

REPUBLIC OF SLOVENIA

ALTERNATIVE REPORT

**for consideration by Group of Experts on Action against
Violence against Women and Domestic Violence
(GREVIO)**

Participating non-governmental organizations

Društvo za nenasilno komunikacijo (Association for Non-violent Communication)

is a non-governmental, non-profit and humanitarian organization working in the field of prevention of violence and its consequences. It was founded in 1996, and it offers a variety of programs for victims of violence (safe houses, counselling, accompaniment, social advocacy ...), for perpetrators of violence (Social Skills Training, Parenting Skills Training ...), programmes for children and youth (counselling, workshops ...) and public (educational activities, activism, lobbying ...).

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Društvo SOS telefon za ženske in otroke – žrtve nasilja (Association SOS Help-line for Women and Children – Victims of Violence) is a non-governmental, non-profit, humanitarian organisation that has been successfully operating at the national level for 35 years in the field of preventing domestic violence and other interpersonal violence. An important part of our mission is also supporting volunteer work. Volunteer work is carried out as consulting work at the SOS Help-line for Women and Children - Victims of Violence. Association SOS Help-line mission is to help, support and counsel women and children who have experienced or are still experiencing violence in their families and relationships. Needs of users are a basis for all our services and work in the field of lobbying and awareness raising campaigns. The basic principle for the activities of the Association SOS Help-line is that the violence against women – even though it usually happens within families and intimate relations – is not a personal but a social problem, which has its roots in non-equal distribution of power between women and men.

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Signatory organizations

Društvo Ključ – center za boj proti trgovini z ljudmi (*Association Ključ – Centre for Fight against Trafficking in Human Beings*)

PIC - Pravni center za varstvo človekovih pravic in okolja (*PIC – Legal Center for the Protection of Human Rights and the Environment*)

Združenje za moč (*Reclaim the Power Association*)

Zavod Karitas Samarijan (*Karitas Samarijan Institute*)

Društvo varnega zavetja Pomurja, Varna hiša Pomurja (*Society of Safe Shelter of Pomurje, Safe House for Women and Children Pomurje*)

Regionalna varna hiša Celje (*Regional Safe House Celje*)

Zavod Pelikan – Karitas, Materinski dom (*Institute Pelican – Karitas, Mother's Home*)

Društvo za pomoč in samopomoč brezdomcev Kralji ulice (*The Society for Help and Self-Help of the Homeless Kralji ulice*)

Javni zavod Socio (*Socio Public Institute*)

Zavod EMMA, Center za pomoč žrtvam nasilja (*Institute EMMA, Center for victims of violence*)

Ženska svetovalnica (*Womens' Counselling Center*)

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Introduction

The authors of this shadow report welcome the invitation from GREVIO to contribute to the evaluation of the Slovenian implementation of the Council of Europe Convention on Preventing and Combatting Violence against Women and Domestic Violence (Istanbul Convention) with a shadow report. We hope that the present shadow report will add useful information and perspectives to monitoring the Slovenian implementation of the Istanbul Convention. In addition, we hope that the shadow report might be a valuable tool in intensifying our dialogue with the Government, stakeholders and governmental institutions.

In our opinion, the Istanbul Convention covers the significant issues of violence against women and is vital in combating violence against women. We commit ourselves to contribute as much as we can and are available to provide GREVIO with further information if needed.

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Legal Framework

The Republic of Slovenia is a signatory to all major declarations, conventions, and agreements addressing the issue of domestic violence and violence against women. It ratified the **Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence** (*Istanbul Convention*) in 2015 ¹.

The Republic of Slovenia is bound to uphold the following key international human rights instruments addressing domestic violence and violence against women:

- The **Universal Declaration of Human Rights** (*Official Gazette of the RS*, No. 24/2018);
- The **Convention on the Rights of the Child** (*Official Gazette of the SFRY – International Treaties*, No. 15/90), with reference to the **Notification of Succession to UN Conventions** (*Official Gazette of the RS – International Treaties*, Nos. 9/92, 3-2/93, 9-50/93, 5-7/99; *Official Gazette of the RS*, Nos. 35/92, 13/93, 28/93, 20/99);
- The **United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)** (*Official Gazette of the SFRY – International Treaties*, No. 11/81), including the **Notification of Succession** published in *Official Gazette of the RS – International Treaties*, No. 9/92;
- The **European Convention on Human Rights and Fundamental Freedoms**, along with Protocols Nos. 1, 4, 6, 7, 9, 10, and 11 (*Official Gazette of the RS – International Treaties*, No. 33/94);
- The **European Social Charter** (*Official Gazette of the RS – International Treaties*, No. 24/99);
- The **Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence** (the *Istanbul Convention*) (*Official Gazette of the RS – International Treaties*, No. 1/15);
- The **European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment** (*Official Gazette of the RS – International Treaties*, No. 2/94);
- The **United Nations Convention on the Rights of Persons with Disabilities**, including the **Optional Protocol** (*Official Gazette of the RS – International Treaties*, No. 37/08).²

¹ Act Ratifying the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence. *Official Gazette of the Republic of Slovenia – International Treaties*, No. 1/15.

² The Draft Resolution on the National Programme for the Prevention of Domestic Violence and Violence against Women 2024–2029 (ReNPPND24–29). *Official Gazette of the Republic of Slovenia*, No. 38/24.

Note on the use of organization names in this document:

The names of Slovenian civil society organizations are used in their original form throughout this document. **Društvo SOS telefon za ženske in otroke – žrtve nasilja** (*Association SOS Help-line for Women and Children – Victims of Violence*) is hereinafter referred to as **Association SOS Help-line**.

English translations of the organization names are provided for reference only and are not official.

Abbreviations

CEDAW – Convention on the Elimination of all Forms of Discrimination Against Women

CEDAW Committee – Committee on the Elimination of Discrimination against Women

CoE – Council of Europe

DV – domestic violence

EIGE – European Institute for Gender Equality

GBV – Gender Based Violence

GREVIO – Group of Experts on Action against Violence against Women and Domestic Violence

ISTANBUL CONVENTION – Council of Europe Convention on preventing and combating violence against women and domestic violence

KZ-1 – Kazenski zakonik (Criminal Code)

MDT – Multidisciplinary Team

MDDSZ – Ministry of Work, Family, Social Services, and Equal Opportunities

NGOs – non-governmental organizations

NIJZ – National Institute of Public Health

RS – Republic of Slovenia

SV – sexual violence

SURS – Statistical Office of Republic of Slovenia

SWC – social work centres

VAW – violence against women

ZKP – Zakon o kazenskem postopku (Criminal Procedure Act)

ZNPPol - Zakon o nalogah in pooblastilih policije (Police Tasks and Power Act)

ZPND – Zakon o preprečevanju nasilja v družini (Domestic Violence Prevention Act)

Part I: Changes in comprehensive and co-ordinated policies, funding and data collection in the area of violence against women and domestic violence

Article 7: Comprehensive and co-ordinated policies

1. Parties shall take the necessary legislative and other measures to adopt and implement State-wide effective, comprehensive and co-ordinated policies encompassing all relevant measures to prevent and combat all forms of violence covered by the scope of this Convention and offer a holistic response to violence against women.
2. Parties shall ensure that policies referred to in paragraph 1 place the rights of the victim at the centre of all measures and are implemented by way of effective co-operation among all relevant agencies, institutions and organisations.
3. Measures taken pursuant to this article shall involve, where appropriate, all relevant actors, such as government agencies, the national, regional and local parliaments and authorities, national human rights institutions and civil society organisations.

Changes in the Field of Domestic Violence and Violence against Women (2019–2025)

New Strategic Documents and Policies

In April 2024, Slovenia adopted the *Resolution on the National Programme for the Prevention of Domestic Violence and Violence against Women 2024–2029* after more than 15 years. This is the first time the two areas—domestic violence and violence against women—have been unified under a single strategic framework. The resolution focuses on seven key objectives, elaborated in biennial action plans, with earmarked budget allocations (~€1.8 million for 2024).

This overarching strategy replaces the previous programme adopted over a decade ago. A detailed action plan for 2024 has already been adopted, and many measures planned for this year have been implemented.

Key priorities of the 2024–2029 resolution include: strengthening training for professionals (police, judiciary, social workers, healthcare personnel, etc.) in recognising and addressing violence; ensuring psychological support and supervision for professionals working with victims; and raising public awareness and education—particularly among children, parents, and the media—about the unacceptability of violence. A major emphasis is placed on strengthening support for victims: the resolution proposes reintroducing the right to the first free legal consultation (previously part of the Legal Aid Act). It also aims to expand and geographically disperse the network of specialised social welfare programmes, crisis centres, shelters, and perpetrator intervention programmes. To facilitate victims' relocation from abusive environments, temporary emergency housing (so-called transitional housing units) will be established throughout the country. €1.8 million was allocated for this purpose in 2024. Funding is also provided for a 24/7 national anonymous helpline for all forms of violence against women, which is free of charge and continuously available.

The resolution foresees the establishment of a permanent inter-ministerial working body to monitor violence against women and domestic violence, as well as regular interinstitutional cooperation. In the area of family policy, the document addresses expert concerns that child custody and contact arrangements must take safety into account. It proposes protective measures, including guidelines for supervised contact in cases of violence, banning contact when a restraining order is in place, and removing joint custody in cases of abuse. These measures help Slovenia comply with Article 31 of the Istanbul Convention, which requires ensuring victim and child safety in custody and divorce proceedings.

The 2024–2029 resolution also announces a review of criminal legislation to possibly lift any remaining reservations regarding the Istanbul Convention, signalling Slovenia’s commitment to full implementation of its standards. In a time when conservative movements are gaining ground in some countries (e.g., Turkey’s withdrawal from the convention), Slovenia remains firmly committed to the convention’s implementation and sees it as essential for the effective protection of women’s human rights. The Slovenian government has publicly emphasized that it will not withdraw but will instead intensify its efforts to implement the convention in practice.

In addition to this specialised resolution, violence against women is also addressed in the *Resolution on Equal Opportunities for Women and Men 2023–2030*, adopted in 2023. This gender equality strategy prioritises the prevention of all forms of violence against women and girls and includes measures to combat domestic and sexual violence. In 2024, the government also adopted the *Resolution on the National Programme for the Prevention and Suppression of Crime 2024–2028*, which treats domestic violence as a serious societal issue within the broader context of crime prevention. With a comprehensive strategic framework and a multisectoral approach, Slovenia is reinforcing prevention, victim protection, and prosecution of perpetrators.

Criminal Code (KZ-1) – Sexual Violence and Rape

One of the most significant legislative changes in the field of sexual violence was the redefinition of the criminal offence of rape in the Criminal Code. In June 2021, the National Assembly adopted an amendment to the Criminal Code (KZ-1) by a large majority, abandoning the previous model based on coercion and introducing an affirmative consent model – based on the principle of “only yes means yes.”

Under the new legal framework, rape is defined based on the absence of free and explicit consent to a sexual act. Any sexual act without the victim’s clear and voluntary agreement is criminal – regardless of the use of force, threats, or physical resistance. This legislative change brought Slovenian law in line with modern international standards, especially with the requirements of the Istanbul Convention, which calls for the criminalization of rape based on lack of consent rather than the presence of force.

Civil society campaigns and initiatives played a crucial role in the adoption of the so-called “only yes means yes” model. NGOs such as Amnesty International Slovenia, the 8th March Institute, the Association SOS Helpline, the Association for Nonviolent Communication, and others have been actively raising awareness, putting pressure on decision-makers, and advocating for legal reform since 2019. The #metoo and #onlyYESmeansYES campaigns helped to build broader public support, which proved essential for the amendment to pass.

All parliamentary parties unanimously supported the amendment as an important step toward zero tolerance for sexual violence and a commitment to respecting individuals' bodily autonomy.

Criminal Code – Prosecution of Violence and Femicide

An amendment to the Criminal Code addressed a significant legal gap in prosecuting sexual violence within the family context. Previously, prosecution for rape or sexual violence against a spouse, cohabiting partner, or same-sex partner required the victim's consent. The amendment eliminated this provision, allowing these offenses within intimate partnerships to be prosecuted *ex officio*. This change rectifies the prior exception that left the prosecution of sexual offenses within families to the victim's discretion—a practice criticized internationally—and ensures equal protection as with other criminal offenses. Victims often withdrew complaints due to fear or dependency, making this change crucial for more effective prosecution.

Additionally, the 2023 amendment to the Criminal Code (KZ-1K) introduced an explicit aggravating circumstance for murders committed within a family or intimate partnership. If an offender kills their (former) partner or another close person, the act is now considered a particularly severe form of murder (*de facto* femicide) with a higher prescribed penalty. This addition also encompasses so-called honour killings and other gender-based murders of women within family communities. Slovenia thus legally and statistically recognizes femicide as a distinct phenomenon and intensifies the punishment for the most severe acts of gender-based violence.

Criminal Code – Other Amendments

Before 2019, Slovenia had already aligned several criminal offenses with the Istanbul Convention. In 2015, the Criminal Code (KZ-1) introduced the criminal offense of stalking (persistent following or harassment of a person, including via electronic means) and the offense of forced marriage. The Criminal Code also defines domestic violence as an independent criminal offense (Article 191), encompassing physical, psychological, sexual, or other abuse of a relative in a shared household. Amendments to the Code and other regulations ensure that courts can impose restraining orders on domestic violence perpetrators at all stages of the process (from police proceedings and criminal prosecution to suspended sentencing).

Notably, the Domestic Violence Prevention Act explicitly states that a child is considered a victim of violence merely by being present during violence between other family members or living in an environment where violence occurs. This principle is also applied in criminal proceedings—psychological violence and children's exposure to violence are increasingly sanctioned in judicial practice.

Furthermore, criminal law penalizes sexual harassment (within employment relationships as the criminal offense of bullying under Article 197 of the Criminal Code) and forced sterilization or genital mutilation (e.g., forced sterilization is a criminal offense under Article 133). With these provisions, Slovenian criminal legislation is largely aligned with the Convention's requirements, while further adjustments (e.g., explicit criminalization of female genital mutilation—FGM, sexual harassment outside the workplace, etc.) are still under consideration.

Domestic Violence Prevention Act

The fundamental law in this area is the *Domestic Violence Prevention Act*, which defines the concept of domestic violence, types of measures, and the roles of institutions. In 2016, a significant amendment to the *Domestic Violence Prevention Act* explicitly prohibited corporal punishment of children and expanded the definition of violence (including economic violence and neglect). At that time, provisions were introduced stating that any physical punishment of children is prohibited and that a child who witnesses domestic violence is considered a victim—as previously mentioned.

Since 2019, the *Domestic Violence Prevention Act* has not undergone substantial substantive amendments but has experienced some adjustments due to other regulations (e.g., alignment with long-term care legislation). The Act continues to provide a framework for protective measures that courts can order in cases of domestic violence—restraining orders, prohibition of contact, removal of the perpetrator from the home, etc. These measures can last up to one year (with extensions) and have become an important tool for the immediate protection of victims. Proceedings for ordering measures can be initiated by social work centres or the victim themselves at the competent district court, with the victim entitled to free legal aid in these proceedings. Social work centres assess the victim's risk and coordinate assistance; based on the risk assessment, the victim gains the right to legal aid and other forms of support. All this indicates a strengthened role of institutions in protecting victims, although challenges remain in ensuring uniform practice and prompt action throughout the country.

The new Resolution 2024–2029 therefore envisages a further review of family and social welfare regulations to improve protective measures under the *Domestic Violence Prevention Act* and standardize procedures (e.g., preparation of uniform guidelines for social work centres and similar).

Protection of Children in Criminal Procedure and their Comprehensive Treatment in the Children's House Act (ZZOKPOHO)

In 2021, Slovenia adopted a special act aimed at protecting children who are victims or witnesses of criminal offences, with a focus on comprehensive treatment in the so-called Barnahus (Children's House). The act regulates child-friendly justice, with the goal of eliminating secondary victimisation of minors through coordinated treatment in one location. The Children's House in Ljubljana opened its doors in May 2022 as a public institution. It provides a safe environment outside police stations and courts, where trained professionals conduct forensic interviews with children (the recordings are used in proceedings) and offer therapeutic support, medical care, and assistance to families.

The project was supported by the Norwegian Financial Mechanism and is the result of several years of effort (including calls for its implementation from the Human Rights Ombudsman). The Children's House significantly improves the handling of sexual abuse and severe violence against children, as it prevents multiple interviews by different authorities and ensures rapid protection and treatment in the child's best interest. Through this, Slovenia has fulfilled its obligations under Article 26 of the Istanbul Convention regarding child-friendly procedures and has become one of the countries with the most advanced practices in this field.

However, the question remains how often courts actually make use of this institution, as field practice shows its use is still relatively rare. Therefore, an analysis of the current situation and actual application of the Barnahus model by the judiciary is needed.

Employment Relationships Act (ZDR-1) – Protection of Victims in the Workplace

In November 2023, an amendment to the Employment Relationships Act entered into force, introducing special rights for employees who are victims of domestic violence. This is an innovative approach that recognises the impact of domestic violence on a victim's ability to maintain employment and financial independence. Under the new provisions, an employee who has experienced domestic violence in the past two years and has reported it to the competent authorities acquires the status of a victim of domestic violence within the employment relationship.

This status grants the following benefits:

1. **Special protection against dismissal or harassment** – The employer must allow necessary adjustments and may not dismiss the victim without justified cause while they are resolving the consequences of the violence.
2. **Right to temporary adjustment of working hours** – The victim may request a part-time contract or adjustments in work schedule to better coordinate professional duties with proceedings related to protection (e.g. court, police, social work centre). The employer must approve such a request or provide written justification for denial, bearing the burden of proof.
3. **Right to paid leave** – Victims are entitled to five working days of paid leave per year to handle matters related to violence (e.g. moving to a safe house, attending court, medical care, finding new housing). This leave is paid at the employee's average wage, and proof of ongoing proceedings must be submitted (e.g. risk assessment from the social work centre, police report, or court summons).
4. **Restrictions on overtime and night work** – The employer may assign the victim to overtime or night shifts, or temporarily relocate them, only with their prior written consent.

These workplace measures aim to protect the victim from additional stress and enable them to address their situation without losing employment. Trade unions and women's rights advocates welcomed the changes, as victims often need time to arrange safe housing, legal proceedings, recovery from injuries, and financial stability—none of which are easy to manage without workplace accommodations.

With this amendment, Slovenia joins the ranks of countries pioneering paid leave and labour rights for victims of violence, aligning with international trends (e.g. ILO Convention No. 190 on violence and harassment recommends protection for victims at work).

Implementation of the Istanbul Convention – Campaigns and Awareness-Raising

In recent years, Slovenia has significantly strengthened compliance with the Convention's requirements. As early as 2015, new criminal offences (stalking, forced marriage) were added to the Criminal Code to implement the Convention. Furthermore, the "coercion" model in the definition of rape was abolished in favour of a consent-based model, explicitly fulfilling Article 36 of the Convention, which defines sexual violence in terms of lack of consent. These amendments – including the abolition

of prosecution by request in intimate partner cases – eliminate outdated reservations and align legislation with the spirit of the Convention.

The Convention also requires the establishment of appropriate protection institutions. Slovenia has met its obligation under:

- Article 26 (protection of children) with the establishment of the Children's House;
- Article 20 (support services) through expansion of shelters, counselling centres, and a 24-hour helpline;
- Article 50 (immediate action by police) by enabling rapid interventions and restraining orders already at the level of the police and prosecution.

In the field of prevention, Slovenia also implements the Convention – regular awareness campaigns take place on November 25 (International Day for the Elimination of Violence Against Women), and the Convention is included in the training curricula for professionals.

Awareness-Raising Campaigns

In addition to the campaign for redefining rape (#OnlyYesMeansYes)³, which mobilized the broader public, annual activities are held on the International Day for the Elimination of Violence Against Women and the 16 Days of Activism (Nov 25–Dec 10). The National Institute of Public Health (NIJZ) led the campaign “*Zero Tolerance to Violence Against Women*”⁴, emphasizing that violence is a serious societal issue, not a private matter.

In 2023, the Ministry of Labour, Family, Social Affairs and Equal Opportunities (MDDSZ) launched the national campaign “*Love (Doesn’t) Hurt*”⁵ aimed at raising public awareness about violence against women and within families, and encouraging victims to report abuse. The campaign was conducted in cooperation with social work centres, NGOs, and other partners. Key messages included:

- Purpose: Breaking stereotypes that justify violence, and promoting the message that love should never hurt. It emphasized that violence is unacceptable and the perpetrator is solely responsible.
- Message: “Love (Doesn’t) Hurt” called for zero tolerance and urged victims to seek help.
- Tools: Videos, posters, leaflets, social media posts, and special awareness events.

The campaign was vital in encouraging public discourse. In October 2023, MDDSZ sent a circular to all social work centres (SWC), warning against the use of the concept of “parental alienation”. The circular noted that the concept lacks scientific basis, a reliable definition, or diagnostic tools, and is thus inappropriate for professional practice. SWCs were urged to rely on evidence-based concepts, especially in cases involving domestic violence.

³ #samoJApomeniJA

⁴ <https://nijz.si/zivljenjski-slog/dusevno-zdravje/nicelna-toleranca-do-nasilja-nad-zenskami/>

⁵ <https://www.gov.si/zbirke/projekti-in-programi/ljubezen-ne-boli-zaustavimo-nasilje-nad-zenskami-in-v-druzini/>

National conferences

Since 2022, national conferences are organized around the International Day for the Elimination of Violence Against Women:

- 2022: “National Conference on Preventing and Responding to Violence Against Women in Slovenia”
- 2023: “Parenting and Contact in Cases of Domestic Violence”
- 2024: “Effectiveness of Measures to Protect Victims of Intimate Partner Violence”

These conferences were organized jointly by three ministries (Ministry of Work, Family, Social Services and Equal Opportunities, Ministry of Justice, Ministry of the Interior) and three NGOs (Association SOS Help-line, Association for Non-violent Communication, and PIC – Legal Center for the Protection of Human Rights and the Environment).

Such cooperation is vital for effective prevention, as it fosters interinstitutional collaboration between state bodies, professional services, and civil society. This enables the sharing of best practices, joint legislative proposals, and a coordinated response to the complex challenges of violence. By holding these regular conferences, Slovenia demonstrates its commitment to zero tolerance and strengthens systemic solutions for victim protection.

Other Important Initiatives, Programs, and Practices (2019–2025)

In addition to legislative reforms, several programmatic and practical measures were introduced:

- On January 1, 2021, Slovenia launched its first 24/7 helpline for women and children victims of domestic and intimate partner violence. The helpline (080 11 55) is free, anonymous, and confidential, available in multiple languages (English, Bosnian, Croatian, Serbian). Funded under the “SOS 24/7” project and co-financed by the EU’s European Social Fund, it includes regional counselling centres and additional victim services. Ministry for Work, Family, Social Services and Equal Opportunities continues to fund the 24/7 helpline even after the end of the EU project.
- Support for NGOs: NGOs remain key service providers in the field, offering psychosocial counselling, shelters, helplines, legal support. From 2019 to 2025, the state maintained (and partly increased) funding for NGO programs. Each year, MDDSZ funds projects promoting gender equality, including prevention of online and offline violence against women. Supported projects included those by Association SOS Help-line, Association for help and self-help of the homeless Kralji ulice, Society Ključ Centre for Fight Against Human Trafficking, and others focused on victim support and youth education.

During the COVID-19 pandemic (2020–2021), NGOs and the government introduced special measures – Association SOS Help-line increased the number of employees, and new communication channels (email, online chat, Zoom counselling) were created for victims in lockdown. Police campaigns highlighted that “home is not safe for everyone” during the pandemic, encouraging reporting. The Ministry funded additional shelters and emergency accommodations. Statistics showed a rise in

reports of domestic violence during the pandemic, prompting a COVID-19 action plan that prioritized domestic violence among emergency services.

Conclusion

Between 2019 and 2025, Slovenia significantly strengthened its legal framework, policies, and societal awareness around domestic violence and violence against women. Through legislative reforms, it addressed major gaps (e.g., outdated rape definitions, prosecution loopholes in partner violence). With new national programs, these issues have become strategic priorities. Victims now have broader rights (legal aid, paid leave, workplace protections) and improved access to services.

Public awareness is also increasing – domestic and gender-based violence are no longer seen as private matters but recognized as serious social problems demanding zero tolerance. While progress has been made (e.g., implementation of the model “only yes means yes”), challenges remain, including full implementation of the new *Resolution on the National Programme for the Prevention of Domestic Violence and Violence against Women 2024–2029*, sustainable funding, and shifting social norms to prevent violence altogether. However, Slovenia’s post-2019 trajectory reflects a comprehensive, EU-aligned approach and strong political will to ensure that every victim receives protection and every perpetrator is held accountable, based on the principle that a life free from violence is a fundamental human right.

Article 8: Funding

Parties shall allocate appropriate financial and human resources for the adequate implementation of integrated policies, measures and programmes to prevent and combat all forms of violence covered by the scope of this Convention, including those carried out by nongovernmental organisations and civil society.

Funding and Human Resources for the Implementation of Policies and Programs (Developments Since 2019)

In recent years, Slovenia has significantly strengthened its financial and human resources for the prevention of and response to all forms of violence against women. Since 2019, national-level budget allocations have increased notably. For example, in 2023, the Ministry of Labour, Family, Social Affairs and Equal Opportunities (MDDSZ) allocated a total of €4.8 million for violence prevention programs and victim support—substantially more than €3.47 million in 2021.⁶

These funds co-financed 38 social protection programs (such as women’s shelters, safe houses, counselling centres, etc.), most of which are operated by non-governmental organizations. At the local level, investment has also increased—for instance, in 2023 the Municipality of Ljubljana co-funded programs for women and children victims of violence, including €80,000 for a crisis center, €310,500 for five safe accommodation programs, and €85,000 for a specialized shelter for women with substance use disorders.

The increased financial support has enabled an expansion of services: in 2023, a new children’s crisis center was opened, bringing the total to 13 centres nationwide. For crisis accommodation for victims of violence, MDDSZ allocated €4.2 million in 2023 (compared to approx. €3.14 million in 2022).

Another major development is the establishment of a free 24-hour national helpline, specialized for women and children victims of violence. Since early 2021, victims can call the confidential SOS Helpline at 080 11 55 around the clock, every day of the week (previously available only 10–12 hours per day until 2021).

Additionally, in 2023 MDDSZ launched its first dedicated call for NGO projects aimed at preventing violence against women and girls, including online violence. Selected projects received approximately €10,000 each in co-financing. The strengthening of resources also includes investment in human capital. The increased budget now enables coverage of personnel costs in specialized assistance programs—MDDSZ co-finances salaries and material costs for service providers, with financing now arranged on a long-term basis, typically for a seven-year period. This long-term (and predictable) funding contributes to workforce stability and the professionalization of services.

⁶ <https://rm.coe.int/ic-cp-inf-2024-9-reporting-form-on-the-implementation-of-cop-recommend/1680b3797e#:~:text=with%20perpetrators%20of%20violence,governmental%20organisations>

Health Sector Funding and Professional Support (Post-2019 Developments)

In the healthcare sector as well, the authorities have introduced multi-annual (three-year) funding schemes for NGO programs that provide support to victims. In addition, national policies have increasingly prioritized the training and support of professionals. The new *Resolution on the National Program for the Prevention of Domestic Violence and Violence Against Women 2024–2029*, which was adopted in 2024 after almost 15 years and developed in collaboration with experts and NGOs, specifically emphasizes the enhancement of professional competence for all who work in the field of violence (including police officers, judiciary, social services, healthcare professionals, etc.), as well as the provision of supervision and psychological support for these professionals to prevent burnout.

This *Resolution* brings together, for the first time, the fields of domestic violence and violence against women in an integrated manner. Among its key goals are the development of diverse, long-term, high-quality, and widely accessible victim support services, and the strengthening of existing programs. It foresees an expansion and geographic diversification of the support network (e.g., the establishment of emergency transitional housing for the gradual independence of victims), the creation of a permanent intersectoral coordination body for violence prevention policy, and improvements in the responsiveness of first responders to severe cases of violence.

Support for Women's NGOs and Specialized Services for Victims (2019–2025)

Women's NGOs advocating for victims' rights play a central role in Slovenia in delivering specialized support to victims of all forms of violence. Since 2019, significant changes have been made to ensure more sustainable and adequate funding for these organizations, in line with GREVIO's recommendations that governments must secure long-term financing for women's NGOs providing specialist services for female victims of violence.

Today, the majority of shelters, safe houses, counselling centres, women's shelters, and psychosocial assistance programs for victims are run by NGOs, with the state supporting their operations through a long-term funding scheme. The Ministry of Labour, Family, Social Affairs and Equal Opportunities (MDDSZ) has been co-financing these programs regularly since 1993 through public tenders in the public interest. In recent years, this system has been improved to allow for multi-year funding cycles. Most programs implemented by women's NGOs are now co-financed in cycles of up to seven years, with funding covering both staffing and material costs. This arrangement enables more stable planning, retention of trained personnel, and continuous victim support.

The Ministry of Health has also begun signing multi-year (three-year) contracts with NGOs for support services in the healthcare field, which has helped stabilize the financial basis of psychological support programs for victims.

In addition to national tenders, funding for women's NGOs has been strengthened through project-based grants from other ministries and local governments. For example, the Ministry of Public Administration funds NGO networks and regional NGO hubs from the NGO Development Fund. Through this fund, the Association SOS Help-line – together with two NGO partners, received direct funding to digitize its services between 2021 and 2023.

At the municipal level, local governments co-finance the operation of shelters and programs. For instance, the Municipality of Ljubljana regularly supports safe houses, crisis centres, maternity homes and NGO-run counselling services.

Special emphasis is placed on ensuring service accessibility for vulnerable groups of women, such as immigrants, ethnic minorities, women with physical disabilities, elderly women, and women who use illicit substances. NGO programs accept all victims, regardless of their personal circumstances—including migrant women and undocumented immigrants, who are not excluded from receiving support.

Specialized Services for Specific Needs and NGO Involvement in Policy Design (Post-2019 Developments)

Specialized services tailored to specific needs are already operational in the field. For example, there is a specialized safe house for women with disabilities, operated by *Association of the Physically Handicapped of Slovenia* and an adapted accommodation program provided by *Association SOS Help-line* (Shelter for Women and Children – Victims of Violence II). Additionally, there is a shelter for women with addiction issues who cannot be accommodated in traditional safe houses; this service is co-financed by the Ministry of Labour, Family, Social Affairs and Equal Opportunities (MDDSZ) and the Municipality of Ljubljana.

Since 2018, targeted activities have also been implemented to empower and integrate migrant women. As part of the *Resolution on Equal Opportunities 2015–2020*, social inclusion and labour market programs were carried out for Albanian and other migrant women, with the support of cultural mediators. Furthermore, MDDSZ has introduced additional criteria into public calls for the co-financing of social protection programs, specifically encouraging the development of services for women with disabilities who are victims of violence.

All these efforts demonstrate the state's commitment to sustainable support for women's NGOs—not only through financial backing but also by formally including NGOs in policy and legislative development. Representatives of relevant NGOs are regularly invited to consultations and working groups. For example, umbrella NGOs participated in drafting legislative amendments (such as long-term care regulations aimed at protecting elderly victims of violence or guidelines for preventing harassment in higher education institutions). This collaboration signals a recognition of the professional role of NGOs and helps ensure that policies are aligned with the practical needs of victims.

Since 2019, progress in funding specialized NGO services for victims of violence has been evident. Financial resources have increased and are now managed with greater long-term stability, while new programs and service capacities have also emerged. Nevertheless, some challenges remain: particularly vulnerable groups of women—such as migrant women with uncertain legal status, ethnic minorities, and women with physical disabilities—still face barriers in accessing support due to language, information gaps, or other obstacles.

Continued investment in adequate resources will therefore be essential to expand the reach of these services and to realize the principle of zero tolerance for all forms of violence against women and girls, which remains a guiding principle of Slovenia's national policies.

Article 11: Data collection and research

1. For the purpose of the implementation of this Convention, Parties shall undertake to:
 - a) collect disaggregated relevant statistical data at regular intervals on cases of all forms of violence covered by the scope of this Convention
 - b) support research in the field of all forms of violence covered by the scope of this Convention in order to study its root causes and effects, incidences and conviction rates, as well as the efficacy of measures taken to implement this Convention.
2. Parties shall endeavour to conduct population-based surveys at regular intervals to assess the prevalence of and trends in all forms of violence covered by the scope of this Convention.
3. Parties shall provide the group of experts, as referred to in Article 66 of this Convention, with the information collected pursuant to this article in order to stimulate international co-operation and enable international benchmarking.
4. Parties shall ensure that the information collected pursuant to this article is available to the public.

Data Collection on Violence Against Women and Domestic Violence in Slovenia – Challenges and Shortcomings

1. Data from the Police

The Slovenian police maintain detailed records of domestic violence reports, disaggregated by the sex and age of both the victim and perpetrator, their relationship, and the location of the incident. In addition, the police record the number of issued restraining orders and violations thereof. This represents one of the more advanced areas of Slovenia's data collection system.

These enhanced records were introduced with the amendment to the Police Tasks and Powers Act (Article 124) and are aligned with the requirements of the Istanbul Convention. This is an important step forward, as the police currently hold the most comprehensive database on domestic violence in Slovenia. Some of this data is published in annual reports available to the general public, while other data can only be accessed upon request and is available to professionals.

However:

- The data are not fully integrated with those of other sectors, such as the prosecution, judiciary, and social services.
- There is no regular public reporting on the number of violations of protective measures or on actions taken in response.
- There are no data available on the outcomes of criminal proceedings related to these reports (e.g., how many result in convictions).

2. Data from the Judiciary

Until recently, prosecutors and courts in Slovenia tracked mainly the number of cases (criminal charges, indictments, judgments) and the types of offenses, but not detailed information about victims and perpetrators. These data were not disaggregated by gender or age of the victim or perpetrator, their relationship, or the location of the violence.

After 2019, the Slovenian authorities began showing commitment to closing this gap, but a comprehensive system has yet to be established. There is still no publicly available data confirming that the Supreme State Prosecutor's Office has created a dedicated victim database, or that the Statistical Office of the Republic of Slovenia (SURS) systematically analyses and links victim data with perpetrator information and case outcomes. At present, the justice sector still lacks disaggregated data that would enable tracking of cases from report to final judgment and analysis of where cases drop out before conviction.

A comprehensive and integrated system is needed to link data across different stages of criminal proceedings—from the police, prosecution, and courts to statistical analysis—but such a system is currently not in place. This presents a major gap in monitoring violence against women and implementing a holistic approach to these cases.

Currently:

- There are no unified statistical data on the number of judicial protective measures (e.g., restraining orders, custody removals), the number of violations, or the penalties imposed.
- Data on the Termination of Parental Rights due to violence are not specifically collected or analysed.

Although there are signs of progress, systematic, disaggregated, and publicly accessible data enabling comprehensive monitoring of violence against women and evaluation of the effectiveness of measures are still lacking.

3. Social Services

Social Work Centres (SWCs) have for many years collected data on domestic violence cases under the Domestic Violence Prevention Act (DVPA). These data primarily included the number of cases handled by each SWC, but they were often not publicly accessible and were based on manual input by professionals. As a result, the quality and comparability of the data were limited.

After 2019, significant progress was made in support for victims of crime. In 2021, as part of the implementation of the EU Victims' Rights Directive, a new social care program "*Support for Victims of Criminal Offences*" was launched and is implemented by selected social service providers. Within this program, social workers record the reasons for seeking help (type of criminal offense) and the measures taken. These data are entered into the internal registry system of social services, marking the first connection between types of violence and the use of social support.

While this is a step in the right direction, the data are still not part of a central national database, are not systematically linked with data from other sources (e.g., police, judiciary), and their quality depends on the consistency of entry across all SWCs. A comprehensive system that would enable tracking of a case from the initial report to the final court decision does not yet exist. Although the current system indicates progress, it also highlights significant room for improvement in developing a coordinated, disaggregated, and publicly accessible data collection mechanism on victims of violence who seek help.

4. Health Sector

The healthcare system in Slovenia has traditionally not systematically collected data on violence against women (e.g. how many injuries result from domestic violence), except within individual research projects. However, there has been a significant shift since 2019: the introduction of screening questionnaires to detect violence in pregnant women. Since January 1, 2023, gynaecologists and community nurses have been conducting screening programs for domestic violence among pregnant women using standardized questionnaires (NADO⁷ and WAST⁸), and the data are recorded in the national health information system. This represents an additional dataset within the care framework for pregnant women, recorded at the individual patient level. This marks the first time that the healthcare sector is systematically collecting data on violence experienced by pregnant women.

Nevertheless, a unified recording system for cases of violence against women is still not in place across the broader healthcare sector—such as emergency departments, family doctors, or psychiatry. This hinders the ability to assess how the healthcare system supports victims and to determine the extent of injuries caused by violence.

The healthcare sector still lacks:

- **Systematic data collection on violence in other areas of care**, such as emergency medicine, general practice, or psychiatry.
- **Consistent coding of injuries caused by violence** (e.g., injury codes indicating violence are not uniformly applied).

The **National Resolution on the Prevention of Domestic Violence and Violence Against Women (2024–2029)** thus envisions encouraging health institutions to engage in systematic data collection on violence against women.

5. Case Tracking from Report to Conviction

Slovenia still lacks a comprehensive and integrated system for collecting and linking data on cases of violence against women and domestic violence. Data collected by various institutions—police, prosecution, courts, social work centres, and the health system—are not interconnected. This means that it is not possible to follow a single case through the entire process from initial report to final outcome.

⁷<https://perinatologija.si/wp-content/uploads/2023/04/NADO.pdf>

⁸ <https://perinatologija.si/wp-content/uploads/2023/04/WAST.pdf>

As a result, critical questions remain unanswered, such as:

- How many reports of violence against women result in final convictions?
- Which cases “drop out” of the system during the process (since initial report, through investigation, prosecution, to court) and why (e.g., due to lack of evidence, withdrawal of charges, lack of victim cooperation)?
- Which protective measures (e.g., restraining orders, custody removals) were applied in individual cases, and what was their actual impact on victim protection?

Despite efforts such as the introduction of screening questionnaires in healthcare for detecting violence in pregnant women, recording assistance provided to victims within the “*Support for Victims of Crime*” program, and the initial attempts by the prosecution and Statistical Office of republic of Slovenia (SURS) to establish victim databases, a system enabling full case traceability from report to final decision is still not operational.

This lack of interoperable data limits the ability to assess system effectiveness and reduces the potential for developing comprehensive policies and prevention measures. Slovenia would benefit from a unified information system that links data across all procedural stages and sectors—from police and prosecution, to courts, social services, and healthcare institutions.

6. Research and Data Analysis

Although Slovenia still lacks systematic research on violence against women and the effectiveness of protective measures, several important research projects have been carried out since 2019 that have improved understanding and policy development in this area. Notably:

a) The International IMPRODOVA Project (2018–2021)

IMPRODOVA (Improving Frontline Responses to High Impact Domestic Violence, 2018–2021) was a European project in which Slovenia participated. The project analysed how police and other services respond to domestic violence across several EU countries, including the issue of data collection. For Slovenia, it confirmed findings similar to those raised by GREVIO: while police data on domestic violence are relatively extensive and reliable, data collection by other services is much less coordinated.

The project produced recommendations for improving administrative data systems. It emphasized the need to:

- **Standardize indicators and consolidate data** across institutions.
- Establish **clear agreements** on which indicators should be collected by all relevant stakeholders—for example, a minimum dataset for police and judiciary should include the number of victims, perpetrators, and reported incidents, disaggregated by sex, age, and relationship between victim and perpetrator.

This is essential for understanding the real scope of the issue and enabling comparisons over time and across regions or countries. IMPRODOVA also stressed the importance of clarifying the purpose of data collection: data are needed to measure the effectiveness of interventions and to plan resources. In international comparisons, the definition of violence is critical—for example, if the EU defines “serious domestic violence” narrowly (as only physical), there is a risk of overlooking less visible forms (psychological, economic violence).

For Slovenia, this means its system must ensure **inclusion of all forms of violence against women**, not just physical. The project provided guidelines aligned with GREVIO’s requirements: harmonization of data collection between institutions, shared minimum indicators (gender, age, relationship, type of violence), regular data collection on victims and perpetrators, and analysis of how cases progress through the system.

Between 2010 and 2019, the Slovenian police recorded a total of **40.989 criminal offenses** that occurred in the family setting, clearly showing that the majority of victims are women and perpetrators are men—highlighting the necessity of collecting and updating such data. The next step is to achieve similar reliability in data collection across the prosecution, courts, healthcare, and social services.

b) Research by the Institute of Criminology in Cooperation with the Police (2021–2023)

First study (2019–2022): At the initiative and in collaboration with the Ministry of the Interior and the police, the Institute of Criminology conducted a study on the use of restraining orders in practice. The research team, led by Dr. Katja Filipčič, analysed approximately 700 police and court case files involving restraining orders across the country. The aims were to determine in what types of cases the police issue such measures, who most often reports the violence, how the police monitor compliance with the orders, and under what circumstances violations occur. The then-Minister of the Interior, Tatjana Bobnar, emphasized in 2022 that the purpose of the research was to evaluate the effectiveness of restraining orders in protecting victims and preventing further violence.

Results were presented in 2024 and showed that the measure is relatively effective—the vast majority of perpetrators comply and do not violate the order. The analysis of the 2010–2021 period revealed that violations were recorded in about 21% of cases, meaning that in nearly 80% of cases, the perpetrator ceased to pose a direct threat to the victim once the restraining order was issued, which confirms the utility of the measure. The study also offered insights into the nature of violations: in more than half of the breach cases, the violation involved unauthorized contact via phone (SMS, calls) despite a prohibition on communication. An extreme example included a perpetrator who violated the order 63 times in a month and a half by harassing his ex-wife with messages.

This research is significant as it represents the first comprehensive evaluation of this measure in Slovenia. Its findings will assist the police and legislators in improving practice—for example, in risk assessment at the time of reporting violence. Researchers recommend that the police use collected case characteristics to identify high-risk situations, where issuing and strictly monitoring a restraining order is crucial. The need to strengthen work with perpetrators was also highlighted.

However, an important unanswered question remains: how many restraining order violations are actually reported, as victims may fear retaliation or escalating violence from the perpetrator if they report the violation.

What Has Slovenia Achieved and Where Gaps Remain

The above overview shows that since 2019, Slovenia has made notable progress, particularly in the following areas:

- **Improved police statistics:** The introduction of detailed indicators (gender, age, relationship, location) for each report of domestic violence, as well as separate tracking of issued restraining orders and their violations. The police also regularly publish this data, which enhances transparency.
- **Intersectoral collaboration on data:** Initiatives have been launched to consolidate data from the prosecution and judiciary regarding victims (in cooperation with the Statistical Office – SURS). The social sector has established a registry of crime victims and types of violence, and the healthcare sector has begun collecting data on violence against pregnant women. These steps demonstrate awareness of the issue and political will to improve the situation.
- **Research and awareness-raising:** Two recent studies on restraining orders have provided valuable insights into the practical implementation of protection measures. This knowledge can inform future policy development (e.g., introducing electronic monitoring for high-risk cases, improving risk assessment at the time of reporting, etc.). New strategic directions (the 2024–2029 Resolution) also reflect a strong commitment to improvement – for the first time in fifteen years, there is a comprehensive document uniting the areas of domestic and gender-based violence with clear objectives concerning data.

However, significant shortcomings remain:

- **Lack of an integrated information system:** Data collected by the police, prosecution, courts, social work centres, and NGOs are not yet interconnected. As a result, it is currently impossible to automatically follow an individual case through the system, which hinders justice system effectiveness analysis. Existing databases are fragmented and often incompatible.
- **Incomplete data disaggregation in some sectors:** The healthcare system and courts still do not consistently collect data on gender and relationship status in all violence cases. For instance, hospitals do not systematically record whether an injury resulted from domestic violence, and courts do not maintain a centralized record of victims in criminal proceedings. GREVIO has specifically urged the healthcare sector to begin collecting comparable data on the number of victims treated (by gender, age, and type of violence) – a call that remains only partially fulfilled.
- **Lack of data on specific measures and outcomes:** Consolidated statistics on protective court orders, their violations, and how violators are sanctioned are lacking. The withdrawal of parental rights due to violence is also not monitored as a specific indicator. As a result, state reports rarely include numerical data on these key aspects (e.g., “In year X, Y perpetrators were stripped of visitation rights due to violence”). These data gaps hinder the fulfilment of

the Convention's requirements, which aim to ensure that no dimension of the problem is overlooked.

- **Inclusion of all forms of violence:** GREVIO has noted that Slovenian policy has so far paid less attention to forms of violence against women outside the domestic context (e.g., rape, stalking, FGM, forced marriage). Similarly, data collection has largely focused on domestic violence, while incidents such as rape within intimate relationships or stalking have been less systematically monitored. By 2025, there is still no unified database integrating all forms of violence against women under one information system. However, the new Resolution does, for the first time, consolidate domestic and gender-based violence, suggesting that policies (and hopefully data collection) will expand to encompass all forms of violence covered by the Istanbul Convention.

Implementations Needed to Meet GREVIO Requirements

1. Establishment of a Unified and Coordinated Data Collection System

Slovenia needs an integrated data system or at least an inter-institutionally coordinated set of indicators. There should be an agreement between the police, prosecution, courts, social work centres (SWC), healthcare institutions, and NGOs on what data to collect and how to share it. The goal is to enable tracking of individual cases throughout the system (e.g., from initial report to final resolution), to identify points where cases “drop out” (e.g., from complaint to indictment or conviction). A technical solution could be a central database (e.g., under the auspices of the Statistical Office or the Ministry of Justice), where all institutions would periodically upload their data. Improving real-time data exchange between institutions is also essential.

2. Comprehensive Disaggregation of Data Across All Sectors According to Required Indicators

All relevant bodies should collect a minimum dataset on violence against women and domestic violence: gender and age of victim and perpetrator, their relationship, type of violence, location, and date/duration of the incident. This should be systematically implemented across healthcare, prosecution, courts, and social services. In particular, healthcare institutions should record data on injuries caused by violence. Social services should systematically document all cases they handle, not only those reported by victims.

3. Regular Collection and Publication of Data on Protective Measures and Sanctions

There needs to be a coordinated statistical system on the number of restraining orders issued (by police and courts), violations thereof, and actions taken in response. The Ministry of Justice should annually collect data on all protection orders, their extensions, violations, and corresponding sanctions. The police should publish their data regularly and in a disaggregated form. An analysis of sanctions (e.g., proportion of fines, detentions, etc.) would help assess whether the measures are effective and serve as a deterrent.

4. Recording and Considering Violence in Decisions Related to Children

It is essential to ensure that the presence of violence is systematically recorded in custody and visitation proceedings. Courts should be required to mark the presence of violence in their forms and registries, as well as to indicate resulting decisions (e.g., visitation restrictions, parental rights removals). Additionally, reasons for the removal of parental rights should be recorded to allow the system to analyse how often and why such measures occur.

5. Regular, Representative Surveys on the Prevalence of Violence

A new national survey on violence against women and domestic violence is urgently needed, as none has been conducted since 2010. Survey research is crucial for understanding the prevalence of unreported violence that administrative data fails to capture. The 2024–2029 Resolution already foresees periodic surveys, and funding and implementation (e.g., every five years) should be ensured.

6. Strengthening Capacities for Data Analysis and Use

It must be ensured that collected data is not gathered merely for its own sake but is analysed and used in policymaking. A dedicated expert team (e.g., within the Ministry of Labour, Family, Social Affairs and Equal Opportunities or the Statistical Office) should be established to regularly analyse data and produce reports for the government, professionals, and decision-makers. Introducing an annual statistical review of violence against women and domestic violence would greatly increase transparency and enable progress tracking.

Part II: Information on the implementation of selected provisions in priority areas in the field of prevention, protection and prosecution

Article 12 – General Obligations

1. Parties shall take the necessary measures to promote changes in the social and cultural patterns of behaviour of women and men with a view to eradicating prejudices, customs, traditions and all other practices which are based on the idea of the inferiority of women or on stereotyped roles for women and men.
2. Parties shall take the necessary legislative and other measures to prevent all forms of violence covered by the scope of this Convention by any natural or legal person.
3. Any measures taken pursuant to this chapter shall consider and address the specific needs of persons made vulnerable by particular circumstances and shall place the human rights of all victims at their centre.
4. Parties shall take the necessary measures to encourage all members of society, especially men and boys, to contribute actively to preventing all forms of violence covered by the scope of this Convention.
5. Parties shall ensure that culture, custom, religion, tradition or so-called “honour” shall not be considered as justification for any acts of violence covered by the scope of this Convention.
6. Parties shall take the necessary measures to promote programmes and activities for the empowerment of women.

Measures to Promote the Elimination of Harmful Stereotypes

State institutions such as educational, healthcare, and other public services devote insufficient attention to raising awareness and eliminating harmful gender stereotypes and prejudices. There is also a lack of initiatives aimed at encouraging men and boys to actively contribute to the prevention of all forms of violence against women. Additionally, certain media outlets are problematic as they perpetuate a culture of degrading women and maintaining their subordinate role.

Media

Some media outlets still resort to sensationalist reporting, aiming primarily to shock rather than to inform.

Case Study

Sensationalist Reporting

A newspaper reported on a court trial involving the sexual abuse of a minor. In doing so, it provided a detailed summary of all specific acts of violence, with the sexual violence described in explicit terms.

The media should be more aware of the role they play: for many people, the information they receive through articles and broadcasts is the only source of knowledge about violence and possible ways to take action. Some progress can be observed, as articles on violence are increasingly accompanied by basic information on where victims can seek help.

Nevertheless, the media—especially the most widely read outlets—continue to feature a great deal of sexism and reinforcement of harmful gender stereotypes on a daily basis. Some media contribute indirectly by giving visibility to individuals who promote such views, while others do so directly by producing sexist content themselves.

Case Study

Media Space Dedicated to Sexist and Misogynistic Content

1. Sexist “Joke of the Day” Feature on a Major News Portal

One of the largest online news portals in Slovenia publishes a daily feature called the “Joke of the Day.” These jokes often receive thousands of likes, indicating they have wide reach. Unfortunately, many of the jokes are openly sexist and misogynistic. Examples include:

- *A young wife comes to her mother in tears. “What happened?” the mother asks in concern. “Your eye is all bruised and swollen.” “My Štefan did this,” the daughter sighs. “How?” the mother is shocked. “But he’s supposed to be out of town!” “I thought so too!”*
- *Daughter: “Mom, I argued with my husband again—I can’t take it anymore! I’m coming to live with you! Mother: “No, dear, absolutely not; he has to pay for his mistakes! I’ll come live with you two!!”*
- *Little Tinka came home from school smiling and said to her mom: “Jurček showed me his little willy today!” Before the mother could react with concern, Tinka added: “It reminded me of a peanut.” The mother sighed with relief and smiled: “Oh, was it that small?” Tinka replied: “No... salty!”*

2. National Radio Host Gives Platform to Sexist Rhetoric

In November 2024, Slovenian national radio hosted a well-known Slovenian psychologist who regularly receives significant media attention. He has previously drawn criticism from both experts and the public for his highly problematic statements. In this interview he made professionally indefensible claims as well, trivialized violence against women, and mocked women’s struggles for equality. He rejects the principles of gender equality, portraying men as victims of the system while defending their privileged position. He supports patriarchal values that hinder the progress of both women and men, ignores the real obstacles women face in life, and promotes stereotypical views of what it means to be a “real man.” He downplays the problem of male violence in society, which is detrimental to all, as both women and men can be victims. In the same interview he belittled the

role of fathers in child care and upbringing, portraying these as exclusively women's responsibilities. He claimed women lack time and competence for professional life. However, active fatherhood and more equal sharing of parental responsibilities benefit everyone. The journalist conducting the interview failed to establish a critical distance from the guest's views or offer alternative perspectives on the topic.⁹

It would be reasonable to adopt a binding protocol or guidelines not only for reporting on violence but also for the prevention and elimination of sexism and misogyny. Additionally, for news stories that may infringe upon the rights of individuals mentioned in the articles, it is necessary to restrict or at least carefully moderate the comment sections. It is unacceptable for justifications such as "they deserved it" or "they got what they were asking for" to appear either in the articles themselves or in the comments below them.

Reinforcement of harmful stereotypes

Case Example

The principal of a private Waldorf school said the following in an interview for Radio Prvi last year:

*"At our school, dyeing hair, painting nails, and other beautification are prohibited. So are miniskirts and tops with thin spaghetti straps. And we also explain this to the girls. Namely, for boys in these pubescent years, it's already hard enough to concentrate – they're overwhelmed by hormones – and if, next to a sixteen- or seventeen-year-old boy, there's a girl who, in addition to being pretty, is also very scantily dressed, the boy really can't focus on the lesson. And the girls accept and understand this just fine."*¹⁰

⁹ Response from the editorial board of Spol.si to the radio programme "Aktualna tema" – guest Dr. Andrej Perko. Available at: <https://spol.si/blog/2024/11/06/odziv-urednistva-spol-si-na-radijsko-oddajo-aktualna-tema-gost-dr-andrej-perko/>

¹⁰ **The most sexist statement of the year was made by the principal of the Waldorf School.** Available at: <https://www.delo.si/novice/slovenija/najbolj-seksisticno-izjavo-leta-je-izrekla-ravnateljica-waldorfske-sole>

Article 14 – Education

1. Parties shall take, where appropriate, the necessary steps to include teaching material on issues such as equality between women and men, non-stereotyped gender roles, mutual respect, non-violent conflict resolution in interpersonal relationships, gender-based violence against women and the right to personal integrity, adapted to the evolving capacity of learners, in formal curricula and at all levels of education.
2. Parties shall take the necessary steps to promote the principles referred to in paragraph 1 in informal educational facilities, as well as in sports, cultural and leisure facilities and the media.

The lack of systematic education on non-violent behaviour and intervention in cases of violence in Slovenia

The introduction of such content should begin as early as kindergarten that a large number of children in Slovenia attend and continue throughout the entire school system. Currently the inclusion of content on violence, violence prevention, and non-violent communication depends on the priorities of the leadership of the kindergarten or other educational institution. This is often reflected in the school climate as there are considerable differences between schools in terms of recognizing and addressing violence.

All staff should refresh their knowledge regarding intervention in suspected cases of domestic violence, sexual violence or peer violence and acquire the skills needed to present this topic to children in an age-appropriate way. It would also be necessary to review and update the curricula of secondary schools and faculties that train new professionals for work in kindergartens, and primary, and secondary schools.

We observe that skills and knowledge related to non-violent communication are often lacking even among those employed in the education sector. Some employees feel uncomfortable during conflicts, share responsibility for violence, reproduce stereotypes (“boys will be boys,” “girls should maintain a positive atmosphere”), or minimize violence (“I know the family and the girl’s father well. There is no violence there. Sure, he may hit her now and then, but that is not violence.”). Remarks made by school staff can be completely inappropriate (harsh criticism, complaining, yelling, etc.), and we notice the same among children, who normalize and accept such behaviour.

However, it is much easier to address these issues in educational institutions, while sports clubs and other forms of organized leisure activities for children present greater challenges. Recently, there have been several cases of violence coming from such organizations, which highlights the need for the state to clearly require them to provide education and comply with the provisions of the Istanbul Convention in this area.

Since children and young people learn by imitation, it is crucial that all staff undergo regular training, not only on violence but also on non-violent communication and conflict resolution. Such training should be mandatory for all employees, as they all shape the school climate that either fosters or prevents violence.

School employees often state that they urgently need concrete help and support when faced with cases of violence in practice, as they lack sufficient experience for an appropriate response and intervention and are concerned that they might worsen the situation instead of improving it.

Article 15 – Training of Professionals

1. Parties shall ensure or strengthen appropriate training for the relevant professionals dealing with victims or perpetrators of the acts of violence covered by the scope of this Convention. Such training shall focus on prevention and detection of such violence, equality between women and men, the needs and rights of victims, as well as on how to prevent secondary victimisation.
2. Parties shall encourage that the training referred to in paragraph 1 includes training on coordinated multi-agency cooperation to allow for a comprehensive and appropriate handling of cases of violence covered by the scope of this Convention.

Observation on Professional Understanding and Training in the Field of Domestic Violence

We observe that many professionals working at social work centres and in the judiciary still largely lack understanding of domestic violence as a consequence of the unequal distribution of power between men and women, as well as understanding of the mechanisms of a patriarchal society and gender hierarchies, where women are subordinate to men both in private and public life. This means that social workers and judges often continue to see the cause of violence in the behaviour of the partner/victim, in the specific set of circumstances surrounding the perpetrator (e.g. addiction, unemployment, etc.), or they interpret the violence merely as a relationship conflict or disagreement between partners.

At social work centres, high staff turnover is a significant issue. As a result, the experience of professionals is often inadequate as is their knowledge of response to cases of violence. This leads to victims not receiving the necessary help and support. Due to a lack of understanding of the dynamics of violence, decisions that are unprofessional and may further endanger the victims are sometimes made (e.g. conducting joint interviews of the victim and the perpetrator at the social work centres, mocking victim's distress, failing to ensure the safety of victims, pressuring victims to accept the perpetrator's conditions, encouraging them to revoke a restraining order or even withdrawing protective measures even when that is not feasible).

In many cases, police officers are unfamiliar with the rights of victims and therefore fail to uphold them. For example, officers often express dissatisfaction when a victim is accompanied by a trusted person when filing a report, even though this is the victim's legal right. Additionally, police too rarely provide victims with information about available support services.

Regarding training for professionals within the judiciary (prosecutors, judges, etc.), we observe a general lack of interest in the topic of violence against women, which results in significant misunderstanding of the issue. Trainings on this topic are not mandatory for these professionals, and as such, are usually only attended by those who are personally interested, rather than by the majority. In addition, we frequently observe a patronizing attitude toward non-governmental organizations, which are too often considered lay associations, and their professionalism, which most NGOs demonstrate, is not acknowledged.

Healthcare professionals did participate in extensive training on domestic violence a few years ago, as part of a major project called POND¹¹ (Recognition and Treatment of Victims in the Framework of Healthcare). The trainings were well-attended at the time. Such training should be carried out regularly, at least every few years, as it is already evident that several years have passed since the last major training session.

We observe that institutions still lack knowledge about coercive control and that responsibility for violence is often still shared between the perpetrator and the victim.

Case study

A particularly concerning case monitored by one of the non-governmental organizations involved a social worker at a Center for Social Work who, despite a court-issued restraining order prohibiting the perpetrator from approaching his partner and children, advised the mother to “just allow contact, since it will be re-established eventually anyway, and there’s no point in preventing it.”

In this case, the restraining order allowed the perpetrator to remain in the shared property and restricted his proximity only to a distance of five meters. As a result, the order was violated almost every time the woman and her children entered the shared residence, as the perpetrator would wait for them to return from school.

The woman experienced the restraining order as a form of “symbolic” or ineffective protection for the victims. Both the children and the mother were under intense pressure due to daily encounters with the perpetrator.

¹¹ https://dmi.zrc-sazu.si/sites/default/files/prepoznavna_in_obravnavna_zrtev_nasilja_v_druzini_v_okviru_zdravstvene_dejavnosti-_projekt_pond_si_zdrav.pdf

Article 16 – Preventive intervention and treatment programs

1. Parties shall take the necessary legislative or other measures to establish or support programs aimed at teaching perpetrators of domestic violence to adopt non-violent behaviour in interpersonal relationships, with a view to preventing further violence and changing violent behavioural patterns.
2. Parties shall take the necessary legislative or other measures to establish or support treatment programs aimed at preventing perpetrators, in particular sex offenders, from reoffending.
3. In taking the measures referred to in paragraphs 1 and 2, Parties shall ensure that the safety, support and human rights of victims are of primary concern and that, where appropriate, these programs are set up and implemented in close coordination with specialist support services for victims.

Work with Perpetrators of Violence

There are not enough professionals trained to work with perpetrators. The *Association for Non-violent Communication* is the only NGO in Slovenia offering certified programs for perpetrators of violence. Professionals working at Social Work Centres (SWCs) also work with perpetrators, but they are usually not specifically trained for this purpose and are therefore less effective.

Additionally, these programs are not evenly distributed across regions and are not equally accessible to users throughout Slovenia. We observe that most local communities either cannot or do not wish to co-finance such programs, despite a clearly expressed need for their implementation in the regions. The imposition of criminal sanctions, despite being based on uniform legislation, currently depends on the availability of perpetrator programs in the region where the state institution is located. Courts, prosecutors, and Social Work Centres refer perpetrators only to regions where programs are already implemented. In this way, the state allows a discriminatory approach to victims, as the enforcement of sanctions depends on the regional (non-)availability of programs for perpetrators.

The programs of the *Association for Non-violent Communication* are primarily specialized in addressing violence against women and children within the family. However, there is a lack of other specialized programs tailored to different types of perpetrators or specific forms of violence and personal circumstances of the users, such as:

- Programs for individuals who commit violence outside of intimate relationships;
- Programs for individuals with mental health issues or addictions;
- Programs for perpetrators of sexual abuse against children;
- Programs for perpetrators of sexual abuse against adults.

There is also a need for a variety of **preventive programs**, which are either absent or not implemented at a sufficient scale in Slovenia, such as:

- Programs for responsible partnership and relationship skills;
- Programs for prevention and reduction of child-to-parent violence;

- programs for prevention and reduction of bullying;
- programs for prevention and reduction of peer-to-peer violence;
- programs for prevention and reduction of workplace violence (mobbing).

In addition, it would be necessary to implement regular **monthly support groups**, which would allow individuals who have completed a perpetrator program to maintain and strengthen their non-violent behavioural patterns. These groups would also foster a strong informal network of trusted persons to whom they could turn in times of crisis.

We emphasize that programs for working with perpetrators of violence are underfunded, making it impossible to implement them in line with European norms and standards.¹²

Standards and Challenges in the Work with Perpetrators

The standards for work in this field, as dictated by co-financers, are too high and therefore do not allow for long-term, in-depth work or work in pairs. When referred perpetrators fail to attend or cooperate, there are usually no consequences for them. As a result, victims often complain that institutions refer perpetrators to these programs only because there are no other options available, without a serious commitment to setting clear boundaries for perpetrators and thus adequately protecting victims.

In the field of work with perpetrators, we are observing a growing interest from psychotherapists. However, some of them do not adhere to safety measures designed to protect victims, do not collaborate with other institutions, and fail to report violence. Even worse, some, due to their lack of understanding of the dynamics of violence, contribute to increased risk for victims and to the continuation and escalation of violence. Examples include:

- Requiring both partners to attend therapy sessions together, even in cases of ongoing violence;
- Insisting that victims return home for the duration of therapy if they have left due to abuse;
- Diagnosing victims “remotely” based solely on the perpetrator’s accounts (e.g., “She is narcissistic.”);
- Placing the responsibility for the relationship and the violence on the victim.

These practices not only fail to protect victims but can further endanger them, highlighting the need for better training, coordination, and regulation in this area.

¹² European Standards for Perpetrator Programmes. Minimum requirements for safe and effective interventions for male perpetrators of intimate partner violence. Available at: <https://www.work-with-perpetrators.eu/european-standards-for-perpetrator-programmes>

Article 18 – General Obligations

1. Parties shall take the necessary legislative or other measures to protect all victims from further acts of violence.
2. Parties shall take the necessary legislative or other measures, in accordance with internal law, to ensure the existence of appropriate mechanisms for effective cooperation between all relevant state agencies, including the judiciary, public prosecutors, law enforcement agencies, local and regional authorities, non-governmental organisations, and other relevant organisations and entities, for the protection and support of victims and witnesses of all forms of violence covered by the scope of this Convention, including through referrals to general and specialist support services as detailed in Articles 20 and 22 of this Convention.
3. Parties shall ensure that measures taken pursuant to this chapter:
 - are based on a gendered understanding of violence against women and domestic violence and focus on the human rights and safety of the victims;
 - are based on an integrated approach which takes into account the relationship between victims, perpetrators, children and their wider social environment;
 - aim at avoiding secondary victimisation;
 - aim at empowering and economically strengthening women victims of violence;
 - allow, where appropriate, for a multi-agency and co-located service provision;
 - address the specific needs of vulnerable persons, including child victims of violence, and ensure their needs are met.
4. The provision of services shall not depend on the victim's willingness to press charges or testify against any perpetrator.
5. Parties shall take appropriate measures to ensure consular and other protection and support to their nationals, as well as to other victims entitled to such protection, in accordance with their obligations under international law.

Understanding the Social Construct of Gender in Violence Against Women and Domestic Violence, and the Importance of a Gender-Sensitive Approach

The gender dimension and the unequal distribution of social power between women and men are often completely disregarded by Social Work Centres. Moreover, traditional gender roles are frequently reinforced. A clear example of this is the unequal treatment of women and men in their parental roles, especially in cases of violence. Mothers are expected to do significantly more than fathers. For fathers, it is often sufficient merely to show some interest in the child or simply not to be violent toward them. Mothers, on the other hand, are expected to ensure the child's well-being, prepare them for contact, take responsibility for mitigating the consequences of violence, and safeguard the child's safety. It is taken for granted that the mother knows all aspects of the child's life – from their shoe size to their school grades. Fathers are not expected to demonstrate such concern or involvement to be recognised as adequate parents.

Professionals in state institutions generally overlook the role of gender as a social construct in violence against women and do not consider it in their decision-making processes. Furthermore, they often believe that they must maintain a “neutral” stance and that they should not account for women’s disadvantaged social position in individual cases – or they may be unaware of this dynamic and fail to acknowledge it at all.

Statistics

Data¹³ shows that women in Slovenia, on average, attain a higher level of education than men, yet they have fewer opportunities to reach decision-making positions. For example: only 13.6% of mayoral positions are held by women, and a similarly low percentage is seen in the National Council, where just 17.5% of councillors are women. This imbalance is also reflected in the economy – only 22% of women hold positions as members of management boards, supervisory boards, or administrative boards in the largest companies. In addition, women spend significantly more time per day on household and caregiving duties.

Prevention of Secondary Victimization and Protection of Victims in Proceedings

Courts and Prosecutors’ Offices

Harmful and false beliefs that women lie about violence—especially about sexual violence or child sexual abuse—are still prevalent both in the general public and, more worryingly, within professional circles. These attitudes are particularly common among judges and remain deeply rooted, passed down from one generation to the next.

Case Study

The former director of the largest psychiatric hospital in the country, who is also a court-appointed psychiatric expert, publicly stated at a press conference—while still holding the position of director—that women falsely report violence. Specifically, he said:

“You can ask me as a court expert. Twenty years ago, there were 10 reports of sexual abuse, and nine of them were real. Today, out of 10, I don’t know if even one is real. Because this is part of something, part of the system.”¹⁴

These words were his response to a journalist’s question: *“Do you believe patients who report violence?”*

¹³ Smernice za vključevanje vidika spola pri delu in oblikovanju politik za zaposlene v državni upravi. Ministrstvo za delo, družino, socialne zadeve in enake možnosti, Sektor za enake možnosti. 2024.

¹⁴ ¹⁴ Ostri odzivi na izjavo Zalarja: 'Moj namen ni bil žaljiv' Available at: <https://www.24ur.com/novice/slovenija/zalar-o-spolnih-zlorabah-sos-telefon-gre-za-nov-poskus-utisanja-zrtev.html>

Public Prosecutor's Office – Good Practices and Gaps in Preventing Secondary Victimisation

We have observed some good practices at individual prosecutor's offices that we believe should be implemented more broadly across all offices in Slovenia. For example, some prosecutors establish direct contact with victims and inquire about their wishes and needs. This is especially important in cases where the injured party does not have legal representation and the prosecutor may be the only person in court advocating for the victim's protection and helping to prevent secondary victimisation.

However, at many prosecutor's offices the situation is different. Prosecutors often rotate between hearings, which means they are not well-acquainted with the case. As a result, they are less likely to address inappropriate remarks by the defence or the defendant and are less proactive in preventing secondary victimisation of victims.

Settlement proceedings in cases of domestic violence are an improper practice, yet it is still very common. Due to the inherent power imbalance in abusive relationships and the perpetrator's misuse of that power, this dynamic is often replicated during settlement negotiations, causing revictimization of the victim. Another issue is that mediators are typically not adequately trained to recognise intimate partner violence and tend to focus solely on concluding the settlement, even if that means ignoring the needs and safety of the victim.

Secondary victimisation also occurs within criminal proceedings due to their excessive length – it can take several years before a final judgment is rendered. This is particularly problematic for individuals who were minors at the time they experienced the violence, as they lose the right to a legal representative upon reaching the age of 18. They also lose the special protections available to minor victims, such as the possibility of indirect testimony via expert intermediaries.

Victims are still being confronted face-to-face with perpetrators in court premises, even when a restraining order has been issued. Similarly, minors continue to encounter defendants in court, even in cases where they have requested that the accused not be present during their testimony. There is a lack of consideration regarding how to actually minimise contact between the accused and the victim during criminal proceedings – for example, by reducing the number of hearings, using pre-recorded video testimonies, conducting hearings via videoconference, scheduling appearances at different times, or arranging separate entrances and waiting areas.

Case Study

Testifying in the Absence of the Accused

A 17-year-old girl testified in court as a victim of sexual abuse by her stepfather. She requested that the accused not be present during her testimony and instead follow it via video link. The court granted this request and ensured that the accused was in a separate room during her testimony, leading the victim to believe that she would not encounter him at all. However, since the court summoned both of them at the same time, they met in the hallway before the hearing. This caused the minor victim severe stress, which negatively affected the quality and clarity of her testimony.

Inconsistent Practices in the Provision of Free Legal Aid and Treatment of Victims in Criminal Proceedings

The practice of legal aid services is not unified when it comes to granting free legal aid to victims in criminal proceedings. Some courts approve free legal aid, while others deny it or grant it only for the filing of a compensation claim.

Attorneys representing victims in criminal proceedings should be adequately trained and also personally suited for such tasks, which currently remains more an exception than the rule.

Victims still encounter inappropriate remarks in court from judges, defense attorneys, and occasionally prosecutors in court. Victims of violence report that these individuals often give the impression that they are not truly listening to victims or witnesses—sometimes rolling their eyes or sighing during testimonies. The content of some questions is also highly inappropriate (see Case Studies provided in the section on sexual violence).

All personnel within the justice system need more training on how to work with victims who have experienced trauma. It is unacceptable that preventing secondary victimization currently depends whether the person in the courtroom is sensitive to the victim's needs, or if they view the victim merely as a means of proving a criminal offense.

We also observe that courts often impose lenient sentences in cases of sexual violence and domestic abuse. Similar to cases of sexual violence¹⁵, the lowest possible penalties are also imposed for crimes against marriage, family, and children, with suspended sentences being even more common. Some perpetrators view these suspended sentences as a “victory” in the proceedings and as proof that they have done nothing wrong. Particularly problematic is that these suspended sentences are not revoked when the perpetrator commits a new crime or fails to comply with protective measures—for example, by failing to attend assigned programs, failing to pay child support, or violating restraining orders.

Case Study

Survivors' statement:

1. “What really upset me was that they didn’t approve my request not to be in the same room with him. They told me that if I only felt uncomfortable, that wasn’t a good enough reason to testify separately. But from my previous court experiences and from how he reacts, I knew exactly what would happen — and I was scared. They didn’t grant my request.”

2. “We were always summoned to court together, and the judge was extremely disrespectful toward me. He said something along the lines of: “You two need to sort yourselves out. If you think you’re going to solve your family issues through the court, you’re sorely mistaken.” He asked me things like: “What do you think you’re doing? How do you plan to resolve your family situation?” I mean — I’m

¹⁵ Further information on the sentencing practices and sanctions for sexual offences can be found in the section on sexual violence.

the victim, and [the judge] is asking me questions like that [...] In the end, he was convicted and sentenced to two years in prison.”

The Police

Police officers do not always complete the individual risk assessment in the case of domestic violence; they often state that they do not understand why this is important for victims during the further stages of the procedure. It would be necessary to evaluate whether the current form for determining individual risk assessment serves its purpose—namely, whether it increases victim safety and improves the quality of police work.

Victims are almost never offered the possibility of having their statements taken by a person of the same sex.

Due to staffing shortages, police response times during interventions are increasing. In some cases, victims of violence are even told in advance by the police that “there is no patrol available” and that an intervention might not be possible.

In the past year, posters from the “Fathers’ Association” have been displayed at police stations across Slovenia, even though the organization does not run any officially approved programs for fathers, victims of violence, or any other group. The association also does not hold the status of an NGO acting in the public interest, their programs are not externally evaluated, and there is no transparency regarding the content of their programs or the qualifications of their staff to provide assistance to victims of violence. Some members of the association, including members of its board, have been legally convicted of domestic violence and violence against children and continue to perpetrate violence. Despite warnings from NGOs, the police have not recognized this as a problem and have not removed the posters.

When asked to remove the posters from the police stations, the police response to the *Association for Non-violent Communication* was:

“Considering that the police are committed to the principle of equal treatment, meaning that we must ensure equal protection of rights for everyone and give them the opportunity to be heard, we cannot discriminate against anyone based on gender, nationality, race, skin colour, language, religion, sexual orientation, political or other beliefs, property status, birth, genetic heritage, education, social status, disability, or any other personal circumstance. In accordance with this principle, we strive to provide our help and support to everyone. However, this does not mean that one group can influence our commitment to protecting another.”

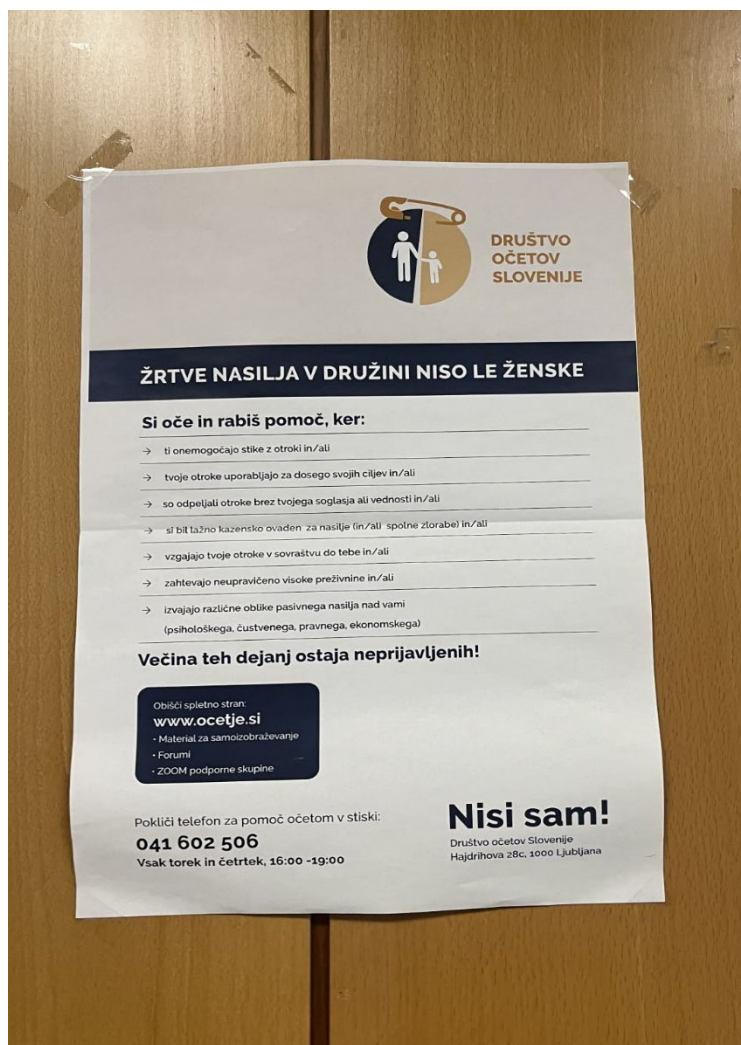


Figure 1 Photo of a Fathers' Association's poster

Legislation

In order to prevent secondary victimization, the legal right of the victim to an advocate, in accordance with the provisions of the Domestic Violence Prevention Act (ZPND), must be formally established. NGOs already carry out many advocacy activities for victims, but their work is not formally recognized. Due to this legal gap, NGOs often encounter resistance and obstruction in various institutions, and victims are deprived of the appropriate and highest level of support they need for participating in procedures and asserting their rights.

Addressing the Needs of Children and Other Vulnerable Groups

In cases involving criminal offenses of violence against children, court decisions to dismiss charges often reflect a high level of tolerance toward for physical violence. These rulings reflect the view of some prosecutors that kicking, slapping, pushing, and similar actions may be considered as less appropriate disciplinary methods but do not, in their opinion, meet the criteria for a criminal offense.

Because criminal proceedings are lengthy, victims who were minors at the time of the offense may lose the right to a legal representative once they reach adulthood.

We also observe inconsistent court practices regarding domestic violence witnessed by a child. Article 4 of the Domestic Violence Prevention Act¹⁶ explicitly states that a child is considered a victim of violence if present when violence is committed against another family member or if they live in an environment where violence is taking place.

There is no such criminal offence explicitly defined in the Criminal Code (KZ-1)¹⁷. However, judicial practice has already recognized that such acts can fall under Article 192 of the KZ-1, sentencing parents for violent behaviour when witnessed by their children. In such cases, courts have convicted parents for their actions committed in the presence of children. Nevertheless, court law practice remains inconsistent. To avoid legal uncertainty about whether committing intimate partner violence in front of a child constitutes an independent criminal offense of cruel treatment and neglect of a child under Article 192 of KZ-1, the legislation should be amended to explicitly state that this provision includes intimate partner violence committed in front of a child or to define this behaviour as a new, distinct criminal offense.

Case Example

Failure to Acknowledge That a Child Is a Victim of Violence Even When Merely Witnessing It

One such case is *VSL II Kp 973/2009*¹⁸ from January 5, 2010. The father was verbally abusive and violent toward the mother in the presence of their 13-year-old daughter and 11-year-old son. As a result, both children were frightened and distressed, and the perpetrator's behaviour negatively impacted their further psycho-physical development. The court stated that it is the duty of a parent to ensure a family environment that promotes the healthy growth and balanced personal development of children. It added that there is no doubt that the perpetration of both physical and psychological violence against the mother in the shared home constitutes a serious violation of parental duty, particularly given that the home should represent a safe and nurturing space for child-rearing. In this case, the perpetrator was convicted under Articles 191 and 192 of the Criminal Code (KZ-1).

However, the Supreme Court later departed from this position in *Ips 11929/2010-59*¹⁹ from December 13, 2012, where it upheld a lower court's decision to convict the perpetrator only under Article 191 of the KZ-1 in a similar case. In that instance, the child—who was present during the abuse of his mother—trembled with fear, and the prosecution had accused the perpetrator of both offences (under Articles 191 and 192). Despite this Supreme Court ruling, in recent years several lower courts have again adopted positions that deviate from it—for example, in *II Kp 3704/2018* (August 12, 2020) and *V II Kp 35917/2015* (March 27, 2019).

¹⁶ Uradni list RS, št. 16/08 with changes.

¹⁷ Uradni list RS, št. 55/08 s with changes.

¹⁸ VSL (Higher Courts Ljubljana) Judgment II Kp 973/2009. Collection of Case Law of Higher Courts.

¹⁹ Supreme Court Judgment Ips 11929/2010-59. Available at: [Sodba_I_Ips_11929_2010-59-13.12.2012%20\(1\).pdf](#).

Victim's Willingness to Report the Perpetrator

Although the Convention stipulates that services must not be dependent on the victim's willingness to report the perpetrator or testify against them, in practice, institutional actions are often conditional on this. For example, it frequently happens that police officers make the accompaniment of the victim—who has left their home—to collect personal belongings **contingent** upon filing a report of violence, or they refuse the escort altogether, stating they are not a security service. This is contrary to the provisions of the Domestic Violence Prevention Act and crucial for ensuring the victim's safety.

Cooperation Between All Authorities and Organizations

The Victim Support Service can be of great help to victims of criminal offences, but it operates only in two Slovenian courts—in Ljubljana and Maribor. In other parts of Slovenia, victims are referred to Centres for Social Work, where support services for victims of criminal offences are provided. However, this does not include systematic accompaniment and assistance throughout the criminal procedure. Often, under this service, victims are merely referred to non-governmental organizations, which means the content and implementation of the service are nearly identical to the basic social assistance service. Strengthening this service would be especially important in areas where fewer NGOs are present and where victims have fewer support options in general. Social Work Centres should, as part of this service, explain the criminal procedure to victims, guide them through it, and provide adequate psychosocial support for their participation in the process.

Multidisciplinary Teams

Multidisciplinary teams are sometimes not convened even when necessary as is mandated by the Domestic Violence Prevention Act. Social Work Centres have recently started perceiving NGOs as obstacles to their work and avoid cooperation. In healthcare and other institutions, staff shortages often prevent employees from attending inter-institutional meetings required in domestic violence cases, resulting in frequent absences. Even more concerning, psychiatrists in the Ljubljana region have agreed not to participate in such multidisciplinary teams and have informed social services accordingly. Prosecutors also do not attend multidisciplinary meetings at Social Work Centres, despite the fact that their participation would significantly enhance the responsiveness to victims' needs.

Issues with Deferred Prosecution

We observe several issues in cases of deferred prosecution of criminal acts. When the prosecutor refers a perpetrator to a programme, they do not always verify whether the programs are a certified and professionally structured programme operating in line with the Council of Europe's minimum standards. They also do not check whether the perpetrator is actively participating in the programme. It would be advisable for the prosecution to ensure in advance that the referred programme is suitable for the individual and to understand how the programme is being implemented. It has occurred that a person is referred to only five sessions or instructed to complete the programme within six months, even though the full programme lasts one year.

Administrative Burden on the Victim

A victim of violence seeking protection and attempting to report the violence spends an unimaginable amount of time fulfilling all the associated obligations. It is a positive development that, under the amended Employment Relationships Act²⁰, the victim is entitled to up to five days of leave. However, it would be even more helpful if more services could be accessed in one place or if the procedures were faster, shorter, and more efficient.

Case Example

Secondary Victimization at the Social Work Centre

1. A woman turned to the Centre for Social Work due to violence perpetrated against her and her child by her partner. The child began exhibiting problematic behaviours, which led to both parents being repeatedly summoned to school meetings. The Centre referred both parents to a parenting group, even though there was no indication that the mother lacked parenting skills. The social worker explained her decision to the mother by stating that, although she knew the mother did not need the program, the Centre had to remain impartial and could not side with either parent.
2. A social worker at the Centre for Social Work proposed supervision of parental care for both parents, despite the fact that only the father's behaviour was inappropriate and the family no longer lived together. When the user filed a complaint about this decision, the director of the Centre rejected it, claiming that under the law, supervision could not be imposed on only one parent, and both had to be included. This interpretation is incorrect.
3. The Social Work Centre fails to recognize the woman as a victim of violence, despite the fact that she was forced to seek refuge in a safe house for her own protection. The Centre proposes mediation with the perpetrator and joint sessions.
4. "Meeting him at the Social Work Centre was horrifying. He continued to humiliate me even there. These joint meetings were extremely stressful. And the social workers lacked understanding. [...] I had the feeling that most of them did their work automatically, following the same template."

Complaints Procedure against Police Conduct

The current arrangement of the complaints procedure against police conduct is entirely inappropriate. Complainants are required to participate in what is called a **conciliation procedure**. The conciliation procedure consists of a conversation between the head of the police unit to which the police officer,

²⁰ Act Amending and Supplementing the Employment Relationships Act (ZDR-1D). Official Gazette of the Republic of Slovenia, No. 114/23.

whose conduct is being contested, is assigned, and the complainant²¹. During this conversation, the head informs the complainant of the findings related to the complaint. The complainant must be allowed to present facts related to the complaint and suggest evidence to determine the actual circumstances. A written record is made of the conciliation procedure.

Victims who have filed a complaint and participated in the conciliation procedure report feeling as though they themselves had done something wrong and that the real purpose is simply to calm them down. Typically, the head of the police unit conducts this discussion in the presence of the police officer against whom the complaint was filed. It is unreasonable to expect that the head of the unit is neutral, and it is highly inappropriate for the victim to be confronted again with the officer who violated their rights or fundamental freedoms.

The few victims who proceeded to file a complaint stated that the entire complaints procedure (including the continuation before the complaints panel) was extremely stressful. They felt that “everyone was against them,” and some reported being disrespected during the process. From this, it can be concluded that the goal of the complaint’s procedure is not to improve the functioning of the police, but rather to protect the conduct of police officers.

Compensation

In our work, we inform victims about their right to claim compensation under the Compensation to Crime Victims Act, yet only a small proportion of our service users choose to exercise this right. The form used to request compensation is complicated and difficult to complete independently without legal knowledge.

The deadline for claiming compensation is only six months from the date of the offence, which is an unreasonably short period. During this time, victims must first find a way to ensure their own safety and that of their children, reorganize their lives, and initiate or participate in multiple legal proceedings (criminal and family court cases, proceedings for protective measures under the Domestic Violence Prevention Act, etc.). Victims who lack extensive support and assistance often cannot prepare the claim during a time when they are most endangered, vulnerable, stressed, and uncertain.

The amounts awarded are very low, and not all types of harm are recognized. The law does not allow compensation for fear, and the commission often fails to acknowledge many other types of harm and loss. For example, the commission does not consider the highly restrictive conditions of staying in a safe house as constituting any damage. It also strictly assesses claims for reduced quality of life, and in cases of domestic violence, never grants compensation for it.

²¹ Zakon o nalogah in pooblastilih policije (ZNPPol). Uradni list RS, št. 15/2013 z dne 18. 2. 2013: 149. člen ZNPPol.

Article 20 – General Support Services

1. Parties shall take the necessary legislative or other measures to ensure that victims have access to services facilitating their recovery from violence. These measures should include, when necessary, services such as legal and psychological counselling, financial assistance, housing, education, training and assistance in finding employment.
2. Parties shall take the necessary legislative or other measures to ensure that victims have access to health care and social services and that services are adequately resourced and professionals are trained to assist victims and refer them to the appropriate services.

Healthcare Services and Domestic Violence

The responsiveness of healthcare personnel who detect signs of violence or suspect domestic abuse is extremely important. For many victims—particularly the elderly or those severely isolated by abuse—a visit to a doctor may be their only contact with someone who can help. Therefore, health care professionals play a crucial role and must be properly trained to recognize violent behaviour and take appropriate action when domestic violence is suspected.

In 2011, the Regulations on the Procedures for Addressing Domestic Violence in the Delivery of Healthcare Services came into force. Article 5 of this regulation stipulates a mandatory reporting duty in cases where a criminal offence is prosecuted *ex officio*—which includes domestic violence. In practice, however, we still observe that the healthcare system identifies very few victims of violence and refers even fewer to institutions and organizations where they can receive help and support. Healthcare professionals state that they do not want to personally expose themselves or take on additional work. This issue is particularly evident when both partners share the same general practitioner.

In addition to training existing healthcare professionals, more attention should be given to students currently undergoing training in healthcare-related fields. At present, the knowledge they acquire during their education is insufficient and often depends on the individual sensitivity of lecturers. The implementation of mandatory measures outlined in the regulation should be reviewed, and education curricula should be revised so that high school and university students in healthcare professions are equipped with the necessary knowledge to recognize and act upon suspected domestic violence before entering the workforce.

Housing Issues

Women who are victims of violence face numerous challenges when seeking safety. Despite the strong protective value of removing the perpetrator from the shared household is rarely used in practice, often due to legal misunderstanding or lack of procedural support for victims. Courts are generally reluctant to remove someone from a property they own, even though the law clearly allows this to protect victims of domestic violence. The burden to relocate is generally placed on the victim. Relocation often entails leaving one's job, social support networks, and children's schools, which further destabilizes the family unit. When no other options are available, victims may attempt to find

a place in a crisis centre or the safe houses operated by women's shelters. However, several challenges arise:

- Limited availability of shelters and safe houses: In many regions of Slovenia, victims have no access to nearby safe accommodation.
- Discriminatory shelter policies regarding adolescent boys: Most Slovenian safe houses only accept women and children, excluding boys aged 15–18. The only option for these boys is placement in a crisis centre, which they must leave upon turning 18. This creates a strong disincentive for women to seek safety if it would mean family separation.
- Burden placed on the victim to relocate: Rather than removing the perpetrator or ensuring viable housing solutions, the current system often pressures the victim to leave her home, employment, and community.

These systemic shortcomings in service provision and judicial practice result in victims remaining in unsafe environments. They disproportionately affect women with children, particularly those who are fostering or parenting adolescent boys. Additional housing-related challenges further undermine victims' safety and economic security.

Those who have been living in non-profit housing with a violent partner and must leave for a safe house or secure alternative housing find themselves in a precarious housing and financial position. One of the most common problems occurs when the victim is the tenant on the lease, and the perpetrator retains the right of residence in the property. Under the current legislation, if the victim leaves and the perpetrator stays in the apartment, the consequences include:

- If the perpetrator does not pay the rent or utilities, the victim is still liable for these costs as the leaseholder;
- If the perpetrator refuses to vacate the property, even without paying for it, the victim cannot terminate the lease without their consent;
- All rights related to the non-profit apartment can only be settled after the completion of court proceedings concerning partnership and parental arrangements, which, in cases of violence, can last for several years.

During this period, the victim cannot claim rent subsidies for potential new private accommodation, nor can she apply for new non-profit housing, as she is still considered a tenant of the current unit. This legal gap leaves the housing rights of female victims and their children completely unprotected by the state to the benefit of the perpetrators' rights.

Proposed Housing Solutions for Victims of Domestic Violence

To address this legal anomaly and protect victims of violence and their children from homelessness, we have addressed a proposal to the Housing Fund with the following suggested measures:

- All costs incurred after the victim has left the property should be borne exclusively by the perpetrator if they remain in the apartment;
- An eviction of the perpetrator at the request of the victim should be an immediate protective measure, regardless of ongoing court proceedings;

- A certificate of endangerment issued by the Centre for Social Work should substitute the perpetrator's consent for terminating the lease, if the victim decides to do so;
- The victim should retain the right to a market rent subsidy for, even if the termination of the lease agreement is not possible or the victim does not wish to permanently give up the original apartment.

Emergency Housing Units and Non-Profit Housing

Experiencing domestic violence is considered a relevant circumstance in applications for emergency housing units and also grants additional points in the application process for non-profit housing. However, victims cannot claim this circumstance in other tenders or forms of obtaining more affordable housing solutions.

Slovenia suffers from a chronic shortage of both non-profit housing and emergency housing units. Due to long waiting lists for non-profit housing, the length of stay in emergency housing is increasing, which leads to unsuitable living conditions over time. Some municipalities cannot afford the financial burden of maintaining non-profit housing and are therefore selling these properties, which further reduces the overall number of non-profit units and further extends waiting periods. Even municipalities that are building new apartments for non-profit rental are far from meeting the demand and need for such housing. For example, in 2024, the Public Housing Fund of the Municipality of Ljubljana received 3,585 applications for 200 available apartments.

Emergency housing units are small accommodations with relatively poor living conditions, often not meeting even the minimum standards for adequate housing. The waiting time for these units ranges from six months to three years, depending on the number of family members.²²

Priority in Access to Emergency Housing Units

Priority for obtaining emergency housing units is given to women with children. As a result, women without children or whose children are already adults are at a disadvantage. At the same time, these women are often in a worse economic position and have fewer opportunities to obtain financial benefits or employment (due to age, disability/health issues as a consequence of violence, weaker social networks, low pensions or disability benefits, etc.).

Due to the housing crisis, non-governmental organizations have started establishing safe accommodations in the form of housing units where women can move after leaving a safe house. The number of such housing units is very limited, but they serve as a positive temporary solution for women who have experienced violence and are no longer in immediate danger from the perpetrator. This form of support allows them to address complex life situations in the long term—for example, finalizing property division proceedings, completing education, or, in the case of foreign nationals, arranging legal status in the Republic of Slovenia. It is also the only option for women with sons older than 15 years, as they cannot stay in safe houses. There is a significant shortage of such units.

²² Javni stanovanjski sklad Mol <https://www.jssmol.si/najem/dodeljevanje-bivalnih-enot>

We observe that resolving the housing crisis is even more difficult for older victims of violence. These are often retired women with numerous health problems due to years of abuse. Their pensions are often very low, and they are less likely to initiate legal proceedings; when they do, such proceedings are often too exhausting and lengthy for them. This is especially true for property division procedures.

Case Example

A retired woman was placed in a safe house mid-2021 due to violence she experienced at the hands of her husband. Since the age of 60, she had been receiving a disability pension due to severe spinal problems. Her pension was very low, barely enough to survive on. Upon arrival, she was frightened, felt hopeless and powerless, and deeply ashamed. In addition to her serious spinal issues, she suffered from various other health problems caused by years of abuse (she was depressed and anxious, had thyroid problems, skin issues, digestive problems, etc.). Her husband had turned their adult children against her, which was especially painful for her.

She did not dare report the violence to the competent authorities, as she believed it would only worsen her situation and increase her vulnerability. Before entering the safe house, she and her husband lived in a rental apartment while simultaneously building a house they intended to move into. The husband stayed in the rental, but since all utility bills were in her name, she continued paying them for some time. She did not dare retrieve her belongings left in the apartment out of fear that it would escalate the violence. She only did so much later, during mediation for the division of shared property, with the help of relatives. Throughout their life together, she had invested most of her salary into the apartment (furnishings, costs, etc.), whereas her husband used his disability pension solely for his own needs.

At the end of 2021, she moved into transitional housing, which temporarily alleviated her distress. While staying there, she attempted to reach an agreement with her husband regarding property division, but no agreement was reached. He wanted to divide only her belongings while keeping what he considered “his”—the unfinished house, furniture, etc. As a result, she filed a lawsuit for the division of shared property in early 2022. The court first ordered mediation. During this mediation, they agreed only that the unfinished house was part of their joint property. Another mediation attempt in December 2022 failed, as the husband insisted on keeping all the property except the house. She soon filed a motion to expedite the division procedure. The case resumed at the end of 2023 and concluded in early 2024 with a court settlement. Meanwhile, their marriage was formally dissolved in a separate legal proceeding.

However, this did not resolve her financial situation. The unfinished house would need to be sold, but her (ex-)husband was not interested and refused to cooperate, letting the house deteriorate and lose value. His main interest appeared to be continuing to control and harm her through the shared property.

In early 2024, she moved from the transitional housing into a small rental studio. She spent most of her pension on rent, as she wanted to stay in Ljubljana where she had her entire social network. She had no private transport that would allow her to live outside the city. The remaining money went toward basic utilities and a small amount of food. She received most of her food and clothing from

the Red Cross and Karitas charity. The lengthy legal procedures exacerbated her distress and reinforced her sense of hopelessness. Even though the property division was handled through mediation and concluded with a settlement—thus being the fastest possible option—it still took nearly three years from the time she filed the lawsuit until the final resolution.

In practice, cooperation with local pensioners' associations has proven to be beneficial, as the Slovenian Federation of Pensioners' Associations is aware of the housing difficulties faced by the elderly.²³ In several cases, women living in smaller towns were able to obtain rental housing with the help of local pensioners' associations. In smaller municipalities, the chances of obtaining emergency accommodation or non-profit housing are even worse than in larger cities. There are even fewer housing units, the emergency units are usually unsuitable for living, and calls for applications for non-profit housing are less frequent.

Private Rental Housing

Especially in Ljubljana and coastal towns, the supply of rental housing does not meet the demand, which often makes rental prices unaffordable. In 2024, the investigative journalism portal *Pod črto* analysed the rental situation in Ljubljana²⁴: In the analysed period, there were 1,595 apartments available with an average advertised rental price of €1.014 per month, and 59 houses with an average advertised rental price of €2.671 per month. An important contextual fact is that in 2024, the average net salary in Slovenia was €1,526.02.

In addition to the high rental prices, another issue is that in Ljubljana and coastal towns, landlords often condition the rental of housing on tenants vacating the property during the tourist season, i.e., in the summer months. As a result, tenants are forced to move frequently. Furthermore, it is not uncommon for landlords to indicate a much lower rent in the contract than the actual amount being paid, in order to avoid higher tax obligations. This prevents tenants from claiming rent subsidies for the actual amount they are paying. Such anomalies are made possible by the shortage of rental housing on the open market.

Programs for Women's Economic Independence

After leaving a violent relationship, women often find themselves in difficult financial situations, even if they had no financial problems before. In most cases, the victims are the ones who leave the home—and often much of their belongings behind. It may take years before they can recover their share of the joint property, as property division proceedings typically take an unacceptably long time.

There are no specialized programs focused exclusively on strengthening women's economic independence. However, some existing programs partially cover this area, such as the *SOS Dolgovi* (SOS Debts) program run by *Zavod Prelomi* (*Prelomi Institute*)²⁵. *SOS Debts* is intended for counselling and assistance with planning for those who find themselves in debt. A program to help families

²³ <https://zdus-zveza.si/programi-in-projekti/aktivno-staranje/bivanjska-problematika/>

²⁴ Housing Issue: Who Has Access to the Private Rental Market in Ljubljana? (2025). Available at: <https://podcrto.si/nova-tema-o-stanovanjski-problematiki-najemna-stanovanja/>

²⁵ <https://www.prelomi.si/programi/sos-dolgovi/>

improve their financial situation is also offered by *Zveza Anita Ogulin & ZPM – Veriga dobrih ljudi* (*Anita Ogulin Network & ZPM – Chain of Good People*).²⁶

Victims of Violence with Young Children and Employment Challenges

Victims of violence who have small children often face limited employment opportunities, as jobs with irregular or shift work schedules present a problem —especially when they lack a nearby social network that could help take care of children. The Employment Service of the Republic of Slovenia is supposed to play an important role in this regard, but in practice, the programs it offers often fail to deliver the desired results. It is beneficial that, in cases where a victim of violence is a job seeker, the Employment Service takes her status into account, which means she is not required to actively seek employment for a certain period. Some women also report positive experiences with the Social Activation Program.

Legal Counselling Services

Free Legal Aid

The procedure for obtaining free legal aid should be simplified. Currently, the victim must obtain a risk assessment from the Social Work Centre and fill out a rather complex application for free legal aid. The process could be simplified by allowing the Social Work Centre to send the victim's information and risk assessment directly to the free legal aid service. There are also issues with the speed of the decision-making process, as it can take several weeks to receive a decision on the approval of free legal aid.

The victim has the right to claim free legal aid for legal representation in all proceedings related to violence, based on a risk assessment prepared by the competent Center for Social Work in accordance with the Domestic Violence Prevention Act.

In practice, we observe problems with the exercise of this right due to varying interpretations of which procedures are considered to be related to violence. For example, we believe that property division proceedings are closely connected to violence, as women must initiate them due to the end of a relationship with the perpetrator. According to the Domestic Violence Prevention Act, this is considered a procedure related to resolving the aftermath of violence. Nevertheless, victims often have to explain and prove that they are entitled to free legal aid in such cases and must appeal against rejection decisions. Whether or not free legal aid is granted depends on the court.

Criminal Proceedings and Legal Representation

Another issue arises in criminal proceedings. Most victims wish to have, and also need, a lawyer during criminal proceedings, but due to high legal costs, this is often not feasible (as they are not entitled to free legal aid). Although the victim is “only” a witness in the criminal procedure, this role is extremely demanding and stressful, and it has been shown that proceedings are better conducted when the victim has legal representation. Therefore, it is essential to ensure appropriate legal assistance for

²⁶ <https://www.zveza-anitaogulin.si/programi/veriga-dobrih-ljudi/>

victims of violence also within criminal proceedings. Currently, this depends largely on the individual decision-maker and how well the victim can explain the need for such support.

Legal Services

In family law procedures, victims of domestic violence usually receive legal aid through the free legal aid system. However, some lawyers on the free legal aid list do not perform their duties adequately. For instance, they may communicate poorly with the victims, handle cases carelessly, and lack the necessary knowledge to address domestic and gender-based violence. Some fail to inform their clients about case progress, ignore their wishes, or attend hearings unprepared. Certain lawyers refuse to file motions for protective measures under the Domestic Violence Prevention Act, judging the case as unlikely to succeed.

A particularly severe violation occurs when lawyers demand additional payments from women entitled to free legal aid for their services or specific actions. Victims of domestic violence often do not feel empowered to report such unacceptable practices and instead comply with the demands and pay the required fees. It would be reasonable to consider establishing special lists of lawyers who wish to work on family law cases through free legal aid and who are suitably trained. Victims of domestic violence should have the right to quality representation in legal proceedings, and not all lawyers are capable of providing this.

Psychological Support Services

Slovenia has a network of counselling centres for victims of violence that offer free counselling and psychosocial support. Some centres also organize self-help groups. These programs are intended for women experiencing violence who do not require accommodation in a shelter or who need support and counselling after leaving a shelter. The counselling centres are located in larger cities across various regions and serve all of Slovenia. In addition to in-person support, they offer telephone and electronic counselling, which improves accessibility.

Due to the complexity of the situation in which a victim of violence finds herself, and the consequences she suffers as a result of the experienced violence, it often turns out that the victim would also need psychotherapeutic treatment. For many victims, this is unattainable, as the waiting times for treatment covered by health insurance are unacceptably long—sometimes over a year. Private psychotherapy provided by a qualified psychotherapist costs between 60 and 100 euros per hour. It is cheaper if conducted by interns, but this is not always possible or beneficial.

The situation is even worse when psychotherapeutic or psychiatric help is needed for children. At the Counselling Center for Children, Adolescents, and Parents in Ljubljana, a public institution operating in the field of children's and adolescents' mental health (services covered by compulsory health insurance), the waiting time for regular treatment by a child psychiatrist is almost 600 days, and with a fast-track referral, 300 days. For clinical psychological services, the waiting time is approximately 420

days. Unfortunately, the newly established Centres for Children's and Adolescents' Mental Health across various locations in Slovenia still do not sufficiently meet the overall demand.²⁷

Many psychotherapists are not adequately trained in the field of violence intervention, as this topic is either not covered at all or is insufficiently addressed in all psychotherapeutic approaches. As already mentioned, due to a lack of knowledge, some psychotherapists, when working with perpetrators or victims, may even increase the danger for the victims.

²⁷ https://www.scoms-lj.si/si/dejavnosti/cakalne_dobe.html

Article 22 – Specialist support services

1. Parties shall take the necessary legislative or other measures to provide or arrange for, in an adequate geographical distribution, immediate, short- and long-term specialist support services to any victim subjected to any of the acts of violence covered by the scope of this Convention.
2. Parties shall provide or arrange for specialist women's support services to all women victims of violence and their children.

The Role of Non-Governmental Organizations in the Field of Violence Against Women

NGOs play an extremely important role in developing support programs, legislation, and policies addressing violence against women, violence against children, and domestic violence. They provide assistance and support to victims of violence in various ways:

- Confidential, anonymous, and free telephone counselling for people experiencing violence;
- Personal counselling and other psychosocial support for people experiencing violence;
- Safe accommodation in shelters and/or crisis centres for people experiencing violence;
- Self-help groups for people experiencing violence;
- Accompaniment to institutions and advocacy for people experiencing violence;
- Counselling for perpetrators of violence and social skills training for perpetrators of violence against women, with the aim of increasing victims' safety;
- Individual support for children and youth experiencing violence;
- Counselling for victims of human trafficking, crisis accommodation for victims of human trafficking, and assistance in organizing their return home;
- Assistance and support for victims of human trafficking in (re)integration into society and the labour market;
- Preventive and curative workshops for elementary and high school students;
- Education, awareness-raising, and information for professionals, interested individuals, and the general public;
- Public campaigns, media collaboration;
- Publishing of professional publications, etc.

Non-governmental organizations working in the field of domestic violence complement and, in many areas, even replace the services otherwise provided by the state. Considering their crucial role, there is a need for the state to promote more specialized forms of support (e.g. assistance for victims and perpetrators of violence in Roma communities, support for victims with language barriers, assistance in providing accessible facilities for persons with disabilities, etc.). More programs for perpetrators of violence are also needed, providing more content and better geographical coverage, while being implemented in accordance with the highest professional standards and with the primary goal of ensuring victims' safety.

NGOs strive to perform both remedial and preventive activities in the field of violence against women. Preventive work often remains underfunded, and due to excessive workloads, NGO staff have less capacity to focus on this crucial aspect. Awareness-raising projects aimed at the general public – such as media campaigns, as well as the preparation and publication of books, guides, posters, and leaflets – are largely dependent on sporadic and unpredictable funding.

Employees in NGOs face frequent turnover. In addition to burnout, they face low salaries and a lack of opportunities for advancement. Consequently, many staff members, once they acquire knowledge and experience, take positions in the public sector or other fields where they see better prospects for professional growth, higher pay, and more stable working conditions.

Many NGOs have effectively become training grounds where new workers gain high-level professional skills, only to later leave for better-paying and more secure jobs (offering career advancement, further training opportunities, job stability, suitable premises, etc.) in state institutions. High staff turnover is a serious burden that many organizations struggle to handle. There is an unrealistic expectation that people working in NGOs will do so purely out of ethical commitment and without requiring adequate compensation. At the same time, the demands from co-financers and regulatory institutions (rightfully) continue to increase, often conflicting with one another, making them difficult to meet.

We are concerned that under such difficult working conditions, there is less time and capacity for activism, which may lead to NGOs becoming merely low-cost service providers for the state, rather than maintaining their vital role as advocates for victims and drivers of progress.

Support Services for Vulnerable Groups

Victims of violence who do not hold Slovenian citizenship face significant restrictions when trying to exercise many of their rights. For example, victims who have lived in Slovenia for many years, have permanent residence permits, and have given birth and raised their children in Slovenia, are still not eligible to apply for non-profit housing or receive rental subsidies for private rentals. They are also excluded from financial social assistance or other state support schemes. These victims, who often do not speak Slovenian, should be provided with interpreter services support for all procedures and activities related to violence (including counselling at social work centres and NGOs, consultations with lawyers, and not only for legal and administrative proceedings).

There is also an urgent need for specialized programs for Roma women who are victims of violence, as well as for migrant and refugee women who have experienced violence. This gap is currently being filled through the cooperation of various NGOs, but the support available remains insufficient.

Additionally, facilities—especially those managed by NGOs—are not always accessible to people with physical disabilities. This is sometimes resolved by conducting counselling sessions in alternative locations (such as libraries or parks), which is far from ideal.

In Slovenia, there are no certified programs designed specifically for women who are victims of criminal offenses committed by non-family members or partners, such as stalking, sexual harassment at the workplace or in public spaces, or digital violence committed by unknown perpetrators. There is a particularly pressing need for programs addressing workplace violence and sexual harassment.

Forced marriages, which occur mainly within the Roma community, are still too often overlooked or dismissed as part of Roma cultural practices. Similarly, arranged marriages are inadequately addressed. Institutions lack the capacity to recognize and respond effectively to issues related to arranged marriages. Due to the closed nature of these communities, information about arranged marriages rarely reaches NGOs in time, if at all. In prosecuting arranged marriages, the provisions of the Criminal Code—which stipulate that sexual acts with a person under the age of 15 constitute a criminal offense—are not properly applied, even though the girls involved are often younger than 15. Enforcing this provision could help eliminate these harmful practices.

Another issue is the lack of a proper care system for children who are victims of human trafficking (and, consequently, also for children who are victims of forced marriages). The existing system of crisis centres for youth offers only a temporary escape from a dangerous situation (three weeks), but the locations of these centres are public, and this does not provide a long-term solution for individuals forced into marriage. Furthermore, the staff working in youth crisis centres are not specifically trained to handle such cases.

Various forms of violence committed through telecommunications and computer systems—such as hacking into emails, publishing personal data and photos, or posting inappropriate messages on social media—are poorly recognized, even at the stage of reporting to the police. Police officers often advise victims not to pursue the complaint, claiming that “nothing can be done.” If it is indeed true that certain acts that severely infringe on individuals’ rights are not prosecutable simply because they occur via telecommunications technologies, then the Criminal Code must be amended. However, since many of these acts are already defined as criminal offenses, the practice of police and prosecution in handling these cases must also be changed.

As already mentioned in the previous chapter, Slovenia faces a chronic shortage of psychological, psychotherapeutic, and psychiatric care for women and children who are victims of violence. The opening of the *Barnhaus* (Children’s House) in 2022 was expected to bring a comprehensive and systemic response for child victims of violence. However, in practice the issue is that the Children’s House only provides services for children already involved in criminal proceedings, and not to all children who have experienced violence. The activities they conduct primarily include judicial interviews and rarely therapeutic support. A proposal for a hearing must be submitted by the court, which means that the child is not familiarized with the premises and staff of the Children’s House beforehand.

Despite the aim of reducing re-traumatization, the child victim of abuse is still required to recount the violence multiple times—to the police, the social work centre, and again during court proceedings, as well as to a potential court appointed expert witnesses. The referral of child abuse victims to Children’s Houses typically occurs very late; in some cases, several years pass between the disclosure of abuse and the child’s referral to the Children’s House, where a forensic interview is conducted. Although court hearings can be recorded, these recordings are not used to prevent the child from testifying again (e.g., in cases of a change of judge). Therapeutic support, which is more than necessary given the circumstances, is available only to children who have undergone a hearing at the Children’s House. The facility also does not offer medical examinations, nor does it conduct forensic interviews. Police, social work centres, and other institutions have the option to rent the

premises of the Children's House free of charge, but in practice, they rarely do so, as the numbers show. Between January 2023 and March 2024, only 32 children²⁸ were processed at the Children's House, which is a very small number considering the volume of criminal acts of violence, neglect, and sexual abuse against children. For the police to conduct an interview with a child at the Children's House, this must be proposed by the parents – who, however, are not informed about this option.

In the field of professional support services, there has been a welcome increase in the number of counselling centres for women experiencing violence in recent years. However, most of these centres lack a feminist foundation and do not recognize violence against women as gender-based violence.

There are still gaps in several specialized counselling programs in Slovenia: programs for women who are both victims and perpetrators of violence; parenting programs focused on non-violent child-rearing (for example, the Parenting Skills Training program run by the NGO Association for Non-violent Communication (Association for Nonviolent Communication), which is offered only in Ljubljana and has long waiting lists—far below the actual needs); there are also no specialized programs for individuals who sexually abuse children, nor are there specialized programs for the prevention and reduction of bullying behaviour. Additionally, programs that provide support to the non-abusive parent are lacking.

In recent years we have seen a welcome increase in counselling centres for women experiencing violence, though most of these centres lack a feminist foundation and do not approach violence against women as gender-based violence.

There are still gaps in certain specialized counselling programs in Slovenia:

- Counselling programs for women who are both victims and perpetrators of violence;
- Parenting programs for learning non-violent upbringing (for example, the Parenting Skills Training Program offered by the NGO *Association for Non-violent Communication* is only available in Ljubljana and has a waiting list; the availability of this program does not meet the existing needs);
- Specialized programs for individuals who perpetrate sexual abuse of children;
- Specialized programs for preventing and reducing bullying;
- Support programs for the non-abusive parent.

The network of certain social care programs should be decentralized so that individual services are equally accessible to women in all regions of Slovenia. Currently, some users cannot access specific services in their own region, or they can access them only through digital communication tools. Due to staff overload in this field, victim advocacy is often not carried out to the extent that victims need.

²⁸ Stankić Rupnik, Zoran. "The Barnahus (Children's House) Is Operating Very Well and at Full Capacity." Lawyer, no. 117, 2024, str. 56.

Accommodation Support

Shelter programs—such as safe houses, crisis centres, and maternity homes operated by non-governmental organizations—offer services and accommodation to women experiencing violence regardless of their residency status. In contrast, state-run shelters and maternity homes require either citizenship or a permanent residence permit for admission.

We observe specific challenges in accommodating Roma women and their children, as existing programs are not sufficiently adapted to their specific needs and the environments they come from. For example, many safe houses do not accommodate Roma women from a particular settlement where the shelter's location was revealed. As a result, the level of safety provided by a confidential location cannot be ensured.

Women who have experienced violence and have sons older than 15 years, as well as women with physical disabilities, face very limited options for safe accommodation in Slovenia, despite the longstanding need. Currently, there are only two programs in Slovenia that can accommodate women with mobility impairments who are experiencing violence. These programs are run by the NGOs *Association SOS Help-line* and *Association of the Physically Handicapped of Slovenia Vizija*.

A significant issue is securing accommodation after leaving a safe house, as the shelter system is not generally supported by the broader housing system. This is particularly problematic for older, retired women who do not own property and do not (yet) require residence in a care home, but whose pensions are insufficient to cover rental costs. Further information on housing challenges can be found in the previous chapter.

Case Study

A 60-year-old woman sought refuge in a safe house due to severe long-term violence inflicted by her husband. When they met, she was finishing her university studies but never completed them, as she soon became pregnant. Her husband took over the family farm, and it was expected that she would also stay home and work on the farm.

She spent her entire life working on a large farm, which included livestock farming, crop cultivation, and managing a vast forest from which they harvested and sold timber. She participated in all the farm work while also taking care of the children and household.

As the violence escalated over the years and the children grew up and moved out, she decided to leave and move into a safe house. Her income was extremely low, as she had never held formal employment, making it impossible for her to afford private rental housing. She was forced to move into her adult daughter's apartment. Despite her age and health issues, she worked on various farms during the harvest season for a modest wage. This was the only way she could secure some extra income to cover her most basic material needs.

Some migrant and refugee women who experience violence are placed in certain safe shelters; however, we estimate that this represents a small proportion compared to the actual number experiencing violence. We assume that this is due to language barriers and the lack of adequate information for migrant women about available support programs.

We observe a lack of specialized accommodation programs, for example, for women with children who suffer from mental health issues or cannot care for their children independently, as well as for women - victims of violence who use drugs (in Slovenia, there is only one safe house for female drug users, located in Ljubljana). There is also a lack of long-term accommodation programs that would help solve housing issues for those victims of violence who are not in immediate danger and do not need a safe house but have no opportunity to move into their own (rental) apartment.

Within Social Work Centres (or within programs of non-governmental organizations), it is necessary to consider possible forms of assistance for the most vulnerable individuals who currently cannot access support through the existing system:

- **Ensure the availability of interpreters** for all services for victims who do not speak Slovenian and cannot communicate in our environment (including counselling, consultations with lawyers, etc.).
- **Provide the same level of social security** to non-citizens who are victims of domestic violence as to Slovenian citizens (e.g., access to social benefits, eligibility for non-profit housing applications, etc.).
- **Introduce regular training** for all professionals working in the field of violence on the issues of violence against women, domestic violence, and related issues.
- **Strengthen victim support services** for those affected by criminal acts.
- **Consider individual needs** when providing services and support for people with various impairments (illiterate or functionally illiterate individuals, elderly and less mobile persons, etc.).

Failure to Provide an Interpreter during Police Intervention

During police interventions, assistance from an interpreter is often not provided. It frequently happens that a foreign woman who has called the police for help is unable to explain what happened due to language barriers. As a result, the police only hear the account of the perpetrator or his relatives, who present the situation in a biased manner.

Article 25: Support for Victims of Sexual Violence

Parties shall take the necessary legislative or other measures to provide for the setting up of appropriate, easily accessible rape crisis or sexual violence referral centres for victims in sufficient numbers to provide for medical and forensic examination, trauma support and counselling for victims.

Crisis Centres for Victims of Sexual Violence

Specialised crisis centres for victims of sexual violence do not exist in Slovenia, and establishing a 24/7 centre dedicated exclusively to such cases does not seem reasonable. Due to Slovenia's small population, such a centre would likely remain empty most of the time. Therefore, we consider it more sensible to designate a safe space within the existing infrastructure, such as emergency departments or centres for social work, where medical, forensic, and other examinations could be conducted. These spaces should also enable the reporting of violence and provide support and counselling to victims. This would allow victims to access all necessary services in one place, despite the absence of a dedicated crisis centre.

Emergency departments should establish specialised teams trained to work with victims of sexual violence and develop protocols for handling such cases, ensuring victims receive appropriate support and care.

Conditional Access to Care

Victims of rape or other sexual abuse cannot receive emergency medical care unless they first report the violence to the police. Only after filing a report can the emergency department perform the necessary examinations. If the victim does not file a prior report, the emergency staff will contact the police. In such cases, the police arrive at the emergency room, which may take some time, and the interview with the victim is often conducted in the hallway, due to the lack of a suitable private space at the emergency department.

Criminal Policy and Criminal Procedure

In 2021, the Republic of Slovenia implemented the principle of consent in sexual violence legislation, adopting the "only yes means yes" model. The amendment to the Criminal Code redefined the definition of the crime of rape, so that it no longer requires the use of force by the perpetrator or physical resistance by the victim. Instead, the victim must provide clear consent—either verbally or through unambiguous actions before any sexual act. Significant progress has also been made in the protection of children.

A study by the Institute of Criminology at the Faculty of Law, University of Ljubljana, on sentencing practices in sexual offences revealed that in most cases the penalties imposed are very lenient. While the statutory penalty for rape (basic definition) ranges from one to ten years of imprisonment, convicted offenders on average served less than two years, and almost one-third of the sentences were suspended. A similar trend is seen in sexual assaults against minors under 15 (basic definition,

three to eight years of imprisonment), where 41% of sentences were suspended, and the average prison term was just over two years, below the minimum prescribed penalty. The institute concluded that the relatively lower average sentence is primarily not due to milder forms of the offense (e.g., groping over clothing), as lenient sentences are also imposed in cases of more severe sexual offenses. Notably, a review of suspended sentences revealed that they were issued in 22 cases where the offense involved sexual intercourse.²⁹

Victims who decide to report criminal offences related to sexual violence often face secondary victimisation in court, as these proceedings are lengthy, requiring them to recount their traumatic experience multiple times. They are frequently met with accusations of having fabricated the incident of sexual violence out of a desire for revenge. This is especially common in cases where a person reports suspected sexual abuse of a child committed by a (former) partner or the child's father.

Case Study

In 2023, a trial was held in court against three young men, all in their early twenties, for the gang rape of a then 14-year-old minor girl, which they committed in 2020. The men raped the girl and also filmed their actions and published them online. The court of first instance nevertheless issued an acquittal for rape, convicting only the organizer of the gang rape for producing and distributing pornographic material to the detriment of the 14-year-old girl.

The prosecution appealed the acquittal, and the higher court annulled the verdict and returned the case for retrial. The case is therefore currently being reheard at the first-instance court. In addition to having already had to recount her experience of the violence multiple times, the minor victim will now have to do so again due to the retrial. During the proceedings, she experienced severe **secondary victimization**. Her testimony was extremely lengthy, as were the testimonies of other witnesses. These hearings spanned several months, meaning that the victim had to spend several hours each week in court over an extended period of time.

The questions posed to her by the judge and the perpetrators' lawyers (which the court did not stop) were often humiliating and wholly inappropriate — for example: *"Have you ever cheated on a test in school?"* or *"Had you had sexual intercourse with anyone before this experience?"* In addition, all her text messages were reviewed and admitted as evidence, even though they had no connection to the incident.

Case Study

A woman contacted the non-governmental organization *Association for Non-violent Communication* that runs a specialized counselling center for victims of sexual violence. She explained that her friend had been raped the day before by an acquaintance from their social circle. She said they had called

²⁹Plesničar, M. (vodja raziskave). (2023). *Kaznovalna politika pri spolni kriminaliteti*. Inštitut za kriminologijo pri Pravni fakulteti.

the emergency room, where the staff had been rude, and asked whether it was really necessary to file a police report upon arrival at the ER in order to receive care for sexual assault.

The counsellor informed her that a prior report to the police is indeed required for an emergency gynaecological examination in cases of suspected sexual assault. Only after such a report can the ER proceed with the examination. The counsellor offered to accompany the woman to the police, should she decide to go. She did decide to proceed, and they went together to the local police station, where they waited nearly an hour to be received.

In conversation with the criminal investigator, the woman described the incident in detail and was asked numerous follow-up questions. She then handed over the clothes she had worn that day, and the investigator photographed the bruises and abrasions on her body. Due to suspicion that drugs may have been slipped into her drink, they went to the Institute of Forensic Medicine.

On the way to the institute, another investigator joined them and asked the woman many more questions, including details she had already explained to the first investigator. At the Institute of Forensic Medicine, they were informed that it was too late to test for the presence of so-called “date rape” drugs. Nevertheless, the staff took blood and urine samples.

Afterward, the entire group — including the forensic doctor, both investigators, and the counsellor — went to the emergency gynaecology department, where the woman was quickly admitted. All necessary examinations were conducted. The woman was photographed again and once more had to recount the entire incident. The examination was carried out by two doctors — one from the Institute of Forensic Medicine and a gynaecologist from the ER. The examination was performed professionally. The gynaecologist issued a recommendation for two weeks of sick leave and prescribed antibiotics and medications to prevent sexually transmitted infections. After the examination, the woman was taken back to the police station to finalize the official record. The entire process lasted many hours, continuing into the late evening.

Case Study

A girl accused 4 men of rape, three of whom were minors at the time. She voluntarily went with them to a hotel room they had rented, after which she drank 2 alcoholic beverages, and has no memory of the rest of the night. The next day, the girl had bruises all over her body, and the hotel security camera also recorded the victim wandering out of the hotel into the street in the middle of the night, wrapped only in a towel, before one of the accused ran after her and took her back to the hotel room.

The four men recorded the sexual intercourse and publicly boasted about the recording. The recording also clearly shows that at one point they checked her jugular vein to see if the girl still had a pulse. The psychiatric stroke expert did not interview the girl, but gave an expert opinion based on the recording. In the video, the girl's gesture, which in some of the videos moved her hand and covered her face, was interpreted as indicating that the girl was sufficiently aware of what was happening to express her freedom. Based on the opinion obtained, the judge acquitted the defendants in July 2025.

Article 31 – Custody, Visitation Rights and Safety

1. Parties shall take the necessary legislative or other measures to ensure that, in the determination of custody and visitation rights of children, incidents of violence covered by the scope of this Convention are considered.
2. Parties shall take the necessary legislative or other measures to ensure that the exercise of any visitation or custody rights does not jeopardize the rights and safety of the victim or children.

In recent years we have observed an extremely concerning trend of minimizing the significance of domestic violence. Some professionals fail to prioritize the protection and safety of children in their practice, but instead, and at all costs – even against the children’s wishes – encourage and enforce contact with the abusive parent. We also note that there is a high turnover of employees working in the field of domestic violence and that individuals without adequate knowledge and experience are often hired for these positions, without receiving proper professional mentoring or support.

Case Example

A woman moved to a safe location due to violence perpetrated against her — and indirectly against her eight-month-old baby — by her partner, the child’s father. During the last violent incident, she called the police and filed a report during the intervention. A restraining order was issued against the (former) partner, which was extended by the court for 60 days. During this time, the father had no contact with the infant and subsequently filed a request with the court for custody of the child and for visitation rights. The court requested the local social work center to issue an assessment of the child’s risk level.

The social worker conducted separate interviews with both parents and submitted an opinion. In the report, the worker stated that the woman had said she experienced postpartum depression and anxiety (failing to mention that, as the woman had explained, these symptoms were a direct result of severe domestic abuse that intensified during pregnancy and after childbirth), and that she was taking antidepressants. The social worker concluded that the mother, due to her psychological condition, was allegedly unable to form an appropriate bond with the child and assessed that the infant was at risk due to the lack of contact with the father. The report recommended that visitation should begin as soon as possible. The entire report did not mention the violence even once, nor was it problematized in any way.

When victims of violence come into contact with institutions, a lack of knowledge and understanding of the dynamics of violence is often evident. For example, victims are frequently confronted with accusatory questions such as why they only spoke out about the violence during separation or when filing a custody claim.

It is still frequent for state institutions to threaten mothers with the removal of their children if they do not leave the abusive partner. This shifts the entire responsibility for the child’s safety solely onto the mother, with her leaving the abuser presented as the only solution, instead of requiring the perpetrator to stop the violence or to move out.

Responsibility for inappropriate behaviour of a child is often placed exclusively on mothers. This is also the case when a child refuses contact with the father or rejects him altogether. The effects of violence on children are insufficiently considered, especially in cases where the father was not directly violent towards the child. For instance, both parents are referred to parenting skills training or a parenting group, even when only the perpetrator actually needs it. Such practices are often used to encourage fathers to join these groups, but we believe this is an inappropriate motivational strategy.

Case study

After the divorce, the mother initiated legal proceedings against the father of the child, with whom they shared custody. The father began keeping the child with him and refused to allow contact with the mother. This behaviour was also noticed by professionals at the child's school. The father was criminally charged for obstructing contact, and the court ordered that the child be returned to the mother. However, by avoiding receipt of the court decision, the father kept the child with him for an additional two months.

At the father's request, the case was taken over by another social worker at the SWC, who was unfamiliar with the family's history. In her interviews, she did not consider the history of violence, the father's unlawful retention of the child, violation of the court order and failure to pay child support. She ruled that both parents were equally suitable. Based on this opinion, the court issued a new order in which contact was distributed equally between the mother and father.

At the family court hearing, the judge encouraged the mother to withdraw her report of violence, which she eventually relented to. Nevertheless, the proceedings had already begun and the mother decided to participate in them anyway. The child's father was ultimately given a three-year suspended sentence.

Family Court Proceedings

One of the main issues in family court proceedings is their excessive length. It is unacceptable that parents who are unable to reach agreement on issues such as custody, contact, and child support must wait several years for a court decision. A particularly pressing reason for these delays is the lack of forensic clinical psychologists, who are usually called upon to assess the suitability of the parents. Expert opinions are often delayed for over a year. Such opinions should be delivered as quickly as possible while maintaining high professional standards and relying on scientifically validated methods—something that currently remains more of an exception than the norm. It is urgently necessary to increase the number of forensic experts in clinical psychology and to broaden the pool of experts from various professions, as well as to establish professional guidelines for the preparation of expert opinions.

Due to the shortage of court-appointed experts, both social work centres and courts (and even lawyers) tend to push for the fastest possible resolution of proceedings, which often means pressuring the parties involved to reach a settlement. Sometimes settlements are even encouraged in proceedings for the imposition of measures under the Domestic Violence Prevention Act. It is

necessary to prohibit court settlements, agreements, or other forms of alternative dispute resolution in cases where there is suspicion of domestic violence.

References to concept of “parental alienation” are still present in the opinions of court-appointed experts, as well as in the discourse of professionals in social work centres and other institutions. Courts often adopt these opinions uncritically in their rulings. Based on our experience, the concept of parental alienation is frequently made by parents who have committed violence: in such cases, the non-abusive parent seeks to protect the child (sometimes by limiting or preventing contact with the abusive parent), and the child often exhibits a negative attitude toward the abusive parent (resistance, fear, distrust, shame, etc.). In such situations, the protective measures taken by the non-abusive parent are entirely appropriate, and the notion of “alienation” should not even be considered.

Joint custody and shared parenting are still often presented to parents as “the most appropriate option,”. However, this disregards the fact that joint custody and parenting arrangements are only suitable for parents who can communicate effectively about the child—something that is impossible when one parent is abusive toward the other. In such cases, for safety reasons, every effort should be made to minimize contact between the parents. Such arrangements could otherwise exacerbate the child’s difficulties rather than mitigate them. It should be explicitly stipulated that joint custody must be prohibited in cases involving violence, in order to ensure the protection of victims.

In addition to the workload of court experts, we also observe significant overburdening of family courts. Hearings in more complex cases are not scheduled frequently enough, which further extends the time until a final decision is reached.

Family proceedings must also take into account the need to ensure the safety of victims of violence by implementing measures adapted from criminal proceedings, such as enabling participation in hearings via video conference and minimizing direct contact between the victim and the perpetrator.

Judges in family proceedings possess varying levels of knowledge regarding family dynamics and domestic violence. As a result, stereotypes and differing expectations toward women and men still occasionally appear. Courts sometimes assign partial responsibility for the violence to both the perpetrator and the victim, or they consider the experience of violence irrelevant when making decisions about parental custody. It is very common to hear statements in court such as: “You both need to start communicating and leave the past behind,” or “This is a family proceeding; issues of violence will be addressed in the criminal trial.”

Case Example

The Right to Accompaniment by a Support Person

1. A judge demanded that a counsellor from a non-governmental organization, who was accompanying a service user to court, present written proof of employment at the organization, despite the fact that, according to the law, any adult person who is not the perpetrator of violence may act as an accompanying person for a victim of violence.

2. An investigating judge claimed that a woman did not have the right to a support person; he relented only after being referred to the relevant legislation.

Child Support

Court-ordered child support payments, as well as those paid through the Child Support Fund, are too low to ensure a decent standard of living. A comprehensive reform of the child support system is necessary; one possible solution would be the introduction of a minimum or basic child support payment.

Child support obligors often conceal or misrepresent their income. Beneficiaries or their guardians have difficulty proving that the obligors actually have sufficient means of subsistence but are deliberately avoiding paying child support. Beneficiaries are forced to turn to the Child Support Fund, where they receive a significantly lower amount than what is set by the court order.

Courts are often reluctant to issue temporary orders for child support, arguing that a child is not endangered solely due to non-payment. Given the lengthy nature of family court proceedings, this means that the parent to whom the child has been temporarily assigned must bear the full financial responsibility for the child's welfare—potentially for several years. In connection with the payment of child support, the compensation system for unpaid child support should also be restructured. Compensation should be paid in the amount determined by the court order (as only this ensures that the child's situation does not deteriorate due to parental separation and non-fulfilment of child support obligations) for the entire period of non-payment.

Failure to pay child support is considered a criminal offense under Slovenian law and is prosecuted *ex officio*³⁰. This means that all state authorities and organizations with public authorizations are obliged to report criminal offenses that are prosecuted *ex officio* if they are informed about them or become aware of them in any other way. However, this does not happen in practice. The non-payment of child support should also be recognized as a form of economic violence, which can endanger the child.

Case Example

Child Support and Economic Abuse

A man, the father of a one-year-old child, is serving a prison sentence for the sexual abuse of his stepdaughter. He transferred all his property through contracts to his two adult children from a previous relationship. By doing so, he avoided paying compensation to the stepdaughter and also filed a request to reduce the already minimal child support for his one-year-old son, citing as the reason that he is serving a prison sentence, does not receive a salary, and owns no property.

³⁰ 194. člen Kazenskega zakonika (KZ-1-NPB4).

Contact and Supervised Contact

Contact between a child and the father is encouraged and ordered even when the father has been severely violent toward the children and/or their mother, and the child refuses contact, including in cases of suspected sexual abuse. In certain cases, contact is encouraged even if the perpetrator is in prison for domestic violence, which means the mother must organize transportation to the prison, and the child has to attend contact visits with the father in prison.

When determining contact between the father and the child when the child is placed with the mother, there is often an unequal division of responsibilities related to the child—for example, the child is with the father over the weekend and with the mother during the week, which means the mother handles all activities related to school and extracurricular activities.

The father's right to contact is too often placed before the child's right to safety and healthy environment for psychological and physical development. The father's behaviour – whether he takes proper care of the child or not – is frequently evaluated entirely uncritically.

Supervised contact is usually organized at social work centres, which have highly unsuitable working hours (weekdays until 3 p.m., on Wednesdays until 5 p.m., and on Fridays until 1 p.m.). This means that the parent must bring the child or conduct the supervised contact during their own working hours. There is an urgent need to extend the working hours of social work centres to ensure better accessibility of support and the implementation of supervised contact sessions.

Supervised contact can be ordered for a maximum of 9 months. When this period expires, parents and children often have to wait several weeks (during which no contact takes place) until the court issues a new decision to regulate future contact. After such a break, the child is expected to transition to unsupervised contact without difficulty, even though they have not seen the parent involved in supervised contact for several weeks. In cases of domestic violence, the court should monitor the family situation more promptly, gradually expand contact sessions, supervise their implementation, and only issue a final ruling once family circumstances or relationships between family members are sufficiently stable.

We have repeatedly observed that supervised contacts are carried out in a highly unprofessional manner:

- Staff do not prepare the parent and child for the contact session beforehand.
- Inappropriate or psychologically abusive communication is not addressed or stopped.
- Staff members leave the room during contact sessions.
- The sessions are often monitored by individuals who lack proper qualifications and training.

As a result, the reports on supervised contact sessions are incomplete and unprofessional.

The purpose of supervised contact is also often unclear. Is the center merely observing the session and reporting to the court? Is it intended as active support for the parent to help build a relationship with the child? Or is it a safeguard to ensure that the parent does not endanger the child during the session?

It is therefore essential to develop a binding protocol for the implementation of supervised contact, which would specify:

- Who is qualified to supervise contact (education, work experience, etc.).
- How preparation for contact should be conducted.
- The intended goals of supervised contact.
- When and how contact should be interrupted if necessary.
- How the debriefing session should be conducted after the contact session ends.

Case Study

1. A father has court-ordered supervised contact with his two children at the social work centre. During one of the visits, the two professionals supervising the contact suggested that the father take the children outside, even though his ability to supervise two small children was questionable, as they themselves noted in the centre's report to the court. During the outing, one of the children wanted lollipops and would not take no for an answer. The professionals allowed the father to go to the store with the children, during which time he was unsupervised. When the mother later raised concerns about this, the social worker replied that even if the father was on the playground with the children, they could not monitor what he was telling the children, and that they were not there to "babysit."

2. A mother with an infant left her partner due to domestic violence. The father received a restraining order. He was granted supervised contact sessions. The professionals demanded that the mother be present during the sessions because, according to them, the infant could not be left alone with the father.

3. A father had supervised contact with his child at the social work center. The mother waited outside until the visit was over. A professional supervising the contact invited the mother to join them in the room. At the next visit, she invited the mother to join them at a pastry shop. The mother agreed, and when the bill came, the father wanted to pay for everything, but the mother preferred to pay for herself. The professional commented, "Ah, I see why the two of you can't get along."

Case Study

A 12-year-old child whose mother is a beneficiary of one of our programs refuses contact with her father – the perpetrator of violence. The child has repeatedly and clearly expressed fear, aversion, and anxiety regarding contact with her father. Instead of these circumstances being professionally and sensitively considered, the social work center allegedly continued the contact arrangements without proper adjustment, support, or protective measures.

Supervised visits with the father began earlier than agreed, without the preparatory steps that were intended to safeguard the child's emotional well-being. The scheduled visits were not coordinated with the child's school obligations (e.g., swimming lessons as part of the school curriculum), meaning the child's needs and responsibilities were neglected.

The visits are taking place under the supervision of the social work center (SWC). During one of the visits, the child left the room after just a few minutes, as she did not want to be in the same space as her father. One of the supervising social workers made a statement that the girl experienced as a threat. The statement “If you don’t maintain contact with your father, you’ll end up being an ugly girl without friends, a boyfriend or a job!” was inappropriate, psychologically distressing, and could constitute a form of emotional abuse.

Another professional reportedly downplayed the child’s experience by saying she should “forget past events” because her father is supposedly different now. Such an approach ignores the child’s emotional state and minimizes her fears and experiences, potentially deepening her distress and causing feelings of being misunderstood.

Due to violations of the best interests of the child, the SOS Association called for a multidisciplinary team (MDT) meeting, but one month later we have yet to receive a response.

Case Study

A woman sought our support as she felt she had nowhere else to turn. She is a survivor of domestic violence inflicted by the father of her child. She left him and reported the violence shortly after the child was born. Although she was previously recognized as a victim of domestic violence—receiving in total a two-year restraining order—she was still required to facilitate contact between the child and the father, although the child was refusing contacts. Today, the Center for Social Work no longer recognizes her as a victim, arguing that too much time has passed and that she should have “moved on” from the past.

Her child, under the age of six, disclosed to a psychotherapist details of the father’s behavior that led the therapist to strongly suspect sexual abuse. The mother reported her suspicions to the police, and a restraining order against the father was issued. However, no concrete evidence of abuse was found, and the case did not proceed to court. The father subsequently filed criminal charges against the mother for slander.

During the custody proceedings, the father succeeded in having the child’s psychologist excluded as a witness and also managed to prohibit all contact between the psychotherapist and the child. As a result, the child lost a confidential person and safe space to express themselves.

The Center views the relationship between the parents as highly conflictual, with neither acting in the child’s best interest, and has even suggested placing the child in foster care. Custody arrangements remain unsettled. The mother is deeply concerned about how to protect the child from overnight stays with the father.

The Center for Social Work has advised the mother to propose family therapy in court as a means of resolving parental conflicts. Meanwhile, the child repeatedly refuses contact with the father, reports mistreatment, and has disclosed threats made by the father—even to the child collision advocate. The father once admitted in court to threatening the child. Despite all this, the child’s voice remains unheard in the legal process.

Article 48: Prohibition of mandatory alternative dispute resolution processes or sentencing

1. Parties shall take the necessary legislative or other measures to prohibit mandatory alternative dispute resolution processes, including mediation and conciliation, in relation to all forms of violence covered by the scope of this Convention.
2. Parties shall take the necessary legislative or other measures to ensure that if the payment of a fine is ordered, due account shall be taken of the ability of the perpetrator to assume his or her financial obligations towards the victim.

In Slovenian criminal legislation, mandatory mediation or other compulsory forms of alternative dispute resolution are not prescribed in criminal proceedings. The Criminal Code (KZ-1) and the Criminal Procedure Act (ZKP) do allow for so-called settlement between the offender and the victim (in the form of withdrawal of charges or conditional suspension of prosecution), however:

- Criminal offences involving domestic violence, sexual violence, and other forms of violence against women are generally excluded from cases eligible for settlement or negotiation.
- According to the Criminal Procedure Act and the guidelines of the State Prosecutor's Office, any form of negotiation between parties is generally excluded in such cases due to the risk of repeated violence and power imbalance.

In certain cases (e.g., milder forms of violence such as psychological abuse or threats), prosecutors nonetheless propose alternative measures (e.g., conditional suspension of prosecution), which can exert indirect pressure on the victim. In many cases, survivors have reported that the court proposed settlement, or that the state prosecutor negotiated a settlement with the judge without their consent. It must be emphasized that in cases of domestic violence, referral to any settlement procedures is inappropriate. In situations where there is a clear power imbalance and one person has abused their position, this dynamic will likely repeat itself in a settlement process. The victim's needs are again neglected, and the perpetrator does not receive a clear message that the abusive behaviour is unacceptable.

Furthermore, mediators are not adequately trained to recognize abusive dynamics, and their only objective is to reach a successful settlement — even at the expense of the victim's needs, wishes, or safety.

Although Article 48 of the Istanbul Convention prohibits mandatory mediation or reconciliation, Slovenian legislation still allows for voluntary mediation in certain criminal matters. However, there are restrictions and safeguards:

- Family Code (DZ), Article 210: *Mediation is not permitted if there is suspicion of domestic violence.*
- Criminal prosecution cannot be suspended solely due to mediation, although for certain offences the prosecutor may propose conditional suspension of prosecution with an agreement — however, this is not recommended in cases involving violence.

- In domestic violence cases, social work centres and courts must not refer parties to mediation or joint counselling. The Domestic Violence Prevention Act (ZPND) clearly states in Article 5: *Measures for the protection of victims of domestic violence shall not be implemented as reconciliation measures between the victim and the perpetrator of domestic violence.*

Therefore, courts and social work centres are legally prohibited from promoting mediation or joint counselling when there is any suspicion of domestic violence. Violence cannot be resolved through mediation, reconciliation, or joint counselling, as this implies an equal sharing of responsibility between the perpetrator and the victim, violating the principle of victim protection and potentially deepening the trauma.

At social work centres and later at family courts, parents are often encouraged to opt for joint custody as the “most appropriate” arrangement. This overlooks the fact that joint custody is suitable only for parents who are able to communicate effectively regarding the child. In cases where one parent has committed violence against the other or the child, proposals for joint custody must be approached with caution, as regular contact between the parents increases the risk of renewed violence. For safety reasons, all efforts should be made to minimize contact between the parents. Furthermore, it is unrealistic to expect that two parents — who, due to violence or even just persistent conflict, lack proper communication — will begin to communicate effectively merely because the court has ordered joint custody. Such an arrangement can increase difficulties for the child rather than reduce them.

Unfortunately, numerous testimonies from the victims of domestic violence, as well as findings by non-governmental organizations and human rights advocates, paint a different picture. In some cases, social work centres still invite both the victims and the perpetrators of violence to joint counselling sessions. This is often justified as being “in the interest of the children,” but in reality, it typically means re-exposing the victim to danger and pressure. According to our information, victims of violence who decline mediation or refuse to speak with the perpetrator are often labelled as “conflictual” by social work centres. There have been cases in which social workers have advised the victim to “just make up” with the partner, on the grounds that the perpetrator promised not to be violent again.

Experts in the field of domestic violence warn that mediation in such cases is dangerous, as it is based on the assumption of equal power and free choice — which do not exist in situations of abuse. The Human Rights Ombudsman, for instance, has repeatedly emphasized that forcing victims to engage with their abuser — even in the context of shared parenting — is inappropriate. The safety of the victim must be the priority, particularly when children are involved. According to the Domestic Violence Prevention Act (ZPND), children are also considered victims of violence if they are exposed to it, regardless of whether they were directly harmed. However, this principle is often not respected in practice.

Children remain unprotected even when the court has established that one parent committed violence against the other. Under the instructions of the social work centre, they are still expected to maintain contact with the abusive parent. If the protective parent does not bring the child to these visits due to the child’s distress, they may face criminal charges. In practice, indirect pressure is often exerted — victims are told that participation in joint processes “will benefit the children” or “make the proceedings easier.”

Based on the experience of NGOs, mothers often feel compelled to “prepare” their children for contact with the father — who was violent towards them and/or the children and from whom they fled — by telling the child the father is looking forward to seeing them and that everything will be fine. In reality, the mother often does not know what the visit will be like — and she may recall that the father crossed boundaries with violence in the past. It is understandable that children may fear contact. Institutional pressure on mothers to “prepare” the children can be so great that it surpasses reasonable advice — the mother is expected to ignore her own inner alarms, past experiences with the abuser, and clear signs of the child’s distress, simply to “ensure contact with the father,” from whom institutions demand little change and whose behaviour is inadequately monitored. Responsibility for ensuring successful visitation falls almost entirely on the mother, even when the father has a history of violence.

Although Slovenian legislation contains important safeguards, in practice these are often neglected or implemented superficially. This leads to revictimization, erodes trust in the system, and can seriously endanger the safety of women and children who are victims of violence.

Recommendations for Improvement:

- Joint custody and upbringing should only be granted if both parents are capable of communicating and making joint decisions regarding the child; joint custody must be prohibited in cases involving violence.
- Victims must be informed that they have the right to refuse mediation.
- A prohibition on court settlements, agreements, or any other form of alternative dispute resolution in cases where there is suspicion of domestic violence.
- Strict implementation of legislation and mandatory investigation into the history of violence before referring any case to an alternative procedure.
- Trainings for judges, prosecutors, and professionals working in social work centres on the risks of re-victimization.

Case Study

1. In a family law case, the judge ordered the victim of domestic violence to attend mediation, despite an ongoing criminal procedure concerning domestic violence.

2. The social work center failed to recognize the woman as a victim of violence, even though she was living in a safe house, and proposed mediation or joint sessions with the abusive partner.

3. After enduring prolonged abuse from her husband—including threats that he would douse her with gasoline and set her on fire—the woman first sought refuge in a crisis center and later moved to a safe house. Proceedings regarding domestic violence were initiated by both the police and the Center for Social Work. The Center invited the woman for an interview—and also invited her husband. The husband appeared at the meeting in visibly poor condition. Feeling pity for him, the woman withdrew her criminal complaint. Later, out of renewed fear, she returned to the safe house once again.

Article 49 and 50 - General obligations and immediate response, prevention and protection

Article 49 – General obligations

1. Parties shall take the necessary legislative or other measures to ensure that investigations and judicial proceedings in relation to all forms of violence covered by the scope of this Convention are carried out without undue delay while taking into consideration the rights of the victim during all stages of the criminal proceedings.
2. Parties shall take the necessary legislative or other measures, in conformity with the fundamental principles of human rights and having regard to the gendered understanding of violence, to ensure the effective investigation and prosecution of offences established in accordance with this Convention.

Article 50 – Immediate response, prevention and protection

- 1 Parties shall take the necessary legislative or other measures to ensure that the responsible law enforcement agencies respond to all forms of violence covered by the scope of this Convention promptly and appropriately by offering adequate and immediate protection to victims.
- 2 Parties shall take the necessary legislative or other measures to ensure that the responsible law enforcement agencies engage promptly and appropriately in the prevention and protection against all forms of violence covered by the scope of this Convention, including the employment of preventive operational measures and the collection of evidence.

For the purposes of research, education, and prevention in the field of domestic violence and violence against women, the Ministry of Labour, Family, Social Affairs and Equal Opportunities (MDDSZ) allocated €30,000 in 2024. In 2023, the Ministry issued a call for proposals to finance NGO projects that contribute to the prevention of violence against women and girls, including online violence. Three projects were selected for funding, each receiving approximately €10,000 for work related to the prevention of violence against women and girls, including cyber violence.

In its response to the Committee of the Parties to the Istanbul Convention, Slovenia also stated that its authorities have adopted measures aimed at improving the prompt and appropriate response of law enforcement authorities, particularly through enhancing training on the gender-based nature of violence against women and its consequences. The Slovenian Police conduct trainings, host symposiums, and organize roundtables on domestic violence, with a focus on victim support and the sensitive handling of such criminal offences.

Furthermore, the training and education of professionals in educational institutions, social work centres, and the police who carry out tasks in the field of domestic violence is also regulated by Article 10 of the *Domestic Violence Prevention Act* (ZPND-1).

“(4) Professional staff in bodies and organizations who perform duties in the field of violence within the framework of rules and procedures referred to in the previous paragraph must, as part of their continuous education, training, and professional development, regularly receive mandatory training, particularly on the prevention and detection of acts of violence,

prosecution, adjudication, and enforcement of sanctions for such acts, on equality between women and men, on the needs and rights of victims, and on the prevention of secondary victimization, to the extent determined by the ministers referred to in the previous paragraph.

(5) Responsible persons in bodies and organizations, as well as non-governmental organizations, shall ensure training for all professional staff who, in the course of their work, come into contact with victims or perpetrators of violence.

(6) Judges and public prosecutors who, in the course of their duties, come into contact with victims or perpetrators of violence, must, as part of their continuous education, training, and professional development, regularly receive mandatory training in the areas referred to in paragraph four of this article.” (ZPND Uradni list RS, št. 16/08, 68/16, and 196/21)

The *Rules on Cooperation of the Police with Other Authorities and Organizations in Detecting and Preventing Domestic Violence* prescribe in Article 12 that police officers and criminal investigators working in the field of prevention and investigation of criminal offences related to domestic violence must undergo regular training of at least 3 days per year:

Training in the field of domestic violence

- 1. Police officers and criminal investigators who work in the prevention and investigation of criminal offences related to domestic violence must undergo regular training of at least three days per year.*
- 2. Police officers and criminal investigators who only occasionally handle cases of domestic violence must undergo training of at least one day per year.*
- 3. Heads of police units are obligated to enable police officers and criminal investigators to attend training as specified in the first and second paragraphs of this article.*
- 4. The content of the training is determined by a programme established by the Director General of the Police.*
- 5. The training is organized by the General Police Directorate in cooperation with other police units. Police officers and criminal investigators who have successfully completed the prescribed training programme for domestic violence prevention as multipliers participate in its implementation.*

Despite these legal provisions, training of professionals in the field of domestic violence is neither regular, systematic, nor mandatory. This means that many professionals who come into contact with victims are insufficiently trained to recognize violence, conduct procedures appropriately, or communicate in a way that does not cause additional distress.

Non-governmental organizations still frequently observe the presence of stereotypes, prejudice, and ignorance, which leads to the minimization, denial, or rationalization of violence. Attitudes such as “victims often exaggerate,” “they should try to save the marriage,” or “there are always two sides in an argument”, are still present in some institutions.

Lack of Understanding of Domestic Violence and Inadequate Systemic Oversight

First Contact with an Institution – A Crucial Moment

The first contact a victim has with an institution (e.g. the Social Work Centre or the Police) has a significant influence on their decision whether to seek help again or to remain in contact with the institution. Inappropriate or degrading treatment can undermine trust in the entire system and create an even deeper sense of helplessness, hopelessness, and isolation in the victim. It is essential to ensure an appropriate response and attitude from police officers when violence is reported.

Even within the police force, inconsistent practices are evident—both between regions and among individual officers. In many areas, domestic violence is still primarily treated as a disturbance of public order and peace, rather than being recognised as a criminal offence. This practice diminishes the severity of the victim's experience, reduces the likelihood of appropriate measures being taken (e.g. restraining orders), and contributes to the perception of impunity for perpetrators. At the same time, it actively punishes the victim for contacting the police in the first place, since the police often issue a fine for disturbing public order to both parties involved because they do not recognize the elements of violence or abuse.

Victims should never be directly or indirectly discouraged from reporting violence through inappropriate remarks or behaviour, nor should they be denied protection when urgently needed (i.e. when legal conditions for issuing a restraining order, detention, or other measures are met). Furthermore, the legal framework regarding restraining orders under the Police Tasks and Powers Act is insufficient, as it does not protect persons who are not in a close relationship with the perpetrator.

It is also unacceptable that, in some cases, police officers fail to recognise the signs of criminal acts (e.g. in domestic violence and bullying, humiliating behaviour, restriction of movement, stalking, coercion to work or to cease working, i.e. forms of psychological and economic violence, are recognised forms of abuse). Stalking, threats, and various forms of violence committed through telecommunications and IT systems—such as hacking email accounts, posting personal data and photos, or inappropriate messages on social networks—are still poorly identified.

NGOs have observed that police officers are at times too focused on the potential opinion of the prosecution and, due to doubts about the success of proceedings, refrain from actively gathering information.

In many cases, police officers are unaware of victims' rights and therefore fail to uphold them. Officers often show dissatisfaction when a victim is accompanied by a support person. Victims are rarely informed about available support services. Police officers do not always complete the individual risk assessments, and some officers have admitted they don't understand their importance for further proceedings.

Victims are almost never offered the option of having their statements taken by an officer of the same sex. It frequently occurs that police officers make the escort of a victim—who has left their home due

to violence—to collect personal belongings contingent upon filing a report of violence, or they refuse the escort altogether, stating they are not a security service. This is contrary to the provisions of the Domestic Violence Prevention Act and crucial for ensuring the victim's safety.

Non-governmental organizations working in the field of domestic violence prevention are often the primary providers of intersectoral training, awareness-raising, and the strengthening of cooperation between institutions. Despite the long-standing work and expertise of NGOs, significant discrepancies in the level of training among professionals who come into contact with victims still persist in practice—both within social work centres, the police, and other law enforcement bodies.

Case Example

Safe house client statement: »When you call the police, something is already terribly wrong. At that point, all institutions should get involved immediately. When children are involved and someone has called the police, then even more so — support and counselling should be offered to the children."

Case Example

A woman filed a police report in September 2024 regarding death threats from her former partner, whom she had previously reported for domestic violence. She has been part of our NGO's psychosocial support program for several years now and submitted the report with our assistance.

During the process, police officer made dismissive and inappropriate remarks, downplaying the seriousness of the threats and past abuse. Comments included suggestions that the perpetrator feared her more than she feared him and that she probably did not understand him well, that her concerns were exaggerated due to her age, and that the previous physical violence was minor because she did not seek medical help. Officer even stated that if the abuser intended to kill her, he would have done so already.

These responses left the woman feeling belittled, unsafe, and distrustful of police protection — especially as she still shares a residence with the perpetrator while preparing to move to a crisis center. We reported the police officers' conduct to their superior but have not yet received any response.

Regional Structure of Social Work Centres (SWC) and the Role of Coordinators

Within social work centres (SWC), a *Regional Service for Coordination and Victim Support* operates, divided into 17 regions (e.g. Ljubljana, Maribor, Gorenjska, Zasavje, Dolenjska, etc.). Each region has its own *coordinator for the prevention of violence*, who is expected to coordinate and supervise the work of all SWC units within the region. However, user experiences reveal significant differences in the quality of victim support depending on the specific region or even the individual unit.

Non-governmental organizations working with victims often observe that the response to violence is highly inconsistent and frequently dependent on the personal beliefs of professional staff or on the local operational policies of individual SWCs. There are cases where victims of violence are not recognized as such because professionals minimize their experiences or interpret them through stereotypes (e.g., as a “family dispute” or “difficult relationship”). Recently, we have observed a dangerously increasing trend of downplaying the seriousness of domestic violence. Some employees in professional services, when handling cases, do not focus on protecting children and ensuring their safety but instead try—often against the child’s wishes—to enforce contact between the child and the parent who perpetrated the violence.

High staff turnover remains a persistent issue in the field of support for victims of domestic violence. Individuals without adequate knowledge and experience are appointed to key positions, without receiving sufficient professional support. Due to a lack of understanding of the dynamics of violence, decisions are made that may further harm victims—for example, holding joint interviews between the victim and the perpetrator at the SWC, or treating victims’ distress dismissively, suggesting that they are exaggerating or labelling them as “manipulative.” Victims are not provided with safety and privacy, and are often pressured into accepting the perpetrator’s conditions or even withdrawing applications for restraining orders.

Case Study

The victim, currently residing in one of the Association SOS Help-line shelter is a migrant woman who married a Slovenian man and has been experiencing years of psychological, physical, economic, and sexual abuse from her partner. Her two children from a previous relationship came with her to Slovenia, and she gave birth to five more children while living here. Her partner prevented her from accessing contraception and from learning the Slovenian language. Her children from the previous relationship were not allowed to sleep in beds but had to sleep on the floor. Neither she nor her children have valid identity documents.

Despite submitting several reports of violence, she was never recognized as a victim by the Social Work Centre or the police; instead, after calling the police, she received fines for public disturbance. Even with multiple pieces of evidence of physical abuse (including medical documentation and witness testimony), the Social Work Centre (SWC) and the police failed to protect her as a victim. Due to language barriers, neither the SCW nor the police ever took a direct statement from her. They only received statements from the perpetrator and his mother.

Cooperation with the SWC was extremely difficult because the social workers did not treat her as a victim. The institutional attitude towards her was degrading, the violence was minimized, and her opinion was dismissed and disrespected. The perpetrator was portrayed as cooperative, while she was labelled as difficult for refusing to attend meetings with the perpetrator. At the same time, she was unable to attend alone because she did not have means of transport, a driver’s license, her own money, and has a limited knowledge of Slovenian language.

Eventually, she managed to escape to a crisis centre for women and children victims of violence with most of her children, but only after the children themselves called the police. She was then placed in

a safe house run by the *Association SOS Help-line*. Even today, the SWC and the police do not recognize her as a victim. Both institutions have taken the perpetrator's side (as evidenced by SWC correspondence and measures taken by the SWC and police), despite the fact that during a convened multidisciplinary team (MDT) meeting (proposed by the school), the police admitted they had sufficient evidence for criminal prosecution.

The SWC ignored multiple calls and notifications of domestic violence made by the relatives of the perpetrator and *Association SOS Help-line* and did not organise a multidisciplinary team proposed by *Association SOS Help-line*. *Association SOS Help-line* was not notified of the MDT proposed by the school, but managed to join it.

Under the instructions of the SWC, the children that first arrived to the crisis centre with their mother were then placed in the care of their father. At the time of writing this report, the court finally issued a restraining order against the perpetrator prohibiting him from approaching both the user and all seven children.

Moreover, after the court approved a restraining order for the victim and all of her children, SWC actually contacted the perpetrator and informed him of the restraining order before he received the official document. At that time, the children were with the father, and when he found out about the restraining order, he threatened the mother with kidnapping of the children. He also refused to accept the mail, as the restraining order only takes effect upon receipt. The SWC unofficially »admitted« to us that they called the perpetrator because they did not agree with the order.

Limited Complaint Options and Lack of Independent Oversight

In cases of dissatisfaction with the treatment at social work centres (SWC), victims formally have the option to file an objection or complaint. However, these are most often addressed directly to the director of the SWC in question. Since directors frequently shape the unit's operational policy themselves and support the work of their staff, complaint procedures rarely lead to any changes or improvements in the treatment of victims. Users report that, as a result, they are often perceived as "problematic and uncooperative."

This highlights the lack of an independent supervisory mechanism that would systematically monitor and ensure that guidelines for the treatment of victims of violence are consistently implemented. There is a clear need for a central professional body with the authority to evaluate and sanction irregularities, which would operate independently from the SWC network.

The current arrangement for filing complaints against police officers is wholly inadequate. Complainants report feeling as if they themselves are on trial and that the so-called conciliation procedure is simply aimed at appeasement—since the head of the police unit typically conducts the conversation (often in the presence of the officer against whom the complaint was filed). Such interviews are entirely inappropriate: one cannot expect the head of the police unit to be completely neutral, and it is unacceptable for a victim to be confronted again in such a setting with the officer who violated their rights or freedoms—particularly when the victim may still need support from the police.

The few victims who did decide to file a complaint reported that the entire complaint process (including any continuation before a panel) was extremely stressful, and they felt as though “everyone was against them.” They were treated disrespectfully even during the complaint proceedings. This leads to the conclusion that the primary aim of the complaint procedure is not to improve police conduct, but rather to protect police officers.

Proposals:

- Amend the provisions of the *Police Tasks and Powers Act* so that the restraining order can be imposed on any perpetrator, not just family members or close persons;
- Increase the number of mandatory trainings on existing victims’ rights, forms of criminal offences, and establishing an appropriate relationship with the victim at the police and social work centres; such trainings must be mandatory for all employees who may come into contact with victims of violence through their work;
- Continuously monitor and assess the quality of work of police officers who interact with victims of violence;
- Update the forms used for individual assessment;
- Reform the complaint procedure to ensure higher quality police performance;
- Extend the working hours of social work centres to improve access to support services and the implementation of supervised contact.

Reporting Abuse and Victims' Rights

Victims of violence can report the abuse in several ways:

- By calling the police emergency number 113
- In person at the nearest police station or public prosecutor’s office
- By submitting a written report by mail
- By submitting an electronic report of a criminal offence (e-report)

An anonymous report can be made via:

- The police hotline 080-1200
- An online anonymous report (anonymous e-report)³¹

Rights of victims under the Domestic Violence Prevention Act include:

- The right to a support person (this person supports them throughout procedures related to violence, with the aim of protecting their integrity, helping find solutions, and offering psychological support);
- The right to choose an advocate (who protects their interests in proceedings and activities concerning them, in accordance with specific regulations);
- The right to have their and the perpetrator’s identities protected from the public, unless the adult victim consents to disclosure;

³¹ <https://www.policija.si/kontakti/estoritve/anonimna-e-prijava>

- The right to free legal aid, if risk assessment confirms endangerment.

Challenges in enforcing victims' rights in practice

While Slovenian legislation grants victims of violence certain rights to ensure greater safety and support during the reporting process and throughout criminal or other proceedings, these rights are often not fully respected or implemented consistently in practice. This creates additional burdens and discourages victims from seeking help.

- Right to choose a female interviewer

Article 148b of the *Criminal Procedure Act (ZKP)* provides that victims of sexual violence, domestic violence, and human trafficking can request to be interviewed by a person of the same gender, provided it does not interfere with the process. However, user reports indicate that many police stations lack enough female officers, which results in long waiting times or the denial of this right.

- Right to a support person

Article 65 of the *Criminal Procedure Act (ZKP)* establishes that a victim has the right to choose a support person to accompany them in the proceedings. This applies to proceedings at the social work centre, court, and police. In practice, however, police officers sometimes deny the support person entry to the interview room, even when the victim provides written authorization. Such actions contradict the ZPND and prevent victims from receiving emotional and psychosocial support during proceedings.

- Right to file a report at any police station

Official police guidelines state that a person can report a criminal offence at any police station, regardless of their permanent residence or the location of the offence. Nevertheless, victims report being turned away at certain stations and advised to contact their local jurisdiction. This is especially problematic when the victim seeks anonymity (e.g., when the perpetrator is linked to the police or employed by internal affairs).

Case Example:

The partner of one of our service beneficiaries is acquainted with police officers in their local community. He socializes with them, including in local bars. Because of this, the user is afraid to file a report at the local police station. When she tried to report the violence at a police station outside her area of residence, she was turned away and told that the matter falls under the jurisdiction of her local police station. As a result, she did not file the report, fearing that doing so would put her in even greater danger. She admitted that she does not believe the local police could protect her and does not trust them, as her fear is simply too great.

- Inaccessibility of Police Records and Uncertainties Regarding Legal Aid

In some cases, victims do not receive a copy of the official police report after filing a complaint, which leads to additional uncertainty about whether the report was actually processed. Furthermore,

inconsistencies in the allocation of free legal aid across administrative units and institutions reveal a lack of standardized practice.

Case study:

A service user shared with us that, after reporting violence at the police station, she only realized upon returning home that she had not received any official documentation from the procedure. She later admitted that she felt too ashamed to call and ask for it but recognized that it would have been important to have a signed copy of the report in her hands.

- Escorted Access to Personal Belongings

In many cases, victims report that the police do not provide an escort when they need to enter shared living spaces to retrieve personal belongings—especially when the report has not yet been officially filed or if the violence had not been previously reported. This practice puts victims at risk of further victimization and exacerbates their emotional and financial distress.

Victims' Rights in practice

Based on the experiences and testimonies of users of the Association SOS Help-line, the process of reporting violence is often lengthy, distressing, and emotionally exhausting. The following issues frequently arise:

- Refusal to accept reports at police stations outside the victim's place of residence;
- Long waits for a female criminal investigator;
- Inadequate understanding of legislation by officials;
- Lack of information about procedures and victims' rights;
- Absence of written records or formal evidence of the report.

These examples highlight the urgent need for:

- Improved oversight of the implementation of victims' rights,
- Additional training for officials,
- And clear national-level harmonization of institutional practices.

Case Study

A woman receiving long-term psychosocial support through our organization reported to the police that the child's father was one hour late returning their child, in violation of a court-ordered agreement. At the police station, officers disagreed about officially recording the incident. One officer, who appeared reluctant to document the case, was seen leaving unofficially to speak with the child's father, giving the woman the impression, they were on friendly terms. After the woman's insistence, another officer filed the report, which also included a previous similar incident that had not been properly recorded by the police. With the woman's consent, our organization submitted a complaint to the superior police supervisors regarding her treatment, but no response has been received yet.

Specialized police/prosecution units

In Slovenia, there are no formal, permanent specialized units investigating violence against women, as envisioned by the Istanbul Convention. There are trained individuals and groups within the police and prosecution services, but they are not organized as independent specialized units. As a result, coverage and quality of response vary significantly depending on location, case, and staffing.

- There are no permanent units dedicated exclusively to violence against women.
- Trainings exist but are not always mandatory.
- Cases of secondary victimization by unprepared police officers or prosecutors still occur.
- Within the Police, there are certain internal organizational units and trained individuals, but not in the form of permanent, separate specialized units solely for violence against women.
- Police officers handling domestic violence should have specific knowledge and completed training (in line with the Domestic Violence Prevention Act).
- In larger police directorates, there are officers specialized in criminal acts against sexual integrity, domestic violence, human trafficking, etc.
- Within the Criminal Police Sector, there are departments where officers more frequently handle cases of violence against women (e.g., in Ljubljana, Maribor).
- In larger district prosecutor's offices (e.g., Ljubljana, Maribor, Celje), there are prosecutors who more frequently deal with domestic and sexual violence.
- Prosecutors have access to trainings on violence against women, sexual violence, secondary victimization, etc.

In practice, this means a case *may* be handled by a specialized officer, but there is no guarantee that every victim will be assisted by trained personnel. Nor is it guaranteed that such cases will always be led by specialized or experienced prosecutors.

There is also a need for prosecutors to participate in multidisciplinary teams at social work centres. Their presence enhances understanding of the violent incident(s), which assists the court in obtaining additional information presented by other professionals on the team.

Unacceptable Practices in Prosecution and Proposals for Improvement

It is unacceptable that prosecutors' offices sometimes dismiss criminal complaints even before initiating an investigation. Of course, in some individual cases, the reported act may not constitute a criminal offense, in which case dismissal is appropriate. However, particularly in cases of violence against children, decisions to dismiss often reveal a high tolerance for physical violence. It is completely inappropriate that some prosecutors consider kicking, slapping, shoving, etc., to be "less suitable" disciplinary methods, yet claim these actions do not meet the threshold of a criminal offense.

Crimes committed online or through telecommunications technologies are also poorly prosecuted. As mentioned earlier, the police often fail to recognize such acts and even advise victims not to pursue the complaint, saying "nothing can be done." If it is true that various acts which gravely infringe on individual rights are not considered criminal merely because they occur via digital means, then the Criminal Code must be amended accordingly. However, since many forms of such conduct are already defined as criminal offenses, current police and prosecutorial practices must also change.

The importance of prosecuting cybercrime has been emphasized by the European Union, notably through its proposed Directive of the European Parliament and of the Council on combating violence against women and domestic violence.

Proposals:

- Eliminate settlement practices in cases of criminal offenses involving domestic violence.
- Inform prosecution offices about available programs for perpetrators of violence, which could be implemented as part of deferred prosecution measures.
- Conduct a study on the reasons for dismissing criminal complaints in cases of child abuse, domestic violence, sexual violence, and online violence.
- Ensure continuous case assignment by designating each case to the same prosecutor, who should also be allowed to participate in multidisciplinary team meetings at social work centres.
- Implement specialized training for prosecutors on forms of violence, victims' needs, and preventing secondary victimization.

Criminal Procedure Act (ZKP) and Domestic Violence Prevention Act (ZPND) – Priority Handling of Domestic Violence Cases

The Criminal Procedure Act (ZKP) and the Domestic Violence Prevention Act (ZPND) do not explicitly mandate “priority handling” as a legal obligation, but:

- Article 22, paragraph 4 of the ZPND stipulates that cases must be handled “*urgently and with priority*” where there is a risk to the health or life of the victim.
- Article 10, paragraph 1 of the ZPND states »*Authorities, institutions and non-governmental organizations are obliged, within the scope of tasks and powers defined by laws and other regulations, to give priority to cases of violence. They must ensure mutual communication and assistance with the aim of preventing and detecting violence, addressing its causes, and providing support to the victim in establishing conditions for a safe life.* «
- According to judicial practice and the guidelines of the police and prosecution, domestic violence is generally treated as an emergency case.
- The Family Code states that courts must act swiftly in cases involving violence when determining contact with children.

Upon reporting violence, the police may initiate urgent measures such as a restraining order (valid for up to 48 hours). The court can issue temporary orders prohibiting contact, approach, or removing the perpetrator from the shared residence. And the public prosecutor may also immediately request detention of the offender if there is a threat to the victim.

Family Proceedings

One of the primary challenges in family proceedings in Slovenia is the protracted duration of cases. It is unacceptable that parents, unable to reach agreements on issues such as custody, visitation, and child support, may wait several years for court decisions. A significant contributor to these delays is the shortage of clinical psychology experts, with expert opinions often taking over a year to obtain. These opinions should be provided promptly, based on scientifically validated methods. It is

particularly concerning that some experts reference “parental alienation syndrome” in their assessments—a concept lacking scientific foundation and not recognized by psychological science³². It is absolutely necessary to increase the number of professional court experts in clinical psychology, to expand the range of experts from different professions, and to establish professional guidelines for preparing expert opinions.

Due to the lack of court-appointed experts, both social work centres and courts (and even attorneys) tend to expedite the process and consequently pressure the parties involved to reach a settlement. At times, settlements are encouraged even in proceedings involving protective measures under the *Domestic Violence Prevention Act*. It is essential to prohibit court settlements, agreements, or other forms of alternative dispute resolution in cases where there is suspicion of domestic violence.

Additionally, there is a troubling trend where social work centres, courts, and even attorneys pressure parties into court settlements to expedite proceedings and avoid appointing experts. Joint custody is often proposed as the “most appropriate option,” disregarding the fact that it is suitable only for parents capable of effective communication regarding their children.

Beyond the shortage of experts, family courts are also overburdened. Parties often perceive that hearings in complex cases are scheduled infrequently. The court and SWC often rely solely on the information provided by the statements and testimonies of the victims and the perpetrators without a deeper analysis of the situation. In family proceedings, victims of domestic violence are generally entitled to legal representation through free legal aid. However, many attorneys providing such aid fail to perform their duties professionally: they neglect to inform clients about case developments, disregard their wishes, and appear unprepared for hearings.

Case Study

One of our beneficiaries reported that she spent all of her annual leave on court dates. She stayed up at night, writing up documents for the legal proceedings, because the attorney assigned to her by free legal aid did not have the capacity to do so.

Judges in family cases have varying levels of knowledge about family relationships and domestic violence. Consequently, stereotypes and unequal expectations of women and men still occasionally emerge. Sometimes, courts attribute shared responsibility for the violence to both the perpetrator and the victim or consider the violence irrelevant when deciding on matters of parental responsibility. It is still common to hear statements in court like: “*You both need to start communicating and leave the past behind,*” or “*This is a family proceeding; discussions about the violence belong in criminal court.*”

Many of our beneficiaries reported being treated as though both, the perpetrator and the victim are equally responsible for the violence. Often times the victims are the ones who have to prove to the

³² Areh, Igor. (2019). Report to the Supreme Court of Republic of Slovenia: Quality of Psychological Expert Opinions and Recommendations for Improvements and Assessment of Their Acceptability [Poročilo za Vrhovno sodišče Republike Slovenije: Kakovost psiholoških izvedenskih mnenj in priporočila za izboljšave ter presojo njihove sprejemljivosti]. This report is available only in the Slovene language. Interested English speaking readers are invited to read the article titled “Forensic assessment may be based on common sense assumptions rather than science”

court they are not lying, resulting in deep insecurities when it comes to legal proceedings and feeling they are the ones on trial. The courts seem to ignore the rights of victims in favour of the rights of the accused. The institutions also often fail to recognize the abusive and manipulative personality of the perpetrator. The proceedings fail to clearly resolve the issues, delaying decisions. The family court proceedings, especially related to the division of property and recovering child support, are especially slow and burdensome, sometimes taking years, putting enormous financial pressure on the victims.

Recommendations:

- Increase the number of qualified clinical psychology experts and expand the pool of experts from various professions.
- Establish professional science-based guidelines for preparing expert opinions.
- Raise awareness and critical understanding of unscientific methods in expert assessments, particularly concerning pseudoscientific concepts like “parental alienation syndrome.”
- Assign joint custody only when both parents are willing and able to communicate effectively about child-related matters; prohibit joint custody arrangements in cases involving domestic violence.
- Create a registry of attorneys with appropriate expertise to provide free legal aid in domestic violence-related proceedings.
- Amend the *Free Legal Aid Act* and the *Domestic Violence Prevention Act* to ensure victims receive free legal aid in all proceedings arising from their endangerment, including property division matters.
- Implement mandatory training on domestic violence for all professionals who interact with victims or perpetrators in their work.
- Monitor the implementation of visitation arrangements between children and non-custodial parents, including gradual expansion of visitation rights and prompt intervention in cases of abuse or inappropriate behaviour.
- Incorporate measures from criminal proceedings into non-contentious proceedings, such as the use of videoconferencing and preventing direct encounters in court, to enhance the sense of security for victims of violence.

Reporting Violence

Slovenia has introduced several measures to encourage women and girls to report violence, in accordance with Article 27 of the Istanbul Convention. These measures aim to strengthen trust in law enforcement authorities and to eliminate barriers that prevent victims—particularly those facing intersectional discrimination—from accessing rights and protection.

*1. Raising Awareness*³³

Non-Governmental Organizations (NGOs) cover both support and preventive tasks, but preventive work is often overlooked and insufficiently recognized. Funding sources for such activities are limited, often only partial, which—combined with high workloads—prevents consistent implementation of prevention measures. Public awareness projects, such as information campaigns, publications, leaflets, books, and manuals, rely mainly on unstable and unpredictable financial sources. Government support is mostly restricted to basic services that should be provided by the state itself, while systemic support for long-term prevention efforts remains neglected. Without strategic investment in prevention, it is impossible to achieve a societal consensus on zero tolerance for violence—addressing the consequences alone is not enough.

NGOs organize numerous events, trainings, roundtables, symposiums, and conferences on the topic of violence also for the general and professional public, prepare publications, conduct research and studies, distribute leaflets, prepare workshops etc.

2. Support from NGOs and Community Services

NGOs play a crucial role in encouraging the reporting of violence, especially for women facing multiple forms of discrimination. Some of the key organizations include:

- **Association for Non-violent Communication:** Offers a variety of programs for victims of violence such as two safe houses, counselling, accompaniment, social advocacy, and as the only association in Slovenia also offers programs for the perpetrators of violence, such as Social Skills Training and Parenting Skills Training, and also programs for children and youth and public educational activities, activism and lobbying.
- **Association SOS Help-line for Children and Women – Victims of Violence:** Provides a 24/7 entry point for victims of violence, including multilingual telephone counselling (Bosnian, Serbian, Croatian, English), psychosocial and psychological support, accompaniment, and social advocacy. Legal advice is available twice a month via phone by a volunteer lawyer and a criminal investigator with experience in domestic violence. The organization also operates two safe houses one is adapted for women with physical disabilities, ensuring access to a physically and psychologically safe environment. However, due to funding limitations, they cannot provide 24/7 professional support on-site.
- **Association STIGMA:** Runs a safe house for women with a history of substance use, who often face additional stigmatization and exclusion from support systems.

³³ <https://www.gov.si/zbirke/projekti-in-programi/ljubezen-ne-boli-zaustavimo-nasilje-nad-zenskami-in-v-druzini/>

- ***Institute Emma, Society Ključ – Centre for Fight against Trafficking Human Beings and PIC – Legal Center for the Protection of Human Rights and the Environment:*** Offer legal advocacy, psychosocial support, and assistance to migrant women, asylum seekers, and victims of human trafficking.

Persistent Barriers

NGOs often represent a victim's first point of contact with the support system. Through advocacy and accompaniment, they empower victims and actively support them in reporting violence. Despite these efforts, language and procedural barriers remain, particularly for asylum seekers and undocumented migrant women.

- Interpretation services for all necessary languages are not yet systemically provided.
- Cultural and trauma-informed understanding among public institutions is often lacking.
- At social work centres, the presence of an interpreter is not mandatory, and the police do not guarantee interpretation in the field.
- As a result, discrimination may occur, especially for foreign victims with limited Slovenian language skills, who may not be aware of their rights or procedures.
- In many cases, the police converse primarily with the person they can communicate with most easily, which can distort or obscure the victim's experience.

There is also a shortage of trained personnel for accompaniment and social advocacy, and greater access to legal assistance is needed. NGOs in this field often require a dedicated legal professional on staff, but financial constraints make this largely unfeasible.

3. Strengthening Trust in Institutions

Although official police procedures are often experienced as intimidating or inconsistent, non-governmental organizations (NGOs) act as a crucial bridge between institutions and victims. In certain police units, it is possible to request to be attended by a female officer, but unfortunately, this is still not guaranteed systematically.

Addressing Procedural Barriers

- NGOs frequently assume the role of victim advocates, but this work remains legally unregulated. Despite the *Domestic Violence Prevention Act* having been adopted in 2008, no legislative framework has yet been established to officially recognize the right of victims to a legally acknowledged advocate. As a result of this legal gap, NGOs often encounter misunderstanding, resistance, or even obstruction from various institutions. Consequently, victims are denied comprehensive and adequate support that would allow them to participate in procedures on an equal footing and effectively exercise their rights.
- Professional training for police officers and social workers is often organized by NGOs and includes crucial topics such as trauma-informed communication, and the specific needs of working with migrant women, women with disabilities, and other vulnerable groups.

Expanding Inclusive Support Mechanisms

To support individuals who remain excluded from existing support systems due to various circumstances, additional support mechanisms should be developed within social work centres or NGO-led programs. Among the urgent improvements needed:

- Provision of interpretation services for victims who do not speak Slovenian, across all types of support—from counselling to legal aid.
- Equal access to social security must be ensured for all non-citizens who have experienced domestic violence, including eligibility for social transfers and participation in procedures for the allocation of non-profit housing.
- Targeted support for victims from Roma communities is essential—for example, by establishing community centres near Roma settlements that provide safe and accessible assistance.
- Expansion and professional enhancement of programs for perpetrators of violence, as effective intervention in this area is key to long-term prevention of recurring violence.

Protocols and standard operating procedures or guidelines for police officers

The police often rely on the *Public Order and Peace Act* (ZJRM) when investigating reports of violence against women, rarely applying the *Domestic Violence Prevention Act* (ZPND) and the *Criminal Code* (KZ-1).

*“If someone hits another person just once, it’s considered a misdemeanour under the Public Order and Peace Act and is fined as such”.*³⁴ For an incident to be treated as domestic violence, the following conditions must be met simultaneously:

1. The act must be committed within a family community (even if the family has already broken up),
2. There must be a prolonged and continuous pattern of violence,
3. The victim must be in a subordinate position.

If all of these three conditions are not met, the perpetrator can still be prosecuted for criminal offences such as violent conduct, stalking, or threatening. The police often do not recognize stalking, psychological and financial violence as equally harmful as physical abuse. Our beneficiaries have reported that the police have been dismissive of their fear for their safety, commenting that »unless there's blood, there's nothing we can do«, insinuating that the only real violence is the one that leaves grievous bodily harm.

According to our beneficiaries' experience, there are significant differences in police procedures regarding how to receive reports, interview victims, investigate and collect evidence in cases of rape and sexual violence, domestic violence, psychological violence, stalking, sexual harassment (including online forms), forced marriage, female genital mutilation, and forced sterilization/abortion.

³⁴ Interno izobraževanje Društva SOS telefon – Primož Podbelšek

Due to past experiences of our beneficiaries, we advise the victims to prepare before filing a report, we direct them to prepare any material proof (e-mails, messages, phone calls), and to provide additional information even if the police does not ask for it. For example, we advise them to insist that the police photograph the scene—not only bruises but also damage to objects and the apartment are signs of violence that police officers often fail to recognize. We also advise victims to write down the events chronologically so they can prove to the officers that what happened was not a one-time incident. Victims must be given a written record of their statement, which they are entitled to refuse or correct if they disagree with it. They must insist on receiving the official record, as this is considered admissible evidence in court, whereas an official note is not.

In cases of well-founded suspicion based on the highest standard of proof, the police may issue a restraining order for 24 or 48 hours. This order is automatically submitted to an investigative judge, who may extend it by 15 days. The police may also detain a person for 24–48 hours if there are reasonable grounds for suspicion. During this time, the police must complete all investigative tasks, obtain statements from the victim and the suspect, etc.

When a criminal offence is identified, the police should also complete an individual risk assessment for the victim. This is issued in cases where there is a risk of secondary or repeated victimisation. The police themselves acknowledge that drafting the report on a verbal criminal complaint is often the most difficult part of police work. A well-prepared report is a complex task, where the victim's cooperation is key—yet victims often cannot cope with this process without help and without a supportive interrogator. Many times, the victim is only prepared to speak of their experience only once, which makes proper preparation of the report even more critical.

Unfortunately, our judicial practice often disproportionately relies on the victim's statement as the main piece of evidence. If the victim is intimidated or lacks protection and does not dare to testify, many cases are dismissed—not because the violence did not occur, but because the system failed to provide a safe enough space for the victim's voice to be heard.

Case Study

A woman was raped by several men. She had been at a party where someone spiked her drink, causing her to feel unwell and lose control over her body. She was raped by several male acquaintances. She woke up in the emergency room, where the criminal investigator who interviewed her said, "Why did you drink? You should have expected something like this to happen."

In criminal proceedings, settlement (reconciliation) is permitted only for criminal offences punishable by a fine or imprisonment of up to three years and for certain other offences explicitly listed (e.g., serious bodily injury and grievous bodily harm). Thus, reconciliation is generally not allowed for domestic violence, except in cases where the violence was committed against a person with whom the perpetrator had lived in a family or other long-term relationship that has since ended, but the offence is still connected to that relationship — in such cases, the prescribed sentence is up to three years of imprisonment. Reconciliation may also be applied in cases of criminal offences such as violent conduct, stalking, insult, minor bodily harm, and other offences punishable by up to three years of

imprisonment. Reconciliation can only take place with the victim's consent and is therefore not mandatory.

In family law proceedings, mediation is sometimes proposed to victims if the court considers it a viable way for the parties to reach an agreement. Even if mediation is not formally proposed, the court always encourages the parties to settle the matter through a judicial agreement. Victims often feel pressured into accepting such settlements: the court strongly encourages them, and the opposing party and their lawyer often exert additional pressure (the opposing party may use the judicial settlement to gain a more favourable position and to continue exerting control over the victim).

Reconciliation in criminal proceedings should be prohibited for all victims of domestic violence and other violent criminal offences where the victim and perpetrator are family members. Furthermore, the prohibition of mediation in family law proceedings must be strictly observed in all cases where there is a suspicion of domestic violence.

Case Study

After the suspicion of child sexual abuse (with the father of the child as the suspect) was dismissed in criminal court, the mother is now being pressured in family court — in the proceedings concerning custody and upbringing — to attend joint therapy with her former partner, the child's father. This is extremely stressful for her. The woman attends the therapy sessions because she fears that the court would otherwise consider her uncooperative in the proceedings. However, as a result of the court's requirement, she feels retraumatized after each session, because her former partner behaves in a psychologically abusive and manipulative manner during the therapy — something the therapist, according to her, fails to recognize.

Public Prosecutor's Office

Although the legal framework enables prosecution of violence, prosecutorial practice often undermines its purpose. This represents a systemic issue that communicates to victims that their suffering is being downplayed — and that perpetrators can remain unpunished. A thorough reform of the prosecutorial approach is needed, including greater specialization and, most importantly, a clear commitment to the protection of victims.

To reiterate several points, we have already addressed in greater detail in previous sections:

- Rotation of prosecutors leads to inconsistency and superficial handling of cases. In such situations, prosecutors are less likely to respond to inappropriate remarks by defense attorneys or defendants, less likely to prevent secondary victimization, and rarely propose that perpetrators be referred to appropriate intervention programs.
- Dismissal of criminal complaints before initiating formal investigations. It is unacceptable for prosecutors to reject complaints even before an investigation is opened, especially when certain forms of domestic violence (primarily psychological, economic violence, stalking) are oftentimes not recognized as criminal acts.

- Normalization of violence against children. Acts such as slapping, kicking, pushing, etc., are frequently treated not as criminal offenses but as “less appropriate disciplinary methods,” thereby normalizing child abuse.
- Online and technology-facilitated criminal offenses are poorly addressed and prosecuted. Police and prosecutors often fail to recognize key aspects of the digital dimension of violence. Due to challenges with evidence collection and prosecution, victims are frequently advised not to even file complaints. If it is true that certain actions — which severely violate an individual's rights — are not criminalized solely because they are committed via digital or telecommunications technologies, then the Criminal Code must be amended accordingly. However, since many forms of such behaviour are already criminalized, prosecutorial and police practices must be updated to ensure consistent prosecution of these offenses.
- Referral of domestic violence cases to mediation is inappropriate. In situations of domestic violence — where one person has clearly abused their power and the other is in a subordinate position — mediation is likely to reproduce that power imbalance. The needs of the victim are once again side-lined, while the perpetrator receives no clear message that their violent behaviour is unacceptable. Moreover, mediators are not properly trained to recognize abusive dynamics, and their sole focus is on reaching an agreement — even if it goes against the victim's needs and safety.

Criminal Proceedings: A system Not Centred on Victims

Despite some recent efforts to consider the needs of victims within criminal proceedings, the current system remains primarily focused on protecting the rights of the accused. This imbalance often results in the secondary victimization of survivors of gender-based and domestic violence.

Key challenges include:

- Repetitive questioning of victims (by police, during investigation, and in court), which prolongs proceedings and increases emotional distress, particularly in cases involving sexual violence or crimes against family and children, which victims often perceive as unnecessary and retraumatizing.
- Excessively lengthy procedures, sometimes lasting several years, during which victims—especially minors—may lose access to adequate legal representation.
- Lack of standardized access to free legal aid throughout the entire criminal process, particularly for those who cannot afford a private attorney.
- Insufficient specialization of victim representatives, with many lacking the sensitivity and expertise required to support trauma survivors.
- Inadequate protection from contact with the accused, due to limited use of victim-friendly measures such as video recordings, remote hearings, separate waiting rooms, or court schedules.

Reform or abolish the investigative and interrogative phase in specific types of violence-related cases. Guarantee access to trained, independent legal representatives throughout the full criminal process for all victims of violence. Expand victim support services to all courts across Slovenia (currently available at only two). Institutionalize victim-friendly practices to

Victims in the Judiciary: Inappropriate Treatment and Minimal Sanctions

The Slovenian criminal justice system continues to reflect structural barriers that silence and retraumatize victims of gender-based violence. Significant reforms are needed to ensure the system does not merely use victims as tools in the prosecution of crime, but centers on their dignity, safety, and agency throughout the entire legal process.

Within courtrooms, victims still face inappropriate and often dismissive behaviour from judges, defense attorneys, and even prosecutors. These include belittling remarks, body language that conveys disbelief or annoyance, and intrusive or accusatory questioning.

Systemic issues include:

- Inconsistent protection from secondary victimization, which depends heavily on the individual sensitivities of legal professionals rather than institutional guarantees.
- Minimal or suspended sentences for perpetrators of sexual and domestic violence, which are often perceived by offenders as vindication rather than punishment.
- Failure to revoke suspended sentences, even when perpetrators violate probation conditions or commit new offenses.
- Furthermore, alternative forms of resolution in criminal proceedings—such as mediation or settlement—are frequently used inappropriately in cases of domestic violence. Victims are often pressured into these outcomes, despite power imbalances, fear, or from a desire to end the process quickly.
- The Slovenian criminal justice system continues to reflect structural barriers that silence and retraumatize victims of gender-based violence. Significant reforms are needed to ensure the system does not merely use victims as tools in the prosecution of crime, but centres their dignity, safety, and agency throughout the entire legal process

These dynamics, combined with the lack of systemic victim support, lead many survivors to withdraw from proceedings or accept settlements—not out of free will, but due to exhaustion, financial hardship, or fear.

Article 51: Risk assessment and risk management

1. Parties shall take the necessary legislative or other measures to ensure that an assessment of the lethality risk, the seriousness of the situation and the risk of repeated violence is carried out by all relevant authorities in order to manage the risk and if necessary to provide coordinated safety and support.
2. Parties shall take the necessary legislative or other measures to ensure that the assessment referred to in paragraph 1 duly takes into account, at all stages of the investigation and application of protective measures, the fact that perpetrators of acts of violence covered by the scope of this Convention possess or have access to firearms.

Risk Assessment and Victim Support Plan in Cases of Violence

Police Procedures

Police officers are expected to complete an *individual risk assessment* when detecting a criminal offence, especially in cases where there is a risk of secondary or repeated victimization or endangerment of the victim. However, officers do not always complete these assessments and often express that they do not understand their relevance for victims later in the proceedings. There is a need to examine whether the existing form for individual risk assessment fulfils its purpose and whether it effectively increases victim safety or improves police work quality. Victims are also rarely offered the option of having a same-gender officer collect their statements.

Social Work Centres (SWC)

In cases of domestic violence, the SWC conducts a risk assessment and prepares a *victim support plan* based on this assessment, in accordance with the Rules on cooperation of authorities and the operation of social work centres, multidisciplinary teams, and regional services in the treatment of domestic violence.

The police do not issue an official risk assessment but may determine whether conditions for imposing protective measures under the Police Tasks and Powers Act are met. The police are also obligated to notify the competent SWC of any identified violence, as stipulated by Article 4 of the Rules on cooperation of the police with other authorities and organisations in the detection and prevention of domestic violence.

Currently, the Slovenian legal framework lacks a *unified official risk assessment system* that would be systematically applied in all proceedings against perpetrators of violence. Since October 20, 2019, the SWC's risk assessment has been formally recognised in pre-trial proceedings through the amendment of the Criminal Procedure Act, but its practical use is limited. Often, the assessment is issued only for the purpose of obtaining free legal aid and is rarely considered further in judicial procedures—neither by courts nor police.

Risk Levels Determined by the SWC

- **Basic Risk:** SWC works on empowering the victim, raising awareness of the perpetrator's control tactics, informing about individual safety plans and monitoring the situation.
- **Medium Risk:** SWC offers detailed safety planning, convening a multidisciplinary team (MDT), preparing a structured assistance plan, and helping with material support or legal filings.
- **High Risk:** The victim should be physically removed from a threatening environment, preparing and implementing a safety plan in cooperation with police (e.g., escorted removal), assisting with procedures at other institutions, and ensuring ongoing support.

SWC also evaluates the perpetrator's risk level, based on behaviour and readiness for change:

- **Basic Risk:** The perpetrator accepts responsibility, shows willingness to cooperate and change, and poses no immediate threat.
- **Medium Risk:** Denies violence, formally cooperates without motivation for change, presence of psychosocial risk factors, no current threat to the victim.
- **High Risk:** Denies violence, superficially cooperates, not motivated for change, presence of psychosocial risk factors, current danger to the victim, shows overt threats, aggression, possessiveness, jealousy, and impulsive behaviour.

Current police and social work centres' procedures do not yet include the findings of the IMPRODOVA³⁵ Research Recommendations for Police Officers, Health Care and Social Workers, where the emphasis is that the Risk assessments must include the *history of violence* and the *victim's level of fear*. When conducting assessments, it is important to recognize and document the *risk factors* which the project helpfully collected on the national platform IMPRODOVA.

Although the police increasingly recognize the importance of assessing risk factors for victim safety—as reflected in the IMPRODOVA study—there is *no consistent application* of this assessment tool in police practice according to user experiences to date.

*Uncoordinated and Inconsistent Institutional Cooperation in Addressing Domestic Violence*³⁶

In Slovenia, there is no unified, standardized, regulated, or coordinated system of cooperation between institutions that deal with domestic violence. The level of cooperation often depends on individual professionals—their personal engagement, knowledge, understanding of the issue, and openness to inter-institutional collaboration.

This means that in some areas, cooperation between organizations (e.g., Social Work Centres, the police, courts, NGOs) functions in a professional and high-quality manner, while in others, this cooperation is lacking or non-existent.

³⁵ <https://www.fvv.um.si/improdova/osnovno/nasilje-v-druzini-policija/index.html>

³⁶ <https://pisrs.si/pregledPredpisa?id=PRAV9598>

In addition to well-known challenges in cooperation with SWCs, State Prosecutor's Offices, and the judiciary (discussed in more detail below), new issues have emerged in collaboration with the Probation Administration (UPRO), which operates under the Ministry of Justice. Although formally included in the system for addressing perpetrators of violence, this service often:

- is not invited to multidisciplinary team (MDT) meetings or does not attend them,
- refuses to cooperate with NGOs (e.g., Association for Non-violent Communication)
- fails to provide victims with important information, such as the document *Information for Victims of Violence*, despite repeated calls to do so.

These discrepancies again stem from varying levels of personal engagement and understanding among individual professionals within the probation service, resulting in unequal treatment of victims and gaps in the protection system.

Although Slovenian legislation stipulates that the Social Work Center is the central coordinating institution in handling domestic violence, the execution of this role varies greatly across different centres. In practice, this results in:

- varying frequency and quality of MDT meetings,
- inconsistent victim notification about their rights,
- insufficient communication with courts about breaches of perpetrators' suspended sentences,
- differing levels of cooperation with local institutions,
- inconsistent referrals of perpetrators to violence prevention programs,
- overall highly inconsistent responses by Centres for Social Work, often influenced by personal beliefs of professionals or local operational policies of individual centres.

Such fragmentation and institutional disconnect weaken victims' trust in the system and hinder effective measures against domestic violence. There is a need for:

- the establishment of clear national standards,
- state-level oversight, and
- professional support to ensure consistent and equal treatment across the country.

Furthermore, children are not automatically included in risk assessments or protection orders unless explicitly stated. Even though in many cases violence is also directed at children, or they are indirect witnesses, there is no systemic approach to including children in protective measures. In police proceedings, a child is considered a victim of violence only if visible signs of violence are present. This contradicts Article 4 of the *Domestic Violence Prevention Act (ZPND)*, which states:

"A child is also a victim of violence if present during acts of violence against another family member or lives in an environment where violence occurs."

Stronger recognition of children as secondary victims of domestic violence and their adequate protection is urgently needed.

Retrospective Analysis of Gender-Based Killings of Women in Slovenia and Identification of Systemic Gaps in Institutional Response

Despite being a highly developed country, Slovenia continues to face a concerning high rate of intimate partner femicides, with between 5 and 7 women murdered each year by their intimate partners—a figure that positions Slovenia above the European average in this category. These killings represent the most extreme manifestation of gender-based violence and highlight a persistent systemic failure to effectively prevent and address violence against women.

Lack of Structured Retrospective Case Analysis

To date, Slovenia has not established a systematic mechanism for retrospective analysis of femicides. There is no official multi-agency protocol or task force mandated to conduct detailed post-homicide case reviews in order to identify failures in protection, risk assessment, early intervention, or victim support. Such reviews—where they occur—are sporadic, non-public, and institutionally fragmented. This means that potential warning signs and missed opportunities to prevent violence remain unexamined, and lessons that could inform future prevention are not drawn.

Identified Systemic Gaps

Based on expert analysis and NGO experience, several structural and institutional shortcomings contribute to the lack of effective prevention:

- Uncoordinated institutional responses: There is no unified, standardized or regulated system of cooperation between key institutions (police, social services, judiciary, health services). The level and quality of cooperation is highly dependent on individual professionals' engagement, not on clear protocols or inter-agency obligations.
- Failure of institutions to recognize and prosecute stalking, digital aspects of violence, psychological and economic violence as equal to physical violence.
- Lack of integrated risk assessment procedures: Although the police and Centres for Social Work (SWC) may conduct risk assessments, there is no unified national methodology or mandatory use of standardized tools, such as those developed in the IMPRODOVA project. Risk levels assessed by SWCs are rarely shared or consistently considered in criminal or family court proceedings.
- Under recognition of children as secondary victims: Children are not automatically included in risk assessments or protective measures, even when exposed to domestic violence. This neglects the legal provision in the Domestic Violence Prevention Act that recognizes children as victims when witnessing violence.
- Inconsistent responses from prosecutors and courts: Even cases of physical violence, including strangulation, are frequently dismissed as minor offenses or misdemeanours, undermining early intervention. Prosecutorial practice often shows high tolerance towards physical violence in child abuse cases and fails to pursue digital forms of violence adequately.

- Judicial minimization of violence in family proceedings: Courts often pressure victims into settlements or shared custody arrangements, even in documented cases of violence. Femicides in some cases have been preceded by such decisions, where warning signs were ignored or risk not adequately assessed.
- Absence of specialized review bodies or femicide observatories: Unlike in some other European countries, Slovenia lacks a dedicated femicide observatory or interdisciplinary board tasked with learning from past cases and recommending institutional changes.

Conclusion and Recommendations

Slovenia has not yet established an institutionalized system of retrospective analysis of gender-based killings of women, despite repeated calls from civil society organizations. Without this, it is impossible to develop evidence-based prevention strategies or to understand the full extent of systemic failures that allow gender-based violence to escalate into lethal outcomes.

Establishing a national Femicide Review Board, developing mandatory inter-institutional protocols for risk assessment and cooperation, and ensuring systematic data collection and analysis of all gender-based killings—especially intimate partner femicides—should be a top priority. These efforts must be supported by specialized training for all professionals involved and a strong political commitment to zero tolerance for violence against women.

Article 52: Emergency barring orders

Parties shall take the necessary legislative or other measures to ensure that the competent authorities are granted the power to order, in situations of immediate danger, a perpetrator of domestic violence to vacate the residence of the victim or person at risk for a sufficient period of time and to prohibit the perpetrator from entering the residence of or contacting the victim or person at risk. Measures taken pursuant to this article shall give priority to the safety of victims or persons at risk.

Institutional Response Gaps in Early Police Interventions in Domestic Violence Cases

One of the critical systemic shortcomings in the institutional response to domestic violence in Slovenia lies in the initial police intervention. When someone calls the emergency number due to domestic violence, the police officers who respond to the incident on-site have wide discretion in deciding whether to treat the situation as a misdemeanour (under the *Public Order Act*) or as a criminal offence (under the *Criminal Code* or the *Domestic Violence Prevention Act*). This decision is often made without a thorough risk assessment and can significantly affect the level of protection offered to the victim.

In practice, police more frequently categorize incidents as misdemeanours, resulting in a fine being issued to the perpetrator – and, in some cases, even to the victim, especially if the incident involved mutual accusations or verbal altercations. Such interventions do not activate the broader protection mechanisms: the victim is not referred to support services, a risk assessment is rarely conducted, and there is no restraining order or official record of domestic violence.

By contrast, only if the incident is qualified as a criminal offence—typically when there are visible physical injuries or clear signs of severe violence—can the police issue an emergency restraining order for 48 hours, which is then submitted to an investigating judge for extension up to 15 days.

Unfortunately, this threshold for action is often set too high. Police officers tend to issue a restraining order only when the violence is severe and the victim appears to be in immediate danger. If the victim is perceived as not entirely passive or if she attempted to defend herself, police may dismiss the need for protective measures. In many cases, if the victim chooses to leave the shared home and go to a crisis centre or shelter, officers explicitly state that they will not issue a restraining order, claiming that since the victim is “safe,” judicial confirmation will not follow.

In fact, some officers have reportedly stated directly that they avoid issuing restraining orders because judges are unlikely to confirm them, which leads to systemic discouragement of preventive protective measures. Victims are thus left without formal protection, and the violence may continue or escalate before any meaningful intervention occurs.

Moreover, it is not uncommon that victims only receive real protection upon repeated interventions. In such cases, only after a second or third incident will the police reconsider the severity of the situation and potentially act to protect the victim. This delayed response not only exposes victims to prolonged harm but erodes their trust in law enforcement and the legal system as a whole.

This practice reflects a deeper institutional minimization of violence, where only physical violence is recognized as a valid threshold for protective measures, while psychological abuse, coercive control, and threats remain largely unaddressed. In the absence of a standardized protocol for handling domestic violence reports, victims receive inconsistent protection, and the risk of lethal outcomes remains inadequately assessed.

Case study

A resident of our safe house reported that on one occasion when she called the police when her partner was physically attacking her, she received a fine for misdemeanour under the Public Order Act, because she admitted to push her partner away, while he was strangling her on the ground where she fell when he hit her.

Duration of the Measure and Closing Protection Gaps for Victims

The law in Slovenia allows emergency restraining orders to remain in force long enough for the victim to obtain court-ordered protection. The police can issue a 48-hour restraining order under Article 60 of the *Police Tasks and Powers Act* (ZNPPol), based on their risk assessment. This measure enters into force immediately and is submitted for judicial review to an investigating judge, who must decide within 24 hours to confirm, amend, or revoke the order. If confirmed, the judge can extend the order for up to 15 days. The order may be extended for up to 60 days if the victim applies for such an extension before the initial order expires and if there are reasonable grounds to believe that the perpetrator will continue the threatening behaviour.

However, in practice, gaps in protection frequently occur because victims are often not adequately informed of the possibility to apply for additional protection or do not receive the legal support needed to submit their requests. The 15-day duration of the restraining order is insufficient, as most victims are unable to ensure their safety or legal protection within that time. They must file for an extension and simultaneously initiate proceedings under the *Domestic Violence Prevention Act* (ZPND), while also addressing urgent needs such as relocating and ensuring the safety of their children.

A particularly problematic judicial practice is the non-renewal of restraining orders when the perpetrator has not committed further acts of violence during the 15-day period. The fact that a perpetrator complies with the order for two weeks does not guarantee that the violence will not recur. Victims consistently express the need for extended protection to give them time and space to rebuild their lives.

Legislation should be amended to allow investigating judges to confirm and extend restraining orders **until the court decision on long-term protective measures is issued** under the *Domestic Violence Prevention Act*.

Proactive Victim Support

Support and counselling for victims at the time the emergency restraining order is issued is not systematically ensured by the police, who are responsible for issuing the order. Police officers

themselves often lack knowledge of victims' rights and are therefore unable to provide appropriate guidance. Support roles are frequently assumed by NGOs, but they are not systematically included in early interventions.

Some police units collaborate with NGOs offering advocacy, accompaniment, and basic counselling, but this cooperation is inconsistent and not mandatory. As a result, many victims are left uninformed about their rights and options for protection at a critical time.

Inclusion of Children in Restraining Orders

Children are not automatically included in restraining orders unless explicitly stated. In many cases, children are direct or indirect victims of domestic violence, yet there is no systemic approach to including them in protective measures.

Police or courts can issue restraining orders under the *Police Tasks and Powers Act* or *Domestic Violence Prevention Act*, respectively. However, in practice, the order only applies to the mother, even when the violent parent has court-mandated visitation rights. This means that the abusive parent remains in contact with the children, and the mother is legally obligated to facilitate these visits—despite the risk to both herself and the children.

There are even cases where the same perpetrator has a restraining order preventing contact with the children, while another court grants unsupervised visitation rights, sometimes within the same family case. Such contradictions endanger the victims and undermine their safety.

It is essential that restraining orders automatically apply to both the mother and the children when domestic violence occurs, as both are victims. Perpetrators often use child visitation as a tool to continue psychological abuse or control over the former partner. Children must be consistently recognized as secondary victims of domestic violence and adequately protected.

Case Study

The woman's ex-partner is under a restraining order that prohibits him from approaching her, but not their daughter, of whom they share joint custody. The handover of the child usually takes place at the kindergarten to ensure that the ex-partner does not violate the restraining order.

However, the daughter has fallen ill, and the mother is unsure how to handle the handover in this case, as the daughter cannot attend kindergarten and the ex-partner is not allowed to come to her home due to the restraining order.

The mother is also concerned about how the ex-partner will care for the child during her illness, as during a previous visit he left the child in the care of another person while he went to work in another EU country. The mother is distressed—she does not want to prevent contact between the child and her father, but believes that in the current circumstances, the visitations are not in the best interest of the child.

Case Study

The beneficiary has two children with her ex-partner, aged 3 and 4. The visitation arrangement is currently regulated. During the last visitation with their father, the children witnessed a physical altercation between the father and his new partner. The father also forcefully pushed the older child. After this incident, both children were frightened.

The mother informed the Social Work Centre (SWC) of the event. The SWC subsequently submitted a request for a court-ordered temporary supervised visitation. However, the user has not yet received a court decision.

She is now unsure whether she must comply with the previously ordered visitation schedule until the new decision is issued. She does not want to continue the visitations in the same way, as she believes this would not be in the best interest of the children.

Exceptions in Contact Restrictions

The law does not explicitly define exceptions to restraining orders. However, in practice, restrictions are sometimes modified to allow contact necessary for implementing court-ordered visitation rights. In such cases, institutions (social work centres, courts) are required to weigh the safety risks carefully.

Unfortunately, the perpetrator's parental rights are too often prioritized over the safety of victims, especially during child visitation arrangements. This frequently results in revictimization of the mother and increases the overall risk of continued abuse.

Case Study

After an incident, a mother took their child and left the violent partner. At first, the husband was issued a restraining order prohibiting him from approaching the mother and the child. The criminal court later extended this restraining order for one year. Even before the restraining order expired, the Family Court ordered supervised visitations between the perpetrator and the child.

Monitoring and Response to Violations

- The police may carry out monitoring at any time, either through physical patrols of the area or in response to reports, but the police may only conduct surveillance on the offender in places designated as restricted areas or zones.
- Upon detecting a violation, the police may remove the offender from the area and impose a fine ranging from €300 to €800. In the case of repeated violations, the offender may be detained for up to 12 hours (in more serious cases, custody may be imposed).
- The police have the legal authority to swiftly and effectively impose a restraining order in urgent cases, clearly specifying the distance and penalties for violation. Monitoring is continuous – either via on-site patrols or victim reports.

The victims often report frequent feelings of fear and helplessness, even after a restraining order has been issued, as the police often fail to monitor compliance with sufficient regularity. Additionally, reports of violations are not always taken seriously.

According to a 2024 study ³⁷ violations of restraining orders occur regularly in at least 20% of cases. Most often, these are breaches through communication, as the perpetrator attempts to contact the victim. Sometimes the victim is not aware that such contact also constitutes a violation of the restraining order. Moreover, if the victim initiates contact with the perpetrator, this is also considered a violation.

³⁷ https://www.policija.si/images/stories/Publikacije/RKK/PDF/2024/01/RKK2024-01_KatjaFilipic_PrepovedPriblizovanja.pdf

Article 53 Restraining or protection orders

1. Parties shall take the necessary legislative or other measures to ensure that appropriate restraining or protection orders are available to victims of all forms of violence covered by the scope of this Convention.
2. Parties shall take the necessary legislative or other measures to ensure that the restraining or protection orders referred to in paragraph 1 are:
 - a. available for immediate protection and without undue financial or administrative burdens placed on the victim;
 - b. issued for a specified period or until modified or discharged;
 - c. where necessary, issued on an ex parte basis which has immediate effect;
 - d. available irrespective of, or in addition to, other legal proceedings;
 - e. allowed to be introduced in subsequent legal proceedings.
3. Parties shall take the necessary legislative or other measures to ensure that breaches of restraining or protection orders issued pursuant to paragraph 1 shall be subject to effective, proportionate and dissuasive criminal or other legal sanctions.

Protective measures for all forms of violence under the Convention

Article 53 of the Istanbul Convention requires that women victims of all forms of violence have access to appropriate protective or restraining measures (e.g., restraining orders). In Slovenia, such measures are primarily regulated by the *Domestic Violence Prevention Act* (ZPND), supplemented by *Criminal Code* and police powers. In practice, these measures are most developed for cases of domestic violence and stalking, whereas for other forms of violence (e.g., sexual harassment outside the family, forced marriages particularly among the Roma population, rape, sexual violence), their use is rarely observed.

Below is an overview of protective measures by specific forms of violence against women:

Domestic Violence

Restraining Order

This is the most commonly used protective measure in domestic violence cases, as it limits the perpetrator's contact with the victim and thus prevents further violence. Slovenia recognizes two basic types of this measure, differing in legal basis, issuing authority, and duration.

- **Court-issued restraining order (*Domestic Violence Prevention Act* - ZPND):**

Issued by the court upon proposal by the social work center, the police, the prosecution, or the victim herself. It can last up to 12 months and be extended. It can include prohibitions on approaching, contacting, or entering the victim's home or places such as children's schools or kindergartens. This is a civil protective measure, not a criminal conviction.

- **Police-issued emergency restraining order (*Police Tasks and Power Act* - ZNPPol):**

Allows for immediate action at the scene if the police detect a direct threat. It is valid for 48 hours and can be extended by an investigating judge for up to 15 additional days. This measure serves as the first line of protection before other mechanisms are activated.

The main differences lie in urgency, duration, and legal procedure. The police measure is immediate and temporary, while the court issued restraining order requires a formal court decision and offers longer and broader protection.

Challenges in practice:

Despite the relatively well-regulated system, several problems persist:

- **Recognizing the threat during the initial police intervention:** The police use their knowledge and discretion to decide whether the incident to which they were summoned is a public misdemeanour or domestic violence. Only if the incident is qualified as a criminal offence—typically when there are visible physical injuries or clear signs of severe violence—can the police issue an emergency restraining order.
- **Monitoring compliance:** One key issue is the lack of systematic and effective monitoring mechanisms. Under *Police Task and Power Act* (ZNPPol), police are legally required to check compliance at least once every 24 hours, typically through a home visit. However, in practice, this often happens via phone, reducing its effectiveness. Under *Domestic Violence Prevention Act* (ZPND), there is no legal obligation for authorities to monitor compliance — victims must report violations themselves, which many are unaware of or too afraid to do.
- **Research findings and systemic gaps:** Although studies³⁸ (K. Filipčič, E. Bertok, *Restraining Orders and Intimate Partner Violence*, Institute of Criminology at the Faculty of Law, University of Ljubljana) show that most police orders are not violated, though the monitoring system is still weak. Even the police acknowledge the need to rethink the approach so that victims are not burdened with the responsibility of enforcement.

Suggested improvements include:

- more frequent checks,
- use of electronic monitoring (e.g., ankle bracelets),
- improved coordination among relevant institutions.

Legislative adjustments are also necessary, especially to amend the *ZPND* to mandate oversight for court-issued restraining orders, ensuring real protection for victims beyond paper provisions.

- **Institutional cooperation issues:** Poor coordination among institutions (especially during transitions from police to court orders) often leads to confusion and lapses in protection. Victims are not always informed of their rights or the availability of protective measures, leading to delays or missed opportunities for timely intervention.

³⁸ K. Filipčič, Eva Bertok: *Prepoved približevanja in intimnopartnersko nasilje*, Revija za kriminalistiko in kriminologijo (Ljubljana 2024), 1, 44–58

- **Risk assessment discrepancies:** Authorities may underestimate threats and refrain from issuing measures, even in the face of ongoing threats or stalking. This shows that the existence of legal instruments does not guarantee effectiveness in practice — emphasizing the need for stronger inter-agency monitoring, professional training, and a more victim-centred response system.

Other Protective Measures under the Domestic Violence Prevention Act (ZPND)

In addition to restraining orders, which are the most well-known and frequently used protective measures, the ZPND provides for several other important measures that may be imposed by the court in non-contentious proceedings upon the proposal of the victim, the social work center, the police, or the prosecutor.

1. Removal of the perpetrator from the shared household

This measure allows the court to order the perpetrator to leave the shared residence, even if they are the formal owner or leaseholder. This is a crucial protective mechanism, as it allows the victim to remain in a familiar and safe environment without the additional distress of relocation or housing insecurity. Despite its strong protective value, this measure is rarely used in practice, often due to legal misunderstanding or lack of procedural support for victims. Courts are generally reluctant to remove someone from a property they own, even though the law clearly allows this to protect victims of domestic violence. The burden to relocate is generally placed on the victim.

Case Study

A woman and her 4 foster children lived in a shared household with the woman's partner. After recognizing the presence of intimate partner violence, she reported the abuse to the relevant authorities. Following the report, a court-issued restraining order was granted against the perpetrator. The perpetrator subsequently requested permission to remain on the premises, citing that his professional livelihood would be compromised if he lost access to a room in the house which had been converted into a massage studio. The court accepted this argument and allowed him to stay in the shared residence, while simultaneously instructing him to comply with the restraining order.

This decision resulted in a situation where the victim and the four foster children continued to reside in the same household as the perpetrator. The restraining order was repeatedly violated, often on a daily basis, creating ongoing distress and insecurity for the victim and the children. Despite the clear risk and ongoing breaches of the restraining order, no adequate alternative housing or protection measures were provided to the victim. The court's decision prioritized the perpetrator's economic interests over the safety and psychological well-being of the victim and her foster children.

This case illustrates a significant gap in the implementation of protection measures, particularly in situations where victims and perpetrators share a residence and the economic interests of the perpetrator are given precedence. It raises concerns about the consistent and effective application of restraining orders and the failure to fully consider the needs and safety of victims.

2. Prohibition of any contact with the victim

This includes the prohibition of personal, telephone, electronic, or any other indirect communication. It may also prohibit third-party contact, which is especially important, as perpetrators often try to reach the victim through children, relatives, or friends.

3. Ban on entering spaces where the victim regularly resides

This extends beyond the home to include workplaces, children's schools, therapy locations, or public places part of the victim's routine, ensuring safety in everyday life.

4. Placement in safe houses and crisis centres

The ZPND provides for immediate accommodation of victims (with or without children) in shelters or crisis centres, depending on the level of risk.

- **Safe houses** offer longer-term stays (usually several months) in secure, confidential locations, with the support of professionals such as counsellors and therapists. The focus is on empowerment, legal support, employment assistance, and life stabilization. There are 20 safe houses in Slovenia, the majority of them operated by NGOs.
- **Crisis centres** are intended for short-term, emergency shelter (up to 10 days) for immediate physical protection while more permanent arrangements are made. These are also more accessible to minors. There are 10 crisis centres for children and minors, and 2 state owned crisis centres for women that are victims of violence and one crisis centre operated by an NGO.

The main issue with the housing remains the availability of the safe houses, many times the victim must leave not only her home but also her work, because there are no available shelters in her area. The children are also affected by this since they need to change schools and the environment. Another major issue is that safe houses in Slovenia accept women and children, with the exception of boys who are 15 – 18 years old. The only possible placement for older boys is a crisis centre, in which they can stay until their 18th birthday. Many victims prefer to stay with the perpetrator than risk dividing the family.

Stalking

Since 2015, stalking has been recognized as a criminal offense (Article 134.a of the *Criminal Code* – KZ-1), in line with the Istanbul Convention. Regardless of whether the stalking is committed by an intimate partner, family member, or another person, victims are formally entitled to protective measures.

If the stalking occurs within a family or intimate relationship, the victim may request a restraining order under the ZPND. The law explicitly states that the order can be imposed when the perpetrator “unlawfully harasses the victim against her express will, e.g., through surveillance” – explicitly recognizing stalking as grounds for protective measures.

If stalking does not occur in a domestic or intimate context, two other legal options are available:

1. **Emergency police restraining order** under *the Police Powers and Duties Act* (ZNPPol), valid for up to 48 hours and extendable by an investigating judge (for up to 15 more days).
2. **Court protective measures** within criminal proceedings, where the court may impose security or precautionary measures such as a restraining order or a no-contact order upon indictment.

Despite these provisions, protective measures in stalking cases are rarely used—unless the stalking involves direct physical threats or violence. Police are often reluctant to issue restraining orders when stalking involves more subtle behaviours (e.g., repeated physical stalking, online surveillance, unsolicited gifts, loitering near the victim), even though these can gravely affect the victim's psychological safety and are clear indicators of control and intimidation.

A significant shortcoming is that victims outside of domestic violence contexts often lack access to civil protective measures, since the *ZPND* only applies within family relationships. Criminal proceedings are lengthy, require high evidentiary standards, and often offer protection too late to effectively prevent repeated harassment.

Another concern is the lack of understanding of stalking behaviour among professionals (police, prosecutors, judges), who often do not recognize such patterns as threatening until explicit violence or threats occur. The psychological effects—fear, distress, social withdrawal, insomnia, and loss of safety—are not always considered sufficient grounds for intervention.

Additionally, there is legal inconsistency: while criminal law allows prosecution of stalking, civil law does not offer corresponding protection unless a familial relationship exists. As a result, many victims must rely solely on lengthy criminal proceedings without the option of immediate civil protection.

Although Slovenia has legally defined stalking as a criminal offense, practical implementation remains problematic, especially in terms of rapid response and protection when physical danger is not present. Improvements needed include:

- More consistent training of professionals to recognize subtle stalking patterns;
- Extending the use of restraining orders beyond domestic contexts;
- Implementing active enforcement mechanisms (not relying solely on the victim to report violations);
- Providing safe and accessible civil protection options for stalking victims across all relationship contexts.

Sexual harassment

This form of violence (e.g., unwanted sexual touching, lewd propositions) is prohibited in Slovenia under the *Protection against Discrimination Act* and is addressed in both labour and criminal law. However, systemic protection is primarily limited to the workplace—sexual harassment at work is prohibited and subject to sanctions. Outside this context (e.g., sexual harassment by an acquaintance or stranger in public), there are no specific civil procedures for issuing restraining orders unless the conduct escalates into a criminal offense (such as threats or stalking). In such cases, the police or courts may apply the same protective measures used for stalking or threats.

If sexual harassment occurs within a family or intimate relationship, it is classified as psychological domestic violence, and the victim may receive protection under the *Domestic Violence Prevention Act* (ZPND), as with other forms of domestic abuse.

In summary, the Slovenian legal system does not include a direct, specialized restraining measure exclusively for sexual harassment outside of family situations. There are indirect protective pathways governed by other laws, such as the *Criminal Code* (e.g., Article 197 on sexual harassment), the *Police Powers and Duties Act* (ZNPPol), or *ZPND*—but these are not tailored to the specificities of sexual harassment in broader contexts, such as the workplace or public spaces.

Particularly problematic are situations in the workplace or educational settings (schools, universities), where sexual harassment is widespread, but victims lack access to effective legal protection mechanisms. When a female employee, pupil, or student experiences sexual harassment from a co-worker, superior, or professor, there is currently no procedure through which she can request a restraining order or the perpetrator's removal prior to the conclusion of criminal proceedings.

All protective measures in such cases are left to the discretion of the employer or educational institution, based on internal policies or codes of conduct, which means that:

- the victim has no formal procedural rights and protection depends on the institution's goodwill,
- proceedings are often lengthy,
- the risk of secondary victimization is high,
- harassers often remain in their positions even when there are substantiated allegations.

Additionally, the police rarely impose protective measures—such as temporary restraining orders—in these cases, since the harassment often does not involve direct physical attacks or immediate threats, but rather repeated psychological and sexual harassment. These actions, however, significantly impact the victim's safety, well-being, and dignity.

Therefore, it is necessary to consider:

- Establishing a specialized civil protective measure for sexual harassment outside the family context, enabling temporary orders (e.g., no-contact orders, exclusion from premises, supervision);
- Amending legislation to require employers and educational institutions to implement temporary protective measures upon suspicion of sexual harassment (e.g., separation from the victim, reassignment);
- Allowing courts to issue restraining orders in employment-related harassment cases, independently from *ZPND* or criminal proceedings;
- Introducing expedited handling of such cases, where temporary protection could be granted based on a minimal standard of proof (e.g., victim and witness statements).

Without such systemic improvements, Slovenian legislation fails to meet the standards of the Istanbul Convention, which calls for effective and proactive protective measures against all forms of violence against women—not just in domestic settings, but also at work, in schools, and in public spaces.

Forced Marriages

In 2015, Slovenia introduced the criminal offense of forced marriage (Article 132.a of the *Criminal Code* – KZ-1) in line with the Istanbul Convention. In practice, this issue most frequently affects underage girls, especially within Roma communities. When a woman (or girl) is forced into marriage by family members, this can be addressed as a form of domestic violence (coercion and endangerment of fundamental rights), making her eligible for protective measures under the *ZPND*.

In such cases, the Social Work Centre may act in the best interest of the underage victim, a restraining order may be requested against those pressuring her into marriage, or the Family Code may be used to remove the girl from a harmful environment.

Although the legal framework does allow for protection in cases of forced marriage, such cases are rarely reported or prosecuted. Since the offense was defined in law, there have been no known convictions in Slovenia, primarily due to underreporting and the sensitivity of affected communities. Nonetheless, the legal framework exists: forced marriage is criminally prosecutable, and preventive protective measures (e.g., passport confiscation, court-issued restraining orders) may be applied to prevent the marriage from taking place.

Female Genital Mutilation

This phenomenon is not widespread in Slovenia, but in the context of the Istanbul Convention, it is recognized as a form of violence against women. Slovenian legislation addresses FGM under the criminal offense of grievous bodily harm – the mutilation of female genitalia would be considered a severe form of bodily injury and would be prosecutable as a criminal offense.

In addition to criminal sanctions, the state may intervene with protective measures within the child protection framework: if there is suspicion that parents may subject a girl to such an act (e.g., by taking her abroad for mutilation), the social work center and court can take action under family law (e.g., temporary removal of the child from parental care, restriction of contact) or under the *Domestic Violence Prevention Act* (ZPND), as this would constitute severe physical domestic violence.

As a protective measure in such a case, the court could prohibit the parents from approaching the child or order the child to be placed in a safe environment. While there is no known case law directly addressing this issue in Slovenia, the legal mechanisms for protection do exist in principle.

»Honour-based« violence

So-called “honour-based” violence (e.g. when family members intimidate or harm a woman for allegedly bringing shame to the family) is rare in Slovenia. When it does occur, Slovenian law treats it as domestic violence or related criminal offenses (e.g. threats, minor/serious bodily harm). Accordingly, the same protective measures provided under the *Domestic Violence Prevention Act* (ZPND) apply. A victim can obtain a restraining order against the family members who pose a threat, and in extreme cases, the court may order the perpetrator to leave the shared household (see section below). There are no specific mechanisms for addressing “honour”-related violence, but the existing domestic violence framework is broad enough to encompass such cases.

Digital forms of violence

Slovenia acknowledges that violence against women increasingly takes place online (e.g. cyberstalking, intimidation, “revenge porn”, etc.). Crucially, existing legal protective measures already account for the digital dimension. The *Domestic Violence Prevention Act* (ZPND) explicitly mentions that a restraining order can be issued if the perpetrator harasses the victim using remote communication tools or publishes her personal data, records, or court documents online without consent. This allows courts to explicitly prohibit such acts, including any form of digital harassment or cyberstalking.

Moreover, general no-contact orders apply to all forms of communication, including digital ones. In practice, digital violence is addressed using existing tools (e.g. Article 143 of the *Criminal Code* – KZ-1 – which prohibits the misuse of personal data with intent to harm the victim in a digital context). Still, it has been noted that the application of restraining orders should be reviewed in relation to digital violence, ensuring that violations (e.g. continued online harassment despite a court order) are effectively sanctioned.

Slovenian legislation largely meets the requirement that protective measures be available to victims of all forms of violence listed in the Istanbul Convention. The most developed system exists for domestic violence and stalking, where both civil protection measures under the ZPND and criminal mechanisms (e.g. restraining orders in criminal proceedings) and police powers are in place. These also cover digital dimension of such violence.

For other forms of violence (e.g. sexual harassment, forced marriage, female genital mutilation), the formal legal framework provides indirect protection (through other laws or broader interpretations of domestic violence), but lacks consistent practice and specialized solutions. Therefore, systemic reform is needed to ensure that protective measures are accessible to *all* victims of violence under the Convention, not only victims of domestic violence.

An essential factor is also **effectiveness**: the procedure for issuing a protective order must be swift, and violations must be met with strict sanctions. The law states that the court must rule on a protection request as a priority (within 8 days of receipt and issue the decision within another 8 days). However, NGO sources report delays — outside Ljubljana, some victims reportedly wait 2–3 months for a protection order, leaving them unprotected in the meantime.

Inclusion of Children in Protective Measures – Legislation and Practical Shortcomings

Slovenian legislation provides for a range of protective measures that can be imposed to safeguard children who are victims of violence, either directly or as witnesses to domestic violence. Under the provisions of the *Domestic Violence Prevention Act* (ZPND), a child is also considered a victim of violence if they merely witness violence against another person—this represents a significant conceptual shift toward a holistic approach to family protection.

The law stipulates that protective measures such as restraining orders can also be imposed specifically for the protection of children. In urgent cases, courts may issue such measures *ex parte* (i.e., without the presence of the perpetrator) if there is an immediate threat to the child’s life, physical integrity, or

well-being. Furthermore, Article 20 of the *Domestic Violence Prevention Act* (ZPND) provides that a request for a protective measure on behalf of a child may be submitted by the child them self (if over the age of 15), a parent, or the social work center, which is also tasked with monitoring the implementation of such measures.

Thus, the law formally enables comprehensive protection of children, including through measures such as restraining orders prohibiting the perpetrator from approaching schools, kindergartens, or the victim's home—places children are often exposed to. Children can also be specifically named in court orders as individuals with whom the perpetrator is not permitted to have any contact.

In addition to restraining orders, the *Domestic Violence Prevention Act* (ZPND) provides for the *eviction of the perpetrator from the shared residence* (Article 21), regardless of property ownership status. This measure allows the victim and children to remain in a safe environment free from the presence of the violent person, for up to six months (with the possibility of a six-month extension). This is an essential protective tool for children, as it preserves their sense of stability within the family home.

However, practice often deviates from legal provisions. NGOs and experts have long pointed out that, despite clear legislation, children are not always included in protective measures. It is common for restraining orders to apply only to the mother as the direct victim and not to children—even if they live in the same household and witness the violence. This is especially problematic in cases where the father is violent only toward the mother; courts often fail to include the children in protective orders, ignoring the psychological harm caused by witnessing violence.

As a result, the intended purpose of the *Domestic Violence Prevention Act* (ZPND)—to protect children even when they are indirectly exposed to violence—remains unfulfilled. Practice varies by judge and region, leading to inconsistent protection of children. Furthermore, there is no system in place to systematically track how often children are included in protective orders. There is a lack of standardization and no obligation for courts to assess the impact of violence on children ex officio.

Although social work centres can propose measures such as supervised contact or the suspension of contact with a violent parent, these are often implemented too late or not at all. NGOs stress the lack of awareness that a child becomes a victim simply by witnessing violence, and that all protective measures should automatically extend to children living with the victim.

Exceptions to Restraining Orders

The contact ban or restraining order is one of the most commonly used protective measures in cases of domestic violence. It entails a total ban on any physical approach, contact, or communication by the perpetrator toward the victim. However, legislation and court practice allow for exceptions when a complete ban would endanger the rights of third parties or conflict with other legal obligations—especially in the context of regulating contact between the perpetrator and shared children.

When imposing measures under the *Domestic Violence Prevention Act* (ZPND), courts must consider the specifics of each case and, where necessary, define narrowly tailored exceptions, such as permitting limited contact for the purpose of child exchanges. Court rulings must explicitly state these exceptions. For example, the Higher Court in Ljubljana upheld a decision allowing the perpetrator to

approach the victim solely for the purpose of handing over the child, with strict limitations permitting phone contact only for coordinating logistics.

However, practice is often problematic. Although exceptions are supposed to be clearly and explicitly defined, they are frequently vague or overly broad, which allows the legal framework to be exploited to the victim's detriment. Moreover, courts often fail to establish proper safety protocols to ensure the victim does not encounter the perpetrator—for example, through separate entrances, third-party supervision, or child handover in safe locations such as social work centres. In reality, victims often report being left to face the perpetrator directly, increasing the risk of continued psychological or physical violence.

Another frequent exception arises during judicial or official proceedings where the victim and perpetrator appear in the same space, such as court hearings. Although court summons constitutes a legally permitted exception to restraining orders ("authoritatively determined exception"), it is problematic that courts often fail to provide separate hearings, secure spaces, or escort services, despite having the legal means to do so (*Domestic Violence Prevention Act ZPND*, Article 22). Victims are thus forced into contact with their abuser, increasing the risk of secondary victimization.

A critical issue is how courts balance the child's best interest with the victim's safety. While in theory, both the child's well-being and their right to maintain contact with both parents are considered, in practice the fact that one parent was violent is often overlooked. By allowing exceptions for contact without adequate safety measures, courts risk enabling further violence or manipulation through the children.

The legal framework allows flexibility but also opens the door to arbitrary and unequal treatment. Due to the lack of clear protocols, the absence of mandatory safety measures, and passive institutional roles, exceptions are poorly monitored and often misused to the detriment of victims.

Exceptions to contact bans are legally permissible and can be justified in certain cases, particularly where children's rights or parental obligations are involved. However, each such exception must be explicitly defined, strictly time- and content-limited, and supported by safety measures that shield the victim from renewed contact with the perpetrator. Practice shows this is often not adequately ensured, and thus both legislation and judicial practice should be upgraded with binding victim protection standards and clearly defined limitations for exceptions.

Research on the Effectiveness of Protection Measures

In Slovenia, the only systematic and scientific research that has thoroughly addressed the restraining order (prohibition of contact) was carried out within the framework of the targeted research project *Prepoved približevanja in intimnoparntersko nasilje (Restraining Orders and Intimate Partner Violence)*, conducted by the Institute of Criminology at the Faculty of Law, University of Ljubljana, between 2021 and 2023. It is the only study in Slovenia that comprehensively analyses the measure using both quantitative and qualitative approaches.

As the empirical basis, researchers analysed 533 cases of issued restraining orders between 2016 and 2021, which represents 9.42% of all such measures in that period (a total of 5,659). The sample

included only cases related to intimate partner violence, whether in current or former relationships (415 cases).

Key Findings of the Study

- **Effectiveness of the measure:** In 80% of cases, perpetrators did not engage in further violence during the validity of the restraining order. Physical violence during breaches occurred in only 2.4% of cases, indicating a high level of effectiveness for immediate protection.
- **Violations:** 20% of the issued measures were violated. The most common form of violation was harassment through communication (43.4%), followed by breaches of distance without direct contact (27.7%) and in-person confrontations (20.5%).
- **Risk factors:** Younger perpetrators and ex-partners were more likely to violate the measure. Those with a prior history of violence or offenses were also more likely to reoffend.
- **Discrepancy with police data:** Police statistics show a higher rate of violations (approx. 40%) compared to the study (20%), but this is due to a methodological difference – the police count all individual breaches, not the number of breached orders.

Although the research is highly valuable, it did not capture unreported violations, which – according to NGOs – constitute a significant part of the reality. Many victims do not report violations due to fear of consequences, lack of trust in institutions, or unawareness that a violation has occurred. This suggests that actual figures may be higher than those in reported case analyses. Practice, as observed by NGOs, indicates that enforcement often falls on the shoulders of the victim, who must detect, report, and prove violations. Thus, protection often remains formal and not fully realized in practice.

The research by the Institute of Criminology is an important scientific contribution to understanding the impact of restraining orders and shows that this measure is generally effective for immediate protection. However, it highlights the need for continued research, particularly regarding unreported violations, long-term effectiveness, and the necessity of stronger institutional oversight that does not burden the victim. Additional studies are also needed to evaluate the effects of the measure after expiration, the provision of psychosocial support to victims, and the effectiveness of enforcement by police and social work centres.

Part III: Emerging trends on violence against women and domestic violence

Please provide information on new developments since the adoption of GREVIO's baseline evaluation report on your country concerning:

- a) emerging trends in violence against women and domestic violence, including its digital manifestations (types of perpetration, groups of victims, forms of violence);*
- b) emerging trends in domestic case law related to violence against women;*
- c) emerging trends in the allocation of funding and budgeting by your state authorities;*
- d) innovative approaches to primary prevention, for example new target audiences and means of communication, public/private partnerships etc.*
- e) emerging trends related to access to asylum and international protection for women victims of violence against women*

a) The Digital Dimension of Violence Against Women³⁹

Slovenia, in cooperation with international experts and the Council of Europe, prepared a report on the Digital Dimension of Violence Against Women and presented its findings at a conference in March 2025. The report highlights the fact that, with humanity's entry into the digital age, gender-based violence has taken on a new dimension. The convergence of technological and social changes is a driving force behind the normalization of gender-based violence online. The report identifies three dimensions of violence: sexual harassment, technology-facilitated violence, and psychological violence.

A large part of online violence also stems from the portrayal of the concept of "woman." Women are predominantly represented in the media and online in the subjective position of "battered women," and they appear as decision-makers only half as often as men.⁴⁰ Of course, this does not mean that women are absent from these roles, but it merely points to the strong dominance of the male form in the media. Women tend to appear in the news primarily as a general group, while men prevail as individuals—especially when they possess power, wealth, or influence. It is also essential to emphasize that the consistent use of feminine forms and raising awareness about the importance of gender-equal language are crucial steps toward reducing systemic inequality in media content.

It is also necessary to highlight the normalization of violence against women who are publicly visible in the digital world. Women in public positions experience significantly more violence than men, and this violence often extends from the online space into physical forms. This is an extremely dangerous form of gender-based violence, aimed at instilling fear, shaming, silencing, spreading hatred, and

³⁹ <https://rm.coe.int/prems-037025-svn-2573-violence-against-women-and-girls-in-slovenia-web/1680b4daae>

⁴⁰ <https://pressclipping.si/druzbeno-reenakost-v-medijih-pregled-podatkov-in-vpliv-na-zastopnost-spolov/>

establishing control over women. It pushes women to the margins of society, as the failure to recognize and punish such practices clearly sends the message that women are not welcome in public spaces.⁴¹

The report on the digital dimension of violence places a strong emphasis on the shortcomings in legal practices that could be used to prosecute online violence. Prof. Dr. Aleš Završnik and Louise Hooper highlight that Slovenian legislation lacks a clear gradation of violence—specifically, what is recognized as a misdemeanour versus a criminal offense. Moreover, there is no specific criminal offense of harassment, which means that prosecutorial challenges can arise even in severe forms of online violence, such as the abuse of photographs and videos. In certain cases of image and video abuse (cyberbullying), prosecution might rely on the criminal offense of unauthorized visual recording⁴², however, if the images are already online or were originally taken with consent but are now being used as a means of blackmail or humiliation, the provision on unauthorized visual recording no longer applies. In such cases, the criminal offense of personal data abuse might be applicable.⁴³

The separation between public and private space on the internet also poses a legal challenge. Cases of online violence are complex, and their prosecution is not yet fully established in legal practice. Although there are laws and regulations under which various elements of online violence can be prosecuted, doing so requires in-depth knowledge of different legal provisions and considerable legal manoeuvring. This is why it is crucial to carefully consider the digital dimension of violence against women.

If the legislation itself does not clearly define what constitutes violence and what does not, how can police officers or social workers be expected to recognize it, respond appropriately, and pursue prosecution? In the context of online violence, another challenge arises regarding restraining orders—specifically, how to enforce and monitor them in the digital space. To address this issue, Slovenia has implemented the program *“Click-off Violence Against Women and Girls,”* which includes an educational app, an online tool, and training for professionals to detect and respond to online violence.⁴⁴

Online Violence Among Minors

There is a growing trend in the recognition of peer violence among minors. While the overall incidence of this type of violence is increasing, the police report receiving very few complaints regarding online violence against young people. As a first step, it is essential to establish a clearer understanding among youth that all forms of violence—including psychological and online violence—are **not normal**, before focusing on educating them about how to protect themselves from it. Victims often do not recognize psychological, sexual, or online abuse, which is why the responsibility lies with institutions, particularly the police and prosecutors, to identify such violence.

⁴¹ <https://www.zenskilobi.si/novice/nasilje-nad-%C5%BEenskami-v-politiki-na-dru%C5%BEBenem-omre%C5%BEju-x.html>

⁴² 149. člen [KZ-1-NPB4](#)

⁴³ 143. člen KZ-1-NPB4: Zloraba osebnih podatkov

⁴⁴ https://odklikni.enakostspolov.si/wp-content/uploads/2020/01/Odklikni_Prirocnik_za-mladinsko_stroko_2019.pdf

Conference Insight: Institutional Gaps in Understanding

At the conference on the digital dimension of violence against women, a clear divide emerged between researchers and NGO representatives on one side and police and prosecution representatives on the other. While the former emphasized that existing laws do not sufficiently cover digital violence, pointed to gaps in understanding between misdemeanours and criminal offenses, and stressed the need to guide victims in recognizing abuse, the latter—police and prosecution—shifted the blame for the lack of legal action onto the victims.

They argued that victims fail to report incidents in sufficient numbers and lack awareness about how to preserve digital evidence (e.g., screenshots, deletion of messages, number blocking), which prevents law enforcement from prosecuting perpetrators.

b) Emerging Trends in Domestic Case Law

Sexual violence was redefined in 2021 in accordance with the model “only yes means yes”, and stalking and forced marriages were also criminalized. Nevertheless, legal practice still lags behind legislative reform—implementation in courts remains inconsistent with theoretical standards.

Resolution on the National Program for the Prevention of Domestic Violence Against Women 2024 – 2029

After ten years, Slovenia is set to adopt a new *Resolution on the National Program for the Prevention of Domestic Violence and Violence Against Women for 2024–2029*.⁴⁵

c) Emerging Trends in Budget Allocation and Funding by National Authorities

See Chapter 7 – **Funding**.

d) Innovative Approaches to Primary Prevention

Including new target groups, communication tools, and public-private partnerships.

Use of Digital Tools and Technology

New Communication Tools

Organizations such as *Association SOS Help-line*, *8th March Institute*, *Society Ključ*, and *Legebitra* use Instagram, Facebook, and TikTok for awareness-raising, sharing survivor stories, informational campaigns, and short infographics.

Street Campaigns and Visual Interventions

⁴⁵ <https://pisrs.si/pregledPredpisa?id=PRAV13506>

Example: The *Say NO to Violence* campaign in Maribor included posters with QR codes linking to support services, exhibitions, and field actions organized with the support of the local community and the city municipality.

Online Platforms

Several organizations have developed easily accessible websites offering assistance, information, and the possibility of anonymous contact. *Tom Help-Line* provides daily counselling via an online chat service, while Association SOS Help-line offers online counselling every Tuesday from 8:00 to 16:00.

Anonymous Tools for Recognizing Violence

Available resources include online quizzes and self-assessment checklists that help individuals determine whether their relationship is abusive, with links to assistance services.

Association City of Women has been developing the educational lesson about gender-based violence **#VsakDan8Marec** (#EveryDayIsMarch8) in the form of a quiz since 2018, as part of its cultural and artistic educational program. The quiz is suitable for children in the final years of primary school and for secondary schools. It includes questions, correct answers, explanations, and discussion prompts to deepen classroom conversations.

e) Residence Rights and Permits for Migrant Women Victims of Domestic Violence in Slovenia

Migrant women who are victims of domestic violence or human trafficking in Slovenia are entitled to special protections under a range of international and national legal frameworks.

Key legal instruments include the European Convention on Human Rights, the EU Charter of Fundamental Rights, the Convention on the Rights of the Child, the Constitution of the Republic of Slovenia, the Foreigners Act, the International Protection Act, and numerous bylaws, regulations, and decrees.

In cases of violence, a migrant woman may apply for a permit to remain, which grants her legal residence in Slovenia for a period of 90 days. This measure is intended to give her time to decide whether to cooperate in criminal proceedings as a witness or injured party, or to assert other personal circumstances justifying her stay in the country. The permit to remain is issued by the police, either upon the woman's request or ex officio, and may be extended for an additional 90 days if justified reasons continue to exist.

Rights and Legal Procedures for Migrant Women Victims of Violence in Slovenia

During the initial period of permitted stay, the migrant woman is entitled to free legal counselling, legal representation, and interpretation services. If her application is rejected, she is entitled to legal remedies and judicial protection. The next step is applying for a temporary residence permit.

The two conditions for its issuance are:

1. Participation in criminal proceedings, confirmed by the state prosecutor, or
2. The existence of personal circumstances that justify continued residence.

The woman must submit the application to the administrative unit before the expiration of the initial permit to remain or any other valid residence permit. While the decision is pending, she receives a certificate which serves as a temporary residence authorization. She is exempt from paying administrative fees in the process. The temporary residence permit is valid for six months to one year and may be extended for another year. A migrant woman with a valid permit is entitled to health insurance, financial social assistance, and access to the labour market. After this period, she may apply for another type of residence permit, provided the conditions are met.

The temporary permit will not be granted if the woman maintains contact with the suspect, accused, or defendant, or if there is reasonable suspicion that the criminal complaint was filed falsely or with the intention of abusing the protection system.

Practical Barriers to Accessing Protection

In addition to formal procedures, numerous discriminatory barriers exist in practice that hinder effective access to protection for migrant women. The most common include:

- Lack of training among officials in recognizing violence, especially in cases involving women without valid residence permits or with uncertain legal status;
- Insufficient availability of interpretations, which limits understanding of rights, procedures, and victim's own situation;
- Scepticism about the credibility of victims' testimonies, particularly when they come from countries with different cultural norms or when they do not speak Slovenian;
- Verification practices regarding contact with perpetrators, which sometimes rely on a narrow understanding of the dynamics of abuse and can lead to unjustified application rejections;
- Limited access to women's shelters for those without residence permits or permanent addresses;
- Lack of legal support and psychosocial assistance, especially in smaller towns and rural areas.

Gaps Between Law and Practice

Although legislation formally guarantees protection for migrant women, the practical realization of these rights is often uncertain, lengthy, and highly dependent on chance—especially on individual officials, interpreters, and the availability of support at a given moment.

This means that migrant women who are victims of violence are often forced to choose between the risk of deportation and remaining in an abusive relationship. Systemic measures are urgently needed to ensure that no woman is left without protection due to her migration status.

Part IV: Administrative data and statistics

Reported Cases and Convictions

In 2022 and 2023, there were approximately 5,200 to 5,500 reported cases of violence, and around 5,300 (2022) and 5,070 (2023) final convictions across all categories of offenses (*categorization remains problematic*).

Emergency Restraining Orders

Each year, between 1,825 and 2,190 emergency restraining orders are issued. Approximately 21% of these orders are violated. Sanctions for breaches include fines or detention, depending on severity.

Lack of Statistical Data

There are no available statistical data for these categories. This highlights the need for concrete recommendations to improve the record-keeping and monitoring mechanisms in these areas.

Data Gaps and Implementation Challenges

Slovenia maintains records on the total number of reported cases of violence and the number of issued criminal convictions. However, it does not provide a disaggregated breakdown by specific categories of violence against women or within domestic violence. There is also a lack of systematic insight into the enforcement of protective measures and into the role of violence in decisions regarding child custody or residence. This makes it impossible to objectively assess the effectiveness of protection mechanisms or their compliance with the Istanbul Convention.

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