

**National Action Plan for the Prevention of Domestic Violence for
the Years 2011-2014**

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National Action Plan for the Prevention of Domestic Violence for the Years 2011-2014

The violence that occurs in society between close persons is one of the most widespread forms of violence. From the perspective of the consequences as well as frequency it is also an alarming society-wide problem in the Czech Republic.

The term domestic violence is mainly used in English-language literature and encompasses in particular “violence between partners – current or former, in married or unmarried cohabitation”.¹ In German-speaking countries the term “violence in the family and household” (Gewalt in der Familie und naher Umgebung) is mainly used. The term includes “a wide spectrum of family relationships between elders, offspring, siblings and current and former spouses, or between partners.”² It is clear from the above that there are two possible approaches to domestic violence as such. The more narrow concept focuses in particular on partner relationships, as a rule spousal or partner, while the wider conception, in addition to these, also includes for example the cruelty to children by parents or to elders or ill people by adult offspring or household members. The submitted material leans towards the wider conception of domestic violence and includes violence in all relationships between close persons and not only spousal or partner relationships.

From the criminal law perspective, domestic violence in the Czech Republic is regulated by Article 199 of the Criminal Code and this understands it to be cruelty to a close person or another person living with the perpetrator in a common dwellings.³ Without the sponsor assuming the discovery of a generally valid comprehensive definition of domestic violence, it is possible to further elaborate the definition of domestic violence for the needs of this material. According to the Alliance against Domestic Violence expert group⁴, in order to be considered as domestic violence all the following characteristics must be fulfilled:

1. Repetition and a long-term nature – it is not possible to determine whether or not a single attack of any type constitutes domestic violence. It could, however, represent its start.
2. Escalation – insults graduate through psychological degradation of human dignity to physical attacks and serious criminal acts that pose a danger to health and life.
3. A clear and unambiguous split into the roles of endangered person and violent person – domestic violence is not mutual attacks, arguments, fights or disputes where the roles of violent person and endangered person alternate.
4. A private nature – takes place as a rule behind the closed doors of an apartment or house, away from societal control.⁵

¹ Voňková J., Huňková M. a kol., Domáci násilí v českém právu z pohledu žen, Praha, Profem, 2004, s. 13.

² Ibid.

³ Article 199, Act No. 40/2009 Coll., the Criminal Code, as amended by Act No. 306/2009 Coll.

⁴ This is an expert group that was established in 2004 and worked with the Alliance against Domestic Violence, established through an initiative by the White Circle of Safety and Philip Morris ČR, a.s. The purpose of the establishment of this expert group was to prepare the draft of a new Act that was subsequently adopted as Act No. 135/2006 Coll., which amends some Acts in the area of protection from domestic violence (the so-called “Domestic Violence Act”) with effect from 1 January 2007.

⁵ The features of domestic violence as prepared by the expert group of the Alliance against Domestic Violence, for more information see: [online] [10_08_2010] URL <www.domacinasil.cz>.

As the Czech Statistical Office summarised⁶, domestic violence is repeated, long-term and graduating violence, which is perpetrated by adults or young people against their close persons (the endangered person can be, for example, a husband/wife, partner, divorced husband/wife, child, parent, grandparent or sibling).

Domestic violence takes the form of physical, psychological, sexual, economic or other violence, most commonly a combination of these. Domestic violence is a conscious activity. It begins with repeated attacks against human dignity, while attacks against health are gradually added to this as a rule and, in the final stage, attacks against human life. Domestic violence differs from other forms of delinquent behaviour by being violence inside a relationship between people, creating a relationship of dependency of the victim on the perpetrator and its goal is for the perpetrator to gain power over the victim. A characteristic feature of domestic violence is the fact that its long-term nature and the varying intensity of the violent acts mean that it gradually becomes part of their normal lives. Over 90% of the victims of domestic violence are women.”⁷

In spite of the fact that there is general agreement regarding the characteristics of domestic violence given above, there is no generally accepted unified operative definition. For example, the Council of Europe understands the term domestic violence very expansively and formulates it in its documents as “violent behaviour inside the family”, which includes “any act or omission committed within the framework of the family, by one of its members, that undermines the life, the bodily or psychological integrity, or the liberty of another member of the same family, or that seriously harms the development of his or her personality. Domestic violence is behaviour that engenders fear by one person of another person. Using the power that this fear provides, the violent person dictates the behaviour of the endangered person. Domestic violence can take the form of physical, sexual and psychological violence, enforced social isolation and economic deprivation.”⁸

The causes of domestic violence are individual factors such as personality and character traits, but in particular social/psychological factors, which include both the traditional splitting of roles and power in society, and also traumatising experiences, for example if the perpetrator repeatedly witnessed domestic violence in their family as a child. At the present time the most commonly used theories are multi-factor approaches that see domestic violence as a complicated and complexly conditioned phenomenon⁹. There may be various groups of causes in each individual case, the weights of which may differ and which may also change over time. A theory by D. G. Dutton, who differentiates four levels of causes of domestic violence, is given in professional literature¹⁰:

⁶ Czech Statistical Office, Gender Statistics, Basic Definitions, [online] [10_08_2010] URL <http://www.czso.cz/csu/cizinci.nsf/kapitola/gender_pojmy>.

⁷ Czech Statistical Office, Gender Statistics, Basic Definitions, [online] [10_08_2010] URL <http://www.czso.cz/csu/cizinci.nsf/kapitola/gender_pojmy>.

⁸ Recommendation No. R (85)4 on Violence in the Family, Council of Europe, 1985. In: [online] [10_08_2010] URL <http://www.coe.int/t/dghl/standardsetting/victims/recR_85_4e.pdf>.

⁹ Čírtková, L.: Forezní psychologie. 2. upravené vydání. Vydavatelství a nakladatelství Aleš Čeněk, Plzeň 2009, s. 237 and subsequent

¹⁰ For more details see Dutton D. G., *The Domestic Assault of Women, Psychological and Criminal Justice Perspectives*. Allyn and Bacon, Inc., 1988. pages 24-26 and the summary [online] [04_01_2011] URL <<http://www.csc-scc.gc.ca/text/rsrch/reports/r03/r03-eng.shtml>> and Marvánová-Vargová, B., Pokorná, D., Toufarová, M. *Partnerské násilí*. Praha: LINDE nakladatelství, s.r.o. 2008. page 111 and/or Čírtková, L.: *Forezní psychologie*. 2. upravené vydání. Vydavatelství a nakladatelství Aleš Čeněk, Plzeň 2009, page 239.

- The Macrosystem – this reflects the persisting hierarchical structure of society and the leadership position of men in this hierarchy. A series of traditional concepts help justify and downplay violence inside an intimate partner relationship,
- The Exosystem – the immediate social environment of individuals. This includes both formal and informal social structures with which a person comes into contact during their life. It can, for example, mean unemployment or on the contrary stress from a large quantity of job-related tasks, and so on.
- The Microsystem – the family and its life, when its members mutually influence each other, know each other and have differentiated roles and types of behaviour. Privacy also has an influence and complicates the use of social control mechanisms, externally stipulated differing social roles and extensive mutual knowledge of family members allowing the prediction of reactions and the exploitation of the weaknesses of others,
- The Ontogenetic Level – this is close to psychological theories and looks for the causes of violence in the individual characteristics of the perpetrator and the victim and also in their mutual interactions. It assumes that both the perpetrator and the victim could go through a specific ontogenetic development and could learn to resolve stressful situations through aggressive behaviour and also to accept such behaviour.

Domestic violence affects people at all social levels, irrespective of age, education or economic situation.¹¹ Anybody can thus be a perpetrator of domestic violence and can direct attacks towards any victim. This means that violence can be perpetrated by men on women, but also by women on men, by young people on the old, or by parents on children and vice versa, and so on.

However, as indicated by Voňková and Lienau (2002)¹², findings from specialised civic or non-profit organisations or criminal investigations agree that approximately 90% of the victims of domestic violence are women, followed by old people and rarely men in productive age. In 80% of cases minors are passive participants of violence. Of the female clients who contacted citizens' association ROSA (an association focusing on specialised counselling for the victims of violence) in 2009, their children were also witnesses to the violence in 96% of cases.¹³ According to a survey carried out by the Faculty of Health and Social Studies at the University of South Bohemia in České Budějovice, approximately 13% of old people are subjected to domestic violence. Approximately 22% of old people questioned said that they were aware of cruelty towards an old person in their surroundings.¹⁴

¹¹ e.g. The Police of the Czech Republic – Karlovy Vary Region Regional Directorate, *Násilí páchané blízkou osobou*, In: [online] [26_12_2010] URL<<http://www.policie.cz/clanek/nasili-pachane-blizkou-osobou.aspx>>.

¹² Voňková, J., S. Lienau, *Jak dál v právní úpravě domácího násilí?* Gender. Rovné příležitosti. Výzkum. 2002, Article 1, pages 9-10.

¹³ Občanské sdružení ROSA – centrum pro týrané a osamělé ženy: *Domácí násilí: Sociologická sonda klientek o.s. ROSA a jejich dětí za rok 2009*, for more information see [online] [30_12_2010] URL <http://www.rosa-os.cz/fileadmin/rosa/statistika_ROSA_za_2009.pdf>.

¹⁴ Final report of the research project RM 01/15/04 Ministry of Foreign Affairs of the Czech Republic “*Popis jednotlivých forem domácího násilí, analýza jejich příčin, prevence*”; March 2005; University of South Bohemia in České Budějovice.

According to research by the Institute of Sociology of the Academy of Sciences of the Czech Republic and the Faculty of Arts at Charles University in Prague in 2003, 38% of women in the Czech Republic have experienced some form of violence from their partner at some point in their lives.¹⁵ According to research by the Centre for Empirical Surveys (hereinafter only “STEM”) in 2006 (STEM for the NGO White Circle of Safety and Philip Morris ČR) every second person aged over 15 has heard of a case of violence between partners and almost one-quarter have had personal experience of it (witness, victim or perpetrator).¹⁶ According to the survey Trends in Social and Political Mechanisms Affecting Gender Relationships IX, carried out for the Office of the Government by Factum Invenio in December 2010, over half the inhabitants of the Czech Republic consider that violence against women is very common or very frequent in Czech households. In 2010 these opinions reached their highest level for the monitored period (since 2002) and exceeded 50%.¹⁷

According to sources of the Ministry of the Interior¹⁸, officers on the beat from regional headquarters of the Police of the Czech Republic recorded in total 743 decisions of the Police of the Czech Republic on restraining orders for violent people in 2008 in the Czech Republic. Statistics from White Circle of Safety in cooperation with APIC (the Association of Intervention Centre Workers – 15 intervention centres) show a total of 778 restraining orders in 14 Czech regions¹⁹. In 2009 780 persons received restraining orders, of which 16 were women. In 2010 964 persons received restraining orders (data for January to November). Overall, there has therefore been a relatively significant growth in the number of restraining orders compared to previous years. In 2009 762 women, 39 men and 911 children were immediately endangered in connection with demonstrated domestic violence. In total, therefore, 1,712 persons were directly endangered by domestic violence in 2009 (endangered adults + children present during a violent incident and intervention by the Police of the Czech Republic), for whom the institute of restraining order provided protection from further violence.

In 2007 criminal prosecution was commenced pursuant to Article 215 of Act No. 140/1961 Coll. in 548 cases, in 399 cases in 2008 and in 376 cases in 2009.²⁰ The share of criminal prosecution commenced in relation to criminal proceedings commenced was 62.5% in 2007, 54.3% in 2008 and only 54.2% in 2009.²¹ It is important to note that this data cannot simply be interpreted to mean that the numbers of criminal prosecutions are falling and

¹⁵ Pikálková, S., Mezinárodní výzkum násilí na ženách – Česká republika/2003: příspěvek k sociologickému zkoumání násilí v rodině, Institute of Sociology of the Academy of Sciences of the Czech Republic, in: [online] [03_08_2010] URL <http://studie.soc.cas.cz/upl/texty/files/200_04-2%20opr%20zformatovany%20text%204%20pro%20tisk.pdf>. s. 5.

¹⁶ For more details see the website STEM, Shrnutí základních výsledků výsledků reprezentativního výzkumu pro občanské sdružení Bílý kruh bezpečí a Philip Morris ČR a.s. [online] [30_12_2010] URL <<http://www.stem.cz/clanek/1145>>.

¹⁷ Factum Invenio, Final report: Trends in Social and Political Mechanisms Affecting Gender Relationships IX, for more information see [online] [30_12_2010] URL <http://www.vlada.cz/assets/ppov/zmocnenec-vlady-pro-lidska-prava/rovne-prilezitosti-zen-a-muzu/dokumenty/Trendy_2010_zaverecna-zprava.pdf>.

¹⁸ Statistics of the Police of the Czech Republic.

¹⁹ Report from White Circle of Safety (WCS) at www.domacinasili.cz; decisions by the Office of Service of Criminal Police and Investigation and WCS statistics reflect the regions of the Czech Republic and not the Regional Directorates of the Police of the Czech Republic.

²⁰ The crime of cruelty to a person living in common dwellings.

²¹ Annex to “Information on the performance of measures for the introduction of interdisciplinary teams connecting medical, social and police aid in uncovering and prosecuting cases of domestic violence for 2009”, page 4, for more information see [online] [02_12_2010] URL <<http://www.mvcr.cz/clanek/informace-o-plneni-opatreni-pro-zavedeni-interdisciplinarnich-tymu-spojucich-zdravotni-socialni-a-policejni-pomoc-pri-odhalovani-a-stihani-pripadu-domaciho-nasiliz-za-rok-2009.aspx>>.

therefore a gradual elimination of domestic violence as such is under way (see the number of restraining orders for 2010). This is because the data in the statistics of the Police of the Czech Republic only records the most serious form of domestic violence, meaning a criminal act, and therefore does not cover all cases of domestic violence by far. On the other hand, in combination with the relatively new legislation, it could demonstrate more effective implementation of the Police Act and therefore a reduction in the occurrence of domestic violence right in its initial stages. The real trends in this area cannot be monitored using statistics due to the character of the phenomenon (domestic violence is hidden and a large number of cases remain undiscovered, unreported and also unaddressed – under pressure, the victim often retracts their accusation of a criminal act).

From the perspective of the relationship between a violent person and an endangered person according to data from the Ministry of the Interior, the spousal relationship is most common over the long-term, followed by the partner relationship and only then by intergenerational violence and by violence among divorced couples. There is a low number of restraining orders recorded in partner, sibling and other relationships.²² According to statistics from citizens' association ROSA, 58.2% of women who seek help for domestic violence in the family are married, 13% live in a partner relationship, 23% are divorced women and 4.5% are single women. The women who come to address their problem with domestic violence have most commonly been married or have had a partner relationship for 1 to 5 years (23% of women), followed by a group with a relationship lasting 6 to 10 years (18.9% of women).²³ The situation thus does not differ from the situation in other countries. For example, according to research from the 1990s carried out in nine states in the USA, 53.1% of cases of domestic violence were between married partners, 4.9% involved former spouses and 42% other people living together.²⁴

In March 2006 the Czech Republic adopted legislation for protection against domestic violence: Act No. 135/2006 Coll., which amends some acts in the area of protection from domestic violence (hereinafter only the “Act on Domestic Violence”), with effect from 1 January 2007. This meant that the Czech Republic was one more European country to accede to efforts towards a comprehensive solution to the issue of domestic violence. The state's position towards domestic violence, its will not to tolerate it from a violent person and to help endangered persons resolve their situations in time were thus clearly expressed for the first time.

As noted in the material prepared by the Ministry of the Interior²⁵, the Act on Domestic Violence created a basic legal framework for addressing domestic violence by reducing dangerous attacks on life and health through police restraining orders (temporary

²² Paragraph taken from the “Information on the performance of measures for the introduction of interdisciplinary teams connecting medical, social and police aid in uncovering and prosecuting cases of domestic violence for 2009”, page 4, for more information see [online] [02_12_2010] URL <<http://www.mvcr.cz/clanek/informace-o-plneni-opatreni-pro-zavedeni-interdisciplinarnich-tymu-spojujicich-zdravotni-socialni-a-policejni-pomoc-pri-odhalovani-a-stihani-pripadu-domaciho-nasili-za-rok-2009.aspx>>.

²³ Občanské sdružení ROSA – centrum pro týrané a osamělé ženy: Domáci násilí: Sociologická sonda klientek o.s. ROSA a jejich dětí za rok 2008, for more information see [online] [30_12_2010] URL <http://www.rosa-os.cz/fileadmin/rosa/statistika_ROSA_za_2008_verze_10062009.pdf>.

²⁴ Research by Greenfeld et al., quoted in Eva Schlesinger Buzawa, Carl G. Buzawa, Domestic Violence: The Criminal Justice Response, Third Edition, Sage, 2003. Page 15.

²⁵ Ministry of the Interior, Information on the performance of measures for the introduction of interdisciplinary teams connecting medical, social and police aid in uncovering and prosecuting cases of domestic violence for 2008, for more information see [online] [30_12_2010] URL <<http://www.mvcr.cz/soubor/informace-794-2004-2008-pdf.aspx>>.

separation of the violent person and the endangered person). Subsequently it regulated the conditions for the provision of immediate psychological and social and legal help to persons endangered by domestic violence at intervention centres and interdisciplinary cooperation between state, community and non-governmental organisations which participate in the prevention of domestic violence and help endangered persons and their minor children.

Special workplaces – Intervention Centres – providing emergency help to persons endangered by domestic violence have operated in the Czech Republic since 1 January 2007.²⁶ If the risk of further violence remains, judicial protection (both personal and territorial) is provided to persons endangered by domestic violence pursuant to the above Act in the form of a new type of preliminary ruling that has been incorporated into the Civil Procedure Code²⁷.

Of benefit for the application of the Act on Domestic Violence in practice was the preparation of a series of methodologies and other materials used for the training of social workers, police officers, judges, physicians, workers at social and legal bodies for the protection of children, commissions for administrative infractions, local authorities and other experts coming into contact with persons endangered by domestic violence.

On 1 January 2009 Act No. 273/2008 Coll., on the Police of the Czech Republic (hereinafter only the “Police Act”) came into effect. The Police Act introduced partial changes to the area of domestic violence, arising from findings collated during the year of the application of the existing legislation. There were two significant shifts and several minor elaborations. A restraining order²⁸ is understood as the performance of a police officer’s authorisation, meaning that it is no longer a decision issued in administrative proceedings, and it is understood to be a factual act. For the police this represents a significant simplification in their procedures, as police officers are no longer forced to prepare a formal decision with all its requisites, including justifications, while there is now no requirement for complicated delivery and the deadlines for assessing the correctness of a restraining order during an appeals process are less formal. The new amendment also brings about the elimination of risks connected with procedural defects and the simplification of the work of the police will lead to the possibility of concentrating more, both in practice and during training, on the correct recognition of the qualified features of domestic violence. One new thing of fundamental importance is a ban on contact between the person with the restraining order and the endangered person and a ban on establishing contact, which has been conceived as one of the obligations imposed on the person with the restraining.²⁹

²⁶ Intervention Centres are now, on the basis of the amendment by Act No. 29/2007 Coll., established as social services facilities pursuant to Articles 34 and 60 of Act No. 108/2006 Coll., on Social Services, as amended.

²⁷ See Article 76b (and the related Article 273b) of Act No. 99/1963 Coll., the Civil Procedure Code; the provisions of Article 76b were modified through a further amendment, namely Act No. 218/2009 Coll., see below.

²⁸ In 2008 were recorded in the Czech Republic through Intervention Centres a total of 679 decisions by the Police of the Czech Republic on restraining orders or bans on a violent person entering a common dwelling. Compared to 2007 (862 restraining orders) in 2008 there was a slight drop, however a rise in the number of so-called drop-in contacts – a total of 8,805 contacts (special material information on the performance of measures for the introduction of interdisciplinary teams connecting medical, social and police aid in uncovering and prosecuting cases of domestic violence for 2008).

²⁹ See Information on the performance of measures for the introduction of interdisciplinary teams connecting medical, social and police aid in uncovering and prosecuting cases of domestic violence for 2008, page 2.

20 July 2009 saw the coming into effect of an amendment to the Civil Procedure Code, Act No. 218/2009 Coll., amending Act No. 99/1963 Coll., the Civil Procedure Code, as amended, and some other Acts, which is a reaction to interpretation and practical problems during the application of the amendments incorporated into the Civil Procedure Code through the Act on Domestic Violence. The amendment, in addition to other things, expands the demonstrative list of obligations that can be imposed through a preliminary ruling, for example the obligation to refrain from meeting the petitioner (i.e. the endangered person) or to refrain from undesired following and harassing the petitioner (i.e. the endangered person).

When coming into contact with domestic violence, the police proceed in particular pursuant to the valid legislation in the Criminal Code, the Police Act and the Act on Offenses. The new Criminal Code (Act No. 40/2009 Coll.), effective as of 1 January 2010, applied some criminal law aspects to domestic violence and this through the introduction of the criminal act of cruelty to a person living in common dwellings – Article 199 of the Criminal Code. In addition it should not be omitted that other criminal acts also come into consideration in connection with domestic violence.³⁰ The Criminal Code basically adopted the qualified facts of criminal acts contained in the previous legislation, however it newly added the crime of Stalking – Article 354 of the Criminal Code, which enables the prosecution of stalking, which is not infrequently a continuation of domestic violence after a person affected by domestic violence leaves a violent partner³¹. The special crime of Manslaughter – Article 141 of the Criminal Code – was also introduced, allowing special circumstances of a case of the murder of a violent person by a person subjected to cruelty after long-term domestic violence to be taken into account, when it is possible to impose a more moderate sentence, unlike for the crime of Murder (Article 140).

According to data from the above sources, domestic violence remains a serious problem for society. It is a negative phenomenon that continues to persist and its prevention and elimination will require an approach from a society-wide perspective. The absence of a conceptual solution for domestic violence has negative economic impacts shown, for example, in increased costs for healthcare, the social sphere, the justice system and the workforce, and this has also been confirmed by research abroad³². The draft National Action Plan for the prevention of domestic violence for the years 2011-2014 (hereinafter only the “NAP DV” or the “National Action Plan”) should contribute towards the systematic addressing of this issue, and its tasks include the analysis of the current legislation outlined above, and the proposal of possible improvements. The National Action Plan proposes the main goals and the relevant measures. This means in particular the performance of basic steps in the area of prevention, education, research, coordinated help to persons endangered by domestic violence, the introduction of therapeutic programmes for perpetrators of domestic violence and the improvement of the legislative framework for the problem as a whole. The basic goal of the National Action Plan is to implement appropriate and effective procedures

³⁰ e.g. Violence against a group of citizens and against an individual (Article 352), the Making of Dangerous Threats (Article 353), Stalking (Article 354), Grievous Bodily Harm (Article 145), Bodily Harm (Article 146), Grievous Bodily Harm through Negligence (Article 147), Bodily Harm through Negligence (Article 148), False Imprisonment (Article 171), Rape (Article 185), Sexual Pressure (Article 186) or Blackmail (Article 175) as well as others.

³¹ Compare Čírtková, L.: *Moderní psychologie pro právníky*, Grada Publishing, Praha 2008, page 47 and subsequent

³² A rough calculation from Austria from 2006 talks about EUR 78,357,200 a year, for more details see David, E. *Náklady dopadů domácího násilí v Rakousku*, in: [online] [04_01_2011] URL <http://aa.ecn.cz/img_upload/e86dd7311cf60fc96af019aef3dc233c/Naklady_na_dopady_domnasili_v_Rakousku_komprim.doc>.

for the prevention and elimination of domestic violence to ensure that its victims do not have to face breaches of their fundamental human rights and can live safe, free, dignified lives without any type of threat.

The Committee for the Prevention of Domestic Violence (hereinafter only the “Committee”) of the Government Council for Equal Opportunities for Women and Men (hereinafter only the “Council”), which was established on 1 January 2008 in accordance with the statute of the Council, and whose members are representatives of ministries, non-governmental non-profit organisations and other entities, including representatives of Intervention Centres, will continuously monitor, within the framework of its meetings, the performance of the tasks arising from this Action Plan. At meetings of the Committee the representatives of the individual government departments will present the state of performance of the tasks arising from the NAP DV. During the performance of the tasks arising from the NAP DV, the Deputy Prime Minister and Minister of the Interior, in cooperation with the Prime Minister and the government member whose competency includes the Council, will cooperate with the Committee. A summary report on the performance of the NAP DV in the previous calendar year (hereinafter only the “Report”) will be submitted once a year to the Committee, always on the 30 April, and the Committee will adopt a standpoint on the Report³³. The Committee shall subsequently submit the Report for discussion, together with its standpoint, at the next meeting of the Council. After being discussed by the Council, the Report will be submitted to the government for information, and this always at the latest by the end of the year in question.

The main goals of the NAP DV and the proposed measures and tasks (see the table below) relate to the following areas:

1. Support for persons endangered by domestic violence
2. Children endangered by domestic violence
3. Working with violent persons
4. Education and interdisciplinary cooperation
5. Society and domestic violence
6. Analyses and studies
7. Legislation

The given areas were stipulated in particular on the basis of the urgent needs of Czech society, as seen by experts in both theory and practice.

The stipulated areas also reflect a need to act systematically on all the causes of domestic violence existing at various levels: Macrosystem (education, campaigns), Exosystem (the helping professions, spreading information to persons who come into contact with endangered persons, effective social networks), Microsystem (training and education in relation to the family and partner lives) and at the Ontogenetic Level (psychological work with both endangered persons and the perpetrators of domestic violence).

The measures and activities proposed within the framework of the NAP DV are directed towards taking the specific needs of all the specific groups of persons endangered by domestic violence into account (including the prevention, detection and resolution of

³³ The summary report on the performance of the NAP DV in the previous calendar year will be prepared and submitted to the Committee by the Deputy Prime Minister and Minister of the Interior in cooperation with the Prime Minister and the government member whose competency includes the Council.

domestic violence). It is essential to proceed individually towards each person endangered by domestic violence while taking into account the specifics and the circumstances of the case.

The following have also been taken into account: the international context, both the activities and also the specific recommendations of the Council of Europe; and the activities of the Committee on the Elimination of Discrimination against Women, which was, as the control body, established on the basis of the Convention on the Elimination of all Forms of Discrimination against Women. In the closing recommendations of this Committee from 2010, the Committee called the Czech Republic to adopt the draft of the National Action Plan for the prevention of domestic violence and also other specific measures.³⁴ In the international context it is also necessary to mention the multi-year campaign against violence against women of Secretary General of the UN Ban Ki-moon, commenced in 2008, while the draft NAP DV reacts and links to its contents and activities.

1. Support for persons endangered by domestic violence

The system of help for persons who are immediately endangered by domestic violence has already been developing for several years. The support provided to such persons represents effective intervention in the case of genuine threats of attacks. Within the framework of this area the goal of the NAP DV is in particular to improve the situation in the area of the number of places in asylum shelters and in asylum shelters specialised in domestic violence, the number of intervention, crisis and other centres focusing on various types of help for persons impacted by domestic violence. At the present time the offer of counselling services at asylum shelters and entities providing help to the victims of domestic violence or offering them appropriate social services is imbalanced depending on the locality (for example in Prague or Brno the offer is relatively extensive, however this is not the case in other regions. Specialised houses and emergency beds for persons endangered by domestic violence are, however, lacking throughout the Czech Republic and on average insufficient, in particular taking into account the numbers of persons who need help and support. According to the minimum standards proposed by the Council of Europe³⁵, asylum shelters for persons endangered by domestic violence should be available in all regions and offer one family place per 10 000 inhabitants. A family place is understood to be beds for a parent and the average number of children per women in the country in question. The minimum standards of the Council of Europe subsequently only recommend the existence of a single counselling centre for persons endangered by domestic violence and their children per 50 000 inhabitants. The current offer of services for endangered persons does not meet this recommendation in any region.

The systematic conceptual approach should contribute towards expanding the offer of services throughout the Czech Republic. On the basis of a comparison of the situations in individual European countries, another goal should be the creation not only of generic standards of work with persons affected by domestic violence, but also generic standards for

³⁴ see in particular points 22. and 23. of the Final Recommendations of the Committee on the Elimination of Discrimination against Women, [online] [05_01_2011] URL <<http://www2.ohchr.org/tbru/cedaw/CEDAW-C-CZE-CO-5.pdf>>

³⁵ Council of Europe (2008): Final Activity Report: Council of Europe Task Force to Combat Violence against Women, including Domestic Violence (EG-TFV). Gender Equality and Anti-Trafficking Division, Directorate General of Human Rights and Legal Affairs, Strasbourg, for more details see [online] [30_12_2010] URL <http://www.coe.int/t/dg2/equality/domesticviolencecampaign/Source/Final_Activity_Report.pdf>

undisclosed asylum shelters. The aim of the stipulation of generic standards is not only to ensure the same level of services for persons endangered by domestic violence and for the clients of asylum shelters, but at the same time to take into account the specifics of domestic violence. There are already valid standards for social services, but the possibility of creating generic standards for work with persons endangered by domestic violence and generic standards for undisclosed asylum shelters is envisaged at the level of non-governmental non-profit organisations, for example in the form of an ethical codex. The special character of undisclosed asylum stays (and the need to thoroughly respect the confidentiality of the address) must also be taken into account in legislation (see part 7. Legislation).

In addition, a free non-stop telephone line for help for persons endangered by domestic violence should be established. Access to help should also be ensured on a free-of-charge basis for those persons who do not have their own financial resources, cannot freely use their own telephone or have found themselves in a financial emergency. This goal is in accordance with Recommendation Rec (2002)5 of the Council of Europe on the protection of women against violence³⁶, which states that Member States of the Council of Europe should encourage the establishment of emergency services such as anonymous, free of charge telephone helplines for victims of violence and/or persons confronted or threatened by situations of violence; regularly monitor calls and evaluate the data obtained from the assistance provided with due respect for data protection standards.

The creation and development of programmes and a functional network of social housing that persons affected by domestic violence could use is also envisaged. The goal is to provide a stable base for those persons who, after leaving a violent partner, begin “again” and without any resources, or who do not have access to financial resources, or who for other reasons find themselves without access to housing (through unemployment, escape from common dwellings).

2. Children endangered by domestic violence

The NAP DV focuses on children as persons endangered by, as well as witnesses to, domestic violence. The performance of tasks formulated within the framework of this area should improve the legal position of such children, provide them with access to the appropriate therapy, and legally regulate the criteria for decisions on contact with a violent parent and so on. These measures are in accordance with the declaration by the World Health Organisation, according to which it is important that children who are witnesses to domestic violence are considered to be psychologically abused. The NAP DV in this area builds on the National Strategy on Prevention of Violence against Children in the Czech Republic for the period 2008 to 2018³⁷ and to the National Action Plan for the implementation of the National Strategy on Prevention of Violence against Children in the Czech Republic for the period 2009 to 2010³⁸. Coordination of the adopted measures is envisaged, taking into account the

³⁶ for more information see Council of Europe, Recommendation Rec(2002)5 of the Committee of Ministers to member states on the protection of women against violence [online] [04_01_2011] URL <<https://wcd.coe.int/wcd/ViewDoc.jsp?id=280915>>

³⁷ for more information see National Strategy on Prevention of Violence against Children in the Czech Republic for the period 2008 – 2018 [online] [04_01_2011] URL <<http://www.vlada.cz/scripts/file.php?id=61422>>

³⁸ for more information see the National Action Plan for the implementation of the National Strategy on Prevention of Violence against Children in the Czech Republic for the period 2009 – 2010 [online] [04_01_2011] URL <http://www.vlada.cz/assets/ppov/rlp/dokumenty/strategie-prevence-nasili-na-detech/Narodni-akcni-plan-realizace-Strategie-prevence-nasili-na-detech-2009-2010_1.pdf>

National Action Plan for the transformation and unification of the system for care for endangered children for the period 2009 – 2011.³⁹

The proposed changes relate to ensuring the accessibility of quality facilities that are capable of providing qualified help also to children, and that take into account the specific needs of children. This goal also ties to Recommendation Rec(2002)5 of the Committee of Ministers on the protection of women against violence (see above). Support for specialised facilities for children and for assisted contact with a violent parent should be combined with the establishment of or support for centres for persons endangered by domestic violence. It is essential that the interests and needs of minor children are taken especially seriously in these centres. For the purposes of ensuring care for children who cannot be, for a transitory period, in the care of either parent (for example a situation in which the endangered person is in hospital and it is not in the interest of the child to remain in the care of a violent parent) or in the care of other persons close to the child or the family, it is necessary to support the establishment and maintenance of free capacities for non-institutional care⁴⁰ for children.

Other changes relate to legislative amendments that should expressly regulate the rights of children, respectively ensure protection and security for children, as is the case in some foreign legislation – this involves in particular protection for children who are witnesses to, or directly endangered by, domestic violence, as well as subsequently the question of contact between a child with a violent parent (restrictions, bans or assisted contact).⁴¹

Educational activities directed towards the helping professions and all those who come into contact with children or decide on their rights and to ensure the correct approach, as a result of which children will no longer be damaged or secondarily victimised, are included in part 4. Education and interdisciplinary cooperation.

3. Work with violent persons

The goal of the NAP DV in this area is to ensure therapeutic services for violent persons, to establish nationwide workplaces for systematic work with violent persons within the framework of re-socialisation programmes and to support social work with violent persons. This is because, in addition to protection for persons endangered by domestic violence, the perpetrator of the violence and its causes should not be neglected – it is necessary to work with the perpetrators of violence in order to change their ways of thinking and acting. Repression is not the only, never mind the only effective, path towards the elimination of violent behaviour.

The perpetrator of violence himself, after intervention by the authorities in the case of the perpetration of violence, finds himself through his own actions in a difficult situation and it is appropriate to also provide him with psychological intervention and additional potential assistance for the purpose of preventing illegal behaviour or the destructive resolution of the situation.

One goal of the NAP DV in this area is to launch a pilot programme for violent persons and ensure its continuous assessment. The experience obtained through the pilot

³⁹ Government Resolution No. 883 of 13 July 2009.

⁴⁰ This means in particular foster care, the so-called SOS Children's Villages and similar institutes.

⁴¹ This issue is already partially regulated by Act No. 359/1999 Coll., on social and legal protection of children, as amended, see Article 6 (1) g) of the Act in question.

project will form the basis for the further expansion of services for violent persons and for assessing the most effective model of work.⁴²

Another goal is to build a network of counselling centres for work with violent persons and to create relevant standards. On the basis of foreign experience and examples of good practice, the establishment of therapeutic and re-socialisation programmes for violent persons either as obligatory therapy or on the basis of voluntary participation, is assumed.

The legislative enshrinement of voluntary or compulsory participation of violent persons in therapeutic or re-socialisation programmes is addressed in part 7. Legislation.

4. Education and interdisciplinary cooperation

One goal of the NAP DV in this area is the creation of a system of continuous education based on interdisciplinary cooperation. The tasks are focused primarily on the systematic and long-term education of those circles of expert professions that come most frequently into contact with persons endangered by domestic violence during their activities.

Specifically, these are physicians and medical staff, teachers, wardens and pedagogical workers, social workers, including workers for the social and legal protection of children, judges and the public prosecutor, and last but not least police officers and officials addressing administrative infractions. The goal is to provide these professions with the knowledge they need to recognise domestic violence and to offer qualified help or a suitable approach in cases of domestic violence. Persons endangered by domestic violence should also receive quality information and be accepted in a proper fashion at any of the places that come into contact with domestic violence.

Another goal of the NAP DV in this area is the launch, respectively the expansion, of projects for interdisciplinary cooperation, with the use of already existing experience, in particular specialised teams for the fight against domestic violence, which have already been operating successfully and for a long time within the framework of the Police of the Czech Republic. The goal is to expand on this good practice and transfer it to the justice system. One goal of interdisciplinary cooperation is the exchange of information and experience between the entities involved, to break down the barriers of mistrust and prejudice that hinder the resolution of cases of domestic violence, to provide feedback between the individual institutions, to inform each other of the mutual requirements for the form or quality of work, to acquaint each other with the competencies and possibilities of other entities and so on.

5. Society and domestic violence

The main goal of this group of tasks in the NAP DV is to involve the public in the prevention and resolution of the problem of domestic violence. From the perspective of public opinion it is necessary to break down entrenched cultural and social stereotypes in every possible way. These include, for example, the frequently heard statements, “A man has the right to maintain order at home...”, “If she didn’t provoke him, he wouldn’t beat her...”, “If something was really happening, she would have left long ago...” and “Women have to keep the family together...” These stereotypical statements make it easier for violent persons to

⁴² In the Czech Republic various types of such therapeutic programmes already operate in some regions (e.g. Prague, Hradec Králové, Ostrava). However, this is not a nationwide and systematic measure in this area.

legitimise their violence and for witnesses to come to terms with their feelings of guilt; however, they have a significant negative impact on the position of persons endangered by domestic violence. It is therefore necessary to employ all legal and constitutional procedures for its elimination, including both legal means and also other ways to address the problem, such as the implementation of information campaigns. In this area the NAP DV counts on the use of also other effective tools such as adult education activities, conferences and expanded education in schools.

The ability to recognise the signals of a risky relationship and domestic violence and the ability to defend oneself against it should be part of the social skills acquired by primary and secondary school pupils, but is of key importance especially for adolescents. Primary and secondary school pupils would therefore receive above-standard information in comparison with the blanket method of the information campaigns, the goal of which is to introduce the basic problems and the generally exchanged prejudices and thereafter the retention of domestic violence as a legitimate theme for public debate. Educational activities will also focus on the prevention of the process of child identifying with the perpetrator of domestic violence in order to prevent the transfer of violent behaviour patterns from the violent person to the child.

The purpose of conferences focusing on domestic violence is to strengthen expert discussion of current themes and the exchange of experience. The application of the new Criminal Code is topical, specifically for example the crime of stalking.

6. Analyses and studies

One goal of the NAP DV in this area is the mapping and evaluation of the quantity, quality and focus of research, studies and analyses carried out in the Czech Republic in the field of domestic violence. The result of the coordination of expertly prepared themes should be the achievement of the most effective use of the results from existing research, studies and analyses in practice.

The starting point should be the identification of already performed analyses and studies, then a stipulation of the areas where the research is inadequate and subsequently the investigation of these “white areas” or areas where the problems have been underestimated.

The necessary research, analyses, comparisons and proposals for changes may also be performed at universities and other academic institutions, both within the framework of the actual projects themselves and also within the framework of the subjects of bachelor’s, master’s, PhD viva and doctoral theses.

As part of campaigns by the Council of Europe against violence against women, including domestic violence (2006-2008)⁴³ several specific activities have been defined in the area of the collection of statistical data. Among other things, the importance of “ensuring the systematic collection of statistical data disaggregated by sex, by type of violence as well as by the relationship of the perpetrator to the victim in all fields” has been repeatedly emphasised to Council of Europe Member States⁴⁴. The documentation of crimes motivated by personal

⁴³ Council of Europe Campaign to Combat Violence against Women, including Domestic Violence, [online] [30_12_2010] URL <<http://www.coe.int/t/dg2/equality/DOMESTICVIOLENCECAMPAIGN/>>.

⁴⁴ Task Force to Combat Violence against Women, including domestic violence (EGTFV), Blueprint of the Council of Europe Campaign to Combat Violence against Women, including Domestic Violence [online]

relationships, respectively displaying the characteristics of domestic violence, has also been proposed for the purposes of acquiring quality statistical data.

7. Legislation

One goal of the NAP DV in this area is the evaluation and potential improvement of existing legislation. The NAP DV envisions the performance of an analysis of the existing legislation and assumes the creation of genuine links between the individual protection institutions and their supplementation with the necessary regulation lacking so far, among other things within the framework of criminal proceedings. It also assumes the potential legislative elaboration of the institute of undisclosed asylum shelters in such a way as to ensure that the requirements for the maintenance of the confidentiality of the stay, respectively the address of the undisclosed asylum shelter, are respected by all public authorities.

Specific legislative amendments can apply to the more comprehensive and explicit regulation of protection for persons endangered by domestic violence and stalking within the framework of civil or criminal law, respect for the rights and interests of children in civil and criminal proceedings and, in general, in all areas where children appear as witnesses and/or the direct victims of domestic violence (the protection of children within the framework of a restraining order, the protection of children in relation to the regulation of contact with a violent parent and so on). Legislation does not sufficiently ensure the interconnections between activities and the mutual provision of information between bodies for the social and legal protection of children (hereinafter only “ASLPC”), the Police of the Czech Republic, intervention centres and other social services providers (emergency help, asylum shelters and so on). In the case of a restraining order or the appearance of domestic violence in the family, ASLPCs as a rule do not submit petitions to courts. It is also necessary to amend the obligation of the guardian in cases when an endangered person’s competency to perform legal acts is restricted or removed.

Another goal of the NAP DV is the performance of an analysis of the possibility for introducing the optional or compulsory participation of violent persons in therapeutic programmes in the area of civil law, criminal law and within the framework of hearings of administrative infractions and for the proposal of any potentially needed legislative changes.

A *de lege ferenda* question is also the opening of a debate as to whether it is appropriate to legislatively regulate the area of the prevention and prosecution of domestic violence and help for persons endangered by domestic violence in the form of minor amendments or in the form of a separate unifying comprehensive law, for example as is the case in Spain.

List of abbreviations used below in tables

MRD – Ministry of Regional Development

MLSA – Ministry of Labour and Social Affairs

MJ – Ministry of Justice

MEYS – Ministry of Education, Youth and Sports

MI – Ministry of the Interior

MH – Ministry of Health

NGO – non-governmental non-profit organisations

PCR – Police of the Czech Republic

GCHR – Government Commissioner for Human Rights

ASLPC – authority for social and legal protection of children

PS – primary school

SS – secondary school

Gestor – institution responsible for the performance of a task

Co-gestor – institutions jointly responsible for the performance of a task

Recommended – voluntary performance by the institution in question

Cooperation – cooperation within the framework of the capacities and possibilities of the institution in question

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National Action Plan for the Prevention of Domestic Violence for the Years 2011-2014

1. SUPPORT FOR PERSONS ENDANGERED BY DOMESTIC VIOLENCE

Strategic goal:

Ensure accessible and effective support for persons endangered by domestic violence.

Activities	Indicators	Gestor / +co-gestor	Deadline
1.1 Creation of generic standards for work with persons endangered by domestic violence.	1) Comparative studies of various standards in the EU, potentially in the USA. 2) Proposal of standards for the Czech Republic.	Recommended: NGO cooperation: MLSA	2011-2012
1.2 Creation of generic standards for undisclosed asylum shelters. ⁴⁵	Creation of standards of provision of undisclosed asylum shelters to persons endangered by domestic violence and their children.	Recommended: NGO cooperation: MLSA	2011-2012
1.3 Support to ensure the availability of social services of the type: asylum shelter with undisclosed address for persons endangered by domestic violence in connection with regional medium-term plans for the development of social services.	The number of places in specialised undisclosed asylum shelters for persons endangered by domestic violence, which provide comprehensive specialised help.	MLSA cooperation: regions, NGO	Continuously until 2014
1.4 Establishment of a free telephone line for persons endangered by domestic violence. ⁴⁶	Putting into operation a 24-hour nationwide free telephone line	MI + MLSA cooperation: NGO	2014
1.5 Development and implementation of new technologies to provide immediate help to	Results from pilot operation.	MI cooperation:	2012-2013

⁴⁵ The term “undisclosed asylum” is understood to mean a stay in an asylum shelter with the requirement for the non-disclosure of the location of the facility pursuant to Article 79 (5) d) of Act No. 108/2006 Coll., on Social Services, as amended. Similarly, the term “undisclosed asylum shelter” is understood to mean an asylum shelter with a requirement for the non-disclosure of the address of the facility pursuant to Article 79 (5) d) of Act No. 108/2006 Coll., on Social Services, as amended

⁴⁶ This can be implemented e.g. through the linking of existing emergency lines.

persons endangered by a particularly serious form of domestic violence (signalling equipment to call for help).		Police of the Czech Republic	
1.6 Support for specialised counselling centres for persons endangered by domestic violence.	The number of specialised centres for persons endangered by domestic violence taking into account the availability of the service.	MLSA cooperation: MI, MH, regions, NGO	2011-2012
1.7 Intervention centre service support for persons endangered by domestic violence.	The number of intervention centres for persons endangered by domestic violence taking into account the availability of the service.	MLSA	Continuously
1.8 Creation of a network of social housing for persons endangered by domestic violence.	The number of social apartments earmarked for persons endangered by domestic violence – subsequent help.	MRD cooperation: regions, municipalities	2011-2014

2. CHILDREN ENDANGERED BY DOMESTIC VIOLENCE

Strategic goal:

Ensure specific and effective help for children endangered by domestic violence and prevent the intergenerational transfer of violent behaviour patterns.

Activities	Indicators	Gestor / +co-gestor	Deadline
2.1 Support for the operation of workplaces focusing on work with children as both victims and witnesses to domestic violence (emergency intervention, individual and group therapy, internet counselling, self-defence courses) – in connection with Task No. 1.6, support for the establishment and maintenance of capacities for non-institutional care for children who cannot be, for a transitory period, in the care of their parents or other close persons.	1) The number of established/supported centres in the context of community plans of regions and municipalities. 2) The scope of non-institutional care for children provided.	MLSA cooperation: regions, municipalities, Police of the Czech Republic	2011-2013
2.2 Legislative protection for children who are witnesses to domestic violence, during a restraining order on the perpetrator of domestic violence pursuant to the Police Act.	Legislation – amendment to the restraining order legislation in the Police Act – expanding the position of the endangered person <i>ex lege</i> as well to children who are witnesses to domestic violence.	MI+MLSA	2011
2.3 Evaluation of methodological materials for ASLPC, schools and other institutions on how to address cases when children are witnesses to / participants in violence, modification of the process for their implementation and their potential supplementation.	1) Evaluation of the impact of implementation, the level of practical and theoretical knowledge. 2) If needed, modification of existing methodologies and the process for their implementation.	MEYS+MLSA	2013

3. WORK WITH VIOLENT PERSONS

Strategic goal:

Provide social and therapeutic services for violent persons.

Activities	Indicators	Gestor / +co-gestor	Deadline
3.1 Research / monitoring of the behaviour of violent persons during a restraining order or after the departure of the endangered person.	1) Monitoring methodology. 2) Annual monitoring. 3) Final monitoring report.	MI+MJ ⁴⁷	2011-2012
3.2 Pilot programme of work with violent persons.	1) Organization of an expert seminar with the participation of experts from the EU.	MI+MLSA cooperation: NGO	2011-2012
	2) Pilot programme operation (6 to 12 months).	MI+MLSA cooperation: NGO	2011-2012
	3) Final report from the pilot programme with an emphasis on its incorporation into the system for the prevention of domestic violence.	MI+MLSA cooperation: NGO	2011-2012
3.3 Support for social work with violent persons.	Number of supported organisations and institutions that also work with violent persons	MLSA+MI	2014
3.4 Generic standards for work with violent persons.	1) Comparative studies of various standards in the EU.	Recommended: NGO cooperation: MLSA	2011-2012
	2) Proposal of standards for the Czech Republic.	Recommended: NGO cooperation: MLSA	2012

⁴⁷ Within the framework of its competency, the MJ may provide only such information and data that relates to only those persons who have been convicted of a violent criminal act and at the same time supervision by a probation officer was imposed on them. Also, for other activities that the MJ has (joint) competency, it is understood that the MJ will be responsible for that part of the activities that fall within its material competency.

4. EDUCATION AND INTERDISCIPLINARY COOPERATION

Strategic goal:

Creation of a system of continuous education on the basis of interdisciplinary cooperation.

Activities	Indicators	Gestor / +co-gestor	Deadline
4.1 Use existing materials, supplement them, respectively create concepts and methodologies for education in the area of domestic violence for individual government departments.	Draft concepts and methodologies for education in the area of domestic violence for individual government departments:	MEYS cooperation:	2011-2012
	1) physicians, and medical staff	MH	
	2) teachers, wardens, pedagogical staff	MEYS	
	3) judges, public prosecutors	MJ	
	4) police officers	MI	
	5) social workers (including ASLPC)	MLSA	
4.2 Continuous training for the employees of key institutions and organisations. ⁴⁸	The number of trained employees, the scope of the training.	MEYS cooperation: MH, MLSA, MI, MJ	2011-2012
4.3 Support for and expansion of interdisciplinary cooperation.	1) The number of newly established interdisciplinary teams at regional level.	MLSA+MI cooperation: MH, MJ, MEYS, regions, municipalities	2011 -2014
	2) Outputs from the activities of interdisciplinary teams at regional level.	cooperation: regions, municipalities	
4.4 Support for the creation of specialised teams at the level of the Police of the Czech Republic.	Draft concept for the creation of specialised teams at the level of the Police of the Czech Republic.	MI	2011-2012

⁴⁸ This can be done both within the framework of methodological operation and also through the stipulation of priorities and tasks through government resolutions and/or potentially incorporating this goal in the Act on Territorial Self-governing Units, the Act on Social Services, the Judicial Act, the Act on Pedagogical Staff and so on.

4.5 Support for the training of judges in the issue of domestic violence.	1) The number of trained judges.	MJ	2011-2012
	2) Analysis of the possibilities for the specialisation of judges in family issues (guardianship, domestic violence...).		

5. SOCIETY AND DOMESTIC VIOLENCE

Strategic goal:

Involving the public in the prevention and resolution of the issue of domestic violence.

Activities	Indicators	Gestor / +co-gestor	Deadline
5.1 Information activities for the greater public on domestic violence.	Flyers for the public, for physicians' practices, mother centres, information and counselling facilities and selected social services facilities.	GCHR+MI +MLSA+MEYS +MH	2014
5.2 Prevention at schools.	1) Methodology for the inclusion of prevention into the appropriate education areas ⁴⁹ at PS, SS.	MEYS	2012
	2) Supporting awareness raising campaign.	MEYS	2012
	3) Methodology for the inclusion of prevention of violence for pre-schoolers.	MEYS	2012
5.3 Conferences on various themes of domestic violence (for example the consequences of the economic crisis, the effectiveness of the Criminal Code – stalking, and so on).	1) Conferences on the economic impacts of domestic violence.	GCHR+MI	2011
	2) Conferences on stalking.	GCHR+MI	2011
	3) Conferences on the issue of the protection of children.	MLSA+GCHR	2012
	4) Conferences on the issue of the education of children about the issue of domestic violence.	MEYS+GCHR	2012
	5) NAP evaluation conferences.	GCHR	2014
5.4 Government information campaign on the issue of domestic violence and its consequences, including the issue of children as primary victims as well as the witnesses to domestic violence, also retirees, the handicapped and also minorities, including foreigners.	1) Media campaign. 2) Website. 3) Creation of information materials in Czech and also in foreign languages. 4) Information campaign run through social networks.	GCHR+MLSA +MI cooperation: MJ	2014

⁴⁹ This means in particular the educational area of physical health and healthy lifestyle, Man and His World, Man and Society and selected cross-sectional themes supplementing the educational field of ethics education for primary education.

6. ANALYSES AND STUDIES

Strategic goal:

Obtain relevant information about the occurrence and forms of domestic violence and stalking in the Czech Republic with the possibility of comparing the results with foreign studies.

Activities	Indicators	Gestor / +co-gestor	Deadline
6.1 Coordination of monitoring and analytical activities in the area of domestic violence.	1) Establishment/existence of interdisciplinary working group for analyses.	GCHR	2011-2014
	2) Group meeting 1x year + commissioning of 1 new research project.	GCHR	2011-2014
	3) Implementation of the research.	GCHR	2011-2014
6.2 Cooperation with universities.	1) Number of implemented studies in the regions.	GCHR	Continuously until 2014
	2) Comparison of studies with similar ones abroad.	GCHR	Continuously until 2014
	3) Outputs from studies – measures (for example educational programmes).	GCHR	Continuously until 2014
	4) Report containing an analysis of research projects in the Czech Republic relating to the issue of domestic violence.	GCHR	Continuously until 2014
6.3 Preparation of analysis of the economic impacts of domestic violence in the Czech Republic and the incorporation of the results into further more specific steps in the NAP DV.	1) Evaluation of the results of similar analyses abroad. 2) Commissioning, preparation and evaluation of analysis.	GCHR	2014
6.4 Expansion of the statistics of the Police of the Czech Republic.	Crimes/Murders motivated by personal relationships – monitoring the relationship between the victim and the perpetrator.	MI	2011

7. LEGISLATION

Strategic goal:

Ensure the effective comprehensive legal protection of persons endangered by domestic violence, including children, witnesses to domestic violence

Activities	Indicators	Gestor / +co-gestor	Deadline
7.1 Perform an analysis of the effectiveness ⁵⁰ and interconnectedness of existing criminal as well as civil legislation and assess the suitability of retaining its form or its replacement with a different comprehensive Act and potentially make proposals for its improvement.	Commencement of analysis.	MI+ MJ+MLSA cooperation: NGO, regions, municipalities	2011
	Final report.	MI+ MJ+ MLSA cooperation: NGO, regions, municipalities	2012

⁵⁰ At the present time e.g. the Act on Social Services in Article 79 (5) d), as amended by Act No. 206/2009 Coll., permits the stipulation of a requirement to not disclose the location of the facility in an application for the registration of a social service; in practice, however, the need for confidentiality is not respected, e.g. by judiciary bodies. This can be changed e.g. through the amendment of the applicable procedural regulations. Also, judicial practice should respect the following facts in connection with the institute of undisclosed asylum:

1. Endangered persons use this service in a specialised registered organisation, and this for reason of serious permanent threat. The location where they are staying must be kept confidential.
2. It is important to unify the definition of the term “contact address” of endangered persons (including children) and to define the most suitable method of delivering official documents.
3. It is necessary to take into account the needs of institutions that must have secured contact with endangered persons, but at the same time must respect the nature of the undisclosed shelter programme. This means in particular the Police of the Czech Republic, social and legal child protection bodies, social and medical sections of local authorities and regional authorities, schools, nursery schools, physicians, the employers of endangered persons, the post office, tax offices, insurance companies and so on.

It is necessary to define the term “assisted contact between a parent and child” in connection with domestic violence and to stipulate its rules and also to take into account the need to implement assisted visits to children who are endangered persons, away from the undisclosed shelter for endangered persons.

7.2 Perform research into the forms and trends of domestic violence from the perspective of the impacts on victims as well as the possible effects on the perpetrator.	Final report.	MJ+MI+ MLSA cooperation: NGO, regions, municipalities	2013
7.3 An analysis of the possibility for the introduction of optional or compulsory participation of violent persons in therapeutic programmes in the area of civil law, criminal law and within the framework of hearings of administrative infractions and for the proposal of any potentially needed legislative changes.	1) Comparative studies of legislation in the EU.	MLSA+MI	2012
	2) Legal analysis of the possibility for the introduction of optional or compulsory participation of violent persons in therapeutic programmes in the area of civil law, criminal law and within the framework of hearings of administrative infractions and for the proposal of any potentially needed legislative changes in areas within the competency of the MJ.	MJ	2012
	3) Draft legislation on work with violent persons who have committed administrative infractions (for example protective measures).	MI	2012
	4) Draft legislation on work with violent persons in connection with civil proceedings (divorce as a consequence of domestic violence, rights and obligations in relation to children for the period after divorce and so on), but also outside legal proceedings (for example in reaction to a finding of domestic violence through ASLPC activities).	MLSA+MJ	2013
7.4 Harmonise the amendment of legislation on the social and legal protection of children (priority for the protection of the child's safety and interests) with the legislation of restraining orders in the Police Act, legislation for preliminary measures pursuant to the Civil Procedure Code and legislation helping persons threatened by violence in the Act on Social Services. ⁵¹	Draft legislation.	MLSA cooperation: MI, MJ	2011

⁵¹ This basically involves institutes and areas of legislation regulated by Act No. 135/2006 Coll. on Domestic Violence. Connected with points 2.2 and 2.3.

