

# TEMPLATE POLICY PAGE

<b>Category:</b>	<b>Domestic Violence</b>
<b>Country:</b>	<b>Portugal</b>
<b>Year:</b>	<b>/</b>

<b>Policy activity:</b>	<p><b>1. National Strategy</b></p> <p>Portugal is now in its fifth National Plan against Domestic Violence (2014-2017) (Resolution of the Council of Ministers 102/2013, of the 31st of December).</p> <p>This Plan enlarges the scope of action, including also other types of gender violence, such as female genital mutilation and sexual violence (V National Plan of prevention and fighting domestic and gender violence).</p> <p>The Plan aims to consolidate the strategy and actions previously developed by strengthening the protection of victims and the interventions with perpetrators, deepening the knowledge of associated phenomena, the prevention of such crimes, qualification of professionals and the strengthening of the network of support structures and services provided to victims existing in the country.</p> <p>The National Plan is organized in five strategic areas (in a total of 55 measures):</p> <ol style="list-style-type: none"><li>1) Prevent, raise awareness and educate;</li><li>2) Protect victims and promote their integration;</li><li>3) Intervene with perpetrators;</li><li>4) Train and qualify professionals;</li><li>5) Investigate and monitor.</li></ol> <p><b>2. Law Enforcement and some instruments developed for policing domestic violence</b></p> <p>In Portugal there are almost 950 specialized police officers (National Republican Guard - GNR and Police of Public Security - PSP) that work on the criminal investigation of the domestic violence cases and under the proximity policing programs (data available at 31st of December of 2013). About 63% of police facilities (police stations) have an attending room for victims in order to assure privacy and comfortable conditions.</p> <p>Until the end of 2014 a new risk assessment tool will enter in force within Law enforcement agencies (the GNR and the PSP) aiming an initial risk evaluation and successively re-assessments of domestic violence victims and during this year the Handbook of policing domestic violence is being disseminated within the Law Enforcement agencies. This handbook was produced by a large team of professionals, from the</p>
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strategic planning department of the Ministry of Internal Affairs and from the GNR and the PSP and includes practical orientations regarding procedures since the initial report of the situation, to criminal investigation, and to proximity policing of domestic violence.

Within the Ministry of Internal Affairs an intranet page for law enforcement agencies were created where all the information about domestic violence is available and where some technical/policing tools can be found. These tools include safety plans for the victims and a resources guide on victim support. Regarding safety plans it is available an application that allows the creation of personalized outputs. The majority of the contents about safety planning is also available in a friendly frame within the Electronic Complaint System (to report a crime through the internet) where public can access.

This System allows the report of several types of crime including domestic violence.

### **3. Other measures/practices in Portugal**

The *tele assistance* program is also implemented at a national level since 2011. Within this program victims receive an electronic device (like mobile phone) which allows their constant localization (through GPS) and whenever needed emotional support. The panic alarm can be activated by the victims resulting in an emergency intervention by the police. This program is coordinated by the Commission for citizenship and gender equality (CIG) and the implementation of such measure can be decided, with an agreement of the victim, by a prosecutor or a judge.

The *Electronic surveillance of aggressors* (through the electronic bracelets) is also implemented since 2011 at a national level. This measure can be decided in order to reinforce the supervising of the aggressor's compliance of a restraining order (prohibition of contacts between aggressor and victim) or as an accessory penalty within a provisory suspension of the criminal process or in the suspension of the execution of an imprisonment decision. This Program is developed by The Directorate-General of Reintegration and Prison Services (DGRSP) (which includes Probation services), in close partnership with the Commission for Citizenship and Gender Equality (CIG).

The domestic violence aggressor's treatment program is currently being extended to a national level after an experimental period. This program is developed with aggressors within a provisory suspension of the criminal process or as an accessory penalty. The duration of the treatment is 18 months (minimum) and the approach is based in cognitive-behavioural techniques. The DGRSP (Probation and Prison services) manages this Program.

According to the domestic violence Law (112/2009, of the 16th of September) in every report to the police it is offered to the victims what is called the "victim status", a document where are listed all their rights

	and duties. This document is delivered with an explanation of its contents.
<b>Relevant legislation:</b>	<ul style="list-style-type: none"> <li>• Law 19/2013, of the 21st of February - Article 152 of the Penal Code was modified in order to specify the inclusion of situations of relationship (love affair) in the definition of domestic violence.</li> <li>• Law 112/2009, of the 16th of September - Establishes the legal regime of the prevention, protection and assistance to victims of domestic violence. Under this regime several measures were established, such as: granting the victim status, tele assistance for victims, electronic means to control the offender, declaration of the urgent nature of the crime of domestic violence, possibility of detention out of flagrant and mandatory communication of data (victim status and final judicial decision) to the Commission of citizenship and gender equality and to the Ministry of Internal Affairs.</li> <li>• Law 59/2007, of the 4th of September- Revision of the Penal Code. Domestic violence is for the first time a typified crime (Article 152), punished with 1 to 5 years of imprisonment. This crime consists in the infliction, in a reiterated manner or not, of physical or psychological mistreatment, including corporal punishments, freedom restriction and sexual offenses to a partner, ex-partner, person of the same sex or different sex that have maintained or have a relationship analogous of partners, or to a vulnerable person due namely to age, deficiency, sickness, pregnancy or economic dependence that live with the perpetrator.</li> <li>• The lower limit of the penalty is raised to 2 years whenever the victim is a minor, the crime occurs with the presence of minors, occurs in a common residence or occurs in the residence of the victim.</li> <li>• If from the facts result a severe offence to physical integrity the perpetrator is punished with 2 to 8 years of imprisonment and if the result is the death the punishment is 3 to 10 years of imprisonment.</li> </ul>
<b>Trends:</b>	<p>Regarding data collection, since 2006 the Law enforcement agencies (National Republican Guard - GNR and Public Security Police - PSP) use a standardized form to register all the reported cases of domestic violence, which is afterwards sent to the prosecution service. This form includes several data namely regarding the occurrence, the victim, offender, witnesses and other victims (e.g. children). The collection of such detailed data allows the existence of a monitoring system that contributes to the Portuguese knowledge on the phenomenon. Statistical periodic reports with detailed data are published by the Ministry of Internal Affairs.</p> <p>In 2013 the GNR and the PSP registered 27.318 occurrences of domestic violence, which represents about 3 participations per 1.000 inhabitants.</p> <p>Taking into account these occurrences registered by the law enforcement agencies (the GNR and the PSP), follows some detailed</p>

	<p>data:</p> <ul style="list-style-type: none"> <li>• Victims: female (85%); married/in common-law marriage (49%); average age 41 years; with a current or past intimate relation with the offender (79%); and 86% were born in Portugal;</li> <li>• Offenders: male (88%); married/in common-law marriage (51%); average age 42 years; and 87% were born in Portugal;</li> <li>• Occurrences: police intervention following a request of the victim in 77%, in 11% of the cases the intervention was motivated by information received by family members, neighbors or anonymous denounce; 39% witnessed by minors; in 29% of the cases police entered the house; 81% happened in the private residence; physical violence present in 71% of the cases, psychological violence in 80%, sexual violence in 2%, economic violence in 9% and social violence in 12%.</li> </ul> <p>In 2012 the Directorate-General of Internal Affairs published a study named “Domestic violence: from the participation of the occurrence to the criminal investigation”. This study addressed questions such as the expectations of victims on police intervention, motivation of the victims for promoting their safety, cooperation within the investigation and the attrition rate (in terms of cases that drop out of the system due to filing of the inquiry).</p>
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<p><b>Contacts:</b></p>	<p><b>National organisations:</b></p> <p>General Secretariat of Internal Affairs – <a href="http://www.sg.mai.gov.pt">http://www.sg.mai.gov.pt</a></p> <p>Commission for Citizenship and Gender Equality - <a href="http://www.cig.gov.pt/">http://www.cig.gov.pt/</a></p> <p>Public Security Police – <a href="http://www.psp.pt/Pages/defaultPSP.aspx">http://www.psp.pt/Pages/defaultPSP.aspx</a></p> <p>National Republican Guard – <a href="http://www.gnr.pt/">http://www.gnr.pt/</a></p> <p>Judiciary Police – <a href="http://www.pj.pt">http://www.pj.pt</a></p> <p>AMCV - Association of Women Against Violence – <a href="http://www.amcv.org.pt/amcv_files/pdfs/outros/AboutAmcv.pdf">http://www.amcv.org.pt/amcv_files/pdfs/outros/AboutAmcv.pdf</a></p> <p>APAV – Portuguese Association for Victim Support – <a href="http://apav.pt/apav_v2/index.php/en/">http://apav.pt/apav_v2/index.php/en/</a></p> <p>INE – National Institute of Statistics – <a href="http://www.ine.pt/xportal/xmain?xpid=INE&amp;xpgid=ine_main&amp;xlang=en">http://www.ine.pt/xportal/xmain?xpid=INE&amp;xpgid=ine_main&amp;xlang=en</a></p> <p>CESIS – Research Centre for Social Intervention – <a href="http://www.cesis.org/pt">http://www.cesis.org/pt</a></p> <p>DGPJ – Directorate-General for Justice Policy – <a href="http://www.dgpj.mj.pt/sections/english-version">http://www.dgpj.mj.pt/sections/english-version</a></p>
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	<p>Açores University – <a href="http://www.uac.pt/">http://www.uac.pt/</a></p>
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	<p>Prosecutor General's Office <a href="http://www.pgr.pt/home_english.html">http://www.pgr.pt/home_english.html</a></p>
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	<p>Lisbon Prosecutor's Office – <a href="http://www.pgdlisboa.pt/pgdl/home.php">http://www.pgdlisboa.pt/pgdl/home.php</a></p>
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	<p>Oporto Prosecutor's Office – <a href="https://www.pgdporto.pt/proc-web/">https://www.pgdporto.pt/proc-web/</a></p>
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**Completed template to be sent to the EUCPN Secretariat at [eucpn@ibz.eu](mailto:eucpn@ibz.eu).**