



## **DOMESTIC VIOLENCE: THE PERSPECTIVE OF POLICE OFFICERS**

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### **Abstract**

Domestic violence is a multifaceted issue within today's society. Acts of violence perpetrated against individuals constitute a blatant infringement upon human rights. The majority of such instances are directed at women and children. The legal regulation of domestic violence is defined in Lithuanian and international legal acts. However, shortcomings within the legal framework concerning domestic violence hindered the effectiveness of police assistance to victims. It is of utmost significance to highlight that the new Law on Protection from Domestic Violence came into effect on July 1, 2023. This legislation has introduced a novel legal mechanism in the form of a Domestic Violence Protection Order. The legal aspect of domestic violence is examined in the scientific literature; however, it lacks analysis of the personal positions of police officers who are the first to go to the crime scene after receiving a domestic violence call. Thus, the aim of the article is to reveal the peculiarities of legal regulation of domestic violence and empirically investigate the insights from the perspective of police officers. In order to achieve this goal, the analysis of scientific literature and legal acts were used for defining the concept of domestic violence and the peculiarities of legal regulation. A written survey was conducted for the empirical investigation of police officers' insights about domestic violence; the collected data were processed using quantitative analysis methods. The analysis has shown that domestic violence is understood as all intentional physical, mental, economic, sexual and other actions of the abuser towards the victim, if these actions violate the victim's constitutional rights and freedoms, and cause economic, physical, mental or moral damage to the victim. Police officers must respond immediately to a call of domestic violence and be the first to arrive at the crime scene. The newly adopted 15-day order restraining the abuser from the victim is a very important tool for solving the problems of domestic violence. However, as the experience of foreign countries shows, even after the adoption of appropriate laws to solve this problem, there are psychological and organizational obstacles in providing qualified assistance to victims of domestic violence. After conducting a survey of police officers, it was found that in most cases the reasons of domestic violence are alcoholism, drug addiction, unemployment and poverty. Most frequently the age of abusers is between 31-40 years; in most cases violence occurs in families after living together from 1 to 12 years. The victims of violence are mostly women. When preventing domestic violence, first of all, continuous prevention is necessary. Police officers lack psychological and practical knowledge the most when solving these issues. Police officers are not capable of solving these problems alone, the involvement of the prosecutor's office, courts, psychologists, and social workers is also needed here.

**KEYWORDS:** Domestic Violence, Police Officers, Domestic Violence Protection Order, Human Rights.

### **Introduction**

Domestic violence is a multifaceted issue encompassing not only legal aspects but also psychological and social complexities within society. Prompt response to reports of domestic violence is imperative for law enforcement officers, who are typically the first to arrive at the scene. However, shortcomings within the legal framework concerning domestic violence hinder the effectiveness of police assistance to victims. According to the State Data Agency of Lithuania, in the year 2022, Lithuania documented 5,872 domestic violence-related crimes, reflecting a 1.2 percent increase compared to the figures in 2021. The targets of these acts of violence were predominantly women and underage children.

It is crucial to highlight that despite the ongoing occurrence of domestic violence, a significant step was taken on July 1, 2023, with the enforcement of the Law on Protection from Domestic Violence in Lithuania. This legislation introduced a novel legal provision: a protective order against domestic violence. Under this order, the perpetrator is legally bound to immediately vacate the shared residence on a temporary basis. Anticipatedly, this measure holds the potential to enhance the assistance available to individuals enduring violence within close relationships.

The Protective Order from Violence aims to swiftly safeguard victims by removing the perpetrator from their immediate environment. Nonetheless, drawing from the experiences of other nations (Kerman, Betrus, 2018), it is evident that even with the enactment of pertinent laws to address this issue, challenges of psychological and organizational nature may still arise.

Domestic violence is regulated in international legal acts: United Nations General Assembly resolutions: 1993 December 20 No. A/RES/48/104 Declaration on the Elimination of Violence Against Women (United Nations General Assembly Resolution A/RES/48/104 (1993), 2 February 1998 No. A/RES/ 52/86 Resolution on the Prevention of Crime and the elimination of criminal justice instruments of violence against women (United Nations General Assembly Resolution A/RES/52/86 (1998) "On crime prevention and the elimination of criminal justice instruments of violence against women"), in 2003 December 22 No. In Resolution A/RES/58/147 on the elimination of violence against women in the family (United Nations General Assembly Resolution A/RES/58/147 (2003) "On the elimination of violence against women in the family"), 2006 February 2 No. P6 (2006)0038 in the European Parliament Resolution on current and future actions to combat violence against women (European Parliament Resolution, "On current and future actions to combat violence against women" P6 (2006)0038). These and other international documents

establish the generally accepted norm that domestic violence is a violation of human rights.

The legal aspect of domestic violence is examined in the scientific literature. Acius and Kranauskas (2022) analysed the dynamics of domestic violence, they also aimed to emphasise how the Law of Republic of Lithuania on Protection from Domestic Violence adopted in 2011 enabled to raise a relatively marginalized phenomenon to the level of an actual social problem. Jakštie (2018) delved deeper into the concept of a family member in criminal cases due to domestic violence, she analysed the validity of court practice. Other researchers analysed domestic violence in different aspects: violence against women (Margaret F. Brinig, 2012), children (Ema Katz, 2015), men (Marianne Hester, 2012), elderly people (Cailin Crockett, Bonnie Brandl & Firoza chic Dabby, 2015). Researchers also investigated the forms, types, trends (Anne-Stuart Bell, Martha Dinwiddie & Sherry Hamby, 2018), consequences (Gina Dillon, et al., 2013) of violence, also personality traits of the abuser (Marry Ann curry, et al., 2009).

However, the scientific literature lacks analysis of the personal positions of police officers who are the first to go to the crime scene after receiving a domestic violence call. It is not clear what specific situations police officers face, whether they are capable to solve the issues of domestic violence alone, what knowledge and skills they lack the most. Therefore, this article investigates domestic violence from the perspective of police officers.

*Methods of the research.* The analysis of scientific literature and legal acts were used for defining the concept of domestic violence and the peculiarities of legal regulation. A written survey was conducted for the empirical investigation of police officers' insights about domestic violence; the collected data were processed using quantitative analysis methods.

## Theoretical background

Acts of violence perpetrated against individuals constitute a blatant infringement upon human rights. The majority of such instances are directed at women and children. Women subjected to violence often refrain from openly discussing their experiences. It is imperative to underscore the intricacy and delicacy inherent in the issue of domestic violence, as such violence against women invariably influences their economic standing, impacting both their educational opportunities and their positioning within the labour market (Adams, Greeson, Kennedy, Tolman, 2013). Even if the woman is determined to end her relationship with an abusive husband, she faces problems of residence, custody of children, broken social ties, social pressure, and emotional difficulties due to breaking up with a husband who abused her (Michailovič, 2012).

Based on statistics, it is disheartening to note that nearly every second Lithuanian woman, and every third European woman, undergoes physical, psychological, sexual, or economic violence within their immediate surroundings. A significant portion of familial violence is perpetuated by men, as evident from statistics that implicate them in around nine out of ten reported cases. The roots of domestic violence can be traced back to

societal traditions and entrenched stereotypes that unfortunately perpetuate the misguided notion of the victim bearing responsibility for the violence they suffer. Regrettably, this stance overlooks the fact that the repercussions of domestic violence extend beyond the individual, affecting the entire family unit. A home environment deprived of safety, a normal upbringing for children, and diminished family income are some of the consequences. When a mother falls victim to abuse, her children inevitably experience the echoes of psychological harm. It's crucial to understand that when a woman is subjected to violence, it's not just her own loss but also a loss for society in terms of a fully engaged individual, a dedicated employee, and a valued family member.

The United Nations Declaration on the Elimination of Violence against Women (United Nations General Assembly Resolution A/RES/48/104 (1993) and Recommendation of the Committee of Ministers of the Council of Europe Rec (2005) 5 (Recommendation of the Committee of Ministers of the Council of Europe Rec (2005) formulated definition: Violence against women is understood as any act of violence committed on the basis of gender, which harms or may harm the physical, sexual or mental health of a woman or causes her suffering, as well as threats to commit such acts, as well as deprivation of liberty both in public and Domestic violence includes physical and mental aggression, emotional and mental abuse, rape and sexual abuse, incest, rape of spouses, permanent or casual partners and cohabitants, honour crimes, female genital mutilation and sexual mutilation, and other traditions harmful to women such as forced marriage.

In 2006 At the end of 2006, Lithuania approved the first State Strategy for Reducing Violence Against Women (by Resolution No. 1020 of the Government of the Republic of Lithuania of October 17, 2006 (Valstybės žinios, 2006, No. 112-4273). In the State Strategy for Reducing Violence against Women, violence against women in the family is defined as all intentional physical, mental, economic, sexual actions of one family member - usually a man against another family member - usually a woman, if these actions violate her constitutional rights and freedoms as a citizen and person and cause her economic, physical, mental or moral damage.

Of the European Parliament in 2009 November 26 the resolution on the elimination of violence against women says that violence against women is also violence against children. It affects their psychological state throughout women's lives; violence against women, mothers directly or indirectly affect their children and has long-term negative effects on their emotional and mental health, and can lead to a cycle of violence and abuse that is passed down from generation to generation. Therefore, member states are called upon to ensure both the prevention of such crimes and the proper, adequate fight against them.

In 2013 Lithuania has joined the 2011 Council of Europe Convention "On the prevention and elimination of violence against women and domestic violence". Article 12 of this convention refers to the need to take measures to promote the implementation of changes in social and cultural stereotypes of women and men, in order to eliminate attitudes, customs, traditions and all

other practices based on the idea of the inferior position of women or stereotypical roles of women and men.

In 2012 October 25 Directive 2012/29EU of the European Parliament and of the Council was approved, which establishes the minimum standards for the rights, support and protection of crime victims. The directive emphasizes that victims of crime should be recognized as victims and should be treated with respect, sensitivity and professionalism without discrimination on any basis. All contacts with competent authorities involved in the criminal process and with all services that liaise with victims, such as victim support or restorative justice services, should take into account the victims' personal situation and immediate needs, age, gender, potential disability and maturity, with full respect for their physical, mental and moral integrity. Victims of crime should be protected from secondary and repeated victimization, intimidation and retaliation, and should be provided with adequate support. The directive emphasizes that intimate partner violence is a large and often hidden social problem that can be the cause of permanent psychological and physical trauma with serious consequences, because the abuse is committed by a person whom the victim should trust. Therefore, victims of intimate partner violence may need special protective measures.

Women experience this type of violence disproportionately, and the situation can be much worse if the woman is economically or socially dependent on the perpetrator, or her right to live in a particular place depends on him. Persons who are particularly vulnerable should be provided with specialist support and legal protection. Specialist support services should be based on an integrated and targeted approach. In applying it, they should take into account the special needs of victims, the severity of the harm caused by the crime, as well as the relationships between victims, offenders, children and their wider social environment. The main task of these services and their staff should be to inform victims of the rights set out in this Directive so that they can make decisions in a supportive environment where they are treated with dignity, respect and sensitivity. Another task is to provide support for the victim to recover faster from the damage suffered. The types of support that such specialist support services should provide may include the provision of shelter and safe accommodation, the provision of emergency medical support, referral for medical and forensic examination to collect evidence in cases of rape or sexual abuse, short and long-term psychological counselling, trauma support, legal advice and special services for children as direct or indirect victims.

26/05/2011 the Law of the Republic of Lithuania on protection against domestic violence no. XI-1425, indicates that domestic violence is a violation of human rights and freedoms. This law comprehensively outlines the scope of domestic violence, delineates the entitlements and obligations of parties involved in domestic violence situations, establishes protocols for preventive measures and initiatives, enforces provisions for aiding victims of domestic violence, and prescribes the application of protective measures for those who have endured such violence. The law explicitly defines

violence as the deliberate infliction of physical, psychological, sexual, economic, or other forms of harm upon an individual, resulting in physical, material, or non-material detriment. The perpetrator, in this context, is an individual who commits acts of violence within an intimate setting.

The concept of domestic violence aligns closely across both international legal documents and the Law on Protection from Domestic Violence of the Republic of Lithuania. Predominant categories of violence within the private sphere encompass psychological, physical, and sexual dimensions. Of these, psychological violence is the most prevalent within familial contexts and can subsequently escalate into physical or sexual violence. Notably, international documents also acknowledge the existence of economic violence.

Violence inflicted upon individuals within the confines of their families encompasses behaviours such as deliberate destruction of personal property, vandalism, monetary extortion, disruptive behaviour, as well as acts of animal cruelty including injuring or killing pets (Žemaitienė, Banienė, et al., 2022).

Various countries employ slightly nuanced definitions of domestic violence; nonetheless, a broad consensus identifies it as encompassing controlling, coercive, and intimidating behaviours, as well as direct violence directed towards current or former intimate partners or family members. The scope of domestic violence typically focuses on interactions involving individuals under the age of 16, while violence against children is often examined as a distinct yet interconnected issue.

Within society, a prevailing notion holds that domestic violence is predominantly associated with antisocial, less cultured, and uneducated individuals, criminals, or those grappling with severe mental health concerns. However, this perception contrasts with the reality, as domestic violence permeates diverse segments of society, spanning from marginalized families to more privileged echelons such as the nobility. Evidently, violence is intricately linked to individual psychological challenges, deficient emotional regulation, inadequate conflict resolution skills, learned behavioural patterns, communication dynamics between victims and perpetrators, as well as the adoption of values that rationalize violent behaviour.

Legally, violence is classified as a criminal offense, warranting intervention and punishable through judicial sanctions. Nonetheless, when viewed from a psychological perspective, domestic violence assumes a complex and paradoxical nature. Gaining insight into its underlying dynamics is crucial for formulating effective strategies to prevent, address, and extend support to those affected by it. Without this deeper comprehension, our ability to implement appropriate measures remains compromised.

In conclusion, it is unequivocal that any manifestation of domestic violence ranks among the most pressing societal challenges. The definition of domestic violence holds striking similarities across both international legal frameworks and within Lithuania. Domestic violence, by its nature, constitutes an enduring pattern of aggression where the victim, often a woman, shares a household with the aggressor.

Instances of violence encountered by women typically remain concealed. Even if a woman is resolute in severing ties with an abusive partner, she grapples with issues spanning residency, childcare, fractured social networks, societal pressures, and emotional turmoil stemming from ending a relationship marked by abuse. Consequently, women who have endured domestic violence often find themselves marginalized from society.

The repercussions of violence against women extend to their health, with severe implications. The recognition of domestic violence as a significant global issue underscores the urgency of its prevention, particularly in safeguarding women. Notably, familial or closely confined violence is an unfortunate reality across European Union countries, transcending legal systems and contexts.

### **Actions of Police Officers in a response to a report of domestic violence**

Police officers must respond immediately to a report of domestic violence. The main legal act, which provides for the sequence of actions, was approved by the General Commissioner of Police on the 20<sup>th</sup> of June, 2023 by order no. 5-V-506, "Regarding the response of police officers to reports of domestic violence and the approval of the decision on the adoption of a protection order against domestic violence, its execution and control procedure description".

The new Law on Protection from Domestic Violence came into effect on July 1, 2023. This legislation has introduced a novel legal mechanism in the form of a domestic violence protection order. This order constitutes a preventative measure designed to safeguard individuals vulnerable to domestic violence. Under this provision, an adult who is at risk of domestic violence is mandated to temporarily vacate their shared residence if they cohabit with a person in jeopardy. Moreover, the order stipulates refraining from visiting the residence of the at-risk individual, maintaining a certain distance, refraining from communication, and abstaining from seeking contact with both the endangered adult and any children residing with them.

It is likely that this adopted amendment will change the existing problems of domestic violence, at least temporarily protecting the victims so that the abuser cannot approach them, since only about 20% reports to the police about possible violence in families are investigated according to the rules of the criminal procedure and a pre-trial investigation is started, in other cases about 80%. such reports stop the pre-trial investigation, thus preventing the perpetrator from being punished.

A protection against violence order will be issued for a period of 15 days by a police officer who receives a report of possible domestic violence and, following a risk assessment, determines the risk of domestic violence. The criteria for assessing the risk of violence in the intimate environment shall be determined by the Minister of Internal Affairs of the Republic of Lithuania. The police officer makes the decision to issue a protection against violence warrant or not to issue a protection against

violence warrant immediately, no later than within 12 hours of receiving a report of possible domestic violence.

The main conditions of such a warrant are as follows:

a) the abuser must move out of the place of residence if he lives with a person at risk of domestic violence, regardless of who owns the home;

b) not visit the residence of a person at risk of domestic violence, regardless of whether domestic violence danger the person making the move lives or does not live there together with a person at risk of domestic violence;

c) not to approach the person at risk of domestic violence and adult persons living with him and/or children living in an environment where the risk of domestic violence has been caused, within the distance specified in the violence protection order;

d) not to communicate with or seek contact with a person at risk of domestic violence.

The primary objective is to ensure comprehensive protection for every individual, encompassing children, against the scourge of domestic violence. Given its societal repercussions classified as matters of public significance, the core aim is to establish the necessary legal foundations for swift responses to domestic violence threats. This involves the implementation of preventative measures within the intimate sphere and offering specialized, holistic support to individuals at risk of violence within this context, as well as those who have already endured such brutality.

Integral to this effort is delineating the responsibilities and authority of institutions and entities engaged in preventing and addressing intimate partner violence. By introducing these amendments to the law on protection against domestic violence, a crucial and potent shift is anticipated. This alteration is poised to yield favourable outcomes, significantly enhancing victim protection by separating them from their abusers.

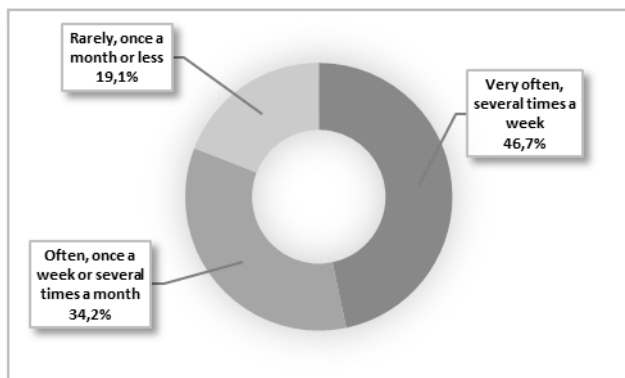
### **Research results**

The research was conducted in 2022 by interviewing police officers about the domestic violence. Police officers working in various Lithuanian territorial police commissariats were interviewed by a written survey. The survey questions were formulated in order to assess the purpose of the research - to investigate empirically insights about domestic violence from the perspective of police officers. The questionnaire was addressed to the target audience, i.e., police officers who may be exposed to domestic violence in their daily work, and the survey was sent to the respondents by e-mail.

The principles of research ethics were followed. All respondents participated in the study voluntarily: the respondents knew who was conducting the study and what was the aim of this study; knowing this, they agreed to participate in the study. The purpose of the research was presented to the respondents. The respondents were also informed about where and for what purposes the results obtained during the research will be used. The respondents were assured of their anonymity.

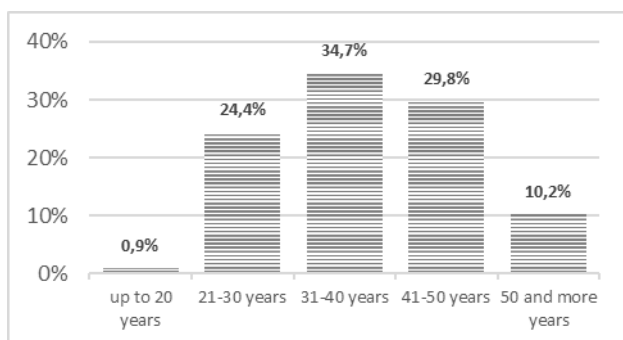
89 police officers participated in the study and answered the questionnaires. The study revealed that 46.7% of the respondents deal with the cases of domestic

violence in their work very often, i.e., several times a week. 34.2% of respondents - deal with domestic violence often, i.e., once a week or several times a month; and 19.1% of respondents rarely deal with the cases of domestic violence.



**Fig. 1.** The frequency when police officers deal with the cases of domestic violence

The research revealed that police officers are usually called to families where violence occurs after spouses or cohabitants have lived together from 1 to 12 years (62% of cases). Quite often (29% of cases) they are called to families when spouses or cohabitants live together from 13 to 25 years, and in rare cases (9% of cases) when the family lives together more than 25 years. A similar trend is also reflected in the investigation of the age of abusers.



**Fig. 2.** The age of the person who commits domestic violence

The investigation has shown that among persons under the age of 20, abusers are extremely rare; domestic violence usually occurs when the perpetrator is between 31 and 40 years old. The victims of domestic violence are mostly women.

The police officers who participated in the study indicated the main causes of domestic violence. 62% of respondents stressed out alcoholism and drug addiction as the main reason. A person who drinks or uses drugs acquires immoral, antisocial traits, and his value orientation declines. After returning home, he usually makes noise, uses swear words, scares others, hits and destroys things, fights, that is, uses mental and physical violence. 38% of respondents highlighted unemployment and poverty as the main reason. A person without a job for a long time is angry with the whole world and with all humanity. Blames others but himself for not having a job. Such a person often abuses family members because they

are around. Unemployment, lack of finances are prerequisites for poverty. It's hard to feel like a full-fledged person when a person is poor, when he can't find or keep a job, it increases and strengthens the feeling of shame and, accordingly, increases the likelihood of violence.

Police officers were asked how domestic violence could be prevented. 43% of police officers as a key tool indicated the need for continuous implementation of prevention programs; 37% of police officers indicated that this could be achieved through harsher punishments.

96% of police officers indicated that they alone are not capable of solving the problems of domestic violence. Police officers also emphasized the lack of psychological knowledge (32%) and practical knowledge (21%). Thus, training, seminars and methodological recommendations should be periodically organized for police officers.

As domestic violence is not a private matter, but a social problem, it is necessary to unite the efforts of the police, prosecutor's office, courts, psychologists, and social workers. Training, seminars and methodological recommendations should also be periodically organized for police officers.

## Conclusions

The legal regulation of domestic violence is defined in Lithuanian and international legal acts. Domestic violence is understood as all intentional physical, mental, economic, sexual and other actions of the abuser towards the victim, if these actions violate the victim's constitutional rights and freedoms, and cause economic, physical, mental or moral damage to the victim. Violence against women is one of the highest problems, both in legal and psychological and social aspects.

Police officers must respond immediately to a call of domestic violence and be the first to arrive at the crime scene. However, the shortcomings of the legal system in the field of domestic violence prevent police officers from effectively helping victims. From the 1<sup>st</sup> of July, 2023, the Law on Protection from Domestic Violence entered into force, which introduced a new legal regulation - Domestic Violence Protection Order. The newly adopted 15-day order restraining the abuser from the victim is a very important tool for solving the problems of domestic violence. However, as the experience of foreign countries shows, even after the adoption of appropriate laws to solve this problem, there are psychological and organizational obstacles in providing qualified assistance to victims of domestic violence.

After conducting a survey of police officers, it was found that in most cases the reasons of domestic violence are alcoholism, drug addiction, unemployment and poverty. Most frequently the age of abusers is between 31-40 years; in most cases violence occurs in families after living together from 1 to 12 years. The victims of violence are mostly women. When preventing domestic violence, first of all, continuous prevention is necessary. Police officers lack psychological and practical knowledge the most when solving these issues. They are not capable of solving these problems alone, the

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RECEIVED: 30 August 2023

ACCEPTED: 12 September 2023

PUBLISHED: 06 October 2023

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