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RESEARCH
LAB**

Domestic violence in Croatia- practical challenges and possible solutions

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Faculty of Law



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01 Domestic violence yesterday, today, tomorrow

FAMILY + VIOLENCE = DOMESTIC VIOLENCE

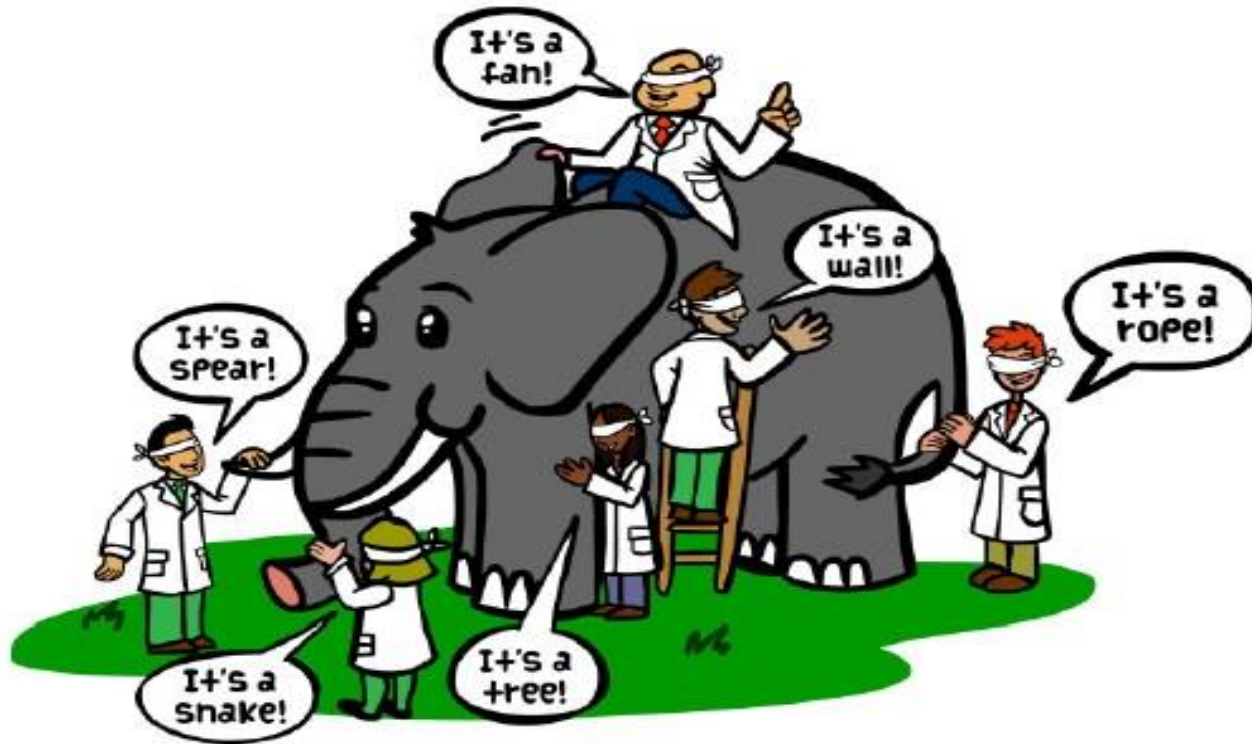
- What is family? 
- What is violence? 
- What is domestic violence? 



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01 Domestic violence yesterday, today, tomorrow

It's all about perception- it shapes social reality!





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02 Conceptual challenges

Family \longrightarrow an axiological category that is constantly changing both functionally and structurally

SOLUTION: material + formal criteria

Violence \longrightarrow expanding the multidimensional concept of violence to various subtypes of violence

SOLUTION: dichotomy: physical and psychological violence

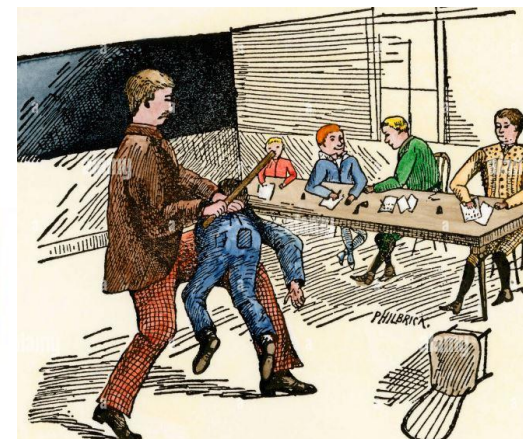
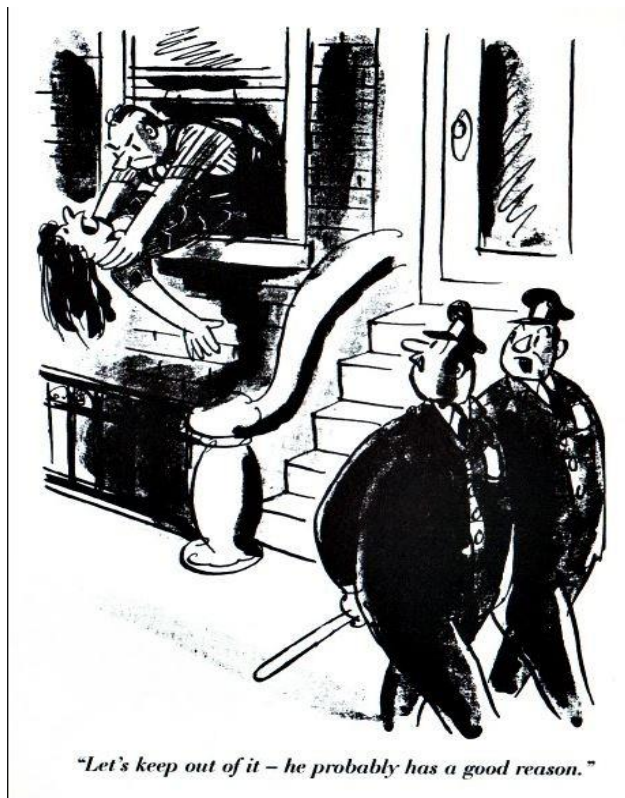
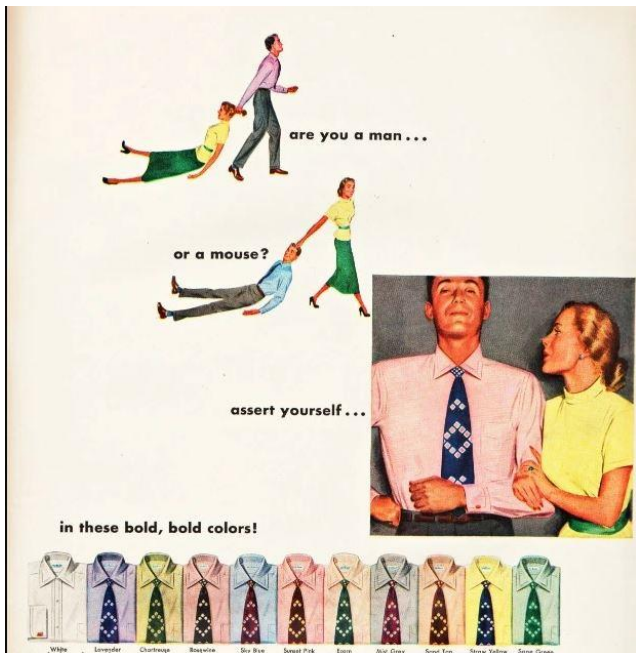
Domestic violence \longrightarrow confusingly conceptualized in the literature with a strong focus on violence against women/violence between intimate partners + generational discrepancy in the perception of domestic violence

SOLUTION: Research broadening - Inclusion: violence of parents against children, violence of children against parents, violence against elders, violence between same-sex partners + A dark figure?



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Članci

Oko 710.000 rezultata (0,08 s)

Bilo kad

Od 2023

Od 2022

Od 2019

Odabrani raspon...

2013 — 2023

Traži

Razvrstaj po važnosti

Razvrstaj po datumu

Bilo koja

Članci s recenzijom

uključiti patente

uključiti citate

Stvori obavijest

[HTML] **Domestic violence** against women and associated factors in Ethiopia; systematic review

A Semahegn, B Mengistie - *Reproductive health*, 2015 - reproductive-health-journal ...

... **Domestic violence** against women was relatively high in different parts of Ethiopia. **Domestic violence** ... to tackle associated factors of **domestic violence** against women or to prevent and ...

☆ Spremi ☞ Citiraj Spominje se 296 puta Srodni članci Svih 20 inačica ☞

[HTML] [biomedcentral.com](#)

Domestic violence during the COVID-19 pandemic-Evidence from a systematic review and meta-analysis

AR Piquero, WG Jennings, E Jemison... - *Journal of criminal ...*, 2021 - Elsevier

... to examine changes in **domestic violence** incidents from pre- to post-lockdown periods. ...

Results showed that most study estimates were indicative of an increase in **domestic violence** ...

★ Spremi ☞ Citiraj Spominje se 352 puta Srodni članci Svih 14 inačica

[PDF] [prohic.nl](#)

[HTML] **Domestic violence** and education: Examining the impact of **domestic violence** on young children, children, and young people and the potential role of schools

M Lloyd - *Frontiers in psychology*, 2018 - frontiersin.org

... literature such as intimate partner **violence** and inter-parental **violence**, and sometimes terms are ... of **domestic violence**, and also for consistency, I will adopt the term **domestic violence** ...

☆ Spremi ☞ Citiraj Spominje se 144 puta Srodni članci Svih 9 inačica ☞

[HTML] [frontiersin.org](#)

[HTML] COVID-19 and **domestic violence** against women

BC Malathesh, S Das, SS Chatterjee - *Asian journal of psychiatry*, 2020 - ncbi.nlm.nih.gov

... as a buffer against **violence** since their income supports the family to be financially better, unemployment of females takes off this buffer and makes them vulnerable to **violence** at the ...

☆ Spremi ☞ Citiraj Spominje se 158 puta Srodni članci Svih 8 inačica

[HTML] [nih.gov](#)

Povezana pretraživanja

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03 Domestic violence
yesterday, **today**, tomorrow

Couple dead in Petaluma shooting

Victim feared husband

**Friends, family mourn
loss of beloved teacher**

Community reeling from young mother's death in apparent homicide

Man kills estranged wife, self

Childers started an SUV
members said their SUV
Caldington Mall
in a parking lot



**Domestic slayings
brutal and foreseeable**

HOMICIDE DATA • 46 PERCENT OF WOMEN KILLED BY PARTNER

Murder-suicides spur more hotline calls



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03 Domestic violence yesterday, **today**, tomorrow

OVERTONE WINDOW EFFECT

Unthinkable

Radical

Acceptable

Sensible

Popular

Policy



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03 Domestic violence yesterday, **today**, tomorrow

Decline in violence:

- ❖ Movements for human rights: women's rights, children's rights, gay rights, animal rights appeared one after the other.
- ❖ it is about a long-term historical process:
 1. Peter Singer calls it the phenomenon of expanding **compassion** circle, people have become more compassionate (Singer 1981); or similar,
 2. Payne's thesis is that in moments when people's own lives have improved and become more comfortable (they eat better, are healthier, are more comfortable), **they value their own and other people's lives more** (Payne 2004) or
 3. Elias explains this change through the **process of civilizing** (Elias 1939)
 4. the reduction of violence is often a product of the invisible to us, of seemingly insignificant circumstances in human history such as **improvements in hygiene**, the creation of **manners**, the use of utensils for eating or a sense of decency (Hunt 2008).



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Domestic violence pandemic? Are we sure?

Mainstream research does not take into an account:

More reports (demystifying domestic abuse+raising awarness) and broadening the scope of what violence actually is.



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03 Normative framework for domestic violence in Croatia

QUO VADIS?

1998-2000	2000-2013	2013-2015	2015-today
<u>Only misdemeanour</u>	<u>Misdemeanour + criminal offense</u>	<u>Only misdemeanour</u>	<u>Misdemeanour + criminal offense</u>
(Family Act)	(Family Act & Criminal Code (CC))	(Domestic violence Protection Act (DVPA))	(DVPA+ CC)



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03 Normative framework for domestic violence in Croatia

Misdemeanour DVPA

Domestic violence is:

1. application of **physical force** that did not result in physical injury
2. **corporal punishment** or other forms of humiliating treatment of children
3. **psychological violence** that caused a violation of the victim's dignity or distress
4. **sexual harassment**
5. **economic violence** as the prohibition or impossibility of using joint or personal property, disposal of personal income or property acquired through personal work or inheritance, impossibility of employment, denial of funds for the maintenance of a joint household and for the care of children
6. **neglecting** the needs of a person with a disability or an elderly person, which leads to his distress or insults his dignity and thus causes him physical or mental suffering.

Criminal offense CC

Whoever seriously violates the regulations of DVPA and thereby causes a family member or close person to **fear for their safety** or the safety of persons close to them, or puts them in a **humiliating position** or a state of **long-term suffering**, and this **has not committed a more serious crime**, shall be punished by imprisonment from one to three years.



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03 Normative framework for domestic violence in Croatia

According to Croatian Law, possible qualifications:

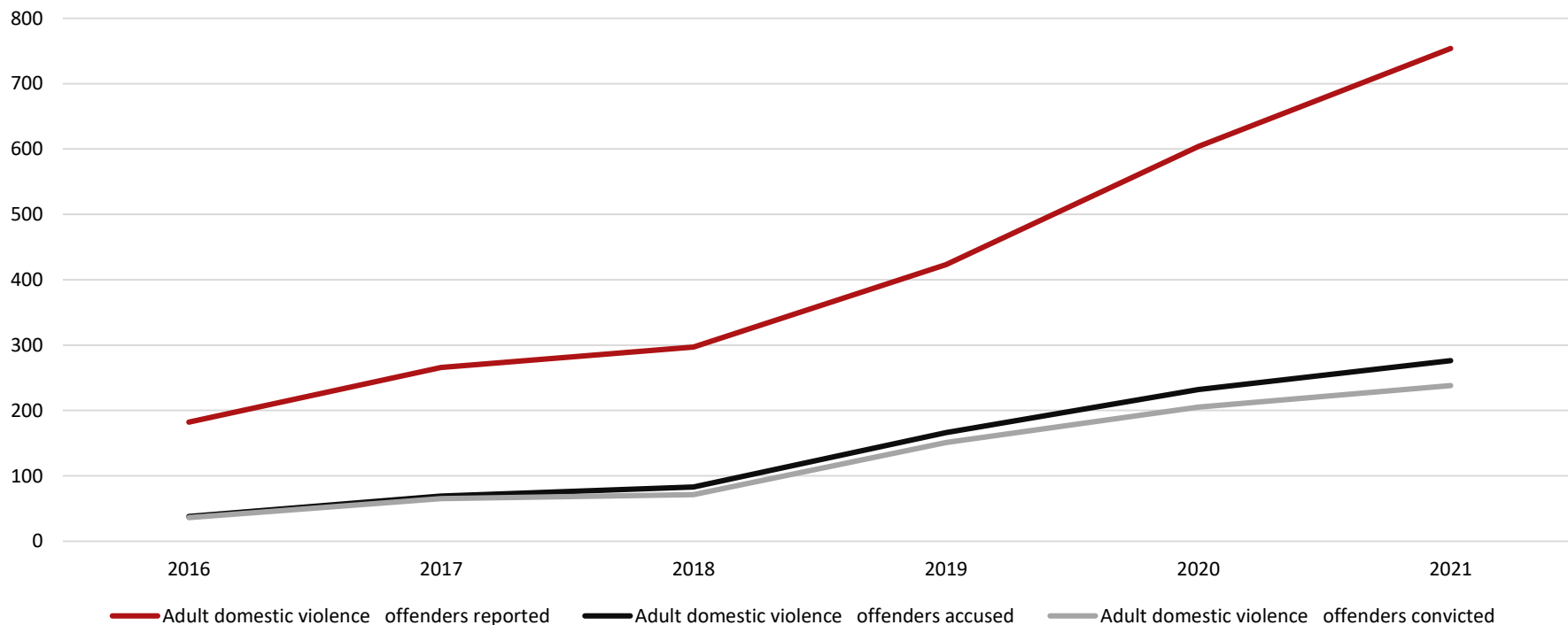
- a) **Criminal offense:** Threat towards a family member (Art.139 CCC, 6 months – 5 years of imprisonment)
- b) **Special Criminal offense:** Domestic violence (Art. 179.a CCC, 1-3 years of imprisonment)
- c) **Misdemeanour:** Domestic violence (Art. 10. DVPA, -90 days of imprisonment/260 euros)



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Adult domestic violence offenders (criminal offense)

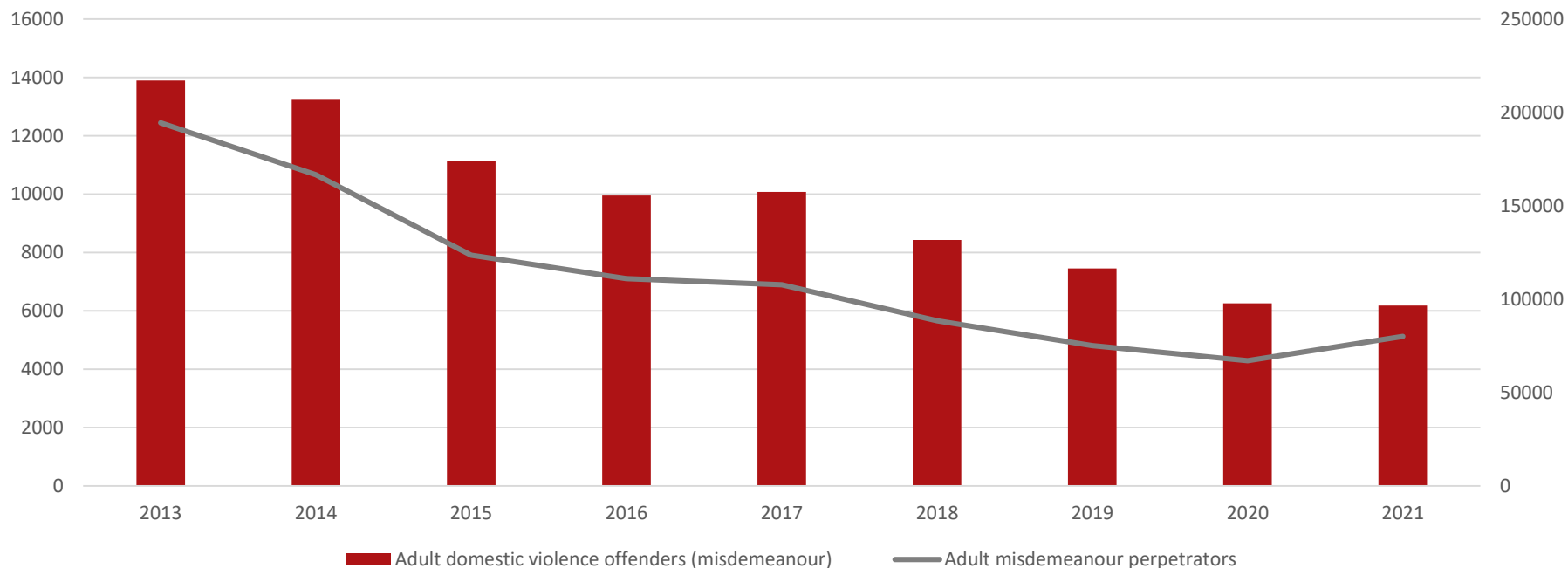




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all misdemeanour perpetrators & domestic violence perpetrators

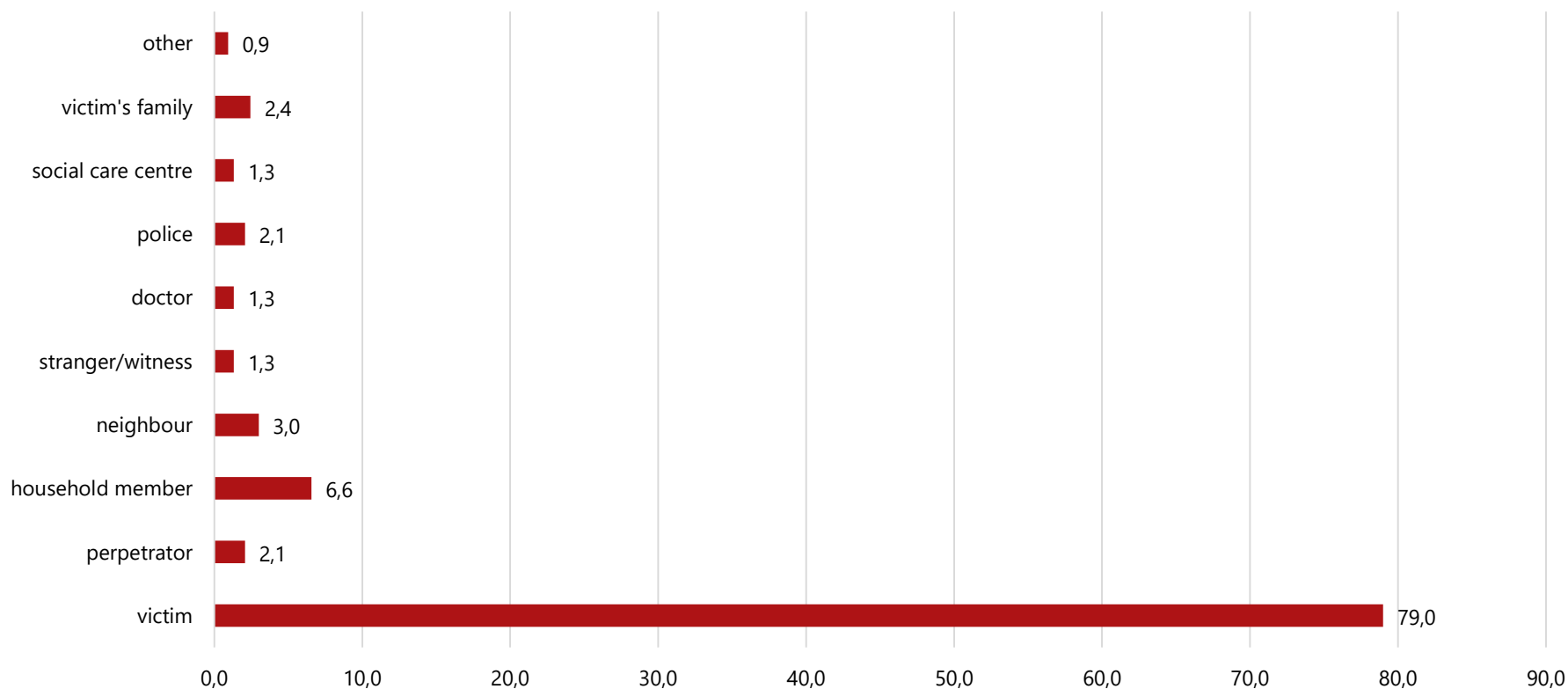




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Who reported domestic violence? (%)

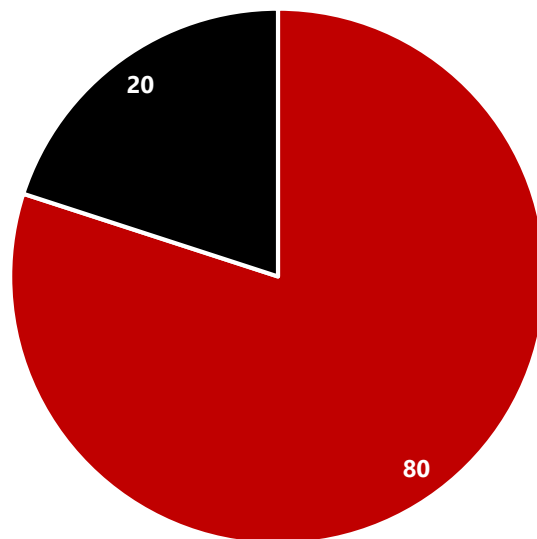




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Domestic violence duration (%)



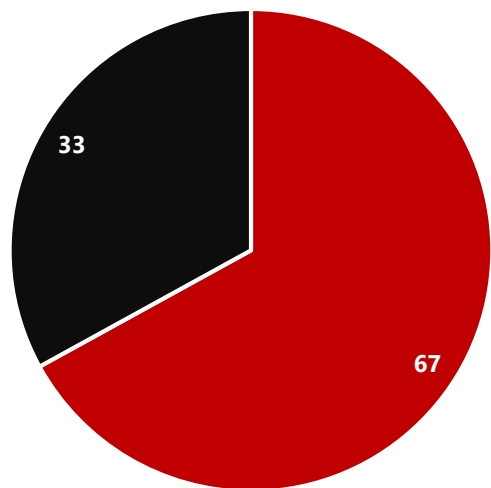
■ one isolated event ■ long term violence



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Children witnessed domestic violence (%)



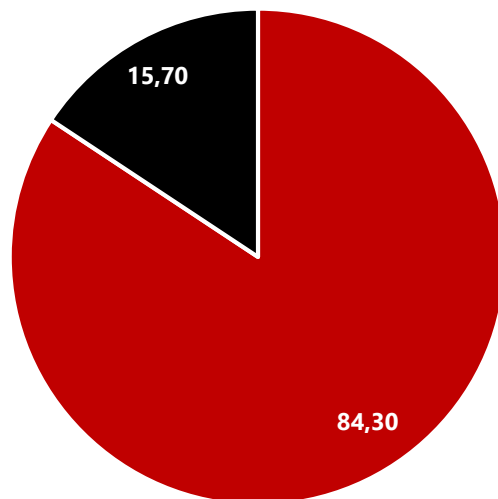
■ children not present ■ children present



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Perpetrator gender (%)



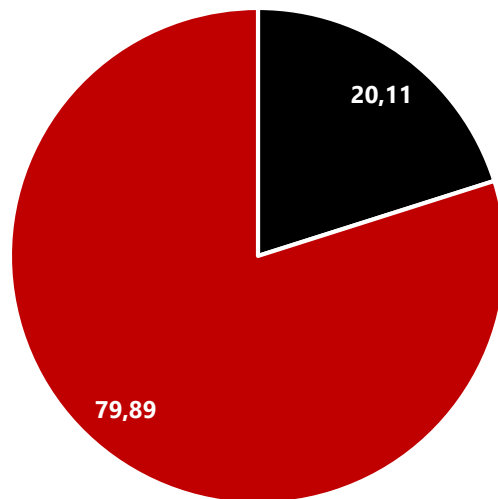
■ male ■ female



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Victim and offender – household (%)



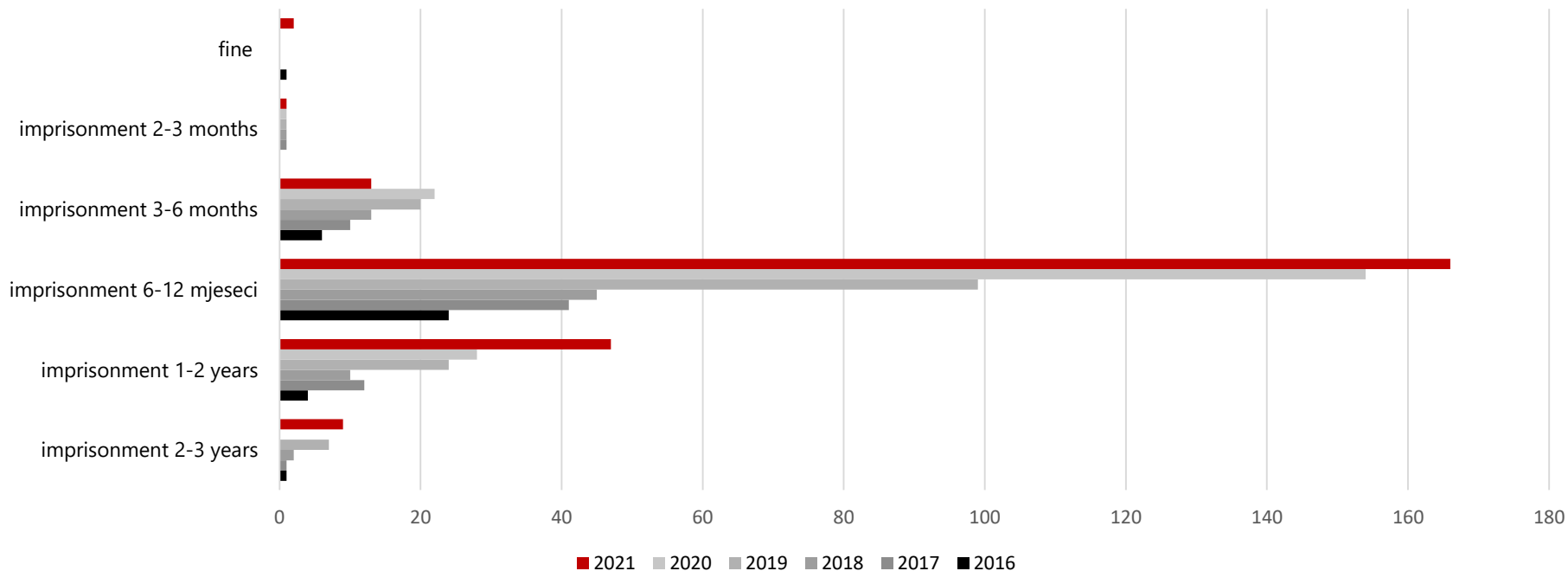
■ do not live in the same household ■ live in the same household



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Penalties for domestic violence criminal offense

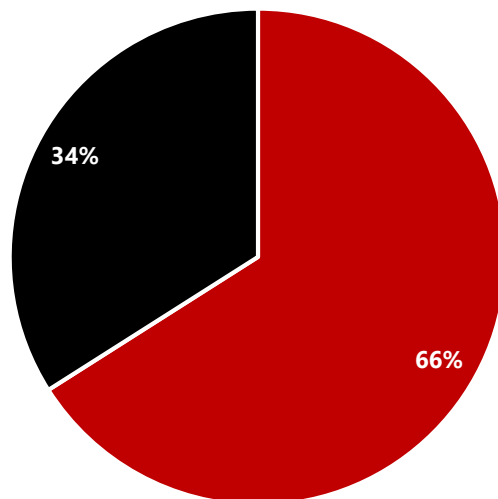




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previous violence towards victim



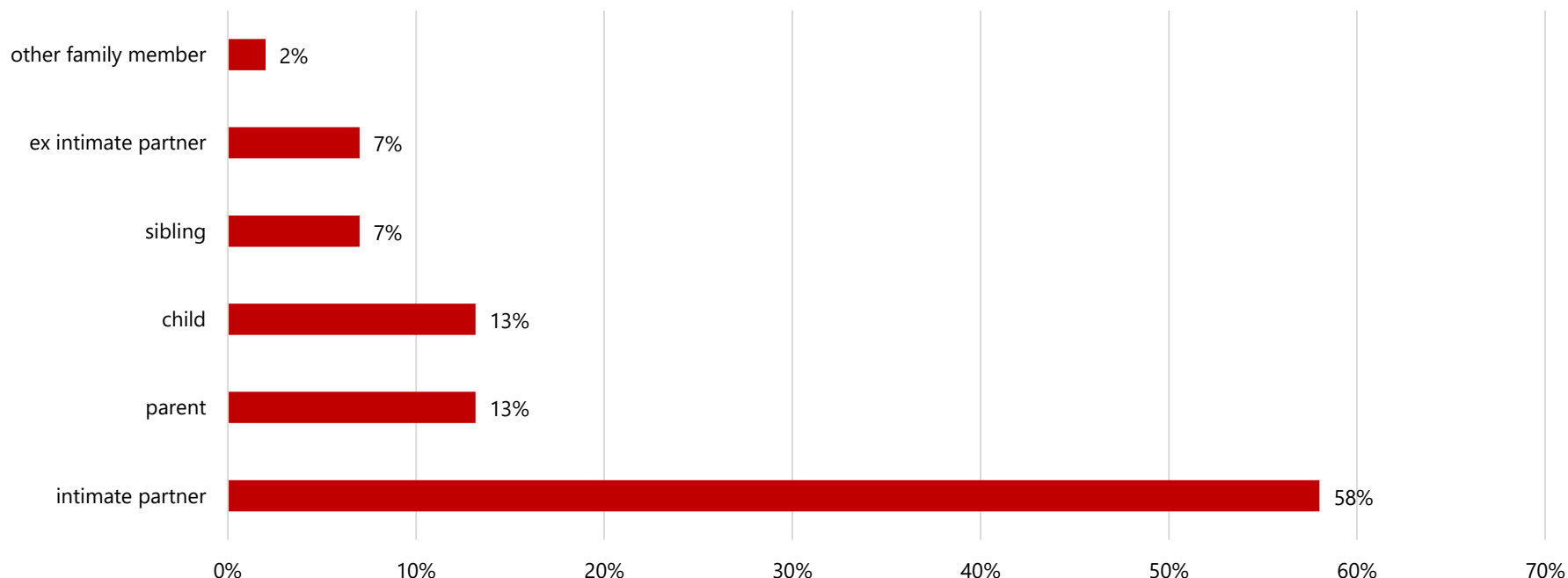
■ no ■ yes



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perpetrator relationship towards victim

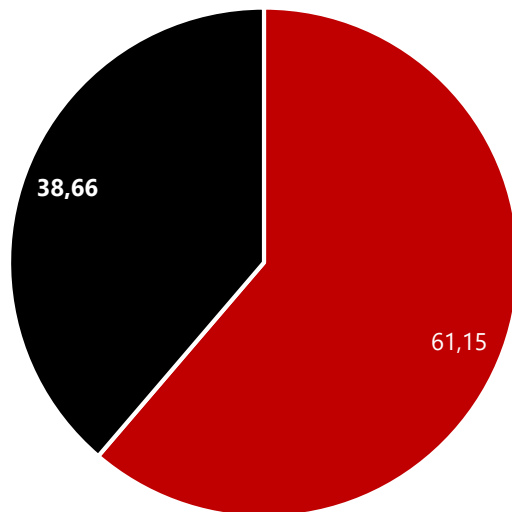




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Perpetrator under the influence of alcohol (%)



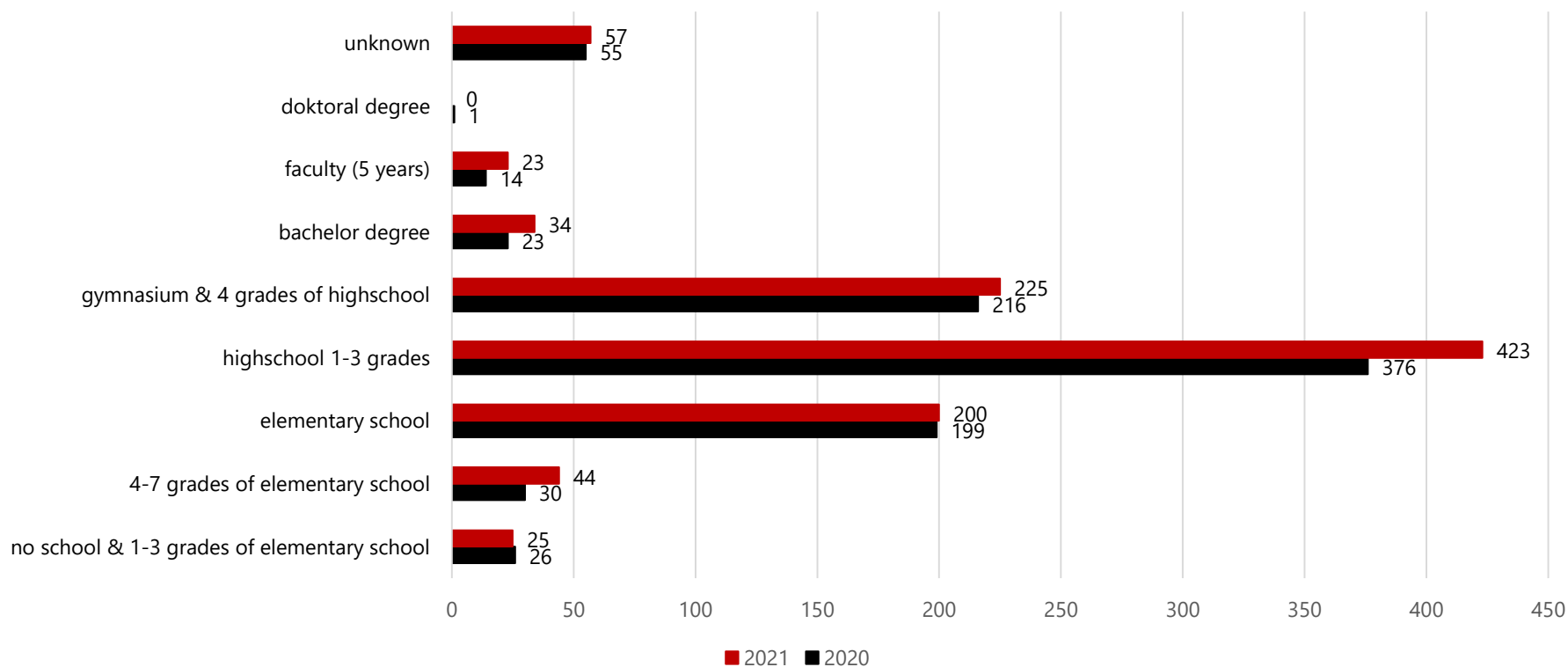
■ no ■ yes



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Perpetrator - education

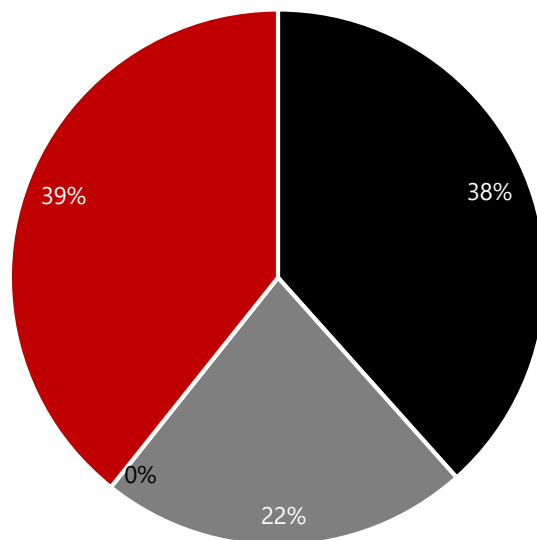




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Perpetrator - employment status (%)



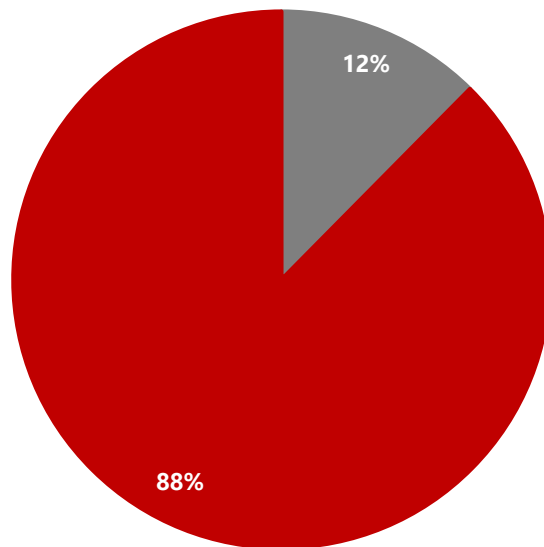
■ unemployed ■ retired ■ student ■ employed



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victim - gender



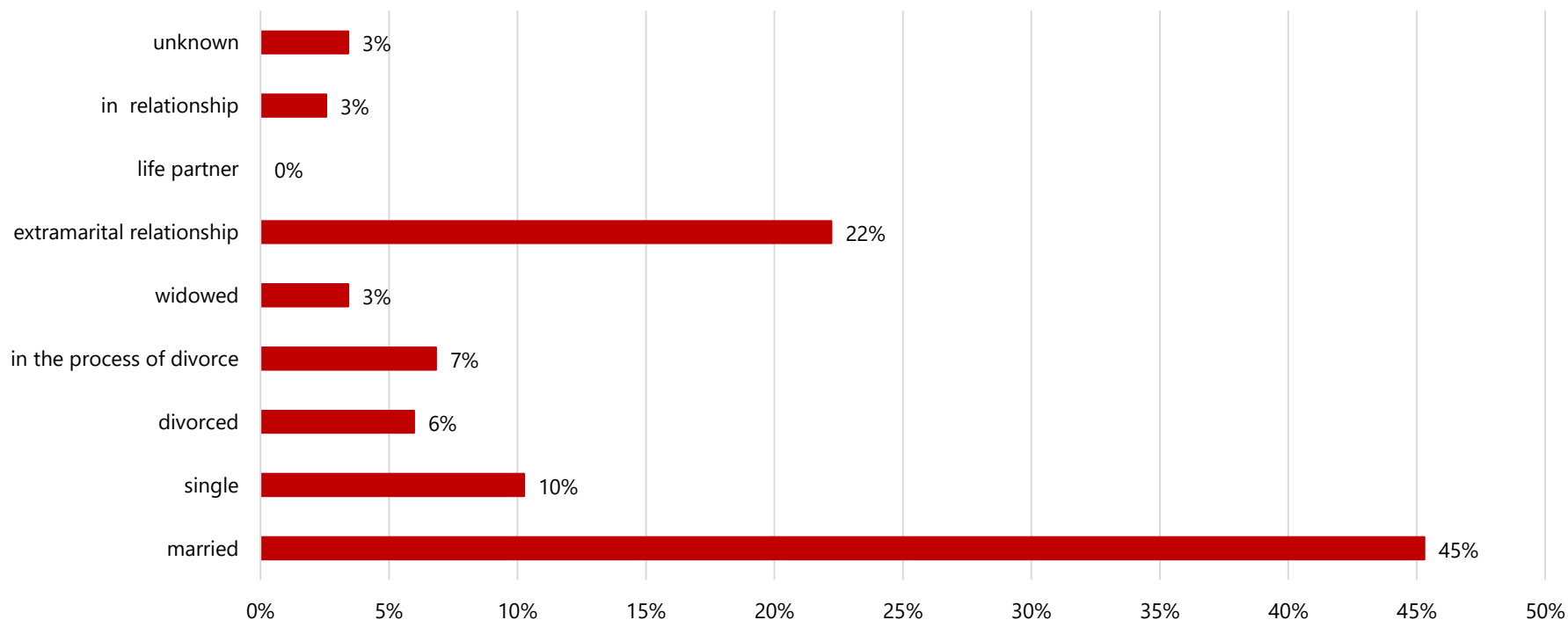
■ male ■ female



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Victim - marital status

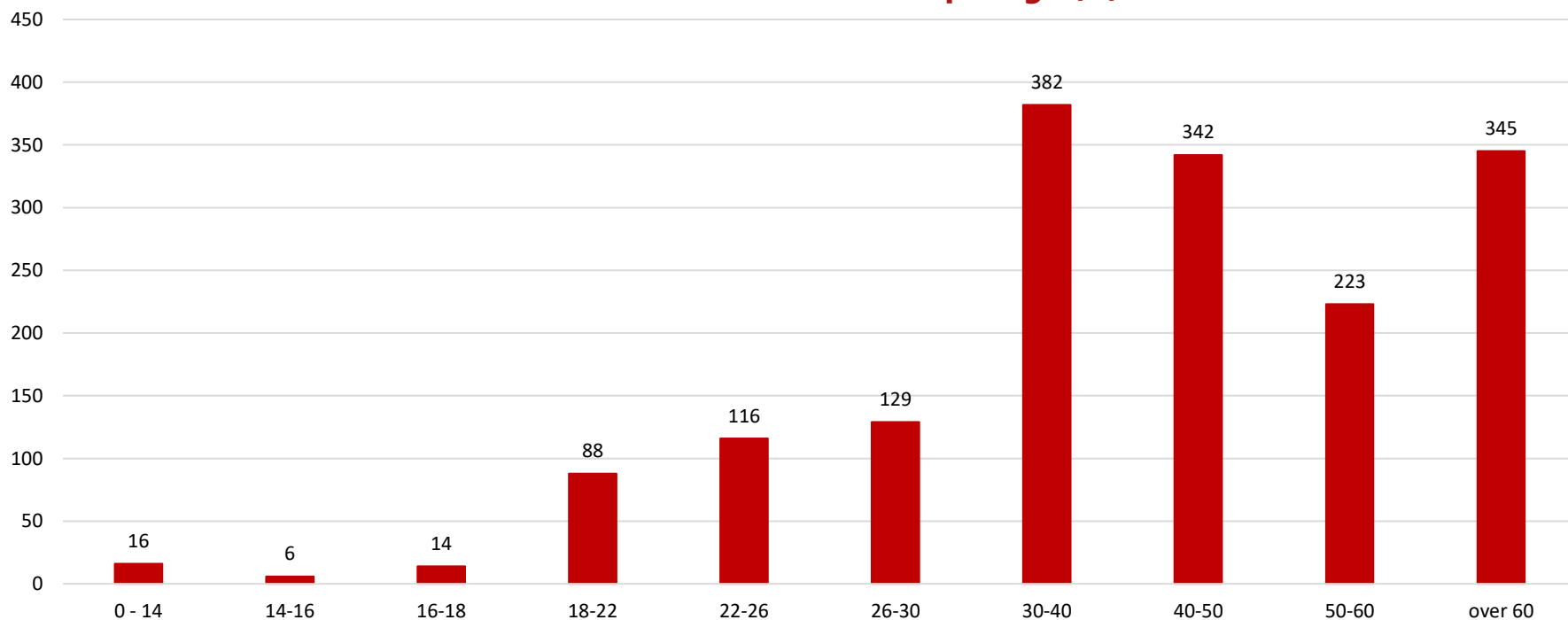




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domestic violence victims per age (N)

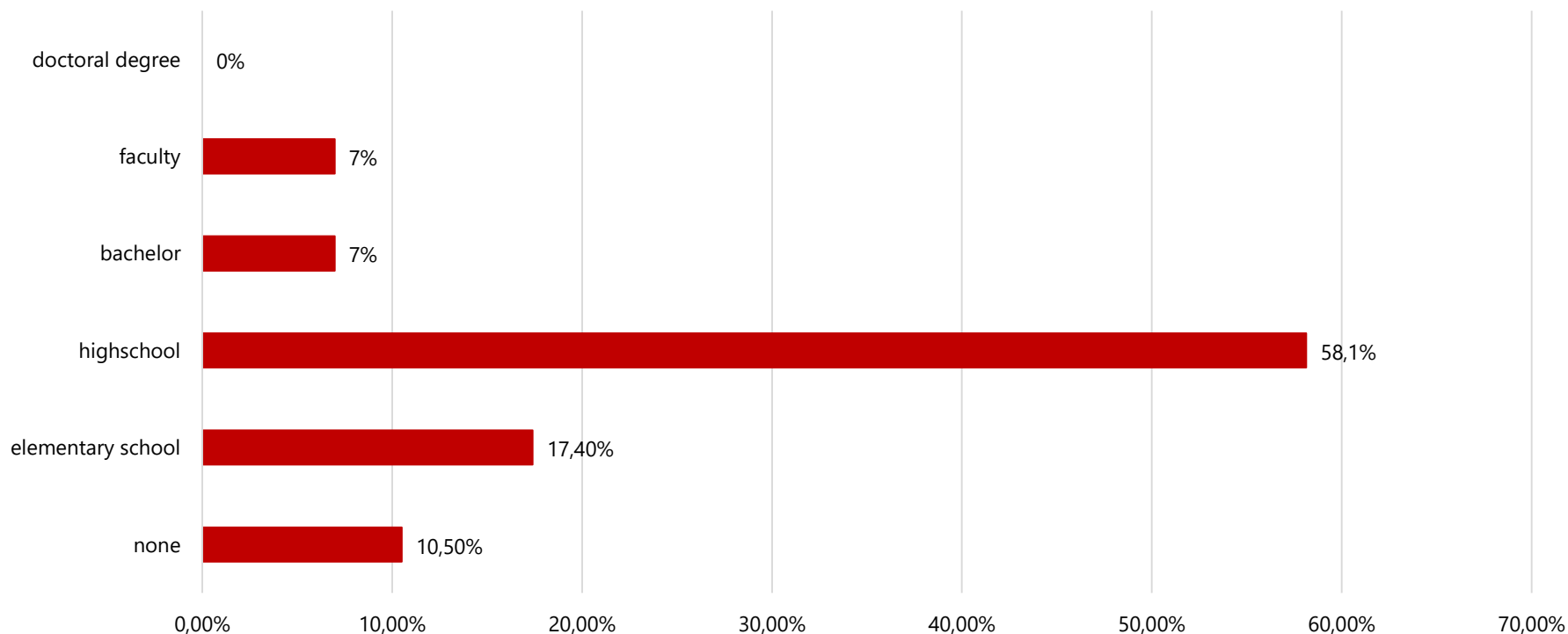




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Victim education

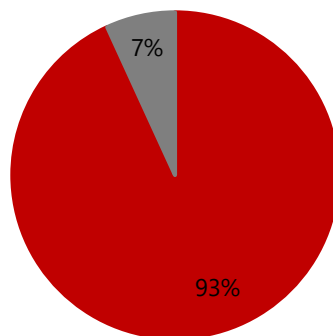




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spousal privilege



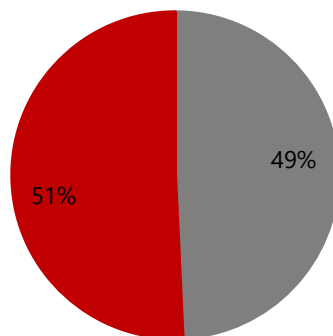
■ no ■ yes



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Victim - physical injury



■ no ■ yes



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Dubious cases? Or not?

Examples:

Husband and wife are fighting. At one moment wife says: „I will kill you if you cheat on me again, and I mean it”.

While studying math with her 9 year old son, mother says: „I cannot believe you are that lazy and stupid. You will get a bad grade and you deserved it.”

Sister pushes her brother outside of her room and says: „Don't you ever come into my room again or I will destroy your laptop”

A says to his romantic partner: „You are stupid and you deserve to die”

B is the only one earning money in the house. His wife doesn't work. One day she wanted to go to the store but B refused to give her money.



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Challenges

Psychological violence and verbal conflicts in intimate relationships?

Where to draw a line?

Rationale behind punishing domestic violence VS. Stranger2stranger violence – criminal law perspective?

Thank you!

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