

Protective orders as a police security power aimed at the prevention of family violence

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Protective orders, prohibiting approach to a certain place or person is a new police security power, which was enacted by amendment to the Police Act. This power aimed at a more effective response by the police and other agencies to the prevention of family violence also signifies deeper intrusion into certain freedoms and rights of the alleged violent perpetrator. There are different opinions among professional and lay publics about the necessity and reasonableness of enacting such powers. By analysing different forms of family violence and providing a partial statistical overview of police measures undertaken to prevent family violence, the paper presents the extent and type of problem. The paper also provides an analysis of the legislative process in the creation of this new power, a critical analysis of the legal text and a comparative overview, presenting some of the normative and actual problems as well as suggesting some solutions to these problems.

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