

---

**THE MARIA DA PENHA LAW AS PUBLIC POLICY ASSISTANCE TO WOMEN  
VICTIMS OF VIOLENCE****Nandi, Aline**

Licensed in History and attending the Post Graduated Program in Regional Development at the Integrated Schools of Taquara (FACCAT). Fellow at CAPES.

**Kaspary, Rosane Maria**

Bachelor in Industria Chemistry and attending the Post Graduated Program in Regional Development at the Integrated Schools of Taquara (FACCAT). Fellow at CAPES.

**Caetano, Raquel**

PhD in Education (UFRGS). Teacher at the Post Graduated Program in Regional Development at the Integrated Schools of Taquara (FACCAT).

**Fagundes, Dorneles Sita**

Bachelor in Business Administration in Strategic Management of Human Resources Specialis, and attending the Post Graduated Program in Regional Development at the Integrated Schools of Taquara (FACCAT).

**ABSTRACT**

*This study focuses the analysis of a Public Policy coping with women victims of violence and the applicability of the “Maria da Penha” Law 1.340/2006. Searching for public policies facing domestic violence against women, our research aims at understanding the elaboration of this public policy, its demands for action and any other public policy as of the Maria da Penha Law consolidation and its unfold at Taquara and Rolante Municipalities in the State of Rio Grande do Sul - Brazil.*

*For a more critical approach and with a specific focus on the theme, it was identified and mapped the applicability ways of the Maria da Penha Law in the municipalities selected for this research, its application by the bodies responsible for the assistance to the women in violence situation. For this, we raised the number of domestic violence against women recorded at the Civil Police Station in the two towns, with focus on the crimes of Maria da Penha Law. It confirmed the importance of this study as the ground for future researches which, focusing different areas of knowledge may deepen the thematic addressed here.*

**KEY WORDS:** Violence against Woman. Public Policies. Maria da Penha Law. Rolante and Taquara. Brazil.

**INTRODUCTION**

The experiences reported and the study about violence against women as of the Maria da Penha Law application, demanded different

reflections, researches, release of actual prejudices on the collective unconscious about the situation of women victims of violence and, “the digging” of Public Policies intended to the support to women victims of violence.

We started this paper with the assumption that the society allows the invisibility of different violence situations suffered by the women and puts them in marginal conditions, when the “fragile sex” has to comply with already established behavioral patterns and accepts violence as a life maintenance condition.

From these prerogatives, we assumed as the main target of this paper the identification of existing programs and actions for the support of the women victims of domestic violence in the Taquara and Rolante municipalities, state of Rio Grande do Sul - Brazil<sup>1</sup>, considering the enactment and applicability of the Maria da Penha Law, the implementation of this policy and the applicability of its guidelines.

Such proposal is yet based on the focus on gender inequalities in Brazil and its spread as one of the main factor worsening conditions of precariousness and exclusion for a significant portion of women in Brazil and its social implication in this scenario (OIT, 2010) [19]. Thus, we intend to describe the construction of

---

<sup>1</sup> Taquara and Rolante are located in the NE of Rio Grande do Sul state and characterize themselves as mainly German colonization municipalities although it has received Italian, Portuguese and other colonialists.

Public Policies for the women victims of violence, particularly the Maria da Penha Law, besides discussing the assistance to domestic violence victims and its implications and perspectives in the municipalities of Taquara and Rolante, state of Rio Grande do Sul – Brazil.

## METHODOLOGICAL PROCEDURES

The main axis of the research is to describe the processes of construction of public policies for the support of abused women and to identify the existing actions in the two municipalities of Taquara and Rolante. This study was based on the content and observation analysis on the proposed theme.

The **Content Analysis** contributes to the social investigations searching for answers to the theoretical and practical researches, as well as to categorize and evaluate the problems and identify solutions. Bardin (1977) [1] refers to Content Analysis as a **set of methodological tools** that constantly improves and that applies to diverse speeches specially in social sciences, with well defined objectives. The Content Analysis method can be used in quantitative as well as in qualitative researches. (BARDIN, 1977) [1].

The gathering of information on Public Policies and the support of abused women was conducted from texts produced in scientific researches, official documents from the Federal Government in their different bodies, and also texts from newspaper and/or other material. The interpretation for this analysis considers the method of manifest content, which corresponds to a representational reading with the direct inference on the research objective. (MORAES, 1999) [17]. The steps for this method followed a specific roadmap, starting with the pre-analysis, when documents were selected from the objectives for the research.

For Foucault (1987. p. 68) [14], “individuals produce themselves and are produced in a determined culture, through social practices”. Thus, Chartier (2001. p.77) [11] explains that “documents do not express actual and coherent meaning, are not transparent, even innocent, do not translate a truth in themselves. They carry a discursive content, are produced according to certain interest and value acquired from the environment where they live.”

For the gathering of data on the recognition of violence suffered by women in Rolante, we will use data from a questionnaire distributed by the Municipal Council for the Woman’s Right (COMDIM Rolante) to address the thematic. A thousand questionnaires were distributed by COMDIM, for accessibility purpose, to six private companies and one public organ in Rolante. From the 1000 only 165 questionnaires were returned.

The private companies received the

questionnaire and the orientation that they be applied by the Municipal Social Assistance Office social workers. This office is part of the Woman’s Council. Orientation was given to each company HR responsible and it was established a date for the collection of the questionnaire in a closed casket being that while the questionnaires were at the company the female workers would answer it at their own leisure.

At the public organ the questionnaires were given to the different sections members in the administrative building of the City Hall of Rolante; the social workers explained to each one of the woman who volunteered to answer, the objective of it, as well as cleared doubts that have arisen by chance. Even in this environment a sample of the questionnaire was applied to women that were at the Office for any other reason. These women were invited to answer the questionnaire in a separate room with the orientation of a Social Worker, who read the questions and the alternative answers. This procedure was used due to the low level of education of the respondents.

For the theoretical foundation and the practical analysis of the study data systematization, gathering of information, bibliographies study, survey of Official Reports at the participant municipalities Police Station were held.

The quantitative gathering of the Official Reports was held at the Civil Police system by a policeman and an assistant at the Rolante Police Station.

In Taquara, the survey was done by the research team together with the technical team from the Police Station.

Also a survey was held at existing bodies for the assistance of the abused victims aiming at identifying protection networks, integrated work and effective compliance to the legislation to the different services covering abused women or those in risk of violence in the named municipalities.

## MARIA DA PENHA LAW

The Law n° 11.340/06, was enacted in August 7, 2006, took effect in September of that same year and was called *Maria da Penha Law* in honor of biopharmacist Maria da Penha Fernandes.

Its objective is to punish any type of domestic and familial violence against women and any action that will cause death, injury, physical, sexual or psychological aggression, moral or patrimonial damage, practiced by any person related to the woman at the familial environment.

Thus, analysing the changes proposed to the Federal Constitution as of the approval of *Maria da Penha Law*, the main innovations it brings are: (i) defines domestic and familial violence against woman; establishes the domestic ways of violence against woman; (ii) determines that violence against woman is independent of

sexual orientation of the aggressor; (iii) determines that woman can only renounce representation in Court; (iv) monetary penalties are prohibited; (v) it is prohibited the delivery of subpoena by the woman to the aggressor; (vi) the female victim of domestic violence will be notified of procedural acts, particularly about the entry and exit of the aggressor from prison; (vii) the woman must be accompanied by a lawyer or defendant in all procedural acts; (viii) withdraw from the Special Criminal Court to prosecute crimes of domestic violence against women, creating a Special Court for Domestic and Familial Violence against Women with civil and criminal competence; (ix) Amends the Code of Criminal Procedures- CCP, to enable the judge to remand for adjudication crimes punishable with imprisonment, if any risk to the physical or psychological integrity of the woman is presented; (x) Amends the Criminal Sentence Law, to allow the judge to determine the mandatory attendance of the aggressor to recovery and rehabilitation programs; (xi) creates protective measures.

### **Maria da Penha History:**

Maria da Penha Maia Fernandes was married to Marco Antônio Herredia Viveros, and they had 3 children between two and six years of age, at that time.

In 1983, Marco Antônio tried to kill her the first time shooting her on the back while asleep. When she was in the kitchen asking for help, he claimed that the thieves had escaped through the window.

Maria da Penha was in hospital for 4 months and returned home paraplegic keeping herself in total isolation. At this time she suffered the second murder attempt. Her husband pushed the wheelchair and tried to electrocute her in the shower.

Marco Antônio was judged twice: the first in 1991, when his lawyers cancelled the judgement and the second in 1996 when he was sentenced to 10 years and 6 months, but he appealed.

Maria da Penha after so many murder attempts started to participate in social movements against violence and impunity and today is State Coordinator for the Research and Publications of Violence Victims Relatives and Friends Association in the state of Ceará.

### **Domestic Violence:**

The phenomenon of domestic and sexual violence, practiced against women is one of the main forms of violence to their human rights, reaching them on their right to life, to health and to physical integrity. The Federal Constitution, in its article 226, paragraph 8 assures<sup>2</sup> assistance to the family, in the person of each of its member, creating mechanisms to suppress violence within

their relationship.”

Signed by president Luiz Inácio Lula da Silva, Law n.º 10.745 instituted the *Year of the Woman in Brazil* (Ministry of Health, 2004) [7], with several actions that started to be implemented within the Federal Government which minimized the “damage” caused by the situations of violence against women.

Data released by the Secretariat of Policies for Women, in 2013, show that the country has 374 Police Stations specialized in combating violence against women. This represents 7% of over 5,500 existing municipalities in Brazil.

Men and women, however, are affected by violence in distinct ways. While violence against men is visibly practiced in public places, in the majority of cases, violence against women is invisible within their homes and occurs in different ways (physical, psychological, moral, sexual, and so on.). Perseu Abramo Foundation<sup>2</sup> in a research held in 2001, indicated that approximately 20% of women are victims of some sort of domestic violence. In 2011, among the most frequent forms, research indicated that 16% of the women were already slapped, shoved or shaken, 16% suffered insults and recurring offenses referred to their sexual behavior (before 18%) and 15% were controlled as to where they were and with whom they were going (this option was not investigated in 2001).

The situation of violence suffered by women was, over the past years, anonymous, and still is at the present days due to several situations that may be: fear of suffering society repression, familial conventions, historical stereotype of submission and financial dependency to man, among others.

Federal Government proposed in 2007, the *National Pact to Combat Violence against Women* (SPM, 2011) [5]. Among the proposed initiatives is the creation of courts for the domestic and familial violence against woman, as provided in the *Maria da Penha Law*.

The strengthening of the victims of violence assistance network, with the creation of new specialized police station for the women support, public defenders, shelters, assistance to women in violence risk at the Social Work Reference Centers and domestic and familial violence prevention educative campaigns.

### **Domestic Violence Symptoms:**

<sup>2</sup> Perseu Abramo Foundation is a place for developing activities such as political and ideological reflection, facilitation of discussions, studies and surveys, covering, the plurality of opinions and freedom from pre-conceived ideas. Available at: <http://novo.fpabramo.org.br/content/violencia-domestica>.

Accessed on: July/2014.

Several are the ways to identify that a woman is a victim of violence. Among the main indications or behavioral symptoms are: to be afraid of the partner who they live with, insecurity to stay in their own house, to be spanked by the companion together with the children, be humiliated by him in the presence of others, frighten to act or react, be obliged to have sexual intercourse with partner or with other person without willing and the feeling that, "in the next time" she can die.

Such situations can be perceived by neighbors, friends, family members and even the woman herself who many times does not realize that she is being abused and that such attitudes have legal support so that she doesn't have to submit to them. Many even feel guilty, with the perception that they deserve the punishment by their aggressor.

Several studies indicate that the domestic violence has a kind of cycle or a sequence. They start with tension due to insults, humiliations and threats thus followed by explosion, that is, beginning of aggressions and at the end, the so called "honey-moon", when after the woman goes through the two first phases he start to make promises to her. The aggressor convinces the victim to believe that such situation will not happen again, giving the victim the hope for change who then denies the violence.

According to data from the first six months of 2012 the Secretariat of Women Policies, 70.19% of the domestic violence against woman is performed by the partner or spouse of the victim. Adding other affective ties (ex-husband, boyfriend, ex-boyfriend) this figure raises to 89.17% of the violence against woman. The other 10.83% of the records are accounted for other family member, neighbors, friends and unknown people. (BRASIL, 2012)[3].

## **PUBLIC POLICIES**

Increasing focus on social awareness to the public policies assuring the citizen's rights has grown in size in the last decades. What was only an issue of the government bodies has in fact become a subject of its bases, being discussed by the society from their demands and groups organized who identified themselves with some of these causes. There was a significant advance in the understanding of public policies as a whole, but many challenges still exist in this field; from the elaboration, generation, implementation and evaluation of these policies.

Since the 1970's especially till the new constitution, debates in this area are a little naïve, but as time goes by they are taking new proportions. The globalization and the adoption of new management models have opened up the fan of public policies throughout different areas in the public administration. However, there is still a lack of a common language about what public

policies are and how to implement them.

In this context, we can define public policies as actions and activities inserted as programs that are directly or indirectly developed by the State, with the participation of public and/or private agents. Basic examples of public policies are education and health policies, which are constitutional rights and thus guaranteed by these policies.

The public policies term encompasses all that is done in the government scope. In this way we can understand a public policy in its immaterial aspects, being expressed in the form of a law or decree as a service granted directly to the population. (Hofling, 2001) [15]. In the case of government programs or action, whose definition and framing came from the civil society, later it is presented to the government who will be responsible for its execution and evaluation.

These policies are presented as a possibility of government action and should be oriented by the constitution, since the reason for its existence is the State, marked by the obligation to ensure citizens fundamental rights. Although, according to Maria das Graças Rúa<sup>3</sup>, not all political decision become a public policy, even if it implies in a political decision.

The public policies usually are formulated from needs and proposals of the society, by government representatives, which can compose the executive and/or legislative powers. This need can be made through conferences, councils, public audiences, and others.

As public policies presented as possibility of government action should be guided by the constitution, the reason for its existence is the social state, characterized by mandatory guarantee fundamental rights to citizens. The demand for a public policy may occur through conferences, advice, public audiences, etc.

The policies can be divided in three types: (i) Distributives; (ii) Redistributives and (iii) Regulatory. (SOUZA, 2006)[23].

Distributives policies are determined for specific calls, and could be individuals or collectives with a paternalistic character. They are financed by the society through public budget. Redistributives, usually financed by the higher class of the society, are aimed at programs such as housing, taxes exemption for the poorer population. While regulatory, as implied by the name, are created to evaluate other policies and is responsible for the standardization of the policies and the activities involved. (SOUZA, 2006)[23].

In the case of public policies addressed to the combat of domestic violence against women,

<sup>3</sup> RUA, Maria das Graças. Análise de Políticas Públicas:

Conceitos Básicos. Available at:

<http://www.territoriosdacidadania.gov.br/o/1635738>. Accessed in: July/2014.



we conceptualize such policies choices as means of achieving the government objectives, since the policy is the art of making the observed basic needs real as a way to solve them.

In general, the formulation of public policies, regarding those addressed to violence, comes from elaborated and sufficiently broad definition, as a decision or a group of decisions that establish mechanisms to guide the next steps necessary to meet this or that demand. As this must be related to social issues and understand the demands and the inter-related issues.

### **Public Policies: Confronting violence against women**

In the construction of a policy, there are different agents and processes involved. Visible agents (politicians and public and/or private group representatives) are taken into consideration; and invisibles which are constituted especially of academic staff. Also the influential, the text production and the practical contexts are also taken into account. Thus, it should be considered that the process includes the time dimension, besides the wheeling and dealing related to the involved agents. (Mainardes, 2006) [16].

The formulation is grounded in the democracy concept as a backdrop. Relating citizenship to social policy can be an unknown field of a viable means to access the rights. Making the rights known, presenting proposals and access possibilities to what once seemed to be unfeasible, together with the citizenship notion linked to the social policies started in 1970 have great impact to the emergence of the social movements in the fight for the universal rights.

The context of the fight for equal rights and the preference for elaborating new policies to the poorer gained strength among the churches, ecclesial base movement, civil society groups and specific groups focusing specific causes. With the approval of the Federal Constitution of 1988 these social policies will now be regulated and then compose the public policy, after previously discussed on the interested basis groups and society in general, which becomes then its approval of the practice. (Corrêa, 2008) [12].

In 1996 with the preparation of the First National Human Rights Program (PNDH), among its proposals, the creation of protection, provision of services and support to children, teens, women, black, Indians, foreigners, refugees and disable people programs were for seen. (BRASIL, 2012) [5]. Since then, different agents and sectors started to receive training and education to act in the different programs.

The PNDH considers that the human rights are universal since it is the only requirement for the ownership to the person's right, still assuring it the freedom to equal baseline.

In order to eliminate the discrimination against woman and assure her participation in the political, economical and cultural activities in the country, in 1985 was created the National Council of the Woman's Right linked to the Ministry of Justice - CNDM. (SPM/BRAZIL, 2014) [6].

In 2003 when the Women Policies Secretariat was created SPM, the CNDM became part of that structure. The Women Policies Secretariat aims, since its conception, at promoting and supporting all forms of diversity including the development and elaboration of Public Policies. (BRAZIL, 2014) [6].

They also created Secretariat for the Combat of Violence against Women – SEV and Secretariat of Institutional Articulation and Thematic Acts – SAIAT, (BRAZIL, 2014) [6] point in their structure to promote the prevention and combat to violence against women, expanded with the creation of different programs within the theme.

Besides the inclusion of gender perspective in public policies aiming at the power, political participation, education, culture, health and diversity relations they looked for the interlacing of different public policies with other ministries and institutions that could put such proposals into effect. These Secretariats also tend to formulate public policies, as well as the monitoring, evaluation and redesign of them, if necessary.

From the creation of the National Secretariat of Policies for Women three *National Conferences of Public Policies for Women* were held since 2004, with the construction of National Plans reevaluated and redesigned at every conference, highlighting the themes that addressed discussions about violence that culminated in the creation of the Pact of Combat Violence against Women.

According to the Secretariat of Combat to Violence Against Women, (BRAZIL, 2014) [6] the Pact was a legal and central tool in pursuing the eradication, prevention and punishment of violence against women and it became the Maria da Penha Law. Furthermore, three programs were highlighted due to its breadth and the direct and immediate access for women. (i) [Dial 180](#), a 24 hour Service Center for Woman that operates 7 days per week (free of charge); (ii) The Service Network for Women in Situations of Violence, formed by a set of actions and public services specialized in different sectors to identify and appropriately refer victims of violence; and, (iii) the program, Woman: Living without Violence which consists of a set of strategic actions to combat violence against women. (BRAZIL, 2014) [6]. The program includes a series of actions and provisions of infrastructure so that state and municipal governments can contribute to the consolidation of the proposal and the progress of public policies for the protection and combat of violence against women.

## MARIA DA PENHA AS PUBLIC POLICY

Since the creation of Maria da Penha Law is highlighted in this study, we considered as a starting point the manner how this subject entered in the agenda. This began with external agents from the signing of the International Convention on the Elimination of All Forms of Discrimination Against Women Treaty, ONU (2014) [18] and the Inter-American Convention to Prevent, Punish and Eradicate Violence against Women and also provide indicative for the creation of Domestic and Familial Violence against Women Courts. (BRAZIL, 2014) [2].

From this agenda scenery, the Federal Government in 2003 started together with the social movements and the academy the elaboration of different texts that started to be propagated and adapted from the analysis of the national picture. "What is the reality of Brazilian women in regard to domestic violence?" This would be the central theme when discussing the elaboration of the texts that were lined and placed on the *Political Agenda*.

In response to the designs being made, yet in 2003, the Federal Government created the Secretariat for Women Policies – SPM, with a Ministry status, which would address the implementation of public policies being elaborated. Such creations, at the beginning, counted with expanded budgets as ways to immediately impact with the proposed actions. (CAMURÇA, 2011) [9]. From this Secretariat it was possible to expand the work and structure, depending on the resources allocated to the Office as well as the autonomy of the representatives.

As of 2004, the National Conferences for Women Policies (CNPM) were held aiming at raising social awareness for the importance of issues related to women, in general, and particularly violence against women.

From this first conference, as already said, there arose the Pact whose main target was the elaboration of a specific law which contemplated meeting the demands of the identified national scenario and, further consolidation of the treaties signed by Brazil in the international arena.

Only in 2006 the Law 11,340 (BRAZIL, 2006) [4] that deals with domestic violence was consolidated. It also enacted the establishment of Special Courts for assistance to women victims of violence. (BRAZIL, 2006) [4]. This was a period of strong social movements participation in the consolidation of this agenda, and strong influence of social leadership of Maria da Penha Maia Fernandes who herself was a victim of violence, as described before, with international resonance, thus Law 11,340 became known as the Maria da Penha Law.

After the enactment of the Law it became effectively implemented. Here starts the third step in the elaboration of a public policy. It will unfold in a series of actions for its implementation

so that it meets the mentioned demands.

The conferences have a separate working group to discuss violence against women related subjects. From it, the Program to Combat Violence against Women was created with policy proposals that included actions beyond the Maria da Penha Law scope, such as the creation of regional networks to assist women victims of violence, health care, among others. (CAMURÇA, 2011) [9].

The first major development was the amendment of the Civil Code and the definition of what Domestic Violence is and its forms, so that it could then be legally evaluated separated from the so called "common" crimes. Also there were changes in the Public Health System, the Social Welfare, the Labor Law and the Unified System of Public Security. (BRAZIL, 2012) [5].

A second development was the definition of the roles of the public agents to the effectiveness and compliance to the texts. Besides the expansion of services in different sectors such as: (i) the Public Defender; (ii) Multidisciplinary Support Team Courts; (iii) mandatory presence of lawyers on procedural acts and (iv) amendment in the Criminal Code. (BRAZIL, 2012) [5].

Continuing the elaboration phase of the public policy, we now start a third step based on the *Process Assessment*. In this phase today is already identified the need to expand the public actions to assure the right to non violence. Example: the female victim of violence now has specialized police station, however after the Police report registration she was not given any support as to her not being victimized again.

Then, it is observed in this process assessment, the importance of measures that would ensure the integrity of women, after the first guarantee of the Law, that is, protective measures that "remove" the woman and/or her dependents of the violent atmosphere and the aggressor. (CARNEIRO & FRAGA, 2012) [10].

The last step of the public policy construction is based on the impacts of all its elaboration. In this stage the outcome measures are evaluated. This phase enables new changes, need for new "processes", new agendas or the end of the policy if the expected results have already been achieved.

In the case of Maria da Penha Law this step is at the initial phase, since the last conference was in 2012, and the evaluation cycle will only happen in 2015, when the *Federal Government Multiannual Plan* for this theme ends.

However, with official data we can identify that there were progresses and results that leads to the continuity of the actions proposed at the elaboration of this policy, such as the reduction of the female murder and yet the increase of the number of records of Official Reports. (BRAZIL, 2014) [2].

## DATA PRESENTATION AND DISCUSSION: Domestic and Public Service Policies

After the implementation and application of Maria da Penha Law, women began to denounce domestic violence (SPM, 2012) [6]. However, even with an increase in the number of women who seek the protection spaces, there are still many gaps in the bodies and programs offered.

International data allow to obtain a comparative vision of the existing levels of violence in the country. With a rate of 4.4 homicides per 100,000 women, Brazil ranks seventh in the context of 84 countries in the world with homogenous WHO figures ranging between 2006 and 2010. (WAISELFISZ, 2012)[26].

According to 2012 violence map, Brazil (2012) the female homicide rates, between 2008 and 2010, considering municipalities that had over 26 thousand female inhabitants totaled 577 municipalities. From 100,000 women, the state of Rio Grande do Sul occupies two positions among 100 of the 577 municipalities that met the cutting of the research. Lajeado is in the 98<sup>th</sup> position with a female population of 236,714 registering 7 homicides and 8.2 in population comparison rate. (WAISELFISZ, 2012)[26].

The second Rio Grande municipality that appears in the report is Taquara, one of the municipalities focus of this study. With a female population of 27,777 women in 2010, it registered between 2008 and 2010 six homicides or what today the law considered as “female murder”, occupying the 18<sup>th</sup> position in the national ranking with a rate of 14,4 homicides. (WAISELFISZ, 2012)[26].

Per year, 84 women die in the state of Rio Grande do Sul, victims of domestic violence (RIO GRANDE DO SUL, 2013)[22].

Rio Grande do Sul, however, since 2011 has been one of the Brazilian states with the largest number of actions and projects to fight domestic violence. In a survey of the state government the female murder that occurred between 2006 and 2011, half (50.4%) of the cases the author is the current husband or partner; 25.5% are the ex-partner or ex-husband; and in 83.48% of the cases, the murder happens at the victim’s own house.” (RIO GRANDE DO SUL, 2014)[21].

A Purple Room was created in 6 units of the Institute of Forensic Medicine with staff specialized in crimes against women, in the regions with the highest rate of female murder in the State; by the end of 2014, 13 new rooms will be implemented.

Yet by the end of 2014, the State Government intends to install 12 new Maria da Penha Patrols<sup>4</sup>; till 2013, 20 units<sup>5</sup> consisting of

Military Brigade teams deployed to periodically visit victims of aggression and assure that protective measures are met. (RIO GRANDE DO SUL, 2013).

A system for monitoring the offender is held in State Prisons, and even when he is released, he remains being monitored. (RIO GRANDE DO SUL, 2011)[20]. With these actions in a macro way, the consequences to the micro environment have been significant. “According to government figures, the number of female murder, has dropped from 102 in 2012, to 92 last year; rapes dropped from 1,331 to 1,162; bodily injury dropped from 27,145 to 25,964 last year.” (RIO GRANDE DO SUL, 2014)[21].

In the city of Rolante, since the creation and applicability of Maria da Penha Law, 214 procedures were filed by the first half of 2012. Approximately 35.6 cases of violence were recorded, amounting to an average percentage of 2.97 cases per month; a number that may be relevant to the current female population. The IBGE (Brazilian Institute of Geography and Statistics) census shows that the population of Rolante in 2000 was 17,851 inhabitants, and 9,771 men and 9,722 women. In 2010, the total population of the municipality was 19,493 inhabitants, and 9,718 women.

Considering the number of cases of violence of the first half of the current year, in the second half of the year, the number of Official Reports filed in 2013 should overcome.

Besides these programs, there are still in Rio Grande do Sul, others such as: Observatory on Violence Against Women, Getting the Scoop Project (monitors the offender and provides professionalization for women in different fields), Program for the Hosting of Violence Victims in Police Stations (in specific areas served by the Program Peace Territories elected by the State Government according the criminal rates).

Taquara focused women victims of violence assistance in five counties of the Paranhana Valley region. With an *Advanced Branch for Assistance to Women Victims of Violence*, the largest influx of women in the region occurs during the night when the Police Stations in neighboring towns are not operating.

Rolante municipality is serviced during the night by the Advanced Branch located within the Civil Police Station of Taquara; in many situations, the displacement of victims to register the Official Record and waiting the protection measures sentenced by the District Judge is done by the military police.

---

Erechim, Gravataí, Ijuí, Lajeado, Rio Grande, Santa Maria, Santa Rosa, Santo Ângelo, Sapucaia do Sul and Viamão.

5 Existing Units: Alvorada, Cachoeirinha, Canoas, Caxias do Sul, Charqueadas, Cruz Alta, Esteio, Novo Hamburgo, Passo Fundo, Pelotas, Porto Alegre (six Patrols), Santa Cruz do Sul, Santana do Livramento, Uruguiana and Vacaria.

4 New Maria da Penha Patrols: Bagé, Bento Gonçalves,

This movement for police assistance to women victims of violence in the town causes some health problems and the displacement to neighboring municipalities, many times, taking around one hour for the path forth and back. Since this Advanced Branch is inside of the Police Stations responsible for the regional shift, the flow of assistance is significant, causing a long delay for the filing of Official Reports and also for guidance and other victims protection measures.

The *Advanced Branch for Assistance to Women Victims of Violence* in Taquara works based in the Federal Legislation and the propositions of the Maria da Penha Law in order to prevent and repress body harm crimes – except the traffic harms, as well as those against personal freedom, against moral, crimes against domestic and familial violence, occurred in the municipalities within its service territory.

When women victims of violence in Rolante choose not to place the complaint at the Police Station, some of them seek help at the Psychosocial Assistance Center – CAPS and/or the Social Service Reference Center (CRAS), where they receive psychological counseling for the empowerment, liberation, overcoming of the violence; some cases are also accompanied by psychologists at the health care units of the municipality. These two centers also exist in Taquara with specialized teams, but in none of the two municipalities there is a network or exchange of information for the routing of the assisted cases.

A Municipal Council of the Woman's Rights was created in Rolante in December, 2013 which took office in March 2014. However Taquara municipality does not have such Council. The creation of municipal secretariats, coordinating bodies or specialized departments for the assistance to women, has been supported by the Federal Government since the creation of the Pact to End Violence Against Women. However, even with this predisposition, including financial means to build assistance structures in the municipalities of Taquara and Rolante they do not rely on any instances of same action and even budget for actions that promote autonomy, safety and other rights of women directly.

Regarding the establishment of a special court for this issue, both counties are served by the Taquara forum that does not have a Special Court; the judge responsible for the criminal court or the judge on duty is also responsible for the allocation of protective measurers. For the trial of cases, there is a significant delay, which is justified by the responsible for the criminal court due to the high index of crimes under their responsibility and little structure available.

This is a statement of one of the psychologists attending the COMDIM recent meeting at Rolante in June: "It is a slow process and not always effective, many women drop out from the support, others when encouraged to place the complaint do not return for the

psychological support and do not act, and a second aggravating fact is that there are few professionals to meet every request for help."

"It is observed, however, that many women cannot leave the circle where they were or still is inserted for fear of further revenge by the partner or the society itself", reported another psychologist present at the Rolante COMDIM meeting in the month of June.

With respect to the research conducted in Rolante, graphics from the Annex I present affirmative results for domestic violence, where 54% of women said they had experienced some sort of domestic violence (Chart 1), the figures are higher than the national picture which is 16%. However, despite the records of domestic violence, 91% rely on their partner (Chart 2). In question #3, 94% of women responded that they would seek help, and of these 55% would contact the Military Police (Charts 3 and 4). We can have two assumptions for this answer, women still do not know the dial 180 for help and/or the Military Brigade is able to receive complaints and refer victims to specialized assistance.

The research also shows that 81% of people close to the victim, are unaware that she is suffering or has suffered some sort of domestic violence (Chart 5), more than 60% of these have financial resources for emergencies and have a safe place to stay away from her attacker (Chart 6). With respect to this result, we observed that in many cases the fear of revenge is greater than financial need.

Chart 7 shows that 80% of women have been forced to have sex by their partner/husband or boyfriend, 20% may have been victims of rape. The last question shows 8% of women have been abused when a child (Chart 8).

The Annex II presents the charts of occurrence maps, generated from the police reports the municipalities of Taquara and Rolante. The data are not yet conclusive, because the records may have increased due to the activities developed and the structure created from the Law, these actions are more support and offer more security and trust to women victims of violence.

With this work, the victims seek more assistance, increasing the records and specialized assistance. It is expected that the next women's conference, scheduled for 2015 it is possible to get reliable to analyze the effectiveness of Law data, as well as the reduction of domestic violence.

As already mentioned in the text, Taquara recorded between 2008 and 2010, six (6) murder, but in a survey conducted between January 2011 and June 2014, this chart shows a slight reduction, on which four murder were recorded. This rate may be a result the work carried out in the region from the Maria da Penha Law and Policies to ensure the rights of women.



## CONCLUSION

When we set out to describe the elaboration of Public Policies to Assist Victims of Violence, we did not have the full extent of its importance, as well as how the whole influences in decision-making and legitimization process of the propositions.

We resorted the suspicious looks, the stereotypes created around the violence against women issue and faced a society still “eyes closed” to the existing inequalities between men and women.

Initially, we noticed some resistance in certain bodies to speak about the theme and even to allow access to a data base of police reports or general statements at the Police Station for information on violence against women, from the creation of the Maria da Penha Law until the first half of 2014.

Effectively for a public policy elaboration to close and yield results it is necessary to integrate the discussions of women national policies proposals in the federal, state and municipal levels, reflecting the state’s role as the promoter of positive changes for the daily life of the society as a whole, given that the public policies tend to have macro reflexes.

During the observation and data collection period, we could evaluate that the domestic violence theme is still involved with social prejudices that hinder the resolution of certain situations, especially those related to the perception of the governance spaces agents. It still needs a broad awareness and understanding on the part of local officials about the social, economical and many others caused by the invisibility reflexes in the assistance and prevention of female violence.

We further notice that although the number of records has increased since the creation of the Maria da Penha Law, there was a significant improvement with respect to decreasing the number of dead women victims of violence, or what is now known as female murder.

Pointed out, on the various contexts met by the research, the alternative of studying the *perception of women victims of violence* about the services available and their shortcomings, the elaboration of public policies within this theme and related topics, the preparation of professionals to work in the public offices that perform some sort of service towards the domestic violence, as well as the need to work this theme together with the community or yet the content analysis of the interviews with safety officers, who are in the majority of cases, the first to receive the reports of violence to which the women are submitted.

## REFERENCES

[1] BARDIN. L. **Análise de conteúdo**. Lisboa:

Editora Edições 70, 1977.

[2] BRASIL. **Promulga a Convenção Interamericana para Prevenir, Punir e Erradicar a Violência Contra a Mulher, concluída em Belém do Pará**, em 09 de junho de 1994. Decreto nº 1.973, de 1º de agosto de 1996.

[http://www.planalto.gov.br/ccivil\\_03/decreto/1996/D1973.htm](http://www.planalto.gov.br/ccivil_03/decreto/1996/D1973.htm) Ministério das Relações Exteriores - MRE, 2014.

[3] \_\_\_\_\_. **PROGRAMA NACIONAL DE DIREITOS HUMANOS- (Decreto nº 1.904, de 13 de maio de 1996)**, Brasil, 2012. Disponível em: <http://portal.mj.gov.br/sedh/pndh/pndh1.pdf>. Acesso em agosto de 2014.

[4] \_\_\_\_\_. **Coíbe a violência doméstica e familiar contra a Mulher - Secretaria Especial de Políticas para as Mulheres Presidência da República -** <http://www.spm.gov.br/legislacao-1/lei-maria-da-penha/leimariadapenha-1.pdf>. Brasília, 2006.

[5] \_\_\_\_\_. **Texto Base do Pacto Nacional pelo Enfrentamento a Violência Contra a Mulher**. Disponível em: [http://www.spm.gov.br/subsecretaria-de-enfrentamento-a-violencia-contra-as-mulheres/pacto/copy\\_of\\_texto-base-do-pacto-nacional-pelo-enfrentamento-a-violencia-contra-a-mulher](http://www.spm.gov.br/subsecretaria-de-enfrentamento-a-violencia-contra-as-mulheres/pacto/copy_of_texto-base-do-pacto-nacional-pelo-enfrentamento-a-violencia-contra-a-mulher). Brasil. 2011. Acesso de 09.05.2014 a 22/05.

[6] \_\_\_\_\_. SPM/Brasil, 2014 <http://www.spm.gov.br/conselho>

[7] \_\_\_\_\_. Ministério da Saúde. **2004 ano da mulher / Ministério da Saúde**. 1 ed. – Brasília: Ministério da Saúde, 2004. 186 p.: il. – (Série E. Legislação de Saúde) Título. III. Série.

[8] BOURDIEU, Pierre. **O poder simbólico**. 4 ed. Rio de Janeiro: Bertrand Brasil, 2001.

[9] CAMURÇA, Sílvia (org). **Articulando a Luta Feminista nas Políticas Públicas: III Conferência de Políticas para as Mulheres – Propostas e questões para o debate**. Articulação de Mulheres Brasileiras. Brasília: 2011.

[10] CARNEIRO, A. A.; FRAGA, C. K. **Lei Maria da Penha e a proteção legal à mulher vítima em São Borja no Rio Grande do Sul: da violência denunciada à violência silenciada**. Serv. Soc. Soc. no.110. São Paulo Apr./June 2012. Disponível em: [http://www.scielo.br/scielo.php?pid=S0101-66282012000200008&script=sci\\_arttext](http://www.scielo.br/scielo.php?pid=S0101-66282012000200008&script=sci_arttext). Acesso em: julho de 2014.

[11] CHARTIER, Roger. **Uma crise da história? A história entre a narração e conhecimento**. In: PESAVENTO, Sandra

Jatahy. Fronteira do Milênio. Porto Alegre: Editora da UFRGS, 2001.

[12] CORRÊA, Rosa Maria (org.). **Avanços e desafios na construção de uma sociedade inclusiva**.

<http://proex.pucminas.br/sociedadeinclusiva/arquivos/avancosedesafiosnaconstrucaoodeumasociedadeinclusiva.pdf>. Belo Horizonte : Sociedade Inclusiva/PUC-MG, 2008. 198 p. : il.

[13] FOUCAULT, Michel. **História da sexualidade: o uso dos prazeres**. 13 ed. São Paulo: Graal, 2010.

[14] FOUCAULT, Michel. **Vigiar e Punir**. 7 ed. Petrópolis: Vozes, 1987.

[15] HOFLING, ELOISA DE MATTOS. **Estado e políticas (públicas) sociais**. *Cad. CEDES* [online]. 2001, vol.21, n.55, pp. 30-41. Disponível em : [http://www.scielo.br/scielo.php?pid=So101-32622001000300003&script=sci\\_abstract&tlng=pt](http://www.scielo.br/scielo.php?pid=So101-32622001000300003&script=sci_abstract&tlng=pt). Acesso em: 31.11.2014.

[16] MAINARDES, Jefferson. **Abordagem do ciclo de políticas: uma contribuição para a análise de políticas educacionais**. *Educ. Soc.*, Campinas, vol. 27, n. 94, p. 47-69, jan./abr. 2006. Disponível em <<http://www.cedes.unicamp.br>> Acesso em 30.10.2014.

[17] MORAES, Roque. **Análise de conteúdo**. *Revista Educação*, Porto Alegre, v. 22, n. 37, p. 7-32, 1999.

[18] ONU. **ONU em Ação**. Disponível em: <http://www.onu.org.br/a-onu-em-acao/a-onu-e-o-direito-internacional/> ONU, 2014. Acesso de 09.05.2014 a 22/05.2014.

[19] Organização Internacional do Trabalho. **Igualdade de gênero e raça no trabalho: avanços e desafios** / Brasília: OIT, 2010, 216 p.

[20] RIO GRANDE DO SUL. **Subcomissão da Situação Carcerária – Relatório Final** - Mesa Diretora, Porto Alegre. 2011. Disponível em: [http://www.al.rs.gov.br/download/SubCarcer%C3%A1ria/RF\\_carceraria.pdf](http://www.al.rs.gov.br/download/SubCarcer%C3%A1ria/RF_carceraria.pdf). Acesso em julho de 2014.

[21] <http://www.rs.gov.br/contudo/201715/violencia-contra-as-mulheres-reduz-13-no-rio-grande-do-sul>

**Rio Grande do Sul, 2014.**

[22]\_\_\_\_\_. SECRETARIA DE SEGURANÇA PÚBLICA- **Política de Segurança Pública do Governo do Estado do Rio Grande do Sul**, Secretário Airton Michels/ Governador Tarso Genro, 2013.

[23] SOUZA, Celina. **Políticas Públicas: uma revisão da literatura**. *Sociologias*, Porto Alegre, ano 8, nº 16. P. 20-45, Jul/dez 2006.

[24] SOUZA, Rosimere de. **Políticas sociais**. Indaial: Uniassevi. 126 p. 2012.

[25] SECRETARIA DE POLÍTICA PARA AS MULHERES – SPM. Disponível em: <<http://www.spm.gov.br/>> Acesso de 09.05.2014 a 22/05.2014.

[26] WAISELFISZ, Julio Jacobo. **Mapa da Violência 2012: Os Novos Padrões da Violência Homicida no Brasil**- Instituto Sangari-

[http://mapadaviolencia.org.br/pdf2012/mapa2012\\_rs.pdf](http://mapadaviolencia.org.br/pdf2012/mapa2012_rs.pdf). Flacso Brasil, 2012.

## ANNEX I - Research

### Results of the Survey held in Rolante-RS:

Please tick alternatives:		
A	Have you been reviled, humiliated, belittled by your partner/husband or boyfriend in front of others?	54%
B	Have you been submitted to exposure situations of your body by your partner/husband or boyfriend to others?	6%
C	Have you ever ceased to go somewhere or do something by threatens of someone?	30%
D	At some time in your life, have you already submitted to sexual intercourse with your partner/husband or boyfriend, when you do not wanted?	11%

Chart 1:

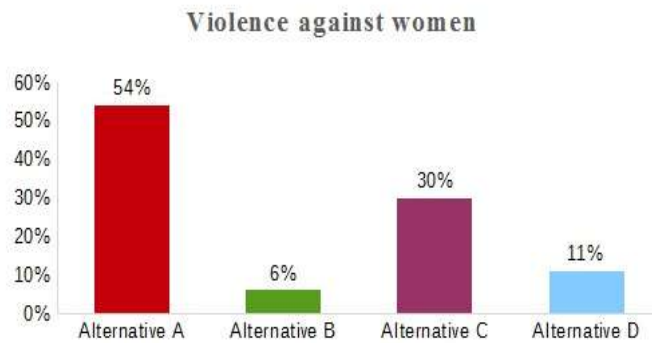


Chart 2

2) If you are in a relationship, please answer: Do you feel safe in your relationship?

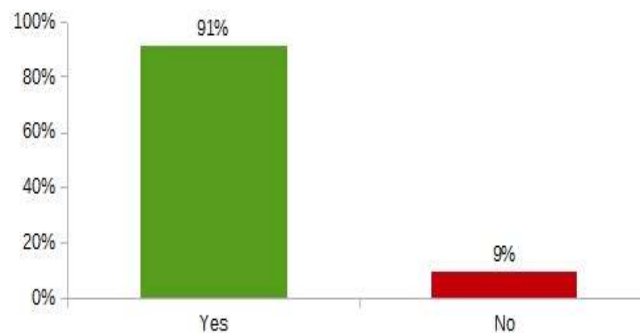


Chart 3:

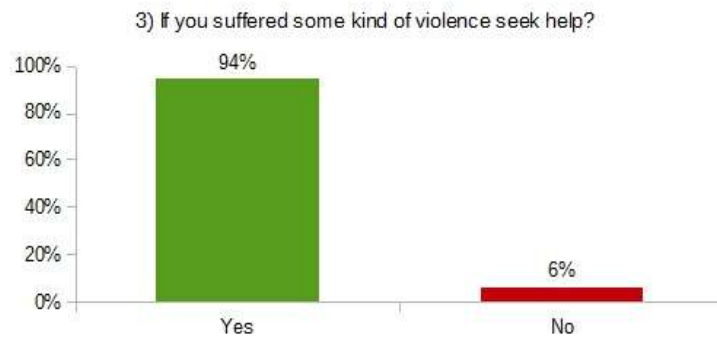
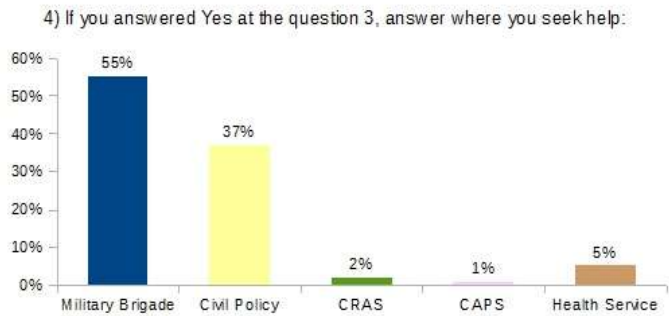


Chart 4:



If in the last year you've beaten, spanked with slaps, kicks or physically hurt in any way by someone, answer the following questions:

Chart 5:

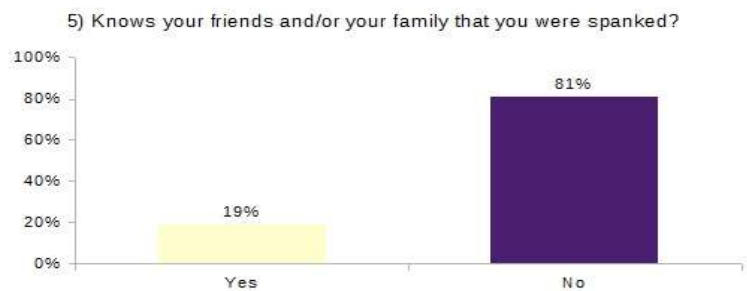




Chart 6:

6) Have you some place to go, and own financial resources for use in emergency cases?

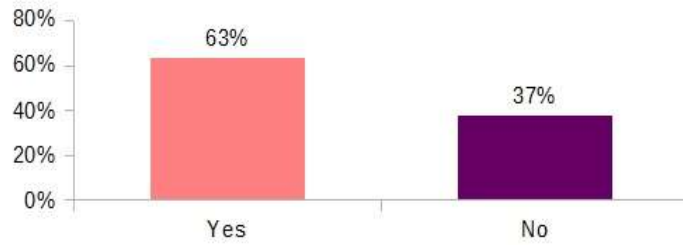


Chart 7:

7) Last year, someone forced you to have sex? If positive, answer who:

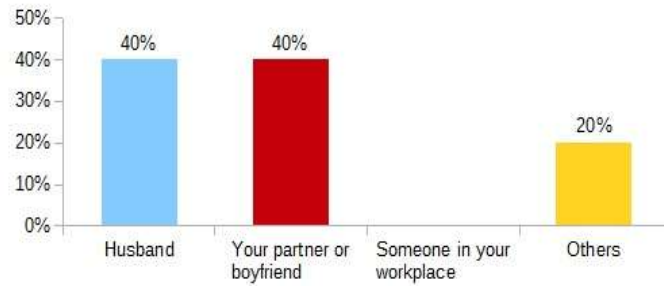
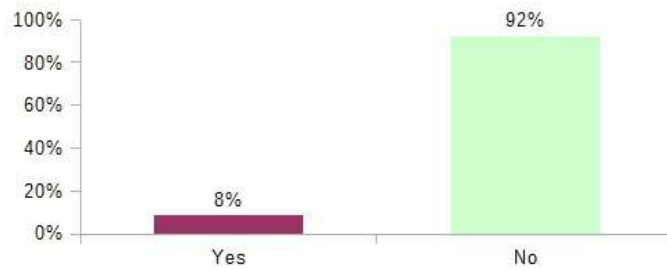


Chart 8:

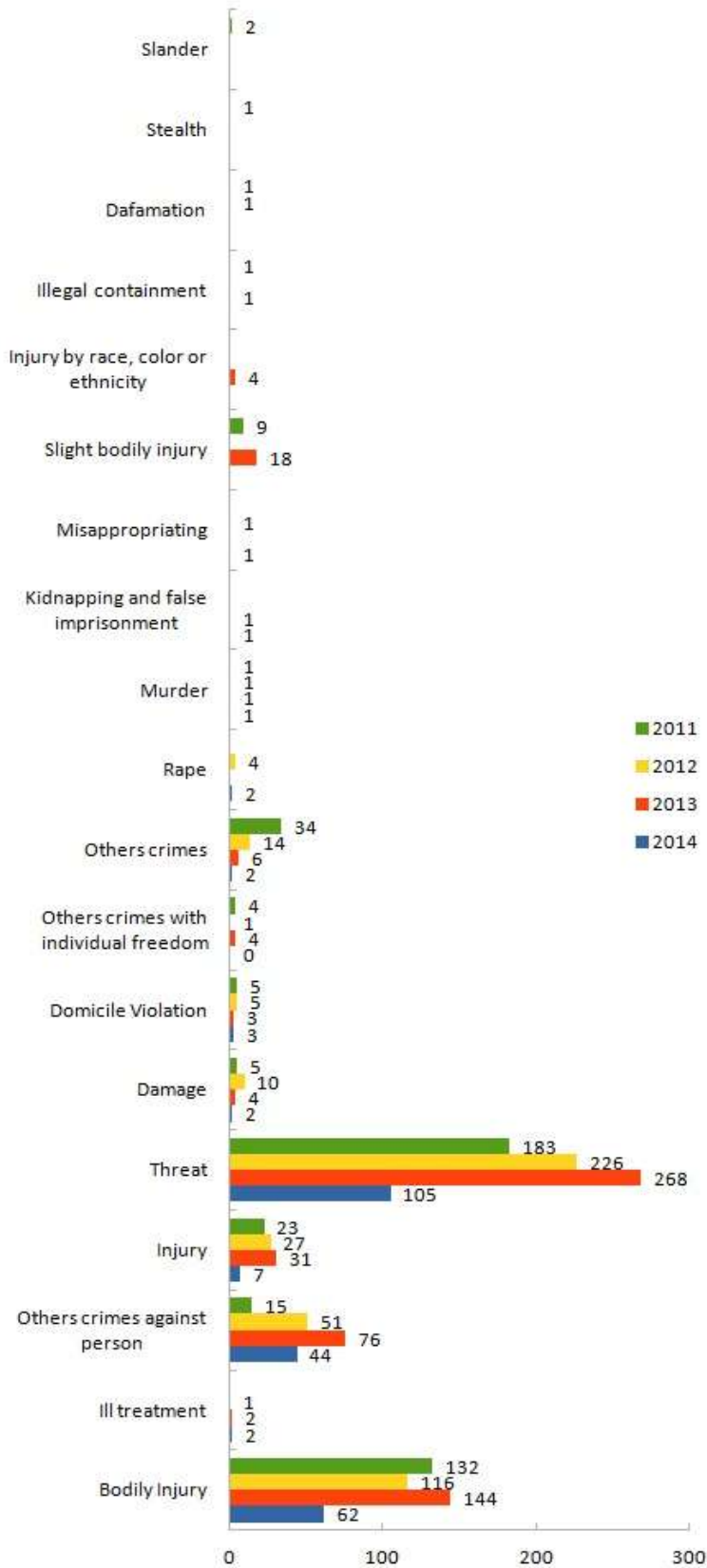
8) Were you abused when a child?



### ANNEX II – Occurrences Map

#### Analysis from the Occurrences registered in the municipality Taquara-RS:

- To 2014 data were computed only until June.



## Analysis from the Occurrences registered in the municipality Rolante-RS:

- The Rolante cases presents only the total of the occurrences,provided by the Civil Police Station.

