

ARTICLES

Case Study as a Part of Education in the Field of Domestic Violence

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Abstract:

Introduction: This research study deals with the necessity of educating the members of the Police of the Czech Republic in the area of a social-pathological phenomenon, specifically domestic violence. In most cases, police officers are on the scene of an incident as the first ones. It is a socio-pathological phenomenon, which requires a very sensitive but at the same time a professional approach from the police officers.

Purpose: The main objective of the research was to find out what the views of the coordinators at selected Regional Directorates of the Police of the Czech Republic dealing with the cases of domestic violence are.

Methods: For the purposes of the research, the qualitative method of structured interviews with open questions was used. The respondents were the coordinators from five regions of the Czech Republic.

Conclusions: It can be concluded that great attention has been paid to the issues of domestic violence in the Czech Republic since 1996, which has brought positive results in dealing with real cases by the members of the Police of the Czech Republic. However, each case with the features of domestic violence is different and for this reason it is not possible to describe the whole range of possibilities in the preparation. These problems are only a part of many different incidents the police have to deal with. This fact is taken into account in the proposal for the continuous education of police officers at the departments of the Police of the Czech Republic.

Key words: domestic violence, case study, coordinator in the field of domestic violence.

1 Introduction

When dealing with the issues of domestic violence, the education of the members of the Police of the Czech Republic (hereinafter referred to as the Police of the CR) cannot be omitted. They are mainly the police officers of basic units within the Police of the CR who are, in most cases, the first ones on the scene of an incident. Undoubtedly, the professionalism in dealing with an incident depends on the professional knowledge,

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skills and attitudes of police officers. Policemen tackle different situations and the issue of domestic violence is just one of them (Todt et al., 2016).

It is necessary to realize that frequent mistakes made by police officers are the incomplete finding of the facts on the spot and their erroneous documentation. These kinds of mistakes include the absence of a violent person's statement, non-recorded information of the presence of minor children in the household, the failure to notify an entity providing social and legal protection of children, filling in the SARA (Spousal Assault Risk Assessment) questionnaire, the absence of advice to a vulnerable person and then to a violent person on their legal status or the absence of a notification to a particular Intervention Centre (Střílková & Fryšták, 2009; Šmejkalová, 2014).

In case of dealing with domestic violence a complex approach must be applied. On the basis of our inquiry and its comparison with previously conducted research, we would like to point out the necessity of further professional training of the members of the Police of the CR.

2 Domestic violence

Domestic violence can be defined as long-term recurrent violence among close relatives who live together. If violence occurs at least twice, it is recurrent violence. Unambiguously, one person is a victim and the other is the aggressor and the roles do not change. Domestic violence is a typical cycle of violence which can be characterized by an asymmetry in the relationship (Čuhelová, 2016, pp. 1-5; Kramer, 1998). The cycle of violence takes place in the following phases: the phase of increasing tension and the phase of rest (the so-called honeymoon phase) (Kitzmann, 2003).

Domestic violence is a hidden problem in the family environment (Lahe, 2011). Police officers often refer to the victim's fear of the aggressor's subsequent behaviour as a barrier to the investigation of domestic violence, which is reflected in the reduced or zero communication between the victim and the police officers (Čírtková, 2014). On the arrival to the scene of an incident, police officers usually encounter an aggressive person who is under the influence of alcohol. However, the violent person often tries to hide, explains and justify his behaviour after the arrival of police officers in order to make them understand his actions (Střílková & Fryšták, 2009). Because of the sensitivity of domestic violence and its difficult solution from the aspect of evaluation, communication, tactics and law, police officers have legal instruments to end the unlawful behaviour (Střílková & Fryšták, 2009).

Police officers aim at:

- detecting domestic violence; a preventive action against the possible threat of domestic violence by the aggressor, the reception of the notice of conduct, which has the features of domestic violence, from its victims or third parties;
- an action against domestic violence and the aggressors in accordance with applicable legal rules;
- ensuring the security of the victims of domestic violence and ensuring a synergy in order to prevent the continuation of domestic violence;
- recording individual cases of attacks detected within the police officers' own activity as well as their reporting;

- a close cooperation with all governmental and non-governmental institutions in the protection of the victims of domestic violence and lawful practice in the work with the aggressor;
- A close co-operation with the police officers assigned to the General Crime Department of the Criminal Police and Investigation Service, specialized in the issues of criminality committed in the presence of children, and with the entities providing social and legal protection of children if domestic violence is committed in the presence of children (Střílková & Fryšták, 2009, pp. 46-47).

In the Czech Republic, there are two special groups dealing only with the cases of domestic violence, namely in the city of Brno and in the city of Ostrava. Within the Police of the CR, the Domestic Violence Group has been established. It operates within the framework of the Police of the CR at the City Directorate of Brno in the Criminal Police and Investigation Service. It started its activities on May 1, 2005 (Střílková & Fryšták, 2009). However, in other regions, the problem of domestic violence is dealt with by the police officers of the basic units within the Police of the CR.

Each regional directorate employs a coordinator responsible for the issue of domestic violence who provides:

- methodological guidance for the police officers, assigned to basic units, who encounter domestic violence;
- support to the police officers assigned to basic units concerning the continuous expert knowledge acquisition in the field of criminal proceedings, domestic violence and psychology (Střílková & Fryšták, 2009, pp. 46-47).

Regarding the fact that the police officers in basic units must deal with different cases, the approach of the Domestic Violence Special Group will certainly be at a higher professional level. The effort of coordinators specialized in dealing with the cases of domestic violence is to assist police officers in basic units with difficult cases in the field.

3 Methodology

The research was aimed at the police officers assigned to the regional directorates of the Police of the CR as coordinators in the field of domestic violence. The objective of the research was to gather information from the coordinators in the field of domestic violence regarding:

- their attention paid to the issues of domestic violence at the department where they are employed;
- their experience with dealing with cases of domestic violence and whether they feel they are sufficiently trained in this field;
- their opinions about the possibility of dealing with the cases of domestic violence by a special group.

The qualitative method and the structured interview technique with open questions were selected for the purposes of the research. After that, an analysis of the interviews was carried out.

The research sample consisted of five coordinators in the field of domestic violence from five selected Regional Directorates of the Police of the CR where there are no Domestic Violence Special Groups.

4 Results

Based on the evaluation of the situation, especially in the context of the possibilities given by criminal law in the field of protection against domestic violence and on the police officers' own experience with the procedures and evaluation of real domestic violence cases, a structured interview was prepared for the coordinators in the field of domestic violence. The aim of the interview was to get the answers to the questions above. The interview consisted of 10 open questions and was conducted personally in January and February 2017. The interviews took place in the coordinator's office at the relevant Regional Directorate of the Police of the CR.

The coordinators in the field of domestic violence answered the questions as follows:

1. How would you describe the activity of the coordinator in the field of domestic violence in your region?

The coordinator carries out police officers' training, which is focused on the issue of domestic violence in the territory of the local Regional Directorate of the Police of the CR. He keeps records of the list of trained instructors belonging to the Regional Directorate of the Police of the CR and recommends other suitable instructors for further training. He coordinates individual exercises and trainings related to the issues of domestic violence and provides organizational and logistics background for instructors with a focus on domestic violence.

He also gives consultations concerning individual cases of domestic violence at the Regional Directorate of the Police of the CR, both for the riot police and for the criminal police. He cooperates with a relevant Intervention Centre and participates in meetings of the interdisciplinary team in the region.

It should be noted that the interdisciplinary team consists of representatives of the cooperating entities, i.e. the Police of the CR, the Intervention Centre, the entity providing the social and legal protection of children, the medical doctors, the relevant Public Prosecutor's Offices, etc.

Further, it is necessary to characterize the concept of intervention centres, which represent a specialized workplace exclusively focused on the assistance to people at risk of domestic violence (Act No. 108/2006 Coll.). The Intervention Centre provides the following social services: professional social and psychological counselling, provision of crisis intervention, possibility of psychological therapy, social and legal counselling, assistance in drafting and submitting a proposal for the court and accommodation and food for a vulnerable person. All operations and services are provided free of charge, in the out-patient or in-patient form (Act No. 108/2006 Coll.).

The entity for providing the social and legal protection of children is obliged to take part in dealing with the cases of domestic violence in families where minor children are present (Act No. 108/2006 Coll., Act No. 359/1999 Coll.).

2. What kind of the methodological and coordination assistance do you provide within the Regional Directorate of the Police of the CR in your region?

The heads of district departments of the Regional Directorate and the Criminal Police and Investigation Service of the Regional Directorate of the Police of the CR

are provided with methodological and coordination assistance, which lies in dealing with particular problems related to domestic violence. Both face-to-face and telephone consultations are offered. The methodological assistance is also provided directly to the police officers who perform expelling a violent person from the common household. In more complex cases of domestic violence, consultation between the Police of the CR and the Intervention Centre is required.

3. Specify what training system the police officers of the Regional Directorate of the Police of the CR are provided with. How is the training organized, at what time intervals, what is the target group for the training, what stress is laid on the training?

We have abandoned the previous practice that the training related to domestic violence was carried out by individual territorial departments to a greater extent. This training was attended by the heads of the basic organizational units of the Regional Directorate of the Police of the CR, and they subsequently trained their subordinates. At present, the training is mainly focused on the police officers who use the juridical institute of expelling a violent person.

The training is carried out by a coordinator of the Regional Directorate of the Police of the CR in the field of domestic violence together with the Head of the Intervention Centre. The training takes place at regular monthly meetings of the heads of individual district departments of the Regional Directorate of the Police of the CR. The coordinator visits each district department at least once a year.

The training itself is divided into two phases. In the first phase, the Head of the Intervention Centre analyzes the basic features of domestic violence, the work of the Intervention Centre in connection with the work of the Police of the CR and the possible dependence of the person at risk on the violent person. In the second phase, the coordinator of the Regional Directorate trains police officers mainly from a practical point of view (procedure of expelling a violent person from the common household, expulsion deadlines, legal aspects of expulsion, etc.). At the end of the training, the case reports of selected cases are completed.

After the training, the police officers should be able to recognize individual features of domestic violence and to respond appropriately. Subsequently, they should be able to use the juridical institute of expelling a violent person. The conduct of a violent person should be documented properly for later offenses or criminal proceedings.

The Police of the CR has a juridical institute - expulsion - at its disposal, which is regulated by § 44 to § 47 of Act No. 273/2008 Coll. The expulsion is not a procedural decision but only a measure of an administrative nature. Its purpose is a preventive action against a violent person and therefore, cannot be seen as a punishment for violent behaviour. Police officers are entitled to expel a person from a common household as well as from its immediate vicinity; a violent person can reasonably be assumed to commit a dangerous attack on life, health or freedom or a particularly serious attack on human dignity. Police officers take advantage of available information on previous attacks by this person (Section 44 (1) of Act No. 273/2008 Coll.).

4. Do the members of the Police of the CR make mistakes in dealing with the cases of domestic violence? Specify the characteristics of the most common mistakes.

The mistakes occur during the administrative processing of documentation. The most common mistakes in processing a violent person's expulsion include especially the inadequate justification of expulsion and, in some cases, the absence of a non-

committed person. The justification itself is particularly important for the Vysočina Intervention Centre; on the basis of this justification it helps a person in danger to write an application for issuing an interlocutory judgment. It is positively appreciated that police officers have already been well aware of the domestic violence issue and are able to evaluate individual cases and decide on the expulsion.

5. Could you compare the quality of dealing with the cases of domestic violence by members of the Police of the CR during the period of five years?

To compare the domestic violence cases over a five-year period, I would say that, in my view, dealing with domestic violence is currently at a high level. Police officers are, in most cases, able to recognize the features of domestic violence and are not afraid to use the institute of a violent person's expulsion.

I think, five years ago, not all police officers were able to orientate themselves well in this difficult issue of expelling a violent person. At that time, police officers were only becoming familiar with the relevant guideline and the methodological manual of the Police President at regular meetings of the Head of the District Department of the Police of the CR. In my opinion, the internal management regulations and methodical manuals of the Czech Police are a well elaborated guiding rule for the procedure of an intervening police officer. However, they cannot prepare a police officer for all the pitfalls that he encounters when expelling a violent person. Even if an intervening police officer is theoretically well prepared, in practice he may encounter a problem that needs to be consulted with experts.

At present, it is based on the previous experience. The training related to domestic violence focuses on rather the practical aspect and specific cases and problems.

6. Are the Czech Police members designated to work on the cases of domestic violence at executive departments? If so, how do you cooperate with these "specialists"?

A special team dealing with domestic violence is formed in the South Moravian Region (Brno) and the Moravian-Silesian Region (Ostrava). As to the level of knowledge, these special teams are certainly very good, but at present, they are, in my opinion (the economic and personnel aspect) above standard. Nowadays, the Police of the CR are authorized to use expulsion. This right should, in my view, be used by every police officer in service who encounters domestic violence. At the Regional Directorate of the Czech Police, we always try to appoint one more experienced police officer – a specialist to each individual district. After the use of the juridical institute of expulsion, he will receive and process the material within the local jurisdiction. The cooperation with this police officer is mainly based on telephone and personal consultations related to an individual case. This close cooperation leads to better results in dealing with specific cases.

7. What is the topical problem for the members of the Police of the CR when dealing with domestic violence cases?

If such a problem occurs, it is solved immediately, together with the Head of the District Department of the Police of the CR, or with the police officer who carries out the expulsion of a violent person. In my view, I would see the topical problem in the Criminal Police and Investigation Service, especially for the reason that the members of this department have not yet been trained for the issue of domestic violence. They also encounter the cases of domestic violence. In many cases it concerns a very bad conduct of a violent person (e.g. assault and battery). The

correct assessment of these cases and an early recognition of domestic violence is a common goal of the entire Police of the CR and not only of the riot police.

8. How would you evaluate the communication of the members of the Police of the CR with the staff of the Intervention Centre?

The cooperation between the Regional Directorate of the Police of the CR and the Intervention Centre is very good. The head of the Intervention Centre is involved in the training related to the issue of domestic violence, together with the coordinators at particular district departments of the Regional Directorate of the Police of the CR. This practice has proven to be successful, especially due to forwarding up-to-date information from the Vysočina Intervention Centre, which is important for using the juridical institute of expulsion.

9. Which other entities do the members of the Police of the CR communicate with?

Regarding the cooperation with other entities involved in dealing with domestic violence cases, one of the main partners of the Regional Directorate of the Police of the CR is primarily the Intervention Centre. In most cases of domestic violence, children are present in these incidents. For this reason, the other body involved is the entity of social and legal protection of children. The Police of the CR pass information on the presence of children in the cases of domestic violence through a form called "Early Intervention System". Another and a very important entity is the Court, especially in the cases when an interlocutory judgment is issued to a violent person following a 10-day police term.

10. Do you think that the members of the Police of the CR are adequately trained in the issue of domestic violence? What do you infer from this?

In my opinion, the police officers of the Regional Police Directorate of the CR are better trained in the issue of domestic violence and are not afraid to use their authorization to expel a violent person. They are able to recognize individual features of domestic violence more easily and then decide to expel a violent person from home.

Currently, the situation concerning the police training for dealing with domestic violence has greatly improved. This is also evidenced by an increase in the number of people expelled each year. This difference is, in my view, mainly due to the fact that police officers have started to assess individual cases of domestic violence properly and, in so doing, to expel violent persons.

From the conducted interviews, it is possible to analyze the basic system of the police practice and training of police officers in connection with dealing with the cases of domestic violence. Police officers from the district departments of the Czech Republic carry out initial and urgent tasks on the scene, diagnose the real situation, deal with a threatened and a violent person and communicate with other entities. The coordinator of the Regional Directorate of the Czech Police in the field of domestic violence is not only a training manager, but also provides counselling for the police officers of the lowest specially trained units of the Czech Police. The system of training is mainly run by the Heads of District Departments, who subsequently transfer information to their subordinates. Thus, as stated in the conclusions of the research by Střílková and Fryšták (2009) and Šmejkalová (2014), the administrative processing of the documentation regarding a violent person and his expulsion is a problem according to the coordinators of the Regional Directorates of the Czech Police. Currently, the position of police

officers of the Czech Republic as for the issue of domestic violence is positively evaluated. Compared to the last five years, the work of the police officers in the field of dealing with cases of domestic violence is evaluated as very good. However, each incident with the features of domestic violence is different and for this reason it is not possible to describe the full range of options in the preparation, which the coordinators of the Regional Directorate of the Police of the CR in the area of domestic violence consider to be a problem.

With regard to economic and personnel aspects, the use of a special group in the process of dealing with the cases of domestic violence in the other regions, the coordinators view as unrealistic. In the surveyed regions, there is a principle that all police officers should be able to carry out expulsion as a part of their service. At the same time, there is an effort to designate a more experienced police officer, the so-called “specialist” at each district department who, after using the juridical institute of expulsion, will receive the documentation and process it within local competence.

On the other hand, a problem can be seen, as the domestic violence coordinators say, in the case of inadequately trained police officers of the Criminal Police and Investigation Service, especially in the issue of incident diagnosis.

Based on our findings, we can state that attention is paid to the issues of domestic violence especially at the meetings of the heads of district departments. The Head of the District Department informs the subordinate police officers about new methodological procedures, gives notices of mistakes in the specific cases of domestic violence in administrative processing of documentation, tactical procedures, communication, etc. The meetings of the Head of the District Department are not devoted to domestic violence only, but also to other routine work. This suggests that the problem of domestic violence is not always on the agenda. It is likely to be an irregular, time-limited disclosure of information.

Dealing with the domestic violence cases is rather complicated. It is unpopular for police officers, as confirmed by the research previously realized by Střílková and Fryšták (2009) and Šmejkalová (2014). The research shows that police officers have knowledge, skills and attitudes to deal with domestic violence. The problem, however, is to consolidate and deepen the knowledge and skills already acquired. Continuous professional training should include a deepening, updating and specialization aspect of tackling the domestic violence issue. For this reason, the activity method used through a case study seems optimal due to the economic and time aspect, but especially due to the efficiency of the education itself. The coordinators of selected regional directorates of the Czech Police believe that the police officers at basic departments are adequately trained. However, the reasons they state for the benefit of a specialized team together with the problems related to dealing with domestic violence cases, support the idea of a continuous and system solution of professional education in this specific area.

On the basis of the above conclusions, we can recommend a conceptual solution for the training of police officers at the district departments of the Police of the CR within the framework of the meetings led by the heads of the departments. It offers an opportunity to revise and improve knowledge, skills and attitudes through case studies. The training of police officers within the Police of the CR should be a regular part of the meetings led by the head of the department, at least once in two months.

5 Case studies

The aim of introducing case studies into the continuous training of police officers would be to promote their decision-making abilities with creativity, application and communication skills and, last but not least, to develop the skill to implement appropriate and professionally acceptable behaviour. In the course of their education, case studies would allow the police officers to apply the acquired theoretical knowledge. Solving social conflicts would be more specific for police officers being educated. Feedback is also a piece of information about the success rate of an optimal solution, in a non-confrontational form that strengthens the motivation to find new procedures (Babcock, 2004).

A successful activity of police officers on the spot assumes their knowledge and skills, which should enable them to deal with a professionally challenging situation successfully. Police officers are aware of the difficulty of each case of domestic violence. It should also be emphasized that every intervention or activity is a socially sensitive matter and an interference in the rights and freedoms of the people concerned, e.g. issuing the decision on expulsion.

The proposed case study would be dealt with at the meetings of the Head of the District Department. The focus of the case study on a specific case is always dealt with by police officers in practice. The time allocation is 20 minutes. The assignment of task may be selected by randomly or intentionally. A selected group of police officers may be involved in the solution of the case and the other group would provide feedback. All present police officers would be involved in the training activity. Case studies may be tackled by every present police officer mostly in the form of a discussion. The case study may be suitably supported by the involvement of an expert from another entity, e.g. from the Intervention Centre, the entity of social and legal protection of children or the public prosecutor, which can also motivate police officers. Finally, when evaluating the case study, an expert from another entity can clarify the ambiguities that the police officers are interested in.

The advantage of case studies lies in the complex solution to the problem. In case studies administrative, security, criminal-law, criminal-tactical, but also psychological-communication aspects can be dealt with. In comparison with other methods, the preparation and implementation of a case study is not demanding. However, the disadvantage of a case study method is in the lack of opportunities to acquire skills in the field of social competencies, e.g. making a contact with the victim and the aggressor, including the communication with other entities.

6 Conclusion

The members of the Police of the CR should be trained systematically in the field of new legal regulations, tactics and techniques of interventions, information technology, administrative activities, communication and dealing with emergencies. The more changes occur in these areas, the more the need for further education is growing. Thus, the more the need for further education is growing, the more dynamically the environment changes and the more the tolerance of mistakes in the performance of an employee decreases (Mužik, 2012, p. 27). The education should be conceptual.

The frequent question is why to extend the education or how much time and money to invest in it. The answer may be in the use of case studies for the purposes of continuous

training of the members of the Police of the CR. A good case study is real and allows empathy with the main characters of the story. It has clear educational goals, requires good decision-making skills and enables generalization. Case studies are, compared to other participatory methods, not time-consuming (Turek, 2010, pp. 256-259).

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