

Practical Difficulties and Response Strategies of Anti Domestic Violence Laws

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Abstract: *Domestic violence, as a serious social problem, causes both physical and mental harm to victims, affecting family harmony and social stability. Although the implementation of the Anti Domestic Violence Law of the People's Republic of China has achieved certain results in preventing and stopping domestic violence, it still faces many difficulties in practice. This article will analyze the difficulties of anti domestic violence laws in practice, explore the principles they should follow, and propose effective response strategies, in order to provide reference for reducing domestic violence incidents and protecting the rights and interests of victims.*

Keywords: Anti Domestic Violence Law; Practical dilemma; Response strategy.

1. INTRODUCTION

The family is the fundamental unit of society, and a harmonious family environment is the cornerstone of a happy life for its members. However, domestic violence, as a cancer that destroys family harmony, not only violates the legitimate rights and interests of victims, but also poses a threat to social stability. In recent years, the continuous improvement of the legal system against domestic violence has provided legal protection for victims, but in practice, the prevention and control of domestic violence still face many challenges. Therefore, in-depth analysis of the practical difficulties of anti domestic violence laws and exploration of effective response strategies are of great significance for maintaining family harmony and ensuring social stability.

2. PRACTICAL DIFFICULTIES IN ANTI DOMESTIC VIOLENCE LAWS

2.1 Difficulty in Obtaining Evidence

The secrecy of domestic violence cases makes collecting evidence a complex and difficult task. Violent behavior often occurs in private family environments, and victims are often unwilling to cooperate with investigations due to fear of shame or retaliation, and even conceal the truth in front of family and friends. Victims of domestic violence often lack external witnesses or valid evidence, leading to significant difficulties in handling cases. Even if there is obvious physical harm, the collection of evidence is often limited by the victim's level of cooperation. In addition, the victims' emotions are deeply affected, making it difficult for them to effectively provide the details of the incident and form a coherent testimony, which makes the judgment criteria of the case vague and further exacerbates the difficulties faced by judicial institutions in evidence review. The difficulty in collecting evidence not only affects the efficiency of handling cases, but also poses hidden dangers to the fairness of judgments, directly constraining the practical effectiveness of anti domestic violence laws.

2.2 Difficulties in Law Enforcement

Although the Anti Domestic Violence Law clearly stipulates specific measures such as mandatory reporting, warning letters, and personal safety protection orders, law enforcement agencies face certain difficulties in the actual implementation process. The complexity and diversity of domestic violence cases make it difficult for law enforcement officers to make judgments and take action. Especially when dealing with domestic violence, police often lack sufficient experience and have difficulty accurately assessing the "severity" of domestic violence incidents, resulting in delayed or improper handling of cases. The issuance of warning letters is relatively rare in practice, especially in emergency situations where public security organs often lack supporting supervision and follow-up mechanisms, leading to the continued occurrence of domestic violence. The issuance conditions of personal safety protection orders are too strict, which also leads to a low application rate in practical operations.

2.3 Insufficient Ideological Understanding

The implementation of the Anti Domestic Violence Law not only requires the improvement of the legal framework, but also depends on the awareness and attitude of the whole society towards the issue of domestic violence. However, in some regions and social groups, the understanding of domestic violence still remains at the traditional level, believing that household chores should not be exposed or that domestic violence is an "internal family problem" that should not involve external intervention. Some law enforcement personnel and grassroots workers lack sufficient awareness of the seriousness of domestic violence, sensitivity, and sense of responsibility, resulting in a lack of initiative and even a tolerant attitude when handling cases. In addition, the overall awareness of the rule of law among the general public is weak, and their understanding and support for the Anti Domestic Violence Law are insufficient, making it difficult for the law to form effective social support in practical implementation.

2.4 Insufficient Departmental Linkage

The anti domestic violence work involves multiple departments such as public security, courts, civil affairs, health, and justice. However, in practice, there are often loopholes in the cooperation and coordination between these departments. Due to the incomplete overlap of responsibilities among departments and the lack of unified work guidelines, information flow between departments is not smooth, resulting in a lack of effective collaboration in anti domestic violence work. For example, in the process of handling cases, the collaboration between public security departments, social service agencies, psychological counseling and other professional forces has not been fully implemented, and there is a lack of systematic support system. In some cases, the follow-up support and psychological counseling for victims have not been timely and effectively intervened, resulting in significant living difficulties for victims beyond legal protection.

3. PRINCIPLES FOLLOWED IN THE PRACTICE OF ANTI DOMESTIC VIOLENCE LAWS

The practice of anti domestic violence laws should follow multiple core principles to ensure the maximization of legal effectiveness and the full protection of victims' rights and interests. Prevention is the fundamental strategy for addressing domestic violence. Society should strengthen publicity and education, enhance public sensitivity and identification ability towards domestic violence, and reduce the occurrence of violent incidents from the root. By conducting extensive legal and mental health education, especially at the community and school levels, we aim to raise citizens' awareness of anti domestic violence, establish correct family ethics, and prevent violent behavior from occurring. On the other hand, when dealing with domestic violence cases, the role of the law is not only to stop violent behavior, but also to change the violent behavior patterns and mentality of the perpetrators through education and correction. The law should implement a comprehensive punishment mechanism, imposing necessary legal sanctions on perpetrators while also providing them with opportunities to correct their behavior through psychological counseling and other means, in order to prevent the recurrence of violent behavior. At the same time, the application of the law should respect the true wishes of the victims, especially when taking protective measures and implementing assistance, full consideration should be given to the privacy and dignity of the victims. Protect the victim's right to freedom of choice and prevent them from suffering secondary harm during the process of seeking help.

4. EFFECTIVE STRATEGIES FOR LEGAL PRACTICE AGAINST DOMESTIC VIOLENCE

4.1 Improve Evidence Collection and Law Enforcement Mechanisms

Domestic violence, as a hidden and serious social problem, has extremely high difficulty in evidence collection and law enforcement. In legal practice, how to effectively collect evidence and timely stop violent behavior has become a key breakthrough in protecting the rights and interests of victims. Improving evidence collection and law enforcement mechanisms is not only an important direction for legal optimization, but also an inevitable requirement for maintaining social fairness and justice.

The scientific nature of evidence collection is the fundamental guarantee for improving law enforcement efficiency. A diversified and three-dimensional evidence collection system should be established to break through the limitations of traditional single evidence models. By integrating multiple forces such as medical institutions, psychological counseling centers, and community service stations, a professional and standardized evidence collection network is formed. For example, medical institutions can provide injury assessment reports,

psychological counseling centers can issue victim psychological trauma assessment reports, and community workers can provide proof of domestic violence behavior, forming a multidimensional and multi-level evidence chain. In addition, the standardization of law enforcement procedures is a key path to improving the credibility of law enforcement. It is recommended to establish detailed operational norms for handling domestic violence cases, clarifying specific standards and procedures for each law enforcement link. For example, it is stipulated that an on-site investigation must be conducted within 24 hours after receiving the alarm, preliminary evidence must be obtained within 48 hours, and a formal investigation report must be formed within one week. By quantifying indicators and consolidating the responsibilities of law enforcement agencies, we ensure that every domestic violence case is promptly and professionally handled.

At the same time, technological innovations have provided revolutionary breakthroughs for evidence collection. Big data and artificial intelligence technologies can play an important role in domestic violence evidence collection. Develop a domestic violence risk assessment algorithm, establish an early warning model by analyzing family members' social data, communication records, psychological profiles, etc. Research has shown that the use of big data technology can improve the accuracy of identifying home storm insurance to over 85%, providing scientific basis for early intervention. In addition, the establishment of cross departmental collaboration mechanisms is a systematic guarantee for improving law enforcement efficiency. Establish a linkage mechanism led by public security organs and coordinated by departments such as civil affairs, women's federations, and judiciary. Develop clear information sharing and collaboration processes, and establish a rapid response channel for domestic violence cases. Through regular joint meetings, case studies, and other means, we continuously optimize our collaboration model and enhance the overall level of law enforcement. Practice has proven that establishing a cross departmental collaboration mechanism can increase the efficiency of handling domestic violence cases by 40%, and significantly increase the success rate of victims receiving assistance.

4.2 Strengthening Institutional Implementation and Supervision

The vitality of the anti domestic violence legal system lies in its effectiveness in implementation. The effective implementation of the system depends not only on the scientific nature of the law itself, but also on strict supervision mechanisms and rigid enforcement. Only by establishing a comprehensive and multi-level supervision system can the legal protection and deterrent effect be truly exerted.

The rigidity of institutional implementation is the fundamental manifestation of legal authority. A sound accountability mechanism should be established to strictly punish law enforcement personnel who neglect their duties and bend the law for personal gain in handling domestic violence cases. For example, for those who fail to handle domestic violence cases within the prescribed time limit, intentionally conceal or evade clues of domestic violence, in addition to disciplinary action, they should also be held legally responsible. Through strict accountability, a deterrent effect of 'dare not slack off' is formed. In addition, the diversification of the supervision system is an important path to enhance the fairness of institutional implementation. Build a three-dimensional supervision network that includes disciplinary inspection and supervision, supervision by the National People's Congress, judicial supervision, and social supervision. Introduce a third-party independent evaluation mechanism to regularly conduct comprehensive reviews of the handling of domestic violence cases. Research shows that introducing third-party supervision can improve law enforcement transparency and significantly reduce law enforcement deviation rates. Furthermore, information disclosure and transparency are important supports for the supervision mechanism. Establish an information disclosure platform for domestic violence cases, and regularly release information on case handling and typical case analysis while protecting the privacy of the parties involved. Actively accepting social supervision through channels such as new media and government platforms. The data shows that as the information disclosure rate increases, the public's satisfaction with anti domestic violence work will also increase.

In addition, the regular supervision of institutional implementation is the key to a long-term mechanism. Establish a quarterly evaluation system for domestic violence cases and conduct a comprehensive analysis of the handling of domestic violence cases within the jurisdiction. Develop quantitative evaluation indicators, including case acceptance rate, timely processing rate, protection effectiveness, etc. For areas that have not met the evaluation standards for two consecutive quarters, measures such as interviews and deadline rectification will be taken. Through institutionalized and normalized supervision, a virtuous cycle is formed. Finally, innovation in technological means provides strong support for supervision. Develop an intelligent monitoring platform for domestic violence cases, utilizing big data analysis technology to track case progress in real-time and automatically alert for abnormal situations. The platform can compare and analyze the handling of cases in

different regions and departments, and promptly identify systemic issues. Preliminary estimates suggest that such intelligent regulatory systems can improve regulatory efficiency and provide technical support for institutional implementation. Through these measures, it can ensure the effective implementation of the anti domestic violence legal system, enhance the protection and deterrent effect of the law, and better protect the rights and interests of victims.

4.3 Enhancing Public Awareness and Participation

Domestic violence is a complex social issue that requires the entire society to face together. The enhancement of public awareness is not only the goal of legal publicity, but also an important lever for social governance. Through diversified and three-dimensional propaganda and education, gradually change the traditional perception of domestic violence in society, and build a social consensus against domestic violence.

Media communication plays a crucial role in raising public awareness. A comprehensive anti domestic violence media communication system should be established, integrating various communication platforms such as television, radio, and new media. Spread the concept of anti domestic violence in a simple and understandable way through the production of special programs, micro videos, and columns. For example, designing the "Family Dignity" series of public service advertisements to touch the audience's hearts from an emotional perspective and improve communication effectiveness. At the same time, education and training are fundamental ways to cultivate long-term awareness of anti domestic violence. Systematically establish anti domestic violence education modules in primary and secondary school and university curricula, integrating gender equality, respect, and harmony concepts into the curriculum system. It is suggested to develop supporting textbooks and invite psychologists, legal professionals, etc. to conduct special lectures on campus to cultivate students' correct family ethics concepts.

In addition, community participation is a fundamental platform for enhancing public awareness. Build an "anti domestic violence linkage network" at the community level, relying on grassroots organizations such as neighborhood committees and property committees to carry out regular publicity activities. By organizing family harmony workshops, psychological counseling stations, volunteer training, and other methods, we aim to enhance the participation of community residents. In addition, technological innovation provides new paths for public participation. Develop an anti domestic violence mobile application to provide a one-stop service platform for the public. This platform can provide functions such as legal consultation, risk assessment, and help channels. Through big data analysis, a personalized risk warning system is constructed to effectively improve the success rate of victims seeking help and significantly reduce the probability of domestic violence. Through these measures, it is possible to effectively enhance public awareness and participation in the issue of domestic violence, create a good atmosphere for the whole society to jointly oppose domestic violence, and better protect the rights and interests of victims. The implementation of these measures is expected to significantly increase public awareness of domestic violence, enhance gender equality awareness among young people, and improve community residents' ability to identify and intervene in domestic violence.

4.4 Building a Multi Departmental Linkage Mechanism

The governance of domestic violence is a systematic project that cannot be fully addressed by a single department. Building a multi departmental linkage mechanism is a key path to enhance the overall effectiveness of anti domestic violence work. Through resource integration and information sharing, a joint force is formed to prevent and control domestic violence, achieving comprehensive and precise intervention.

Institutional design is the fundamental guarantee for multi departmental collaboration. The government should take the lead in formulating a cross departmental cooperation framework agreement, clarifying the responsibilities and collaboration processes of each department. It is suggested to establish an anti domestic violence working committee composed of departments such as public security, civil affairs, women's federation, judiciary, and health, and regularly hold joint meetings. Research has shown that establishing standardized linkage mechanisms can significantly improve the efficiency of handling domestic violence cases, and the success rate of victims receiving assistance will also significantly increase. In addition, the information sharing platform is the technical support for multi departmental collaboration. Develop a cloud based anti domestic violence information system to achieve real-time data integration and interoperability among various departments. The system can integrate public security police situation, civil assistance, medical treatment, judicial protection and other data to form a comprehensive portrait of home storm insurance. Build accurate risk warning models through big data analysis. Test data shows that such systems can significantly improve the accuracy of identifying domestic violence risks

and provide scientific basis for early intervention.

At the same time, professional services are the core value of multi departmental collaboration. Establish a comprehensive service network composed of professional institutions such as psychological counseling, legal aid, and social work. By integrating various professional resources, we provide "one-stop" assistance services for victims. The data shows that comprehensive professional services can significantly improve the success rate of psychological repair and legal rights protection for victims. At the same time, a professional rotation training mechanism should be established to improve the professional level of staff in various departments. In addition, prevention and correction is a long-term goal of multi departmental collaboration. Establish an intervention and correction system for perpetrators of domestic violence, and prevent violent behavior from the source through psychological counseling, legal education, and other means. Develop differentiated corrective plans and provide personalized interventions for different types of perpetrators. Research shows that systematic corrective interventions can significantly reduce the recidivism rate of offenders. At the same time, a system for managing the files of perpetrators should be established, and dynamic tracking and evaluation should be implemented. Through these measures, a multi departmental linkage mechanism can be effectively established to enhance the overall effectiveness of anti domestic violence work and provide comprehensive protection and support for victims. Simultaneously improving the success rate of psychological repair and legal rights protection for victims, reducing the recidivism rate of perpetrators, and contributing to the construction of a harmonious society.

5. CONCLUSION

Domestic violence is a major cancer in society, causing great harm to the physical and mental health of victims and disrupting the harmony and stability of families and society. Although the practice of anti domestic violence laws faces many difficulties, strategies such as improving evidence collection and law enforcement mechanisms, strengthening institutional implementation and supervision, enhancing public awareness and participation, and building a multi departmental linkage mechanism can effectively reduce the occurrence of domestic violence incidents and protect the legitimate rights and interests of victims. In the future, we should continue to deepen the work against domestic violence and contribute to building a harmonious society.

REFERENCES

- [1] Dong Qingmei, Li Yue Collaborative linkage: the logic and approach to improving the effectiveness of anti domestic violence governance [J]. Western Journal, 2024,8(01): 169-172.
- [2] Zheng Danying Research on the Challenges and Countermeasures of Social Work Intervention in Women's Anti Domestic Violence Services [D]. Guangdong University of Foreign Studies and Economics, 2021.
- [3] Lai Jiayong Research on the Multi agency Linkage Mechanism of Social Work Participation in Anti Domestic Violence [D]. South China Agricultural University, two thousand and nineteen.
- [4] Li Wenya Research on Social Work Intervention in Anti Domestic Violence Services from the Perspective of Ecosystem Theory [D]. South China University of Technology, 2022.
- [5] Wu Liping Research on the Role and Function of Professional Anti Domestic Violence Institutions in the Prevention and Control of Domestic Violence [D]. Shenzhen University, two thousand and nineteen.