

Research Article

The Scope of Legal Protection for Victims of Domestic Violence in the Legislative System and Civil Society Institutions

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Abstract: The aim of the Jordanian legislature is to ensure legal safeguards for victims of domestic violence within the framework of modern criminal policy, thereby preserving the family as a fundamental unit of human society. In the Jordanian legal system and civil society institutions, the provision of protection for victims of domestic violence is categorized into a personal scope and an objective scope. The personal scope defines the individuals entitled to protection and accountability in cases of domestic violence. The objective scope encompasses the various manifestations, forms, and types of domestic violence, the criminal acts involved, and the legal guarantees established for victims. To examine the stance of the Jordanian legislative framework and civil society institutions, the researchers employed an analytical and field-based approach. This involved first addressing the personal scope of protection for victims of domestic violence, followed by an analysis of the objective scope. This approach facilitated the identification of existing shortcomings and deficiencies, which necessitate legislative interventions, as elaborated in the study's conclusions, findings, and recommendations.

Keywords: Domestic Violence, Legal Protection, Civil Society Institutions.

1. Introduction

This research examines the legal mechanisms established to safeguard victims of domestic violence within Jordan's legislative framework, alongside the contributions of civil society organisations in the country. Jordan's Code of Criminal Prosecutions delineates specific provisions addressing domestic violence, detailing its various forms and types, while prescribing stricter penalties for offenders. In parallel, civil society organisations play an active role in addressing domestic violence by providing support to victims and facilitating the rehabilitation of perpetrators. This study holds significant relevance in light of rising domestic violence incidents and the consequent strain on the judicial system, emphasising the necessity for comprehensive legislation and active engagement by civil society to address the problem effectively. The research seeks to clarify the concepts, identify the victims and perpetrators, and examine the various forms and manifestations of domestic violence, while evaluating the sufficiency of legal protections and the contributions of civil society organisations. The primary inquiry centres on whether the existing legal framework in Jordan provides adequate and effective protection for victims of domestic violence. The study assesses both the efficacy of current legislation and the impact of civil society initiatives in addressing and mitigating domestic violence.

2. Research Questions

1. How is domestic violence defined and what behaviors constitute it?
2. Who qualifies as victims and perpetrators of domestic violence?
3. What are the various forms and manifestations of domestic violence?
4. Which legislation governs and addresses domestic violence?
5. What role do civil society organizations play in preventing and responding to domestic violence?
6. What gaps or shortcomings exist within current domestic violence legislation?

3. Methodology:

This research utilises a combination of analytical legal analysis and field-based investigation, examining domestic violence legislation to pinpoint deficiencies and gaps within the current legal framework.

4. Study Structure:

The study is organised into two primary sections: the personal scope of protection, which identifies the individuals entitled to legal safeguards, and the substantive scope of protection, which addresses the manifestations and forms of domestic violence. The study concludes with a summary of the principal findings and offers recommendations based on the analysis.

5. First Research

5.1 Personal Scope of Protection for Victims of Domestic Violence

The Protection from Domestic Violence Act, Law No. 15 of 2017, represents a landmark and modern legislative measure within Jordan's legal system. This law provides protections and establishes accountability for a wide range of individuals, including victims, perpetrators, mandated reporters, and all parties involved in the management and resolution of domestic violence cases [1]. To elaborate on this scope, the study is organised into the following sections:

- Section I: Victims and Perpetrators of Domestic Violence
- Section II: Individuals Responsible for Reporting Domestic Violence
- Section III: Procedures for Dealing with Domestic Violence

5.2 Section I

5.2.1 Victim and Perpetrator of Domestic Violence

In Jordan, Article 2 of the Protection from Domestic Violence Law defines domestic violence as offences committed against any member of the family. Researchers have criticised the legislation for its lack of precision, highlighting the necessity for clearer provisions to effectively address the complex and multifaceted nature of domestic violence [2].

5.2.2 Jurisprudence Presents Various Definitions of Domestic Violence

1. Domestic violence refers to severe and harmful actions or verbal abuse by a family member that inflict physical or emotional damage, contravening Islamic principles of self-preservation and mental well-being. It extends beyond breaches of law to encompass detrimental family behaviours, challenging ethical coexistence grounded in knowledge and moral conduct.

2. Family violence encompasses harmful conduct among family members intended to cause psychological, physical, or sexual harm. Such conduct may be intentional or occasional, executed through direct or indirect methods, and may involve the use of force. This form of violence stems from power imbalances and affects various victims, including spouses, children, the elderly, and domestic workers [3]. In accordance with Iraqi legislation, domestic violence also includes household maids as part of the family unit, emphasising that violence can manifest through both negative and positive interactions within family dynamics.

3. Domestic violence includes behaviours within intimate or family relationships that result in substantial physical, psychological, or sexual harm. These behaviours may consist of physical abuse, psychological harm such as insults and ridicule, or sexual violence, including coerced acts. Such actions produce oppression, isolation, neglect of family responsibilities, and overall harm to the victims [4].

Further, domestic violence encompasses acts in intimate relationships that cause physical, psychological, or sexual harm, including beatings, insults, and coercion. Legal scholars and lawmakers define domestic violence in terms of its extensive impact on the individual's well-being, safety, honour, freedom, and property. This broad definition covers abuse, sexual assault, neglect, and other harmful behaviours, reflecting the diverse spectrum of detrimental actions within family and intimate contexts [5]. Having defined domestic violence, it is essential that family members involved in such conduct are subject to legal protection, prosecution, and accountability, in accordance with the definition of family violence [6]:

5.2.2.1 Husband and Wife

Spouses are entitled to legal protection against domestic violence during marriage, shielding them from abuse by a spouse or relatives up to the second degree. This protection continues until divorce. Violence occurring prior to divorce is legally safeguarded, whereas post-divorce incidents lack coverage, highlighting the need to extend protection to divorced individuals involved in civil disputes.

5.2.2.2 Relatives in Proportions Up to the Third Degree

Legal protection, prosecution, and accountability in cases of family violence extend to relatives up to the third degree of descent. Jordanian legislation does not provide a precise definition of kinship, categorising it only into direct and indirect types [7]. Jurisprudence defines kinship as the legal and social status of a person in relation to others, connected through descent, affiliation, or breastfeeding [8]. It further describes kinship as an individual's status within a family group, based on lineage or family affiliation [9; 10]. Kinship primarily derives from blood relations, including direct relatives such as parents, grandparents, and descendants, as well as relatives by marriage, including spouses and their parents [11]. The Jordanian Civil Code classifies kinship into two types: direct kinship, denoting connections between ancestors and descendants, and indirect kinship, referring to individuals linked through common ancestry without direct lineage [12]. Direct kinship encompasses individuals with a direct lineage, such as parents, grandparents, and grandchildren. Indirect kinship includes individuals sharing a common ancestor but not directly descended

from each other. Incestuous relatives, including siblings, children, uncles, aunts, and cousins, are not considered direct or branch relatives within the family structure [13]. The Civil Code's footnotes mention "indirect proximity," indicating a relationship between descendants or branches through shared ancestry despite the absence of direct descent [14]. Accordingly, relatives up to the third degree are covered by protection, accountability, and legal prosecution in domestic violence cases, as follows [15]:

A. Parents and Children

First-degree relatives include parents and children. Acts such as a father assaulting a child, a mother harming her child, or a child attacking a parent constitute domestic violence, with the aggressor held legally accountable.

B. Grandparents, Siblings, Sons, and Daughters

Second-degree relatives include grandparents, siblings, and children. Any acts of violence between these relatives, including physical abuse, are subject to legal protection, prosecution, and accountability of the perpetrator.

C. Uncles, Aunts, Nephews, and Nieces

If a female relative experiences physical harm from an uncle, great-uncle, or nephew, the Protection from Family Violence Act safeguards her, and the aggressor is subject to its provisions.

5.2.2.3 Relatives by Affiliation Up to the Second Degree

A. This category includes in-laws such as the daughter's husband, daughter-in-law, stepmother, father-in-law, mother-in-law, son-in-law, and other first-degree affiliation relatives.

B. It also includes second-degree affiliation relatives, such as sisters-in-law, brothers-in-law, grandparents-in-law, and other extended relatives by marriage.

5.2.2.4 Relatives of the Fourth Degree and Affiliated Relatives of the Third and Fourth Degree

The Protection from Family Violence Act extends protection to family members up to the fourth degree residing in the family home, including uncles, aunts, cousins, and their spouses. The law addresses acts of violence occurring within the home, ensuring accountability and legal support for victims. Researchers recommend removing the residency requirement to enhance protection against domestic violence.

5.2.2.5 Children in the Custody of Biological or Alternative Families Under Current Legislation

The Act safeguards children under the care of biological guardians or foster families. Violence against caregivers or foster family members also falls under the Act's protection. Clarification is required regarding the definitions of "child in custody" and "alternative family." While the legislation does not explicitly define foster children, custodial guidelines consider them as children under care [16]. In child welfare, an alternative family refers to a child of unknown parentage or a child entrusted to foster care by the Minister of Social Development or the relevant court [17]. Researchers recommend expanding legal protections under the Law on Protection from Family Violence to cover additional groups beyond direct victims and perpetrators. Suggestions include extending protection to non-related individuals residing in the family home, such as domestic workers or individuals in communal living arrangements [18]. These groups include:

a. Employees or workers residing permanently or long-term in the household, including domestic servants, childminders, caregivers for the elderly, drivers, farm workers, bodyguards, and household managers.

b. Research on domestic violence victims and perpetrators also addresses the personal scope of protection and reporting, including households accommodating students, employees, or workers in specific contexts.

5.3 Section II

5.3.1 Responsible for Reporting Domestic Violence

By reviewing the provisions of the Law on Protection against Domestic Violence, the researcher can identify and summarise the persons or entities legally obliged to report domestic violence cases, as outlined below:

5.3.2 First: Persons Affected by Domestic Violence

Under the Protection against Domestic Violence Act, any individual, irrespective of gender or age, may be considered a victim of domestic violence, as discussed in the first part of this study. Victims experiencing such violence have the right to report the abuse directly to the Family Protection Department [19].

5.3.3 Second: Health, Educational, or Social Service Providers in the Public and Private Sectors [20]:

The term "service providers" is broadly defined to encompass institutions such as healthcare facilities, educational establishments, cultural centres, orphanages, elder care facilities, women's shelters, and centres for individuals with disabilities. Whether operating in the public or private sector, these providers are mandated to report incidents of domestic violence to the authorities if criminal conduct is involved or if the victim is unable to report independently [21]. If the victim is competent and involved in a misdemeanour, their consent must be obtained before reporting, ensuring their identity is protected unless disclosure is required by judicial proceedings. Failure to report such incidents, whether due to incapacity or negligence, may result in penalties of up to one week's imprisonment, a fine of up to 50 dinars, or both [22]. The researchers recommend reviewing the minimum penalty to increase deterrence, proposing at least one month of imprisonment and a fine of no less than 100 dinars. They stress the importance of institutions reporting all cases of violence to facilitate effective implementation of the Law on Protection against Domestic Violence. Furthermore, they highlight that competent victims may still be pressured or incapacitated, necessitating mandatory reporting by service providers regardless of the victim's initial consent.

5.3.4 Third: Courts Competent for Matters of Personal Status [23]:

Personal status matters include marriage, divorce, alimony, custody, and inheritance disputes. Sharia courts oversee these matters for Muslims, church courts for Christians, and civil statutory courts for other religious groups. In domestic violence cases involving vulnerable individuals, courts handling personal status matters are required to share the case file with the Family Protection Department to ensure appropriate action in line with the Protection against Domestic Violence Act.

5.3.5 Fourth: Any Person, Official Authority, or Public Official [24]:

Any individual who becomes aware of a crime or offence is obliged to report it to the Public Prosecutor. In instances involving domestic violence, reports may also be submitted to the Family Protection Department. The researchers' evaluation of domestic violence reporting underscores the significance of addressing family violence, thereby fulfilling the third research requirement.

5.4 Section III

5.4.1 Family Violence Specialist

Specialists in domestic violence cases are individuals and entities tasked with managing such cases, including receiving reports, complaints, and information regarding incidents of domestic violence. Their responsibilities may encompass investigating, prosecuting, and attempting to resolve conflicts arising from domestic violence. They may also conduct social and psychological assessments related to the circumstances of both victims and perpetrators. The specialists involved include:

5.4.2 First: Family Protection Department

The Family Protection Department is defined as "the organisational unit established within the Directorate of Public Security, competent to protect the family" [25]. It was created at the end of 1997 and commenced operations in 1998 through the Family Protection Section. In 2003, it was established as an independent department [26]. The Department is responsible for responding promptly to any complaint, notification, or

request for assistance or protection related to domestic violence. It receives reports, information, and communications from all individuals and entities [27]. The Department follows specific mechanisms and procedures for processing complaints and reports; however, the detailed procedures are beyond the scope of this study [28].

5.4.3 Second: Social and Psychological Specialists

Under the Protection against Family Violence Act, specialists designated by the Ministry of Social Development within the Family Protection Department conduct social and psychological evaluations related to domestic violence. These assessments examine the psychological and social conditions of both perpetrators and victims, aiming to determine the potential for dispute resolution. Court recommendations based on these assessments may include:

1. Requiring the perpetrator to complete up to forty hours of community service at an authorised public facility or association.
2. Restricting the perpetrator from entering designated locations for a period of up to six months.
3. Mandating both parties to participate in psychosocial rehabilitation programmes or sessions for up to six months, under the supervision of the Ministry of Social Development or other approved bodies [29].

5.4.4 Third: The Prosecutor's Office

The Public Prosecutor, as the Chief Judicial Officer of the district, oversees the administration of justice, monitors the application of laws, initiates public rights actions, enforces penal provisions, investigates and traces crimes, and receives reports and complaints [30]. In the context of domestic violence, the Prosecutor acts as a specialist by investigating complaints and ensuring legal measures are applied.

5.4.5 Fourth: Criminal Courts

Criminal courts handling domestic violence cases may include magistrate courts, criminal courts, minor criminal courts, juvenile magistrate or criminal courts, and military or police criminal courts if the perpetrator is a member of the armed forces or security services.

5.4.6 Fifth: Civil Society Institutions

Non-governmental organisations provide support to victims of domestic violence, contribute to combating domestic violence through seminars and conferences, and conduct psychosocial rehabilitation programmes for both victims and perpetrators. These institutions also report cases of domestic violence when identified. Notable examples include the Family Welfare Foundation, Family Welfare Association, Society against Violence, Society for Protection against Domestic Violence, Women's Union, and professional organisations such as the Bar Association [31].

6. Second Research

6.1 Substantive Scope of Protection for Victims of Domestic Violence

The study investigates the legal safeguards available to victims of domestic violence, focusing on the personal scope of protection. It analyses the various forms of violence, the types of domestic violence offences, and the mechanisms established to protect victims, structured into three principal sections:

- Section I: Forms and Manifestations of Domestic Violence
- Section II: Types of Domestic Violence Crimes
- Section III: Safeguards for Victim Protection

6.2 Section I

6.2.1 Forms and Manifestations of Domestic Violence

The Jordanian legislature classifies domestic violence as a criminal offence. It can be categorised according to tangible and intangible impacts into various forms and manifestations, beginning with physical violence. Physical violence directly affects the victim's body, potentially resulting in injuries, trauma, or functional impairments, causing pain and suffering [32]. Physical violence is among the most visible and severe types of domestic violence and may require a prolonged period for recovery. It is defined as any deliberate act or conduct intended to inflict bodily harm or pain on a family member [33]. The legal definition must specify the perpetrator's

relationship to the victim to distinguish family violence from general violence. Family violence involves intentional acts by a family member that cause harm to another family member. However, the current legislation lacks precision regarding the exact familial relationships of the perpetrator. Researchers describe physical violence as intentional conduct among family members that results in serious injury, sensory loss, pain, or suffering. This includes behaviours such as assault, abuse, or administering harmful substances. In Jordan, the law does not permit a husband to discipline his wife through physical means, contrary to certain interpretations of Islamic Sharia law. It also mandates that parental discipline of children must not inflict harm, thereby prohibiting physical abuse by parents. Recommendations include legislative amendments to explicitly forbid physical violence against children, even when justified as discipline or education.

6.2.2 Second: Sexual Violence

Sexual violence is regarded as one of the most severe and abhorrent forms of violence, directly violating the victim's sexual autonomy. It involves compelling an individual, male or female, to engage in unwanted or non-consensual sexual acts. Such conduct, whether executed through force, threats, coercion, or physical assault, infringes on sexual freedom and may be motivated by financial gain, sexual gratification, deviance, or revenge [34]. Within the context of domestic violence, sexual violence is defined by researchers as any sexual act or coercion perpetrated by one family member against another. This encompasses threats, pressure, exploitation of vulnerabilities, or use of physical force to satisfy sexual desires or financial objectives. The scope includes rape, incest, indecent assault, non-consensual intercourse, prostitution, and transforming the marital home into a space for coercing family members into sexual exploitation. Legislative clarification regarding the types and manifestations of sexual violence within domestic contexts is considered necessary [35]. Psychological violence, also referred to as emotional or mental abuse, is intangible and affects the victim's emotional state, dignity, and psychological well-being. It is defined as any action, statement, or behaviour by a family member that undermines the victim's dignity, self-esteem, reputation, or emotional stability. Regarding domestic violence, researchers note:

1. Psychological violence primarily causes internal, non-physical harm, which justifies its classification as psychological abuse.
2. It is widespread and frequent, imposing a considerable burden on legal systems as numerous cases are processed through both Sharia and criminal courts.
3. Psychological violence encompasses a wide array of behaviours, including verbal abuse, insults, threats, coercion, isolation of spouses from family, restriction of parental access, denial of inheritance rights, forced marriage or abandonment, withholding financial support, control over daily activities, enforcement of domestic labour, restriction of education, and religious coercion. These actions may compel or prohibit behaviours that adversely affect the victim's emotional well-being and dignity, making it challenging to delineate the full scope of psychological violence.

Researchers recommend legislative intervention through a new legal text that explicitly defines psychological violence, along with standardising public norms and examples. This would eliminate ambiguity regarding the forms and manifestations of domestic violence.

6.3 Section II

6.3.1 Types of Domestic Violence Crimes

The Protection against Domestic Violence Act lacks precise, explicit, or detailed provisions specifying domestic violence offences. Instead, it establishes a broad general principle stating that acts of domestic violence committed by one family member against another constitute an offence [36]. For other scenarios, reference must be made to the Penal Code, which governs crimes under general and common law provisions. Prior to the enactment of the Protection against Domestic Violence Act, offences committed by one family member against another were treated according to the ordinary classification and nature of general offences. With the law's entry into force [37], these offences are now considered within the specific framework, definition, and nature of domestic violence. While the legislator has criminalized acts of violence between family members, providing objective protection for victims, the Protection against Domestic Violence Act complements this by extending and specifying domestic violence offences. The researchers consider the legislative approach commendable for establishing a private and independent law addressing domestic violence. However, they also note its limitations, preferring a law encompassing all domestic violence crimes rather than relying on the scattered provisions of the Penal Code. Nonetheless, as the Penal Code regulates other domestic violence crimes, it provides an additional layer of protection by criminalizing violent acts, statements, and behaviours against

victims. The offences under the Penal Code related to domestic violence can be summarised as follows:

6.3.2 First: Homicides

Murder represents a severe form of family violence, often involving one family member taking the life of another due to disputes, material gain, revenge, or perceived threats to honour. It is characterised by intentional killing through various means [38] and may be categorised as simple or aggravated murder depending on circumstances [39]. Family homicides may include killings of mothers to prevent shame, infanticide following childbirth or breastfeeding, or killings with premeditation, sometimes accompanied by torture. Murders may occur to facilitate another crime, evade punishment, or as a result of adultery, negligence, or failure to observe laws [40; 41]. Examples include accidental deaths caused by parental negligence or attempts to induce miscarriage by family members, resulting in the death of the pregnant woman [42].

6.3.3 Second: Abortion Offences

Abortion is considered domestic violence when it involves a female family member, either through miscarriage or induced termination. It violates both the father's rights and the woman's right to experience motherhood. Defined as terminating a pregnancy before term, it is viewed as an attack on the developing organism and the mother's physical integrity. The Penal Code criminalises abortions conducted by third parties, with or without the woman's consent, and imposes increased penalties if the procedure results in death [43; 44; 45; 46; 47; 48; 49]. Abortion is also criminalised even when justified in the context of honour, reputation, or to prevent scandal, with harsher punishments if performed by medical professionals.

6.3.4 Third: Crimes of Beatings, Injuries, Abuse, and Impairment

These are among the most frequent domestic violence offences. They may involve husbands, wives, parents, or other family members inflicting harm on one another. The Penal Code regulates abuse, beatings, wounding, impairment, and acts causing harm across multiple provisions [50]. Such offences occur when a family member directs actions against the physical integrity and well-being of another [51; 52]. Physical violence can include:

1. Punching, striking, or slapping the victim.
2. Throwing harmful substances at the victim.
3. Mutilation with sharp objects.
4. Beating with solid instruments.
5. Exposure to extreme temperatures, deprivation of food, drink, or medicine, or forced use of substances.
6. Amputation or disabling of senses or body parts.
7. Sleep deprivation or mental coercion.
8. Inflicting cuts or scratches.
9. Inciting or assisting in suicide.
10. Harm caused by negligence or failure to observe laws [53].

6.3.5 Fourth: Offences of Insult, Threat, and Extortion

The law criminalises actions undermining human dignity, honour, reputation, or psychological stability, including vilification, slander, demeaning behaviour, threats, and extortion [54; 55]. Verbal abuse and psychological coercion within the family constitute offences that can include humiliation, manipulation, and coercion. For example, a husband may belittle or threaten his wife to control her behaviour.

6.3.6 Fifth: Offences against Honour

The legislature has criminalised acts violating bodily integrity, reputation, and sexual autonomy, protecting sexual freedom and personal honour. These include:

1. Rape: Unlawful sexual contact without proper consent, whether by coercion, threat, or deception [56; 57; 58]. Examples include rape within extended family households.
2. Sexual offences against minors aged 15–18 [59].
3. Sexual offences against women with physical, psychological, or mental disabilities [60].
4. Sexual acts against minors aged 12–15 [61].
5. Sexual offences involving incest or close kin [62].
6. Indecent assault, criminalised under Penal Code articles 286–301, encompassing acts violating chastity and dignity [63; 64].
7. Abduction: The unlawful transfer or detention of a family member [65; 66; 67].
8. Breach of a marriage promise: Coercing or deceiving a woman

- regarding a marriage agreement [68].
9. Incitement of a woman to leave her family or marital home to join another man [69].
 10. Sexual fondling incompatible with modesty, causing moral harm [70; 71; 72].
 11. Exploitation or coercion into prostitution or unlawful sexual activity [73].

The researchers conclude that while the Protection against Domestic Violence Act provides a separate legal framework, it would be beneficial for the legislature to create a dedicated chapter within the Act for criminalisation of all forms of domestic violence.

6.4 Section III

6.4.1 Safeguards for the Protection of Victims of Domestic Violence

Jordan's legislative framework, alongside civil society institutions, has established comprehensive safeguards to protect victims of domestic violence. The researchers summarise these protections as follows:

6.4.2 First: Establishment of a Specialized Department for the Protection of Victims of Domestic Violence

The Family Protection Department, part of the Jordanian Directorate of Public Security, is defined as "the organizational unit established in the Directorate of Public Security with competence to protect the family" [74]. Prompt intervention is essential when handling reports or requests for assistance concerning domestic violence. Once a case is verified, procedures include documenting the complaint, arranging necessary records, transporting the victim to appropriate medical facilities if required, relocating them to a secure location, and implementing measures to protect witnesses and associated reports.

6.4.3 Second: Finding a Social Worker and Psychologist for Victims of Domestic Violence

Specialists designated for domestic violence cases conduct social and psychological assessments to analyse both the offender's and victim's circumstances [75]. The aim is to evaluate the potential for dispute resolution and provide recommendations for judicial intervention. These may include mandating community service, imposing restrictions on certain locations, enrolling parties in rehabilitation programmes, or delivering psychological support to mitigate the consequences of violence [76].

6.4.4 Third: Reporting Cases of Domestic Violence

Under the Protection against Family Violence Act, healthcare, education, and social service providers in both public and private sectors are required to report domestic violence cases. Reports must be submitted if the victim is incapacitated, incompetent, or if a criminal offence is involved. For competent victims, reporting is contingent upon consent. Failure to report may result in up to one week of imprisonment, a fine of up to 50 dinars, or both [77]. All relevant institutions, including healthcare facilities, educational institutions, shelters, and organisations supporting vulnerable groups, are mandated to promptly report domestic violence, particularly when criminal acts or incapacitated victims are involved. The researchers recommend mandatory reporting for all domestic violence incidents to enhance victim protection, ensure compliance with the Act, and mitigate barriers such as victim fear or coercion.

6.4.5 Fourth: Settlement of the Family Dispute

The Act obliges the Family Protection Department to mediate and resolve domestic violence disputes [78]. Conflict resolution aims to achieve a mutually acceptable agreement before the dispute escalates into a criminal case [79]). The Department may mediate misdemeanour-level cases, whereas criminal offences are referred to the public prosecutor. Legal conditions for settlement include mutual consent, limitation to misdemeanour offences, mandatory attendance, consideration of family circumstances, and a 14-day timeframe for agreement. The court must ratify or reject the settlement within one week, with a 10-day appeal period. The researchers suggest reducing the appeal timeframe by half and expediting appeal file transfer to the Court of Appeal within 48 hours due to the urgency of domestic violence cases.

6.4.6 Fifth: Measures to Confront the Perpetrator of Violence and for the Benefit of Victims of Violence

The Act empowers the court to impose measures on perpetrators,

including up to 40 hours of community service, six-month bans on specific locations, or enrolment in psychological or social rehabilitation programmes of similar duration [80; 81]. Researchers highlight challenges with compliance, noting that offenders may refuse community service. They suggest the legislation should require community service only with the victim's consent and recommend specifying prohibited locations to prevent further violence. Courts should be mandated, not merely permitted, to enforce these measures, and penalties should target the offender exclusively rather than impacting the victim.

6.4.7 Sixth: Civil Society Organizations' Contribution to the Reduction, Treatment, and Defence of Domestic Violence

Non-governmental civil society institutions serve vulnerable or marginalised groups and advocate for public rights. In Jordan, organisations such as the Jordanian Bar Association, Arab Women's Legal Network, Jordanian Women's Solidarity Institute Association, Women's Union Association, and the Association for the Protection of Victims of Domestic Violence provide legal, psychological, and social support, report domestic violence cases, host awareness campaigns, and conduct rehabilitation programmes for victims and perpetrators. Certain organisations are authorised by the Minister of Social Development to provide social and psychological rehabilitation or assign community service to offenders.

6.4.8 Seventh: The Use of Modern Technical Means in Cases of Domestic Violence

The Act mandates that, where necessary, the public prosecutor and competent courts utilise modern technical measures to protect victims under 18 years or juvenile witnesses during hearings, discussions, and confrontations [82]. Remote testimony via electronic connection ensures protection for domestic violence victims and witnesses.

6.4.9 Eighth: The Settlement Judge was Prevented from Hearing the Domestic Violence Case

If a judge declines to ratify a settlement, subsequent proceedings regarding the same dispute are void [83]. For example, if the initial decision is appealed and upheld, the case must be reassigned to a different judge to prevent bias arising from prior involvement in the settlement process.

6.4.10 Ninth: To Mandate the Department of Family Protection to Follow up on the Perpetrator's Implementation of the Measures Imposed by the Court

Monitoring the enforcement of court-ordered measures is essential, as initiating measures without follow-up is ineffective [84].

6.4.11 Tenth: Speed, Confidentiality, and Specialization in Domestic Violence Cases

Due to the sensitive and urgent nature of domestic violence cases, the Law mandates that the Jordanian Judicial Council allocate specialised judicial bodies, conduct trials confidentially, consider adjournments of three days, and dismiss cases within three months of filing. Courts may hear cases outside official working hours and holidays if necessary [85].

6.4.12 Eleventh: Supplementary Penalties for Perpetrators of Violence

In addition to primary penalties, the Act enforces supplementary measures including prohibitions on contacting victims or their families, entering their residence, or damaging their property. Violations may result in up to three months' imprisonment and a fine of up to 200 dinars [86].

7. Fourth Research

7.1 Results and Discussion of the Questionnaire

This study presents the analysis of the results as follows:

- The study sample comprised 160 participants, selected using the convenience sampling method, prioritising accessibility near their workplaces or locations close to the researchers.
- Tool Development: A questionnaire was designed by the researchers following a review of pertinent literature. It included an identification section containing 18 items tailored to achieve the objectives of the

- study.
- Validation: The preliminary questionnaire was evaluated by five law faculty members and ten practicing lawyers. Their feedback guided modifications to enhance linguistic clarity and the relevance of items, resulting in a finalised questionnaire with a mutually agreed set of paragraphs. Tool Stability: The reliability of the questionnaire was assessed by applying it to a pilot sample of 24 participants. Using the Kuder-Richardson formula, a total reliability coefficient of 0.84 was obtained, indicating adequate stability for the study's purposes.
- Tool Adjustment: Paragraph responses were measured using a five-point Likert Scale, with ratings ranging from 1 (minimum) to 5 (maximum), as presented in Table 1.

Table 1: Evaluation of Legal and Social Measures for Protecting Victims of Domestic Violence"

Standard Deviation	Arithmetic Average	Paragraph Number	Paragraph
1.92	3.11	1	Victims are followed up after the sentencing decision
1.51	3.18	2	Existing legislation to protect domestic violence is sufficient
1.52	3.59	3	The law helps ensure good application, no wisdom and censorship
1.56	3.69	4	Legislation has been prepared (regulations and instructions.) Contributing to law enforcement
1.50	3.52	5	There are clear tools in the law to ensure the work of the child's credit interest
1.49	3.27	6	Children can report cases of violence
1.56	3.69	7	There are judges specializing in domestic violence cases
1.51	4.35	8	In your view, domestic violence is a phenomenon in society.
1.52	3.59	9	Witnesses and whistle-blowers are protected by law
1.53	3.14	10	Citizens have sufficient knowledge of legal procedures in dealing with the law
1.61	4.11	11	Economic crises contribute to increasing cases of violence
1.63	3.80	12	Shelter for victims of violence helps to protect
1.62	3.78	13	Psychosocial support for victims affects society
1.58	3.71	14	The integration of victims of violence contributes to the reduction of domestic violence
1.50	3.52	15	Trained workers and specialists in support and integration issues for victims
1.49	2.98	16	Community members are keen to report cases of domestic violence
1.51	3.01	17	Civil society institutions have specialized programmes in the field of protection of society from violence
1.610	3.76	18	The coronavirus crisis has helped increase domestic violence.

Table No. (2) indicates that paragraph No. (8), addressing domestic violence as a social issue, received the highest mean score of 4.35, followed by paragraph No. (11), concerning the impact of economic crises on domestic violence, with a score of 4.11. Conversely, paragraphs No. (16) and (17), related to reporting domestic violence and family protection programmes in civil society institutions, recorded the lowest mean scores. These survey outcomes support the reliability of the findings by reflecting a thorough and systematic investigative process.

8. Conclusion

The study examined legal protections for victims of domestic violence within Jordanian legislative frameworks and civil society organisations. The principal findings and recommendations are as follows:

- Domestic violence is defined to encompass family members residing together, including spouses and other relatives.
- Reporting obligations extend to health, education, and social service providers, as well as individuals and official authorities.
- Handling domestic violence cases involves specialised professionals, including the Department of Family Protection, psychologists, and legal authorities.
- Domestic violence manifests in multiple forms, including physical, sexual, psychological, and verbal abuse.
- Offences include homicide, abortion, assault, insult, threats, and

extortion.

- Protective measures for victims comprise the establishment of dedicated security departments, engagement of psychologists and social workers, mandatory reporting of incidents, conflict resolution, and comprehensive victim support.
- Civil society organisations contribute by raising awareness, intervening in cases, and employing technological means to support victims.
- Legal proceedings are emphasised to be swift and confidential, with supplementary penalties for perpetrators to enhance deterrence and safeguard victims.

9. Recommendations

The study proposes the following recommendations to enhance legal protection and support for victims of domestic violence:

1. Define domestic violence comprehensively to cover family-related offences beyond traditional crimes, reflecting its intimate and multifaceted nature.
2. Broaden the scope of domestic violence to include acts by family members that threaten life, well-being, and dignity.
3. Extend the Protection against Domestic Violence Act to include divorced spouses.
4. Remove relationship degree restrictions for family members residing in the same household to ensure full coverage under domestic violence laws.
5. Include domestic servants, childminders, drivers, and other household workers as protected individuals under the law.
6. Mandate the prompt reporting of all domestic violence cases to provide comprehensive protection for victims.
7. Strengthen penalties for failure to report domestic violence to enhance deterrence and compliance.
8. Ensure legislation encompasses all forms of domestic violence to address any qualifying acts effectively.
9. Eliminate discretionary factors that may undermine deterrence and justice in domestic violence cases.
10. Clearly define and recognise all forms of violence within domestic contexts.
11. Accelerate appeals in family disputes to reduce delays and enable swift resolution.
12. Make court-imposed measures on perpetrators of domestic violence obligatory rather than optional.
13. Link participation in rehabilitation programs to the victim's consent rather than the perpetrator's willingness.
14. Specify locations from which perpetrators are banned and address potential triggers to prevent recurrences.
15. Exempt victims from punitive measures if they are unable to attend rehabilitation programs, recognising their need for protection and support.

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