

UDC 351.74:305

DOI <https://doi.org/10.32849/2663-5313/2022.5.09>**Nelia Liakh,***Assistant Lecturer at the Department of Police Law, National Academy of Internal Affairs, 1, Solomianska Square, Kyiv, Ukraine, postal code 03035, Liakh\_Nelia@ukr.net***ORCID:** [orcid.org/0000-0002-0260-708X](https://orcid.org/0000-0002-0260-708X)

Liakh, Nelia (2022). Activities of special mobile police groups on prevention and response to gender-based violence. *Entrepreneurship, Economy and Law*, 5, 56–63, doi: <https://doi.org/10.32849/2663-5313/2022.5.09>

## ACTIVITIES OF SPECIAL MOBILE POLICE GROUPS ON PREVENTION AND RESPONSE TO GENDER-BASED VIOLENCE

**Abstract. Purpose.** The purpose of the article is, relying on the analysis of the current state of mobile police groups in prevention and response to gender-based domestic violence, to make scientifically based conclusions on optimising these police activities. **Research methods.** The methodology of scientific publication is a system of methods, which allow analysing the subject matter of research, such as dialectical, logic and semantic, formal and legal, as well as systemic structural methods. The theoretical basis of the research constitutes scientific studies of domestic scientists on issues of the administrative and legal regulatory framework for police activities on prevention and response to gender-based violence. **Results.** Recently, the number of administrative gender-based offences, the victims of which are the most vulnerable segments of the population, has steadily increased. The negative trend in the cases of gender-based domestic violence is indicative of the ineffectiveness of the State in prevention and response to gender-based violence, contributes to a low trust of citizens in authorised actors, including the National Police of Ukraine. These issues are of particular relevance and require modern reflection on the basis of current legislation regarding the administrative and legal framework for the implementation of gender equality by the National Police, determination of the prospects for its implementation in the context of rapid scientific progress. **Conclusions.** The activities of special mobile police groups are a modern and operational tool of prevention and response to gender-based domestic violence. Police officers employed in mobile groups are authorised to take appropriate measures against abusers, such as records of administrative offences, preventive police registration, issuance of urgent restraining orders, etc. The organisation and conduct of trainings and exercises for police officers employed in mobile groups, which will increase the effectiveness of special mobile groups of the Police in preventing gender-based violence, improve communication skills with the parties to the conflict, awareness of the identification of victims of domestic and gender-based violence, specificities of relevant services under the quarantine restrictions. Considering the conditions caused by the pandemic (24-hour accommodation with the abuser, restricted access to specialised support services, restricted transport, etc.) requires changes to the Procedure for assessing the risks of domestic violence, gender-based violence.

**Key words:** gender-based violence; conflict; prevention; counteraction; special mobile police groups; administrative and legal regulatory framework; powers.

### 1. Introduction

Gender-based violence is not a local problem in Ukraine. As well as in many other countries of the world, trends towards domestic violence, at the interpersonal level, in relations between spouses, parents with children, etc. are traced (Sukmanovska, 2014, p. 216). Such conflicts are often gender-based. In such circumstances, the family, as the nucleus of society, without the support of the State and its institutions, cannot always perform its primary functions, in particular, to ensure the proper well-being and upbringing of children (Zapor-

ozhtsev, Labun, Zabroda, 2012, p. 9). Prevention and response to domestic violence and gender-based violence are among the priorities of the Ministry of Internal Affairs and the National Police of Ukraine.

In order to combat manifestations of domestic violence, in 2017 the Ministry of Internal Affairs together with the National Police of Ukraine launched a pilot project under the code name “POLINA,” which is an abbreviation from *police against violence*. In accordance with this project, domestic violence mobile response groups, composed of repre-

sentatives of different police units, are provided (Bakhaieva, 2019, p. 55). "Polina" is an appropriate interaction algorithm between line operators "102" and patrol officers, district officers, juvenile police, investigators and operatives to respond to and prevent domestic violence. A mobile group responds to the calls on domestic violence, including gender-based violence, and takes all necessary measures to suppress the offence, document it and ensure the safety of the victim.

The experiment was launched in parts of Kiev, Odessa and Severodonetsk of Luhansk Oblast. Now, these mobile groups have been established and are operating in all regional centres and major cities (total: 86). The police assisted almost 28,000 victims of the actions of the abusers, including 22,000 women, 3.4 men and 2.4 thousand children (N.d. 2021).

The mobile response group is a modern and uncompromising tool in the fight against domestic violence. The police are sent to mobile groups, retaining their previous position. Therefore, in order to prevent their involvement in tasks not related to prevention and response to domestic violence, the police officers are employed in mobile groups of the police department of territory they have not previously served (Zaporozhtsev, Labun, Zbroda, 2012, p. 55).

Police officers of mobile groups are authorised to take appropriate measures against abusers, such as records of administrative offences, preventive police registration, issuance of urgent restraining orders, etc. Since the beginning of 2021, more than 16 thousand people have been placed on the preventive registration and more than 29 thousand preventive conversations with abusers have been conducted. In the first nine months of 2021, mobile police groups issued 13,000 urgent restraining orders against abusers and issued 21,000 administrative records under Art. 173-2 of the Ukrainian Code of Administrative Offences (N.d. 2021). As a result of the mobile groups' response to reports of domestic violence during the year, information on the commission of criminal offences related to domestic violence was entered in the Unified Register of Pre-trial Investigations, of which under article 126-1 (Domestic violence) are 343 facts and 45 are under article 390-1 (Failure to comply with restrictive measures, restraining orders or failure to pass the program for abusers) of the Criminal Code of Ukraine (N.d. 2021).

Undoubtedly, the existence of such positive statistics enables the official sources of the National Police to state that, thanks to the introduction of this modern experience, preventive work has significantly increased, these

offences are promptly terminated and victims are provided with protection (N.d. 2021).

However, we are convinced that a thorough scientific analysis of the nature of the activities of mobile police groups in prevention and response to gender-based domestic violence will enable to express an objective attitude to this project, to determine its effectiveness, to identify the characteristics of the response of such entities to conflict situations in the context of quarantine restrictions. After all, 28% of respondents spoke directly about the worsening of their situation of domestic violence with the introduction of quarantine measures, while only 10% of respondents said that the situation has not changed much (Anosova, Borozdina, Lehenka, Cherepakha, 2021, p. 10).

Despite the considerable number of theoretical developments in the legal and administrative response to gender-based violence, measures to prevent and combat it, the issue of the activities of mobile police response groups to gender-based domestic violence needs to be addressed at the scientific and organisational level.

The purpose of the article is, relying on the analysis of the current state of mobile police groups in prevention and response to gender-based domestic violence, to make scientifically based conclusions on optimising these police activities.

According to the purpose and objectives of the scientific article, a system of methods of scientific knowledge has been used. These are philosophical, general scientific, as well as special methods of scientific research. The main method in this system is the dialectic method, which has contributed to the consideration and study of the problem in the unity of its social content and legal form, and which allows systematic analysis of the activities of special mobile groups of the police in the system of prevention and response to gender-based domestic offences. Using the logical and semantic method, theoretical and methodological approaches to the study of the activities of mobile police response groups to gender-based offences have been developed, the content of administrative-methodological measures to prevent such offences has been revealed. The formal-legal and systemic-structural methods enable to analyse the activities of mobile police groups on prevention and response to gender-based offences, specific features of the response of such entities to conflict situations under quarantine restrictions have been identified. The scientific and theoretical basis of the study is the review of scientific works of domestic and foreign scientists. Statistical data on the activities of entities to prevent and combat gender-based domestic offences are also used.

The regulatory and legal framework for the study is the Constitution of Ukraine, laws and by-laws of Ukraine on the activities of entities involved in prevention and response to gender-based violence.

The empirical basis of the study is statistical materials related to the issue of the activities of actors' prevention and response to gender-based domestic offences, the materials of the survey on these issues.

## 2. Powers of special mobile police groups

The mobile group's main tasks include: 1) timely response to domestic violence; 2) reception from victims, as well as from others, including from actors engaged in prevention activities, allegations and reports of domestic and gender-based violence; 3) taking measures to prevent domestic violence and to assist victims, considering the results of risk assessment; 4) informing victims of their rights, measures and social services available to them; 5) immediate restraining orders for abusers; 6) cooperation with other actors working to prevent and combat domestic violence; 7) informing of the firearms control units with a view to revoking the authorisation to acquire, hold, carry firearms and ammunition to their owners in the event of domestic violence, as well as to seize firearms and ammunition in the manner, prescribed by law; 8) reports on administrative offences within the competence and administrative proceedings in cases determined by law; 9) preventive work with abusers and monitoring of compliance with the requirements of measures temporarily restricting the rights of the abuser or imposing obligations on him.

An important role in coordinating the activities of mobile groups belongs to the responsible persons from the Directorates of Preventive Action of the General Directorates of the National Police (hereinafter referred to as the GDNP) in the Oblasts and Kyiv, and the Patrol Police Directorates in the Oblasts (hereinafter referred to as the PPD) which, inter alia, have the following powers: to organise, coordinate and monitor mobile response groups to domestic violence; to provide appropriate guidance, information on how to respond to domestic violence or possible problematic issues; to monitor the conditions under which officers employed in mobile groups perform their assigned tasks and functions, and to establish cooperation between mobile groups and actors carrying out measures to prevent and combat domestic violence; to involve public associations and foreign non-governmental organisations in order to improve the organisation and the performance of mobile groups, in particular, conducting exercises and trainings; to monitor the work of mobile groups by

synthesising the results of the work of mobile groups and to make proposals to management to improve their work.

The proper training of police officers employed in the response groups is of significance in prevention and response to gender-based domestic violence. For example, it is the possibility of applying a special measure to issue an urgent restraining order based on the risk assessment. In deciding whether to issue an order, priority is given to the protection of the victim. If the offender is the owner of the apartment in which he lives with the victim, and the measure of "ban on entry and stay in the place of residence (location) of the injured person" and/or "obligation to leave the place of residence (location) of the injured person" applies to him, then, despite his property rights, the offender shall comply with an urgent restraining order. In the event of their violation, a record on an administrative offence under Article 173-2 of the CoAO shall be drawn up against the offender, and when it is seen as systemic, (as a rule, these are identical acts combined by common intent and committed three or more times) the offender is prosecuted under article 126-1 of the Criminal Code of Ukraine (Aloshkin, Datsenko, Buhachuk, 2019, p. 25).

It should be noted that an order may not contain the above-mentioned measures if the offender is a person who is under the age of 18 at the time of its issuance and lives with the victim. The offender who is ordered to leave the place of cohabitation (residence) with the victim must provide information on his or her temporary residence at the appropriate police department, in the territory of which domestic violence has been committed. The information shall be recorded in the Record of the temporary residence of the offender. Intentional failure to provide such information constitutes an administrative offence under articles 173-2 of the CoAO (Zaporozhtsev, Labun, Zabroda, 2012, p. 56).

Gender-based violence against women during quarantine has increased globally with the active introduction of quarantine restrictions. It is underlined that the number of reports registered may not reflect the real picture, as many women remain locked in the same accommodation with the abusers and are unable to report problems to the relevant services as in the pre-quarantine period. In general, the increase in gender-related and domestic violence during the COVID-19 pandemic has assumed such a scale that the phenomenon began to be called "shadow pandemic" (Anosova, Borozdina, Lehenka, Cherepakha, 2021, p. 3). These circumstances have made it imperative to activate mobile groups to prevent

and combat gender-based domestic violence.

According to the analysis of statistical data, during the COVID-19 pandemic, with the introduction of appropriate quarantine restrictions in Ukraine, there was an increase in the number and intensity of cases of gender-based and, in particular, domestic violence, which, inter alia, increased the complexity of the work of authorised entities (judicial and law enforcement), medical institutions, specialised support services for victims) and the access of victims to appropriate services (Anosova, Borozdina, Lehenka, Cherepakha, 2021, pp. 5-6).

We have identified that the main reasons for reduced effectiveness of mobile police groups in prevention and response to gender-based domestic violence are: limited use of personnel (19%); other quarantine-related tasks of authorised police officers (23%); remotely operating units (7%); health-related inability to exercise powers (12%); incompetence, inadequate training in conflict resolution (39%).

Victims often complain that the police officers on call are limited to a preventive interview and warning of the offender; issue an urgent restraining order but do not accept the application; accept the application but do not issue an order; do not take any action after the application. In some cases, the police openly take the side of the offender, devaluing the situation and suffering of the victim, advising the offender to file a counter-application or qualifying the situation as a "family business" to which they have no relation; impose fines on victims for false calls (Anosova, Borozdina, Lehenka, Cherepakha, 2021, pp. 5-6). During the survey we found cases where employees of the relevant services, usually involved in the mobile group, being insufficiently aware of domestic and gender-based violence, could not identify victims of violence, in particular children, trying to reconcile the parties to the conflict, one of whom was the perpetrator, refused to go on a call during the quarantine period, etc. The circumstances described indicate the need for training and exercises for staff of social services for families, children and youth, as well as police services that are involved in the mobile police group, to raise awareness of the detection of victims of domestic violence, gender-based violence, the provision of appropriate services, in particular under quarantine restrictions. In our opinion, the organisation of these measures should be entrusted to the Ministry of Social Policy of Ukraine.

This recommendation is in line with the specific objectives of the State social programme to prevent and combat domestic and gender-based violence until 2025, as well as para. 2 of the Plan of Urgent Measures to Prevent and Combat

Domestic Violence, Gender-based Violence, Protection of the Rights of Persons Affected by Such Violence.

It should be noted, however, that quarantine restrictions also affected the behaviour of the victims themselves, in particular with regard to the use of protection against gender-based domestic violence. For example, experts have identified several reasons why victims of violence continue to live with their abuser under the same roof: financial condition and dependence on a husband if the woman is a housewife and does not work; common property, making resettlement impossible; a tyrant is often acquitted by the victim; self-doubt (the victim, usually a woman, does not know how to live without a man) (Kotsyna, 2020).

In their interviews with police officers, 128 out of 303 interviewees felt that they were taken seriously by the police, 80 victims of domestic violence interviewed by the National Domestic Violence, Trafficking and Gender-based Discrimination Hotline were not taken seriously. Most often, respondents attributed the police's lack of seriousness to the fact that the situation of domestic violence was perceived as a simple family quarrel; that they were fined for allegedly faulty calls; that they did not consider the situation to be violence unless there was a beating (Anosova, Borozdina, Lehenka, Cherepakha, 2021, p. 21). In addition, the survey revealed other negative cases: acceptance of an application without further response; failure to respond to the call; accusation of the victim of provocation of the abuser; failure to provide emergency medical assistance; failure to accept explanations; interviewing the victim and the offender in the same room; failure to assess risks when refusing to issue an urgent restraining order; failure to inform the victim of the existence and reasons for issuing the orders, disinformation about the possibility of obtaining them; inability to enforce the urgent restraining order (Anosova, Borozdina, Lehenka, Cherepakha, 2021, p. 6).

### **3. Rights and duties of the police to prevent and respond to gender-based violence**

The methodological literature describes the algorithm of police action when reporting domestic violence: 1) To ascertain from the complainant: the form(s) of violence, the number of parties to the conflict, their physical and psychological condition; the need to provide medical assistance to the parties to the conflict (summoning medical personnel); the presence of children in the house or during the conflict; the presence of firearms (ammunition) at the scene of the conflict and the possibility of their use, as well as other threats to the life and health of citizens; participation of parties

to the conflict (offender) in the anti-terrorist operation; 2) To check the databases for the stay of persons living at the given address on the preventive registers (mentally ill, drug addict, previously convicted person, person already prosecuted for domestic violence) and to ascertain whether they have registered firearms; 3) To assign the main tasks of each police officer at the scene of the incident; 4) To work out prior joint actions in the use of physical force, special means and firearms (Kostiuk, Fedorovska, Pashkovska, 2021, p. 11).

Police officers employed in the mobile group must comply with appropriate actions when dealing with the injured person. If a person has physical injuries, medical care should be provided and an ambulance group should be called with a mandatory indication of the number of victims. Such a person must be notified of the possibility of writing a complain on an offence. In case of consent, due to the physical and psychological condition of the victim, it is recommended to take an application at the scene of the incident and to submit it to the territorial (separate) police body for registration and further action. If such a person refuses to write an application, he or she is informed of the possibility of subsequently contacting the territorial (separate) police body to write the application.

Police officers shall recommend the victim (his or her representative) to write a complain on domestic violence. At the same time, it should be noted that failure to report incidents of violence and negligence with regard to one's own security can lead to a deterioration of the situation and threaten life and health. The commission of any violent acts in the presence of children or incapacitated persons is considered psychological violence against them and requires appropriate police response without an application on violence, including detention, arrest or dismissal of the perpetrator (Aloshkin, Datsenko, Buhaichuk, 2019, p. 25).

The victim and/or his or her representative should also be informed (if this representative is not the abuser) of his or her rights and the social services available, the possibility for the offender to compensate for the material damage and harm caused to physical and mental health, to issue an urgent restraining order against the offender, possible procedural decisions, related to the consideration of the fact of violence against him/her, including those related to the detention, arrest or release of the offender.

It is advisable to interview a child witness or child victim of domestic violence in the presence of a person whom the child trusts. Under article 33 of the Law of Ukraine "On

the National Police" the interview of underage persons is allowed only with the participation of parents (one of them), another legal representative or teacher (Law of Ukraine On the National Police, 2015).

Then the authorised police unit of the National Police of Ukraine assesses risks, the results thereof are considered when issuing an urgent restraining order against the offender, takes other measures to suppress such violence, to prevent its extension or repetition and provision of assistance to injured persons in accordance with the procedure established by law. The risk assessment is conducted by communicating/interviewing the victim or his or her representative, clarifying the circumstances of the conflict and identifying factors and conditions that create or may pose a risk to the person (Order of the Ministry of Social Policy of Ukraine and the Ministry of Internal Affairs of Ukraine On approval of the Procedure for risk assessment of domestic violence, 2019).

In view of the subject matter of the study, we consider it appropriate to clarify certain aspects of the performance of mobile response groups to gender-based domestic violence, which may be dictated by the relevant situation.

As is known, under Ukrainian law, an offender is liable to administrative or criminal prosecution for domestic violence. In the event of a person's administrative liability under Article 173-2 of the CoAO, police officers of the mobile group take measures to collect the materials on the offence committed and take measures to bring the offender to court immediately for consideration and decision on the administrative materials.

In the event of a decision to impose administrative liability on the offender, the mobile police unit shall report to the operational duty officer of the territorial department (unit) of the police, in the service territory thereof the administrative offence has been committed, for subsequent entry into the IPNP system.

Based on the consideration of the report (allegation) of domestic violence by the mobile police unit, which has carried out a proper check, the exhaustive response shall be made; the check of such report (allegation) may be complete under a simplified system for the consideration of applications and communications from citizens that do not contain elements of criminal offences. For example, in accordance with the Procedure for Interaction of Entities Carrying Out Measures in the Sphere of Prevention and Counteraction to Domestic Violence and Gender-Based Violence, approved by CMU Resolution 658 of August 22, 2018, the police mobile group no later than 24 hours by telephone, e-mail, followed by written confir-

mation, informs about the fact of domestic violence of actors, implementing measures to prevent and respond to domestic and gender-based violence (Resolution of the Cabinet of Ministers of Ukraine On Approval of the Procedure for Interaction of Entities Carrying Out Measures in the Sphere of Prevention and Counteraction to Domestic Violence and Gender-Based Violence, 2018).

If the victim or abuser is a child, or the victim together with the child has contacted the National Police, the police officers employed in a mobile unit will inform the relevant children's service no later than 24 hours. In order to put the offender on the preventive register and carry out preventive work with him, mobile group employees prepare copies of the administrative records and a report on the measures taken by the police to inform the police officer responsible for the organisation of preventive work with the offender, the territorial (separate) police unit where domestic violence is committed. When evidence of a criminal offence is confirmed, the mobile police unit informs the dispatcher (an officer on duty) of the need to send the IOG and stay at the scene of the incident until it arrives (Aloshkin, Datsenko, Buhai-chuk, 2019, pp. 27-28).

Worldwide, public experts sound the alarm about the outbreak of domestic violence during the COVID-19 pandemic, calling it a "pandemic among pandemics". Most of these acts are gender-based. International research confirms that domestic and gender-based violence proliferates in times of crisis, when threats to life and health, economic and financial security are on the rise (Violence against women and girls: the shadow pandemic. Statement by Phumzile Mlambo-Ngcuka, Executive Director of UN Women, 2020). During the period of quarantine measures, the isolation of women, children, persons with disabilities and the elderly with family members prone to violence increases. Access to channels of communication with police officers, social workers, relatives and acquaintances, members of non-governmental organisations who can provide assistance in cases of violence is also more difficult. In addition to the fact that the perpetrator feels impunity behind closed doors, the system of bodies and institutions that take measures to prevent and combat domestic violence is less able to control vulnerable families, because often these workers are involved in other measures in the conditions of an epidemic lock down.

Therefore, at the present time, in a situation of general crisis and relative employment of law enforcement bodies, measures to ensure the health and epidemiological well-being of the population are of particular importance

for the speedy adoption of urgent measures that will enable to stop domestic violence and, if needed, to relocate victims to a safe place and ensure their access to high-quality legal and psychological assistance. In such circumstances, it seems effective to simplify and accelerate the access of victims of domestic conflict to high-quality and prompt assistance from the police. The special strengthened police response to cases of domestic violence, gender-based violence in crisis and emergency situations, such as the COVID-19 pandemic, with special attention to affected children, should be developed and implemented. In view of the conditions caused by the pandemic (24-hour accommodation with the abuser, restricted access to specialised support services, restricted transport, etc.), we propose to amend the procedure for assessing the risks of domestic violence and gender-based violence.

The potentials of training and exercises, organised for police officers, especially those employed in mobile response groups to domestic violence, gender-based violence in crisis situations, should be considered with special attention to the detection of affected children. According to experts in this area, such trainings should explain the impact of crisis and emergency situations, such as the COVID-19 pandemic, on the situation with domestic violence, the increased risks faced by the affected persons in such conditions, as well as the need to prioritise the safety of victims and the adoption of special measures for the protection of victims, including issuance of an urgent restraining order, over the practical inconvenience that the imposition of such measures may cause to the abuser (for example, his need to look for another temporary stay with quarantine restrictions or an increased risk of infection if he temporarily leaves the place of residence, etc.) (Anosova, Borozdina, Lehenka, Cherepakha, 2021, p. 6).

These recommendations are in line with the specific objectives of the State social programme for the prevention and response to domestic and gender-based violence for the period up to 2025, para. 15 of the Plan of prompt action to prevent and combat domestic and gender-based violence and protect the rights of victims of such violence.

#### 4. Conclusions

Consequently, the activities of special mobile police groups are a modern and operational means of prevention and response to gender-based domestic violence. Police officers employed in mobile groups are authorised to take appropriate measures against abusers, such as records of administrative offences, preventive police registration, issuance of urgent restraining orders, etc.

The organisation and conduct of trainings and exercises for police officers employed in mobile groups, which will increase the effectiveness of special mobile groups of the Police in combating gender-based violence, improve communication skills with the parties to the conflict, awareness of the identification of victims of domestic and gender-based vio-

lence, specificities of relevant services under the quarantine restrictions.

Considering the conditions caused by the pandemic (24-hour accommodation with the abuser, restricted access to specialised support services, restricted transport, etc.) requires changes to the Procedure for assessing the risks of domestic violence, gender-based violence.

#### References:

- Aloshkin, S.V., Datsenko, O.V., Buhachuk, K.L.** (2019). *Protydiia domashnomu nasyilstvu orhanamy Natsionalnoi politsii. Kharkiv [Combating domestic violence by the National Police]*. Kharkiv. nats. un-t vnutr. sprav (in Ukrainian).
- Anosova, Yu.V., Borozdina, K.A., Lehenka, M.M., Cherepakha, K.V.** (2021). *Reahuvannia derzhavnykh orhaniv vlady na vypadky domashnoho nasyilstva pid chas kryzovykh sytuatsii (zokrema pandemii COVID-19) ta rekomendatsii shchodo vdoskonalennia yikhnoi roboty [Response of public authorities to cases of domestic violence during crises (including the COVID-19 pandemic) and recommendations for improving their work]*. Kyiv (in Ukrainian).
- Bakhaieva, A.S.** (2019). *Mobilna hrupa u mezhakh pilotnoho proiektu «Polina» yak efektyvnyi instrument reahuvannia na fakty vchynennia domashnoho nasyilstva [Mobile group within the Polina pilot project as an effective tool for responding to domestic violence]*. Kharkiv : Kharkivskiy natsionalnyi universytet vnutrishnikh sprav (in Ukrainian).
- Kostiuk, V.L., Fedorovska, N.V., Pashkovska, M.V.** (2021). *Zapobihannia ta protydiia domashnomu nasyilstvu pidrozdilamy Natsionalnoi politsii [Prevention and counteraction to domestic violence by units of the National Police]*. Kyiv : Nats. akad. vnutr. sprav. (in Ukrainian).
- Kotsyna, O.** (2020). *Domashnie nasyilstvo: chy vplynuv karantyn na rodyny Odeschyny ta yak uberehtysia vid tyrana [Domestic violence: whether quarantine affected Odesa families and how to protect themselves from tyrants]*. Retrieved from <https://izbirkom.org.ua/publications/obshchestvo-19/2020/domashnye-nasyilstvo-chi-vplynuv-karantin-na-rodini-odeshini-ta-yak-uberehtysia-vid-tirana/> (in Ukrainian).
- N.d.** (2021). *Z pochatku roku hrupy reahuvannia na domashnie nasyilstvo zdiisnyly maizhe 63 tysiachi vyizdiv [Since the beginning of the year, domestic violence response groups have made almost 63,000 visits]*. Retrieved from <http://volnovaha-police.dn.ua/news/view/6131> (in Ukrainian).
- Nakaz Ministerstva sotsialnoi polityky Ukrainy ta MVS Ukrainy Pro zatverdzhennia Poriadku provedennia otsinky ryzykiv vchynennia domashnoho nasyilstva** : vid 13 berez. 2019 r. № 369/180 [Order of the Ministry of Social Policy of Ukraine and the Ministry of Internal Affairs of Ukraine On approval of the Procedure for risk assessment of domestic violence from March 13, 2019 № 369/180]. (2019). *zakon.rada.gov.ua*. Retrieved from <https://zakon.rada.gov.ua/laws/show/z0333-19#Text> (in Ukrainian).
- Postanova Kabinetu ministriv Ukrainy Pro zatverdzhennia Poriadku vzaiemodii subiektiv, shcho zdiisniuit zakhody u sferi zapobihannia ta protydiia domashnomu nasyilstvu i nasyilstvu za oznakoiu stati** : vid 22 serp. 2018 r. № 658 [Resolution of the Cabinet of Ministers of Ukraine On Approval of the Procedure for Interaction of Entities Carrying Out Measures in the Sphere of Prevention and Counteraction to Domestic Violence and Gender-Based Violence from August 22, 2018 № 658]. (2019). *zakon.rada.gov.ua*. Retrieved from <https://zakon.rada.gov.ua/laws/show/658-2018-p#Text> (in Ukrainian).
- Sukmanovska, L.M.** (2014). *Domashnie nasyilstvo: doslidzhennia aktualnoi problemy sohodennia [Domestic violence: a study of the current problem]*. *Yurydychnyi visnyk - Legal Bulletin*, 4, 215–219 (in Ukrainian).
- Violence against women and girls: the shadow pandemic.** Statement by Phumzile Mlambo-Ngcuka, Executive Director of UN Women, April 6, 2020. Retrieved from <https://www.unwomen.org/en/news/stories/2020/4/statement-ed-phumzile-violence-against-women-during-pandemic>. (in English).
- Zakon Ukrainy Pro Natsionalnu politsiiu** : vid 2 lyp. 2015 r. № 580-VIII [Law of Ukraine On the National Police from July 2, 2015 № 580-VIII]. (2015). *zakon.rada.gov.ua*. Retrieved from <https://zakon.rada.gov.ua/laws/show/580-19#Text> (in Ukrainian).
- Zaporozhtsev, A.V., Labun, A.V., Zabroda, D.H.** (2012). *Nasyilstvo v simi ta diialnist orhaniv vnutrishnikh sprav shchodo yoho podolannia [Domestic violence and police action to combat it]*. Kyiv (in Ukrainian).

**Неля Лях,**

старший викладач кафедри поліцейського права, Національна академія внутрішніх справ,  
Солом'янська площа, 1, Київ, Україна, індекс 03035, Liakh\_Nelia@ukr.net

**ORCID:** orcid.org/0000-0002-0260-708X

## ДІЯЛЬНІСТЬ СПЕЦІАЛЬНИХ МОБІЛЬНИХ ГРУП ПОЛІЦІЇ ЩОДО ЗАПОБІГАННЯ ТА ПРОТИДІЇ ГЕНДЕРНО ОБУМОВЛЕНОМУ НАСИЛЬСТВУ

**Анотація. Мета.** Мета – на підставі аналізу сучасного стану діяльності мобільних груп поліції у запобіганні та протидії гендерно обумовленому домашньому насильству надати науково обґрунтовані висновки щодо оптимізації зазначеної діяльності поліції. **Методи дослідження.** Методологію наукової публікації складає система методів, що дала змогу належно проаналізувати предмет дослідження, зокрема використано діалектичний, логіко-семантичний, формально-юридичний та системно-структурний методи. Теоретичне підґрунтя дослідження склали наукові розвідки вітчизняних учених, присвячені дослідженню питань адміністративно-правового регулювання діяльності поліції щодо запобігання та протидії насильству за ознакою гендеру. **Результати.** Останнім часом в Україні спостерігається стійке зростання кількості адміністративних правопорушень, учинених за ознакою статі, жертвами якими стають найбільш незахищені верстви громадян. Негативна динаміка щодо випадків гендерно обумовленого насильства у сімейно-побутовій сфері свідчить про неефективну діяльність держави у запобіганні та протидії гендерно обумовленому насильству, породжує низький рівень довіри громадян до суб'єктів владних повноважень, зокрема й до Національної поліції України. Зазначені питання набувають особливої актуальності та спонукають із сучасних позицій на базі чинного законодавства осмислити адміністративно-правові засади реалізації гендерної рівності Національною поліцією України, визначити перспективи її реалізації в умовах швидкоплинного наукового прогресу. **Висновки.** Діяльність спеціальних мобільних груп поліції є сучасним та оперативним засобом у запобіганні та протидії гендерно обумовленому насильству у сімейно-побутовій сфері. Співробітники поліції, які входять до складу мобільних груп, наділені повноваженнями вживати відповідних заходів щодо кривдників, зокрема складати протоколи про адміністративне правопорушення, здійснювати постановку на превентивні обліки поліції, виносити термінові заборонні приписи тощо. Підвищенню ефективності діяльності спеціальних мобільних груп поліції щодо протидії гендерно обумовленому насильству сприятиме організація та проведення тренінгів та навчань співробітників поліції, які залучаються до несення служби у складі мобільних груп, з підвищення навиків комунікації з учасниками конфлікту, обізнаності щодо виявлення постраждалих від домашнього та гендерно обумовленого насильства, особливостей надання відповідних послуг в умовах дії карантинних обмежень. Зважаючи на умови, викликані пандемією (цілодобове перебування в одному приміщенні з кривдником, обмеження доступу до спеціалізованих служб підтримки, обмеження в пересуванні транспортом тощо), необхідне внесення змін до Порядку проведення оцінки ризиків вчинення домашнього насильства, насильства за ознакою статі.

**Ключові слова:** гендерно обумовлене насильство, конфлікт, запобігання, протидія, спеціальні мобільні групи поліції, адміністративно-правове регулювання, повноваження.

*The article was submitted 19.07.2022*

*The article was revised 09.08.2022*

*The article was accepted 30.08.2022*