



**STUDY ON OBSERVANCE
OF RIGHTS OF DOMESTIC VIOLENCE VICTIMS
IN THE ASSISTANCE AND PROTECTION SYSTEM
OF THE REPUBLIC OF MOLDOVA**

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Chisinau, 2013

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This publication is meant for the specialists interested in the assistance and protection of victims of domestic violence and in preventing this phenomenon in the Republic of Moldova

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FOREWORD

Domestic violence (DV) is a widespread phenomenon in all countries of the world and Moldova is not an exception. Domestic violence acts are hard to find because they take place in the domestic environment where the authorities often do not have access. The representative study conducted by the National Bureau of Statistics (NBS) and published in 2011 shows that violence affects a high number of women, regardless of their age, living environment or socio-economic status. The rate of total prevalence of violence (psychological, physical or sexual) from the age of 15 is 63%, and the highest rate of prevalence of multiple forms of violence during lifetime have been reported by women from the rural areas of Moldova¹. Taking into account that it is women who for the most part are the domestic violence victims (DVVs) and most of the aggressors are men, DV is not a gender-neutral phenomenon. In such patriarchal societies as Moldova, it is the women who bear the burden and care of children and the household, often not being ready to take on herself the responsibility for breaking the relationship, even a violent one, being also influenced by the society's opinion in which a stereotyped thinking about the woman's role in the society persists.

A number of measures have been undertaken in Moldova to change the perception of the population but also of the authorities that DV is not a private issue and in order to create a zero tolerance attitude to this phenomenon, including by DVVs. The NBS study² shows that each third Moldovan woman claims the woman must submit to the opinion of her husband/partner even if she disagrees, and another reference study shows that a part of women in our country are used to violence.³ The experience of other countries shows that the changes desired in the society to combat effectively DV, including the change of attitudes and mentality, can last for many years, provided that the state, the civil society and the entire society make their best efforts in this sense.

The passing of the *Law no.45-XVI on Preventing and Combating Domestic Violence*⁴ (hereinafter *Law no.45-XVI*) is an important step by the state in preventing and combating this phenomenon in Moldova. This law establishes the institutional framework, detailing the

¹ Violence against Women in the Family in Republic of Moldova. NBS.-Chişinău, 2011. Available at http://www.statistica.md/public/files/publicatii_electronice/Violenta/Raport_violen_fem_eng.pdf

² Ibidem, P.60.

³ Domestic Violence and Its Prevention: Perceptions of the Phenomenon. Reference study conducted by Winrock Moldova (NGO). P.12. Available at <http://www.winrock.org.md/wp-content/uploads/2012/10/RAPORT-final-eng.pdf>

⁴ Law no.45-XVI of 1 March 2007 On Preventing and Combating Domestic Violence, published on 18 March 2008, Official Gazette no.55-56, in force as from 16 Sept 2008, hereinafter the Anti-Violence Law. Available in Romanian at: <http://lex.justice.md/index.php?action=view&view=doc&id=327246>

tasks of the competent authorities, provides for the creation of centers/services for the rehabilitation of victims and aggressors, for a mechanism for settling DV cases and protection for DVVs, including by using protection orders and using punitive measures against the aggressor. When Law no. 45-XVI came in force, the national legislation was harmonized – amendments have been made to the Criminal Code, Criminal Procedure Code, Civil Code, Law on the Police and Status of Police Officer etc. At the date of this report, amendments to the legislation are still being made, based on the recommendations of a topical working group for improving the legislation on DV prevention and combating. A number of specialized central public administration authorities have strengthened their efforts and issued working instructions, such as the intervention of social assistance and family protection sections/directions⁵, of healthcare facilities⁶ and of internal affair bodies⁷ in DV cases. In order to secure the right to protection of DVVs, the authorized authorities are required to respond promptly in view of recognizing and observing the rights of this category of people, being aware that DV is a severe violation of human rights, including of the right to life, the right to the highest achievable standard of physical and mental health, the right to not be subject to torture or cruel, inhuman and degrading treatment or punishment; the right to freedom and safety; right to equality before the; right to privacy and family life; right to non-discrimination and fair treatment, and the right to an effective legal remedy.⁸

Taking into account Moldova's aspirations of signing and ratifying the *Convention of the Council of Europe on Preventing and Combating Violence Against Women and Domestic Violence* (the Istanbul Convention). The UN Women, at the request of the Ministry of Labor, Social Protection and Family (MLSPF) has conducted a study and published a report on the compliance of Moldovan legislation with the provisions of the Istanbul Convention.⁹

Despite the advanced legal framework for counteracting DV, in Moldova, like in other countries that have started fighting against this social scourge, there has been a gap in exerting the *de facto* rights and their *de jure* assignment. Sometimes the policies for counteracting DV exist only on paper but are not implemented, for example, when the victims are not identified and thus do not benefit from adequate assistance and protection services (APS). The reasons for the failure to identify the victims can be the limited professional capacities or the influence of stereotyped attitudes of the specialists and community members, or the DVVs' incapacity of identifying themselves or their conscious decision to avoid the iden-

⁵ Order of Ministry of Labor, Social Protection and Family no.22 of 9 Feb 2012 "On Approving the Instructions on the Intervention of Social Assistance and Family Protection Sections/Directions in Domestic Violence Cases." Available in Romanian at: http://www.mpsfc.gov.md/file/documente%20interne/instructiuni_dsaspf.pdf

⁶ Order of Ministry of Health no.155 of 24 Feb 2012 "On Approving the Instructions on the Intervention of Healthcare Facilities in Domestic Violence cases."

⁷ Order of the Ministry of Interior no.275 of 14 Aug 2012 "On Approving the Methodical Instructions on the Intervention of Internal Affairs Bodies in Preventing and Combating Domestic Violence." Available in Romanian at: http://www.mpsfc.gov.md/file/documente%20interne/instructiuni_mai%20%281%29.pdf

⁸ Order of Ministry of Labor, Social Protection and Family no.22 of 9 Feb 2012 "On Approving the Instructions on the Intervention of Social Assistance and Family Protection Sections/Directions in Domestic Violence Cases." Available in Romanian at: http://www.mpsfc.gov.md/file/documente%20interne/instructiuni_dsaspf.pdf

⁹ Report on the Compatibility of the Moldovan Legislation with the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence. UN Women, Chişinău, March 2013.

tification procedure due to the lack of their desire to be labeled as “victims”. Other DVVs may be identified but unassisted, for example, due to their refusal of assistance. Their refusal sometimes is based on their fear that the principle of confidentiality would not be observed by the specialists, or their dissatisfaction with the existing APS, or their lack of desire/impossibility to leave their residence/community. There are also situations when the specialists do not take actions by themselves or do not refer the cases for APS.

This requires rigorous data collection that would underlie an analysis and evaluation of the impact of implementing Law no.45-XVI on the *de facto* protection and assistance of DVVs. Since the practical implementation of the Law no.45-XVI requires the participation of all persons referred to by this law, we have involved the DVVs in this study as main respondents and essential elements in evidence collection and understanding the impact of the Law no.45-XVI. The participation of DVVs in this study is also important due to the fact that their opinions can indirectly help monitor the measures that affect their rights, as an essential condition for developing effective social change strategies. Thus, in this study we have asked a number of questions of the target group (the DVVs) related to all our assistance and protection efforts – *Do DVVs know about the Law no.45-XVI? Have they received accessible information about their rights and existing assistance and protection services? What expectations do DVVs have from the authorities authorized with DV prevention and combating functions? What are the DVV’s opinions about the currently existing system and measures for their protection and assistance? What impact and positive and/or negative consequences resulted from the Law no 45-XVI have they experienced?*

Due to the fact that the different perceptions of DVVs who have benefited from APS (who have accepted and/or could access APS) and unassisted DVVs (identified or identified) can be influenced by multiple individual, cultural/social, organizational and informational factors, this research permitted studying the experience but also the opinions both of the DVVs who benefited from APS and of the unassisted DVVs.

In order to assure the validity of the collected data, the study was designed to include various respondents-specialists from different areas and institutions empowered with DV prevention and combating (governmental and non-governmental organizations) who currently form the DVVs’ assistance and protection system, thus assuring the observance of their rights in practice. The specialists were interviewed in view of identifying the good practices, problems and recommendations for improving the situation. *What are the good practices in DVVs assistance and protection? What are the obstacles encountered by the actors of the DVVs assistance and protection system, and the impediments in providing effective protection and assistance? What other gaps exist in the system? What is the impact of DV counteracting policies or of how they are implemented, on DV prevention, accusation and punishment of aggressors? What is the impact of the implementation of Law no.45-XVI on the exertion of human rights by DVVs? To what extent does the practical implementation of Law no.45-XVI ensure full avoidance of discrimination, stigmatization, marginalization and/or social exclusion of particular beneficiary groups?* – these were the questions tackled during the study. To note that this study does not intend to evaluate assistance programs but is rather

focused on the need to understand better the situation in the field, elucidate resources and current problems in DVVs' assistance and protection, of the relation of the latter with the authorized institutions, so that the recommendations made as a result of study contribute to strengthening and enhancing the common efforts, including by planning improvement both of the legal framework and of the mechanism of its implementation.

Since studies where beneficiaries participate in monitoring the implementation of the legislation are conducted more rarely, we hope this report is timely and useful to all the actors involved in law- and policy-making and in implementing certain DVV prevention, assistance and protection and DV combating practices and measures. We hope that this Report and especially its recommendations will be useful to all DV prevention and combating specialists, so that the persons who have suffered from DV enjoy effective realization of their rights to the assistance and protection services existing in the country.

ACKNOWLEDGMENTS

Many persons have contributed to this study. First of all, we would like to thank the domestic violence victims who participated in the interviews and thus provided valuable information. Their personal experiences of identification, assistance and protection set the basis of this report, being essential in understanding the real situation, especially in the regions, and in developing the recommendations.

We would like to bring sincere thanks for their participation in the individual interviews to the following specialists from various (governmental and non-governmental) organizations and areas – social workers, psychologists, policemen, prosecutors, attorneys, majors but also representatives of the authorized agencies working in the prevention and combating DV in the decision making positions, heads of the service providing organisations who kindly offered their input and whose contribution is actually reflected in the formulated recommendations.

We would like to bring special thanks to Anastasia Oceretnii, Doctor of Sociology, Head of the Chair of Sociology, Department of Sociology and Social Assistance of Moldova State University, for the support provided in developing the study methodology and offering continuous support during study implementation and drafting this Report.

I. RESEARCH FRAMEWORK

1.1. Definitions and Terminology Used. List of Abbreviations

Domestic Violence – any deliberate action or inaction, exception for self-defense acts or acts to defend other persons, manifested physically or verbally, through physical, sexual, psychological, spiritual or economic abuse or by causing material or moral damages, committed by a family member against other family members, including against children, and against joint or personal property;

Assistance and Protection System – the aggregation of policies, legal provisions, services and measures to assist and protect the DVVs, within which the state and the civil society, within the limits of their abilities, engage to undertake measures to prevent DV, to secure the DVVs right to assistance for physical, psychological and social recovery through special medical, psychological, legal and social actions, and to provide protection measures to DVVs including by punishing and rehabilitating the aggressors.

Domestic Violence Subjects: the aggressor and the victim – Moldovan citizens, or foreign citizens, or stateless persons who live in Moldova's territory. The subjects of domestic violence can be:

- a) in cohabitation conditions – the persons being in marriage, divorce, cohabitation, tutorship or guardianship relations, their relatives in direct or collateral line, spouses of relatives, other dependents thereof;
- b) in separate habitation conditions – the persons being in marriage relations, their children, including adopted children, children born outside the marriage, children under tutorship and guardianship, other dependents thereof.

Domestic Violence Victim – the person, adult or child, subjected to domestic violent actions, in cohabitation.

Aggressor – the person who commits domestic violent acts, in cohabitation.

Protection Order – a legal act through which the court applies protection measures for the victim.

National Referral System (NRS) – a special framework of cooperation through which the governmental structures fulfill their obligations related to the protection and promotion of human rights/rights of human trafficking victims and coordinate their efforts in a strategic

partnership with the civil society as well and with other actors active in this area. The specific element of the NRS implementation in Moldova is prevention of human trafficking by providing social assistance to potential victims, such as domestic violence victims.

Assistance and Protection Services – measures and activities carried out to meet the medical, psychological, legal and social needs of DVVs and that provide protection measures for them, including by punishing and rehabilitating the aggressors.

List of abbreviations

CC – Code for Contraventions

APS – assistance and protection services

NGO – nongovernmental organization

GPI – General Police Inspectorate

PO – Protection Order

DV – domestic violence

DVV – domestic violence victim

Law no.45-XVI – the Law no.45-XVI on Prevention and Combating Domestic Violence of 1 March 2007 (published on 18 March 2008 on the Official Gazette no.55-56, effective as from 18 Sept 2008)

NRS – National Referral System for victims and potential victims of human trafficking

SAFPD – Social Assistance and Family Protection Department (rayon level)

SAFPS – Social Assistance and Family Protection Section (local level)

1.2. Purpose and Tasks of Study

This study is based on the analysis of the information provided directly by the DVVs who had or had not benefited from the assistance and protection services existing at different levels, provided both by the state institutions authorized with DV prevention and combat as well as by nongovernmental organizations active in this area whose representatives also provided information during the individual interviews. Thus, the report presents the findings as they were reported during the individual interviews, with both categories of interviewees, the author's observations as well as the secondary analysis of the information available in the area.

The **subject-matter** of the study is the manner of organizing and providing APS to DVV, with reference to the practical realization of the legal rights thereof, stipulated in the Law no.45-XVI.

Thus, the **subjects** of the study are the DVVs and various stakeholders involved in identifying the DVVs, their assistance and protection, and the work with the aggressors in combating the phenomenon.

Taking into account that all the efforts in assistance and protection actions should obviously be focused on the protection and practical realization of DVVs' rights, the emphasis was on analyzing the perceptions, experiences and concerns reported by them. At the same time, we took into account the opinions of SAP providers who hold valuable information about the practical aspects of enforcement of the legal provisions in the area. Their interviewing, for the most part, took place after interviewing the DVV in view of triangulating the data.

The **purpose** of this study is to look into the *de facto* implementation of the national *de jure* provisions meant to secure the DVVs' rights to assistance and protection prescribed by the Law no.45-XVI.

Specifically, the study sets the following tasks:

- analyze the national legal framework on DVVs assistance and protection;
- emphasize the problems related to identifying and referring DVVs to APS;
- outline the profiles of victims who come to benefit from APS and of DVVs who for certain reasons have not benefited from APS;
- identify the categories of DVVs with difficult access to APS;
- establish the level of familiarization and perception by DVVs of their rights to protection and existing services;
- understand the circumstances in which the victims call for help and in which they refuse help, including emphasize individual factors: influence of perceptions, attitudes, convictions and stereotypes as well as of social factors (family's and community's influence on making a decision to accept or to renounce existing services in view of realizing their legal rights);

- determine the real needs and expectations of DVVs versus the existing opportunities of assistance and protection;
- study the level of satisfaction and beneficiary opinions about the services provided/ involvement of police officers, prosecutors, judges, attorneys, social workers, psychologists, mayors, and other specialists, and the problems faced by DVVs in realizing in practice their right to assistance and protection;
- identify the problems faced by service providers at various levels and from various regions of the country, and their opinions about solving them;
- outline recommendations for strengthening the effort in the area that would be focused on observing and implementing the legal rights of DVVs.

1.3. Methodology of the Research

In view of achieving the goal of the study, we suggested the following as **research methods**: in-depth individual interview with the DVVs and with the specialists (research tool used – semi-structured interview guide that permitted developing the researched areas) and the secondary analysis of the information available (*See Tab.1*).

TABLE 1. Methods used in data collection

Method	Number of respondents	Period
1. In-depth individual interviews with DVV		
DVV who have benefited from APS	Total: 20 persons (17 beneficiaries who have been referred by service providers and 3 DVVs identified during the seminars in local communities)	3 June – 1 August 2013
DVV who have not benefited from APS	Total: 20 persons (identified during women seminars in 5 communities)	
2. In-depth individual interviews with specialists		
DVVs' rehabilitation centers/services, authorized specialists in social assistance and family protection sections/divisions; police stations; prosecutors, lawyers and attorneys, civil servants and central and local public authorities, NGOs, shelters, maternity centers	Total: 82 persons	3 June – 1 August 2013
3. Secondary analysis of available information		
Legal acts, reports, publications etc. on the DV issue in Moldova		April–November 2013

Interviews with DVVs

During the research two categories of victims were interviewed:

- a) those who benefited from APS, and
- b) those who have **not** benefited from APS.

Most of the victims who have benefited from the existing APS are those who were identified by the service providers, respectively they are those to whom APS were proposed. They were accepted immediately or later, after identifying the DV case, so the DVVs have benefited in full or in part from services. To note that APS have been provided both by state institutions, authorized with DV prevention and combat, as well as by NGOs active in the area, from various regions of the country. An especial analysis has been conducted of the DVVs cases where the persons first refused but later accepted and benefited from APS, in view of capitalizing the factors that influenced the respective decisions.

In case of the victims who have not benefited from APS, initially we organized population information activities that enabled us identify this category of DVVs and at the same time excluded displaying the experience/'status' of DVVs (see more details in the subchapter *Ethical and Security Considerations*). Thus, in order to access and study the unique experience of this group of interviewees so important during the research, women-targeted seminars, without specifying the DV issue, were organized in three rural and two urban communities in the north, center and south of the country (randomly selected communities). The topic of the seminars held by the author of the research, the representative of the International Center "La Strada" – *"Women's Problems in the Context of Observance of Their Rights and Services Existing for Women"* – was announced through the LPA/social workers/local organizations that in their turn encouraged local women to participate in such open information meetings. At the end of the seminars the participants were informed about the possibility of face-to-face discussions with the moderator. As a result, 3 women were identified who benefited from APS and 20 women DVVs who for various reasons until the moment of the interview, had not benefited from any APS.

Interviews with Specialists

In view of organizing the study there were officially contacted specialists from various institutions at national, rayon or community level from the north, south and center of the country, especially from DVVs' placement/rehabilitation centers, maternity centers, authorized specialists from social assistance and family protection sections/divisions, police stations, prosecutors, lawyers and attorneys, civil servants of central and local public authorities, NGOs etc.

The interviewees were selected based on their knowledge about the service providers from the country¹⁰, ensuring us that they had vast experience in the area.

Secondary Information Analysis

Legal acts, reports, publications etc. on the DV issue in Moldova and victimology aspects have been reviewed in the interest of this study.

¹⁰ Data Base of services for the assistance and protection of DVVs available in RM is the work instrument of the Trust Line phone service operated continuously by „La Strada” Center (NGO) since November 2009, and is regularly updated; The List of Centers for the Assistance and Protection of DVVs included in the *Trainer's Guide on effective interventions of the police in the cases of DV* elaborated by the Women's Law Center in 2013; referrals to other competent organisations active in assistance to DVVs/prevention or combating DV, done by interviewed respondents that is the sociological „snowball” method has been applied.

1.4. Methodological Limitations, Ethics and Security Considerations

Limitations

The Report focuses on the situation and the issue of assistance to adult DVVs and does not tackle children as subjects of violence. Since in the scope of this study no incidents of violence against men were reported, the assistance, protection and combating framework was focused on women DVVs.

Due to the fact that certain interviewed specialists, such as the consultants of the *Trust Hotline*, which is a convenient tool for reporting the weaknesses in the assistance and protection system, the problems and situations emphasized by them cannot be generalized at a country level; such situations should rather be treated as individual cases that deserve attention, so that the competent authorities prevent such situations from occurring.

At the same time, due to the fact that women DVVs, beneficiaries of placement centers were interviewed within the centers, they might have abstained from speaking about some of the drawbacks in the assistance provided, which must be taken into account. This fear also refers to the profile and severity of problems of the beneficiaries referred for interviews by the service provider organizations that were asked to speak about cases that would permit identifying the entire range of problems in accessing the services, regardless of the level of vulnerability, type of domestic violence¹¹, geographic location or other aspects.

In regard to the DVVs from the category of those who did not benefit from APS, in the study may not have participated those DVVs who did not identify themselves initially as women whose rights had been violated and respectively did not participate in the seminars organized (see subchapter *Methodology of Research*), or even if they did attend the seminars, they preferred not to speak about their experiences due to fears or profound convictions.

Unfortunately, it was not possible as part of this study to organize interviews with judges, thus the information set forth in the subchapter *The Role of the Courts* reflects only the opinions of DVVs and of other specialists.

Although most of the DVVs' cases studied are rather recent, some assistance or protection experiences took place in the year preceding the study. Plus, when this Report is being published, amendments to the legislation may be made, aimed at solving the drawbacks or the problems described in this Report.

To note that from a geographical point of view, the Transnistrian region was not studied.

¹¹ This note is especially important taking into account that DVV are mainly identified by internal specialists by the physical violence suffered and less by other types of DV, such as psychological, sexual, spiritual or economic.

Ethics and Security Considerations

In conducting the study, account was taken of a number of **ethical aspects**, according to the good international practices in this area¹². The specialists-service providers were contacted and requested to participate in this study and to facilitate access of DVVs to the existing assistance and protection services. The specialists were informed about the purpose of the study and the principles used, about the absolutely voluntary participation of DVVs in the study, with protection of anonymity and confidentiality of the data provided.

Special attention in developing the interview guide was paid to the formulation of questions, to avoid the erroneous perception of the subjects and self-blaming feelings in DVVs. In view of preventing re-traumatization, the DVVs' interviewing did not focus on emphasizing the DV experience of the interviewees but exclusively on the APS benefit experience.

Given the level of sensitivity of the subject studied but also the women's reluctance in narrating cases of violence, perhaps the most difficult part of the research was identifying the DVVs from the category of those who had not benefited from APS (until the interview). As described in the subchapter "*Methodology of Research*," several seminars were organized with the women, without mentioning the target group – DVVs – in the announcements or discussions with the organizers. The discussions lasted for about 30 minutes and the participants were informed about the activities carried out by "La Strada", such as informing migrant women about the legal procedure for traveling outside the country, the problems faced by women abroad, issues related to the search of persons missing abroad, presumed to be victims of human trafficking, the Hotline services of "La Strada" Center 0800 777777, counseling and facilitation of access to assistance of DVVs through the Trust Line 0 8008 8008. Absolutely all the seminar participants received information about the possibility of accessing the telephone services managed by "La Strada" and their numbers. We avoided having persons who did not benefit from APS identified and referred for interviews by the local authorities/community networks (who would be reluctant to refer such cases taking into account their legal obligations of getting involved) and even by other DVVs, to avoid the risk of subjecting the victims to disclosing their traumatizing experiences or their labeling in the society.

At the end of the seminar, the participants were informed about the possibility of face-to-face discussions at the end of the meeting with the moderator (study author). The seminars ended with 3 DVVs women identified who benefited from APS and 20 DVVs women who had not benefited from APS before the interviews for various reasons. Those women asked the moderator for more information about the services available to the DVVs. Being identified as DVVs, they were invited to participate in the study and regardless of their decision, at the end of the discussion they received informational support, including about the resources that provide assistance to the DVVs in accordance with their needs. The

¹² Ethical Guidelines for Good Research Practice. Association of Social Anthropologists of the UK and the Commonwealth, March 1999.

women were informed about the possibility of express participation in the study, that their participation was voluntary and anonymous, and that the interviewee could terminate the interview or withdraw at any moment, without explaining the reason. All the interviewees accepted to participate in the study and were encouraged during the interviews to make proposals of possible solutions that would enhance their common efforts in the APS area in the country.

The information received from the DVVs that contained personal data or data that could identify them was excluded from the study report.

In view of encouraging the specialist interviewees to speak about the problems faced in their work, the findings of the authors and interview extracts remain anonymous and the names of the communities were codified. In regard to the respondents from the professional environment, in view of ensuring a gender approach, both women and men were interviewed, as possible.

II. IDENTIFICATION OF DOMESTIC VIOLENCE VICTIMS AND THEIR ACCESS TO ASSISTANCE AND PROTECTION SERVICES

2.1. Reactive and Proactive Identification. Self-Identification of Victims

The *reactive identification* of the DVVs implies applying passive identification strategies, when they themselves or their relatives and close people go to the police or to a specialized NGO for help. So that this identification method is efficient, the persons who have suffered from DV must trust these structures, know their rights, and know where to seek help. This implies informing risk groups and presumed DVVs about their legal rights and about what a person who has suffered from DV should do. An efficient tool for the reactive identification of DVVs proved to be the Trust Line, a national free telephone line that women can call confidentially and that serves as a gate to the national assistance and protection system for this category of beneficiaries¹³.

The reporting level to police and medical workers is low – this finding is really a concern related to the trust and awareness about the role of service providers, but also concern related to the capacity of the national response system to address cases of family violence, including through adequate dissemination of information, change of cultural and social norms, and building trust for those bodies which deal with issues of family violence¹⁴. The main reasons why the unassisted DVVs interviewed in this study had not appealed to the competent bodies are presented in subchapter 2.2.

An important aspect of identification is DVVs' *self-identification*, i.e. the capacity to analyze, understand and accept the idea that they had become victims i.e. persons whose rights have been violated. If the presumed victim refuses to admit what has happened to her and is not informed about the legal provisions related to the protection of DVVs' rights, the likelihood is high that she will refuse APS and will refuse to cooperate with the authorized bodies, including with the DV combating unit. During the study in which we compared the perceptions and attitudes of the DVVs' who had benefited from APS at the moment of the interview and those who had never benefited from APS, it became clear that in case of the victims who are aware that their rights had been violated and that there is a law that comes to protect those rights, when they recognize the emotions they had been through, when they can verbalize and recognize their personal experience, then they could actively benefit from the APS. The DVVs' who had never spoken with a specialist who would inform them

¹³ The Trust Line is the only telephone service for the DVV women in Moldova and is managed by the International Center for Women's Rights Protection and Promotion "La Strada", which received 4835 calls from November 2009 to November 2013, of which 2428 are DV cases counseled and assisted by the Trust Line consultants and referred to other specialized services as necessary.

¹⁴ Violence against Women in the Family in Republic of Moldova. NBS.-Chişinău, 2011. P.54. Available at http://www.statistica.md/public/files/publicatii_electronice/Violenta/Raport_violen_fem_eng.pdf

about the legal provisions and their rights, help them accept and overcome the negative life experience and to inform them about the existing opportunities and APS services, practically have no chances of breaking the circle of violence and changing their life into better.

Many specialists interviewed as part of this study pointed out that DVVs “normalizes” violence, which impedes them identify themselves as victims and thus appeal to APS. In this study, some DVVs women mentioned they “were proud” of having been subject to violence by their partners. In one case, the beneficiary who was walking in the Center’s yard with her partner with whom she was having a baby with the risk of miscarriage was slapped by him for smoking. This beneficiary proudly recounted about this to the Center’s psychologist, considering what her partner did was normal i.e. he cared about her if he beat her.¹⁵

According to some of the interviewed specialists, the DVVs often identify themselves with the help of the topical advertisements that promote the hotline services, in which they found themselves. Sometimes when they are ashamed to start the discussion, they say that their situation is similar to the one in the advertisement; the victims usually call when they are in a crisis.¹⁶ To note that some specialists identified DVVs (who had not previously benefited from APS) through other DVVs who had benefited from APS provided by them. This happens during the visits for monitoring the beneficiaries at home, organized by the social workers, and in villages DV situations are hard to hide.¹⁷

In other cases, the police stated that sometimes the DVVs identify themselves and even report the violence from their spouse/partner by telephone but then they withdraw the complaint. In such situations, the cases are not documented by the police because the DVVs’ complaint is missing but some police officers consider it absolutely necessary. In addition to their lack of desire to cooperate with the police, the police invoke restrictions in the access to the DVVs homes. For example, a policeman reported: “*when the establishing agent travels on site, the DVV do not want to file a complaint anymore and it takes many efforts to bring the victim to the condition of writing the complaint, because all the cases are based on a victim’s complaint while onsite inspection of victim’s home is problematic because the police do not have the right to enter their home without truthful information about crimes endangering a person’s life.*”¹⁸ However, some specialists think that the small number of DVVs incapable to identify themselves as DVVs in different forms or who do not decide to appeal for help is the direct responsibility of service providers, starting with the central and local public authorities and ending with the non-governmental sector.¹⁹ This is an additional argument that confirms that the *pro-active* identification becomes an absolutely necessary measure taking into account that each second Moldovan woman (44.7%) stated that she would not appeal to anyone in case of violence alleging she was capable to solve her problem alone²⁰,

¹⁵ Interview with social workers from maternity center, town H., June 25, 2013.

¹⁶ Interview with a consultant of the Hotline, NGO, July 23, 2013.

¹⁷ Interview with a specialist, placement center, community B., June 12, 2013.

¹⁸ Interview with a policeman, community H., July 2, 2013.

¹⁹ Interview with a prosecutor, town B, June 12, 2013.

²⁰ Violence against Women in the Family in Republic of Moldova. NBS.-Chişinău, 2011. P. 53. Available at http://www.statistica.md/public/files/publicatii_electronice/Violenta/Raport_violen_fem_eng.pdf

and 27% of women-victims of physical violence have not told anyone about the incident.²¹ Despite the high level of reporting by victims of physical violence incidents committed by their spouse/partner -73%²², among the persons to whom women decide to report physical violence incidents by their husband/partner, about 2/3 open up to their parents, each third told close friends about it, and only each fourth woman asked help from the law-enforcement.²³ At the same time, the DVVs who had not been identified prior to the interview in this study and who had not appealed for APS, revealed as main reasons for their failure to report the influence from parents and relatives. In several rural communities, the DVVs invoked tolerance of violence, being discouraged by their parents^{24, 25, 26}, relatives, such as mothers-in-law²⁷, sisters-in-law or sister²⁸ to go to the police or to other organizations that would intervene in solving the case of violence. This is another argument that confirms the need to strengthen the pro-active identification skills in the specialists with competences in DV prevention and combating.

In Moldova, the NRS and the multidisciplinary teams play an important role in identifying DV, promoting victim safety and aggressor accountability. The report on the implementation of Moldova legislation on domestic violence was published in 2012²⁹ shows both positive examples and delays in the cooperation among the members of the multidisciplinary teams in DVVs' identification, assistance and protection. As to DVV identification, in this report, there have been identified many positive but also negative examples (see subchapters *The Role of Police and Role of Specialists from Social Assistance and Family Protection Departments/Sections*). Most of the times, the social workers from the Social Assistance Departments (SAD)/Social Assistance and Family Protection Section (SAFPS) accused the police of lack of desire to get involved in identifying DV cases and vice versa, the police accused the social workers for lack of desire to report such cases that often occur in socially vulnerable families that are in the records of the SAFPS. In the opinion of the representative of a center that provides services to DVVs, DV cases are rarely identified and reported by the specialists. According to the instructions on intervention in DV cases, both categories of specialists are required to get involved in identifying DV cases³⁰. The specialists do not hurry to identify DVVs because this requires that they take the necessary means and report the DV cases, including vertically. A social worker indicates: *“Once you have reported, you must work with the case; this is why it seems we do not have DVV. Many professional groups, police officers, and social workers*

²¹ Violence against Women in the Family in Republic of Moldova. NBS.-Chişinău, 2011. P. 47. Available at http://www.statistica.md/public/files/publicatii_electronice/Violenta/Raport_violen_fem_eng.pdf

²² Violence against Women in the Family in Republic of Moldova. NBS.-Chişinău, 2011. P. 47. Available at http://www.statistica.md/public/files/publicatii_electronice/Violenta/Raport_violen_fem_eng.pdf

²³ Violence against Women in the Family in Republic of Moldova. NBS.-Chişinău, 2011. P. 50. Available at http://www.statistica.md/public/files/publicatii_electronice/Violenta/Raport_violen_fem_eng.pdf

²⁴ Interview with a DVV who did not benefit from APS, resident of village in South of RM, 40 y.o., mother of 3 children, July 7, 2013.

²⁵ Interview with a DVV who did not benefit from APS, resident of village in Center of RM, 36 y.o., mother of 3 children, July 6, 2013.

²⁶ Interview with a DVV who did not benefit from APS, resident of village in North of RM, 46 y.o., mother of 3 children, July 13, 2013.

²⁷ Interview with a DVV who did not benefit from APS, resident of town in Center of RM, 32 y.o., mother of 2 children, July 6, 2013.

²⁸ Interview with a DVV who did not benefit from APS, resident of village in Centre of RM, 39 y.o., mother of 2 children, July 14, 2013.

²⁹ Implementation of Moldova legislation on domestic violence. Human Rights Advocates, Bulgarian Foundation for Investigations from the Gender Perspective, Women's Law Center, 2012. P. 34-35.

³⁰ See notes in footnotes no.5 and 7.

avoid registering/reporting DV cases, so that to get rid of the responsibility.”³¹ As part of this study, 11 women DVVs (of 20) who had never benefited from APS mentioned that the mayor, social worker or police officer would know about the violence in their families because everyone in the village knew about it. At the same time, the social workers of SAFPS said that rural women hid the DV and such cases were hard to identify for as long as the victim or the family members did not cooperate with the social assistant.^{32, 33} Some social workers of community level said they tried to discuss the situation with the presumed victim after notifications by the neighbors; however the DVVs hid the real situation and sometimes even revolted if the specialists try to clarify the situation. For example, a social worker who visited a woman suspecting she may be suffering from DV said: “*The woman said that everything was fine with her, that she loved him, that her husband was a good man and only got a bit mad.*”³⁴ In other situations, the social workers said they had tried to intervene through the neighbors who sympathized with the DVVs but yet did not want to appeal to the police, being afraid of the aggressor.³⁵ A number of DVVs indicated that the specialists, especially in the rural areas, preferred to not intervene in others’ families, a fact confirmed by women center staff interviewed.³⁶ Most of police officers interviewed mentioned the problem of neighbors failure to cooperate in notifying DV cases^{37, 38}, etc.

Another alarming situation reconfirmed through this study is the late identification/reporting by the specialists of DV cases, especially when the situation is critical and the violence is visible. A DVV indicated: “*I was beaten so hard that everyone thought I would die and it was only this that made those from medical assistance undertake something together with the village police.*”³⁹ Within this study, the DVV decided to benefit from APS and fully achieve their right to justice. As a result of severe traumas, they sought help by themselves. This is also confirmed by the NBS study, according to which the share of women-victims of physical violence from husband/partner who reported the violence, in 85% cases referred to the severe violence occurred.⁴⁰

The level of cooperation of the population in general and of DVVs in particular with the police and APS can directly influence the number of cases identified and assisted. The DVVs do not know about the legal provisions meant to protect their rights, do not know about positive examples of solving DV cases. According to some law-enforcement representatives, the most suitable solution for building the DVVs’ trust in the law-enforcement would be effective involvement and media coverage of their work in this area. Thus, a pros-

³¹ Interview with a social worker, placement center, community G., June 10, 2013.

³² Interview with a social worker, community B., June 12, 2013.

³³ Interview with a social worker, community O., July 3, 2013.

³⁴ Interview with a social worker, community A., June 25, 2013.

³⁵ Interview with a social worker, community L., June 25, 2013.

³⁶ Interview with a specialist, placement center, community B., June 12, 2013.

³⁷ Interview with a policeman, community N., July 02, 2013.

³⁸ Interview with a policeman, community Q, June 27, 2013.

³⁹ Interview with a DVV, beneficiary of a placement center, resident of village in South of RM, 35 y.o., mother of 4 children, June 12, 2013.

⁴⁰ Violence against Women in the Family in Republic of Moldova. NBS.- Chişinău, 2011. P. 137. Available at http://www.statistica.md/public/files/publicatii_electronice/Violenta/Raport_violen_fem_eng.pdf

ecutor concludes: “*The best method to enhance the victims level of trust not only in the law enforcement but in all service providers – specialized centers, NGOs, prosecutor’s office, police – is to solve practical and concrete cases because in small communities the information about a aggressor required to leave his home or other good practices for solving DVV situations spread out fast, which makes other victims seek assistance and protection.*”⁴¹

The proactive identification of DVVs could be effective through the *mobile teams* (psychologist, social worker, lawyer) that would travel especially in the rural areas in view of identifying the DVVs and facilitating the access to immediate and long-term assistance. The involvement of mobile teams was mentioned as the most effective and reasonable method by many interviewed specialists from the associative sector who used such practices in their work^{42, 43, 44}. In certain situations, as mediators in identifying such situations served the local social workers who knew the situation in the community. As a mandatory condition for the success was mentioned the selection of adequate time for meetings with the team specialists – preferably on Sundays or holidays, and for rural women it was a requirement to mention that the individual discussions were confidential, and the information would not be shared with the social worker.

The problems described indicate to the need to take measures that would stimulate proactive identification and by creating conditions for DVVs’ self-identification. The identification of DVVs has special importance for guaranteeing their legitimate rights and interests, because the identification first of all aims at ensuring the access of these persons to the necessary assistance from the organizations authorized with DV prevention and combating.

2.2. Domestic Violence Victims Who Did Not Benefit From Assistance and Protection Services

Unassisted Victims Profile

As to the unassisted DVVs (identified in the individual interviews by the author of this study) and the interrelation with various structures empowered with DVVs’ assistance and protection, the information provided by these women enabled us to classify them in several categories:

- DVVs (until the interview) who had never been identified by the organizations with assistance and protection competences and who had never been provided any help (14 DVVs);
- DVVs who were contacted by LPA and who were suggested to go to the police, without being informed about other APS or referred to them (2 DVVs);

⁴¹ Interview with a prosecutor, community B., June 12, 2013.

⁴² Interview with a specialist from the placement center, community B., June 12, 2012.

⁴³ Interview with an NGO specialist, community G., August 1, 2013.

⁴⁴ Interview with a social worker, community L., June 25, 2013.

- DVVs who were identified by the specialists and who were proposed APS (at national, district or community level) but who refused them for various reasons (2 DVVs).

The **psycho-social profile** of these 20 women DVVs is as follows:

- Age: 32-52
- Marital status: married -15; cohabitation-4; widow-1
- Level of education: secondary incomplete education (9 women); general school (7 women); professional/vocational school (3 women); higher education (1 woman);
- Main occupation: unemployed (7 women); occasional work (by the day) (6 women); work in sales or services (2 women); employed in agriculture (2 women); occasionally works in Russia (1 woman); on maternity leave (1 woman); employed at a kindergarten (1 woman);
- Number of children: 1 child (1 woman); 2 children (10 women); 3 children (7 women); 4 children (1 woman); without children (1 woman);
- Living environment: 14 rural women, 6 urban women;
- 16 women mentioned they came from families where their mother also suffered from DV i.e. they were used to violence; however, the majority of them did not identify themselves as DVV;
- 11 women mentioned that the woman should submit to the opinion of her husband/partner, even if she disagrees;
- 13 women did not trust any organization (9 of which mentioned that the police officer had no authority whatsoever in the village);
- 17 women think that nothing can change in their lives; they don't believe in their own forces or are afraid of changes in life;
- 18 women do not believe someone can help them.

Lack of trust in own forces, in the possibilities of changing their life into better and in the assistance and protection organizations once again indicates the need to use measures for the proactive identification of DVVs and facilitation of immediate access to assistance and protection services.

Reasons for Failure to Seek Assistance and Protection or Refusal Thereof

As mentioned above, in this study most of the women DVVs who had benefited from APS accepted DV as a natural phenomenon, have little hope and trust both in the possibility for a change into better and in own forces and help from outside. One of the relevant reasons for failure to seek help, in the psychologists opinion, consists in the specifics of the **psychological profile** of DVVs, affected by the post-trauma stress, which makes them helpless in

front of the DV problem. A woman DVV confessed: *“I was living in a fog, with the current day – if he hasn’t killed me today, I was thanking God I could continue raising my children”*⁴⁵. A number of specialists indicated during the interviews that without help from outside it is little likely that the DVV would be able to break the circle of violence, especially if they had been suffering for many years: they are disoriented and highly dependent on their abusers^{46, 47, 48, 49}.

Other reasons for failure to seek help by the DVV who had never benefited from APS were **shame and fear of marginalization**: *“What will the villagers and my relatives say?”*^{50, 51, 52}; *“women are afraid of what people will say”*^{53, 54, 55, 56}; *“DVVs are blamed by the community members that if she is beaten then she deserves it because she is not a good wife and mother...”*⁵⁷, *“I was ashamed of the fact that my children would be left without a father...”*⁵⁸. This reason was mentioned both by the DVVs and the specialists interviewed. In this context, it becomes necessary to develop a program for building self-trust in women and for overcoming difficult situations.

In the same context, the DVVs are considered helpless in the moment of breaking the relation with the aggressor, considering him the only provider in the family. In such case, the victims do not wish to file a complaint with the police, arguing they would not cope by themselves with all the ‘manly’ work in the household^{59, 60}. Very often, the DVVs are put in the situation to make a decision before denouncing the aggressor to the police or not⁶¹; however, they give up because it will be them who will have to pay the fine.^{62, 63, 64, 65, 66} Since some DVVs knew about the criminal liability that their husband bore for the acts of violence, they were afraid of unjustified consequences/repercussions on the children because *“the children’s father would have been identified as having a criminal record, which would impede the children find a job in the future”*.^{67, 68}

⁴⁵ Interview with a DVV who benefited from APS, resident of village in Center of RM, 43 y.o., mother of 3 children, July 14, 2013.

⁴⁶ Interview with a psychologist, placement center, community M., June 13, 2013.

⁴⁷ Interview with a NGO specialist, community G., July 23, 2013.

⁴⁸ Interview with a psychologist, placement center, community B., June 12, 2013.

⁴⁹ Interview with a psychologist, placement center, community I., June 24, 2013.

⁵⁰ Interview with a DVV who did not benefit from APS, resident of village in South of RM, 42 y.o., mother of 3 children, July 7, 2013.

⁵¹ Interview with a social worker, community N., July 8, 2013.

⁵² Interview with a NGO specialist, community J., July 29, 2013.

⁵³ Interview with a social worker, placement center, community C., June 28, 2013.

⁵⁴ Interview with a psychologist, placement center, community C., June 28, 2013.

⁵⁵ Interview with a psychologist, placement center, community G., June 4, 2013.

⁵⁶ Interview with a social worker, community U., July 4, 2013.

⁵⁷ Interview with a specialist, placement center, community B., June 12, 2013.

⁵⁸ Interview with a DVV who did not benefit from APS, resident of town in Center of RM, 41 y.o., mother of 2 children, July 6, 2013.

⁵⁹ Interview with a DVV who did not benefit from APS, resident of village in North of RM, 49 y.o., mother of 3 children, July 13, 2013.

⁶⁰ Interview with a Ministry of Interior official, July 23, 2013.

⁶¹ Interview with a Ministry of Interior official, July 23, 2013.

⁶² Interview with a DVV who did not benefit from APS, resident of village in Center of RM, 49 y.o., mother of 1 child, July 14, 2013.

⁶³ Interview with a DVV who did not benefit from APS, resident of town in Center of RM, 41 y.o., mother of 2 children, July 6, 2013.

⁶⁴ Interview with a DVV who did not benefit from APS, resident of village in North of RM, 34 y.o., no children, July 13, 2013.

⁶⁵ Interview with a DVV who did not benefit from APS, resident of village in South of RM, 48 y.o., mother of 2 children, July 7, 2013.

⁶⁶ Interview with a DVV who did not benefit from APS, resident of town in North of RM, 38 y.o., mother of 2 children, July 24, 2013.

⁶⁷ Interview with a DVV who did not benefit from APS, resident of town in Center of RM, 36 y.o., mother of 3 children, July 6, 2013.

⁶⁸ Interview with a Ministry of Interior official, July 23, 2013.

The absolute majority of women did not seek help because outside police they **did not know** to whom else they should go and because they did not believe someone could help them in that situation (18 women DVVs). Some DVVs mentioned they did not seek help because they did not trust the authorized bodies – the police^{69, 70, 71, 72, 73, 74, 75, 76, 77} or the social workers under the village mayor’s office.^{78, 79} In the opinion of some specialists interviewed, one of the reasons could be the situations when the DVVs were deeply **disappointed in the quality/effect of the intervention**⁸⁰. In the DVV opinion, mayors are the ones that should be careless to the DV cases in their communities. Thus, many DVVs explained: *“If the mayor who is closer to me is careless, what can you say about other organizations?”*^{81, 82, 83, 84}. In addition to this, many DVVs said they did not seek help **for the fear the local social worker might not ensure the proper confidentiality.**^{85, 86, 87, 88, 89, 90, 91, 92} In many cases the DVVs do not seek help for the fear of not increasing the intensity of the abuses.^{93, 94, 95, 96, 97, 98, 99} Many women are concerned in whose care they should leave their children and house if they had

⁶⁹ Interview with a DVV who did not benefit from APS, resident of village in South of RM, 42 y.o., mother of 3 children, July 7, 2013.
⁷⁰ Interview with a DVV who did not benefit from APS, resident of village in Center of RM, 43 y.o., mother of 3 children, July 14, 2013.
⁷¹ Interview with a DVV who did not benefit from APS, resident of village in Center of RM, 51 y.o., mother of 2 children, July 14, 2013.
⁷² Interview with a DVV who did not benefit from APS, resident of town in Center of RM, 38 y.o., mother of 2 children, July 24, 2013.
⁷³ Interview with a DVV who did not benefit from APS, resident of village in South of RM, 52 y.o., mother of 3 children, July 7, 2013.
⁷⁴ Interview with a DVV who did not benefit from APS, resident of village in Center of RM, 39 y.o., mother of 2 children, July 14, 2013.
⁷⁵ Interview with a DVV who did not benefit from APS, resident of village in South of RM, 52 y.o., mother of 3 children, July 7, 2013.
⁷⁶ Interview with a DVV who did not benefit from APS, resident of village in Center of RM, 49 y.o., mother of 2 children, July 14, 2013.
⁷⁷ Interview with a NGO specialist, community G., July 23, 2013.
⁷⁸ Interview with a DVV who did not benefit from APS, resident of village in North of RM, 37 y.o., mother of 2 children, July 13, 2013.
⁷⁹ Interview with a DVV who did not benefit from APS, resident of village in South of RM, 40 y.o., mother of 3 children, July 7, 2013.
⁸⁰ Interview with a NGO specialist, community G., July 23, 2013.
⁸¹ Interview with a DVV who did not benefit from APS, resident of town in North of RM, 38 y.o., mother of 2 children, July 24, 2013.
⁸² Interview with a DVV who did not benefit from APS, resident of village in Center of RM, 49 y.o., mother of 1 child, July 14, 2013.
⁸³ Interview with a DVV who did not benefit from APS, resident of village in South of RM, 42 y.o., mother of 3 children, July 7, 2013.
⁸⁴ Interview with a NGO specialist, community G., August 01, 2013.
⁸⁵ Interview with a DVV who did not benefit from APS, resident of village in South of RM, 42 y.o., mother of 3 children, July 7, 2013.
⁸⁶ Interview with a DVV who did not benefit from APS, resident of village in South of RM, 46 y.o., mother of 3 children, July 13, 2013.
⁸⁷ Interview with a DVV who did not benefit from APS, resident of village in Center of RM, 49 y.o., mother of 2 children, July 14, 2013.
⁸⁸ Interview with a DVV who did not benefit from APS, resident of village in Center of RM, 39 y.o., mother of 2 children, July 14, 2013.
⁸⁹ Interview with a DVV who did not benefit from APS, resident of village in North of RM, 49 y.o., mother of 3 children, July 13, 2013.
⁹⁰ Interview with a NGO specialist, community G., August 1, 2013.
⁹¹ Interview with a social worker, community O., June 28, 2013.
⁹² Interview with a social worker, placement center, community G., June 5, 2013.
⁹³ Interview with a DVV who did not benefit from APS, resident of village in South of RM, 48 y.o., mother of 2 children, July 7, 2013.
⁹⁴ Interview with a DVV who did not benefit from APS, resident of village in South of RM, 40 y.o., mother of 3 children, July 7, 2013.
⁹⁵ Interview with a DVV who did not benefit from APS, resident of village in North of RM, 34 y.o., no children, July 13, 2013.
⁹⁶ Interview with a DVV who did not benefit from APS, resident of village in Center of RM, 39 y.o., mother of 2 children, July 14, 2013.
⁹⁷ Interview with a DVV who did not benefit from APS, resident of town in North of RM, 45 y.o., mother of 2 children, July 24, 2013.
⁹⁸ Interview with a psychologist, placement center, community M., June 13, 2013.
⁹⁹ Interview with a social worker, community K., June 25, 2013.

to leave.^{100, 101, 102, 103, 104} Other DVV indicated that they did not go to the police or to other structures because they were afraid the abusive husband would send them away from home while the lack of a place to live and the financial dependence on their husband/partner, especially in the case of women with children under two^{105, 106, 107} made them continue to endure DV.^{108, 109, 110, 111} Two women interviewed tried to blame themselves for refusing to seek help with authorized organizations,^{112, 113} and some specialists indicate such trends in each third woman counseled who had not been identified previously by specialists as a DVVs.^{114, 115}

Most Vulnerable Domestic Violence Victims

Some categories of victims may be more affected than others, especially those for which violence is due to their being part of a vulnerable group, such as rural women from the districts where there are no services for the DVVs¹¹⁶, women at different stages of life, such as elder women or vice versa, young women with young children^{117, 118} persons with disabilities^{119, 120} women belonging to the ethnic minorities whose culture does not encourage reporting DV, such as eventually would be Gagauz.^{121, 122, 123}

Taking into account that currently in the country there are no services for men - DVVs, such as placement centers, this category theoretically would also belong to the most vulnerable victim group.¹²⁴ At the same time, there are practically no studies in Moldova that would highlight these DVVs groups as well as the factors of vulnerability to DV.

¹⁰⁰ Interview with a DVV who did not benefit from APS, resident of town in North of RM, 42 y.o., mother of 4 children, July 24, 2013.

¹⁰¹ Interview with a DVV who did not benefit from APS, resident of town in Center of RM, 32 y.o., mother of 2 children, July 6, 2013.

¹⁰² Interview with a DVV who did not benefit from APS, resident of town in Center of RM, 36 y.o., mother of 3 children, July 6, 2013.

¹⁰³ Interview with a DVV who did not benefit from APS, resident of village in Center of RM, 43 y.o., mother of 3 children, July 14, 2013.

¹⁰⁴ Interview with a social worker, community K., June 25, 2013.

¹⁰⁵ Interview with a DVV who did not benefit from APS, resident of town in North of RM, 42 y.o., mother of 4 children, July 24, 2013.

¹⁰⁶ Interview with a DVV who did not benefit from APS, resident of town in Center of RM, 32 y.o., mother of 2 children, July 6, 2013.

¹⁰⁷ Interview with a DVV who did not benefit from APS, resident of village in Center of RM, 37 y.o., mother of 2 children, July 14, 2013.

¹⁰⁸ Interview with a DVV who did not benefit from APS, resident of village in Center of RM, 49 y.o., mother of 2 children, July 14, 2013.

¹⁰⁹ Interview with a DVV who did not benefit from APS, resident of town in North of RM, 45 y.o., mother of 2 children, July 24, 2013.

¹¹⁰ Interview with a social worker, placement center, community C., June 28, 2013.

¹¹¹ Interview with a social worker, community K., June 25, 2013.

¹¹² Interview with a DVV who did not benefit from APS, resident of village in North of RM, 34 y.o., no children, July 13, 2013.

¹¹³ Interview with a DVV who did not benefit from APS, resident of village in Center of RM, 51 y.o., mother of 2 children, July 14, 2013.

¹¹⁴ Interview with a NGO specialist, community G., July 23, 2013.

¹¹⁵ Interview with a psychologist, placement center, community D., June 11, 2013.

¹¹⁶ Interview with a NGO specialist, community J., July 29, 2013.

¹¹⁷ Interview with a psychologist, placement center, community M., June 13, 2013.

¹¹⁸ Interview with a social worker, community E., June 13, 2013.

¹¹⁹ Interview with a social worker, placement center, community M., June 13, 2013.

¹²⁰ Interview with a specialist from the placement center, community D., June 11, 2013.

¹²¹ Interview with a social worker, community N., July 8, 2013.

¹²² Interview with a NGO specialist, community J., July 29, 2013.

¹²³ Interview with a social worker, community U., July 04, 2013.

¹²⁴ Interview with a social worker, community L., June 25, 2013.

Thus, the most vulnerable persons to DV are the persons that due to certain reasons/circumstances have the fewest chances of seeking help and getting rid of the violent situation.

2.3. Domestic Violence Victims Who Have Benefited from Assistance and Protection Services

Profile of Victims Who Have Benefited From Assistance and Protection Services

The women DVVs who had come to benefit from APS were interviewed as part of this study, for the most part right in the placement centers where the women and their children were enrolled in rehabilitation/crisis intervention programs. As to the relation between DVVs and various assistance and protection structures, an analysis of the information provided by these women enabled us outline several common features:

- These DVVs came to the competent organizations by themselves (15 women);
- Most of these women went to the police or found out about the placement centers from the social workers of their native community (13 women);
- DVVs who were identified by specialists at local level, to whom APS were proposed, initially refused them but then being in a crisis situation, sought help (5 DVVs).

The **psycho-social profile** of those 20 women DVVs is as follows:

- Age: 19-84 years old;
- Marital status: married -12; cohabitation -6; divorced -2;
- Level of education: secondary incomplete (10 women); general school (6 women); professional/vocational school (3 women); boarding-type special school (1 woman);
- Basic occupation: unemployed (6 women); occasional worker (by the day) (8 women); works in sales or services (3 women); on maternity leave (2 women); pensioner (1 woman);
- Number of children: 1 child (8 women); 2 children (3 women); 3 children (4 women); 4 children (3 women); 9 children (1 woman); no children (1 woman);
- Living environment: 14 rural women, 6 urban women;
- 17 women mentioned coming from families in which their mother also suffered from DV and so they were used with violence, which made them endure DV longer before deciding to seek help;
- 13 women mentioned that before benefiting from APS, they tended to believe that the woman must submit to the opinion of their husband/partner, even if they disagreed, 9 of them (during the interview) noted they had changed their initial opinion;
- 17 believed they could help themselves, although until the moment they sought help they had doubts they would manage by themselves or that someone could help them;

- 19 mentioned they were surprised with the existence of organizations focused on helping women DVVs and their children, about which they had never known about.
- 20 women – beneficiaries of APS said if they had the possibility to turn back time, they would do the same.

Thus, comparing the psycho-social profiles of the women who had benefited from APS versus those who had not, in the latter category we notice a stereotyped attitude and the trend to “normalize” DV, to accuse themselves in DV situations, difficulties in self-identification as a person who needs help, lack of information about the existing services and their competences, lack of trust in own forces and in the organizations that may help them.

Circumstances in Which Victims Seek Help

In all cases, the DVVs women were abused psychologically and physically, sometimes having severe traumas and seeking help only where there was a real danger for their life. The main reasons that made them seek help, mentioned both by the interviewed specialists but also by the victims themselves, was physical abuse or even attempts of sexual abuse of the children by the partner/husband^{125, 126}, and the specialists interviewed confirmed the frequency of such situations that served as “the last drop” that made DVV decide to leave the abusive partner, so the maternal instinct played an important role in making such decisions.^{127, 128, 129, 130, 131}

When seeking help, all women DVVs had a pronounced fear that the aggressor may seek revenge, a concern that service providers should take into account to ensure the security of the DVV and their children. Other factors that made DVVs women call the trust hotline included marital life situations, such as adultery of the partner/husband that determined them to not endure violence anymore, situations when the violence happened before relatives, when the DVV got a job and felt financially independent from her abusive partner, when she was sent away from home, or when advised by friends/professional groups to seek help.¹³²

¹²⁵ Interview with a DVV, beneficiary of a placement center, 38, resident of village in South of RM, mother of 1 child, June 12, 2013.

¹²⁶ Interview with a DVV, beneficiary of a placement center, 37, resident of village in South of RM, mother of 4 children, June 11, 2013.

¹²⁷ Interview with a social worker, placement center, community C., June 28, 2013.

¹²⁸ Interview with a psychologist, placement center, community M., June 13, 2013.

¹²⁹ Interview with a psychologist, placement center, community B., June 12, 2013.

¹³⁰ Interview with a specialist of the placement center, community A., June 25, 2013.

¹³¹ Interview with a social worker from community K., June 25, 2013.

¹³² Interview with a NGO specialist, community G., July 23, 2013.

III. REALIZATION OF VICTIMS' RIGHT FOR PROTECTION AND ASSISTANCE. VICTIMS' OPINIONS REGARDING THE SERVICES OFFERED AND PROBLEMS IDENTIFIED BY SPECIALISTS

3.1. Victims' knowledge of their rights

According to NBS research data, only 39% of women who became victims of physical or sexual violence from the urban area and 33% from the rural area stated to have heard about Law No. 45-XVI. Women-victims of violence are poorly satisfied with the measures of protection ensured by the relevant legislative framework: 43.1% consider the law to be inefficient; this could be the main reason why victims are dissatisfied by the services offered by the national system on the basis of Law No. 45-XVI.¹³³

It is worth mentioning that within the present study, absolutely all the interviewed DVVs from the category of beneficiaries of APS stated that they were aware of Law No. 45-XVI having been informed about it by specialists, while of those who did not benefit from APS, only every fifth woman stated that they knew about this law among non-beneficiaries of APS. Nevertheless, women-beneficiaries of APS when being asked to express their opinion about the use of Law No. 45-XVI for DVVs were much more specific and mentioned the possibility of obtaining PO, aggressor's punishment, placement in a shelter, while all these were not mentioned by the DVVs interviewees who did not benefit of APS. Interviewees which mentioned that they had heard about Law No. 45-XVI being asked to express themselves referring its content and say in what way it can be of DVV benefit gave answers which generally corresponded to the services they had already been granted (especially, placement in specialised centres), or informed about by organisations that offer such services. Some of them still could not give a clear answer.

On the other hand, it is not wonder that the majority of DVVs who did not benefit from APS did not know about Law No. 45-XVI, and those who initially mentioned to have known know about it, could not give more details about its advantages for DVVs. Thus, some of them mentioned that *"this law describes how a policeman/law-enforcement bodies should work"*, in a very ambiguous way associating the law with instruments which should be used in the work of law-enforcement bodies or without making any connection with their own legal rights (see Table 2).

¹³³ Violence against women in the family in the Republic of Moldova. NBS.-Chişinău, 2011. P.57. Accessed at http://www.statistica.md/public/files/publicatii_electronice/Violenta/Raport_violen_fem_eng.pdf

TABLE 2. Distribution of women DVVs according to their level of knowledge about Law No. 45, its advantages for DVV' and their rights, after the experience of benefitting from APS or without this experience (assisted and unassisted DVVs)

Questions	Assisted DVVs (Total: 20 women)	Unassisted DVVs (Total: 20 women)
“Do you know about the existence of Law No. 45 related to family violence prevention and control?”	“Yes” – 20 “No” - 0	“Yes” - 4 “No” - 16
“What is the real benefit of Law No. 45-XVI for DVVs/ what clauses do you find useful/offer assistance and protection to DVVs?”	(multiple answers given by the interviewees) - “possibility to punish the abuser” - 12 - “possibility of obtaining a PO”-10 - “possibility of being placed in a shelter”-5 - “health services”-3 - “I’ve heard about this law, but don’t know the details/it’s difficult for me to answer, I just know it helps to quit/fight DV” - 3 - “this law describes how a policeman should work” - 1	“I don’t know”-16 - “this Law describes how a policeman /law-enforcement bodies should work”-2 - “ I’ve heard about this law, but don’t know the details/it’s difficult for me to answer, I just know it helps to quit/fight DV”-2
“Do you know that DVVs can benefit of some rights?”	“Yes”-19 “It’s difficult for me to answer”-1	“Yes”-4 “No”-16
“What rights do you think DVVs have?”	(multiple answers given by the interviewees) - “The right to punish the abuser by law”-12 - “The right to be isolated from the abuser/benefit of PO”-10 - “The right to temporary accommodation”-6 - “The right to legal assistance”-5 - “ The right to social assistance”-4 - “ The right to medical assistance”-3 - “ The right to psychological assistance”-1 “It’s difficult for me to answer”-1	- “ The right to punish the abuser by law”-2 - “The right to get divorced”-1 - “I think, there must be some rights, I have to find out”-1

A big share of interviewed specialists both from public and non-governmental organisations mentioned that DVVs do not know about Law No. 45-XVI and their rights. In this context, it is relevant to point out a situation described by an interviewed lawyer dealing with DVVs for quite a number of years, who mentioned that $\frac{3}{4}$ of his beneficiaries do not know about their rights¹³⁴. Some of the interviewed psychologists presumed that ignorance of the legislation and own rights strengthen feeling of lack of self-confidence and sometimes leads even to self-accusation of DV situations¹³⁵. Moreover, ignorance of legal provisions and own rights, given the social-psychological portrait of DVV, could lead to the appearance of some wrong expectations from APS, and these wrong perceptions sometimes make it difficult to get into contact and give a hand of help.¹³⁶

¹³⁴ An interview with a lawyer, NGO, locality G., June 07, 2013.

¹³⁵ An interview with a psychologist, Placement centre, locality C., June 28, 2013.

¹³⁶ An interview with a specialist, NGO, locality G., June 23, 2013.

Informing the DVV of their rights and encouraging them to protect these rights could serve as a possibility and certain assurance insurance that at the end of the day the DVV would learn to benefit on these rights¹³⁷. In the opinion shared by some of the interviewed specialists as of the moment in which the DVV is being informed and proceeds to explicitly requesting a policeman to issue PO, there are more chances that the PO issuance procedure will be launched since the awareness of the DVVs of their rights also enhances the responsibility of a policeman. Pursuant to an official representing the Ministry of Internal Affairs, within the system of internal affairs there is an in-house mechanism of applying sanctions meant to enhance the responsibility and efficiency of services furnished by a policeman¹³⁸. Indeed, one of the DVV that had benefited on APS has mentioned that the lawyer from the Centre offered her a brochure describing the rights and the rule of law in the domain, which she produced to a policeman who refused to enrol her application and this fact has made the policemen to launch the legal proceedings immediately.¹³⁹

At the same time, awareness of the DVVs of their legal rights could also influence the conduct of the offenders. Thus, one of the DVV has manifested her satisfaction with awareness of her legal rights (thanks to the lawyer available at the Centre) and with the fact that she could benefit on such – she explained about this to her ex-husband, which made him more responsible with regard to her and their child¹⁴⁰. One of the consultants offering hotline counselling delivered numerous examples when the DVVs being informed on their rights got scared of the consequences, which, as they believe, could eventually occur once they decide to benefit on their rights. In many cases, the DVVs need some time before they could make a decision. Being trapped in a relation of co-dependence, once finding out about the possibility of evacuating the abusive husband from their commonly shared residence, as stipulated by the PO, the DVVs tend to manifest the behaviour of a victim, thus also showing a pathological attachment through the excessive care towards the conditions in which the offender will find himself outside his domicile as well as towards the risks (to his life and physical and mental health) to which the offender could be eventually exposed.¹⁴¹

A prosecutor with prior experience of acting as a lawyer for the DVVs in a law Centre has mentioned that besides taking care not only of good awareness of the victims of their rights, the specialists must pay special attention to the manner in which these legal rights granted to the DVVs are practically realized. In his opinion, „*the DVVs are less interested in the theoretical side of the problem or in the effective regulatory framework, but rather in escaping from abuse and in having decent living, while this is already the responsibility of government agencies and public functionaries to ensure observance of the right of victims as well as of the offenders*”¹⁴².

A psychologist engaged by the placement Centre has highlighted that „*The women DVV after the first or the second court hearing turn into totally different persons... it seem to be a*

¹³⁷ Interview with a specialist, NGO, locality G., July 23, 2013.

¹³⁸ Interview with a specialist, NGO, locality G., July 23, 2013.

¹³⁹ Interview with a DVV, beneficiary of the Placement Centre, resident of a village in the Central part of Moldova, 43 years old, mother to 3 children, June 06, 2013.

¹⁴⁰ Interview with a DVV, beneficiary of the Placement Centre, 27 years old, resident of a village in the Northern part of Moldova, mother to 2 children, June 04, 2013.

¹⁴¹ Interview with a specialist, NGO, locality G., July 23, 2013.

¹⁴² Interview with a prosecutor, locality B., June 12, 2013.

*nonsense but once in their entire life they feel like citizens of a state that stands to protect their rights. They had no idea whatsoever before that they do have certain right*¹⁴³.

Thus, at the end of the day, the DVVs' awareness of their rights enhances their chances of benefiting on such while the SAP assistance is indispensable for the effective realization of the rights of persons suffering from the consequences of domestic violence.

3.2. Placement Services

Identified nationwide within the frameworks of this study were 16 Centres that could offer accommodation services to DVVs. These are basically Maternal Centres¹⁴⁴ managed by the Rayon councils, mother and child placement centres, rehabilitation centres, crisis centres or social apartments managed by the NGOs. The Central and Northern areas of Moldova and especially the capital city are the ones that are best vested with the DVV' placement services, also featuring the shelter and crisis centre designed to respond to the immediate needs experienced by the DVVs¹⁴⁵, while in the Southern area of Moldova there are only two Maternal Centres that could hardly cover the actual needs experienced by the region^{146, 147, 148, 149}. In one case a DVV was referred to a Maternal Centre in the Southern area located in a district other than the one of victim's residence where the urgent placement of a DVV was impossible due to bureaucratic reasons encountered with the Rayon Council while the victim refused to go to the capital city because it would take her too far away from her residence¹⁵⁰. A policeman from the South of Moldova has mentioned that in a grave case due to lack of a placement Centre in their region a DVV was placed by the social assistant at her own domicile¹⁵¹. Thus, lack of a placement Centre in the area of residence of a DVV serves as an impediment, which makes the victim hesitant of benefiting on the APS.

Although the Centre personnel is practicing more often the immediate placement of a DVV in crisis situations, bearing in mind the situation in which the victim is found, resolving during the next days all the required procedures, still the emergency placement remain a challenge. Even if a woman and her children are initially placed in an isolation ward until passing medical control, then subsequently, pursuant to the lab tests results they could be diagnosed with certain diseases that do not allow for placing the beneficiaries with the Centre (for example, tuberculosis, schizophrenia, etc.). Although pursuant to the in-house Regulation of a

¹⁴³ Interview with a psychologist, Placement Centre, locality G., June 04, 2013.

¹⁴⁴ Overall, the maternal centres were initially created in big cities in order to prevent child abandonment by young mothers having no place to live but gradually they started offering services to DVV preponderantly with children and as a rule with the scope of placing them with maternal shelter type maternal centres; the women had to originate from the respective Rayon while their children had to be of preschool age. Often, the young women with the risk of child abandon are coming from the families in which the violence is common, although the DVV are not aware of this fact (interview with a specialist from the Placement Centre, localitay A., June 25, 2013).

¹⁴⁵ Interview with a specialist, NGO, locality G., July 23, 2013.

¹⁴⁶ Interview with a specialist from the Placement Centre, localitay D., June 11, 2013.

¹⁴⁷ Interview with a specialist, NGO, locality J., July 29, 2013.

¹⁴⁸ Interview with a specialist, NGO, locality G., July 23, 2013.

¹⁴⁹ Interview with a policeman, locality N., July 02, 2013.

¹⁵⁰ Interview with a specialist, NGO, locality J., July 29, 2013.

¹⁵¹ Interview with a policeman, locality N., July 02, 2013.

Centre, such persons should not staying at the placement Centre, still there are no such specialized institutions for the victims of domestic violence, so in practice they continue staying at the Centre.¹⁵² Lately many of the DVV referred to the Centre experienced mental disorders manifested through offensive behaviour trying to stab other beneficiaries with the knives and abusing children and hence were posing enhanced threat to life and health of other beneficiaries, due to which fact the staff engaged by the Centre had to refuse their placement¹⁵³. Although the in-house regulation of the Centre envisages placement of mothers and children only, placed with the placement Centre as an exception was a DVV aged 84 years. The elderly woman has shared her concerns: „I know that the Centre is basically meant for women with children and therefore I am grateful for accepting me bearing in mind the fact that old people have more problems with their health and require more of moral support; I hope I am not taking place of a young person who is in a more difficult situation”¹⁵⁴.

The interviews showed that some of the shelter type Maternal Centres have no funding to ensure an adequate night time security system or to maintain guarding service; rather often, together with the beneficiaries the specialists of the Centre while waiting for the local police to interfere are exposed to risk of being attacked by the offenders^{155, 156}. Still, in order to ensure effective psychological rehabilitation, it is crucial that the DVV feels secure within the placement Centre¹⁵⁷.

In the opinion shared by the numerous employees of the Maternal Centres, due to scarce financing and insufficient staffing with social assistants, psychologists and auxiliary personnel the efficiency of interventions is being jeopardized^{158, 159, 160}. Due to understaffing and hard work load, some of the social assistances reported on excessive work burden, which leads to developing the professional burnout syndrome^{161, 162}. Some of the placement centres referred to shortage of funds (cost of fares) needed to carry out monitoring of situation with the beneficiaries after leaving the shelter¹⁶³. Many of the placement Centres have stated that in case when food supplies are sufficient then there is a shortage of funding for purchasing clothes and personal hygiene items for children^{164, 165}, etc.

A serious problem experienced by the DVV also confirmed by the staff of the placement services is to find residence after leaving the placement facility. One of the social assistants from

¹⁵² Interview with a specialist from the Placement Centre, locality A., June 25, 2013.

¹⁵³ Interview with a specialist from the Placement Centre, locality D., June 11, 2013.

¹⁵⁴ Interview with DVV, beneficiary of the Placement Centre, resident of a city in the Northern part of Moldova, 84 years, childless, June 21, 2013.

¹⁵⁵ Interview with a specialist from the Placement Centre, locality D., June 11, 2013.

¹⁵⁶ Interview with a specialist from the Placement Centre, locality F., June 21, 2013.

¹⁵⁷ Interview with a psychologist from the Placement Centre, locality G., June 06, 2013.

¹⁵⁸ Interview with social assistant from the Placement Centre, locality A., June 25, 2013.

¹⁵⁹ Interview with social assistant from the Placement Centre, locality A., June 25, 2013.

¹⁶⁰ Interview with a lawyer, Placement Center, locality G., July 11, 2013.

¹⁶¹ Interview with a specialist from the Placement Centre, locality D., June 11, 2013.

¹⁶² Interview with a specialist from the Placement Centre, locality A., June 25, 2013.

¹⁶³ Interview with social assistant from the Placement Centre, locality A., June 25, 2013.

¹⁶⁴ Interview with social assistant from the Placement Centre, locality A., June 25, 2013.

¹⁶⁵ Interview with a specialist from the Placement Centre, locality D., June 11, 2013.

the Maternal Centre referred to a positive experience of purchasing for seven DVV residential houses in other rural areas using the resources offered by the local fund and using the savings of financial assistance organized through DAS¹⁶⁶.

Absolutely all of the DVV interviewed within the frameworks of the present study stated their satisfaction with the services offered as well as with the treat granted by the personnel. For them, placement with the centres meant not only elimination of the threat to their life and health but also a gratitude for the fact that they could be protected by the state while for the offender this being an instance of education proving that there is a place for victim to go and that someone does care about the DVVs and that he could be made liable for the offences perpetrated^{167, 168}.

While many specialists engaged with the DVVs' placement centres have stated that it is necessary to review the duration of stay at the shelter, which is basically from 3 up to 6 months, while 3 months is not enough for rehabilitation: the DVVs need at least 3 months to bring their thought together, to regain trust, to make up their mind whether to stay with the offender or leave, to give him a chance to attend a psychologist and to change his views on the life; besides, they could hardly manage to find the employment¹⁶⁹.

Some of the specialists have highlighted the need of giving a thought to the relevance of handling and the tendency towards extending the placement services meant for the DVVs and their children weighted against the need of taking more drastic measures for removing the offender from the residence as a measure of protection. In their opinion, it is not only due to the fact that it is impossible to open such centres in each of the localities but also due to the concept proposed for implementation – to vacate the offender from the household in the first place. The supportive arguments are as follows: *„it is not normal for the mother with children to leave/change habits, nursery, disturb the usual life of children because of being offended, the DVVs must follow her usual way of living while the offender must go”*¹⁷⁰. Additional arguments supported by the specialists imply that following a period of 3 to 6 months of staying in a specialized centres at the background of huge maintenance costs, the victims must go back into the violent family environment as little is attempted by the centres staff in order to resolve domestic violence cases while the offenders are rarely sanctioned and hardly obliged to vacate the domicile¹⁷¹. On the other hand, many of the DVVs are convinced that compared to their place of residence in the village, the placement centre is the only secure and comfortable place where they could have discussions with the specialists to whom they trust¹⁷², where they could detach themselves from their house-

¹⁶⁶ Interview with social assistant from the Placement Centre, locality C., June 28, 2013.

¹⁶⁷ Interview with a DVV, beneficiary of the Placement Centre, resident of a village in the Northern part of Moldova, 38 years old, mother to 2 children, June 28, 2013.

¹⁶⁸ Interview with a lawyer, NGO, locality G., July 12, 2013.

¹⁶⁹ Interview with a psychologist from the Placement Centre, locality G., June 06, 2013.

¹⁷⁰ Interview with a specialist from NGO, locality G., July 23, 2013.

¹⁷¹ Interview with a prosecutor, locality B., June 12, 2013.

¹⁷² Interview with a DVV, beneficiary of the Placement Centre, resident of a village in the Northern part of Moldova, 27 years old, mother of 2 children, June 04, 2013.

hold problems¹⁷³, where they could have a discussion with the professionals. One of the DVVs, beneficiary of a placement centre, referred herself to the importance of psychologist's intervention into her life: „*The psychologist – a specialist that I feared so much at the beginning, has actually helped me to understand that there are many great things for which it is worth fighting in this life*”^{174, 175, 176}. Still, some of the beneficiaries have mentioned certain disadvantages of staying over long period of time at the Centre, referring to losses in their households since their husbands were drunkards selling out refrigerators and furniture¹⁷⁷, yet another case was that a husband in his desire to escape from the jail has hired a lawyer and sold a cow – the main source of food for their young child¹⁷⁸. Under such conditions there is no place for them where they could go back.

It is worth mentioning that in the Republic of Moldova there are no placement centres for male DVVs, although a specialist mentioned that the male DVVs amount to 10-12%¹⁷⁹, while the statistics of police activity in the domain of combating and preventing domestic violence show that the share of male DVVs registered by the police amounts to about 13% (see Table 3).

3.3. Services provided by the Psychologist/Psychiatrist

Some of the actors from within the system granting assistance and protection, especially representatives of the law enforcement bodies and sometimes also the specialists from the SAPSPF, are not aware and fail to understand the psychological status of a DV, which sometimes makes these specialists accuse the victims of their conduct. A psychologist from the specialized DVVs' placement centre explained that in order to understand the psychological status of a DVV which occurred as a result of a long term violence one must bear in mind that: „*In case of these women there is a distortion of a self-concept: opinion about own self (own personality), loss of self-control and incapacity of self-appreciation; they are loosing the capacity of controlling their own life since the responsibility for their life, in a way, is in care of another person. The like situation is similar to such in case of persons that went through certain grave cataclysms which makes them believe that there is little what depends on them as if after the earthquake that occurred unexpectedly and has ruined all of their plans. As a consequence, they come to believe that their life does not belong to them anymore. And this instance is of paramount importance for reha-*

¹⁷³ Interview with a DVV, beneficiary of the Placement Centre, resident of a village in the Northern part of Moldova, 38 years old, mother of 2 children, June 28, 2013.

¹⁷⁴ Interview with a DVV, beneficiary of the Placement Centre, resident of a village in the Southern part of Moldova, 35 years old, mother of 4 children, June 12, 2013.

¹⁷⁵ Interview with a DVV, beneficiary of the Placement Centre, resident of a village in the Northern part of Moldova, 27 years old, mother of 2 children, June 04, 2013.

¹⁷⁶ Interview with a DVV, beneficiary of the Placement Centre, resident of a village in the Northern part of Moldova, 25 years old, mother of 3 children, June 24, 2013.

¹⁷⁷ Interview with a DVV, beneficiary of the Placement Centre, resident of a village in the Southern part of Moldova, 35 years old, mother of 4 children, June 12, 2013.

¹⁷⁸ Interview with a DVV, beneficiary of the Placement Centre, resident of a village in the Southern part of Moldova, 38 years old, mother of 3 children, June 11, 2013.

¹⁷⁹ Interview with a specialist from the NGO, locality G., August 01, 2013.

*bilitation – we must make them regain their belief in their own powers and take the responsibility for their own life*¹⁸⁰.

In this sense, the psychologist helps DVVs to understand the reason, the vicious circle of the domestic violence, to get familiar with the portrait of the victim and the offender and to understand that the problem is not hers but the offender's. Through self knowledge tests the DVVs find themselves in the victim's portrait and are given help in overcoming the behaviour of a victim and stabilizing their emotional status¹⁸¹. Besides, the DVVs are helped in understanding that what is happening to them is not normal and that there is a need of taking measures¹⁸². Many of the DVVs that have benefited on APS referred to the importance of the role played by the psychologist in their life in the sense of strengthening the proactive position in their life. One of the beneficiaries has mentioned the following: *„After seeing the psychologist I understood that one must not fear of making changes and that a person alone could change her life the way she wants to live her life; after a lengthy discussion the psychologist told me – I would like to congratulate you – and I asked him what for? Is it for such hard life? He answered – No, for the fact that you made it through so many hardships and still have such lucid mind – this is a very rare case, very rare... I was very happy to hear that and told the psychologist how grateful I am because I heard so many times from my husband that I am psychically imbalanced; after so many hits on my head I started having doubts about my mental soundness myself*¹⁸³. In many cases the psychologists in order to strengthen the beneficiaries' trust in their own forces are using the following affirmation: *„if they managed to go through what has happened to them already then going through the court is nothing compared to the experience they experienced already in their life*¹⁸⁴.

In regard to the need of extending access to the services of a psychologist for the DVVs, many of the specialists have stated that the psychological service is the priority in resolving cases of domestic violence as well as other types of violation of the human rights^{185, 186, 187}. The insufficiency of this service was referred to as the weakest link within the current system of furnishing assistance and protection to the DVVs across the country, which is practically lacking in rural areas, being accessible in some of the Rayon centres and municipalities only^{188, 189}, with very small number of therapists specialized in *Psychotherapy of crisis situations, Victimology and Working with the offender*¹⁹⁰. A number of specialists have highlighted the fact that due to limited finances allocated for the staff within the Maternal Centres existent at the Rayon level, the psychologist is available one or two days per week only, often being paid a rather

¹⁸⁰ Interview with a psychologist from the Placement Centre, localitaty G., June 04, 2013.

¹⁸¹ Interview with a psychologist from the Placement Centre, localitaty G., June 06, 2013.

¹⁸² Interview with a psychologist from the Placement Centre, localitaty G., June 04, 2013.

¹⁸³ Interview with a DVV, beneficiary of the Placement Centre, resident of a village in the Central part of Moldova, 43 years old, mother of 3 children, 06 June 2013.

¹⁸⁴ Interview with a psychologist from the Placement Centre, localitaty G., June 04, 2013.

¹⁸⁵ Interview with a policeman, locality N., 02 July 2013.

¹⁸⁶ Interview with a specialist from the NGO, locality G., August 01, 2013.

¹⁸⁷ Interview with a prosecutor, locality B., June 12, 2013.

¹⁸⁸ Interview with a specialist from the NGO, locality G., July 23, 2013.

¹⁸⁹ Interview with social assistant from the Placement Centre, localitaty G., June 10, 2013.

¹⁹⁰ Interview with a specialist from the NGO, locality G., July 23, 2013.

symbolic wage while the DVVs represent a cohort of beneficiaries requiring daily counselling and attention, especially during the period of crisis^{191, 192, 193}. Some of the specialists have stated that it would be good to have a psychologist acting in each of the SAFPDs^{194, 195, 196, 197} while in some of the SAFPDs where the psychologists are available – they do not have the required qualification for dealing with the like cohorts of beneficiaries¹⁹⁸. Many of the DVVs that have benefited on APS (interviewed within the frameworks of this study) referred to the need of having access to this service – to have such opened within the SAFPDs or other centres, to which the mayors of the villages could refer the identified DVVs^{199, 200}. In case of limited possibilities to institute psychological service units within the DAS, some of the specialists have stated the need to develop, as an alternative, certain mobile teams that would engage a psychologist – a service that could be requested by the social assistants from the villages keeping a contact with the DVVs²⁰¹. Still, in case of developing mobile team service, there still remains a challenge concerning irregularity of accessing this mobile service²⁰². As an alternative, in cases when the DVVs have no possibility of travelling to the Rayon centre in order to access the services of a psychologist, a telephone service (*Hotline*), with free confidential call could serve as a useful option for the DVVs²⁰³. However, an extensive awareness raising campaign is necessary to make the population familiar with this type of service.

On the other hand, in lack of psychological service at the local level, some of the specialists believe that preliminary trained social assistances/workers within the SAFPSs could partially deliver primary psychological counselling and moral support since very often the victims need moral support^{204, 205, 206}. One of the social assistants that has taken part in the like training delivered an example when the primary training in granting psychological support helped in identifying a DVVs case in her locality: *„a small story that I have heard from the trainer psychologist has helped me in convincing a village woman talk about domestic violence – a woman with bruised body who has initially stated that she has fallen down”*²⁰⁷

In the opinion shared by many of the interviewed specialists, rather often the DVV fail to realize the usefulness of the psychological service by confusing the psychologist and the

¹⁹¹ Interview with social assistant from the Placement Centre, localitaty A., June 25, 2013.

¹⁹² Interview with a specialist from the Placement Centre, localitaty D., June 11, 2013.

¹⁹³ Interview with a lawyer from the NGO, locality G., July 11, 2013.

¹⁹⁴ Interview with a social assistant, locality K., June 25, 2013.

¹⁹⁵ Interview with a policeman, locality N., July 02, 2013.

¹⁹⁶ Interview with a social assistant, locality B., June 12, 2013.

¹⁹⁷ Interview with a specialist from the NGO, locality B., June 12, 2013.

¹⁹⁸ Interview with social assistant from the Placement Centre, localitaty G., June 10, 2013.

¹⁹⁹ Interview with a DVV, beneficiary of the Placement Centre, resident of a village in the Northern part of Moldova, 38 years old with 2 children, June 28, 2013.

²⁰⁰ Interview with a DVV, beneficiary of the Placement Centre, resident of a village in the Southern part of Moldova, 38 years old with 3 children, June 11, 2013.

²⁰¹ Interview with social assistant, locality L., June 25, 2013.

²⁰² Interview with a lawyer from the NGO, locality G., July 11, 2013.

²⁰³ Interview with a specialist from the NGO, locality G., July 23, 2013.

²⁰⁴ Interview with social assistant from the Placement Centre, localitaty M., 13 June 2013.

²⁰⁵ Interview with a lawyer from the NGO, locality G., 11 June 2013.

²⁰⁶ Interview with a social assistant, locality L., 25 June 2013.

²⁰⁷ Interview with a social assistant, locality L., 25 June 2013.

psychiatrist, the latter being a specialist towards whom they feel fear^{208, 209}. It is worth mentioning that within the framework of the present study, 17 out of 20 DVVs that have never benefited on the APS, perceived the role of a psychologist as that of a „specialist dealing with crazy people”. Thus, the interviewed DVV stated: „I thought , my reactions and my behaviour”²¹⁰ , „I thought that attending the centre are women with psychic disorders and they wanted to see whether I have such disorders as well ”²¹¹ , „I wonder what have I done wrong that the personnel of the Centre concluded that I am queer in the head?”²¹²

In order to help the beneficiaries in understanding what a psychologist means as a specialist the service providers associate the psychologist with the leader of a religious cult (*Hieratic actor*) to whom they could confess under provision of keeping the confidentiality²¹³. Yet another modality applied by the specialists is the discussion with other beneficiaries, which in an equal-to-equal manner could explain the significance of a psychologist, more so that all of them are charmed by the services furnished by a psychologist²¹⁴. Many of the placement centres beneficiaries have mentioned that the psychologist has helped them in understanding many things in life that they were failing to understand before^{215, 216, 217}, etc. One extra argument in favour of the importance of psychological rehabilitation of DVV refers to the situations when the DVV found at the placement centres apply violence as a method of discarding anger onto their own children. In case of mothers with boys, these are saying to their child that he takes after his father while the child, in his turn, manifests offensive treat of other children within the Centre²¹⁸.

Many of the specialists have noticed that the psychological service for the Republic of Moldova is at the beginning of its way, being unknown to the general public and too little is being done to raise public awareness about the importance of this service. It is necessary to promote this service so that this is accepted by the DVV as well as by the offenders and so that the offenders to become aware about the need of this service without forcing them into accepting it²¹⁹. A rather important role in explaining the role of a psychologist belongs to the social assistant from rural areas²²⁰. Explaining the role of a psychologist should start back at school, aris-

²⁰⁸ Interview with a social assistant, locality L., June 25, 2013.

²⁰⁹ Interview with social assistant from the Placement Centre, locality G., June 05, 2013.

²¹⁰ Interview with a DVV, beneficiary of the Placement Centre, resident of a village in the Northern part of Moldova, 27 years old, mother of 2 children, June 04, 2013.

²¹¹ Interview with a DVV, beneficiary of the Placement Centre, resident of a village in the Northern part of Moldova, 42 years old, mother of 3 children, June 04, 2013.

²¹² Interview with a DVV, beneficiary of the Placement Centre, resident of a village in the Central part of Moldova, 19 years old, no children, June 05, 2013.

²¹³ Interview with social assistant, locality L., June 25, 2013.

²¹⁴ Interview with social assistant from the Placement Centre, locality G., June 05, 2013.

²¹⁵ Interview with a DVV, beneficiary of the Placement Centre, resident of a village in the Northern part of Moldova, 27 years old, mother of 2 children, June 04, 2013.

²¹⁶ Interview with a DVV, beneficiary of the Placement Centre, resident of a village in the Southern part of Moldova, 38 years old, mother of 3 children, June 11, 2013.

²¹⁷ Interview with a DVV, beneficiary of the Placement Centre, resident of a village in the Southern part of Moldova, 35 years old, mother of 4 children, June 12, 2013.

²¹⁸ Interview with a psychologist from the Placement Centre, locality C., July 25, 2013.

²¹⁹ Interview with a prosecutor, locality B., June 12, 2013.

²²⁰ Interview with social assistant from the Placement Centre, locality C., June 28, 2013.

ing from the fact that the school psychologist is perceived by the students as a specialist dealing with children with deviant behaviour, which are reprovved by their classmates. One of the social assistants said: „*Same as in our childhood we feared being punished by the principal, now all the pupils are threatened with being sent to the psychologist and they abstain from seeing this specialist. Since childhood they get a totally confusing idea about the role of a psychologist.*”²²¹

The majority of the specialists have underlined the importance of the psychological rehabilitation of the DVV before they could access the judicial system. Some of the lawyers and prosecutors have stated that: „*one could talk to her some three hours and still she would have fears and frustrations and do not know whether the solution offered is suitable or not*”^{222, 223}, „*she feels sorry for the offender, protects him and is easily manipulated by him*”^{224, 225} and „*sometimes she would pull out totally just when the lawyer has contributed enormous efforts and the judicial system is ready to punish the offender*”²²⁶.

On the other hand, a psychologist working for many years with the DVVs urges the specialists from all the domains coming in contact with the DVV to be indulgent with the beneficiaries and abstain from self-accusing if the DVVs are not prepared to leave the offender. One of the psychologists said: „*the DVVs will never leave the offender after her first or even few visits to a psychologist. They do not know where to go, they fear of being unable to cope and they fear a lot the offender (often the offenders are strong personalities, maniacal status, pathological jealousy, which is dangerous indeed), and I do understand them, I do not want to place their life in danger but I am trying to teach them how to overcome this situation. After her first visit a woman finds herself on a new wave of perception of a problem, she tries to fight back. She knows already whom to address, has trust with the psychologist and the institution and many other people that have helped her*”²²⁷.

While some of the DVVs are hesitant to address a psychologist, others have wrong expectations. A member of the multidisciplinary mobile team who participated in this study commented that „*some of the DVV that have met the psychologist were actually seeing some kind of a magician in him that could transform their husbands by turning them around so that their husband changes radically – that is what they were hoping for*”²²⁸, while one of the phone service counsellor has mentioned that „*some of the victims expect the consultant to come on the spot and lecture the offender and to have all their problems miraculously resolved*”²²⁹. This shows that a specialist must feature the art and have patience while working with the DVVs in order to help them understand the role of the service provider and how the counselling could help them in changing their life.

²²¹ Interview with social assistant from the Placement Centre, locality G., June 05, 2013.

²²² Interview with a prosecutor, locality B., June 12, 2013.

²²³ Interview with a specialist, NGO, locality B., June 12, 2013.

²²⁴ Interview with a lawyer from the NGO, locality G., June 11, 2013.

²²⁵ Interview with a lawyer from the Placement Centre, locality G., June 04, 2013.

²²⁶ Interview with a lawyer from the NGO, locality G., June 07, 2013.

²²⁷ Interview with a psychologist from the Placement Centre, locality G., June 06, 2013.

²²⁸ Interview with a specialist, NGO, locality G., August 01, 2013.

²²⁹ Interview with a specialist, NGO, locality G., July 23, 2013.

Yet even more vulnerable is the cohort of DVVs with mental disorders while their access to the services of a psychiatrist is rather limited. Some specialists believe that *„the persons with mental disorders are subjected to violence on behalf of their family members more often; at the same time, they are not aware of the situation in which they find themselves while the abusers are not brought to responsibility. The persons with mental disorders could be placed into specialised clinics with big difficulties and for a short time after which they are coming back with the family²³⁰*. As a consequence, it is necessary to draw more attention to the like cases so as to ensure adequate protection to this cohort of victims of domestic violence as well.

3.4. Access to justice and measures of protection offered to victims. Working with aggressors.

Access to juridical services rendered by the State and non-governmental organizations

Law No. 45, art.11, p. (5) stipulates *„A victim has a right of primary and qualified free juridical assistance according to legislation referring juridical assistance guaranteed by the state²³¹*. In addition to that FVV are not expressly specified in Law No.198 to have right of qualified juridical assistance, as, for instance, children of contravention victim or suspected/accused/defendant/ in a criminal case are (domestic aggressors are included). Juridical assistance guaranteed by the state (qualified juridical assistance) is rendered to persons which have no sufficient financial means to pay for it²³²; this presupposes a troublesome process of evidence collection which complicates the access FV to justice.

Within the present research, a FVV mentioned that *“I have to go to the district center town from my village and back for many times to get all needed documents at me”²³³*; a NGO lawyer confirmed this fact²³⁴. A prosecutor mentioned that *“The Territorial Office of Legal assistance Guaranteed by the State had not ever designated a lawyer for considering at least a case, since the means for rendering juridical assistance for such beneficiary categories as aggrieved parties are not allocated”*; the recommendation is that the State must offer DVVs juridical assistance guaranteed by the state in order to protect rights of this vulnerable category²³⁵. At the same time, a lawyer offering juridical assistance guaranteed by the state in limits of jurisdiction territorial office under National Council for Juridical Assistance guaranteed by the state and within a NGO, declared that *„DVV can beneficiate of juridical assistance guaranteed by the state only when she has a victim status given by criminal department, and namely when a criminal case is started*

²³⁰ Interview with a specialist, NGO, locality G., July 23, 2013.

²³¹ The law referring juridical assistance guaranteed by the state No.198 from 26.07.2007, published in Official Gazette No. 157-160/614 on 05.10.2007, came into force on 01.07.2008 (can be accessed in Romanian at: <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=325350>)

²³² Information from the site of National Council for juridical assistance guaranteed by the state (<http://www.cnajgs.md/ro/asistenta-juridica/asistenta-juridica-garantata-de-stat.html>)

²³³ Interview with a DVV, beneficiary of a placement center, resident of a village in the North of the Republic, 37 years, 4 children, June 24, 2013.

²³⁴ Interview with a lawyer, NGO, locality G., July 12, 2013.

²³⁵ Interview with a prosecutor, locality H., July 5, 2013.

*and criminal record is made. But victims need help before the criminal prosecution starts. Until 2013 we offered such state assistance only those who was taken to court, for instance, domestic aggressors; from this year we offer free juridical assistance in civil cases as well, but it is necessary to submit a set of documents evidencing the DVV beneficiary category*²³⁶.

Legal assistance guaranteed by the state is difficult to obtain because of bureaucratic obstacles. As to legal assistance guaranteed by the state there exists another problem - absence of specialists particularly trained for this domain and lawyers' small salaries. Thus, a prosecutor mentioned that „we are short of licensed lawyers willing to implicate in resolving domestic violence cases, the reasons being as the behavior of the parties in the process, so and long duration of such juridical procedures, and lawyers' efforts in fact are not properly rewarded, so they prefer to render their juridical services to other categories of beneficiaries, or the quality of their work leaves much to be desired”²³⁷. Another prosecutor figured out that “It would be better if such assistance was given free to DVV as well, I mean that a lawyer should assist at the sessions free of charge. Along with this, I'd like to say that function of a victim protection is executed by a prosecutor or a prosecuting officer.”²³⁸

Within the consultative session „Ensuring equal access to justice for men and women” organized by MLSPF on the 12th of November, Ministry of Justice representative mentioned that: “Law No.198 from 26.07.2007 referring juridical assistance guaranteed by the state does not stipulate domestic violence victims as a distinctive group with the right to free juridical assistance. In addition to it, there are other categories of beneficiaries due to this kind of assistance. There is a need to carry out the studies which would prove that all the domestic violence victims as a distinctive group must be in a incontestable way included into the Law stated above, since the state has no opportunity to render free juridical assistance to all the people”²³⁹.

Enlarging DVV access to the juridical assistance guaranteed by the state is basically subject to modalities of Reform Strategy Justice Section for the period of 2011-2016, p.3.1.2. „Legal assistance guaranteed by the state services quality and accessibility improvement (criminal and non-criminal cases)”²⁴⁰.

Taking into consideration the endured psychological trauma consequences, it is hard for DVVs to stand up for certain rights in court and usually do not have financial means to pay a particular lawyer. In this respect, juridical service offered by NGO and placement centers are well-timed^{241, 242}. An interviewed specialist mentioned that “usually DVVs are those who turn to organizations for help, as they are short of financial opportunities; they ask about the price of service, on realizing that it is free, they get glad and willing to make the aggressor bear

²³⁶ Interview with a lawyer, NGO, locality D., July 23, 2013.

²³⁷ Interview with a prosecutor, locality B., June 12, 2013.

²³⁸ Interview with a prosecutor, locality D., July 4, 2013.

²³⁹ Minutes of the consultative session „Ensuring equal access to justice for men and women” from the 12th of November 2013, MLSPF. Can be accessed in Romanian at: http://particip.gov.md/public/documente/139/ro_1178_PROCES-VERBAL.pdf

²⁴⁰ Reform Strategy Justice Section for the period of 2011-2016 (can be accessed in Romanian at: http://www.justice.gov.md/public/files/file/reforma_sectorul_justitiei/srsj_pa_srsj/SRSJro.pdf)

²⁴¹ Interview with a lawyer, Placement center, locality G., July 4, 2013.

²⁴² Interview with a prosecutor, locality B., June 12, 2013.

*the responsibility*²⁴³. The lawyers figured out other discouraging factors, such as: „*high state taxes - DVVs have to pay common property severance payment, court session fees, which can even block the access to justice. A way out of the situation could be total or partial exemption for the payments for this category, especially when there is a proof that tax exemption was not abused*”²⁴⁴.

The lawyers draw attention to the other kind of problems, such as: „*It is difficult to render DVV assistance providing them confidentiality in the process of evidences gathering, even if they suffered a physical violence, since they do not have legal medicine expertise*”²⁴⁵.

Many lawyers, prosecutors and policemen pointed to difficulties in opening a case of a psychological violence. A legal officer mentioned that „*It is more difficult to gain proves in these cases, we have a great deal of them, but we are not supported by criminal prosecutors, you know, it is more difficult to prove, since physical violence leaves lesions as traces, and psychological or economical violence does not*”²⁴⁶, and a prosecutor also mentioned that „*in order to prove such kind of aggression, we need witnesses, and naturally there are none of them*”²⁴⁷, two NGO lawyers said that they resort to constatation report effectuated by a psychologist and then „*it depends on court’s discretion to acknowledge this as evidence or not, usually it is not taken into account*”^{248, 249}. At the same time a policeman declared that „*there must be more centers to make psychological expertise possible to execute, only then we will be able to open criminal files...*”²⁵⁰, and a lawyer together with a prosecutor adduced such arguments as multiple contraventions applied before, namely precedents when physical force abuse is accompanied by psychological violence and this is reflected in documentation, serving a ground for a criminal case start^{251, 252}. Another lawyer mentioned that „*though preliminary psychological appraisal could also serve as evidence, legal officials neglect it, considering psychological and psychiatric examination more appropriate; its fulfillment can be requested only when criminal prosecution is given a start*”²⁵³, on the reason that „*it is difficult to bring the evidence to court, policemen do not duly react to such cases*”²⁵⁴.

Within the subject, the present research confirms the necessity of more detailed documenting of the problems related to DVVs’ access to justice, including victims of psychological, spiritual, moral and other kinds of violence, and eventual revision of actual normative acts referring assistance guaranteed by the state, so that DVVs could efficiently benefit of the right to fair legal remedy.

²⁴³ Interview with a specialist, NGO, locality G., July 23, 2013.

²⁴⁴ Interview with a lawyer, Placement center, locality G., June 4, 2013.

²⁴⁵ Interview with a lawyer, Placement center, locality G., July 4, 2013.

²⁴⁶ Interview with a policeman, locality C., June 28, 2013.

²⁴⁷ Interview with a prosecutor, locality D., July 4, 2013.

²⁴⁸ Interview with a lawyer, NGO, locality G., July 11, 2013.

²⁴⁹ Interview with a lawyer, NGO, locality G., July 12, 2013.

²⁵⁰ Interview with a policeman, locality Q., June 27, 2013.

²⁵¹ Interview with a prosecutor, locality G., July 2, 2013.

²⁵² Interview with a lawyer, NGO, locality G., June 7, 2013.

²⁵³ Interview with a lawyer, NGO, locality G., July 12, 2013.

²⁵⁴ Interview with a specialist, NGO, locality G., July 23, 2013.

Role of the Police

In order to consolidate DVVs faith in legal bodies and the police it is important that every registered case of violence should be taken seriously, respectfully and honorably. The more violence cases are reported, the more noticeable it will be for the authorities. The studies in the domain confirmed that DV fortifies its intensity and frequency if it is not adequately intervened. Thus, the police immediate reaction to domestic violence cases is the best way of victims' protection, it prevents from spreading of violence, reduces rate of deaths in families and causing grievous bodily injuries, and sometimes can even contribute to family preservation²⁵⁵.

In August 2012 MIA emitted an Order referring approbation of *Methodical Instructions regarding internal affairs bodies' intervention in prevention and control over domestic violence cases*²⁵⁶. According to an GPI official „these Instructions represent an instrument applicable for policemen, they become aware of definite measures they have to take starting with legal office notifying up to PO surveillance, sanctions for PO infraction, and working in MDT; these Instructions contributed to prevention and control system improvement”²⁵⁷.

A social assistant from a Placement center indicated that „*the last two years attested policemen' professional growth, they accumulated more experience in the domain, what allows them to show a better attitude towards DVVs, to react promptly and take respective measures*”²⁵⁸.

Another social assistant from the other Placement center mentioned that „*it is for the first time when a policeman referred a case of a young girl, a DVV, thus, people wearing uniform can really help, he reacted to her pain, he called us, asked about her situation, showed concern, displayed interest in her state, he said the girl was too young and he wished she had addressed earlier*”²⁵⁹, and a Placement center Chief Manager pointed out: „*some district policeman are very compassionate, it is a pleasure to collaborate with them*”²⁶⁰. A lawyer mentioned that „*I was pleasantly surprised for several times, when a policeman recommended the victim to apply for a protection order, asked her to take any measures*”²⁶¹. A special telephone line consultant mentioned that „*I had such a case when a policeman asked for help on hot line, wondering where he should refer the case, having DVV at his office, he did know where to find a place for her to stay, etc., it is so good of policemen to ask for informational support*”²⁶². Policemen' desire to have an efficient cooperation with placement centers was mentioned by a social assistant: „*when aggressors called the police searching for their wives and children whom we sheltered, policemen gave them the address and we were awoke by the aggressors thrashing at the*

²⁵⁵ A supporting course “An efficient police intervention in domestic violence cases in Moldova”. Women's law Center, Chisinau, 2013, P.13.

²⁵⁶ *Methodical instructions regarding internal affairs bodies' intervention in domestic violence cases control and prevention*, approved by Order of MIA No. .275 from 14.08.2012. Instructions can be accessed in Romanian at (http://www.mpsfc.gov.md/file/documente%20interne/instructiuni_mai%20%281%29.pdf)

²⁵⁷ Interview with a MIA official, July 23, 2013.

²⁵⁸ Interview with a social assistant, Placement center, locality C., June 28, 2013.

²⁵⁹ Interview with a social assistant, placement center, locality G., June 5, 2013.

²⁶⁰ Interview with a Placement center specialist, locality A., June 25, 2013.

²⁶¹ Interview with a lawyer, Placement center, locality G., June 4, 2013.

²⁶² Interview with a specialist, NGO, locality G., July 23, 2013.

door . After holding some meetings where we announced the policemen, they quitted giving the aggressors placement centers' addresses, and we were very pleased with this fact²⁶³.

The analysis of statistics data reflecting the activity of the Republic of Moldova's police in domestic violence prevention and control for the period of 2008 - 9 months of 2013 indicated the quantity growth in grave offences against life and health, registered by police, and a slight decrease in number of petitions, examined by district police officers engaged in domestic violence problems resolution (see Table 3).

TABLE 3. Information referring the activity of the Republic of Moldova's police in domestic violence prevention and control for the period of 2008 – 9 months of 2013²⁶⁴

Basic indicators		2008	2009	2010	2011	2012	9 months of 2013	
Complaints on domestic violence received by police						6569	5238	
Drawn contra-vention minutes	Total	248553	151690	94471	82238	114741	79130	
	Art. 78 (trivial intentioned injuries) CC	total	21404	18993	19382	16975	19082	12400
		in family	1476	1712	2135	2539	3228	1715
Grave infrac-tions against life and health registered in Police	Murders (art. 145 Penal Code)	total	185	189	211	196	193	136
		in family	30	17	31	22	16	22
	Grave intentioned injuries (art. 151 Penal Code)	total	358	354	394	373	301	215
		in family	33	29	29	11	11	11
Domestic violence (art. 201 ¹)				63	458	789	956	
Ensuring do-mestic violence victims' protec-tion	Protection Orders surveilled					23	408	334
	- on application of Local Police Officer						289	224
	- on prosecutor's application						63	23
	- on Penal Investigation Officer's appli-cation						4	19
	- on a social assistant application						3	3
	- on a victim's application						48	64
	- on application of other authorities/ legal bodies						1	1
	SURVEILLED VICTIMS							
	- women						224	199
	- children						5	7
	- women and children						165	97
	- men						14	31
	Broken Protection Orders							
	Total sanctioned						89	47
	- contravention among them						79	40
	- penal from them						10	7
	Applications directed to court consi-dering				7	231	397	271
- repeatedly						10	8	
- rejected						26	47	
Joint interventions within multidisciplinary groups				53	207	147	175	
Persons evidenced as family troublemakers		4681	4745	4569	4859	4822	4458	
- men						4447	4141	
- women						375	317	

Nevertheless, the research permitted to identify multiple problems in respect of policemen 'attitude towards DVVs, omissions in the DVV cases proceedings, DVVs distrust with policemen' professionalism, problems related to material and technical basis and working conditions of police sectors.

²⁶³ Interview with a social assistant, locality F., June 21, 2013.

²⁶⁴ MIA Statistics, November 2013, from the author's file.

Police collaborators' attitude towards the phenomenon and DVVs

As already said, a great many of policemen are not satisfied with the thing that DVVs initially file a police report and then revoke it. An interviewed policeman named senses of fear and guilt the victim endures as reasons of revocation: „*there were cases when having received a call at night we started up for the place and made a registration of the case, the next day she would come and apply for a conciliation, in most cases they change up their minds because of fear.. in a good many of times it is the victim who first starts quarrelling , he (the aggressor) comes back home from work and nothing is done over the house... she is tormented by awareness of her guilt and that motivates her to make up with him*”²⁶⁵. Another interviewed policeman also referred to a DVV sense of guilt as a reason not to file a police report: „*Why some of victims do not want to file a police report? Some of them are alone to blame, children are neglected and dirty, the husband is hungry. . . here comes a woman making complaints, we go to the place, then he asks us to have a look around to get the idea how she takes care of the house.. What is to be said? The woman is guilty in the conflict, she provokes the husband, and this happens in the most of cases..*”²⁶⁶. Moreover, some interviewed specialists explained the policemen inactivity in a PO emission, referring to their personal negative attitude towards taking the aggressor out of the house, displaying loyalty towards domestic aggressors: „*Why should we ignore aggressor's interests and rights? Policemen always invoke aggressors' rights, I have no right to enter the house, I have no rights... The aggressor does have rights, but when a victim comes saying he beat her and turned her out of the house, whether victim's rights are not breached? What is that kind of mercy for the aggressors, which have nowhere to go to. . . we do not dispose of the cases when an aggressor got frozen to death outdoors, at the same time we know many cases when a DVVs are turned out of the house in winter time, together with barefooted and undressed children they have to run away through the village. Policemen have to be more sensible to victims' situations*”²⁶⁷.

A prosecutor emphasized that „*we always have to take into consideration victims' decisions and viewpoints, but we also should keep in mind type of victims' mentality and their level of stigmatism, moreover, when they failed to get an efficient and responsible legal representative, they really become very easily manipulated by the aggressors and other participants of the process*”²⁶⁸. The research attests a low level of policemen professional ethics observance, in many cases they come to blame DVV instead of providing their rights protection. A DVV indicated that „*sector policeman nowadays does not explain you the rights you possess, usually he just tries to find out the cause why he (the aggressor) hurt you and sometimes even asks for the things which are surely out of his concern*”²⁶⁹. Two women related similar experience, when they called to police a policeman reproached them with the words: „*if you got here, it means he beat you quite well*”^{270, 271}. A lawyer referred to a policeman infraction example when „*an elderly woman was*

²⁶⁵ Interview with a policeman, locality S., June 12, 2013.

²⁶⁶ Interview with a policeman, locality V., June 28, 2013.

²⁶⁷ Interview with a specialist, NGO, locality G., July 23, 2013.

²⁶⁸ Interview with a prosecutor, locality B., June 12, 2013.

²⁶⁹ Interview with a FVV, a Placement center beneficiary, resident of a village from the North of the Republic, 27 years, mother of 2 children, June 4, 2013.

²⁷⁰ Interview with a FVV, a Placement center beneficiary, resident of a village from the North of the Republic, 27 years, mother of 2 children, June 4, 2013.

²⁷¹ Interview with a FVV, NGO beneficiary, locality G., resident of a town from the Central part of the Republic, 40 years, mother of 2 children, June 26, 2013.

beated by her son and her daughter-in-law, she got three legal medical expertise acts which resulted in fines paid also by her, when driven to despair she addressed a policeman having evident violence signs, he gave her a reproaching answer: „I have no possibility to sleep at your door, which in a lawyer’s opinion, is not an adequate answer for a legal bodies representative”²⁷².

In beneficiaries’ and service providers’ opinion, DVV distrust with police is caused by situations when policemen do not act according to *Methodical Instructions regarding internal affairs bodies’ intervention in prevention and control over domestic violence cases*²⁷³. A special trust line consultant indicates that *„distrust appears in the moment DVV knows she has the possibility of addressing the police, but a policeman’s service or attitude respectively does not encourage her at all, vice versa, it discourages, since let it be her personally or a neighbor of hers who was not helped, or even fined, the moment when police does not fulfil its duties under the job instruction, they ignore to address it for the second time, and it is a pity, since police is the institution DVV can address first”²⁷⁴*. A lawyer shared his opinion about DVV distrust with police on the example of an assisted case: *“DVV calls police on telephone. In many cases they do not even come. In other cases they come, talk to the aggressor and go away. There was a case when a woman was beated systematically and turned out of the house together with children. The policeman came to the place, talked to the abuser while the woman was staying outdoors. He went away without doing a thing, leaving the woman with children in the street”²⁷⁵*. A social assistant witnessed a case of assistance *„A DVV addressed the police for several times, but was refused, having got disappointed she turned to a social assistant, but afterwards we still had to implicate the policeman too, this thing threw the woman into confusion”²⁷⁶*. A woman who wanted to complain about the sector policeman inactivity, made an appointment with a Police Commissioner, sincerely witnessing that *„I did not like the audience at all, since the Commissioner told me it would be difficult for me to grow up my children alone, asked to think over once again, trying in some way or another to make it clear for me that I should turn back, and after this discussion I seemed to be absolutely discouraged, I felt like there had not been any justice in the world at all and making complaints is a useless thing, and I have to endure as it is”²⁷⁷*.

A prosecutor mentioned that *„there are such policemen, prosecutors which instead of investigation and efficient victim protection try to make their work easier and attempt reconciling the parties, which is beyond of our competence.*

The institute of mediation and an aggressor and a victim conduct are out of policemen and prosecutors’ attributes, we have our direct duty to provide an efficient and effective protection to victims, and to penalize and to refer the aggressors to specialized services”²⁷⁸.

²⁷² Interview with a lawyer, Placement center, locality G., June 4, 2013.

²⁷³ See reference 7.

²⁷⁴ Interview with a specialist, NGO, locality G., July 23, 2013

²⁷⁵ Interview with a lawyer, NGO, locality G., July 7, 2013.

²⁷⁶ Interview with a social assistant, locality a F., June 21, 2013 .

²⁷⁷ Interview with a FVV, a Placement center beneficiary, resident of a village from the North of the Republic, 27 years, mother of 2 children, June 4, 2013.

²⁷⁸ Interview with a prosecutor, locality B., June 12, 2013.

A hot line consultant mentioned registration of such cases when „a policemen discourages a DVV to denounce official violence acts, telling her that if she makes an application to the police, it is sure to get into the data base, and when her children come to study to Chisinau, this information is certain to come out, thus, her children are going to have problems, everybody will find out they are from a problem family”, this being „rather a policemen responsibilities avoidance”²⁷⁹. When being asked why they think the policemen avoid their duties of implication in DVV cases, a woman witnessed her own experience: „policemen consider that such a problem should not become apparent, since it gives them an extra headache, they have to register the complaints, to investigate the case, to come to the dwelling place”²⁸⁰. A psychologist gave a following explanation of these two cases: „policemen gave priority to crimes, and DVVs are not prior in their opinion, it is not grave. They often confuse DV with conflict, with a quarrel. Not all the policemen, but a great many of them judge the victim. Some of them accuse the victim, saying she provokes violence and the abuser is not guilty. Since the policemen in their majority are men, when they enter the house and occur in front of the both implicated parties, an equal attitude towards the aggressor and the victim is felt. The first mistake they make is shaking hands with the abuser”²⁸¹. A psychopedagogue shares his experience of DVV assistance: „Even if victims address the police, they are not taken seriously, on complaints it ends. Along with policeman, there must be a woman, a social assistant who should visit the family and work separately with both parties, but usually policeman calls both parties simultaneously to come to his office and this is not right. He rarely explains them their rights and the way they can protect them. Sometimes they are encouraged to show more tolerance towards the abuser since the child needs a family to live in, without putting questions whether the child is worth of living in an abusive medium or not”²⁸².

In this respect, in order to align the situation, an interviewed specialist mentioned that „First we need to change the mentality of those specialists who contact victims directly. As long as you are a policeman and you have assumed this responsibility upon you, you are obliged to act under the legislation; if a violence case occurred, then apply for a protection order, if necessary, even if it contravenes your personal values and perceptions”²⁸³.

Thus, even if police made certain laudable attempts of Law 45 application, these still lack consideration of DVV psycho-emotional state specificity, respectively policemen sometimes display a hostile attitude towards them, considering them to be guilty for the violence situation happen in the family. In what follows, the situations when policemen break professional ethics are attested in practice. It is evident that policemen need training in what refers not only law application, but human rights familiarization, especially those of victims, for practicing policemen activity.

²⁷⁹ Interview with a specialist, NGO, locality G., July 23, 2013

²⁸⁰ Interview with a FVV, a Placement center beneficiary, resident of a village from the North of the Republic, 38 years, mother of 2 children, June 28, 2013.

²⁸¹ Interview with a psychologist, a Placement center, locality B., June 12, 2013.

²⁸² Interview with a specialist, Placement center, locality B., June 12, 2013.

²⁸³ Interview with a specialist, NGO, locality G., July 26, 2013.

Complaint registration at the Police

Many of the specialists indicated that DVVs appeal to the police for several times before getting to a Placement center/NGO, but these addresses are not always officially registered. Within the present research, no one from DVV beneficiaries of APS, did not know about the necessity of a file registration at the police, getting aware of this only from the centers' lawyers or jurists. A lawyer explained: „*The complaint must be registered in two copies, the victim must have a written confirmation of the fact she has lodged it. Thus, the complaint is made in two copies; the first one is done for DVVs and must contain a stamp of the police office, and this would prove her having addressed police. At the same time, there are special registers to note down everything; each complaint is given a unique entry number. If it is a case of verbal complaint, the policemen are obliged to make a minutes record. If he does so, the responsibility is bigger, not only towards the person who lodged the complaint, but also towards the Chief who executes a check up. Unfortunately, they do not always do this work*”²⁸⁴. A DVVs stated that „*I've been for five times at the police sector, and my complaint was never registered. When I saw the policeman without any implication, I addressed district Police Commissioner and he had my complaint registered properly*”²⁸⁵. In such a way there is a hope that police collaborators will take all the corresponding measures to complaint registration²⁸⁶.

Some specialists indicated that „*for many times the case is registered as a troublemaking family, and not a domestic violence case, as a result FVV lose faith in police, they form an impression that they have to tolerate violence and believe they alone are to be blamed*”²⁸⁷.

In this respect, in order to make the activity of DVVs control more efficient and to provide an adequate DVV' protection, legal bodies' collaborators have to take into consideration and strictly respect the modalities of *Methodical Instructions regarding internal affairs bodies' intervention in prevention and control over domestic violence cases*. In accordance with p.109 of the Instructions, lack of Law No. 45 observance by the internal affairs bodies' employees with the competent duties in the domain is considered to be a breach of labor discipline and is subject to disciplinary action conforming to the legislation.

Disciplinary liability applicable to policemen for undue activity

Although the *Methodical Instructions regarding internal affairs bodies' intervention in prevention and control over domestic violence cases* were approbated by MIA in May 2012, some interviewed specialists mentioned that sometimes policemen were not even aware of it. A lawyer is relating: „*There was a case, when a policeman had not even had the idea of the Instructions. To crown it all, he operated with the old Contravention Code. I gifted him a new one. Afterwards, since he left the case nonintervened, we had to lodge the complaint to Commissariat*”²⁸⁸. Conforming to p.109 of *Methodical Instructions regarding internal affairs bodies' intervention in*

²⁸⁴ Interview with a lawyer, NGO, locality G., June 7, 2013.

²⁸⁵ Interview with a FVV, a Placement center beneficiary, resident of a village from the North of the Republic, 27 years, mother of 2 children, June 4, 2013.

²⁸⁶ Interview with a social assistant, a Placement center, locality C., June 28, 2013.

²⁸⁷ Interview with a social assistant, a Placement center, locality C., June 28, 2013.

²⁸⁸ Interview with a lawyer, NGO, locality G., June 7, 2013.

prevention and control over domestic violence cases, „lack of Law No. 45-XVI from the 1st of March 2007 regarding domestic violence prevention and control modalities observance by the internal affairs bodies' employees with the competent duties in the domain i is considered to be a breach of labour discipline and is subject to disciplinary action conforming to the legislation'. An official from GPI mentioned that „as for the policemen' nonintervention, DVV can easily dial 902, no matter where they are, the case is registered. It rarely occurs when a policeman does not act under what is written in the Instructions”²⁸⁹.

Another lawyer from a center specialized to assist DVV, declared that „It is very necessary to make the policemen liable to disciplinary responsibility, I'm sick and tired of lodging complaints, now I stick to the other tactics of writing letter of gratitude to those who has done at least something, but keep on writing complaints as well, and now that policemen are liable to responsibility for the deviation, it is quite normal that the Chief supervises them and makes them more attentive. I think if all the actors implicated in FVV assistance and protection had lodged complaints, then it would have been much more efficient. Since we are not supposed to get one day to the point when finding out on news that today the Republic of Moldova was fined with a penalty of 17 thousand Euros for the fact that commissariat did not react promptly and was not protecting a victim during 15 years. I think it is extremely much! How many cases of penalization in ECHR we need to gain to make the police respect the law?”²⁹⁰.

A psychologist confirmed that commissariats' announcement of the mistakes committed by the policemen in their job or in DVV protection proved to be an effective measure. „It is good when specialists can appeal to a superior from a district legal body, when sector policemen commit mistakes. I had a definite case when a beneficiary called on my mobile phone at 11 p.m. from a wardrobe and asked me what she had to do as the aggressor had abused all the family members. He was a karateka and there was a real menace for all the members. She could not talk being hidden in a wardrobe. I called the police, the person on the phone told me that they had got many crimes and this case was not a crime, had advised her go to a center, but they at the moment had no possibility to get to the place. I kept on calling, after the 6th call the policeman insulted me. After a long time the policeman nevertheless came up to the place, shackled hands with the abuser, they talked outdoors for about 15 minutes, in this time the DVV started to pack up, but then the policeman went away and the husband beat her again. The woman called me being beat all over the body. I called to the police again asking in what way they had provided security to the woman, if she had been beat again. The policeman did not even assured himself if the victim had managed to pack her things and leave. Those from the guard control unit reproached me saying that the victim could have called a taxi and gone to the Center. The next day I went to Commissar. They held a meeting the next day, listened to the records of guard service and took measures. As long as the breaches are detected we can hope for a change, and if these mistakes are not announced, nothing is going to change. Nowadays we observe the policemen coming to the Center are attentive to what they say and if there come two of them, they correct each other”²⁹¹. A lawyer related about

²⁸⁹ Interview with an official from the Ministry of Internal Affairs, July 23, 2013.

²⁹⁰ Interview with a lawyer, a Placement center, locality G., June 4, 2013.

²⁹¹ Interview with a psychologist, a Placement center, locality B., June 12, 2013.

a case of a Chisinau district policeman implication into a violence case in cohabitation relationship: „Police was called, but they did not take any measure. Thus, we made an announcement to the Commissariat, to the public prosecution office and even to MIA. In few days the victim contacted us and told that the policeman tried to challenge her. Could she draw away the complaint? His salary will be cut off... We are patient for our victims, they make the decision. And the policeman was not piteous about her with her two children left in the street? The policeman also called to the center, affirming it were us who made the victim complain. He was made answerable for it, but afterwards the situation repeated. I put one more complaint to the same institution”²⁹². A psychologist related his personal observance which resulted from collaboration with the policemen in DV cases: „I have observed a tendency of legal bodies’ collaborators to make DVV responsible for what happened, even when they draw the complaint away. They often forget about psycho-emotional state of a victim, that is why a psychologist should work with her, and it is better for her to be referred to a psychologist, since the traces of traumas make FVV dependent on aggressor”²⁹³.

A DVV witnessed: „I’ve come to police to ask for help, I was beaten black and blue, my nose was broken. He reproached me – and you were being good too, that’s it... I cried a lot... My husband would run after me with an axe in his hand, and fearing that one day he would kill me leaving my children to roam through nooks and corners, I appealed to Commissariat, and the village’s policeman was lowered in rank and replaced, and since then the new policeman used to come at any calling. If I knew, I would better appeal to Commissariat at once, my children would not be probably so stressed”²⁹⁴.

Another psychopedagogue gave an example from proper experience when she managed to make a policeman answerable, since he was on friendly terms with the abuser and therefore was subjective in his actions – „I had a precedent when I complained to a criminal prosecution officer and he was replaced, the file was forwarded to the other officer and afterwards the case went on conforming to procedure”²⁹⁵.

A prosecutor mentioned that „as for the legislation, it is good, but legal bodies’ collaborators often do not consider it thoroughly and therefore, do not apply it properly. The Chiefs have to grow up in this domain. In this direction we generally cannot oblige them to take definite actions. It would be fine if an order, a MIA disposition with concrete indications, actions, is issued, if monthly raids are organized”²⁹⁶. The same opinion was shared by a psychologist, who indicated that „after sector policemen have been trained in the domain, in order to evaluate the seriousness they come now to the problem, it would be fine to organize a tight control by their superiors”²⁹⁷. Nevertheless, a NGO representative mentioned that he will not rush to punish the policeman (through his Chiefs) who did not react to a DV case – „I’d like to talk to him first to understand

²⁹² Interview with a lawyer, NGO, locality G., July 11, 2013.

²⁹³ Interview with a specialist NGO, locality G., July 26, 2013.

²⁹⁴ Interview with a FVV, beneficiary of a Placement center, resident of a village from the South of Moldova, 35 years, mother of 4 children, June 12, 2013.

²⁹⁵ Interview with a specialist, a Placement center, locality B., June 12, 2013.

²⁹⁶ Interview with a prosecutor, locality H., June 5, 2013.

²⁹⁷ Interview with a social assistant, a Placement center, locality M., June 13, 2013.

his viewpoint. In case if he has a wish to implicate but really does not know how to do it, I'd try to help him, since individual situations are very and very different..."²⁹⁸

To evaluate the quality grade the policeman service duties are fulfilled, some social assistant propose to „organize an opinion survey among the DVV regarding the efficiency of a policeman work by the means of anonymous questionnaires and collection of information by the specialists who contact the DVV"²⁹⁹.

Logistic and Maintenance Support, Operational Conditions and Personnel Training Needs

In their daily activity the police officers encounter many impediments and experience a large spectrum of needs in what concerns human resources or logistics.

Many of the DVVs have mentioned the fact of making an appeal to police once being found under circumstances posing the threat for their life and health. Some of the victims mentioned that they had to wait for a few hours before the police would reach their household. Explanations given by the policemen were confined to lack of vehicles or fuel. Being asked about logistics available with the police, one of the officers with the General Police Inspectorate has mentioned that „the police officers acting at the local level need more responsibility. Everything that pertains to the logistics is provided for by the Law of the Local Public Authorities (LPA) No. 436, para II x) Art. 14. The LPA bears responsibility for technical equipment of the police pursuant to the law and must ensure observance of the public order, adoption of decisions concerning the activity conducted by the municipal police as well as proposing measures meant to improve its overall activity. Pursuant to the new Law, everything, including the fuel must be provided for by the local government budget"³⁰⁰. Actually, as part of this study, we got an answer from a policeman who stated that “In regard to logistic available at a police post, to be honest, there is nothing at all; we have to walk by foot across the village from morning until dawn"³⁰¹. Yet another policeman answered that „the mayor's office took care of giving us a vehicle but still there is a problem of getting fuel"³⁰². Due to the fact that „there is fuel today while tomorrow there is none I had to take the DVV and her children to the city so that they could pass forensic examination and plus to that they had no money and I was placed in a situation under which I had to cover the cost of forensic examination"³⁰³.

This problem as well as the shortage of police officers, lack of office equipment and supplies has been also corroborated by the officials from within the General Police Inspectorate: „We need more police staff while the understaffing is being explained by small wages compared to huge responsibilities – a policeman could be woke up in the middle of the night and, having no means of transportation, walk by foot some 10 km away from home, must pay money out of his own pocket – these are difficult tasks for them to carry. It is necessary to have better

²⁹⁸ Interview with a specialist, NGO, locality G., August 1, 2013.

²⁹⁹ Interview with a social assistant, a Placement center, locality M., June 13, 2013.

³⁰⁰ Interview with an official from the Ministry of Internal Affairs, July 23, 2013.

³⁰¹ Interview with a policeman, locality N., July 2, 2013.

³⁰² Interview with a policeman, locality Q., June 27, 2013.

³⁰³ Interview with a policeman, locality Q., June 27, 2013.

logistics – vehicles, fuel, fax/Xerox/printer – lack of these in ensemble explains the flaws in their activity”³⁰⁴. One of the prosecutors explained understaffing as follows: „I am well aware of the situation in our Rayon. There are more than 40 vacant positions of which 30 vacancies are with police posts. There is a problem. If the wages were decent there will be no such problems and they would have worked more consciously”³⁰⁵.

Under this context, one of the NGO employees has worded his personal opinion as follows: „I do not know to what extent a policeman could cope with his duties having such small wage while bearing responsibility for a number of villages and having to walk across these villages being weakly equipped; without giving them anything we request too much of them. They have their own truth and they could not be blamed for anything”³⁰⁶. Likewise, another representative of NGO pay tribute to the policemen explaining delayed intervention in cases of DVVs: ”I am perfectly well aware of the fact that this is bound to many problems encountered by the policemen. For example there are cases when a policeman must service two or three villages to which he must walk by foot or look for the transportation of his own”³⁰⁷.

Due to big staff turnover, „especially highly qualified ones, many of the policemen look alike, they have no knowledge about the behavioural specifics and the portrait of a victim and due to which they feel frustrated by the fact that after contributing lots of efforts and spending lots of time for solving a case of domestic violence, at the end of the day the victim chooses to reconcile with the offender”³⁰⁸.

A policemen, who said that there was not a single case of domestic violence in the village where he works expressed his desire as follows „I would be interested to participate in a training so as to have a chance to exchange the experience with my colleagues and to have there persons that went through the procedure from A to Z ... it could be the victim who could tell us what happened and what kind of circumstances she was going through.”³⁰⁹. Taking about chances of attending training courses for the policemen, one of the officials from within the General Police Inspectorate has stated that „The United Nations Fund for Population within the frameworks of a project financed by the US Embassy with the support of the Centre for Women Rights has launched a procedure of training for 550 policemen. Conducted as part of this project were 3 cycles of training the trainers, preselected were 18 police employees and a few representatives of the civil society; subsequently selected as eligible were only 7 policemen and 7 persons from the associative sector. Accordingly, the first two rounds of courses for 25 policemen each have taken place and then as of September 2013 the rest of the training will take place meant for the sector officers; for the future we propose to go on with training covering the rest (another 700) of policemen bearing in mind high level of labour fluctuation”³¹⁰.

³⁰⁴ Interview with an official from the Ministry of Internal Affairs, June 23, 2013.

³⁰⁵ Interview with a prosecutor, locality H., July 5, 2013.

³⁰⁶ Interview with a specialist, NGO, locality G., July 26, 2013.

³⁰⁷ Interview with a psychologist, Centre of Placement, locality G., July 4, 2013.

³⁰⁸ Interview with a specialist, NGO, locality G., July 23, 2013.

³⁰⁹ Interview with a policeman, locality D., July 4, 2013.

³¹⁰ Interview with an official from the Ministry of Internal Affairs, July 23, 2013.

The Authority of a Policeman

Nine DVVs interviewed within the framework of the present study that were hesitant to appeal to the sector policeman have mentioned the policeman has no authority that would make him being respected by the offenders or by the inhabitants of the village. A social assistant mentioned that „*A lot depends on the authority of a policeman in the fact of an offender which counts even if the offender is being drunk. If a policeman is a young man aged 20-22 years and the authority is lacking then in such a case the policeman could also be offended but this happens only when the policemen do not wear their uniform but if they are dressed in the uniform then the offenders get scared and do not touch them*”³¹¹. One of the policeman has mentioned that on many occasions they are limited in the actions they could take: „*To be honest with you, I go to the household to tell the man to calm down... but there are cases when I fear that a man could have a gun or hit me, there are other issues, I cannot enter free into the household as the offender does not let me in, it could also be an abuse of authority from our side...*”³¹². In other case the following was reported by the social assistant from the centre of placement that has helped to a DVV that had no courage to appeal to her village policeman: “*I had once a beneficiary runner away from her violent husband – she went to stay in rented place then moved to another but her husband found her and has beaten up the landlord; to make the long story short – poor woman with children had no place to live in this world. She managed to get with us and I helped her to make out the protection order. The sector policeman who enjoys the authority in the village instructed the offender to come up and had a serious talk with the latter. This was sufficient, the offender made one more (the last) telephone call to his spouse after which this woman was left at peace.*”³¹³.

Yet another DVV has stated that „*there should be also female police officers not only male so as to hear out both parties otherwise there is only male solidarity – no matter where you go, the female could not find any respect*”³¹⁴. Since among the police employees that were interviewed within the framework of the present study there was also a woman we asked her how does she feel being a police officer, having to work with the DVV as well as with the offenders while comparing her services with the ones furnished by the male police officers, she said that „*being a woman it was hard at the beginning; there are many aggressively-minded offenders beside of still persisting stereotype as to what does this woman want of me? But working more time gave a chance to people learn about my character through work and I managed to make it clear that I do not tolerate any offence. How could I explain it – sometimes the men would drop it; I am not like that, I do not let it go; if the rule of law was violated I proceed to punish them pursuant to the requirement of the law. I believe there is no difference whether it is a woman or a man taking position of a police officer; what is important is to that a person fulfils his/hers service duties*”³¹⁵. At the same time, she added the following to her prior statement: “*As a female police employee I believe that this is an advantage; a victim will be more disposed to tell me about what has happened to her. She would tell me in detail what happened, she would feel free to discuss the issues*

³¹¹ Interview with social assistant, locality C., June 10, 2013.

³¹² Interview with a policeman, locality R., June 11, 2013.

³¹³ Interview with social assistant, Centre of Placement, locality A., June 25, 2013.

³¹⁴ Interview with a DVV, beneficiary of a Centre of Placement, resident of a village in the Central part of Moldova, 43 years old, mother to 3 children, June 6, 2013.

³¹⁵ Interview with a policeman, locality N., July 2, 2013.

*with me and it is much easier for her to establish psychological contact; as a result the DVV feel much at ease to come up with repeated appeals*³¹⁶. Still, one of the employees with the Centre of Assistance and Counselling for the Domestic Aggressors has specified that *„the issue is not about gender differences but rather that of mentality. Some feel responsibility for what they are doing and trying to make changes – others do not want any changes; they would just apply a penalty and that’s all*³¹⁷.

As believed by many of the DVVs as well as by the specialists, application of a penalty to the offender as a measure of punishment seem to discredit the authority of a policeman in the community and contributed to loosing trust into the law enforcement bodies, which, as seen by the population, have the mandate to combat this phenomenon. One of the lawyers has stated the following: *„Just today I had a case with a DVV coming to my office being unmercifully and very often beaten up by her own son, she produced 3 forensic examination reports showing that in a month time she was beaten up 3 times and every time the offender was punished by paying penalty; this regardless of the fact that since 2010 we have in effect provisions of Article 201 prim, which stipulates launching a criminal case proceedings and the respective person should have long ago served criminal punishment*³¹⁸. Many of the interviewed specialists have corroborated situations in which the DVVs were forced to settle penalties applied to the offender by a policeman, which makes them quit appealing for help while the domestic violence moves into top gear^{319, 320, 321, 322, etc.}.

A lawyer has mentioned that *„a policeman is in a hurry to launch the administrative procedure for light corporal injuries and that is how the case is being examined but such measure of sanctioning the offender fails to demonstrate any efficiency. I would like to believe that following training of the policemen the status of things would change in line with the provisions of the law; we proceed to convince them that the criminal proceedings must be launched, especially when there are light corporal injuries*³²³. It is worth noticing that pursuant to the statistical data supplied by the General Police Inspectorate by the Ministry of Internal Affairs, the number of administrative minutes made out pursuant to Art. 78 of the Contravention Code (intentional light injuries) that was increasing during 2008-2012 dropped in 2013 while the number of domestic violence cases (Art. 201¹ of the Criminal Code) is increasing (**see Tab. 3**).

The Role of Prosecutor’s Office

Prosecutor’s role

One of the prosecutors interviewed has mentioned that *„In case of an offender, coming upfront should be application of penalties and sanctioning followed by assistance granted to the DVV,*

³¹⁶ Interview with a policeman, locality N., July 2, 2013.

³¹⁷ Interview with a specialist, Centre of Assistance and Counselling for Domestic Offenders, June 28, 2013.

³¹⁸ Interview with a lawyer, Placement Centre, locality G., June 4, 2013.

³¹⁹ Interview with a lawyer, NGO, locality G., July 11, 2013.

³²⁰ Interview with social assistant, locality O., July 3, 2013.

³²¹ Interview with a lawyer, NGO, locality G., July 12, 2013.

³²² Interview with a specialist, Centre of Assistance and Counselling for Domestic Offenders, June 28, 2013.

³²³ Interview with a lawyer, NGO, locality G., July 12, 2013.

*while in no way the priority should be targeted towards protecting the rights and interests of an offender. Mandatory granting assistance and protection to the victim should be a must – this being an efficient assistance and protection rather than simply declarative, theoretical and delusive one. This is not what the law enforcement bodies should be responsible for. The prosecutor's office must play a pro-active role and take care of vesting all of the important players engaged with direct responsibility of granting efficient assistance and protection to a victim*³²⁴.

A lawyer has made reference to certain issues concerning engagement of a prosecutor in bringing criminal charges against the offender: One of the issues mentioned was in connection with prosecutor's refusal to launch the criminal proceedings: *„Even if the local police officer or policeman on duty proposes to launch criminal proceedings provided for by Art. 201 prim, we experience impediments as the prosecutor refuse launching criminal proceedings since he does not see any component elements of a crime*³²⁵. A chief of a police station has stated that *„The prosecutors as well as the judges seem to apply provisions set forth by the Criminal Code of the Republic of Moldova in a wrong way; we have a case when a prosecutor has lifted criminal cases due to reaching settlement between the parties (although such handling of a case is forbidden); the case in question included actual violence supported by the order granting protection that was duly filed by me. Meanwhile, the victim got tired of being hassled by visiting many times the commissariat and the court for some two months and had no further desire to pursue the case; as a result the Prosecutor's Office has discharged the case...*³²⁶ One of the lawyers who was furnishing legal assistance in case of domestic violence with actual danger for the victim's life has stated in his request of taking the offender into custody that: *„the prosecutor did nothing and the (offender) was let go. I contacted the prosecutor immediately and the latter negated the fact the offender has stepped into his office. Anyway, he decided that there are no grounds for taking the offender in custody. No one is willing to assume the responsibility. On numerous occasions the Republic of Moldova was condemned by the ECtHR for illegal detention. Cooperation between policeman, prosecutor and a judge in charge of criminal cases is highly desirable but there is no will to ensure such.*³²⁷ An official from within the General Police Inspectorate has stated that *„Many of the prosecutors believe that the criminal proceedings should be launched only after the acts of violence were registered repeatedly. This, in a situation when the General Prosecutor's Office informs us that the majority of policemen review the domestic violence cases through the prism of the Contravention Code... Although we have posted an internal circular letter to the police officers in which we have explicitly stated than none of the cases should be reviewed bearing on this Code. The prosecutors see us as the guilty ones but they fail to take into consideration the fact that all of the case file materials are being checked up by the Prosecutor and hence, they have all the right to cancel the minutes or to appeal such with the court to cancel the process and to launch criminal proceedings.*³²⁸ One of the prosecutors has mentioned that *„A prosecutor must take a pro-active role and issue specific instructions to criminal prosecution officers as well as to other service providers including through*

³²⁴ Interview with a prosecutor, locality B., June 12, 2013.

³²⁵ Interview with a lawyer, Placement Centre, locality G., June 4, 2013.

³²⁶ Interview with a policeman, locality Q., June 27, 2013.

³²⁷ Interview with a lawyer, NGO, locality G., June 7, 2013.

³²⁸ Interview with an official from the Ministry of Internal Affairs, July 23, 2013.

engagement of other anti-violence actors. The number of prosecutors being well familiar with the legislation and aware of how to apply such is rather scarce and in many cases they fail to prove being pro-active; there are cases when the victims are engaged in criminal actions repeatedly, likewise admitted are the confrontations, which is not good, not to mention the facts of re-victimization and it will be good for the prosecutors to intervene in cases when the policemen or other anti-violence actors allow for such abatements from the international standards and recommendations³²⁹.

An employee of an NGO felt indignant by the inactive attitude manifested by the law enforcement bodies whenever there is a need to filing a request for obliging the offender to leave the domicile shared with the DVV (one of the items specified in the Protection Order): „The prosecutors, same as the policemen fear to take the responsibility in case when the offenders might move to a place where they would suffer from cold; in this case they assume the responsibility by saying that they have duly contributed. But they assume this responsibility in vain as first of all it is not their responsibility – it should be none of their concern where a man would stay and whether he would suffer from cold or not but probably what we see here is a case of male solidarity³³⁰.

Still, in one of the interviews a prosecutor delivered a proven case of pro-active engagement into the identification of the DVV: „I receive on daily basis all the information recorded by the police in registers one and two. I am making analysis and consult with the family doctors as not all of the victims appeal to guard unit for help; initially they would address medical personnel and hence we are looking for all the institutions which the DVV could contact for help³³¹

Training

Numerous representatives of the Prosecutor's Offices as well as such of police have mentioned the need of offering training programs in the domain for the law enforcement bodies. One of the prosecutors mentioned that „the training is always in need while we are open for such cooperation and ready to participate in such training courses, although with a sole reservation – you must let us know in advance as we have our work program rather overloaded and therefore it is preferable that you notify us in at least one month in advance and the training must take place locally. Since we have court hearing programmed and summons for interrogations, it is clear that we could not just drop all the cases files and attend the workshops³³².

Yet another prosecutor has stated that „The prosecutors also need self-training and exchange of good practices. There are high level training courses carried out at the General Prosecutor's Office and we always receive guidelines and summaries highlighting positive instances as well as the challenges experienced by each of the Prosecutor's Offices in their activity and we improve our qualifications while making ourselves familiar with these documents³³³.

³²⁹ Interview with a prosecutor, locality B., June 12, 2013.

³³⁰ Interview with a specialist, NGO, locality G., July 26, 2013.

³³¹ Interview with a prosecutor, locality H., July 5, 2013.

³³² Interview with a prosecutor, locality D., June 4, 2013.

³³³ Interview with a prosecutor, locality I., July 3, 2013.

The Importance of Cooperation Between a Psychologist and the Prosecutors on the Domestic Violence Cases

A number of prosecutors have referred to the difficulties experienced in establishing contacts with the DVVs as well as the insufficiency of services for the DVVs that would help in establishing their psycho-emotional status prior to their participation in the criminal proceedings. One of the prosecutors has stated the following „*I would like to see a psychologist unlike the educational supervisor with few hours at school but the one which is available around the clock at the request filed by the law enforcement bodies and if necessary, the psychologist must join us on the spot so that we could work together in the territory; from my practice I could say that if a psychologist knows how to hold a discussion with the victim then we could gather a lot of information. We, the prosecutors have our separate practice of asking the victim to tell us quickly what happened; as a result the victim retrieves into her shell and further communication blocked. Accordingly, the victims trust with law enforcement bodies will grow if we are able to engage the psychologists more in our work*”³³⁴

Many of the prosecutors have highlighted lack of qualified psychologists for interviewing children victims and/or witnesses taking part in criminal proceedings^{335, 336}, etc. Yet another issue mentioned by one of the prosecutors highlights the fact that „*it is difficult to obtain psychiatric or psychological examination reports since, as a rule, the offenders are the parents and we have to admit, that it is also the parents stand as child’s legal representatives and grant their consent for their child participation in carrying out such examination*”³³⁷.

A psychologist, trainer in a number of seminars with participation of prosecutors from several Rayons, has stated that „*It is worth mentioning that compared to the previous years the representatives of the law enforcement system – judges and prosecutors seem to be much more aware of the domestic violence problem and that the situation has improved. If before they were distant now it is them who come with the questions and manifest their interest. They are prepared to cooperate. They have understood the role of a psychologist. There are prosecutors that refer many victims to me and these are not only the victims of domestic violence but also the victims of traffic accidents. They now understand the importance of the services furnished by a psychologist. And I do not refer myself to the municipality of Chisinau alone as the appeals are coming from the regional level as well*”³³⁸.

The role of the courts³³⁹

The judges’ attitude

Many judges are marked by the existing stereotypes having a hostile attitude towards DVVs. A lawyer gave examples of phrases said to DVVs by a judge in court “*You’ll get back*

³³⁴ Interview with a prosecutor, locality H., July 5, 2013.

³³⁵ Interview with a prosecutor, locality A., June 25, 2013.

³³⁶ Interview with a prosecutor, locality ea I., July 3, 2013.

³³⁷ Interview with a prosecutor, locality D., July 4, 2013.

³³⁸ Interview with a psychologist at the Center of Placement, locality G., June 6, 2013.

³³⁹ Cu părere de rău, în cadrul acestui studiu nu a fost posibil organizarea interviurilor cu judecători, astfel informația expusă în acest subcapitol expune opinia doar VVF și altor specialiști.

together! It's not the first case!", "You want to educate him in old age?"³⁴⁰. Another lawyer provides other examples of phrases said by a judge to a DVVs in an attempt to raise her responsibility: "He cannot be the only one to blame". There are also other examples when the judge violates the Code of Ethics: „in a divorce proceeding, the judge asks: "Why do you want to divorce? Well, maybe you are the one to blame? Maybe you've slept around with other men? Maybe the children are not his?"³⁴¹ that reveals the discriminatory attitude towards DVVs. There is also one case mentioned where, in the lawyer's opinion, the judge seemed biased (in the benefit for the abuser): "Although I have noted that it was a case of DV and, according to the Family Code, in such cases shall not be granted any period of reconciliation, the judge replied with where I took this from. I opened in front of me the Family Code, he read it, and convinced himself. But nevertheless he granted a reconciliation period of two months"³⁴². According to a lawyer when a judge applies a period of reconciliation in divorce cases because of DV, "the only thing we can do is to file a complaint against the judge at the Superior Council of Magistrates"³⁴³.

The study also revealed judges who do not know the procedure of PO issuance. A lawyer mentions that "I had a case recently when I wrote a PO for a judge and gave it to him on an electronic data storage device because he did not know how to do it. I welcome the fact that he asks for help, but on the other hand it is painful because Law No. 45 exists since 2007"³⁴⁴. As for the PO issuance by the judges, several lawyers mentioned that "the judge, the prosecutor expect average injuries from DVVs, they consider that minor injuries do not show grounds to request PO. It is difficult to obtain a PO, a measure which forces the abuser to leave the dwelling. The judges consider that in this way they violate the abuser's property rights, and fear of being held accountable^{345, 346, 347}. Sometimes the stereotyped beliefs of the judges, seen by the way they treat DVVs in court, are more important than their fear of being punished by the higher courts: "to kick him out in winter? He is your husband! We were shocked because the judge has no right to express his opinion before the judgment is delivered. He said us to write a complaint further, to the Superior Council of Magistrates. Thus, the other conditions of the PO were accepted: [the abuser] shall not approach the victim closer than 200 meters, shall not visit her at work, but [the judge] refused to take him temporarily out of the house and this is provided that the abuser wasn't the owner of the building and that we had a request from the owner to take him out. What's the point to impose the measure not to approach by 200 m, if you do not impose to leave the dwelling, they will still live in one house...? I appealed at the Court of Appeal, which examined our appeal after 3 months, overturning partially the decision of the judge and forced the abuser to leave the dwelling. The procedure lasted for 6 months, during this period we could witness the DVV's death, when it was possible to do it in one month"³⁴⁸.

³⁴⁰ An interview with a lawyer, NGO, locality G., June 07, 2013.

³⁴¹ An interview with a lawyer, NGO, locality G., June 07, 2013.

³⁴² An interview with a lawyer, NGO, locality G., June 07, 2013.

³⁴³ Interviu cu un avocat, ONG, localitatea G., 07 iunie 2013.

³⁴⁴ An interview with a lawyer, Placement Centre, locality G., June 04, 2013.

³⁴⁵ An interview with a lawyer, NGO, locality G., July 11, 2013.

³⁴⁶ An interview with a lawyer, Placement Centre, locality G., June 04, 2013.

³⁴⁷ An interview with a lawyer, NGO, locality G., June 07, 2013.

³⁴⁸ An interview with a lawyer, NGO, locality G., July 11, 2013.

Several DVVs mentioned that after filing complaints to the court and while awaiting the results of the trial, the abusers have become more aggressive^{349, 350, 351}, etc., thus, they needed immediate protection measures.

The fact that often DVVs, after telling about the horrors they went through, at the end say that they forgive them, strengthens the judges' stereotyped attitude towards the phenomenon. A lawyer provides also a positive example, where *“the law operated irrespective of whether the victim did or did not forgive her abuser. I had a case where multiple acts of violence took place, where the victim kept forgiving him, but the judge took a firm stand and did not take account of this, condemning the abuser to 3 years imprisonment. At the last court session she came without a tooth. I asked her if everything was ok, and she said yes. She was always threatened by the abuser, dragged by her hair and placed with her head in the bucket filled with water in front of her children. She lived in constant stress... Such things are rarely told by DVVs even to the lawyer, and far less in a court session in the presence of the abuser”*³⁵².

An employee of a Maternity Centre mentioned that *“the women judges are more responsive as compared to men, especially when it comes to abusers – in one case our Centre made a reference, and even though we did not have the forensic medical examination document, the woman judge contacted the police for confirmation and ultimately the DVV was issued a PO. Much depends on the judge, on how opened he is to facilitate access to justice”*³⁵³.

The DVV's safety in the courtroom

Several DVVs mentioned that from the moment they left the abusive husband being in placement centres they were waiting with fear the moment when they will meet the abuser in court. For many of them, the lawyer's presence was very useful due to a double fear – the fear of the abuser and fear that they will not manage during the trial^{354, 355, 356}.

A prosecutor mentioned how they try to minimize revictimization of DVVs: *“We conduct criminal cases, we are interested in the results of the criminal proceedings, but we don't think of how to avoid revictimization of DVV. Me and my colleagues are trying to change the situation – in case if it was not possible to interview the victim, in court we ask the defendant to leave the courtroom and the victim speaks in his absence... There are cases where there is tension*

³⁴⁹ An interview with a DVV, beneficiary of a Placement Centre, resident of a village in the Center in Moldova, 38 years old, mother of 3 children, June 06, 2013.

³⁵⁰ An interview with a DVV, beneficiary of a Placement Centre, resident in a village in the South of Moldova, 35 years old, mother of 4 children, June 12, 2013.

³⁵¹ An interview with a DVV, beneficiary of a Placement Centre, resident in a village in the North of Moldova, 35 years old, 2 children, June 28, 2013.

³⁵² An interview with a lawyer, NGO, locality G., June 07, 2013.

³⁵³ An interview with a specialist, Placement Centre, locality A., June 25, 2013.

³⁵⁴ An interview with a DVV, beneficiary of a Placement Centre, resident in a village in the South of Moldova, 35 years old, mother of 4 children, June 12, 2013.

³⁵⁵ An interview with a DVV, beneficiary of a Placement Centre, resident in a village in the North of Moldova, 35 years old, 2 children, June 28, 2013.

³⁵⁶ An interview with a DVV, beneficiary of a Placement Centre, resident in a village in the Centre of Moldova, 38 years old, mother of 3 children, June 06, 2013.

*when we apply what can be applied at the moment*³⁵⁷. As evidence, a DVV gave a positive example when a woman judge allowed DVV to occupy a position where she felt safe in the courtroom: *“My husband called me and threatened that he will cut me if I appear in court. He said he will bring a hidden blade. When I entered the courtroom, I began to tremble, it was a small room and he was sitting next to me. I asked the judge and she allowed me to step forward, only then I regained temper”*³⁵⁸.

Issuing and monitoring the execution of Protection Orders

PO issuing

Only one DVV interviewed within this study stated that she knew about the possibility of the PO issuance as a measure of protection, having heard of it from the mayor: *“I actually expected from the police officer to tell me this, I came to him and asked him “can you make me a PO? He was surprised – where did you hear of such a thing? I said, I have read in a book that it is possible, and he said: yes it’s possible. He had no choice and helped me to use this right”*³⁵⁹. According to an official from the General Inspectorate of Police, *“among all the specialists, the police authority is the most active in arrangements to issue a PO, thus the most responsible, having the task also to monitor their execution”*³⁶⁰. *“Although we have some difficulties and mistakes, they are discussed and eliminated. DVVs are ranked second in submission of requests for the PO issuance, followed by the prosecutors, criminal investigation officers and only a few OPs were issued at the request of the social worker”*³⁶¹. A social worker shared the difficulties faced in trying to get involved in the issuance of PO: *“when we initiate a PO through court proceedings, those from the court tell us that it is strictly necessary also the abuser’s presence and hand in the summons issued to abuser. We reject it flatly, we are not postmen. It is the policeman’s job to hand in the summons and ensure the presence of the abuser in court”*³⁶². However, as regards the number of the PO issued in the country, a prosecutor who is a pioneer in issuing PO in RM, mentioned that *“the number of the issued PO is increasing, but anyway it is a small one, this shows the lack of knowledge of the DVVs about their rights and existing possibilities for their rights to be exercised in practice, the public servants and the victims service providers should be pro-active in this regard”*³⁶³. A police officer who did not know the procedure of the PO issuance mentioned that *“here in Moldova the PO are pretty seldom applied. In order the PO to be applied more often, all the law enforcement officers should receive training”*³⁶⁴.

A psychologist shared with us his own opinion about the mission and the PO issuing process: *“We started this process on the wrong foot. It was a misunderstanding thinking that*

³⁵⁷ An interview with a prosecutor, locality H., July 05, 2013.

³⁵⁸ An interview with a DVV, beneficiary of a Placement Centre, resident in a village in the North of Moldova, 34 years old, mother of 2 children, June 06, 2013.

³⁵⁹ An interview with a DVV, beneficiary of a Placement Centre, resident in a village in the North of Moldova, 27 years old, mother of 2 children, June 04, 2013.

³⁶⁰ See Table 3: “Information on Moldovan police activity in preventing and combating domestic violence, for 2008 – 9 months of 2013”, page.28.

³⁶¹ An interview with a MoI officer, July 23, 2013.

³⁶² An interview with a specialist, NGO, locality F., June 21, 2013.

³⁶³ An interview with a prosecutor, locality B., June 12, 2013.

³⁶⁴ An interview with a police officer, locality N., July 02, 2013.

*the PO is the salvation. The PO is issued only when the human life is in danger. When we have a violent relationship lasting many years, the PO issuance worsens the situation in the family. It should be done otherwise – if life is not in danger, we should convince the victim to come to counseling, but more important is to work with the abuser*³⁶⁵. While a social worker mentioned that *“over a short period of time the PO is an effective measure, but many times happens that after the PO is issued the abusers exhibit more aggressive behavior”*³⁶⁶, a lawyer mentions that *“in some cases the PO is educational: the fact that [the abuser] comes to court where he had never been, he understands that his partner is not alone and that she is protected, it motivates him to change”*³⁶⁷.

In some situations the experts mentioned that the judges have rejected the request for the issuance of the PO filed by the police officers, as in the opinion of the judges the law provides that DVV should seize the court by herself, and in these cases the police officers were asking DVVs to submit the request to the police so they could act in her interests³⁶⁸. The official from the General Inspectorate of Police mentioned that *„the last amendments of Law No. 167 provide that the police officer will submit a request to the court to issue a PO only when the victim is in a state of incapability or crisis, so the Regulation clearly describes what would done yet it remains at the responsibility of the policemen to apply in the practice the legal provisions”*³⁶⁹.

As for meeting the time limits of 24 hours to issue the PO, there were mentioned cases when this term was met, but also the cases of failure to meet the term provided by the law. A lawyer mentioned that *„judges do not keep the term of 24 hours to issue the PO, especially in municipal courts, this term is observed more often in the districts”*³⁷⁰, and another lawyer mentioned only one case of the observance of the term of 24 hours, in the rest of the cases it took 5-6 days³⁷¹. Another lawyer reported from personal experience that *“in 8 of 10 cases the PO is issued within 24 hours though. That’s a different matter if the issued PO do not reach the district police officer in 24 hours, since it is delivered by mail to the district police officer, and it takes additional time before it reaches the abuser”*³⁷². Another lawyer mentioned cases when *“it takes 2 days from the moment the request is registered in the receiving office and till it is forwarded to the judge, there are cases when the requests are held sometimes 2 weeks in the receiving office, for instance, when the receiving office is involved in the preparation of reports, nobody registers and delivers anything. This happens in June and at the end of the year”*³⁷³.

Chief or the station mentioned that *„we cannot manage to issue a PO within 24 hours, because we cannot manage to ensure the presence of the abuser and the victim in court. As a solution, also indicated by other experts interviewed, it was suggested the possibility of issuing*

³⁶⁵ An interview with a psychologist, Placement Centre, locality G., June 06, 2013.

³⁶⁶ An interview with a social worker, Placement Centre, locality C., June 28, 2013.

³⁶⁷ An interview with a lawyer, NGO, locality G., July 12, 2013.

³⁶⁸ An interview with a police officer, locality P., June 19, 2013.

³⁶⁹ An interview with a MoI official, July 23, 2013.

³⁷⁰ An interview with a lawyer, NGO, locality G., July 12, 2013.

³⁷¹ An interview with a lawyer, NGO, locality G., June 07, 2013.

³⁷² An interview with a lawyer, Placement Centre, locality G., June 04, 2013.

³⁷³ An interview with a lawyer, NGO, locality G., July 11, 2013.

by the police officer of an Urgency Ordinance, which would contain approximately the same as contained in the PO issued by the court^{374, 375}. At the same time, in a social worker's opinion, "should exist well set criteria based on which the police officer can issue this urgency PO. At the same time, the issuance of the urgency PO in no way should stop the initiation of the proceedings to issue a (LNGO term) OP³⁷⁶.

A serious obstacle to the PO issuance is that the judges hesitate to include as a protection measure for DVV the obligation of the abuser to leave temporarily the common place of living considering that thereby they violate the abuser's property rights, and are afraid to be held accountable³⁷⁷. Contrary to what was said, a lawyer mentioned that he had the impression that "the judges are already so much sensitized about the PO that they prefer to issue PO to avoid future problems, the issuing requests are not rejected even in cases where the evidence was weak, and the victims' simple statements were enough to issue a PO³⁷⁸. Some prosecutors, supporting the judges unwilling to issue PO explain that "the PO provides that the abuser may be expelled, but he has no place to go, then he breaks a window in a kindergarten and sleeps there during winter or makes other actions and hence it appears that he is forced by the law enforcement bodies to commit crimes. In my opinion, the abuser must stay at home and the victim with her children should be placed at the centre. It would be a good thing for them to live in separate rooms, as this estate is also his property³⁷⁹. However, a lawyer mentioned that „the Supreme Court of Justice was very clear in this respect – regardless of the property rights the abuser is bound to leave the house when the judge restricts his access by a PO³⁸⁰.

Execution and the monitoring the execution of a PO

The respondents mentioned several problems related to the execution of PO by the abuser, and the role of the police officer in monitoring its execution.

According to provisions of Law No. 320 on activity of the police and the police officer, article 21 (n), the police is obliged to supervise the execution of the PO, and ensure protection of DVVs³⁸¹. Several specialists reported that even if a PO was issued, the abuser continued to live in the same house with DVV, and the police officer was not able to undertake anything^{382, 383, 384, 385}. The police officers reported that there are abusers who violate the PO anyway, even if they were informed about the consequences, usually violate those with criminal records³⁸⁶. Other interviewed specialists reported that sometimes DVV, either

³⁷⁴ An interview with a police officer, locality Q, June 27, 2013.

³⁷⁵ An interview with a police officer, locality H., July 12, 2013.

³⁷⁶ An interview with a specialist, NGO, locality F., June 21, 2013.

³⁷⁷ An interview with a lawyer, NGO, locality G., July 11, 2013.

³⁷⁸ An interview with a lawyer, NGO, locality G., June 07, 2013.

³⁷⁹ An interview with a prosecutor, locality H., July 05, 2013.

³⁸⁰ An interview with a lawyer, NGO, locality G., June 07, 2013.

³⁸¹ An interview with a MoI officer, July 23, 2013.

³⁸² An interview with a lawyer, NGO, locality G., July 11, 2013.

³⁸³ An interview with a lawyer, NGO, locality G., June 07, 2013.

³⁸⁴ An interview with a specialist, NGO, locality F., June 21, 2013.

³⁸⁵ An interview with a social worker, locality C., June 10, 2013.

³⁸⁶ An interview with a police officer, locality S., June 12, 2013.

because she needs the abuser to help her in the household or the intention to provoke him to violate the PO “invites” the abuser to their home, thus contributing to violation of OP^{387, 388}. Although some specialists mentioned the need to inform DVVs that she is also responsible for “provoking” the abusers to violate the OP^{389, 390, 391}, the good practices of other countries show that DVV bear no responsibility if the abuser violates the PO. The abuser is the only responsible and is obliged to respect the provisions of the PO. A lawyer mentions about the possibility rarely worded by the specialists as “*in case if DVV wants to reconcile with the abuser and the PO has not expired, nobody stops DVV to write a request for revocation of protection measures to the same bodies which issued the OP*”³⁹².

To strengthen the protective effect of DVVs provided through PO, some specialists support the idea of tightening the punishment for violation of PO by the abuser, from a fine to initiation of a criminal case^{393, 394}.

At the same time, this attitude and the tendency of the specialists to hold the victim of domestic violence responsible equally with her abuser for violation of the PO give rise to concern – the victim is by no circumstances responsible for the situation when the abuser violates the PO. According to the *Council of Europe Convention on preventing and combating violence against women and domestic violence* (Istanbul, 11.05.2011), which the Republic of Moldova aims to sign and ratify soon, “*the state will take the necessary measures to ensure that the PO are available for immediate protection and without undue financial or administrative burdens placed on the victim*”³⁹⁵. Since Moldova will sign this Convention, it is necessary to bring to the relevant specialists’ attention either the Convention’s provisions, or the existent in the region practices which exclude any responsibility from the account of victims in case of violation of the PO by the abuser. The responsibility for violence and liability for the implementation of PO provisions must be solely beared by the abusers.

Services for the aggressors

In case if a DVV, who received rehabilitation services returns to the abusive environment at home, if in parallel nobody worked with the abuser, effect of rehabilitation services is minimized, and the DV even worsens^{396, 397, 398, 399, 400}. Along with punishment, the abusers should also receive rehabilitation services, since even if they divorce, he anyway rebuilds

³⁸⁷ An interview with a MLSPF official, June 27, 2013.

³⁸⁸ An interview with a lawyer, NGO, locality G., July 12, 2013.

³⁸⁹ An interview with a specialist, Placement Centre, locality B., June 12, 2013.

³⁹⁰ An interview with a MLSPF official, June 27, 2013.

³⁹¹ An interview with a lawyer, NGO, locality G., July 12, 2013.

³⁹² An interview with a lawyer, NGO, locality G., July 12, 2013.

³⁹³ An interview with a lawyer, NGO, locality G., June 07, 2013.

³⁹⁴ An interview with a specialist, NGO, locality G., July 23, 2013.

³⁹⁵ <http://www.coe.int/t/dghl/standardsetting/convention-violence/Convention%202010%20English.pdf>

³⁹⁶ An interview with a psychologist, Placement Centre, locality C., July 25, 2013.

³⁹⁷ An interview with a psychologist, Placement Centre, locality G., June 06, 2013.

³⁹⁸ An interview with a psychologist, Centre for Assistance and Counselling of Family Aggressors, June 28, 2013.

³⁹⁹ An interview with a lawyer, NGO, locality G., July 11, 2013.

⁴⁰⁰ An interview with a police officer, locality N., July 02, 2013.

another relationship, also abusive^{401, 402, 403}. Some specialists report that after 3 months, when the PO expires, the abuser returns with his unchanged behaviour, the circle of violence is repeated, and the need to issue a new PO appears⁴⁰⁴.

The state has committed to assist DVVs, but also the abusers⁴⁰⁵. Currently in the Republic of Moldova exists only one Centre specialized in assisting and counseling abusers, located in the north of the country. In the coming years, MLSPF plans to open two rehabilitation centres for abusers in the Centre and the South of the country⁴⁰⁶. An MLSPF official referred to the importance of developing services for abusers in Republic of Moldova: *“I see the point of these services not only in the context of providing assistance to abusers, in fact the philosophy of the policy and legislation on preventing and combating DV is not limited to imprisonment of all abusers, thus the nature of Law no. 45 and in general, the concept of prevention of this phenomenon lies more in the retraining and rehabilitation of abusers, victims and the community at large, by disapproving behaviors that violate public order. Therefore it is necessary that through these mechanisms, which are designed at national and including the European level, the abuser to understand that he is the problem, and also the community where he lives including relatives expect change from him, and if all the actors will have such an approach, I believe that we will have more profound impact and changes”*⁴⁰⁷.

The importance of developing psychological services for abusers, in opinion of a psychologist is justified also on the grounds that *“in half of the cases the domestic violence before it takes root is produced not because of personality pathology, but simply due to debauchery and for not being penalized, because someone has hit several times and remained unpunished, nobody pays attention and generally everything is going on swimmingly. But when he is placed within certain limits and starts to fit them, he adopts a different behavior”*⁴⁰⁸. Many times the victim doesn't want to divorce from the abuser, she expects a change in his attitude⁴⁰⁹. The specialists mention positive examples of the abuser's behavior change, when the social workers involved the extended family who persuaded the abuser to go to rehab, or when the behavior changed after the first discussion with the specialist. These were simple cases, but still specialized services are necessary⁴¹⁰. Psychological counseling as well the services for abusers need to be separated from the services provided to DVVs, it is desired that two different psychologists to work simultaneously with both persons⁴¹¹. A director of a centre for women mentioned a case where *“the police officers tried to force us to provide services to an abuser, so we explained them that they are a different category of beneficiaries which are not covered by the Centre's activities”*⁴¹².

⁴⁰¹ Interviu cu un procuror, locality B., June 12, 2013.

⁴⁰² An interview with a specialist, NGO, locality G., August 1, 2013.

⁴⁰³ An interview with a psychologist, Placement Centre, locality I., June 24, 2013.

⁴⁰⁴ An interview with a social worker, locality A., June 25, 2013.

⁴⁰⁵ An interview with a prosecutor, locality B., June 12, 2013.

⁴⁰⁶ Ms. L. Pascal speech, MLSPF, within the Project Advisory Group meeting on the project “Silence is not a solution: elder abuse in Moldova” of September 25, 2013.

⁴⁰⁷ An interview with a MLSPF official, June 27, 2013.

⁴⁰⁸ An interview with a psychologist, Placement Centre, locality G., June 04, 2013.

⁴⁰⁹ An interview with a social worker, Placement Centre, locality G., June 05, 2013.

⁴¹⁰ An interview with a psychologist, Placement Centre, locality B., June 12, 2013.

⁴¹¹ An interview with a psychologist, Placement Centre, locality G., June 04, 2013.

⁴¹² An interview with a specialist, NGO, locality F., June 21, 2013.

Another problem in the Republic of Moldova is the lack of culture to consult a psychologist. Especially rare are the cases when a psychologist is visited by men (or most often the man is the abuser in the family), who “*usually find excuses and accuse the victim for his actions. The abuser never questions himself if something is wrong with him. They consider that the victim provoked him, complained to the competent bodies, took the children from home and embarrassed him*”⁴¹³. Since most abusers are unwilling to go voluntarily to a psychotherapist, several specialists reported the need to oblige the abusers through a court decision, this obligation being stipulated in the PO^{414, 415, 416, 417, 418} as a possible alternative for detention or community service^{419, 420, 421, 422, 423}. A psychologist, who participated in training of the judges in the field of preventing and combating DV, sent them the following message: “*If you want to contribute to solving the problem, do not give them time to reconcile as you do mistakenly, but try, through the decision issued to send them to psychological rehabilitation. When the abuser will visit a psychologist, he will understand the essence of violence, he will learn to manage anger, he will overcome the aggression*”⁴²⁴. To provide these psychotherapeutic services for the domestic abusers, it is necessary to train the network of psychologists across the country, especially when the creation of several Centres for abusers it is expensive⁴²⁵. The cost estimated by the MLSPF of a Centre for Assistance and Counselling of Family Aggressors is 1 million MDL⁴²⁶.

A problem mentioned by several interviewed specialists was the lack of services of treating alcoholism accesibile to abusers addicted to alcohol. Like the domestic abusers who largely do not go voluntarily to a psychotherapist to learn how to control anger, the alcohol addicts do not want to follow voluntarily the alcoholism treatment. A social worker from the Centre for Assistance and Counselling of Aggressors mentioned that “*the rate of the alcohol-addicted abusers is high, approx. 60-70%. But alcohol is not the reason, DV has deeper causes, and alcohol is only a contributing factor, it amplifies the violence, makes the abuser to lose self-control and exhibit stronger his emotions. Very few alcohol-addicted abusers accept the treatment voluntarily from the first meeting, the majority of them require much work to get to their consciousness, it may take 3-9 meetings of psychological counseling until he accepts medical treatment of alcoholism, but this is the condition if you wish to use the services the Centre, because otherwise our work will not succeed*”⁴²⁷. Some psychologists mentioned that they

⁴¹³ An interview with a psychologist, Placement Centre, locality G., June 04, 2013.

⁴¹⁴ An interview with a psychologist, Placement Centre, locality B., June 12, 2013.

⁴¹⁵ An interview with a police officer, locality C., June 28, 2013.

⁴¹⁶ An interview with a specialist, Centre for Assistance and Counselling of Family Aggressors, June 28, 2013.

⁴¹⁷ An interview with a specialist, Centre for Assistance and Counselling of Family Aggressors, June 28, 2013.

⁴¹⁸ An interview with a specialist, NGO, locality G., July 23, 2013.

⁴¹⁹ An interview with a psychologist, Placement Centre, locality C., July 25, 2013.

⁴²⁰ An interview with a psychologist, Placement Centre, locality G., June 06, 2013.

⁴²¹ An interview with a social worker, Placement Centre, locality C., June 28, 2013.

⁴²² An interview with a lawyer, NGO, locality G., July 11, 2013.

⁴²³ An interview with a police officer, locality N., July 02, 2013.

⁴²⁴ An interview with a psychologist, Placement Centre, locality G., June 06, 2013.

⁴²⁵ An interview with a police officer, locality N., July 02, 2013.

⁴²⁶ Ms. L. Pascal speech, MLSPF, within the Project Advisory Group meeting on the project “*Silence is not a solution: elder abuse in Moldova*” of September 25, 2013.

⁴²⁷ An interview with a social worker, Centre for Assistance and Counselling of Family Aggressors, Drochia, June 28, 2013.

referred several cases of abusers to a psychotherapist from the state centres for treating alcoholism, but they “do nothing to persuade patients to benefit from this service”.⁴²⁸ Several DVVs interviewed within this study, mentioned that they could not afford services of treating alcoholism for their aggressive husbands because of their cost, in a situation where the family had no source of income.

While some police employees recognize that the role of the police officer and the social worker in prevention of DV through conversations with the abuser did not have the desired effect,^{429, 430, 431} others identified an efficient practice: *“The district police officer and the social worker gathered in the Police Commissariat the brawler families from several localities of the district which were on file and informed them about Law No. 45. This meeting was also attended by a representative of the Placement Center. For villagers, being called to the Commissariat in town is a great responsibility, so when the law enforcement officers enter in their uniform everyone stands up. Thus the abuser is hold accountable, but I also saw DVVs, they have courage and ask questions, feel that they also have certain rights”*.⁴³²

3.5. The role of specialists from Social Assistance and Family Protection Departments/ Sections

According to Law No. 45, the departments/directorates of social assistance and family protection, through the specialist responsible for preventing and combating DV cooperate with police to identify individuals prone to committing acts of DV, is empowered to place the victim in a rehabilitation centre, to provide psychological and psychosocial counseling to victims using own means or redirecting the case to specialists from the rehabilitation centres, to protect the victims’ rights and legal interests, monitors the victims and provides them assistance after leaving the rehabilitation centres.⁴³³

An interviewed DVV mentioned that *“thanks to the social worker I am still alive. I went to the district police officer many times, but after his visits the situation was getting even worse. The social worker helped me to contact the Police Commissariat, he informed me about my rights and initiated PO issuing procedure I first learned about as well thanks to the social worker”*.⁴³⁴ However, as I mentioned above, a number of DVVs do not address the social worker because of mistrust⁴³⁵ or because of the fear that the social worker from the village will not ensure rel-

⁴²⁸ An interview with a psychologist, Placement Centre, locality G., June 06, 2013.

⁴²⁹ An interview with a police officer, locality N., July 02, 2013.

⁴³⁰ An interview with a police officer, locality C., June 28, 2013.

⁴³¹ An interview with a police officer, locality Q., June 27, 2013.

⁴³² An interview with a police officer, locality R., June 11, 2013.

⁴³³ See article 8, p.3.Law No. 45-XVI of March 1, 2007 on preventing and combating domestic violence, published at 18.03.2008, the Official Monitor No. 55-56, in force since 16.09.2008. May be accessed at: <http://lex.justice.md/index.php?action=view&view=doc&id=327246>

⁴³⁴ An interview with a DVV, beneficiary of a Placement Centre, resident in a village in the North of Moldova, 27 years old, mother of 2 children, June 04, 2013.

⁴³⁵ See footnotes no. 71, 72.

evant confidentiality.⁴³⁶ In addition, according to some interviewed specialists, “*DVVs often do not perceive the social worker from the village as a person who could involve oneself in solving DV, rather as the distributor of social aids*”.^{437, 438} Indeed, some social workers confessed that “*social workers from the village are overloaded with social aids, retired and disabled people, they have no time for this category of beneficiaries*”^{439, 440} or that “*having approx. 6000 inhabitants in the village also as numerical coverage, it is difficult for the social worker to know everything what is happening in the family, DV is a hidden phenomenon*”⁴⁴¹. A prosecutor provided an example when, although the social workers know about these cases, they not always take legal action ex officio: “*In examining the materials, I found a juvenile social inquiry where the social worker indicates the problems discussing with the family members, so the child indicates the father beat him with feet, etc. In this inquiry there is section for recommendations, why the worker does not write: to notify law enforcement authorities? I was constrained to make the notice*”⁴⁴²

Several specialists indicated the important role of the community social worker in identification of DVVs. An impediment in identification of DVVs, in the opinion of some interviewed specialists, is the lack of education and relevant knowledge on how to work with this category of beneficiaries.^{443, 444, 445, 446} A representative said that “*there was much training carried out for the social workers as important actors within NRS, but it was focused more on assistance to victims of trafficking in human beings. We need to replicate this model of training, only for another group of beneficiaries such as DVV*”⁴⁴⁷. Confirming the need of training an interviewed social worker provided an example: “*I had a case where the woman definitely was beaten because she had a black eye and when I asked her what happened, she replied that she struck against a wood. I did not manage to make recognize*”.⁴⁴⁸ A lawyer to whom the DVV confessed that she informed the social worker about the brutal violence in the family, but he did not get involved in any way only showed compassion suggesting the victim to endure the situation in which she found herself. The lawyer together with DVV had a meeting with the chief of the Social assistance directorate, who asked her: “*Why did you endure until now and now you don't want to endure?*”⁴⁴⁹

Among the mentioned problems faced by the social workers (attached to community mayoralities) in their activity of assisting and protecting DVVs, were the lack of separate room where the social workers could speak with the victim without witnesses,⁴⁵⁰ the abuser for-

⁴³⁶ See footnotes no. 78-85.

⁴³⁷ An interview with a specialist, NGO, locality G., July 23, 2013.

⁴³⁸ An interview with a specialist from the Centre for Assistance and Counselling of Family Aggressors, June 28, 2013.

⁴³⁹ An interview with a social worker, locality L., June 25, 2013.

⁴⁴⁰ An interview with a social worker, locality M., June 13, 2013.

⁴⁴¹ An interview with, social worker, a village in Center in Moldova, June 25, 2013.

⁴⁴² An interview with a prosecutor, locality H., July 05, 2013.

⁴⁴³ An interview with a social worker, locality A., June 25, 2013.

⁴⁴⁴ An interview with a lawyer, NGO, locality G., July 11, 2013.

⁴⁴⁵ An interview with a social worker, locality L., June 25, 2013.

⁴⁴⁶ An interview with a social worker, locality O., July 03, 2013.

⁴⁴⁷ An interview with a specialist, NGO, locality B., June 12, 2013.

⁴⁴⁸ An interview with a social worker, locality U., July 4, 2013.

⁴⁴⁹ An interview with a lawyer, NGO, locality G., June 07, 2013.

⁴⁵⁰ An interview with a specialist, NGO, locality G., August 1, 2013.

bade the social worker the access to the common dwelling with DVVs^{451, 452} fear of revenge from the abuser^{453, 454, 455}, poor remuneration and low motivation to work with this category of beneficiaries.^{456, 457, 458}

Given that the social worker, as well as the district police officer have the same duties to monitor the execution/observance of execution of PO by the abuser⁴⁵⁹, a male hired as a community social worker mentioned: “*I feel an advantage being a man and being required to monitor the behavior of the abuser in PO observance, I speak to him and we can talk mannishly, let’s say, he perceives this situation differently, I mean in a positive way. At the same time I am disadvantaged in communicating with women DVV, because women do not unlock their heart to a man, even a specialist*”.⁴⁶⁰

3.6. The role of the medical institutions

According to the Instruction on the intervention of medical institutions in cases of DV, the health services providers play an important role in identification of DVV and their referral to other services.⁴⁶¹

One of the reasons reported by DVVs for not consulting a physician being abused by their husbands/partners was the lack of financial resources to pay for medical services and the shame to address to the doctor, especially characteristic for the rural women. To consult the physician from the village was shameful for them. Thus, a beneficiary stated that she went to a doctor from the city already being in critical condition, and she didn’t ask for help in earlier situations of physical violence because “*the doctors take money for everything, I have no money neither for an examination, nor for treatment, and sometimes I didn’t have money even to get to the hospital*”⁴⁶². Another beneficiary said that “*I had no money to even go and register the injuries*”.

At the same time, in the opinion of a social worker from a Placement Centre, “*the medical worker has a very important role, because he knows very well the situation in each family, but it depends on how much the doctor wants to involve, to know. We consider that it is not necessarily the patient who should go to the doctor, but the doctor also should assess the situation,*

⁴⁵¹ An interview with a social worker, locality C., June 10, 2013.

⁴⁵² An interview with a social worker, locality L., June 25, 2013.

⁴⁵³ An interview with a specialist, Placement Centre, locality D., June 11, 2013.

⁴⁵⁴ An interview with a social worker, locality L., June 25, 2013.

⁴⁵⁵ An interview with a specialist, Centre for Assistance and Counselling of Family Aggressors, June 28, 2013.

⁴⁵⁶ An interview with a psychologist, Placement Centre, locality G., June 06, 2013.

⁴⁵⁷ An interview with a social worker, Placement Centre, locality G., June 05, 2013.

⁴⁵⁸ An interview with a specialist, Centre for Assistance and Counselling of Family Aggressors, June 28, 2013.

⁴⁵⁹ An interview with an official, MoI, July 23, 2013.

⁴⁶⁰ An interview with a social worker, locality N., July 08, 2013.

⁴⁶¹ Order of MH No. 155 of 24.02.2012 “On approval of the Instruction on the intervention of medical institutions in cases of domestic violence”.

⁴⁶² An interview with a DVV, beneficiary of a Placement Centre, resident in a village in the North of Moldova, 27 years old, mother of 2 children, June 04, 2013.

go to families”⁴⁶³. A beneficiary (DVV) of the Maternal Centre who found out about the services of the centre from the medical assistant from the village, who was aware of the family situation and even provided first aid to DVV after serious physical abuse, decided to refer her only after the abuser applied a blow with an axe in the head when she was in the last months of pregnancy: “I always say that my youngest daughter who was in the belly when I reached the Maternal Centre is actually our savior – the medical assistant seeing me in that state, said she’d better send me with the children out of the village, rather than be responsible for me and the unborn child”.⁴⁶⁴

A psychologist mentioned that “the doctors almost do not engage in the referring DVV, although they were trained for this. Each of them thinks that the prescription and the pill is their only duty. In the last three years we had no case of DVV referred by a doctor. The problem is not that the victims don’t tell what happened, they do not have to tell anything. In rural area, the doctor knows very well the situation of the family. The doctor should ask directly when he intuitively feels something. In the case of those from the city, there are other methods to discuss with a woman – if she comes often and has bruises it is clear what is happening. The doctors are passive”.⁴⁶⁵ The Director of a Maternity Center stated that “if a DVV came to the hospital beaten, and she said that she was beaten, the doctors report to police, and that’s it, the rest is the job of the police, i.e. they do not refer them directly to the center, but few victims want to cooperate with the police, especially if they got fined and had to pay it by themselves, and basically get again to the hospital... Maybe the doctors would engage more, but they are afraid not to cause more harm to DVV”.⁴⁶⁶ The psychologist from the Placement Centre reported that the doctors and the social workers from the villages don’t take legal action ex officio and don’t report cases of DV, providing specific examples when “the staff of the Centre for the first time gives disability categories to people of 30, 32 years old who come from the rural area beaten, abused, with profound debility. They live in the woods? They live in a village where there is a doctor, a nurse, a mayor, a social worker and a policeman. Why this person remained without support, non-retired etc. Why children come retarded, but do not have disability categories? Whose problem is this? The doctor’s first of all”⁴⁶⁷.

A social worker, who mentioned that he invited a doctor to a multidisciplinary team meeting, where the case manager was planning to seek medical intervention, received the answer from the doctor “I don’t have the time, I have patients. Who are you to give me instructions?”. I have to write many letters, they are not receptive”.⁴⁶⁸

3.7. The role of the mayors

According to Law No. 45, LPA are empowered to create committees on social issues, to form specialized multidisciplinary teams, to organize rehabilitation services/centers for

⁴⁶³ An interview with a social worker, Placement Centre, locality G., June 10, 2013.

⁴⁶⁴ An interview with a DVV, beneficiary of a Placement Centre, residing in a village in the South of Moldova, 35 years old, mother of 4 children, June 12, 2013.

⁴⁶⁵ An interview with a psychologist, Placement Centre, locality G., June 06, 2013.

⁴⁶⁶ An interview with a specialist, Placement Centre, locality A., June 25, 2013.

⁴⁶⁷ An interview with a psychologist, Placement Centre, locality G., June 06, 2013.

⁴⁶⁸ An interview with a social worker, locality B., June 12, 2013.

victims and abusers, to develop social partnerships with non-governmental organizations which contributes to prevention and combating DV, to assert by the decision of the committees on social issues the existence or disappearance of the threat to life and health of the victim after applying protective measures. Regarding the involvement of Mayors, as a representative authority and which is empowered to promote the interests and address the problems of the population of the given administrative territorial unit, which would also include cases of DV many opinions were collected, often controversial.

A DVV mentioned that the mayors often know the situation in the abusive families, but tolerate DV. The woman made an interesting comparison *“as a man in a family is the master and the woman should keep her mouth shut, so is the mayor who makes the others through his indifference not to pay attention to the crap happening in the family, both fellow villagers, and social workers and district police officers”*.⁴⁶⁹ A psychologist from the Placement Centre reported that *“It all depends on the people-to-people relationship. This depends largely on the local public authorities, on the tone set by, for instance, the mayor of the social worker”*.⁴⁷⁰ The employee of the Centre for Assistance and Counseling of Family Aggressors, who often goes with seminars to the villages, mentioned: *“Sometimes I am shocked even by the reaction of some people with authority in the village, such as the mayor about the legal provisions such as PO. I witnessed a meeting where a mayor who is a respectable person in the village, who stood up and expressed indignantly: “how is that a man to leave the house, where to go?” Nobody is revolted when the victim barefoot on mud and snow runs away from home in the middle of the night, to escape the beatings, nobody is asking where did she go, but taking out the abuser arouses dissatisfaction even within the LPA members”*.⁴⁷¹ An employee of the police commissariat said that *“PA need to engage more actively in this issue, even some mayors...they generally have no idea of the legislation, they are guided only by their law on local public administration and that’s it...the local public authority is not doing absolutely nothing in this field.”*⁴⁷² *The fact that the mayors do not engage themselves practically at all in identification, referral/facilitation of access to assistance and protection was mentioned by some interviewed lawyers.*⁴⁷³

Another DVV received the information about the Placement Centre from the mayor of the village: *“The mayor told me very specifically, where, the address, I was given a brochure describing all the services of the Centre, having learned about this Centre I decided to take my courage, to call and to ask, first thing I got informed myself about what is possible, what it is about, what kind of help I can be provided and afterwards I decided to come”*.⁴⁷⁴ Another interviewed DVVs, mentioned her and her maltreated child case. The medical assistant from the village was first who found out about this, while trying to vaccinate the child she undressed him and noticed bruises on his body, but the child started to cry and did not want to talk. Then

⁴⁶⁹ An interview with a DVV, beneficiary of a Placement Centre, residing in a village in the South of Moldova, 42 years old, mother of 3 children, June 04, 2013.

⁴⁷⁰ An interview with a psychologist, Placement Centre, locality G., June 06, 2013.

⁴⁷¹ An interview with a specialist, Centre for Assistance and Counselling of Family Aggressors, June 28, 2013.

⁴⁷² An interview with a police officer, locality C., June 28, 2013.

⁴⁷³ An interview with a lawyer, NGO, locality G., July 11, 2013.

⁴⁷⁴ An interview with a DVV, beneficiary of a Placement Centre, residing in a village in the North of the Republic, 27 years old, mother of 2 children, June 04, 2013.

she called the mayor and told the child “don’t cry, don’t be afraid, dad will not find anything. The mayor called me to him, saying “let’s talk”. And began asking: “where are these bruises from?” and I told him so... He said to me: “Why didn’t you come to me earlier? Why didn’t you talk (why hiding)?” I was afraid. And he said to me: “You could approach me without anyone to find out and could tell me, between you and me”. I don’t know why, but I was afraid. The mayor informed the police, and then the taskforce came and took him [the abuser]”.⁴⁷⁵ Regarding the mayor’s involvement in the work with the abuser, a community social worker stated that “I never talked with the abuser alone, in our village the mayor gets involved. We invite the abuser to primaria. The mayor in our village has the highest authority, even higher than of the police officer. After discussing with the mayor the abusers calm down a little”.⁴⁷⁶

Thus, the role of the Mayor in identification of DVVs in community and facilitation their access to SAP is undisputed.

3.8. The role of other actors

Pre-university institutions

In order to prevent violence against children and regulate the identification, documentation and intervention of workers in the education system in cases of abuse, neglect, exploitation, child trafficking, the Ministry of Education issued at 22.02.2013 an Order on the Procedure of institutional organization and intervention of workers of educational institutions in cases of abuse, neglect, exploitation, child trafficking. According to the Procedure established by ME, the directors of educational institutions are obliged to notify the community social worker about the (suspected or confirmed) cases of abuse at the child’s place of residence and to inform under the same terms the police/prosecution, registering these cases in Register of notices. Regarding the educational aspects which would promote creation of non-violent couple relationships, this topic could be addressed in the context of compulsory disciplines as “Homeroom class” and “Civic education”, or within optional subjects in grades X-XII “Education for family life”, “Health education”, “Human rights education”, “Education for gender equity and equal opportunities”.

Although there are policies actively implemented by ME to inform and train the teaching staff in order to qualify acts of domestic violence, active cooperation activities between the educational institutions and NGOs in the field, several specialists indicated the need to intensify efforts in the field of educational institutions by strengthening the component of education of non-violent relationships as a way of primary prevention of DV.

An official from the MLSPF mentioned that “education of the non-violent life style is a very necessary element in the educational system, we hope that the new education law amendment would have some provisions also for the educational system in the context of mandatory inclusion

⁴⁷⁵ An interview with a DVV, beneficiary of a Placement Centre, residing in a village in the North of the Republic, 25 years old, mother of 3 children, June 24, 2013.

⁴⁷⁶ An interview with a social worker, locality L., June 25, 2013.

of certain modules, although currently the Ministry of Education's response is that this approach is framed in the educational system to the "Civic education" module, so it also addresses the topic of violence against others, in society, etc., this approach needs to be institutionalized. My vision as a specialist in the field is that it is necessary first of all to develop modules for each stage education, even the very stage of preschool, school, vocational and university education - if we had such an approach at each educational stage, I hope that the results will be much more noticeable, because almost all citizens of RM, both victims and abusers pass through the education system,. Thus, also a change in attitude will occur and intolerance to the phenomenon will increase".⁴⁷⁷

During the interview a prosecutor mentioned that "because the educational system doesn't provide education of the young generation in a non-violent style, old methods of behavior and the things he sees in the family continue to be taken over. We must admit that in a great majority of the families from Moldova took place and take place acts of violence either physical, psychological, financial, sexual, or of other nature, these models are passed from generation to generation"⁴⁷⁸. In supporting these words also comes the psychologist from Centre for Assistance and Counselling of Family Aggressors: "To change the mentality, we must work with children from early age. The school curricula should include lessons dedicated to this topic, so the children will gain knowledge in settling conflicts in relationships and how to react to different situations".⁴⁷⁹ Several specialists consider that "currently the educational institutions are more focused on training and less on education."^{480, 481, 482}

Several specialists mentioned with regret about canceling the discipline "Life Skills" by the Ministry of Education. Discipline which included discussions about the prevention of DV.^{483, 484} At the moment, as several interviewed specialists think, it would be appropriate to replace the curriculum "Civic education" with a module aimed at non-violent education including in the family relations.^{485, 486, 487, 488, 489}

According to a Directorate of Education employee, "The order of the Ministry of Education issued in February 2013 on implication of pre-university institutions in prevention of abuse and exploitation of children, allowed teachers to look with new eyes on domestic violence. It is necessary to train teachers on how to approach this topic with pupils".⁴⁹⁰ As a result of the issued ME Order, an employee of an NGO mentioned that "many teachers in villages called us to find out about hotlines, NGOs specialized in assisting victims of abuse and exploitation, teach-

⁴⁷⁷ An interview with a MLSPF official, June 27, 2013.

⁴⁷⁸ An interview with a prosecutor, locality B., June 12, 2013.

⁴⁷⁹ An interview with a specialist, Centre for Assistance and Counselling of Family Aggressors, June 28, 2013.

⁴⁸⁰ An interview with a specialist, Directorate of Education, June 21, 2013.

⁴⁸¹ An interview with a specialist, Placement Centre, locality B., June 12, 2013.

⁴⁸² An interview with a social worker, locality L., June 25, 2013.

⁴⁸³ An interview with a psychologist, Placement Centre, locality I., June 24, 2013.

⁴⁸⁴ An interview with a social worker, locality L., June 25, 2013.

⁴⁸⁵ An interview with a specialist, Placement Centre, locality B., June 12, 2013.

⁴⁸⁶ An interview with a psychologist, Placement Centre, locality I., June 24, 2013.

⁴⁸⁷ An interview with a specialist, Placement Centre, locality A., June 25, 2013.

⁴⁸⁸ An interview with a specialist, Centre for Assistance and Counselling of Family Aggressors, June 28, 2013.

⁴⁸⁹ An interview with a social worker, Placement Centre, locality A., June 25, 2013.

⁴⁹⁰ An interview with a specialist, Directorate of Education, June 21, 2013.

ers were preparing wall newspapers for pupils and now the form master is obliged to inquire about reasons of the absence from lessons.”⁴⁹¹

Both specialists, and DVVs indicated the need to organize awareness campaigns targeted on youth, which would help them to adopt a non-violent life style in the family, to identify the first signs of a violent relationship, to show that DV is not a private, but a social problem.^{492, 493, 494, 495, 496} The study identified best practices of involving men in the DV prevention campaign held in different villages under the slogan “We, men, can also do that”.⁴⁹⁷

Psychologists from a NGO mentioned about the pro-active role the psychologists would play in identification of cases of DVVs including children: “the children, either indirect victims, can be identified immediately – dirty, sleepy, with unprepared homework, Didn’t identified – don’t have any work, did identified – have to do something, but nobody wants to take extra effort. Don’t really want, don’t really know, don’t really can. Last year we provided training for psychologists from schools from six districts in the North of the country, they were very motivated to learn working methods”.⁴⁹⁸

In the Republic of Moldova there is no culture of visiting psychologists: “Children should be encouraged to visit more often a psychologist, but his role in school is more formal, and we don’t have the culture when a future couple consults a psychologist. The psychologist can predict if their relation is subject to a risk of violence in the future, even at the courting stage – the desire to maintain control and power is hard to hide, it can be felt from the very discussion, begins with verbal aggression, emphasized jealousy which are the first signs of control towards a partner”.⁴⁹⁹

The role of religious cult

A social worker from a Placement Centre reported that “religion could serve as an additional source to DVV rehabilitation, to restore internal balance. Regardless of confession DVVs get disappointed in faith, some may be mad at (God/Holly Spirit) for having allowed such unrighteousness, others find shelter and peace, surrendering to the idea that the man upstairs will reward the abuser for the things he made, and forgiveness is a way to set mind at rest. I think that many DVV are prone to testify about DV to a representative of the religious cult, as compared to a doctor or a policeman, including during a confession, spiritual counseling, where confidentiality is maintained, she may use some prayers”⁵⁰⁰. A psychologist mentioned a case

⁴⁹¹ An interview with a specialist, NGO, locality B., June 12, 2013.

⁴⁹² An interview with a specialist, Centre for Assistance and Counselling of Family Aggressors, June 28, 2013.

⁴⁹³ An interview with a psychologist, Placement Centre, locality G., June 06, 2013.

⁴⁹⁴ An interview with a DVV, beneficiary of a Placement Centre, residing in a village in the Centre of Moldova, 43 ani, mother of 3 children, June 06, 2013.

⁴⁹⁵ An interview with a social worker, Placement Centre, locality G., June 05, 2013.

⁴⁹⁶ An interview with a MoI official, July 23, 2013.

⁴⁹⁷ An interview with a specialist, NGO, locality G., August 1, 2013.

⁴⁹⁸ An interview with a psychologist, Placement Centre, locality G., June 06, 2013.

⁴⁹⁹ An interview with a specialist, Centre for Assistance and Counselling of Family Aggressors, June 28, 2013.

⁵⁰⁰ An interview with a social worker, Placement Centre, locality G., June 05, 2013.

confessed by a DVV, who addressed to a representative of the religious cult, and she was advised to “*endure and bear her own cross and although it has been said with good intentions, the woman tried to commit suicide*”.⁵⁰¹ Another example, but a positive one which refers to the role of the community religious leader is mentioned by a social worker from a Placement Centre, where the abuser refused alcoholic beverages after a long intervention of the religious leader, thus addressing the DV issue.

These stories confirm the importance of the active engagement of all religious confessions and their representatives in Moldova in preventing DV, identifying DVV and facilitating their access to available assistance and protection services.

⁵⁰¹ An interview with a psychologist, Placement Centre, locality G., June 04, 2013.

CONCLUSIONS AND RECOMMENDATIONS

The Republic of Moldova is still at the early stage in creating and developing assistance and protection system for DVVs, as well as effective mechanisms to combat this phenomenon. Although there are laws in the field and that undergo amendment process, many assistance and protection services have been established, many specialists have been trained and partnerships developed between the civil society and relevant state bodies, there are still a number of gaps and sustained consolidated efforts are needed in this area.

1. Although specialists report a significant number of assisted cases of DV the study results reveal a large number of unidentified, respectively unassisted cases. This situation has been created in conditions on the one hand of **a low level of reactive identification of DVVs**, especially in rural areas, on the other hand, of an **insufficient level of proactive identification** of victims by specialists. Some specialists do not hurry to identify DVVs, since it forces them to take appropriate measures thus increasing their workload. Not identified cases raise concerns by DVVs about the reliability and awareness of the role of the competent authorities and service providers, as well as the ability of the national system to address comprehensively domestic violence, including through adequate dissemination of information, changing socio-cultural norms. Usually the specialists identify/report belatedly DV cases when the situation is critical and the violence is visible.

Because of existing stereotypes related to women's role in the family, but also ignorance of legislation in force and their rights, women DVVs tend to "normalize" the violence. This serves as **an impediment to self-identification** of the victim and respectively, in accessing SAP. In particular, identification of cases of psychological, spiritual, economic and sexual violence in the family, both by DVVs and the specialists remains weak. Cases of psychological violence are rarely reported, including because it is difficult to document these situations and respectively to put the aggressor to justice.

In this context, the need for proactive DVVs identification measures that does not take into account the types of violence and the degree of distress suffered by victims, it is imperative. These measures would involve the active role of *flash mob teams* (psychologist, social worker, lawyer) which would travel especially in rural areas to identify DVVs and would facilitate the access to appropriate assistance. There is a need to develop the self-identification capability and identification of less visible forms of DV, including through national information campaigns. The specialists should draw increased attention to identification of DV cases with elderly, disabled, and victims with mental deficiency and refer them to specialized care services. Actions should be taken so that such DVVs' cases not remain unidentified.

2. DVVs do not appeal to SAP because of shame, fear of stigma, fear that the village specialists will not ensure confidentiality, they do not know the organizations that could help, distrust of police and welfare services. Other reasons would be the fear of the aggressive partner, the feeling of self-accusation of acts of violence and/or dissatisfaction with the quality/effect of previous interventions. Another factor that also influences the decision **not** to call for help is the post-traumatic stress disorder suffered by DVVs after several years of violence – disorientation, high degree of dependence on their abusers who make them helpless against DV. In this situations without an outside help, it is very unlikely that DVVs can break the circle of violence independently.

There is a need to train all the actors which are in contact with DVVs. The training curriculum should include victimology issues that would help the specialists to understand the state of DVVs and take a proactive role in facilitating the access to assistance and protection services. Enhancing confidence in law enforcement bodies and social assistance can be influenced, on the one hand, by promoting positive practices in dealing with DV cases, encouraging the specialists and mediatization, and specialists' accountability can be achieved by vertical DV reporting if effective measures were not taken within previous alerts at local level.

3. Regarding the access to assistance and protection services some categories of victims may be affected stronger than others, especially those from vulnerable groups such as women in rural districts where there are no services for DVVs, young women with little children and elderly women belonging to national minorities the culture of which does not encourage reporting of DV and disabled people.

It is necessary to prevent these cases, to organize efficient information campaigns eficiente for these categories of persons. Monitoring activities carried out by the specialists in families with disabled people, measures to facilitate access to psychiatric/health services for victims with psychiatric disorders are required, as well as provision of services to relatives who take care of these people.

4. Among main causes making DVVs still not call for help are the existence of severe trauma/threat to their lives, physical and sexual abuse attempts by the partner/spouse against children, the influence of circumstances such as DVVs employment, learning by the partner/spouse about the adultery, expulsion from home or following the advice from friends/professional groups. Of great importance in this regard are the awareness-raising campaigns targeted young people focused on primary prevention– which would help the young people to adopt a lifestyle intolerant towards domestic violence, to identify the first signs of violent relations in order to show that DV is not a private problem, but a social one, and secondary prevention which would encourage DVVs to call for help. The non-governmental organizations also can promote appropriate training targeted young people and teachers from pre-university institutions.

5. Although several information campaigns were carried out, DVVs are not sufficiently informed about their rights and Law No. 45, they learn about it when already addressing

to service providers. Ignorance of legal provisions and their rights strengthens distrust in their own forces and enhances the feeling of self-accusation of DVVs, and given the psychosocial portrait of victims, all these give rise to false expectations from SAP and difficulties in establishing an effective contact with service providers. DVVs' informing about their rights and encouraging them to protect these rights is a method that significantly increases the chances for them ultimately to benefit from these rights, and the abuser to be held accountable. In this respect, SAP plays a crucial role in effective implementation of DVVs rights.

It is absolutely necessary to intensify measures to inform DVVs about their rights and Law No. 45-XVI, involving all authorities and institutions responsible for preventing and combating DV. Thus, informing may be carried out by publication and wide distribution of leaflets to victims of domestic violence, describing the rights and legal procedure to appeal to law enforcement bodies and other competent organizations, distributed including at the Forensic Medicine Examination Centres. To promote the message through the media it is necessary to combine the efforts of the NGOs, central public authorities and private companies. On the other hand, there is a need to develop services assessment mechanisms by the beneficiary victims that would enable the identification and documentation of the gaps in the assistance and protection system. Similarly, documents from the evaluation and monitoring system of the state policies must necessarily include information about the impact of policies on beneficiaries (the target group of these policies), this information should be publicly available.

6. Regarding the Placement Centres services, currently the Central and Northern parts of the country are best equipped with this type of service, where placement is provided together with the psychological, legal, social, medical and employment services. **The Southern part of the country lacks Placement Centres for DVVs and their children**, which fact complicates the victims' access to SAP. The Maternal Centres are short of personnel particularly psychologists and do not have funds to ensure adequate security.

It should be reviewed by the central public and local authorities the possibility to open a centre that could provide rehabilitation services to DVVs, preferably in the region of Comrat city. There is a need to revise the Centres' regulations that would promote the minimum quality standards, such as labor rules and standards for specialists, the DVVs' duration of stay at the centre to be a flexible one and proportional to their needs, and also the admissibility/conditions of stay in the same space (centre) of persons with different disorders and obviously inhomogeneous problems, to organize professional burnout prevention programs for personnel involved and minimum budgetary conditions to ensure quality of services provided. At the same time, placement in the specialized centres must be in an emergency when the isolation from the aggressor is required as a protective measure, and in order to optimize the use of resources and to not disrupt the relations between women and their children with community preference of application of protective measures provided to DVVs will be taken into account, including by removing the abuser from the dwelling.

7. Some of **the actors from the assistance and protection system tend to blame/hold DVV accountable for their behavior** because they do not understand the DVVs psychoemotional state that inhibits cognitive thinking ability and decision making. The DVVs who benefited from SAP mention the importance of the psychologist in strengthening of a proactive position in their lives. At the same time, prior to access assistance and protection services, DVVs often do not understand the psychological service, they confuse the psychologist with the psychiatrist, which also reflects the lack of culture of addressing to psychological service in our country. While the psychological service is considered as a priority in dealing with domestic violence and other human rights violations, **the psychological services network and services of the psychologist are not developed and popularized in Moldova**, there are few therapists who are specialized in *Crisis situations therapeutic counseling, Victimology, Work with the abuser*. Most specialists indicated the need of the psychologist's involvement in the DVVs rehabilitation before she addresses to the justice system.

It is necessary to develop the psychological services network in the country, with continuous training of psychologists in the field of interventions in DV cases. It is to be investigated the possibility to train a unit of psychologists within Social Assistance Directorates from the districts of the country to facilitate access to DVVs psychological assistance. The need to promote psychological services for population is required, including for DV victims. It is necessary to support a national hotline for psychological and informational counseling for DVVs, with free and round-the-clock access.

8. According to *Law No. 45*, DVVs have the right to free primary and qualified legal aid, at the same time **DVVs are not expressly indicated as persons entitled to legal assistance provided in the Law on State Guaranteed Legal Aid**. Taking into account the aspects of the suffered psychological trauma, DVVs hardly can alone defend their rights in courts, and most of the times they do not have money to pay the costs of a private lawyer.

It is appropriate to accumulate detailed materials regarding the problems of the DVVs access to justice, including of the victims of the more concealed forms of violence, such as psychological, spiritual violence, etc., and to investigate the possibility to include DVVs as a separate category in the *Law on State Guaranteed Legal Aid*. Thus, DVVs will be able to benefit from the right to effective legal remedy. It is necessary to develop the paralaawyers' network and to support projects that provide legal assistance in rural communities, in cooperation with LPA, which could identify cases of DV and provide primary legal assistance for DVVs. In addition, information campaigns are required aimed at increasing the legal education level of the rural population, carried out also by involvement of NGOs in public-private partnerships. Each victim before starting legal proceedings should be prepared by the legal representative, the psychologist, should be explained what legal proceedings do mean, thus reducing the risk of withdrawal of declarations.

9. Although the police jurisdiction in enforcing the law is gradually growing, the provisions of art.201¹ of CC are applied more often and the number of the minutes on contravention ap-

plied in DV case reduced (in 2013), yet **the practice of police bodies to apply administrative sanctions to abusers is still common**, and in most of the times DVVs are forced to pay by themselves the fines set. This increases the distrust of DVVs in police bodies. The study reveals cases of non-registration of DV cases and non-compliance with professional ethics by the police officers which complicate the practical implementation of the DVVs rights and contribute to their re-victimization. Regarding the impediments reported by the police officers in their activity including in combating DV and ensuring protection to DVVs are the lack of office equipment, fuel, and low wages that contribute to the high turnover of staff.

The fine as a form of punishment is not only a method of economic sanction that directly impacts on the victim and her children, but it is also a way that discourages victims to appeal to the police. Is an urgent need to continue efforts to train police staff in the country, including the new employees. To facilitate the DVVs access to assistance and protection services the expanding of the police reporting form with indication of the number of DVVs referred to other specialized organizations is recommended. The service providers will encourage DVVs to notify vertically the cases of non-involvement of specialists, if previous alerts at local level were not addressed by effective measures. Better equipment support for the efficient activity of the police officers is required – ensuring with transport, fuel, office equipment as fax/Xerox/printer.

10. The study indicates the existence among judges of some stereotypes in treating DVVs. Judges are not adequately informed about the PO issuance procedure.

In most of the times the applications for the PO issuance are submitted by the district police officers at the request of DVVs, the prosecutor, criminal investigation officer and rarely by specialists from the state bodies of social assistance. Although the term to issues an PO (24 hours) is observed, the **issued POs are received by the police officer/the abuser after several days**, in most of the times being sent by mail to the district police officer. A serious obstacle in PO issuance is that **judges hesitate to include as a protection measure for DVVs the compelling of a temporary abandonment by the abuser of the common place of living**, considering that he violates in this way the abuser's right of property.

It is necessary to introduce in the law an Emergency protection order which can be issued by the police officer, at the same time, the issuance of the emergency PO should by no way influence the initiation of the procedure of issuance of a (long term) PO.

For judges trainings on efficient implementation of legislation in the field of preventing and combating DV would be useful. Although there is a non-regulatory Explanatory decision of the Supreme Court of Justice “on application by the courts of the provisions of Chapter XXXI of the Code of Civil Procedure (application of protection measures in cases of domestic violence)” it would be necessary a further interpretation of the procedure for issuing the PO within 24 hours and regarding the abuser's property rights observance in cases of domestic violence.

11. When DVV, who benefited from rehabilitation services return into the abusive environment from home, provided that in parallel there was no work with the abuser the DVV situation worsens and the effect of services is reduced to a minimum. Once punished the abusers should also benefit from counseling services. At the moment in the Republic of Moldova exists only one Centre specialized in assistance and counseling for abusers located in the north of the country which is not enough to cover the needs at the national level. Similarly, the results of the study find the lack of rehab services accessible for abusers addicted to alcohol they would receive in advance. At the moment, effective levers to persuade the abusers addicted to alcohol to follow alcoholism treatment and referral to this service which, at the same time, shouldn't violate their right to decide on their own life are missing.

It is important to work simultaneously with both DVV and the abuser and in this respect it is necessary to develop inside the country services designed for abusers. With the development of these services, it is necessary to promote the practice where the abusers are obliged to undergo a course of counseling in a specialized centre. This is to be indicated as a protection measure for the victim in the Protection Order. It is necessary to raise public awareness and promote the psychological services so that it could be requested also by DVV and the abusers. It is important that abusers should realize that they need such services without being forced. The need to revise the domestic abusers' access mechanism to alcoholism treatment is required, through which the State should simplify the procedure of benefiting from such services.

12. Several DVV do not go to the social worker due to lack of confidence/fear that the specialist from the territorial social assistance bodies would not ensure proper confidentiality. On the other hand, another impediment in identification of DVV by these specialists is the lack of **proper studies and knowledge on how to work with this category of beneficiaries.** To discuss with a presumed DVV, these specialists indicated the lack of separate room where they could talk without witnesses with these vulnerable groups of population.

It is necessary to ensure a continuous training system for specialists from the state social protection system by adopting a training curriculum on DV preventing, DVV assistance and protection and developing primary elementary capacities of psychological counseling. Identification and multidisciplinary approach to DV cases may be organized by the same working model applied to victims of trafficking in human beings. The social workers should have at hand and expose publicly the information about the services available at the district level, in cases of DV – shelter services, free legal assistance, psychologist, crisis phone line services, etc. In the context of underdeveloped state-provided services and the lack of trained specialists it is necessary to open possibilities for all the actors, including from the civil society, private service providers to be able to access public funds to provide services that meet minimum quality standards.

13. DV do not seek medical staff from the community due to lack of confidence that the information will be kept in confidence. Among the reasons **for not seeking health services at the district level to report DV they point out the lack of financial resources/ impossibility to benefit from diagnostics and treatment services for free**, and often to perform a forensic examination this being an obstacle to access justice. According to the study from among the multidisciplinary teams claiming to organize protection and assistance measures for DVV, physicians are most reluctant to attend meetings.

There is a need in a more active involvement of LPA in forming of the MDT, in creating of committees on social issues, in organizing of rehabilitation centres, services for victims and abusers according to international standards and national best practices, in developing social partnerships with NGOs that contribute to preventing and combating DV.

14. Although MoE plays an increasingly active role in informing and training teachers in order to classify the acts of domestic violence, in active cooperation activities of the educational institutions with non-governmental organizations in the field, the component of secondary prevention prevails, at the same time the **education component for non-violent relationships as a way of primary prevention remains to be insufficiently addressed by pre-university educational institutions.**

In the context of the relevance of DV issue for the Republic of Moldova, following the need of a systemic approach in order to educate a new generation free from stereotypes and zero tolerance towards the DV phenomenon, it becomes appropriate to develop and implement curricula for lyceum education that would approach the issue of domestic violence. It is necessary to revise the compulsory subjects as *Civic education* and Homeroom class, or to investigate the possibility to adopt optional subjects that would target non-violent education including the creation of harmonious relations within the couple, and educational support for teachers.

