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NOTE

from :	German and Austrian delegations
to :	Police Cooperation Working Party

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OJ C 259, 18.8.1998, p. 2

Subject : Crime prevention – violence against women
– Standards and recommendations

Delegations will find attached for information the recommendations drawn up by the EU Conference on Violence against Women held in Cologne/Germany on 29 and 30 March 1999 and the Conference of experts on "Police Combating Violence against Women" held in Baden/Austria from 30 November to 4 December 1998 for the combating of violence – especially domestic violence – committed by men against women, which are to be deemed relevant to the police on the basis of the discussion by the Police Cooperation Working Party on 7 and 8 April 1999.

Preliminary comments:

The problem of everyday domestic violence is to be seen not as a private matter for the men and women concerned but as a public problem affecting the whole of society. Although in principle the State has to respect the privacy of the individual and the family, the principle of non-intervention ceases to apply where State intervention is needed to ensure the safety of women and children at risk of violence from men.

**Measures to combat violence
(especially domestic violence)
committed by men
against women**

Police-relevant standards and recommendations

**drawn up by the Conference of Experts
held in Baden and Cologne**

**General principles
for police work**

1. The right of the individual to personal safety is the guiding principle underlying all government action aimed at combating violence (whether physical, psychological or sexual) perpetrated by men against women. In particular, the duty of the police to ensure the safety of all citizens has priority over other police tasks.
2. The right of the individual to expect the State to guarantee his or her safety applies regardless of gender, and in both the private and public domains. Although in principle the State has to respect privacy, the principle of non-intervention clearly ceases to apply where State intervention is needed to ensure the safety of individuals in the home. The police must therefore not treat domestic violence as a private or family matter, but must remain constantly aware of its public duty to combat violence wherever it occurs, even in the home.
3. Given society's ambivalent attitudes in this regard, the police are entitled to clear and precise guidelines.

4. The State should proscribe violence as criminal even when it occurs in the home. Police should avoid giving any impression that an act of violence committed within the family is to be considered less serious than one committed in public.
5. Although violence by men against women has social and traditional roots, this does not diminish the responsibility of violent men for their actions. In dealing with violence by men against women, the police should always make it clear that the offender is responsible for his conduct and avoid any action which might be interpreted by the male offender as excusing or mitigating his offence.
6. EU Member States and the applicant countries are called upon to establish explicit, effective and clearly defined legislation on domestic violence aimed at the immediate separation of victim and offender through the immediate removal of the violent man from the household and the environment of the woman concerned and her children. The police should be given specific instructions on the implementation of such legislation, including further measures to protect the victim. The effectiveness of the measures taken and the conduct of the violent man should be monitored both during and after their implementation.
7. Removing the violent offender from the home in which the female victim also lives is an effective course of action, and highlights the woman's right to safety and the responsibility of the offender for his conduct.
Notwithstanding the removal of a violent man from the victim's home, an appropriately safe place of refuge should be provided if need be so that the woman can plan her future course of action in a secure environment.

8. The police cannot on its own guarantee the safety of a woman who has fallen victim to male violence. Other bodies must be brought into the picture, particularly family and criminal courts, authorities responsible for the protection of children and young people, women's organisations able to offer active counselling and support, and organisations running programmes for the perpetrators of violence. A cooperative, multi-disciplinary approach is thus essential if male domestic violence against women is to be effectively reduced. The police should organise active participation in networking and collaboration with other governmental and non-governmental bodies on a local, regional and national level.
9. The police must however make sure that other bodies are able to build on its intervention, in particular by recording all the facts relating to the case and the offender and passing these files on to other bodies which need them in order to take steps to end the violence. The cooperating bodies should have common standards regarding confidentiality which do not compromise the safety and empowerment of abused women and children.
10. A woman who has suffered domestic violence at the hands of a man has a right to expect the police to treat her in a way which shows understanding for her needs. The police must refrain from any action which might impede the healing process following the psycho-social trauma resulting from the experience of violence. In particular, any pressure on the victim aimed at facilitating the bringing of criminal charges is to be avoided.

Organisation and training of the police

11. All government bodies must be under an obligation to deal with the subject of "male violence", to cooperate, to exchange information with one another, to analyse internal structures with reference to that tolerance and continued existence of male violence and to organise their training accordingly.
12. Particular attention should be paid to the training of police officers in view of their heavy burden of responsibility for combating male domestic violence. An approach which has proved particularly fruitful is the involvement in police training of individuals with experience of working with violent men or with their victims through women's organisations. In view of the work being done to combat violence perpetrated against migrant women, the recruitment of police officers familiar with ethnic minorities would also be worthwhile. The recruitment of women police officers should also be stepped up.
13. The police should draw up annual and long-term action programmes for each authority, dealing with operational police work for the prevention of violence and the protection of victims, and make sufficient resources available for these.
14. Each police unit should appoint an officer responsible for implementation of the policy.
15. Each police unit should appoint specially trained officers to deal with cases involving violence against women.
16. The police should, with the cooperation of government and non-government experts, compile training materials and hold courses on domestic violence committed by men against women and children, with a view to improving basic training, further in-service training and management training in this field.

17. The police should ensure that every officer is able to prevent the recurrence of violence and to take effective legal steps to ensure the safety of victims.
 18. The police should in principle provide support, important information and assistance to victims and pass on information to suitable support bodies.
 19. The police should set up an effective system of records listing not only the number of emergency calls received, but also the type of police intervention and details of offenders, including previous arrests, charges and convictions.
 20. The police should ensure that a comprehensive policy of gender equality and minority rights is put into effect in its operational units and that the necessary change in police culture is supported. There must also be a policy of zero tolerance of violence against women in law-enforcement circles.
 21. The police should be trained to handle cultural diversity more effectively.
 22. The police should promote the development of special projects within organisational units with a view to gathering experience for innovative and specifically tailored changes to police activity.
 23. The police should implement effective, on-going monitoring procedures to be conducted both internally and externally by independent experts.
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