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The Concept of Community Policing and Domestic Violence: Problems and Solutions

Abstract: *This paper problematizes relationships within the so-called "triangle": citizens' needs, domestic violence, model of police work in the community. Research practice based on foreign experiences, empirical findings, and theoretical concepts specifically analyzes the scope and limitations of police work in responding to domestic violence. The approach is directed towards the "victim concept", in accordance with the most significant international and domestic legal solutions in the field of combating gender-based violence. In Serbia, after the adoption of the Law on the Prevention of Domestic Violence, and according to the reports on the results of its implementation in the period from 2017 to 2022, it is necessary to harmonize judicial practice and procedures, as well as to harmonize the positions of the courts in defining the criminal policy in relation to this social phenomenon. According to the recommendations of international institutions, it is necessary to intensify activities on research and monitoring of domestic violence in Serbia. Data collection is still carried out partially and sporadically, without a clear strategy, systematic and unique approach.*

Keywords: *local community, domestic violence, police, community policing*

Introduction

Local community as a context for quality of life research

The available database of research papers dealing with the problem of human needs, life satisfaction and objective well-being has identified areas that are important for human survival and a life worthy of man. Among them are recognized: health, a functional education system, a stable economic base, personal integrity protected from violent crimes, a built network of social contacts, the existence of a stable political system, environmental conditions, a subjective sense of security and quality daily organization of time. (Alkire, Santos, 2011; Mercy et al., 2015). Accordingly, the research findings of human needs and the quality of their lives indicate equal importance of visible, real indicators that can be expressed quantitatively, but also of subjective perception as a qualitative determinant.

The measurement of the objective indicators that indicate the degree and quality of satisfaction of human needs and the assessment of the subjective perception of each person as an individual is carried out in the local community, which represents the starting frame and the real context in which the key indicators of human well-being are recognized (Spasić, 2014). The indicators show the vital specificities of the community, direct its development and operationalize the definitions of key values on which the life of people in the local community is based. Assessment of the quality of life is often based on the perception of community members and on available data from research or institutional records. Accordingly, when assessing, for example, the safety of a community, both the real crime rate and the individual perception of the personal safety of its citizens are used in the analysis. In researching human needs in the community, a set of measurable indicators is formed, which operationalize or quantify the needs of citizens, that is, the community, and based on the measurements, it is estimated to what degree the identified needs are met. The long-term goal of conducting research is to collect information about key problems and issues of importance for the lives of people in the local community, but also to lay the foundations for the adoption of public policies that will improve the quality of life in the community and develop effective programs that will have a visible and measurable impact on the life of citizens (Singletary, Powell, 2003; Eurostat, 2017). The functioning of the local community and the quality of life of citizens is based on the mutual

connection and mutual influence of its three constituent elements: communal infrastructure and the services it provides, social interactions that are established between different subjects in the community and the physical environment. In the correlation of these factors, satisfaction of citizens' needs is determined by the structure and quality of the so-called local community capital, which represents the aggregate of individual and institutional community resources (Halstead, Deller, 2015).

The use of key capital resources of the community for the purpose of improving the quality of life also depends on the identified phenomena that affect the harmonious development of the individual and the community as a whole. These are phenomena that violate the personal safety of the individual, carry a high degree of social danger for every family, but also the functioning of the community through increased economic costs, slowed development or a disturbed value system. That is why every community strives to, using existing potentials, social capital and infrastructure, respond in a timely and efficient manner and eliminate all potential risks that impair its survival and slow down its qualitative changes. Domestic violence is also recognized as one of those phenomena.

Domestic violence as a form of disintegration of the local community

Domestic violence is a criminal, criminological and sociopathological phenomenon that is universal in both its temporal and spatial dimensions. Article 3 (point b) of the *Convention on preventing and combating violence against women and domestic violence* (2011)¹⁰ recognizes domestic violence as "any act of physical, sexual, psychological or economic violence that occurs within the family or household, i.e., between former or current spouses or partners, regardless of whether the perpetrator shares or has shared the same residence with the victim." Considering the sphere of the victim's integrity, which is the primary and direct target of the attack, we can basically distinguish between physical, psychological and sexual violence. It should be borne in mind that violence is an act of extreme direct aggression towards another, which is usually manifested

10 Council of Europe: *Convention on preventing and combating violence against women and domestic violence*, <https://rm.coe.int/1680462540>, accessed 20/08/2022.

by offensive physical or verbal behavior. It should be noted here that the differences and numerous contrasts in the definition and understanding of this phenomenon, present in different historical and culturally specific regions, greatly complicate the realization of empirical research and the classification of its common determinants, regardless of spatial representation and temporal conditioning (Johnson, 2006; Sprague et al., 2012).

The conducted studies point to a common conclusion that women are the most represented among the victims, that is, that men are recognized as victims in about 20% of registered cases of violence (Tilbrook et al., 2010; Symons et al., 2020). Along with them, as experience shows, children are recognized as victims of domestic violence, either as direct witnesses, or as directly threatened (Dodd, 2009; Howarth, Feder, 2013). Bearing in mind these findings, the community engages certain parts of its infrastructure, social capital and its resources based on the existence of a willingness to solve the problem, recognize, identify and analyze cases of domestic violence, and then adopt and launch models of preventive action.

Police and community policing: a strategy for distributing resources in the community

The police, as a resource of the community and part of its social capital, has the legitimacy determined by law to identify, prevent and suppress all phenomena that undermine the integrity, functionality and security of the community. At the same time that violence is recognized in the world as a specific and complex social phenomenon, police management is starting to be introduced into community policing as a new work strategy and attitude towards security problems at the local level. The theoretical reflection and new, practical approach to this strategy of police work was also contributed by the recognition of numerous conceptual, organizational and functional weaknesses in the work of the police, which resulted in a decrease in its efficiency, an increase in the fear of crime, the appearance of personal and property insecurity among citizens and the loss of their trust. The introduction and implementation of a new operational-tactical way of police work was influenced by the set of expectations that citizens have from the police, but also by the necessity for its work to be based on a wider

reliance on citizens and the community, whereby the operational and tactical approach must be adapted to the specific local circumstances and needs of individual areas. The basic idea of this strategy consists of attempts to replace the classic model of bureaucratic, aggressive or interventionist police with the so-called contact policing (Kocak, 2018), i.e., "wide-ranging" police activities, as a form of postmodern policing, focused on the needs of citizens. Community policing is aimed primarily at preventive action of the police within the framework of formal social control. It places the focus of police activities on preventing situational crime and solving neighborhood safety problems. In carrying out these activities and actions, the police respect the proclaimed and established standards of police action and the principles of legality, impartiality, depoliticization, limitation in the use of force, as well as openness to the social community and external control (Council of Europe, DCAF, 2011). Respect for these principles determines both its internal, organizational culture, as well as its role and position in society (Crawford, Evans, 2016), especially considering the fact that the police as an organization - mostly numerous, politically influential, physically powerful and, as a rule, armed, with each police officer having broad powers and discretionary power (Mahesh et al., 2018).

At the same time, this perception of organizational determinants of the police problematizes the issue of police culture, which is posed as a direct opponent to the ideal qualities of a police officer in a new strategic approach which includes: sincere faith in understanding and cooperation with the community, creativity and innovative approach to local problems, use of discretionary power at the lowest levels of policing and outstanding communication skills, which develop a sense of closeness with citizens and in turn gain trust and respect. What still remains problematic in the research of police culture is the degree to which police forces (services) are really ready to redirect their professional culture from the traditional model to the community police model (Spasić, 2020). The implementation of this concept is further complicated by the fact that the relationship between the police and the community implies the association of two sociologically diverse phenomena: the police, as a unitary, professional and management group, and the community, as an "amorphous, elusive" concept (Spasić, 2014). However, one should also take into account the point of view according to which this relationship can bring mutual benefit: citizens as individuals can provide assistance

to the police in solving local security problems, which indirectly engages the community in the creation of a local “security architecture”, and alongside these activities and community mobilization, vulnerable social groups can be empowered to influence existing institutions and their hierarchy (Mahesh et al., 2018).

The community police model implies a focus on preventive action and improvement of partnership with citizens, which contributes to reducing community conflicts and fear of crime. The adoption of this model signifies the establishment of a balance between the preventive and repressive components of police work. The joint responsibility of citizens and the police for community safety is materialized through working partnerships and interpersonal contacts (McCarthy, O'Neill, 2014), and requires strategic planning and sufficient resources, appropriate organizational structure, education and personnel selection, participation of the public in the work of the police and a new culture within the police (Kocak, 2018). Therefore, this strategy is seen and accepted more as a "flowing process" than a product (Skogan, 2006).

The implementation of this strategy implies comprehensive programs instead of the so-called single-intervention strategy, whereby police officers are integrated into the community with complete knowledge of its specifics, priorities and problems and with the readiness to provide assistance (O'Neill, McCarthy, 2014; Crawford, Evans, 2016). The new model of police action is based on a proactive approach that implies the need for recognizing challenges and risks that can undermine community security and that cause difficulties in police work. The reactive model of response to problems in the community has been completely replaced by a preventive approach. That is why the etiological dimension of criminal events is an important segment of the analysis that police management deals with in the application of this strategy of police work. The new police action strategy implies a new, multi-sector approach for "security co-production" which is realized through concluding cooperation agreements with local institutions at the initiative of the police, mainly because they possess the primary responsibility for preserving security at the local level (Dick, 2017). The formation of local security networks ensures complete identification and solving of problems at the local level through making concrete decisions in the field of preventive action, setting concrete goals and determining indicators that will measure the effects and results of the implemented activities (Virta, 2002; Sotlar, Tominc, 2019).

The community police model can cause changes in the internal structure of the police with the aim of achieving balance and compatibility between the police and the environment in which they work. One of the preconditions, but potentially also one of the results of the application of this strategy of police work, can be the "building" of a decentralized structure that ensures a greater degree of independence in police work.

Community policing and domestic violence: local solutions and the 'concept of the victim's rights'

Theoretical approaches that deal with the analysis of the relationship between the concept of community policing and family violence are based on the fact that the police, applying legal powers, are expected to react in a manner prescribed by law, quickly and efficiently, and that in cases of family violence, they act in the direction of preventing new violence and the occurrence of more serious consequences (Konstantinović-Vilić, Petrušić, 2005; Hoyle, 2013). A prerequisite for effective police response is the possession of interpersonal and communication social skills, so that police officers can exercise authority without formal coercion and avoid primary and secondary victimization of citizens. Research, however, indicates a strong influence of personal attitudes, prejudices and stereotypical understandings of police officers on the way they react and behave, given that the rules of operation provide the police with wide discretionary powers (Konstantinović-Vilić, Petrušić, 2005; Boivin, Leclerc, 2016). At the same time, some researchers recognized the tendency of police officers to suppress emotional expression as a survival mechanism (Brown et al., 2018). In order to overcome possible obstacles for objective and effective police action, the experiences of police practice emphasize the following activities: the development of adequate protocols and instructions for engaging the police and specialized training for police personnel that will enable them to become familiar with the specifics of violence in the family as a criminological phenomenon, with its causes and consequences, and the acquisition of the necessary professional competences. It should be borne in mind that the lack of "local solutions" arises as a consequence of the fact that rules, instructions or recommendations are not binding for all services and for all professionals in one community (Ignjatović, 2009; Boxall, 2018).

Professional analyses of the relationship between different models of police work in the community and domestic violence emphasize the possibility of improving the strategic, organizational, personnel, operational and tactical performance of police work on a preventive and proactive attitude towards the phenomenon of domestic violence (Adelman, Morgan, 2006; Johnson et al., 2005; Koppensteiner et al., 2019). The response of the police in case of reported violence should be aimed at protecting the victims with full respect for their rights. This concept of the rights of victims is based on the obligations assumed by the state according to international documents that regulate the relationship of state authorities based on the obligation "due opportunities" ("due diligence") towards victims of domestic violence (Ignjatović, 2009; Wemmers, 2012). Accordingly, the effectiveness of the implementation of the strategy of police work in the community is measured and evaluated based on the perception of direct or indirect victims, which concerns the approach and results of the police engagement in situations of domestic violence, their preventive work in relation to recurrences of this phenomenon, including the degree of the victims' trust for the police (Apsler, 2003). Chicago police, for example, have been successfully responding to domestic violence for decades through a coordinated partnership that includes: law enforcement, domestic violence victim services, prosecutorial response, and community outreach (Sadusky, 2003; Fagerlund, 2020).

Some authors believe that the effective response of the police in cases of domestic violence depends on the quality and scope of preventive activities of the police according to their etiological and phenomenological dimensions, and especially on the attitude of the police towards the victims, but also on the forms of repressive response that end with the arrest of the abuser (Saunders et al., 2016). For this reason, within local communities, increasing attention is being paid to the development of partnership relations of institutions, that is, a partnership addressed to planning activities of a variety of social actors, whose cooperation implies joint decision-making, based on mutual responsibility, established organizational rules, personnel selection and training system, clearly defined mechanisms for efficient information exchange. As prerequisites for an effective work by the police and the impact on the quality of life in the community, in research and experiences of other countries, the following have been recognized: increasing the level of awareness of

professionals about domestic violence, systematic work on overcoming prejudices, misconceptions and stereotypical understandings, education and transformation system of selection of police officers.

However, in Serbia, in the last ten years, research on attitudes towards domestic violence has confirmed that many services and individuals still perceive domestic violence as a personal problem or a marriage/relationship problem, or as an acceptable element of modern gender relations, which complicates a coordinated institutional response to this phenomenon. In this sense, the adoption of the Council of Europe *Convention on preventing and combating violence against women and domestic violence (CAHVIO)*, as the first legal instrument at the European level to combat violence against women and domestic violence, shows that European countries have taken a stand on this phenomenon as a dangerous social problem, which is why in most European countries domestic violence is legally classified as a criminal offense. The convention assumes the establishment of zero tolerance in Europe towards violence against women and violence in the family as its ultimate goal. The far-reaching solutions of the Convention envisage the implementation of the "three P" concept, including: prevention of violence, protection of victims of violence and prosecution of perpetrators, which implies an integrated gender approach in all spheres of public policy.

In Serbia, after the adoption of the *Law on the Prevention of Domestic Violence*,¹¹ and according to the reports on the results of its implementation in the period from 2017 to 2022,¹² it is necessary to harmonize judicial practice and procedures, as well as to balance the positions of the courts in defining the criminal policy in relation to this social phenomenon. In addition, the problem of lack of coordination of institutions dealing with domestic violence, except at the local level in certain municipalities (especially between the police and centres for social work), was recognized. According to the recommendations of international institutions,¹³ it is necessary to intensify activities on research and

11 *Službeni glasnik RS*, broj 94/2016 (Official Gazette of the RS, no 94/2016)

12 Autonomous Women's Center, GREVIO/Council of Europe - Reporting, <https://www.womenngo.org.rs/prakticne-politike/grevio-izvestavanje>, accessed 12.8.2022.

13 GREVIO's (Baseline) Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) SERBIA, https://www.womenngo.org.rs/images/GREVIO/GREVIO_Report_on_Serbia.pdf, accessed 12.8.2022.

monitoring of domestic violence in Serbia. Data collection is still carried out partially and sporadically, without a clear strategy, systematic and unique approach.

Instead of a conclusion

Within the research of human needs and human well-being, family violence is monitored and analyzed through its phenomenological dimension and prevalence, frequency, trends and future projection, as an indicator of the social aspect of community functioning. Also, society's reaction to domestic violence is a measure of the effectiveness of the criminal system through a cross-section of the structure of committed criminal acts, filed criminal charges, convictions and acquittals. The existence and degree of social danger of family violence in the community can also be assessed through citizens' needs for security, personal and family safety, because domestic violence represents a way of aggressively destroying human integrity, but also a form dysfunction within family as a micro-community, and therefore a model of community disintegration as a whole.

For research on domestic violence as an indicator of the quality of life in Serbia, but also as a guiding factor of preventive police activities in the local community, the finding that citizens, to the greatest extent, believe that domestic violence is "an internal, private matter of every family or partner relationship and that you should not interfere in those relations". Accordingly, the effectiveness of the police in detecting and elucidating cases of domestic violence largely depends on the influence of stereotypes and prejudices, the training and readiness of police officers, the results of operational police work, and the willingness of citizens to cooperate with the police. Research into the prevalence of fear of violent crime in local communities confirmed that domestic violence disproportionately affects men and women, indirectly leaves consequences for children and minors, and affects the choice of police strategy (problem-oriented policing, problem solving). Surveys of citizens' attitudes and perceptions show that, according to their opinion, "the police are responsible for reducing the scope and fear of crime, for the prevention of domestic violence, that their presence in the local community in the form of patrol activities is necessary, and that the degree of trust of citizens depends on the results of their work on these problems as well."

(Spasić, Radovanović, 2018). On the contrary, police officers often understand their engagement within this model of police work at the local level and intervention in situations of domestic violence as a form of "social work", and for them, being equated with social workers means a loss of status. The aforementioned research findings represent one of the ways to understand and explain the behavior and attitudes of citizens and police officers according to the model and strategy of police work in the community, according to the needs and expectations of local communities, incidents of domestic violence, but also the organization and structure of the police service as a whole.

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Концепт полиције у заједници и насиље у породици: проблеми и решења

Апстракт: Истраживачке базе полицијских наука зајадних земаља одликује висок степен изјашњености теорије, истраживања и праксе када су у питању студије које се баве проблемом практичне реализације и ефикасности концепција полиције у заједници у односу према проблему породичног насиља, односно, примене превентивних програма и интерактивних развојних теоријских и практичних модела сарадње полиције и локалне заједнице на плану сјечавања породичног насиља. Домаћа истраживачка база је сиромашна и неконзистентна. Изузев неколико студија и теоријских радова који се баве реформским процесима у полицији Србије, евалуацијом концепција полицијског рада у заједници, процедурама, практичним полицијкама, стратегијама и ефикасношћу решавања полиције на породично насиље у оквиру свакодневне полицијског рада, малобројна су истраживања која анализирају организованост, практичну применљивост и резултате савременог концепција полицијског рада у односу према породичном насиљу. Овај рад проблематизује тај однос унутар такозване „трудола”: локална заједница, насиље у породици, концепциј полиције у заједници. Истовремено, истраживачки приступ заснован на страним искуствима, примерима из праксе и теоријским концепцијима посебно анализира димензије и ограничења концепција полиције у заједници као одговора на насиље у породици. Приступ је усмерен ка „концепциј жриве”, у складу са најзначајнијим међународним и домаћим правним решењима у области борбе против родно заснованог насиља.

У Србији је након усвајања Закона о сјечавању насиља у породици, а према извештајима о резултатима његове примене у периоду од 2017. до 2022. године, неопходно успоставити судску праксу и процедуре, као и ставове судова у дефинисању кривичне полицијске случајевима насиља у породици. Поред тога, проблем је и недостатак координације институција које се баве насиљем у породици, осим на локалном нивоу у јединим оквирима (нарочито између полиције и партнера за социјални рад). Према препорукама међународних институција, потребно је интензивирати активност на истраживању и решању насиља у породици у Србији. Подаци се и

даље прикуљају делимично и спорадично, без јасне стратегије и систематској и јединственој пракси.

Кључне речи: локална заједница, насиље у породици, полиција, полиција у заједници.