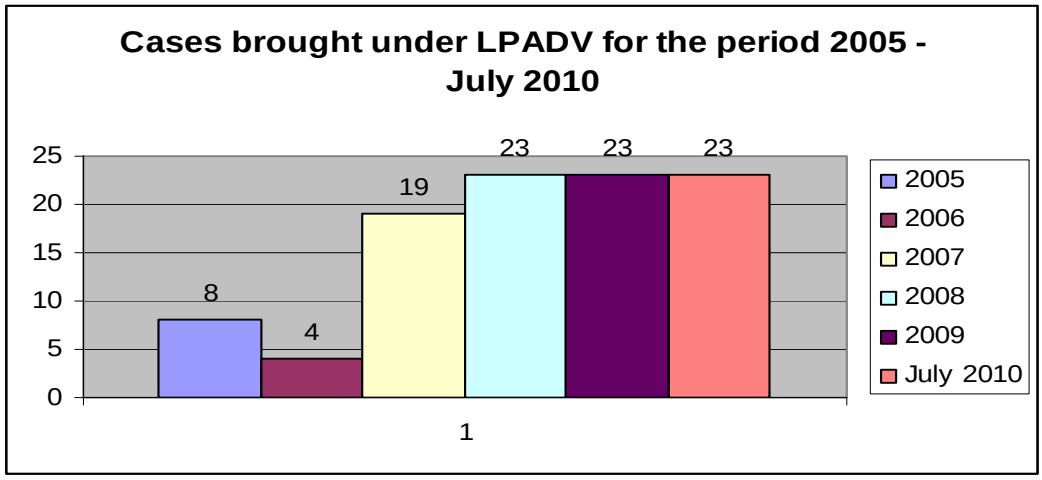
We recommend when there issued an act for immediate judicial protection the open hearings to be scheduled in shorter intervals to assist victims in seeking permanent solutions for the protection and placement in the new conditions of stress and anxiety.

A serious problem remains insufficient work for the implementation of court acts of protection, despite the criminalization of the offense and her failure. The police need to be trained and used to hold violators of court acts of protection, always in cases of its breach.

It is a big challenge for local police to distinguish between local patriarchal relationships and the implementation of the law. The acts of violence are not domestic

scandal or problems between spouses (couple cohabitating persons), but serious social problem.

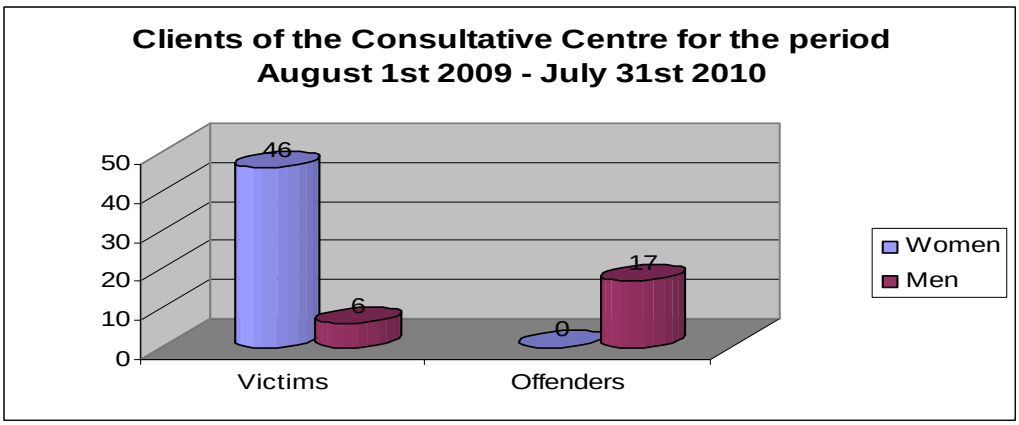
The work of prosecuting is very weak in the implementation of this law and we believe the national prosecution is not actively engaged with this problem. Prosecution should be seriously concerned with this social problem, to be clearly and unambiguously engaged in monitoring the implementation of court acts.



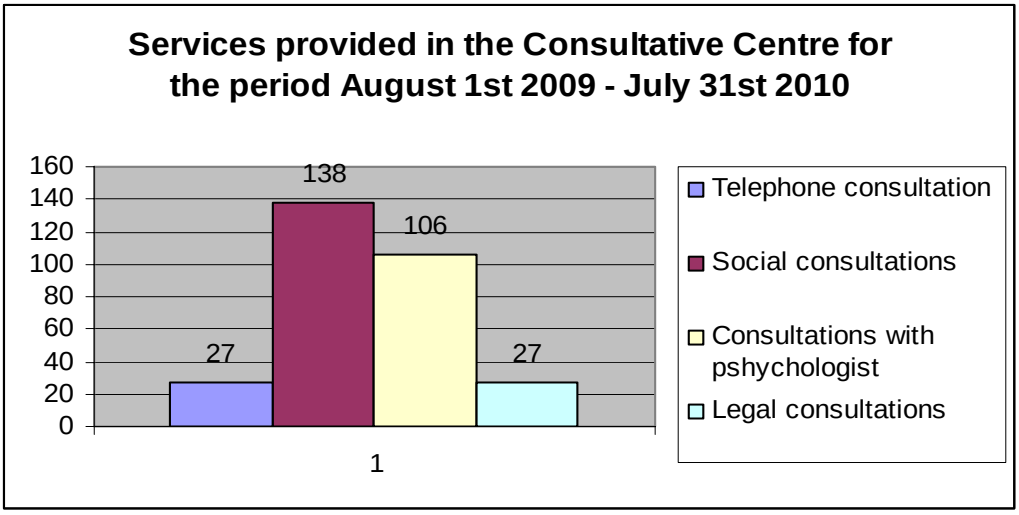
It took over two years working under Law on Protection against Domestic Violence, victims to feel that they can be protected. In the first two years of law implementation, the cases were few. With the establishment of the Consultative Centre in 2007 the cases under this Act increased. Victims gained faith in institutions and began to seek protection.

There is increasing the number of cases each year. In 2008 and 2009 the number of cases under the Law is equal. Only the first seven months of 2010 the number of cases is the same as for the entire period of the previous 2 years. This fact is troublesome because there is a rise of cases. We expect 2010 to set the record of cases in Law on Protection against Domestic Violence for one calendar year.

In Consultative Centre we offer support to victims of domestic violence and treatment programs for offenders. However, we monitor how to perform judgments and accordingly - penalties. If fault is always the court shall impose one or all six restrictive safeguards. Mandatory court imposed a fine of 200 to 1000 of the offender of domestic violence. We found that the laid down monetary sanctions, penalties should in principle be collected by the National Revenue Agency to the Ministry of the Finance.



For the period from August 1st, 2009 till July 31st 2010 the Centre is visited by a total of 69 people, 52 of them victims and 17 offenders of domestic violence. Of the 52 human victims of violence 46 (88%) were women and 6 (12%) were men). There is an increase in the number of men seeking help. While the previous two years were a total of 6 (3 per year) for the period of 1 year the same number.



During the period the consultants at the Centre have given 298 consultations with clients. The phone consultations are 27. Consultations with social consultant are 138 and 106 with a psychologist.

MAIN FINDINGS OF MONITORING THE APPLICATION OF THE LAW ON PROTECTION FROM DOMESTIC VIOLENCE:

1. The Protection from Domestic Violence is a good and modern law, which allows for fast and effective protection;
2. There is lack of permanent practice in leading cases under this Act in three quarters of the observed courts.

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3. The Law is relatively unknown among the public, especially among disadvantaged and minority ethnic groups. Many of the victims' ignorance of their rights and therefore do not seek help.
4. Victims have serious doubts about the ability to obtain effective protection, despite interpretations hesitant because of the police activity and lack of cooperation from prosecution for violation of court order;
5. Court protection act provides reliable protection and rare cases of breach of court order, but the prosecution refused to commit to this problem;
6. The law permits to seek judicial protection even only from psychological violence. The legal practice indicates that almost there are no such cases and it is very difficult to end with a conviction and court act of protection. If physical violence leaves visible traces on the body and it can be proved easy, it is almost impossible to prove psychical violence. To prove bullying mandatory should have seen what happened and strong evidence.
7. In case of second act of violence, according to court act, the size of punishment has to be doubled.
8. The deny of offenders to participate in a specialized program to be criminalize by applying penalties prescribed in the Penal Code
9. Prosecutors clearly and unambiguously to commit with the control of the execution of judgments and acts.
10. Prosecutors and police failure to pursue a court decision under this Act which is a criminal offense.
11. The Court by its decision to force the offender of domestic violence to pay the costs of rehabilitation programs for victims and fees for his personal participation in specialized programs against aggression.
12. The country and municipalities to provide institutional support to NGOs and national networks to support victims of domestic violence.
13. Agency for social support to establish a methodology for a new social service “Consultative Centre for Domestic Violence Problems”.
14. Agency for social support to develop or update equal criteria and standards for social services for prevention of domestic violence.
15. To be established effective mechanisms for interaction between police, prosecutors and court in implementing of the Law on Protection against Domestic Violence.
16. Police officers to be trained how to interact effectively with NGOs, prosecutors and court in the implementation of the Law on Protection against Domestic

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Violence.

17. The National Revenue Agency to implement measures for effective collection of court fines imposed.

18. To introduce legislative prohibitions and restrictions for perpetrators of domestic violence to leave the country.

III. CONCLUSION

The Consultative Centre for Domestic Violence in Razgrad, with a hotline is developing very successfully as a new social service community.

Despite the successes more efforts are needed to combat domestic violence, because there is a trend of increasing cases of violence, the signals in a police station and brought cases.

Local authorities in Razgrad need to engage specifically with tackling domestic violence. It is necessary to ensure continued protection and security of victims of domestic violence. We expect local authorities in Razgrad to support the opening of the Crisis Centre for victims of domestic violence and trafficking.

Women Support Centre in the village of Strazhets, in cooperation with NGOs Centre, continues to provide high quality services for victims and offenders of domestic violence. Two organizations will prepare reports, analyzes and make recommendations for solving this important social problem.

To achieve sustainable results in combating domestic violence is necessary more actively participation of public institutions and local authorities by improving coordination between them.

Reference of the authors:

After the report was written the City Council - Razgrad has admitted Report for the Situation Analysis and needs assessment of social services in Razgrad Municipality. It describes the need of Centre for prevention of the domestic violence. "It is necessary building up of a crisis center for women and children victims of violence, hotline and the Center for prevention, consultations and rehabilitation of violence victims and the offenders."[1]

This position of the Local government is considered to be our big success because for the first time they confess the necessity of these social services.

[1] Report for the Situation Analysis and needs assessment of social services in Razgrad Municipality, page 36, admitted by City Council – Razgrad on September 29th 2010.

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