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Study on Family Violence and Violence Against Women in Montenegro



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SUMMARY

Family violence and violence against women is a social problem all countries face with, and is defined as a way of behavior or relationship where the force, intimidation or control (in the sense of limitation of freedom) are used directly or by threat in order to hurt other persons and to abuse them in psychological, physical, sexual, financial or emotional sense. Gender-based violence comes from expectations related to gender roles and unequal relations within the society and is deeply rooted in unequal treatment of men and women in both public and private sphere. The phrase "family violence" is used to describe an act of violence between family members, including adult partners, parents and children (including adult children as well), guardians/fosterers or partners of older persons, brother and sister, etc.

The use of the phrase violence in partner relationships is increasing. It is defined as a pattern of abusive and coercive behavior that may include physical injuries, psychological and sexual abuse, social/physical/financial isolation, extreme jealousy and possessiveness, threats and intimidation committed by someone who was/is/wants to be in intimate relationship or connection with an adult/adolescent and is aimed at establishing control of one partner over another. Threats can be directed towards partner, his/her family, pets, property, etc. This term also includes children who perpetrator of violence uses for intimidation and abuse of adult victim, as well as those who are forced by perpetrator of violence to participate in adult victim abuse.¹

Family violence includes forms of violence between partners and/or family members, regardless of whether they live in the same household.² Most often, victims of Family violence are women. According to the UN data³, the first cause of death or disability among women aged between 15 and 45 is not disease or traffic accidents, but violence. The presence of children during violent behavior of parents is the greatest factor of risk of passing over violence from generation to generation. Boys witnessing family violence are twice as likely to abuse their own partners and children when they become adults. Projects implemented show that 30% to 60% of perpetrators of violence in partner relationships abuses children as well.⁴

The consequences of family violence are felt by generations of a family, but also society as whole. It is an obstacle in achieving equality, development and peace. Therefore, developed

¹ Sandra I. Bloom, "Encyclopedia of Gender and Violence Thousand Oaks", CA, Sage Publications, 2009

² Law on Protection Against Family Violence, Official Gazette of Montenegro(SLCCG)46/10, Article 3: Family members, as used in this act, shall mean any of the following: 1) spouses or former spouses, children they have in common, and their stepchildren; 2) consensual partners or former consensual partners irrespective of the duration of consensual union, children they have in common, and their stepchildren; 3) persons related by consanguinity and relatives by full adoption, in the direct line of descent with no limitation and in collateral line of descent up to the fourth degree; 4) relatives by incomplete adoption; 5) relatives on the side of wife/consensual partner up to the second degree in a married or consensual union; 6) persons sharing the same household irrespective of the nature of their relationship; 7) persons who have a child in common or who have conceived a child.

³ UN Women: Facts and figures on Violence against Women

http://www.unifem.org/gender_issues/violence_against_women/facts_figures.php

⁴ Data of Foundation "The power of if" which deals with raising awareness on family violence and is part of the project "The dream project" by United Nations; Data available at: www.healingwingsretreat.org

countries are continually improving methods for assessment of damage community suffers from due because of this problem.

The extent of family violence in Montenegro is unknown due to the lack of organized data-collection together with scarce analytical studies and research work. According to our knowledge, the last study was done in 2007⁵, and only one empirical research entitled "Family Violence" is available to Montenegrin public conducted by PhD Jelena Radulović on the representative sample of 500 women.

During the last two years, Montenegro has adopted a series of significant acts related to this area. In August 2010⁶the Law on Protection from Family Violence⁷came into force – the first specialized law that penalizes family violence. The Strategy for Fight against Family Violence was adopted in July 2011 and on November 25th, the Protocol on the rules of procedure of institutions in case of family violence.

The aim of the research was to, through critical review on current situation, especially through conclusions and recommendations that follow, offer constructive proposals for better understanding of family violence and violence against women problem area and efficient response of all actors in the process of providing assistance, support and protection to victims.

THE MAIN FINDINGS OF THE RESEARCH AND CONCLUSIONS

The public opinion poll was conducted on the sample of **1.103 respondents** in 17 Montenegrin municipalities.

Respondents' Awareness of Violence

- ✚ In **92%** of cases the respondents believe that **family violence exists** in Montenegro
- ✚ Respondents perceive the following factors as **causes** of family violence: **abuse of power by family members** (29%), **addiction diseases** (22%), **economic crisis** (21%), and patriarchal society (18%)
- ✚ **Victim of family violence** are usually **women and children**, while **men** are recognized as **perpetrators of violence**
- ✚ The respondents are not familiar enough with **competences of institutions** dealing with protection of victims of violence, since they believe that the police and social care centre should be addressed while they neglect the work of courts and prosecutors. Also, they **equalize the role of non-governmental organizations and social care centers** in the process of protection of violence victims.

⁵ "Violence against Women – Does the Government Care in Montenegro?", Open Society Institute, Podgorica, 2007. http://89.188.32.41/download/nasilje_nad_zenama-cg.pdf

⁶ Government of Montenegro proclaimed the year 2010 the Year of fight against family violence

⁷ The Law is published in "Official Gazette of Montenegro", No. 46/2010 from 06. 8. 2010.

- ✚ The fact that only 3.5% of respondents believe that violence is often reported, shows that the **number of reported cases does not reflect the actual number of cases** and that this socially negative phenomenon should be reported as often as possible.

Attitudes of Respondents

- ✚ **Every fourth respondent, predominantly of male sex, age between 18 and 30 and between 51 and 60, believe that there were situations where physical violence was justified. Contrary to prevailing general attitude on unacceptability of violence, certain number of them, however, tolerate it in certain situations,** especially in terms of partner relationships in which more rigid understanding of women position is dominant. In these relationships women are imposed stricter rules of behavior - 22.2% of respondents believe that physical violence is justified if women flirts, while society has higher degree of tolerance and less judgment towards men in the same situation (16.2%).
- ✚ **Every fourth respondent, predominantly of male sex, age between 18 and 30 and between 51 and 60, assign responsibility for the violence to victims or their inability to leave the perpetrator of violence,** which is opposite to the attitude of majority that family violence is the responsibility of society (68.3% of interviewed stated the family violence is a social problem). The obtained results point to misunderstanding of the **situation, problems and difficulties** victims of family violence face with (fear, sense of powerlessness and uncertainty, lack of family support and relevant institutions, inability to provide basic living conditions), whereby the burden of responsibility is shifted on the victim, while the role of state institutions in providing protection, support and existential conditions is neglected.
- ✚ **Every fourth respondent, predominantly of male sex, age between 18 and 30 and between 51 and 60, believe that the violence is caused by circumstances beyond reach of perpetrator of violence and that the victim is responsible for the violence,** because they **”provoke him by their actions”**.
- ✚ Respondents with less certainty recognize as violence controlling of phone calls, e-mails, SMS (average rate 3.30)⁸, control of movement (average rate 3.57), restriction of communication (average rate 3.69), which brings to conclusion that there is tolerance to latent forms of violence and **tendency to recognize only the explicit forms of family violence**, such as physical violence insults, threats.

⁸Average rate on the scale from 1-5

Respondents' Exposure to Family Violence

- ✚ In **13%** of cases respondents were exposed to **some kind of family violence**.
- ✚ Statistical profile of the victim: female persons, employees or retired persons of almost all age categories.
- ✚ **Low percentage of answers referring to personal experience with violence (13.15) is in contrary to respondents' perception on violence prevalence - even 91.7% of them stated that in family violence exists in Montenegro.** This indicates that citizens in Montenegro are still not ready to talk openly about their experience with violence.
- ✚ The most common forms of family violence are **humiliation, insults and curses (29%)** and **slap, kicking and pushing/shoving (23%)**.
- ✚ **In comparison to women, men in considerable higher percentage appear as perpetrators of family violence.**
- ✚ Most often, a **perpetrator of family violence is husband, former husband and partner (summarily 37%)**.

Presence of Family Violence in Respondents' Neighborhood

- ✚ **38%** of respondents **know someone from their neighborhood** who is the victim of violence. They recognize the following forms of family violence: **humiliation, insults, curses (23%), slapping, kicking, shoving/pushing (23%),** restriction of communication with other persons and control of movement (8% respectively).
- ✚ **Women more often stated they knew someone from their neighbourhood, who is victim of family violence.**
- ✚ Most often, **perpetrator of family violence is husband, former husband and partner (summarily 64%)**.
- ✚ Almost every third respondents **would not be ready to report family violence** because of low level of confidence in institutions' efficiency, fear, patriarchal views of family relations as something not to be interfered in, and doubt that problem of family violence can be stopped or overcome.

„Face-to-face” research was conducted with **100 women victims of violence** in the premises of SOS Nikšić and Women's Safe House Podgorica.

- ✚ High percentage of female respondents (67.0%+22.0%) suffered from violence by **spouse or former spouse**, which points that for perpetrators of violence, marriage is the most common ambient for maintaining traditional gender roles caused by patriarchy, in which, to women detriment, the relation of power and control is established.
- ✚ **27%** of female respondents **in their former families were exposed to violence** by father or mother. These data point that there is more likely to pass on violent behavior as a pattern in partner relations, when it is experienced in the primary family.

Economic Situation

- ✚ Every second victim of family violence said that she has **no permanent source of income**, while **58%** said that **perpetrator of violence has control over their incomes and/or property**. The given figures illustrate the level of economic vulnerability that follows almost all victims of violence, which speaks volumes on the complexity of the situation of family violence victims. The lack of economic opportunities or deprivation of economic freedom limits or denies the possibility of choice for the victims.
- ✚ Every second female respondent is **married to perpetrator of violence**. Thus, most of victims stay in marriage where the violent behavior is constantly repeating.

Risk Assessment

- ✚ Every fifth women said the perpetrator of violence owns fire weapon and in **37%** of cases they were **threatened by a weapon**. Every third female respondent said the perpetrator of violence **tried to kill her**.
- ✚ In **81%** of cases female respondents said **their family members knew about the violence** that was happening to them, but only in 29% of cases they were offered protection, while in 25% of cases they provided shelter for the victim of violence and her children. The case was reported to the police only in 12% of cases.

In-depth interviews conducted with representatives of **15 relevant institutions** gave the following results:

- ✚ Omissions in the work of institutions happening in practice are the result of the **lack of training for institution representatives** in the area of both *specificity of family violence and violence against women and legal procedures* particularly those regulated by the Law on protection against family violence.
- ✚ **Representatives of the relevant institutions** said their employees are coping with the problem of family violence in adequate manner, but none of the institutions had **special departments** specialized to deal with this issue.
- ✚ Institutions involved in the research, except for Social Care Centre, **have no practice of risk assessment defined in advance**. Interviewees said that they usually perform risk assessment through statements of actors in violent situation, but there is no methodology identified, document or the list of questions as basis for risk analysis. This particularly indicates that **risk analysis is one of the weakest links in the chain of protection of victims of violence**, that institutions are not enough aware of their duties and responsibilities in this regard, as well as that there are no appropriate protocols for risk assessment. Certain number of judicial authorities pointed to the **lack of timeliness** of certain social care centers in **delivering analysis and opinions** in cases of family violence and violence against women. This shows that even though centers have pre-defined risk assessment methodology, this method is not used in practice to sufficient extent and that report delivery is rather exception than rule. Also, the work of multidisciplinary teams should be more visible.

- ✚ In the following period, the Ministry of Labor and Social Welfare and non-governmental organizations will form the **Commission for Monitoring of Strategy Implementation** and once a year it will deliver the report to the Government on all planned activities. The Ministry was legally bound to have this body established on February 2011.
- ✚ A victim of violence, for fear of abuser's revenge, often does not cooperate with the police or prosecutor, which results in majority attitude of institutions that in many cases the victim is responsible for the failure of criminal proceedings.
- ✚ What concerns is that results of court proceedings for family violence point to **repeating tendency of judicial system in Montenegro to impose mild sentences or probations for perpetrators of violence/abusers.**

Two conducted **focus groups** (representatives of female citizens and non-governmental sector) point to the following:

- ✚ **They recognize the problem of violence in both general** – on the level of whole society and **micro level** – within families and neighborhood. Violence is a common and 'widespread' phenomenon, but not much talked about. The problem of family violence is defined as '**social problem that should not be treated as a problem related exclusively to the family**'.
- ✚ As **causes** of violence they mentioned traditional model of parenthood by which female children are raised to be gentle, sacrificial and obedient. Respondents also noted that *in Montenegro there is still no awareness that it takes two for functioning of marriage with equal rights, but also equal responsibilities for what is happening inside the family.*
- ✚ **The absence of support from institutions and negative experience of many women in the contact with institutions** respondents see as explanation why not so many women decide to report the violence.
- ✚ According to respondents, **women suffer violence because of:** fear of rejection by community, fear that she as a victim and her children will bear the shame, economic dependence on man, low level of self-awareness, fear of reproach and rejection by family, dilemma whether the institutions would react in accordance with legal framework, inadequate enforcement of the law and prescribed penalties, which are not on the level they should be.

Case studies showed that:

- ✚ **Male violence against women is happening regardless of ethnic origin, social status, and age.** Any women can become a victim of male violence. However, **women belonging to minority ethnic groups or migrants** who suffered male violence **are often faced with multiple forms of violence and discrimination.**
- ✚ In Montenegro there is no record, which could help to establish **what is the risk that women migrants would suffer violence compared to women having the citizenship**, while the experiences of women migrants who suffer discrimination through behavior and attitudes of officers when they report violence is recorded only by non-governmental organizations.

- ✚ Victim of violence, for the fear of abuser's revenge, often does not cooperate with the police or prosecutor, which results in prevailing attitude of institutions that in many cases the victim is responsible for the failure of criminal proceedings.
- ✚ **Women life and health risk assessment** is critical to good decisions in the process of protection and for this reason it is necessary to analyze the situation and assess the level of risk that a perpetrator of violence hurts, attempts to murder or kills the victim.

RECOMMENDATIONS

Statistical data on family violence and violence against women/need for further research work

- ✚ The Study pointed to **the need of conducting future researches in the area of family violence and violence against women in order to perceive** the current situation, effects of law enforcement and strategy implementation.
- ✚ It is necessary to conduct researches and studies on **causes, influences and consequences** of family violence and violence against women on regular basis in order to keep the public informed about this problem.
- ✚ **Methodology and instruments** for analyzing family violence need **to be standardized** in order to ensure proper monitoring of trends and data comparison.
- ✚ Provide continuant **collection of comprehensive statistical data** about family violence and violence against women classified by sex, age and relationship between the victim and the perpetrator of violence. Also, it is necessary to conduct a detailed analysis needs and use the obtained results for **creating future policies and measures** for prevention and repression of family violence and violence against women.
- ✚ Organize standardized **data collection on criminal acts for the area of family violence and violence against women**, classified by sex and age, for all institutions and organizations dealing with the issue of family violence and violence against women.

Awareness and Sensibility of the Public

- ✚ Defining and application of social marketing methods in **order to inform the public** about the problems of violence and develop responsibility towards this problem.
- ✚ Constant work **on raising public awareness** of frequency, structure and characteristics of family violence **pointing to the newly adopted legal possibilities** for legal protection from family violence.
- ✚ **Set up info points** in health centers, schools, faculties, public institutions, etc. – where citizens **can be informed about their rights and ways of actions** in the case of violence.
- ✚ **Educate responsible persons in educational and health care institutions, as well as pupils and students** on the importance of recognizing and reporting family violence.
- ✚ **Involve media in public informing about** the issue of family violence and violence against women and organize appropriate gender-sensitive training for journalists/reporters.

Institutional Support

- ✚ Provide constant, **specialized and gender-sensitive training** for representatives of all relevant institutions, which in addition to getting insight into legal procedures, will ensure understanding of the family violence issue, as well as situation and behavior of the victim.
- ✚ It is necessary to make **society as a whole, particularly institutions, sensitive to the problem of family violence and violence against women** and to invest maximum effort to **introduce and comply with standards** and ensure opportunities for repression and prevention of violence in partner relationships.
- ✚ Form specialized departments/teams within each institution, whose term of office would include dealing only with cases of family violence and violence against women.
- ✚ **Establish branches for family violence in all local units of Police Department** and provide specialized training for employees in this institution. Also, the systematization of Police Service is needed in a way to introduce special department for family violence and violence against women.
- ✚ Provide **informative brochures also for employees in institutions**, which need to contain the review of all legal regulations and procedures relevant for their work in the area of family violence and violence against women.
- ✚ Adopt clear procedures for urgent acting in accordance with Law on Protection Against Family Violence where it is stated: *The procedure by which orders of protection are granted and enforced is subject to provisions of the law governing police, misdemeanor procedure, criminal procedure, criminal sanctions and their implementation and enforcement, unless otherwise provided for by this act.*
- ✚ All institutions dealing with protection and providing support to the family violence victims should make **brochures with clear and precise information on their responsibilities and procedures regarding reporting violence and procedures that follow** and to make them available to both family violence victims and general public.
- ✚ **Institutions** dealing with victims' protection **should organize informative campaigns in** order to have their role recognized in more adequate manner. Update web sites of all relevant institutions with data on their competences and procedures.
- ✚ **Organize roundtables and meetings dedicated to exchange of experience** obtained during the work with violence victims, as well as assessment of procedures applied in the protection procedure.
- ✚ In order to make the work of **Commission**, which is to be formed by the Ministry of Labor and Social Welfare and representatives of non-governmental institutions, in charge of monitoring the implementation of the Strategy for repression of family violence more efficient, it is necessary to expand the existing knowledge through **trainings and ad hoc meetings** to discuss about specific cases, international cooperation and preventive and repression measures. Recommendations made by the Commission and deadlines for their application should be obligatory for every institution.
- ✚ **Make improvements of the existing Protocol for institutions** based on the results coming from monitoring of their work performance and law implementation, by offering

more concrete actions in the area of prevention, protection and processing of cases of family violence and violence against women.

- ✚ Within the process of evidence collection provide records on previous charges, police warnings, penalties, as well as information from non-governmental organizations that help victims, which is crucial for better analysis of the case and risk assessment.
- ✚ Local-self governments, secretariats and social care centers to provide suitable **material assistance** to persons suffering from family violence.
- ✚ Design and organize programs for their **economic strengthening** in order to help them in making decisions to live without violence.
- ✚ **Help and support to the members of minority and migrant groups should be adequate and adjusted to their specific needs.** The system institutions are required to respond to their needs with special attention, taking into account the circumstances that make them vulnerable and encourage women to live life without violence. It is essential that all in the protection system understand gender dimension of violence and gender characteristics of every single case in order to create adequate and adjusted response to the violence.
- ✚ Institutions in charge of protection against violence should be **ready to promptly react** in situation when victim leaves the abuser and seeks for help, since this is the most dangerous period for the life and health of the victim.
- ✚ **Tighten up the penalty policy for violence that caused physical, sexual and psychological damage and suffering for the victims. This would send additional message to citizens on intolerance of family violence and violence against women.**
- ✚ For the purpose of **more adequate violence victim protection and increased confidence in relevant institutions of the system**, it is necessary to achieve their better physical protection, supervision over implementation of protective measures and establish fast and efficient system of punishment for their violation. Procedures related to the work of surveillance police for supervision and reporting of protective measures violation should be made more concrete.
- ✚ Provide specialized training for “Community Police” and strengthen their competences when it comes to prompt intervention in cases of violence, including issuing order of removing abuser from the dwelling unit/issuing a restraining order for the abuser.
- ✚ Act according to the urgency principle in legal proceedings related to family violence and violence against women.
- ✚ Ensure efficient implementation of conclusions and recommendations made by CEDAW Committee and delivered to the Government of Montenegro in November 2011 and involve non-governmental organization in the process of their implementation.

Support Services to the Violence Victims

- ✚ **Develop and make available support services to the victims of violence as prescribed in the Law on Protection against Family Violence and the Strategy for Repression of Family Violence and Violence against Women.**
- ✚ It is necessary to ensure establishment of new and **institutional support to existing shelters, SOS telephones and other services for family violence and violence against women**, including psychological and legal services.
- ✚ Provide services and suitable professionals for implementation of protective measures of obligatory psycho-social treatment and obligatory treatment of alcohol and drug addiction.
- ✚ Set up family counseling centers in all municipalities and engage professionals to work in them.
- ✚ **Develop the idea of volunteerism** –encourage the **idea of social responsible behavior** on the level of entire society in order to recruit male and female citizens in the fight against family violence.
- ✚ **Encourage ideas of social entrepreneurship development** by which help and support services for the victims could become more financially sustainable
- ✚ **Encourage corporate social responsibility of business sector** in order to “return” a part of their profit into the community that would serve as common good, in favor of repression of negative social phenomena such as family violence.
- ✚ **Establish efficient cooperation mechanisms among relevant institutions and non-governmental organizations** dealing with repression of family violence and violence against women.
- ✚ **Set up permanent mechanisms for financing NGOs** dealing with protection of violence victims from municipal budgets.
- ✚ In order to increase the extent of reporting family violence it is necessary to **introduce free-of-charge SOS line (24/7)** at national level that will be networked with available support services.
- ✚ Provide support to the initiative of women non-governmental organizations to establish “women courts”, symbolic in their form, but very significant for women victims of violence and for the public in general, since their raise questions that would otherwise be neglected and create new patterns of knowledge with its methodology.⁹

⁹This type of courts has multiple functions. In the first line they provide opportunity for victims to tell their stories, in safe environment, in the way they want, without pressures or interfering such as the case before institutional courts. Such type of courts has cathartic functions, but as they contain the statements made by female experts on political context, they also have educational, political role. By their approach they strengthen and empower women, instead of subjecting them to the powers of the system. The members of the jury of the court are both men and women, persons with moral integrity. Courts do not pass a sentence or judgment, but they make public condemnations and put pressure on institutions.

Risk Analysis

- ✚ It is necessary to conduct **risk assessment for every single case by pre-defined and professionally-designed methodology**. Reports made in this way should be **available to all in protection system**. This would end the current practice of **risk assessment to be based solely on institution representative's personal assessment**. Designed methodological approach in doing risk analysis would contribute to more accurate determining of sentences for family violence and more efficient victim protection.
- ✚ Institutions, bodies and other legal persons need to take precaution measures in order to prevent the perpetrator of violence in attempt to locate the victim-especially those placed in the women shelters.

Legislation Acts

- ✚ In the following period it is necessary to adopt secondary legislation prescribed by the law on Protection Against Family Violence:
 - Ministry of Internal Affairs should adopt the Rules of procedure on taking protection measures and to adopt the **form for issuing police order** to the perpetrator of violence to leave the dwelling premises and prohibition of returning into apartment of other dwelling unit,
 - Ministry of Health to adopt the **Rules of procedures on the place and way of implementation of protective measure**, which regulates the taking of protective measure of obligatory treatment of alcohol and drug addition
 - Ministry of Labor and Social Welfare to adopt the Rules of Procedures on the place and way of implementation of protective measure of **obligatory psycho-social treatment** and development of **Victim Protection Plan**.
- ✚ It is necessary to define specific provisions referring to **possession and purchase of weapon for persons with the history of family violence and violence against women**.
- ✚ **Ratify Council of Europe Convention on Prevention and Repression of Family Violence and Violence against Women in shortest term possible and ensure its direct implementation in practice.**
- ✚ **Define methodology for monitoring fulfillment of obligations according to international documents referring to the area of family violence, violence against women and gender discrimination.**
- ✚ Introduce the **protection measure system** into criminal proceedings, such as is the case in misdemeanor procedure¹⁰.
- ✚ Amend the Law on Protection Against Family Violence by various fine amounts in accordance with gravity of committed act¹¹
- ✚ Harmonize provision of the Law on Protection Against Family Violence and provisions of other laws (Law on Misdemeanor Proceedings, Law on Criminal

¹⁰The Law on the Protection against Family Violence defines violence as the offence and provides 5 protection measures that are not available in family violence criminal proceedings.

¹¹The Law prescribes single fine of €150 regardless of the gravity of the act/offense

Proceedings, laws regulating the work of police) in order to achieve efficient and full implementation of procedures and violence protection measures.

- ✚ Introduce the institute of **Confidant** into criminal proceedings for the act of family violence.
- ✚ It is necessary to make amendments to the Criminal Code of Montenegro in chapters related to Article 223 **Incest**. Namely, considering that this criminal act is placed in chapter concerning criminal acts against marriage and family, it may be concluded that the legislator treats this serious criminal act as private, family matter and prescribes less severe punishments in relation to other criminal acts from the chapter sexual freedom.¹²
- ✚ It is necessary to amend Article **Rape in Marriage** in a way that this criminal act is subject to ex officio prosecution rather than private suit.

Children's Safety

- ✚ Ensure that **children and adults** victims of family violence **are not endangered** by the way the visit of children by perpetrator of family violence is organized.
- ✚ **Allow violent parent to visit the child only if all measures for child's safety are undertaken and** in time when those visits do not harm his psychological condition and tranquility. In cases where there is suspicion of kidnapping, deny visit without supervision.
- ✚ **Allow courts** to, in the process of issuing a warrant for child' protection, **offer support to non-violent parent** by granting temporary custody.
- ✚ Amend existing laws referring to the trust of children on care and custody in a way to take family violence as relevant factor upon consideration of "what is the child's best interest".
- ✚ Ensure the **presence of child psychology expert** in family violence protection teams, who will be able to give proper assessment of child's exposure to the violence and parent-child relationship.
- ✚ It is necessary to make amendments of the Criminal Code of Montenegro in terms of tightening penal policy for violence against children, especially provisions of the Criminal Code referring to criminal act against sexual freedom.¹³ Also, ranges between lowest and highest punishment are left rather wide.
- ✚ Provide efficient protection of children during the court proceedings in a way to apply prescribed technical and other possibilities of protection with ni exception.

¹²More on proposed amendment of the Criminal Code given in section Situation Analysis

¹³More detail on Draft proposed amendments of the Criminal Code of Montenegro by Caucus of Socialist People's Party given in Annex 2 of this Study (Source: Comment on the Study by parliament member Mrs. Nataša Vuković)