



## Domestic Violence

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Ministerie van Justitie

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### Introduction

The Dutch Government carried out the *Privé Geweld – Publieke Zaak* ('Private Violence – Public Issue') programme from 2002 to 2008. This interdepartmental programme, which required the cooperation of six ministries and many national and local organisations, contained numerous measures for improving the fight against domestic violence. The measures were specifically aimed at creating an infrastructure, achieving cooperation, implementing legislation and providing help. Much has been accomplished but there is an ongoing need to pay particular attention to curbing and ending domestic violence. This type of violence cannot be tolerated *precisely* because of the fact that everyone should feel safe in their own environment. Furthermore it is important to strengthen, widen and guarantee the continuity of the current approach now.

The Government has therefore indicated in its coalition agreement that it will continue its approach with undiminished vigour. The Government introduced a new Action Plan for 2008-2011 entitled *De volgende fase* ('The next phase') as a follow up to the programme.

### Definition

Domestic violence is 'an act of violence committed by a person from within the victim's domestic circle'. The 'domestic circle' includes partners, ex-partners, family members and family friends. The term 'domestic' therefore does not refer so much to the place where the violence took place but to the relationship between the perpetrator and the victim. Domestic violence may take the form of child abuse (sexual abuse or otherwise), (ex-)partner-related violence in all conceivable forms, as well as the abuse, exploitation or neglect of the elderly. It may involve physical and sexual violence as well as psychological violence such as threatening behaviour or stalking.

### What is the problem?

Over the past few years it has become progressively clear that violence in the private sphere occurs on a large scale and that it is one of the most extensive forms of violence in Dutch society. Domestic violence accounts for the second highest number of victims who died an unnatural death, after road traffic accidents. Domestic violence takes place in all socio-economic classes and within all cultures of Dutch society. Women and children are the most common victims but men, parents and elderly people also fall victim to this type of violence.

As a result of the special registration procedure for domestic violence, the police have calculated that over 63,000 domestic crime reports are entered into the police database

each year<sup>1</sup>. However, these registered crime cases do not present the total volume of all domestic violence cases. It is estimated that only 12% of all domestic violence cases are reported to the police<sup>2</sup>, which is the tip of the iceberg. Feelings of shame, fear and guilt stop the victims from reporting the violence. The police database shows that 85% of the victims are women, making it de facto a violence against women issue.

Domestic violence also has enormous consequences for children. Many children have been involved as witnesses to or have been victims of domestic violence. These experiences can have extremely negative consequences for the rest of their lives.

### **What is the actual cause?**

Domestic violence is a very complex issue. It is not possible to provide a single theory that explains the causes of domestic violence. It is, however, possible to distinguish specific aspects<sup>3</sup>.

- One reason why domestic violence is a persistent problem is because of its 'intergenerational transfer' aspect: people who were victims of violence when they were young run a higher risk of becoming perpetrators or victims of domestic violence when they are older.
- Another characteristic of domestic violence is its 'invisibility'. This type of violence is often not visible to outsiders and takes place in an intimate relationship between parents and children. The victims consider it a personal problem. Loyalty and dependency may restrain victims from airing their problems or seeking help. The risk of re-offending is therefore serious. Domestic violence cases are usually not isolated incidents but occur repeatedly.
- 'Imbalances in power' between perpetrator and victim play a role. Often the balance of power between the two parties is disturbed. The imbalances of power are often gender specific and based on an attitude of male dominance.

Additionally, domestic violence may involve other issues such as tensions between partners/ex-partners, unemployment, mental problems or addiction.

### **What will the Government do about it?**

The aim of the new Action Plan is to prevent and combat domestic violence by promoting a continuous approach that is both effective and reaches all target groups. The approach encompasses prevention, identification and intervention. To make it work, a lot of practical measures will be taken now and in the near future. This fact sheet describes the most important measures.

### **Shelter and assistance**

- *Policy Letter; Protected and assertive*

In December 2007 the Dutch State Secretary of Health, Welfare and Sport submitted a policy letter on strengthening the shelter and assistance in cases of violence in relationships of dependence to the Lower House of Parliament<sup>4</sup>. The letter describes her ambitions and commitment for the next couple of years in respect of the shelter and assistance in cases of violence in relationships of dependence: domestic violence, honour-related violence, female genital mutilation and human trafficking. All these

<sup>1</sup> Henk Ferwerda, *Met de deur in huis. Omvang, aard, achtergrondkenmerken en aanpak van huiselijk geweld in 2006*, ('Entering without knocking. Scope, nature, background characteristics and Government approach to domestic violence in 2006') Advies- en Onderzoeksgroep Beke, September 2007.

<sup>2</sup> T. van Dijk et al., *Huiselijk geweld. Aard, omvang en hulpverlening*, ('Domestic violence - nature, scope and support') Intomart, 1997.

<sup>3</sup> Boerefijn, I., M.M. van der Liet-Senders, T. Loenen, *Het voorkomen en bestrijden van geweld tegen vrouwen*, ('Preventing and combating violence against women') SZW (Ministry of Social Affairs and Employment), July 2000, pp. 118 et seq.

<sup>4</sup> dated 10 December 2007, Parliamentary Documents II, Session 2007-2008, 28345 and 22894, no. 51.

forms result in great mental and physical damage to victims – often women, but men and children as well – and their immediate environment.

From 2008, the Government has allocated additional funds rising to over EUR 32 million in 2012 for shelter and assistance in cases of violence in relationships of dependence. The objectives are as follows:

- there must be immediate and safe shelter for victims;
- victims, children, but also perpetrators have to receive early and speedy assistance to be able to lead a life without violence; and
- all the professionals involved can spot the risks of violence in relationships of dependence at an early stage and know how to prevent it.

In their action statement on protection and resilience dated 19 June 2008, the Ministry of Health, Welfare and Sport, the Association of Dutch Municipalities (VNG)/central municipalities, the Federation of Shelters (FO), the employers' association for the youth care sector (MOgroep) and the Municipal Health Service (GGD Nederland) have entered into agreements on the implementation of the policy letter.

- *Advice and support centres for domestic violence*

In an advice and support centre for domestic violence (ASHG), professionals, victims, perpetrators or other people involved in domestic violence can seek advice on the steps required to stop such violence. These centres are therefore a kind of front office for the local and/or regional authorities that work together. All of the ASGHs in the 35 central municipalities are currently fully operational and will be strengthened in the coming period so they will be at the heart of the local/regional approach on domestic violence. Partly due to proposed legislation on temporary restraining orders, the government will furthermore invest in shelter and help for crisis intervention, shelter for persons disallowed to enter their house and professional help following the restraining order.

- *Women's shelters*

The women's shelter groups increasingly shelter women and children who have serious and complex problems. The Government has earmarked additional funds for expanding women's shelter capacity in the context of the policy letter. For the coming years, a total of 100 new sheltered places will be made available each year, including a pilot for seriously threatened male victims in Amsterdam, Rotterdam, The Hague and Utrecht.

Partly in response to a report on women's shelters published in 2006, the government will improve the quality of shelters and welfare services by for instance implementing an improvement plan for women's shelters developed by FO and VNG.

- *The elderly*

In 2006-2007, a campaign to stop elderly abuse distributed a leaflet entitled 'you only have see it once to believe it'. The number of Dutch municipalities that have a contact point for information and referral concerning abuse of the elderly increased from 31% (150 municipalities) to 94% (416 municipalities) during the campaign period. One third of all municipalities now have professional help networks and there are agreements with cooperating organisations on combating elder abuse. The government is currently looking into ways of incorporating the results of the campaign in their policy.

- *Perpetrator treatment programmes*

An effective approach to domestic violence requires treatment of the perpetrator. Forensic psychiatry has been involved in shaping the treatment of domestic violence perpetrators over the past few years.

MOVISIE undertakes the tasks of mapping facilities for perpetrator treatment in the Netherlands<sup>5</sup>, bringing providers of perpetrator treatment in contact with each other and supporting the improvement of the supply. In addition, MOVISIE is working on a set of guidelines for providing voluntary help to perpetrators.

The Ministry of Justice has also decided that a specific behavioural intervention be developed for male domestic violence perpetrators within heterosexual relationships. *The Integrated Domestic Abuse Programme (IDAP)* that was developed in Great Britain will be worked out in more detail in the Netherlands by the Salvation Army.

The IDAP is a programme in which 27 group meetings are incorporated in an integrated approach that involves close cooperation between various organisations, including local authorities, police, Public Prosecution Service (OM) and women's shelters.

- *Restraining orders for domestic violence perpetrators*

By introducing a separate law, the Government intends to create ways of imposing temporary restraining orders for perpetrators of domestic violence in situations where there is an acute threat to victims and/or any children. This new piece of legislation, expected to come into force from the beginning of 2009, will allow mayors to impose a ten-day restraining order. In practice, they will authorise an executive police officer to use this power. The court can test the order within three days after its commencement date. After the ten days, the mayor may decide to extend the order by another four weeks. The restraining order from entering a house may also apply for child abuse cases. The people involved will receive professional help during the ten-day restraining order. The preparations for the entry into force of the act started a long time ago. The [www.huisverbod.nl](http://www.huisverbod.nl) website contains all the information on the restraining order (in Dutch).

## **Children**

- *Child abuse*

Children of families where there is partner-related violence are often also victims of violence themselves. Violence usually is not limited to the partner but is extended to the children as well. Child abuse can take a variety of forms, including physical and mental/emotional abuse by parents or other persons to which the young person has a dependant relationship. Sexual abuse, emotional neglect and being witness to partner-related violence are considered forms of child abuse as these cause serious damage. For this reason, it is important that the government gives special attention to this issue.

- *Child abuse Action Plan; Children Safe at Home*

An action plan has been developed to prevent and stop child abuse. This action plan is implemented by the Ministry of Youth and Family Affairs, partly on behalf of the Ministry of Justice. It has four primary aims:

1. Prevent parents from abusing their children.

At the end of 2008, a national publicity will be launched to increase awareness of child abuse. The creation of youth and family centres will contribute to prevent child abuse. More information can be obtained from the fact sheet on child abuse

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<sup>5</sup> For further information see <http://www.huiselijkgeweld.nl/interventies/daderhulp/daderhulp.html>

by the Netherlands Youth Institute (NJI) entitled 'Kindermishandeling en het Centrum voor Jeugd en Gezin' ([www.nji.nl](http://www.nji.nl); in Dutch).

2. Indicate child abuse cases.

It is important that professionals know very well how to handle situations of suspected child abuse. This is when the child abuse checklist/guideline must be used.<sup>6</sup> Working with such a checklist will be vigorously promoted in the coming period.

3. Stop child abuse.

Child abuse can be stopped through both civil-law and criminal law procedures. When the child's development has been harmed and the parents are unable to live up to the standards expected for parenting, they may in the future be contacted by a youth protection organisation. The aim of the Better Protection programme is to achieve an efficient and effective youth protection system. This method of operation will be introduced nationwide in the Netherlands in 2008. It is also important to use criminal law to stop child abuse. The Board of Procurators General is currently preparing a legislative guideline on child abuse. This guideline will contain frameworks that will make it possible to make structured decisions in individual child abuse cases.

4. Limit the harmful effects of child abuse.

Offering quick and effective help is important for limiting the damage as far as possible. This is one of the key policy objectives of the Youth and Family programme.

- *RAAK*

As of 1 January 2008, the RAAK approach was initiated in the regions. RAAK is the Dutch acronym for 'child abuse reflection and action group'. The aim of the approach is to develop a comprehensive strategy for tackling child abuse. This new way of working must have been introduced in the Netherlands by the end of 2010. RAAK is the organisation that has developed the new working method and its approach tackles the issue in all its facets: from general prevention and support to intervention when child abuse has been identified. Under the new approach, all parties concerned cooperate closely to provide effective help. It includes such institutions as the Youth Care Agency, Municipal Health Services, primary schools and municipalities. Some of the key points of the RAAK approach are: increase in the number of parenting support services, improved cooperation concerning early detection and swift interventions, promotion of professional development of people working in the chain of organisations and appointment of local coordinators responsible for laying out a working structure in which the RAAK can be integrated.

The approach has been introduced in four trial regions and proved effective. For its national introduction, the Netherlands Youth Institute (Nji) has written an introduction plan (see fact sheet on the national introduction of fighting child abuse, downloadable from Nji's website: [www.nji.nl](http://www.nji.nl); in Dutch). Municipalities, provinces and major cities regions have made arrangements on the introduction of RAAK, laid down in the Child abuse Action Plan of April 2008.

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<sup>6</sup> This checklist has been developed by the Netherlands Institute for Care and Welfare (NIZW Jeugd) for the Ministry of Health, Welfare and Sport (NZW). The list contains basic elements, which have been formulated generally so that they apply to all professionals who directly or indirectly work with children.

- *Child trail*

At least 80% of the children who live in families where violence is used witness this violence directly or indirectly<sup>7</sup>. Research has shown that children are seriously affected when they have witnessed violence<sup>8</sup>. This witnessing of violence therefore also comes under the definition of child abuse.

In view of the attention required for these children, a publication entitled *Kinderen in de keten* ('Children in the Chain') was released in January 2007. It contains good practices of projects and cooperation agreements aimed at addressing the issue (Child Trail). Research will reveal whether the publication has inspired the regions to take initiatives and implement Child Trails and if not, what is needed to achieve the required result.

### **Honour-related Violence**

Honour-related violence is when emotional or physical violence is used from a collective mentality in response to a threat of the violation of someone's honour – and consequently their families – and the outside world is aware or may become aware of this. To prevent and punish this type of violence, as well as to protect any victims, the interdepartmental programme on honour-related violence has been implemented from 2006. For further information on this subject please see [www.justitie.nl/eer](http://www.justitie.nl/eer).

### **Publicity campaign**

A wide-scale publicity campaign that used the slogan *Nu is het genoeg* ('Enough is enough') was launched in 2007. One single campaign is clearly not sufficient; the message will have to be repeated regularly to make an imprint. On 11 August 2008 another publicity campaign will be launched, using the same slogan and a similar format. The campaign may be repeated in the next years. The aim of this national campaign is to encourage perpetrators, victims and onlookers of domestic violence to seek help. The national telephone number (0900 - 1 26 26 26) and the website ([www.steunpunthuiselijkgeweld.nl](http://www.steunpunthuiselijkgeweld.nl)) arranged specifically for the campaign will continue to be available at least until 2011. The campaign will make use of television, radio and the Internet. Campaign materials, including flyers, advertisements, stickers and press articles will be made digitally available to ASGHs and central municipalities.

### **Privacy**

- *Domestic violence and professional confidentiality*

People in professional organisations faced with the phenomenon of domestic violence or child abuse have indicated that they would like to be informed about if and how they can share information on domestic violence with other organisations. Family doctors, care workers, employees of baby and toddler clinics, hospitals and home care institutions often do not dare to exchange any personal information from their clients for fear of violating their duty to observe confidentiality. Dutch legislation, however, does provide some room to weigh the clients interests against the interest of confidentiality. The brochure entitled *Horen, zien en zwijgplicht? Wegwijzer Huiselijk Geweld en Beroepsgeheim* ('Hear all, see all, keep it confidential? Guide on Domestic Violence and Professional Confidentiality') is intended to prevent care professionals from being unnecessarily cautious in sharing their information. The brochure contains information and advice on ways to exchange information on domestic violence.

<sup>7</sup> *Kindspoor. Vroegtijdige signalering en aanpak van geweld in gezinnen* ('Child Trail. Early detection and Government approach to violence in families'), Haaglanden/Zuid-Holland Youth Care Agency, December 2007.

<sup>8</sup> Baeten, P. and E. Geurts, *In de schaduw van het geweld. Kinderen die getuige zijn van geweld tussen hun ouders* ('In the shadow of violence. Children who have witnessed violence between their parents') NIZW, 2002.

There is also a web application that makes use of a decision tree diagram to check if information may be shared with certain partners under current legislation. The application is located at the [www.huiselijkgeweld.nl](http://www.huiselijkgeweld.nl) web site.

- *Model Agreement*

The privacy legislation provides ways of cooperation and associated information exchange when this is required to tackle domestic violence. A model agreement has been developed to effect the information exchange carefully and in accordance with the Dutch Personal Data Protection Act.

It can be downloaded from [www.huiselijkgeweldenberoepsgeheim.nl](http://www.huiselijkgeweldenberoepsgeheim.nl) (in Dutch).

- *Privacy Helpdesk*

Organisations involved in tackling domestic violence can contact the Privacy Helpdesk if they have questions about privacy and/or sharing information. The Helpdesk can be reached via [privacyhelpdesk@minjus.nl](mailto:privacyhelpdesk@minjus.nl) or during the consulting hour by telephone on Mondays, Wednesdays and Fridays from 10 am to noon on the following telephone number: +31 (0)70 370 4569.

### **Police and domestic violence**

Combating domestic violence is one of the core tasks of the police. In 2003, a nationwide project on domestic violence, Huiselijk geweld en de politietaak ('Domestic violence and the police task'), was launched and initiated by the Board of Police Commissioners. It aims to encourage all police regions to develop a policy on tackling domestic violence, promote police expertise and enable the national registration of domestic violence cases. In 2007, the Board decided to incorporate the police approach towards domestic violence once again in a programme. The new programme entitled Een kwestie van lange adem ('A process requiring time and patience') will run from 2008 until 2012. In addition to strengthening the domestic violence approach as this has been developed over the past years, the implementation of the Temporary Restraining Order Act will also occupy a key role. When the Act has come into force, the role of police will become a different one. Under the new legislation, the police will have the power – when mandated by the mayor – to impose a restraining order on possible perpetrators; even in situations where no offence has yet been committed but where there is indeed a threatening or crisis situation.

The policy approach to 'multiple offenders of domestic violence' and 'repeat offenders of domestic violence' is relatively new. It intends to create a 'safety net' around the family or household of the repeat offender to prevent any further domestic violence. Family members, family doctors, home helps and community police officers may be engaged for this purpose. The police can provide important information in such cases and can be of significant importance regarding the compliance of the agreements.

### **Public Prosecution Service**

The Board of Procurators General, the organisation in charge of the Public Prosecution Service (OM), will issue a new official guideline on domestic violence in 2008. A large part of the OM's policy in this respect has been formulated in this guideline that lays down regulations concerning the investigation and prosecution of domestic violence. It also contains preconditions on how local cooperation between police, OM and aftercare services is to be arranged. One of the novelties in the guideline will be the restraining order.

The Board will issue separate official guidelines for child abuse and honour-related violence.

### **Local Facilities**

- *A Coordinating Role for Municipal Authorities*

The municipal authorities are responsible for managing the domestic violence approach. Their task is to bring the local working partnerships together, encourage them to agree on mutually binding and firm agreements and ensure that they honour these agreements. Since the arrival of the Dutch Social Support Act on 1 January 2007, municipal authorities are legally obliged to implement the policy on combating domestic violence. The administrative agreement concluded between the Dutch State and contains arrangements that they will encourage that all municipalities have implemented the domestic violence approach in stages by 2011.

### **Research**

- *Research into the nature and scope of domestic violence*

A nationwide survey is currently underway to satisfy the clear need for up-to-date figures and information on domestic violence. The study consists of three separate studies.

1. Scope estimate. To research the scope of domestic violence by linking existing registrations, the so-called capture-recapture analysis.
2. Victim survey. To obtain an understanding of the nature of domestic violence as well as the characteristics and behaviour of victims as to how they seek help, thousands of postal surveys are conducted and 1,000 interviews are held with victims.
3. Perpetrator survey. Based on file research and in-depth perpetrator interviews, the background characteristics, how perpetrators seek help and the re-offending of domestic violence perpetrators is identified.

The findings of this survey are expected in the middle of 2009.

- *Temporary restraining order evaluation*

The law requires that a new Act must be evaluated within five years of its entry into force. Although the Act has not yet been adopted, the first stage of the evaluation investigation has already been carried out, namely a plan evaluation. The plan evaluation comprises both the reconstruction of the policy theory and the preparation of the process and product evaluation. The process evaluation will commence once the Act has actually come into force and is intended to find out how the Act operates and if it is implemented as was envisaged. The third stage of the evaluation chain is the product evaluation. This evaluation is to provide answers to the question if the Act has contributed to the target set, namely a reduction of domestic violence.

### **More information**

[www.huiselijkgeweld.nl](http://www.huiselijkgeweld.nl)

This website provides victims and organisations involved in tackling domestic violence with concrete and up to date information. It also contains news and details of recent publications. Information on the various organisations and projects in the Netherlands concerned with combating domestic violence is also available. The website provides links to the sites of the various organisations. There is also a link to the campaign's website: [www.steunpunthuiselijkgeweld.nl](http://www.steunpunthuiselijkgeweld.nl).

[www.steunpunthuiselijkgeweld.nl](http://www.steunpunthuiselijkgeweld.nl)

This web site has been specifically set up for the publicity campaign that began in April 2007 but which will continue to be available at least until 2011. The web site provides information for victims, perpetrators and onlookers who have experienced domestic violence. The general message of the web site is that everybody can obtain help, irrespective of the manner in which they were faced with the domestic violence.

[www.huisverbod.nl](http://www.huisverbod.nl)

This web site provides all the information about the restraining order.

[www.justitie.nl/huiselijkgeweld](http://www.justitie.nl/huiselijkgeweld)

This web site by the Ministry of Justice contains information on domestic violence, the restraining order – including progress messages – and the domestic violence information centre.

[www.justitie.nl/helpdeskprivacy](http://www.justitie.nl/helpdeskprivacy)

This web site of the Ministry of Justice contains all products, services and contact details of the Privacy Helpdesk.

[www.justitie.nl/eer](http://www.justitie.nl/eer)

This web site contains further information on honour killing and honour-related violence.

[www.jeugdengazin.nl](http://www.jeugdengazin.nl)

This web site gives up-to-date information on combating child abuse and related subjects in the area of youth and family.

[www.nji.nl](http://www.nji.nl)

This web site provides information and advice to professionals and adults on the recognition of and fight against child abuse.

[www.kindermishandeling.nl](http://www.kindermishandeling.nl)

This site has been specifically designed for children and young people and contains telephone numbers for advice.