

Re: „Protection from violence: Initiatives of the Federal Ministry of the Interior“

In principle, violent attacks can happen any time and any place, and it will never be possible to completely eliminate them by police measures alone. Combating crime, which includes violence and sexual assaults, can only be successful if all stakeholders in this country join forces. It is important to create a general attentiveness among girls and women, who are potential victims, and to thus build threat awareness. This is a task which requires joint efforts by the police, the medical profession, nursing staff, counselling and victim assistance centres, and the general public. It is a fact that most instances of violent attacks occur in the immediate social vicinity of the victims, hence the threat is highest in the supposedly most secure place: at home. No matter what the circumstances, the basic principle is that responsibility for the act lies solely with the perpetrator and never with the victim!

Protection of victims as a primary concern

Section 20 of the Public Security Act requires law enforcement personnel to work towards solving disputes with a view to preventing dangerous attacks on life, health or property. This mission is carried out in manifold ways and with great commitment. Thus, section 25 (3) of the Public Security Act empowers the Federal Minister of the Interior to contract with appropriate victim protection centres in co-operation with the Women's Unit to provide counselling and non-financial assistance for individuals at risk of violence. There is a nationwide network of protection centres for the victims of domestic violence (as defined by section 38a of the Public Security Act) and stalking (as defined by section 107a of the Austrian Penal Code). Such victims may contact those centres on their own initiative or are referred to them by the police or another authority, institution or person. When the police is called by the victim, the neighbours or by other individuals in cases of domestic violence, they take action aimed at protecting the victims. The central measure is a domestic violence restraining order for a period of two weeks, irrespective of whether the offender is the tenant or the owner of the flat concerned. The determining factor is that the vulnerable person lives on those premises.

In addition to a violence restraining order in respect of the residence the abuser may also be banned from school or child care premises if children are also at risk in a particular situation. In such cases, the protection centres are made aware of the domestic violence restraining order and are instructed to take appropriate precautionary measures.

Preventive legal directions in domestic violence cases

Enhanced involvement with both the victims and the offenders on the basis of section 38a of the Public Security Act is required for reducing the instance of domestic crime and follow-up offences and to strengthen the protection of victims. Police talk to abusers to make them aware of their wrongdoing and make them change their behaviour. Such preventive warnings to the source of the threat is aimed at avoiding re-offending, protecting the victims and reducing the number of police interventions. This is done by trained officials promptly after the respective attack. The social exclusion of violent partners or parents in such an exceptional and stressful situation is unlikely to yield the intended results. It would enormously increase anger and hopelessness on the part of the offenders and create the risk of escalation. The legal directions are intended to yield benefit and not to punish abusers. Preventive directions have a de-escalating effect and may prevent the offenders from seeing themselves stuck in their role as perpetrators. In fact violence is a type of behaviour and behaviour is something that can be changed!

Consequently, proactive dealings with the offenders is also an important contribution to protecting the victims.

Violent behaviour in the immediate social vicinity of the victims is rarely a single event. In many cases, it has a long evolutionary history involving a violence escalation cycle building up over a long period of time. Abusers have had, so to speak, a long and varied "career" and have acquired and acted out particular cognitive behaviour patterns. Their behavioural routines can hardly be changed through a single moment of punishment or reprimand. This point of view has led the Ministry of the Interior to provide particular support to men's counselling centres offering targeted long-term therapies aimed at deterring violent behaviour on a sustained basis.

Security in public areas

As has been mentioned, the overwhelming number of attacks, including sexual offences, are committed by persons close to the victims rather than by strangers. Nevertheless, a small percentage occurs in public and is committed by unknown perpetrators. Prevention of such situations consists in increasing the feeling of safety in the minds of persons at risk or of unsettled citizens through various measures, directions and thought-provoking impulses, and in providing them with confidence and competence in behaving safely and sensibly in anxiety-provoking situations.

The prevention programme "Security in public areas", which is part of the security concept "Joining forces for the security of women", focusses on the protection of the personal integrity of both female and male individuals and on the defence against sexual or physical assault. The emphasis is placed on the feeling of safety of the female population, which enhances the visibility of the programme. The target group are men and women aged 16 and above, with an emphasis on women. Whoever has a feeling of insecurity in certain situations or proactively seeks advice can draw on various prevention proposals, which are centred around the themes of "personal behaviour", "prevention in daily life", "behaviour in dangerous situations", "behaviour after dangerous situations" and "special locations and situations".

Many dangers are eliminated when preventive measures are implemented and rules of behaviour in response to specific situations are observed. Your personal safety can be improved by following simple general guidelines.

The aim of the project is to make the target group aware of the fact that constant caution and attentiveness is required, to make them think about what might happen when they are inattentive, and to prompt them to repeatedly discuss potential risks with other persons and to identify possibilities for action. Thinking out and going through potentially dangerous situations will make them act more assertively and confidently when responding to importunate individuals and seeking assistance or shouting for help, which can deter potential attackers.

The prevention programme is also geared towards strengthening moral courage in public life by empowering the general public to identify dangerous or violent situations and to provide assistance without putting themselves at risk.

Prevention contents are conveyed in lectures and practical workshops, which take place at specific locations such as multi-storey car parks, residential complexes, staircases etc.

Project MedPol

The project MedPol was launched to improve the co-operation between law enforcement and the medical profession where the identification and prevention of violence is concerned. Professional ethics require doctors to report injuries and complaints which are likely to be the result of violent action. Identifying criminal acts is a task shared by police officers and medical practitioners. Experts from both professional groups have identified a need for improvement at this interface. It concerns the exchange of experience and expertise as well as the simplification and standardization of administrative procedures so as to achieve maximum efficiency in processing violence cases and editing data for police and judicial purposes. Another aspect is maximum consideration for the victim, who tends to be in an exceptional emotional situation and should not be unnecessarily stressed or additionally traumatized by law enforcement action. The Ministry of the Interior co-operates with the Austrian Forensic Medicine Society (ÖGGM) and the Austrian Medical Association (ÖÄK) and has developed a checklist to be used by health care professionals for a standardized documentation of violence-related injuries (http://www.bmi.gv.at/cms/BK/praevention_neu/info_material/gewalt/files/Dokumentationsbogen.pdf). The short, well-arranged checklist is not only intended to make work easier for the attending doctors, but also to improve the use of evidence in court. Last but not least, an accurate and comprehensive documentation is crucial to substantiating claims of injuries and complaints.

In order to ensure full acceptance of advanced forensic training and widespread use of its contents among health care professionals the training is accompanied by continuous awareness-raising activities. These include addressing the issue of victim protection in the medical field with more emphasis than has hitherto been placed. Forensics should be included in the training of all areas of health care, from nursing staff to emergency medical technicians and from paramedics to university training and should cover practical work with victims of violence, interdisciplinary approaches, documentation that is usable as evidence in a court of law, and, above all, sensitive interviewing of victims of violence to avoid re-traumatization.

The issue of violence and aggression needs to be incorporated in the training of health care professionals. It is, however, important to be careful not to offload the task of dealing with victims to medical practitioners. Various assistance institutions need to take charge of the victims. In the medical field, low-threshold access to potential victims is crucial. The identification of atypical lesions may at best prevent sustained violence and suffering.

The World Health Organization describes domestic violence as one of the world's largest health risks to women and children. When the police is called in to help, when the victims or their family decide make a report to the police, or when a dangerous situation has arisen, there has often been a long history of suffering. In this respect, health care practitioners play an important part in identifying injuries caused by violence in the family or in the social vicinity of the victims and in responding accordingly to prevent further violence.

Victims of traffic in women and forced labour

In addition, a protection centre for victims of traffic in women and forced labour was established in co-operation with the Women's Unit was entrusted with comprehensive counselling and holistic support of this particular group of victims. All supportive activities are free of charge and are offered throughout the national territory. Vulnerable migrant women have been deceived, trapped and trafficked like slaves. They have been subjected to threats and physical violence and have been taken to Austria. The task here is to

ensure a sustained and effective protection against violence and to find of a solution to the relations of dependence that have sometimes lasted for years. If necessary, the victims are accommodated in an emergency shelter or temporary flat. Attendance and counselling are adapted to the special situation of the victims. The service provides a wide array of cultural, linguistic and social diversity, which enables and facilitates access to the victims, who are potentially traumatized by violent and/or discriminating incidents.

Victims of forced marriage

Similarly, an emergency shelter was set up for victims of forced marriage so as to ensure the maximum protection and best possible care. Its address is secret and there are clear security regulations to guarantee a life without fear of more violence (e.g. by "offended" family members). In Austrian criminal law, forced marriage constitutes aggravated coercion (as defined by section 106a subsection 1, para 3 of the Austrian Penal Code) and is punished by imprisonment ranging from 6 months to 5 years. The duration of the support for the victims varies from case to case. As a general principle, the maximum stay is three months, but a number of young women and girls stay for up to one year, because there are no alternative solutions.

Crime Prevention proposals

In addition to police interventions in cases of (imminent) threat of violence in the family and subsequent dealings with victims and offenders, primary prevention consists of a competent, neutral and free information and counselling proposal for various offence areas and throughout the national territory. In 2016, a total of 38,264 crime prevention measures were carried out and 365,789 persons were provided with counselling. For information on property protection, prevention from violence, sexual abuse prevention, addiction, protective measures in the cyberspace, and targeting of measures, for instance, to young people or the elderly, contact can be made through the hotline 059-133. Fuller information can be found at www.bmi.gv.at/praevention.

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