

A roadmap towards an effective domestic violence prevention: emergency barring order and specialized support system for the victims of domestic violence

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International roundtable discussion: Prevention of domestic violence in Denmark

Legal framework

Orders of protection for victims of violence are governed by ‘The Act of Protective Order, Residence Prohibition and Emergency Barring Order’, which was implemented in 2004 and revised in 2012.

In relation to domestic violence this act allows the police to issue an immediate emergency barring (EBO) order against an adult banning the person from entering his or her own home when there’s a reasonable suspicion that the person will 1) commit crimes such as homicide, rape, violence and incest or is in any other way a threat towards a member of the household and 2) the police assess that if left in the home the person will commit this type of crime against a household member. EBO can be imposed irrespective of the wishes of the victim.

In this case the police may detain the person for up to 24 hours whilst the EBO will be valid for up to four weeks. The police are moreover obligated to inform the municipality of the EBO and provide sufficient information for the Social Services to handle the case. EBOs can be extended an unlimited number of times after the four weeks’ extension.

Experiences

There does not exist any national research-based evaluation of the effectiveness of the law yet. The State Attorney and The National Police has, however, made an internal evaluation in 2020 of the experiences and challenges using the act in practice. The data I’m able to present to you is based on this internal evaluation, on questions raised by members of the Danish Parliament to shifting ministers of justice, which have then been answered by The Danish National Police and an access to records in the police’s internal registration system POLSAS. This system does not allow a distinction between cases involving domestic violence and other crimes where an EBO may have been employed.

In the period January 1st, 2019 to December 31st, 2021 EBOs were requested 20 times and granted in 14 cases. The data is based on POLSAS system from May 4th, 2022. This means that data is dynamic and may be updated later based on changes in the criminal charges. **Different causes may explain the discrepancy between the requested and granted number of EBOs – such as only lasting 24 hours, late registration or the perpetrator complaint.** The data shows that EBOs are not a very common tool used by the police to prevent domestic violence.

According to the Danish National Police reasons for the lack of use may be

- EBO is not found relevant if the perpetrator is arrested and remanded in custody with the purpose of investigating the case for prosecution.
- The victim wishes to move to a women’s shelter or any other safe residence, which may be preferred for safety reasons.
- The victim wishes to move in with family or friends.
- The perpetrator wishes to leave the house and move temporarily or permanently to another place.

- The police find EBOs challenging to put into practice as they require notification of the Social Services.
- The police lack an institutional support system with referral opportunities for perpetrators when sanctioned with an EBO.

Good practice – secondary prevention

This Danish act is based on the Austrian model, but the law was not supported by an interinstitutional support system such as intervention centres, which are in place in Austria. However, from 2012 to 2014 a pilot intervention model was established, with interinstitutional cooperation between the police, the umbrella organization for women's shelters LOKK and the organization Dialogue Against Violence, who offers therapy for perpetrators. The role of the police was to refer perpetrators and victims in acute cases of domestic violence to the intervention center. Here they were offered five sessions of social, legal and psychological counselling. When needed perpetrators and victims were referred to further support. Altogether, 107 perpetrators and 212 victims took part in the project.

The evaluation of project showed that

Positive experiences/results

- Indication that the intervention center model can reach both victims and perpetrators of domestic violence at an earlier stage than DAV and the women's shelter otherwise do.
- This indicates a potential for both earlier detection and secondary prevention of domestic violence.
- Survey results comparing baseline and endline data show a significant increase in victims' sense of freedom, safety and coping strategies.
- The perpetrators in the project tended to be more socially and mentally vulnerable than perpetrators generally in DVA treatment programs. This was due to the cross institutional referral set-up in the intervention center. Generally, perpetrators reach out to DVA and not the other way around.
- Having a referral opportunity increases motivation among the police to work with domestic violence cases, increases attention to the issue and their legal obligation to inform Social Services when there are children involved.

Needs for improvement

- Drop-out increased when there was waiting time to begin further support – this was particular the case for perpetrators.
- Need for a closer collaboration with centers for substance abuse.
- Need for support to the children in the municipalities after referral from the intervention center.
- Need for psychological counselling of children.
- Collaboration between municipality and intervention center on a plan for each family.

Despite the positive experiences and practitioners' support to expand this model nationally, it was stalled until last year.

Partnerships against violence 2022-2024

This project involves partnership between the 12 police districts and Live Without Violence, who runs the national hotline offering counselling to victims, perpetrators, relatives, and professionals on domestic violence. The partnership model is a slimmer version of the intervention center model as it does not offer any course of support but one counselling session including opportunities for further help. The project runs from 2022 to

2024. In this project the police will ask for consent from the adult family members in domestic violence cases with the purpose of giving their contact details to counsellors at Live Without Violence. Then the counsellors will contact the family members individually with the goal of motivating them to accept further support individually. The Board of Social Services has revived the intervention model with a new tender.