



Krisesenter  
sekretariatet

# Legislation on violence against women in Norway



## **The Act relating to Municipal Crisis Centre Services in Norway**

**(Crisis Centre Act - 2010)**

## Crisis Centre Act - 2010



- ❑ **Section 1.** *The purpose of the Act*
- ❑ The purpose of this Act is to ensure the provision of a good, comprehensive crisis centre service for women, men and children who are subjected to domestic violence or threats of such violence.
- ❑ The Act also confirm that women and man who are victims of trafficking and forced marriage shall have the same rights

## **Section 2. *Requirements for the crisis centre service***



- The municipality shall ensure the provision of a crisis centre service that may be used by persons who are subjected to domestic violence or threats of such violence, and who need counselling or safe, temporary accommodation.
- The service shall provide users with support, guidance and help to contact other parts of the public service system and shall comprise:
  - (a) a crisis centre or similar free, year-round, 24-hour, safe, temporary accommodation, and
  - (b) free daytime services, and
  - (c) a year-round, 24-hour telephone help line where persons specified in the first paragraph can obtain advice and guidance, and
  - (d) follow-up during the re-establishment stage; see section 4.

## **Section 2. *Requirements for the crisis centre service***



- Individuals may contact the crisis centre service mentioned in the second paragraph directly, without a referral or an appointment.
- The municipality shall ensure a high-quality service, which includes ensuring that the employees are qualified to meet the special needs of the users.
- **Accommodation for women and accommodation for men shall be physically separate.**
- The Ministry may make regulations regarding requirements for employee qualifications and requirements for the physical protection of premises.

### **Section 3.** *Adaptation of services to individual needs*



- 
- ☐ The municipality shall ensure that the service is adapted as far as possible to meet the needs of individual users.
  - ☐ The municipality shall ensure that children are provided with adequate care that is adapted to their special needs, and shall also ensure that the rights of children under other legislation are fulfilled.
  - ☐ The municipality shall ensure that accommodation and daytime service users have access to a qualified translator if this is necessary in order to ensure that they receive adequate services.
  - ☐ The municipality shall ensure that procedures are established for quality assurance, procurement and payment of translator services.

## Section 4. *Coordination of services*



The municipality shall ensure that women, men and children who are subjected to domestic violence or threats of such violence are provided with comprehensive follow-up by coordinating the assistance provided by the crisis centre service with assistance provided by other parts of the public service system.

---

**Section 5. *Duty of confidentiality***

**Section 6. *Disclosure of information to the child welfare service***

All persons who perform a service or work under this Act shall, in the performance of their work, be alert to circumstances that may lead to action by the child welfare service.

**Section 7. *Police certificate***

Any person who is employed by or is assigned responsibilities that entail contact with users of a crisis centre or similar accommodation or daytime services shall present a police certificate.

**Section 8. *Internal control***

The municipality shall establish an internal control system to ensure that the undertakings and services constituting the crisis centre service perform their functions in accordance with the requirements laid down by statute or regulation. The municipality must be able to explain how this duty is fulfilled.



### **Legal rights and help for those who are subjected to criminal acts in Norway**

*If you have been subjected to criminal acts in the form of physical and/or psychological violence, sexual abuse, forced marriage, female genital mutilation or human trafficking, you are legally entitled to help and protection. This brochure provides you with information about what you are entitled to and where you can go for help.*



**"NOBODY KNOWS WHAT'S HAPPENING IN MY HOUSE.  
I'M THE ONLY ONE WHO CAN FEEL MY PAIN"**

(quotation from a Mazocruz woman from Puno, Peru)



This brochure has been supported by funding from the Ministry of Justice and the Police 2008

# ①. VIOLENCE

## 1.1 You will have been subjected to a criminal act if someone:

- hits, kicks, tries to strangle you or injures you with a knife or any other type of object
- causes injury to you, e.g. serious cuts, bruises or broken bones
- forces you to engage in sexual acts against your will
- threatens you by saying that you will be killed or seriously injured as mentioned above
- gives you away in marriage against your will (forced marriage)
- subjects you to human trafficking (you can read more about human trafficking under Item 1.2)
- subjects you to female genital mutilation
- physically prevents your freedom of movement, e.g. locks you up

A criminal act has also been committed if your children are subjected to violence or sexual abuse.

Long-term terrorisation and abuse are also crimes, regardless

of the physical or psychological injuries you sustain as a result of such behaviour.

Such acts are crimes, even if the person concerned is:

- your current or previous husband or live-in partner/boyfriend/girlfriend
- your parents, stepparents
- your children
- someone in your household, i.e. someone you live with and with whom you share your household

Such acts are also crimes if those responsible were under the influence of alcohol or drugs at the time of committing the act.

## 1.2 When are you a victim of human trafficking?

If someone engages in the following by resorting to violence, threats, exploitation of a vulnerable situation or inappropriate behaviour:

## 5. SECURITY ALARMS

If you are subjected to threats or violence, the police may provide you with a free security alarm. These alarms are connected directly to the police emergency centre so that you can make direct contact with the police if a threatening situation occurs.

### 5.1 How can I obtain a security alarm?

You do not need to report a criminal offence, but either you or someone acting on your behalf will need to apply for a security alarm. The police will help you to do this.

### 5.2 How long can I keep my security alarm for?

If you are allocated a security alarm, you will be able to keep it for three months. The police will then decide if you can keep it for longer by undertaking an assessment of your safety situation.

## 6. RESTRAINING ORDERS

### 6.1 What is a restraining order

A restraining order means that whoever it has been imposed on will not be permitted to stay in a particular place, visit or in any other way contact you. This could, for example, occur in the form of phone calls, e-mails, letters or text messages. Restraining orders are imposed in order to prevent you from being subjected to threats or violence.

If there is a high risk of a criminal offence being committed against you, the person concerned may be banned from staying in your joint home

### 6.2 Who decides if a restraining order can be imposed on someone?

The prosecuting authorities (the police) decide whether or not a restraining order should be imposed on whoever is threatening you with violence. Such a restraining order will subsequently be examined by the court. Both you and the person against whom the order has been imposed will be summoned to appear at a court hearing, although in your capacity as the victim you will not be obliged to attend. You do not need to report a crime in order to have a restraining order imposed. A restraining order may mean that you will feel safer and could thus make it easier for you to report your circumstances.

# Legal framework

---

- From 1. of January 2006, domestic violence is a specific offence in Norway. Violent attacks in the private sphere come under the provisions of the Penal Code article § 219 .
  - In 1988, unconditional prosecution was introduced in cases of domestic violence. A criminal case may be brought before the court, even if the woman withdraws the formal report.
  - It has been ruled that the provision regarding free legal aid for abused women, includes women subjected to domestic violence from spouses and cohabitants, as well as prostitutes and pimps.
-

# Legal framework

---

- Assaulted and sexually abused women are *protected against repeated violence from the abuser*. In an amendment, January 1 1995 to the Criminal Procedure Act (§ 222a), a person can be prohibited from entering a specific area, following, visiting or otherwise contacting another person ( restraining order ). This can be done if there is specific reason to believe that the person will commit a criminal act against or otherwise violate the other person's right to be left peacefully alone. If a ban pursuant to section 222a of the Criminal Procedure Act on visiting another person is violated, the person violating the ban, if certain conditions are met, is arrested and remanded in custody.
-

# Legal framework

---

- The Criminal Procedure Act ( § 22a Chapter 17 a regarding “ban on visits etc” was changed and revised in 2002 and 2003 ; on 10 January 2003, changes in the rules regulating ban on visits took effect. The changes are meant *inter alia* to provide better protection for persons exposed to violence from others in their own household.
  - **Section 222 of the Norwegian Criminal Procedure Act provides clear legal authority for prohibiting a person subject to such a ban from staying in his own home.**
-

# Legal framework

---

“§ 219. Any person who by threats, duress, deprivation of liberty, violence or any other wrong grossly or repeatedly maltreats

- a) his or her former or present spouse,
- b) his or her former or present spouse’s kin in direct line of descent,
- c) his or her kin in direct line of ascent,
- d) any person in his or her household, or
- e) any person in his or her care

shall be liable to imprisonment for a term not exceeding three years.

If the maltreatment is gross or the aggrieved person dies or sustains considerable harm to body or health as a result of the treatment, the penalty shall be imprisonment for a term not exceeding six years. In deciding whether the maltreatment is gross, particular importance shall be attached to whether it has endured for a long time and whether such circumstances as are referred to in section 232 are present.

---



## National Action Plans in Norway

---



- ❖ 3 National Plan of Action to combat domestic violence
- ❖ 2 National Plan of Action against forced marriages
- ❖ 3 National Plan of Action against trafficking
- ❖ 1 National Plan of Action against female genital mutilation



# **Further efforts to combat men's violence against women in Norway**

---

**New National Action Plan in Norway,  
Dec 2011**

**National Action Plan to combat rape,  
June 2012**

**White paper on domestic violence,  
spring 2012**

## National Action Plan

---



- ❑ National Action Plan as a tool to combat domestic violence
- ❑ The Norwegian experience
- ❑ Organizational framework for the work of combating domestic violence in Norway

## National Action Plan

---



- ❑ **National Action Plan as a tool to combat domestic violence**
  - ❑ Translate political will into practical and appropriate action.
  - ❑ As a tool to put domestic violence on the agenda
  - ❑ As a tool to coordinate the governments activity to combat domestic violence
  - ❑ Make the agency/ministry/service which are responsible to carry out each measure visible
  - ❑ Make a system of the efforts to combat domestic violence
  - ❑ As a tool to generate funding

## National Action Plan

---



- ☐ Establish an interdepartmental group to coordinate and implement the activities from the action plan
- ☐ Establish a coordinating position in one of the involved ministries
- ☐ Establish routines for reporting on activities to reduce domestic violence

---

### **Organizational framework for the work of combating domestic violence in Norway**

- The responsibility for coordinating the Government's efforts to combat domestic violence lies with the Ministry of Justice and the Police, and a coordinating position was established in the ministry in 2000.
- Domestic violence cannot be combated with the use of criminal policy instruments alone. An effective fight against violence requires close cooperation with other central government authorities with responsibility for health, social welfare and gender equality issues. To meet the need for coordination at central government level, a cross-ministerial working group has been set up. This group consists of representatives of the Ministries of Health, Social Affairs, Children and Family Affairs, and Justice and the Police. As well as ensuring the implementation of action plans, the group draws up proposals for future efforts to combat domestic violence.

**We don't want the children  
of tomorrow to be victims of  
men's violence**

