

# Police response to domestic violence Handbook for Armenian police officers



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# **Police response to domestic violence Handbook for Armenian police officers**

**Women's Support Centre**

Council of Europe national consultant

**Reviewer Louise Hooper**

Council of Europe international consultant

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# Introduction

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Police officers have a very important role as frontline first responders. They often have first contact with victims of domestic violence and are responsible for providing immediate safety at the scene of the crime and afterwards. Effective police response and investigation builds trust in the victim which in turn makes a successful prosecution more likely.

The aim of this concise handbook is to assist police officers attending an incident to effectively respond to domestic violence, focusing specifically on recent legislative updates regarding domestic violence in Armenia. However, this handbook is not intended to replace formal training nor as a comprehensive guide to investigation and prosecutions but rather to serve as a supplementary resource for officers in the field.

## Definitions and types of domestic violence

Domestic violence encompasses various forms of abusive behaviour, including physical, psychological, economic, and sexual violence. It may also take place online and through technology. Whereas domestic violence can affect anyone, it impacts women disproportionately more than men. As explained in the Council of Europe Convention on preventing and combating violence against women and domestic violence, also known as “the Istanbul Convention”, violence against women is rooted in historically unequal power relations between women and men that perpetuate domination and discrimination, hindering the full advancement of women’s rights. Achieving equality between women and men is therefore essential in preventing violence against women. It is crucial to understand

that domestic violence cannot be eradicated unless perpetrators are held accountable for their actions. This requires effective and diligent policing resulting in proportionate and dissuasive sanctions.

■ The digital dimensions of violence against women including domestic violence includes online sexual harassment, online and technology-facilitated stalking and digital dimensions of psychological violence such as cyberbullying, intimate image abuse, revenge pornography, any form of online threat, intimidation, shaming and defamation. Economic violence is also perpetrated online through controlling or damaging a woman's economic resources such as her bank account, applying for loans in her name or otherwise damaging her credit (Group of Experts on Action against Violence against Women and Domestic Violence, GREVIO, General Recommendation No. 1 on the digital dimension of violence against women).

### Understanding domestic violence: cycle of power and control

■ Domestic violence is committed between family members or partners or former family members or former partners regardless of the circumstances of their cohabitation (Law on Prevention of Household and Domestic Violence and Protection of Persons Exposed to Household and Domestic Violence, Article 3.1).

■ Domestic violence is perpetrated by offenders who **use various forms of power and control** over their victims often leading to a tipping point when violence occurs.

■ These can include **intimidation, emotional abuse, isolation, minimising their own behaviour, denying the abuse, blaming the victim, using children to exert control, relying on their status and position in society, controlling the family money and using coercion and threats against the victim.**

Some of these forms of abuse are difficult to identify and a victim who is under the **coercive control** of the perpetrator may be too scared to give information to the police voluntarily and may deny events took place or retract her statement.

Following an incident, the perpetrator may be apologetic and seek forgiveness, and things may return to normal for a while. But soon the tension starts to build again and the cycle of violence repeats. Over time, these incidents can escalate, leading to severe physical and emotional harm, or even death.

Understanding these dynamics is key to the effective prevention, protection and prosecution of domestic violence.

## Who are the perpetrators?

**Family members** can include a wide range of people, whether they live together or separately. These can be spouses (including common-law marriages), parents (including step-parents, adoptive parents, foster parents, guardians, or custodians), children (including adopted, step, or foster children), spouses of adoptive parents, parents-in-law, grandparents, siblings (including half-siblings), siblings-in-law, as well as sons-in-law and daughters-in-law, and siblings of spouses (Law on Prevention of Household and Domestic Violence and Protection of Persons Exposed to Household and Domestic Violence, Article 4.1.1).

**Partners or former partners** are people with whom there is a relationship described as a “special love relationship”, regardless of whether they cohabite or have sexual relations with each other.

## Who are the victims?

■ **Natural persons:** This refers to any individual who has suffered from domestic violence, including a child who has witnessed violence within the family, as determined by a warning, emergency intervention, restraining order, or legally binding court decision (Law on Prevention of Household and Domestic Violence and Protection of Persons Exposed to Household and Domestic Violence, Article 4.1.5).

■ **Persons under care:** This includes children, elderly persons, disabled persons, or individuals in a helpless state due to health or other circumstances, living with the victim of domestic violence and under the victim's permanent care (Law on Prevention of Household and Domestic Violence and Protection of Persons Exposed to Household and Domestic Violence, Article 4.1.6).

## Types of domestic violence

■ **Physical violence:** Defined as any physical act against a person's will, including forcing them to undergo medical treatment or psychiatric intervention, or denying or obstructing access to medical care. It covers actions that cause physical pain, injury, or harm, whether severe, moderate, or minor. It also includes unlawful deprivation of liberty, physical abuse, neglect, abduction and, in extreme cases, murder (Law on Prevention of Household and Domestic Violence and Protection of Persons Exposed to Household and Domestic Violence, Article 3.2.1).

■ **Sexual violence:** Defined as any sexual acts perpetrated without consent, including unwanted touching of sexual organs or involvement in sexual activities with others. It also covers virginity testing and violations of sexual rights as defined by the Criminal Code of the Republic of Armenia (Law on Prevention of Household and Domestic



Violence and Protection of Persons Exposed to Household and Domestic Violence, Article 3.2.2).

■ **Psychological violence:** Defined as any actions causing psychological pressure or emotional suffering. This can involve making threats, using fear-inducing behaviours, belittling or humiliating someone, or doing anything that causes psychological distress and harm. This includes undermining someone's self-esteem, isolating them from others, controlling their actions, making threats of harm or suicide, and inducing fear for personal safety or that of their loved ones. It also includes causing severe mental suffering, pushing someone towards suicide, and forcing abortion or sterilisation (Law on Prevention of Household and Domestic Violence and Protection of Persons Exposed to Household and Domestic Violence, Article 3.2.3).

■ **Economic violence:** Defined as occurring when a victim's access to essential needs such as food, shelter, medical care, or financial resources is controlled by the abuser. This includes forcing the victim into financial dependency by withholding essential items for survival, such as food, clothing, shelter, medicine, and hygiene supplies). It also includes tampering with benefits or pensions, controlling the victim's salary, damaging or confiscating property, restricting their rights to own or manage assets, unlawfully involving them in financial transactions, coercing them into transferring ownership of goods or property, and limiting their educational or employment opportunities (Law on Prevention of Household and Domestic Violence and Protection of Persons Exposed to Household and Domestic Violence, Article 3.2.4).

■ **Stalking:** Defined as the persistent harassment by a current or former partner or spouse. It includes following someone, using information or communication technology to track them, attempting to communicate with them against their will, and showing up at their home, workplace, or place of study or business. This behaviour is considered a crime if it happens repeatedly and causes the victim to

fear for their safety or that of others or compels them to substantially alter their lifestyle. Penalties for stalking can range from a fine of 20-50 times the minimum wage, to community service lasting two to 270 hours, or even imprisonment for up to two months (Criminal Code, Article 196.1).

■ **Neglect:** Defined as intentionally not providing the basic things a child needs to live, like food, clothing, shelter, healthcare, and education, even when the parent or guardian has the necessary resources and access to services. It also applies when capable adult children fail to care for their parents who are unable to care for themselves (Law on Prevention of Household and Domestic Violence and Protection of Persons Exposed to Household and Domestic Violence, Article 3.2.5).

# Impact of domestic violence

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## Effects on victims

Living in constant fear of a partner who uses physical violence or psychological abuse to exert control causes deep trauma in the victim.

### Impact of trauma

Trauma can temporarily impair parts of the brain, leading to observable effects during interactions.

Victims may struggle with focusing, become forgetful (even about simple details like their children's ages), find it hard to recall events in sequence, have difficulty expressing themselves, be indecisive, or show an inappropriate emotional response such as laughter.

### Impact of fear

Victims may be under the control of the perpetrator and fear that if they tell anyone what is happening it will make things worse. They may refuse to talk or try to retract their statement at a later date.

These effects might mistakenly lead police officers to doubt the victim's credibility or competence, potentially causing impatience, disbelief or not taking a complaint seriously enough. It is crucial to recognise these signs of trauma and respond with exceptional patience and sensitivity towards the victim.

**Important: Police should continue with the investigation even if there is no victim statement or the statement is retracted and the details should be recorded in case of a future call for assistance.**

## Effects on children

Remember that children are extremely vulnerable in cases of domestic violence. What they have witnessed may affect them for the rest of their lives. Children who witness and experience domestic violence have a higher chance of becoming victims of domestic violence or abusers themselves later in life (Harrison O. 2021). It is crucial to address their needs with sensitivity and care.

- ▶ **Reassure them:** Tell children that they have done nothing wrong and are not in trouble.
- ▶ **Respect their silence:** If children do not want to speak, do not force them. Care should be taken not to talk to children in a way that might damage their evidence or cause further trauma during the immediate response.
- ▶ **Find them:** Children are often in their bedrooms or another room during violent incidents. It is rare for children to be asleep, even if it appears so to their parents. Seek them out but, if they are genuinely asleep, do not disturb them unless necessary. Remember that they may also have experienced violence or abuse, which must be investigated.
- ▶ **Understand their loyalties:** They are very likely to have divided loyalties between their parents.
- ▶ **Ensure their safety:** Children may be used by perpetrators as leverage over the mother. Children can be harmed and in extreme cases this can result in the perpetrator killing the children.
- ▶ **Interviewing:** Police officers interviewing children should have previously been trained and ideally be accompanied by a psychologist/social worker.

► **Keep proper records in the police report:** It is essential that police mark in their reports that domestic violence occurred in the presence of children and describe the children's emotional state: (e.g. whether they are afraid, crying, traumatised, or speechless) and document any physical injuries. This documentation is crucial for understanding the full impact of the incident on children.

# Police response

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## Essential police strategies

- ▶ Prioritise the safety and well-being of the victim and her children.
- ▶ Do not judge the victim; focus on providing protection and documenting the case.
- ▶ Disregard the victim's character, appearance, or household conditions; focus on stopping the violence and ensuring safety.
- ▶ Always provide immediate protection and trust the victim's account, allowing the court to assess credibility.
- ▶ Show empathy towards the victim at all times.
- ▶ Maintain a strict and firm stance when dealing with the perpetrator. Adopt a victim-centred approach, ensuring that police actions respect the victim's wishes as much as possible while prioritising her safety.

### **Under no circumstances should the police:**

- ▶ attempt to minimise the situation;
- ▶ attempt to reconcile the partners;
- ▶ use the children's relationship with their father to influence the victim;
- ▶ disregard the importance of the case;
- ▶ fail to document the case.

These actions are **strictly prohibited** and must be avoided to ensure the safety and well-being of the victim.

# Step-by-step guide for police officers

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■ The following checklist is designed to guide police officers in responding effectively to domestic violence incidents, ensuring thorough investigation, victim protection, and perpetrator accountability.

## Dispatch

■ When a call is made to the police hotline (102), send a response to the scene of the violence, and do not call the victim to the police station in order to ensure their safety and immediate support.

■ Try and obtain and record the following information for the police attending the incident:

- (i) the nature of the incident;
- (ii) the address;
- (iii) a telephone number on which the caller can be reached;
- (iv) whether any weapons are involved;
- (v) whether urgent medical care or an ambulance is required;
- (vi) whether the suspect is present and if not where and how they may have fled (e.g. in a car, on foot);
- (vii) whether the victim is present and if not where they are and whether they are safe;
- (viii) whether there are children at the scene.

▶ If the caller is the victim, inform her that help is on the way and try to keep her on the telephone as long as possible and relay ongoing information to the attending officers.

- ▶ While the attending officers are in-route check the respondent/offender for any outstanding warrants related to domestic violence or other criminal history. Check whether there are any recorded previous allegations of domestic violence. Relay this information to the police attending the incident.
- ▶ Find out if abuser has a gun to identify risk prior to arrival.

## Initial response in-route to the incident

**The officers (preferably two and ideally mixed sex) attending the scene should treat it as high risk. They should obtain as much information from the dispatcher as possible whilst travelling to the location.**

- ▶ Ask the dispatcher to provide the information referred to above.
- ▶ Clarify the reason for the emergency call.
  - What has happened?
  - Who is involved?
  - Where is the incident?
  - Are there any contact details?
  - Are there any specific risk factors?
  - Where is the perpetrator? Does he own a firearm or have access to firearms? Does he pose any other known risk?
  - Are there any witnesses? Who are they and where are they?
  - Who is responsible for what at the scene?



- Are there any injuries? How severe are they? Does anyone need an ambulance?
- What is the history? Are there any existing protective orders (i.e. police-issued emergency protective orders or court-issued protective orders)?

## Immediately upon arrival

**Prioritise the victim's safety at all times.** Recognise that the perpetrator may be violent, angry and dangerous. Possession of firearms or other weapons should always be a consideration.

- ▶ Avoid the use of measures that would alert or alarm the perpetrator such as sirens and lights unless required by law or otherwise necessary.
- ▶ Separate the victim and perpetrator to ensure immediate safety.
- ▶ Assess if there are any injuries requiring medical assistance or in need of ambulance.
- ▶ Determine if children are present at the scene and ensure they are safe.
- ▶ Conduct an initial assessment of the scene to gather information for further investigation.
- ▶ Explain the purpose of police presence and their duty to investigate without disclosing the caller's identity for safety reasons.

## Evidence gathering

- ▶ Conduct a thorough examination of the scene to identify visible signs of domestic violence and gather potential evidence.
- ▶ Document or photograph any relevant evidence such as injuries, damaged property, or other indicators of abuse.
- ▶ Initiate the investigation process, conducting interviews without asking accusatory “Why?” questions or blaming the victim. Do not interview the perpetrator or victim in front of one other.

## Identifying the perpetrator

■ In many cases, perpetrators may make counter-allegations against the victims. It is the police’s duty to accurately identify the perpetrator and ensure the victim’s safety by stopping ongoing abuse and preventing further abuse. Physical marks on the perpetrator, such as scratches or other injuries, do not automatically indicate that the woman is the perpetrator; these marks could be in self-defence. Understanding power dynamics and who controls whom is crucial, alongside analysing information from the risk assessment. Police officers can consider the following factors to determine the perpetrator and victim:

- ▶ severity of injuries sustained by each party;
- ▶ use of force and intimidation;
- ▶ history of previous domestic abuse by each party;
- ▶ likelihood of either party causing future harm;
- ▶ who exhibits fear of the other.

Remember: The perpetrator has rights, and these should be explained before any arrest.

## Adopting a victim-centred approach



Police should not:

- ▶ justify domestic violence;
- ▶ accuse the victim of provoking the perpetrator;
- ▶ accuse the victim of being a passive victim or blame her for failing to leave the perpetrator;
- ▶ accuse the victim of destroying or undermining the family;
- ▶ threaten the removal of children from the victim's care unless essential for the welfare of the child.



Instead, police should:

- ▶ approach the victim empathetically, using calm, open, and patient communication to build trust;
- ▶ emphasise the victim's safety as the top priority and ensure the welfare of any children present;
- ▶ determine if the victim wishes to leave the home and assist her, along with any children, in accessing safe accommodations such as shelters or contacting friends/family for support;
- ▶ ensure the intake form is meticulously completed with detailed information, specifying it as a domestic violence case to differentiate it from other incidents. Identify the sex of the victim and perpetrator, their ages and the relationship between them;
- ▶ avoid labelling it as a family conflict, as this disregards the dynamics of domestic violence.

## Conduct a risk assessment

- ▶ Conduct a mandatory risk assessment to gather comprehensive information for the intake form and investigation report.
- ▶ Document any behaviours, statements, or non-verbal cues from the offender indicating heightened danger to the victim or law enforcement.
- ▶ Establish the dynamics of fear and control to identify the primary aggressor.

**Risk assessment is a critical tool used to evaluate the potential danger to the victim's life and the risk of future violence. Police officers should use the "Risk assessment form".** When assessing risk it is important to take into account the victims perception of risk and the risk to any children. Police officers should explain to the victim that these questions are aimed at assessing her safety. Questions should be asked calmly, at a slow pace, considering that victims in extreme shock may have difficulty concentrating or understanding the situation.

If the answer is "YES" to half or more of the risk assessment questions, the victim is considered to be at high risk. However, if any of the following questions receive a "YES" answer, regardless of other responses, she is automatically categorised as high risk.

- 1. Has the abuser threatened to harm or kill the victim?**
- 2. Has the abuser threatened or used a weapon, knife, or any object against the victim?**
- 3. Has the abuser strangled or attempted to suffocate the victim?**

In such instances, the police must clearly explain to the victim that her life is in serious danger. It is advisable for her to seek safety at a

shelter with her children or at a relative's residence where the abuser cannot reach her.

The police intake form must meticulously document the risk assessment findings, indicating whether the risk level is **high, medium, or low** as well as document the recommendations provided to the victim and the decisions she has made.

The initial risk assessment is later followed up by a comprehensive risk assessment conducted at a domestic violence support centre, should the victim choose to seek further assistance, including shelter, legal aid, or counselling services.

# Available police actions under the domestic violence law

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■ Serve and explain any protection orders immediately on the scene.

## Warning

- ▶ Police issue a warning only when violence occurs for the **first time**, there is **no immediate risk** of further violence, and **no urgent action** is required.
- ▶ After the police issue a warning, they directly hand a copy to the person who committed the violence, and he must sign to confirm receipt. The warning takes effect as soon as he is informed.
- ▶ If the person is not present, the police communicate the warning over the phone. If phone contact is not possible, they send a copy of the warning by post or registered mail within 24 hours. At this point, the individual responsible for the violence is regarded as notified, irrespective of whether they have formally received the communication (Law on Prevention of Household and Domestic Violence and Protection of Persons Exposed to Household and Domestic Violence, Article 6).

## Emergency protective order (EPO)

- ▶ The police issue an EPO to protect someone if a family member, partner, ex-family member, or ex-partner **is being violent and there is a serious risk of further violence. This is particularly important if the person has been violent**

**again within one year of receiving a warning, even if the act is not classified as a crime.**

- ▶ The order takes effect as soon as it is issued.
- ▶ The police directly hand a copy of the order to the person who caused the violence at the scene, and the accused must sign to confirm receipt. If he is not present, they communicate the order over the phone. If phone contact is not possible, they send a copy of the order by post or registered mail within 24 hours. At this point, the individual responsible for the violence is regarded as notified, irrespective of whether they have formally received the communication.
- ▶ The police also send a copy to the head of the department and the local support centre immediately.
- ▶ **If there is an imminent risk of physical harm or the perpetrator has violated an existing protection order, they may be taken into custody for the safety of the victim. This can include situations where the police determine that the perpetrator poses an immediate and serious threat to the safety of the victim or others in the household.**
- ▶ The police remain at the victim's home until the person who committed the violence collects their belongings and leaves.
- ▶ The person who committed the violence must stay away from the victim and anyone under the victim's care at a distance determined by the police officer, cannot contact the victim, and cannot return to the home for a period of 20-25 days. They can only return once to collect personal items and must be accompanied by a police officer when doing so.
- ▶ If the person committing the violence has a weapon, they must surrender it to the police immediately.
- ▶ If the victim is a minor or unable to care for themselves,

the police send a copy of the order to the guardianship and trusteeship authority to take necessary actions.

- ▶ If the victim is in serious danger and needs shelter, the police will help them collect essential items and contact the domestic violence support centre at 099 887 808 to arrange transportation to a shelter for the victim and any dependents (Law on Prevention of Household and Domestic Violence and Protection of Persons Exposed to Household and Domestic Violence, Article 7).

- ▶ In cases of self-defence, the abuser may have visible injuries, such as scratches, and may claim to be the victim. In such situations, the officer must identify who is the predominant aggressor—who is instilling fear in whom—and avoid issuing an EPO to both parties.



## Additional considerations

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### Important factors to note

- ▶ **Prevalence of abuse:** The initial call to the police often follows repeated incidents of assault or abuse. Domestic violence typically escalates in severity over time.
- ▶ **Forms of abuse:** Abuse encompasses not only physical violence but also sexual, psychological, and economic forms, all profoundly damaging to both the victim and children, with broader societal repercussions.
- ▶ **Digital dimensions of abuse:** These often go hand-in-hand with other forms of abuse and should be taken into account as part of the overall course of conduct. They can include stalking through spyware on the victim's phone, monitoring her use of social media or restricting her access to her devices or social media. She may need specific safety advice with respect to this.
- ▶ **Underreporting:** Victims are often hesitant to report abuse and may do so only in moments of extreme fear.
- ▶ **Self-defence dynamics:** In some cases, victims may resort to self-defence or reactive violence due to severe threats or fear.
- ▶ **Nature of abuse:** Domestic violence is not a "family conflict" but a pattern of abusive behaviour by a perpetrator, usually male, seeking power and control over his partner or wife.
- ▶ **Victim blaming and manipulation:** Victims may minimise the abuser's actions, blaming themselves or downplaying the severity of the abuse. Abusers may apologise

and promise change during a “honeymoon period” to manipulate the victim into staying, but the abuse typically continues and escalates.

▶ **Police response:** It is crucial for police to resist any attempts by the abuser to garner sympathy and to continually prioritise the protection of the victim, recognising the long-term impact of abuse on their lives.

### What to do when the victim denies abuse?

Some victims may deny or minimise the abuse due to fear of the abuser or as a way to cope with the situation. They might shift blame to others, such as a mother-in-law, or downplay incidents as mere arguments, making excuses for the abuser, like being intoxicated or upset. None of these responses are acceptable.

Police must continue to question thoroughly to determine if abuse exists, conduct risk assessments, interview children if present, and take measures to protect the victim while documenting the case. Even if the victim does not provide a statement or later retracts it, the investigation should continue, and all details should be carefully recorded in case of a future call for assistance.

### Domestic violence victim support centres

Support centres are mandated by the Ministry of Labour and Social Affairs of the Republic of Armenia (the Competent Authority) and are non-governmental organisations that offer social services, psychological, and legal counselling. Police should only refer victims to the centres mandated by the Competent Authority, where staff are specially trained to provide support to domestic violence victims (see the list below). Social workers at these centres are responsible for

monitoring domestic violence cases among the beneficiaries who seek help, ensuring ongoing support through meetings, phone calls, and other means of communication with victims of violence, in line with the guidelines set by the Competent Authority (Law on Prevention of Household and Domestic Violence and Protection of Persons Exposed to Household and Domestic Violence, Article 11-3-1.1).

Region	Domestic violence victim support centre	Contact number
Yerevan	Women's Support Centre NGO	099 887 808 (centre and shelters)
Tavush	For Human Rights and Equality NGO	094 788 770
Ararat	You Are Not Alone NGO	077 802 700
Armavir	Young Avantgard	093 574 657
Syunik	Sose Women's Issues NGO	098 848 453
Aragatsotn	Talin-Huys NGO	091 482 035
Vayots dzor	You Are Not Alone NGO	098 886 077
Lori	Family Without Violence NGO	098 092 094
Kotayk	Resource Center for Women's Empowerment NGO	077 380 053

Shirak	Women's Rights House NGO	077 570 870
Gegharkunik	Martuni Women's Community Council NGO	094 876 502 (Martuni) 094 876 505 (Gavar)

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