

Individual Effects of Application of the Law on Prevention of Domestic Violence as an Aspect of Criminal-Strategic Fight against Domestic Violence in the Republic of Serbia

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In this article, the authors analyze how much the application of the new Law on Prevention of Domestic Violence has contributed to the improved work efficiency of state authorities, i.e., if the effects of urgent measures in fighting domestic violence are satisfactory. A strategy of preventing and suppressing domestic violence did not exist in Serbia until the beginning of this century. When the state decided to undertake certain concrete measures to constrain this socially harmful phenomenon, the first strategic direction was to use repressive criminal-law measures to suppress violence. However, repressive measures have not yielded the expected results. By adopting and applying the Law on Prevention of Domestic Violence, the police were given a new, clearly defined preventive role in the fight against domestic violence. The central significance in preventing violence and protecting the victims in the first moments, when the knowledge is acquired of the danger of domestic violence, is given to a police officer in charge, who must undertake all measures to protect the victim and prevent violence. Using content analysis, and comparative and formal logic analysis, this study analyses the data of the Ministry of Interior of the Republic of Serbia, the Public Prosecutor's Office, the court, and also the data kept in the statistical records of the Statistical Office of the Republic of Serbia referring to domestic violence in the period from 2013 to 2019. An important part of the article is dedicated to the current theoretical debates. In order to do the research, the authors have used the official legal division of the territory of Serbia into regions so that the comparison of crime trends could be made in the four regions, which are approximately equal according to their respective population, whereas the Belgrade region is more densely populated in comparison with the other three regions. After the conducted research, the key problems have been identified. It has been identified that the competent state authorities in various regions apply legal provisions unequally, the result of which is that the victims of domestic violence do not have equal opportunities in achieving their right to protection. The conclusions reached through the synthesis of these results confirmed that the key causes of the described problems include: 1) selective application of the law, and 2) various acting practices of competent authorities in fighting domestic violence.

Keywords: domestic violence, urgent measures, criminal offense, victim, offender

UDC: 343.9:364.632-027.553