



**POZNAJETE LI NEKOG TKO JE ŽRTVA
ILI SVJEDOK KAZNENOG DJELA?**

IS SOMEONE YOU KNOW A VICTIM OR A WITNESS OF CRIME?

NATIONAL CALL CENTRE FOR VICTIMS OF CRIME 116 006



Victim and Witness Support Service

DOMESTIC VIOLENCE RESPONSE PROTOCOL FOR VOLUNTEERS OF THE NATIONAL CALL CENTRE FOR VICTIMS OF CRIME

As the most common form of gender-based violence, domestic violence constitutes a breach of fundamental human rights and a form of discrimination occurring regardless of ethnic and class differences or age and geographic boundaries. Domestic violence is a social issue affecting not only the individual and their family but also the whole community.

In the Republic of Croatia, the issue of domestic violence is governed by the criminal and misdemeanour legislation. In terms of the criminal law, domestic violence is regulated by the Criminal Code (Official Gazette, nos. 125/11, 144/12, 56/15, 61/15, 101/17, 118/18) and the procedural provisions of the Criminal Procedure Act (Official Gazette nos. 152/08, 76/09, 80/11, 121/11, 91/12, 143/12, 56/13, 145/13, 152/14, 70/17). As to the misdemeanour law, the issue is subject to the provisions of the Domestic Violence Protection Act (Official Gazette, no. 70/17) and the Misdemeanour Act (Official Gazette, nos. 107/07, 39/13, 157/13, 110/15, 70/17, 118/18).

Under the Domestic Violence Protection Act, domestic violence constitutes the following:

1. physical violence;
2. corporal punishment or other degrading treatment of children;
3. physical violence violating the victim's dignity or causing them distress;
4. sexual harassment;
5. economic violence manifested in prohibiting or preventing the use of shared or personal property, the management of personal income or property acquired through work or inheritance, preventing one from obtaining employment, denying financial resources for the maintenance of a shared household and child care and
6. neglecting the needs of a disabled person or an elderly person which results in their distress or violation of their dignity, thereby causing them physical or mental suffering.

The Act applies to the following persons:

1. spouse, cohabitant, life partner, informal life partner, their children and the children of either of them, lineal blood relatives, collateral relatives up to the third degree, in-laws up to the second degree in the conjugal community or cohabitation, adopter and adoptee;
2. former spouse, former cohabitant, former life partner, former informal life partner, persons having a child together and persons living in a shared household.

Women, children, disabled persons and the elderly enjoy special protection under this Act. Since domestic violence against adults and between partners is difficult to separate from violence against children, the latter constitutes a special issue in the context of domestic violence. Children are victims of domestic violence, whether directly exposed to any form of violent behaviour or witnessing violence between adult family members. The Domestic Violence Response Protocol defines how competent authorities, institutions, and civil society organizations act and cooperate when implementing specific activities to prevent violence, protect the victim and punish the perpetrator.

The National Call Centre for Victims of Crime (*Nacionalni pozivni centar za žrtve kaznenih djela i prekršaja*, NPC) is an anonymous and free-of-charge hotline for victims and witnesses of criminal offences and misdemeanours operating as part of the Victim and Witness Support Service.

The NPC's hotline, which uses the standard European universal service number 116 006, performs the following activities:

- providing emotional support;
- providing information on rights;
- providing practical information;
- referring to civil society organizations and institutions for further specialised support and assistance.

The 116 006 hotline support services are provided by specially trained volunteers supervised by Service employees and the National Call Centre for Victims of Crime coordinators.

— Certain terms in this Protocol have the following meaning: —

1. Emotional support is a form of communication aimed at alleviating emotions that affect bodily functions and cognitive abilities. Emotional support is a form of communication providing a person with a sense of acceptance, safety and freedom to express their concerns, fears, discomfort and other emotions relating to the criminal offence or misdemeanour suffered.
2. The provision of general procedural information to victims, witnesses, and their family members in preliminary, criminal or misdemeanour proceedings refers to the provision of information about the rights of victims and witnesses as laid down in special regulations. The provision of procedural information to victims, witnesses, and their family members refers to the information about the course of preliminary, criminal or misdemeanour proceedings and the participant's role in the proceedings. Practical information also includes information on state administration bodies, local and regional self-government bodies, public institutions and civil society organizations providing various forms of assistance according to the needs of victims and witnesses.

The present Protocol is based on the National Call Centre for Victims of Crime Volunteer Handbook and the National Call Centre for Victims of Crime Volunteer Rulebook.

The terms used in this Protocol equally refer to the masculine and feminine gender, whether they have been used in the masculine or feminine form.

PROTOCOL PURPOSE

The purpose of this Protocol is to define the response procedures of volunteers at the National Call Centre for Victims of Crime upon receiving calls relating to domestic violence in order to identify needs and provide adequate support.

VOLUNTEER RESPONSE PROCEDURES

Volunteers are obliged to treat victims of violence in a particularly considerate, impartial and professional manner respectful of their dignity.

Volunteers at the National Call Centre for Victims of Crime provide support to victims and witnesses as well as their family members during misdemeanour or criminal proceedings, before and during the initiation of criminal/misdemeanour proceedings. Support may also be provided following the finalisation of the proceedings.

When performing support activities, NPC employees and volunteers collaborate with the police, state attorney's office, the ministry in charge of judicial affairs, state administration bodies, local and regional self-government bodies, public institutions and civil society organizations, as well as professionals advocating the rights of and providing assistance to victims.

Activities supporting victims, witnesses and their family members include:

- providing emotional support;
- providing general procedural information about the rights of victims and witnesses in preliminary, criminal or misdemeanour proceedings according to the provisions of special regulations;
- providing technical and practical information;
- referring to specialized institutions depending on the needs of victims, witnesses and persons accompanying them (family members, guardians);

Victims and witnesses are provided with emotional support as well as general procedural, technical and practical information by telephone.

When providing emotional support as well as general procedural, technical and practical information, volunteers are not allowed to talk to victims and witnesses about the content of their testimony or instruct them on what to state in a testimony or in what manner.

— Upon receiving a call from a domestic violence victim, volunteers are obliged to: —

- check whether the victim is currently safe; if in immediate danger, notify the coordinators or executive director of the Service who will contact the competent institutions and report an active incident of violence;
- upon checking the victim's safety, obtain information on the criminal offence/misdemeanour committed, particularly whether the incident has been reported to competent institutions;
- identify the needs of the victim and the steps they want to take and, according to the information received, inform them about the possibilities (reporting domestic violence to a competent police station or the state attorney's office; the possibility of imposing a supervision/protective measure; the possibility of placement in a safe house);
- provide emotional support and general procedural, technical and practical information;
- refer the victim to civil society organizations in order to obtain psychological, legal or social support as needed;
- arrange another conversation with the victim;
- enter the received phone call in a designated form.



This publication was funded by the European Union's Rights, Equality and Citizenship Programme (2014-2020)



This publication was created with the financial support of the City of Zagreb. The contents of this publication are the sole responsibility of B.a.B.e. Be active. Be emancipated. and can under no circumstances be regarded as reflecting the position of the City of Zagreb.



VLADA REPUBLIKE HRVATSKE
Ured za ravnopravnost spolova



The contents of this publication are the sole responsibility of B.a.B.e. Be active. Be emancipated. and can under no circumstances be regarded as reflecting the position of the European Commission.