

# Policewomen and the Policing of Domestic Violence in the Centre of the Mediterranean

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Domestic violence has its roots in culture and, in turn, culture constructs stereotypes about different sections of people. Although stereotypes may not necessarily be negative, they are the pillars that sustain prejudice and discrimination (Deaux, Dane, & Wrightsman, 1993: p. 218). Therefore, this paper will discuss the role of police women and the policing of domestic violence in the centre of the Mediterranean. The research focuses on a study carried out in the Maltese islands and in the region of Trapani, Sicily. After a brief description of the two islands and their culture, the paper will continue by explaining and defining the Mediterranean culture and police culture. The findings of the research will be explained in the final part.

**Keywords:** Policing; Domestic Violence; Policewomen; Mediterranean Culture; Machismo

## The Centre of the Mediterranean

Right at the centre of the Mediterranean Sea one finds Malta and Sicily. The Maltese islands comprise three inhabited islands: Malta (the largest), Gozo and Comino and a small number of islets. The islands have a population of around 400,000 people. Being an ex-British colony, it has two national languages: Maltese and English. However, most Maltese speak at least three European languages. The island of Sicily lies at the foot of Italy and is a part of it. Sicily is about 120 km away from Malta and is about 80 times bigger than Malta. It has a population of around 5 million people. The national language is Italian but most Sicilians also speak their dialect. Although Malta and Sicily share a part of their history, Sicily was never a British colony and, since it is part of Italy, Sicily was on the Axis side in World War II. Therefore, when one compares these two islands, the differences outweigh the similarities: Malta is small—relatively Sicily is quite extensive; Malta's economy is based on tourism and information technology—Sicily's economy is based mainly on agriculture, especially on the production of wine and olive oil. Yet, although geographically and politically separated, and although they do not speak the same language, Maltese and Sicilians certainly have one thing in common: the Mediterranean culture. This paper will explore how this Mediterranean culture affects policewomen and the policing of domestic violence in the centre of the Mediterranean and whether policewomen can actually lead to a positive change in mentality.

## Policewomen and Policing Domestic Violence in Malta and Sicily: Cultural Considerations

It is precisely this notion of culture that is under focus here.

Therefore, culture is constituted by the unofficial, undocumented regulations, which are adopted in the conduct and attitudes of people. It is this unwritten code of behaviour that varies the conduct of people from one society/country to another (Wilk, 1989; quoted in Makin, Cooper, & Cox, 1996: p. 247).

Sackmann (1991; cited in Chan, 1997: p. 68) defines culture as “the collective construction of social reality”. According to Chan (1997: p. 68), culture comprises every type of structured knowledge held collectively by individuals. A common assumption made by scholars in this field is that, culture is composed of different elements, which exist at differing measures of consciousness. Basic assumptions are very deeply ingrained within individuals' cultural construction. These comprise unconscious generalisations on ascribed suitable conduct and physical/verbal responses in particular circumstances. Basic assumptions trigger automatic reactions from individuals as they are internalised and accepted unquestionably. Values also play a very important part since they regulate an individual's perception of how things should be and what deserves priority. Persons may generally act without making the conscious effort of referring to values however, if challenged, most people would quote them.

Culture projects a particular perception of the world, but not automatically a unique one (Eagleton, 2000: p. 37). This can be clearly observed when studying the culture of Malta and Sicily. Wettinger (1988 in Mallia-Milanes, 1988: p. 20) claims that there “exists a traditional affinity with Southern Italian people”, including of course Sicilians, “with whom” the Maltese “share geographical, cultural and economic ties”. Therefore, the way of life of the Maltese and the Sicilians tends to be very similar consequently, one would not expect their cultures to be very different (Clifford, 1997: p. 64). Abela (1991) describes the

Mediterranean culture as one based on the principles of honour and shame wherein one hides facts that could jeopardise either one's quiet life or that of others—this is what is referred to in Italian and Maltese as: “omerta”—the shroud of silence.

This culture is further cemented by Roman Catholicism (the main religion of both islands). Roman Catholicism is permeated by patriarchalism (Miceli, 1994: p. 87) and Maltese society has its roots in Roman Catholicism. In fact, Baldacchino (2000: p. 65) claims that the Roman Catholic Church is “clearly, the strongest contributor to Maltese culture”. The Roman Catholic Church in Malta exercises power through its teachings, thus animating religious beliefs, tradition and attitudes (Cole, 1994: p. 605) which constitute a good part of the local cultural baggage. Thus, one may be correct when claiming that patriarchy constitutes the backbone of Maltese society. In fact, Miceli (1994: p. 87) describes how the “old concept of patriarchal rule... prevails” while other authors (Abela, 1992: p. 19; Callus, 1998: p. 94) explain how Maltese citizens lead a “predominantly traditional way of life” based on patriarchy.

Until relatively recently, Maltese women who dared break out of the mould imposed on them by the Victorian “patriarchal ideal”, were shunned by both men and women (Carrier, 1988: xi). Thankfully, culture changes even chronologically (Makin, Cooper, & Cox, 1996: p. 247). Therefore, although one could argue that the traditional mentality still prevails in Malta, gradually but steadily, gender equality is gaining ground, there is “an emerging concern for the freedom of expression” and the participation of children and youths is encouraged in both families and the community (Abela, 1994: p. 254). Since the 1980s in Malta, liberty of speech has increased drastically to international standards and pluralism has flourished. All this has created a new culture that tolerates open criticism of the establishments. Modern methods of communication, coupled with the ability of the Maltese people to speak English (and even other languages), has rendered Malta less and less insular over time. Consequently, Maltese society is no longer what it was. For good or for worse, the traditional values have changed (Abela, 1994: p. 260), however, one positive outcome is that, nowadays, one could expect most Maltese people to know their rights and Maltese society is no longer complacent in face of any form of discrimination and domestic violence.

The situation is somewhat different in Sicily. Indeed, although the roots of Maltese and Sicilian culture originated from the same source, they have spread separately through different historical events that have ended up shaping both islands differently. While Sicily always found refuge in its big sister—Italy, Malta was left to fend for itself, being fostered—or rather colonised—by different nations: the Phoenicians, the Romans, the Arabs, the Knights of St. John, the French and finally, the British. Malta remained officially a British colony until the 21st of September 1964, when it was finally granted independence. The last British troops left Malta on the 31st of March 1979. English became the second national language and provided access to the rest of the world. Sicily remained dependent on Italy and it is not rare to hear Sicilians complain of being treated as second-class citizens. Parts of Sicily are periodically referred to as down south (*profondo sud*) by politicians (for example see Debates of the Camera dei Deputati, sitting 17 of October 2006), journalists (*Corriere della sera*, *TG1* etc.) and people in general. This does not only refer to the geographic location of Sicily but it also refers to the way most people look at Sicily and Sicilians—as backward, locked in a time warp and

governed by corruption and omerta.

Once described as the fruit-basket of the Roman Empire, Sicily does not disappoint when it comes to agricultural produce and gourmet eating/drinking. In fact, its main economical pillar is agriculture. With the exception of the cities, Sicily is characterised with quaint little villages and extensive stretches of fertile, cultivated (and not cultivated) land. Sicily might give the impression of being small, however it is not. In fact, one finds people living in remote places, with little or no access to means of transport and/or communication. Naturally, the more vulnerable the persons, the less access do they have to these means. In addition, most Sicilians speak Italian and their dialect which continues to limit their access to information. As a result, unlike the Maltese society, the Sicilian one can be considered as being very insular. This situation renders Sicily fertile ground for a culture built on what is commonly referred to as omerta (a code of silence), honour and shame (Cassar, 2003: pp. 7-25).

Cassar (2003: p. 10) explains how honour and shame are the persistent concerns in diminutive Mediterranean society such as the Maltese and Sicilian one. However, these concerns get accentuated by remoteness and isolation therefore, as one could expect, Sicilians may be more worried about preserving honour and avoiding shame (Cassar, 2003: p. 7). Pitt-Rivers (1965 quoted in Cassar, 2003: p. 10) defines honour as “the value of a person in his [and honour is heavily associated with men] own eyes, but also in the eyes of his society... It is the estimation of one's own worth... his claim to pride... his excellence recognized by society.” Honour amongst males is pivoted on: valour, fidelity and sincerity whereas, for females, “honour is essentially a sexual matter”.

In the Mediterranean culture, men strive to preserve their dominance and to constantly prove that they are worthy of honour—of their family name. Therefore, their role is to secure their honour, whereas the role of women is to avoid shame, by keeping pure, by remaining loyal to their husbands and by guaranteeing the continuity of the family lineage (that is by giving birth, minding children and keeping the house). Cassar (2003: p. 12) explicates how, in the Mediterranean world and mentality, honour is under constant threat by outsiders—thus their suspicion of strangers. They believe that women are the most susceptible to this danger... “Honour must be responded to, since claim to honour must be backed up or else the group ends up in shame. Shame is therefore the other part of the equation”... the part concerning women. In fact, Mediterranean women are expected to do anything to avert shame (Cassar, 2003: p. 12). Mediterranean culture dictates that whereas a husband's duties are economic and his rights are sexual (that is he is provided with domestic service)... the wife's duties are sexual and her rights economic (since she is not expected to work outside the home). The Mediterranean mentality ascribes very rigid gender roles: the men provide for and protect the women who can be little more than domestic carers.

Before one attempts to explore the status of policewomen in the centre of the Mediterranean, one needs to understand police culture. Skolnick and Fyfe (Warren & James, 2000: p. 34) believe that police culture comprises four elements: “danger, authority, suspicion and solidarity”. According to them (Skolnick & Fyfe, 1993; quoted in Chan, 1997: p. 45), the “fundamental culture of policing is everywhere similar... since... the same features of the police role—danger, authority, and the mandate to use coercive force—are everywhere present”. Reiner (2000:

pp. 87-101) claims that police culture is composed of the following elements: a strong sense of mission, action, cynicism, pessimism, suspicion, isolation, solidarity with colleagues, pragmatism and conservatism. Reiner (2000: p. 97) stresses that police culture as “one of old fashioned machismo” whose “masculine ethos” is underlined by police officers’ obsession with discipline and danger, chauvinism, tolerance of poor working conditions and their support of authoritarian traits. Smith and Gray (1983; cited in Heindensohn, 1995: p. 78) identified: initiation rituals, group solidarity and discipline. However, further research conducted by them reveals different key elements: “gross machismo... characterized by four elements: alcohol, violence, sex, and a lack of human sympathy”.

Police culture and the Mediterranean culture are somewhat similar—especially where machismo and the code of silence are concerned. Clearly, the traditional Mediterranean life-style (in which family duties are primarily the responsibility of women—whether they work outside the home or not) might automatically block women from pursuing a policing career.

Campbell (1993; quoted in McLaughlin and Muncie, 2001: p. 77) describes policing as “the most masculinised enclave in civil society”. In fact, although they are allowed to join the police force, policewomen “suffered considerably” in the process of getting integrated within policing (McLaughlin & Muncie, 2001: p. 77) at the hands of male officers’ conservative, diehard attitudes. Indeed, the rigid Mediterranean culture must have made the introduction of policewomen in the region even more painful for women police recruits. Cole (1994: p. 596) claims that women are outsiders in Maltese society. It seems that they surely are considered as such in the Malta police force. In fact, strong authoritarian, conservative and sexist traits seem to live on within the Malta police force (Azzopardi Cauchi, 2004) that help keep women out of this organization. In fact, in the December 2012 police recruitment, only 3 out of the 95 police recruits were women. Azzopardi Cauchi’s (2004) research indicated that: most Maltese police officers believe that men are tougher than women and thus make better police officers; when it comes to promotion: the acceptance of police women diminishes as the ranks get higher; gender stereotypes are deeply ingrained in the Malta police force.

Unfortunately we do not have a similar research on policing in Sicily; however from the contacts and conversations that the researchers had, it is probable that similar results would be found should such a research be undertaken. Although the *Polizia di Stato* (Italian State Police) is not a disciplined force, it still retains its historical legacy, the police band, the tradition and its coat of arms (*Polizia di Stato*, 2007) and thus, its authoritarian trait. Stone, Lederer and Christie (1993: p. 4) explain that “the authoritarian personality syndrome’s essential core is that the person fawns before admired authority (representing strength) [high-ranked police officers] and loathes weakness in... women or gays for example”. So, it seems that most police officers believe that the “policeman and the policeman alone is equipped, entitled, and required to deal with every exigency” (Bittner, 1990; quoted in Heindensohn, 1992: p. 73).

Policing is certainly a field, which remains exclusively “masculine” and staunchly firm against the integration of women (Martin & Jurik, 1996: p. 63). There might have been advancements in policing and in the way in which women are considered, yet chauvinism still prevails in the Malta and probably Italian police force. Azzopardi Cauchi’s (1998) study indicates that the major problems encountered by women in

central Mediterranean police forces are:

- The traditional idea of the role of the police;
- Police culture and Mediterranean culture being rooted in machismo and sexism;
- The dual role of most Mediterranean women (domestic carer and career seeker);
- The lack of training endured by women who are generally restricted to office-work;
- The disrespect of female values;
- The idea that only men are suitable for dealing with “real” police-work;
- The disrespect towards the role of policewomen;
- The stereotyping of women;
- The idea that women are not able to manage effectively.

Indeed, effective cultural change is not externally induced (Chan, 1997: p. 237)—it comes from within, animated by the very officers who mould police culture. Cultural change has also to be promoted by societal norms and mores. The fact that European Union has gender equality as one of its priorities will encourage Maltese and Sicilian women to pursue careers in fields that were traditionally male dominated. These also include policing. Gender discrimination is no longer tolerated and both governments have programmes which encourage women to go into the labour force. This will undoubtedly lead to changes, changes that, it is hoped, will eventually be supported and promoted by the police officers themselves.

### **Policing Domestic Violence in the Centre of the Mediterranean**

The term “family violence” or “domestic violence” includes violence perpetrated by family members against other members of the same family. Victims may comprise spouses/cohabitantes, children and elders, however for lack of space, this paper will focus on the abuse of women. Forms of abuse vary and are sometimes adopted concurrently. They may be physical, psychological, emotional and/or sexual (Tifft, 1993: ix). Brehm and Kassin (1993: p. 384) postulate that researchers can only give an estimate of the incidence of domestic violence because they can only see the tip of the iceberg. The “dark figure” of crime still exists (Muncie & McLaughlin, 2001: p. 37) and a considerable extent of domestic violence remains unreported for various reasons. One plausible motive might be that people have different perceptions of this crime. Perceptions on domestic violence vary from one country to another, from one generation to another and from one culture to another (Muncie & McLaughlin, 2001: p. 234).

Azzopardi, Camilleri Cassar and Scicluna (2006) conducted a brief comparative study on domestic violence in Malta and Sicily (the province of Trapani). The aim of their research was to raise awareness of the variations, complexities and negative consequences of domestic violence. They concluded that domestic violence may very well have its roots in Mediterranean culture (as described above)—a culture built on the “cult of masculinity” (Walklate, 1995: p. 117) that feeds on the patriarchal mentality wherein adult men are considered as sole breadwinners, heads of families, supreme leaders and thus superior to women and youths. Therefore, culture may equip individuals with inexact pre-conceived conceptions and expectations (Hazan, 1994: pp. 28-32) on women, youths and men. Therefore, the Mediterranean culture might justify the abuse of women and negate the existence of female-inflicted abuse of males. In

addition, traditionally, culturally and religiously (since it was even supported by Roman Catholicism) in the Mediterranean, physical chastisement was an acceptable method of correcting loved ones... and this included wives!

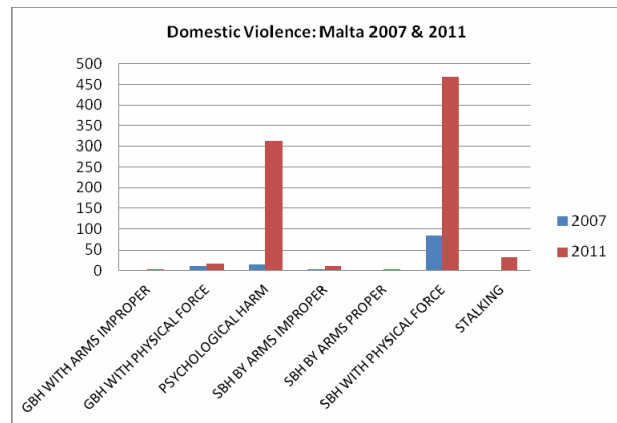
## Official Statistics and Legal Considerations

### Statistics

When attempting to assess the extent of domestic violence, one needs to look further than the official statistics, however, although just showing the tip of the iceberg, official statistics help in assessing the work that the police and the law courts face. Crimes of domestic violence are divided into two: generic (sexual and battering) and abuse in the family (threats and daily battering over a long period of time). During 2004, 150 and 135 cases of domestic violence were reported to the police in Trapani (Sicily) and Malta respectively. These cases do not only include women victims but even, children and youths that assaulted their parents, and children who were victims of domestic violence. It is important to note that statistics on domestic violence prior to 2007 were not registered as specific to the category but as a subset to bodily harm, which renders detailed analysis between pre and post 2007 difficult.

Updated statistics on reported offences for Malta show that the trend has drastically changed from 116 in 2007 gradually increasing to 849 in 2011; a result that could reflect higher actual incidences, greater awareness of the law as well as a higher propensity to report incidences. Based on new data from the Police Incident Reporting System (PIRS) (Formosa, 2012), **Table 1** shows that whilst all categories experienced an increase, stalking, which was a relative newcomer (as reported) in 2007 saw a 32 fold increase in 2011. However, the main areas of concern, "Psychological Harm" increased from 15 in 2007 to 313 cases in 2011 and "Slight Bodily Harm (SBH) with Physical Force" which increased from 83 cases in 2007 to 468 cases in 2011 (**Figure 1**).

Interestingly, taking the analysis a step further through the use of Geographical Information Systems (GIS), Formosa (2007) depicted those areas that report domestic violence in terms of the location they are reported in, which reflects their residential town. Analysing the data at the lowest data level available, that of Census enumeration areas (130 - 150 households), which divides the Maltese Islands into 1000 areas, the 2006 analysis shows that some areas, particularly the Northeast seaside town of San Pawl il-Bahar experiences a domestic vio-



**Figure 1.**  
Domestic violence reports: Malta.

lence rate that is at least 10 times the national rate. **Figure 2** depicts the areas that have a higher than national rate (the darker the shade the higher the relative domestic violence rate). The areas that show distinct rates can be found in the northeast town of San Pawl il-Bahar (incidentally a town that exhibits very cheap rents and has a major component on non-Maltese nationals, an issue that is not tackled in this study but one which requires future studies in the field), the towns of Msida and Mosta (central zones), as well as Marsaxlokk and Birzebbugia in the South.

When analysed through a graduated map, the areas' relative weight in terms of incidents reports becomes very evident in that each round blue symbol depicts the number of incidents. **Figure 3** shows that the higher reports are centered in San Pawl il-Bahar, with most reports occurring in the conurbation (mid-eastern towns centered around the Grand Harbour) with lower reports occurring in the rural areas and in Gozo, which suffers from double insularity and has one small city and 13 rural villages. Note that the total population of Gozo is slightly less than the town of B'Kara which has the highest population in the Malta Island.

Taking the study to a higher detail level and focusing on the San Pawl il-Bahar, **Figure 4** depicts those enumeration areas hosting the highest rates on the island with the symbol in the center of the figure showing a rate of 23.3 times the national rate.

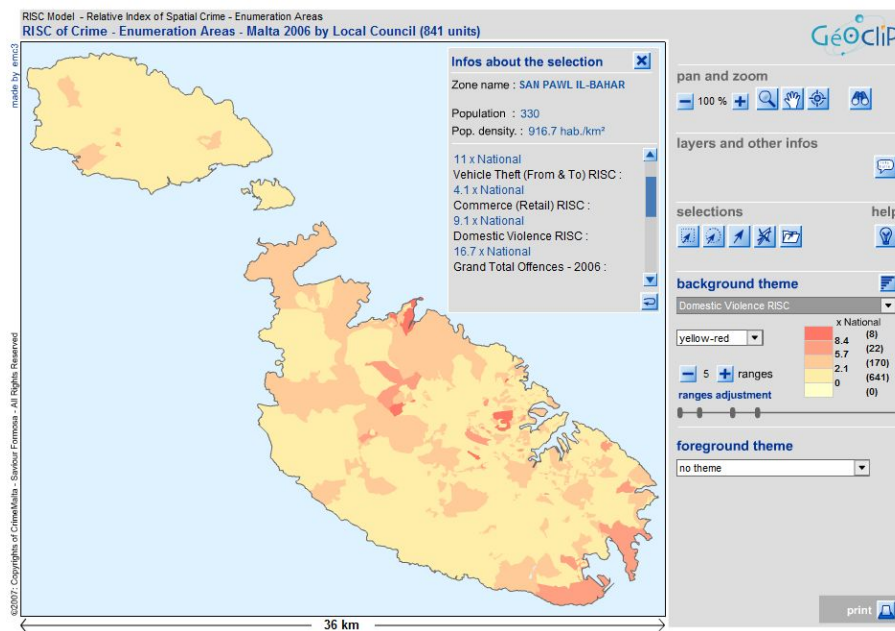
These figures will be updated as the 2008-2012 data are spatially georeferenced and a better picture on changing trends can be elicited. In addition, such data, if available in other countries would also help researchers to identify similar trends as related to the CRISOLA (crime, social and landuse) parameters which can help identify the relationships between the three pivots that impinge on the generation and mitigation of offences (Formosa, 2010; Formosa & Formosa Pace, 2012).

### Legislation

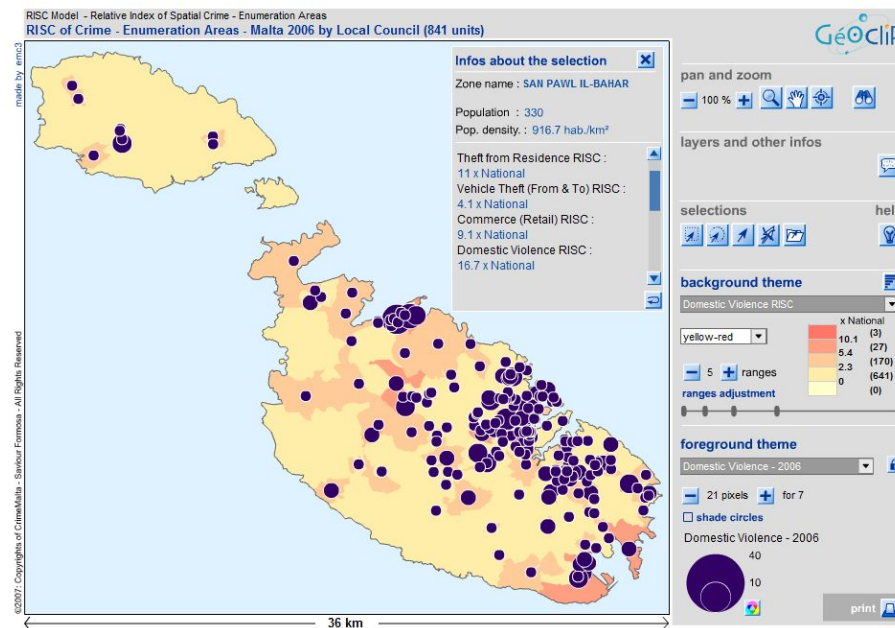
An overview of the power of the law courts and legislation governing the issue of domestic violence, in Malta and Sicily would give an idea of the legal framework that surrounds the issue of domestic violence and contribute to a better understanding of this phenomenon in the countries concerned. As both countries do not have a specific law that deals with domestic violence, it would be impossible to present an overall

**Table 1.**  
Domestic violence reports: Malta.

Malta Sub-Categorised Statistics	2007	2011
GBH with arms improper	2	3
GBH with physical force	11	17
Psychological harm	15	313
SBH by arms improper	4	12
SBH by arms proper	0	4
SBH with physical force	83	468
Stalking	1	32
Total	116	849



**Figure 2.**  
Choropleth domestic violence enumeration areas: Malta. Source: Formosa (2007).



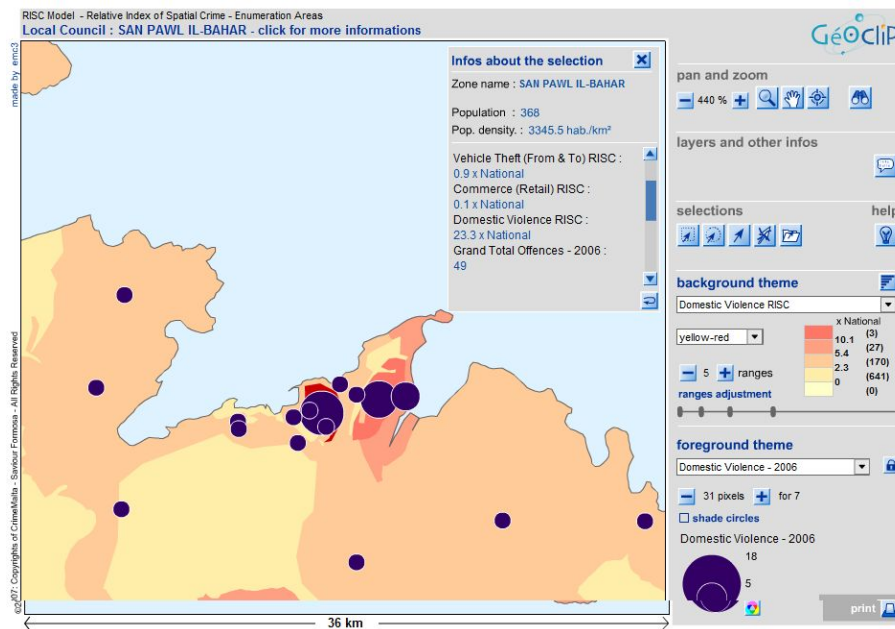
**Figure 3.**  
Graduated domestic violence enumeration areas: Malta. Source: Formosa (2007).

exhaustive explanation of the law. This is neither possible nor desirable as it goes beyond the scope of this paper. What is presented here is a flavour of the laws on domestic violence found in the countries to give a taste of what is available in Sicily (or Italy) and Malta.

The Italian law, and until recently the Maltese law, did not recognise the concept of domestic violence. There is general violence that can be aggravated by the fact of being perpetrated by family members. The Italian 1930 criminal code recognised a number of crimes against the family, such as bigamy, incest,

maltreatment and the kidnapping of minors or disabled but there is no specific law against domestic violence (Virgilio, 2002: p. 213). Physical violence is usually dealt with under generic articles of the law such as assault and battering. Marital rape is not a legal concept. Both countries recognise simple and aggravated rape under their respective criminal codes. Rape that occurs between husband and wife is considered aggravated because it is perpetrated on a family member. However these types of rapes are extremely difficult to prove and rarely, if ever, end up in court. Here again marital rape is dealt with under





**Figure 4.**  
Graduated domestic violence enumeration areas: Malta—San Pawl il-Bahar. Source: Formosa (2007).

generic law as is forcing someone into prostitution and to pose for pornographic photos. Important amendments, regarding domestic violence arrived in the Italian law in 2001. Law number 154, safeguards the rights of family members. This law, entitled “Measures against violence in family relations” introduces various amendments to already existing laws. This is not a new law, it enriches the tools available to the civil and criminal judge, who have the responsibility to decide these cases. These amendments have been made to the procedural code, entitled “the removal from the family home” [(l’allontanamento dalla casa familiare, art. 282-bis)] and the civil code entitled “the protection order against family abuse” [(l’ordine di protezione contro gli abusi familiari (art. 342-bis)] (Virgilio, 2002: p. 212). This law does not only legislate on spouses but also mentions partners, making it possible to prosecute those perpetrators who are not married but live together. The amendments of the law also make it possible to remove from the family home another family member, not being the spouse or partner, who is being abusive towards the family members. This makes it possible for violent children to be removed from their family if they are not controllable. In this law there is a civil and criminal part. Before the enactment of this law, the judge in the civil court could only intervene if there was no case in front of the criminal court. Where there existed a case in the criminal court the civil court had to wait until the procedures of the former court were finished. By accelerating interventions, this law has facilitated many of these cases.

Today, it is possible for the judge to intervene in both cases. This law provides for:

- Alimony;
- Custody of the children;
- The care of those who have the custody of the children;
- Restriction orders.

The distancing of aggressors from the family home when the victim asks for it through the presentation of a report on which the judge must act immediately.

In case of alimony, the judge, after receiving a request from the public prosecution, may order an amount of money, to be given on a regular basis, to the person (usually the victim) who takes care of the children. This happens when the carer does not have the adequate financial means to support the children. The periodic amount to be given is determined by the judge who may order that the money be directly taken from the perpetrator’s pay check. In these cases it is possible for the judge to investigate, with the help of the police, the financial situation of the perpetrator so that a fair amount in alimony is set out.

When it is established that the perpetrator of domestic violence puts in manifest jeopardy the lives, liberty or morality of the other members of the family, although the actions might not be criminally sanctioned, a judge may order that the perpetrator leaves the family home. The judge may also order the intervention of social workers. When necessary and possible a mediation process would be undertaken. In certain cases the judge may also order that the victims are taken in a shelter for abused women and children.

The judge, in ordering the aggressor to leave the matrimonial home, helps the victims of domestic violence to feel protected. There are various forms or orders that a judge may issue. At its most extreme form, the judge could force the aggressor to totally abandon the family home and never return, if not with a specific authorization from the court. In other instances, the court may order that the offender returns to the matrimonial home at specified hours. In these cases, the court would delineate the time and hours of the aggressor’s return. The order can also include the banishment of the offender from certain areas or places that are frequented by the victims. These places usually include the work place and the houses of members of the victim’s family of origin. The court order should not be longer than six months although in certain cases an extension of the order is possible. However the law stipulates that these orders should be removed as early as possible.

Should the perpetrator try to fraudulently hide his/her earning

or refuse to pay alimony, he/she could face a prison sentence of up to three years or a fine from 100€ to 1000€. Should a person try to diminish the value of a property, the sanction may be up to a year imprisonment or a fine up to 300€. The law lays down that punishment and court procedures are always to be initiated through a formal complaint by the victim. However, to make it easier on the victim, the law forgoes payment to initiate civil procedures by the victim. This means that the victim is facilitated in lodging a complaint as there are no further financial burdens involved.

These amendments of the law deal with those persons who are still in a relationship, either through marriage or through living together. It does not take into account people who are separated, as these are taken care of in another section of the law. As a matter of fact, should the couple separate the procedures started under these sections will be stayed. This law does not have the power to regulate the actions of those persons who have undergone separation procedures.

Malta has only recently changed the law to include the term “domestic violence”. Like Italy, the Maltese criminal code recognised crimes against the family. It also punished more severely crimes that were committed by family members on other family members, but there was no mention of domestic violence *per se*. For the first time the term “domestic violence” was included and defined in the Maltese legislation by Act XX of 2005 (Chapter 481 “Domestic Violence Act”). The act defines domestic violence as “any act of violence, even if only verbal, perpetrated by a household member upon another household member and includes any omission which causes physical or moral harm to others” (Chapter 481, Sec. 2). This definition does not only include married people, but also any person who has lived in the same household for at least a year, including partners and other adults, living in the same household. This definition also encompasses children, fetuses as well as parents. Here the legislator is also seeing the possibility of having children who abuse their parents.

This act introduces a “commission on domestic violence” whose function is to increase the awareness, initiate and conduct research, introduce intervention strategies for victims and offenders, facilitate communication between the agencies working with victims and perpetrators of domestic violence, introduce care and intervention strategies, and co-ordinate, on a national level, the policies on domestic violence. The commission’s role is mainly policy oriented however this act was also responsible for changes in the Maltese criminal and civil codes.

Prior to the change in the law, the executive police could not initiate criminal proceedings in the cases of domestic violence, if there was no formal complaint by the victim. This caused problems as victims had to seek a lawyer, before any proceedings could be initiated. With the change in Maltese legislation the police are now empowered to act *ex officio*. However the victim still has the power to stay procedures in court. When this happens the court would have to decide for the interest of all concerned. Special attention would also be given to the children (Chapter 9, Sec. 543.e). Unfortunately the legislator did not feel it necessary to introduce punishment with the changes in the law. Punishment is still tied up with the “old” crimes, such as those against the morals of the family, assault and battering, prostitution, rape, and so on, with an increase in punishment when the crime is perpetrated by a family member.

The Maltese civil code already recognised “cruelty, threats or grievous injuries” as a condition of separation (Chapter, 16 Sec.

40), but the amendments in the civil code have further protected the victims of domestic violence. Today it is possible for the hearing of a separation case involving domestic violence to be initiated within four days. In these cases the court will hear both the victim and the perpetrator and decide on alimony and who shall reside in the matrimonial home. If necessary the court may issue a protection or treatment order on the perpetrator. When a protection order is issued the perpetrator would be restricted in visiting certain places where the victim resides, works or spends time. The perpetrator would not be able to speak or visit the victim. This is similar to the Italian provision. Treatment orders can be issued up to a maximum of three years. The perpetrator may be forced to attend treatment, either on an inpatient or outpatient basis.

So, the authors are inclined to agree with an Italian judge (an interviewee) who stressed that domestic violence legislation is adequate. The problem of domestic violence is mainly cultural. Mediterranean women may have economic emancipation but not cultural. Being financially self sufficient has helped many women take the decision to leave their abusive husbands, but this still has left them in need of assistance, as they are usually faced with raising their children alone, with the relative financial burdens. However, although domestic violence in Sicily is a hidden phenomenon and no one seems willing to discuss it or seriously tackle the problem, the same cannot be said of Malta.

### **Policing Domestic Violence in the Centre of the Mediterranean: Responsible Policing**

The Malta police force has a special unit which deals exclusively with domestic violence: the Domestic Violence Unit (DVU). This is a specialised branch, housed at the police Headquarters. However, since the role of every police officer is considered as crucial in the fight against domestic violence, all police officers (recruits as well as those on in-service training) in Malta get basic and theoretical training on domestic violence. The training is conducted by the domestic violence unit of the state funded care agency Appogg.

However, police response to domestic violence is discretionary the world over. For example, the Commonwealth Secretariat signals that:

Research from many countries, such as Australia, Bangladesh, Britain, Canada, India and New Zealand, indicates that the response of the police is not always as satisfactory as it could be. Crimes against women and children tend to be treated with less seriousness than crimes against men or property. Even homicide of women in domestic relationships can be responded to as less problematic than public stranger crime by the criminal justice system, beginning with the police (Commonwealth Secretariat, 1999: p. 22).

The Commonwealth Secretariat adds that unsatisfactory response from the police on the safety of women and children remains a major problem, as the underlying effect is lost confidence in disclosing crime carried out in the home and of women feeling wary of reporting assault in intimate relationships, which triggers off further victimization and also direct attacks on their children.

In Malta and more so in Trapani, women tend to have a subordinate position in society and in family life, as is clearly suggested in the “culture” section of this paper. Data which draws on an interview with a woman police officer in Trapani suggests that the worst problem existing is the lack of awareness

by women in violent relationships. They fail to consider themselves as victims of domestic violence. Similarly, the findings of a study carried out by the Ministry for Social Policy in Malta in 2003 signals that “subtle, patriarchal attitudes may still shape the Maltese way of thinking about the phenomenon of domestic violence” (Ministry for Social Policy, 2003: p. 35) which is still considered acceptable under circumstances such as provocative behaviour. Moreover, it is often the case that the police are not encouraged to review their methods of work and to seriously consider whether, consciously or unconsciously, inaction is allowing men to behave in abusive ways towards women. “One telling sign that this is occurring is... blaming the woman for the violence she suffers rather than taking action against the man” (Commonwealth Secretariat, 1999: p. 16). For example, in a seminar organized for police officers in Malta in 1997, a list of guidelines for police intervention at a scene of domestic violence or when abuse is reported at the police station or on the phone, remain on paper until today (Commonwealth Secretariat, 1999). However, despite efforts by the Co-ordinated Response Team at the Ministry for Social Policy for the guidelines to be approved by the commissioner of police in Malta and for them to be incorporated in the recent domestic violence law, these guidelines remain on paper. The police in Trapani too lack official guidelines for dealing with domestic violence. A study respondent working for the police force in Trapani suggests that police duties are varied and there is no special squad that focuses specifically on domestic violence. Moreover, collaboration with professionals in the field is based on personal contacts which, she adds, are indispensable for such work.

In Malta, when cases of domestic violence are reported to the police, the Domestic Violence Unit (within the Malta police force) either refers the victim to the national support agency, or issues a warning to or institutes court action against the perpetrator. Azzopardi Cauchi's (2004) doctoral thesis indicates that most Maltese police officers consider any corporal, sexual or psychological maltreatment at home and neglect as domestic violence. Klein, Campbell, Soler and Ghez (1997: p. 88) claim that the police do not take domestic violence seriously. However, this research suggests that, when it comes to responding to reports on domestic violence calls, the majority of Maltese police officers always take immediate action.

In fact, **Table 2** indicates that the vast majority of Maltese police officers, no matter their gender, would always take action if a battered woman approaches them for help. There are no statistically significant differences. From all the respondents, 77.6 per cent claim that they would always intervene, followed by 17.6 per cent who would mostly take action and a mere 3.9 per cent who admit that they would sometimes get involved. On the other hand, only three participants declare that they would never assist a battered woman. The responses of both genders confirm that promptness of action has little to do with the police officers' gender. However, perhaps worth mentioning is the fact that, a higher proportion of policewomen declare that they would always help a battered woman. In effect, a marked 84.8 per cent of the female respondents claim that they would always intervene when compared to the 76.4 per cent of the male respondents who claim that they would always intervene if a battered woman approaches them for help. This could indicate that Maltese policewomen are more sensitive to the plight of victims of domestic violence.

Yet, Azzopardi Cauchi's (2004) study also reveals that, although the majority of Maltese police officers refer victims of

**Table 2.**

Declared promptness of respondents' intervention if a battered woman asks for their assistance by gender.

A battered woman comes and asks for respondents' intervention. Would they take immediate action?		Gender		
		Male	Female	Total
Always	Number	217	39	256
	Column %	76.4%	84.8%	77.6%
Mostly	Number	54	4	58
	Column %	19.0%	8.7%	17.6%
Sometimes	Number	10	3	13
	Column %	3.5%	6.5%	3.9%
Never	Number	3		3
	Column %	1.1%		0.9%
Total	Number	284	46	330
	Column %	100.0%	100.0%	100.0%

domestic violence to the victim support unit, many Maltese police officers still attempt to reconcile the couple. Buzawa and Buzawa (1990: p. 47) claim that police officers make “rapid value judgements” based “on their own beliefs” and act accordingly. Consequently, they avoid making arrests (Berk & Loseke, 1980; cited in Buzawa & Buzawa, 1990: p. 69) and resort to acting as social workers. They might justify this type of intervention because (as the data reveals) they are weary of victims who repeatedly forgive, protect their aggressors and drop court charges. This vicious cycle of events was also discussed by Buzawa and Buzawa (1990: p. 31). Perhaps it is this weariness of forbearing victims that dampens their enthusiasm to intervene effectively in domestic violence cases.

In Sicily, the lack of awareness coupled with *omertà*, makes the situation worse for Sicilian victims of domestic violence. The Sicilian police usually have personal contacts with the social agencies however, if the abuse is within the family, it is difficult, if not impossible, to solve the problem. The police respondent living in Trapani claimed that there is a mixture of reports that come from women and men. The interviewee pointed out that the police in Sicily are merely investigators of cases of crime and their role is to provide evidence for the magistrate of the court. Prior to proceeding, the police must have the *querela* (formal complaints form) from the victim who has a 3-month period to decide whether to take the case further or forgive the aggressor.

## Conclusion

Policing is certainly no easy task, but when the very victims are reluctant to approach the police for help, the job of police officers gets even more difficult. It is like fighting an invisible enemy. In Malta, the situation for victims of domestic violence seems to have improved over time, however, the same cannot be said of Sicily. One gets the impression that Sicilian victims of domestic violence do not speak up because they are afraid of their husbands and feel ashamed in front of society. They seem to be silenced by *omertà* (the code of silence) and when they seek help, it seems to be only for their children's sake, not their own. In Malta, the authorities seem to be constantly raising



awareness about domestic violence and its adverse consequences, insisting that this issue should be taken seriously by all and providing adequate, if not exceptional, services for these victims (and perpetrators). In Sicily, this does not seem to be the case. In fact, domestic violence has been described as a hidden phenomenon and the impression given is that little, if anything, is being done to help victims (and perpetrators) of domestic violence. So, one would not expect Sicilian law enforcement officers—whether males or females—to be particularly receptive and responsive to victims of domestic violence.

Hence, this paper could present the following recommendations to Maltese and Sicilian authorities: render the enemy visible by raising awareness on domestic violence, its adverse consequences on families and Mediterranean society in general; empower central Mediterranean women, particularly Sicilian women—by making them aware of, not only their responsibilities towards their children, but their rights as spouses/life-partners and mothers as well as of the services available to them. They should learn that respected, content and healthy mothers have healthy and well-adjusted children; where adequate services do not exist for victims/survivors/perpetrators of domestic violence, they should be created—especially emergency services; but more importantly, what is needed in the centre of the Mediterranean, is a change of culture/mentality, particularly as regards gender issues and domestic violence.

Chan (1997: p. 235) recommends a focus on leadership, on a strategy of “coercive persuasion” in situations “where elements of the old culture are dysfunctional but strongly adhered to”. This could imply that Maltese policewomen could lead by example, sensitize the central Mediterranean police forces on the issue of domestic violence and instigate police officers to respond more promptly and effectively to domestic violence calls. However, this certainly will not come about easily since, as Schein (1985; cited in Chan, 1997: p. 235) explains, for cultural change to occur, police forces (such as the Mediterranean police forces) must be “unfrozen and ready to change” and as Chan (1997: p. 237) warns, “change is traumatic” especially if police culture is cemented by the rigid Mediterranean culture. Yet, a change in mentality is not impossible. However, if it is ever to happen, “change has to be directed and continuous, people must be willing to change” (Schein, 1985; cited in Chan, 1997: p. 237).

Chan (1997: p. 236) insists that if one is to significantly and permanently change police culture—to make it more sensitive to the needs of victims of domestic violence—one must bring about “a host of related changes in the field to reinforce the new culture: law reform; external and internal monitoring systems; quality reviews; reward and accountability structures; the empowerment of citizens (such as women)... to influence policies; ...” If this happens, central Mediterranean policewomen could lead towards an improved policing of domestic violence cases. However, in accordance with Chan (1997: p. 237), if they are ever to address the needs of domestic violence victims, central Mediterranean police forces should “create a suitably supportive climate to encourage and reward such leadership”... but realistically, the authors believe that considerable time will pass before policewomen are encouraged to lead the way on any issue in the centre of the Mediterranean!

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