

## Chapter 6

# Shadows of Silence: Investigating Police Responses to Intimate and Gender-Based Violence


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### ABSTRACT

*The Istanbul Convention stands out as a crucial and pioneering tool in addressing gender-based violence (GBV) and violence against women (VAW) within the European context. Recognizing the significance of police responses to such violence, this qualitative study aims to analyze and comprehend the implementation of police officers' responses to intimate partner violence in Portugal, while considering the principles outlined in the Istanbul Convention. Thirteen interviews ( $M = 46$ ;  $S.D. = 13.3$ ) were conducted with professionals involved in police response, evenly distributed across Portugal. The objective was to explore their experiences in providing responses to intimate and GBV, which were then scrutinized against the recommendations outlined in the Group of Experts' Report to Combat Violence Against Women and Domestic Violence. The findings revealed a significant gap in knowledge among first-line response personnel regarding the phenomenon. While the establishment of specialized groups within the police force, such as the Investigation and Support Centers for Specific Victims (NIAVE), was viewed as an important and positive resource, it was deemed insufficient due to heavy workloads, resulting in the prioritization of higher-risk cases. Despite the implementation of a risk assessment instrument, there was a notable lack of understanding among professionals regarding its application. The investigation yielded several recommendations for enhancing these responses, including a substantial investment in training for police responses to GBV and bolstering the capacity of NIAVE to ensure effective management of all domestic violence (DV) cases.*

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## INTRODUCTION

From the 1970s onwards, feminist and battered women's movements began petitioning and lobbying legislators to criminalize domestic violence (DV), which until then had been considered a private matter, outside the scope of state intervention (Labriola et al., 2009). In the subsequent decades, social justice movements confronted states with their responsibility to guarantee proactive political responses to combat DV (Busch & Valentine, 2000).

The progressive social visibility of the phenomenon, along with the growing number of cases being publicized, compelled states to implement systems, procedures, and policies to respond to the phenomenon (Pinchevsky, 2017). However, while on the one hand, there was a pressing need to respond to these cases, on the other hand, the whole scenario of their emergence seems to have facilitated a lack of planning, contributing to a fragmented system that raises questions about the effectiveness of the support provided to victims (Johnson & Stylianou, 2022). In an attempt to make responses to gender based-violence (GBV) more effective, there has been an investment in adopting more specialized responses, through measures such as the creation of specialized units or the selection of specific approaches (Quintas & Sousa, 2017), or the development of coordinated community response systems capable of extending the reach of interventions (Post et al., 2010) and maximizing the effectiveness and efficiency of responses (Klevens et al., 2008).

In addition to the challenges listed, relating to the structures and articulation of responses, there are also challenges relating to the type of approaches used in responses, which often reflect deep-rooted patriarchal beliefs and values that are reflected in institutional policies and professional practice (Montesanti & Thurston, 2015; Rodríguez-Blanes et al., 2017).

Parallel to the institutional responses made available to tackle GBV, women's human rights instruments were created and adopted (e.g., Declaration on the Elimination of Discrimination Against Women, 1967; Convention on the Elimination of All Forms of Discrimination Against Women, 1979), which outline both women's rights and the duties of states to guarantee them.

In the European context, the Istanbul Convention stands as the first regional human rights instrument solely dedicated to promoting a Europe free of violence against women (VAW) and domestic violence (DV). This instrument unequivocally declares in its preamble that such violence constitutes a violation of human rights, stemming from structural gender asymmetry. Article 5 of the Istanbul Convention explicitly mandates that States Parties refrain from committing any acts of VAW and ensure the same behavior throughout their entire systems or entities acting on their behalf (Article 5, nr. 1). Additionally, Member States bear the responsibility of adopting legislative or other necessary measures to ensure the prevention, investigation, punishment, and

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