

International experience in investigating domestic violence committed by military personnel: A comparative legal analysis

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■ **Abstract.** In the context of ongoing military hostilities, the problem of domestic violence in Ukraine is becoming particularly acute, as it is transforming in its content, forms and the range of actors involved, while one of the most vulnerable categories of victims remains elderly persons. The aim of this article was to conduct a comparative legal analysis of international experience in preventing and investigating domestic violence committed by military personnel upon their return from combat missions, as well as to identify opportunities for adapting effective foreign approaches to the national criminal justice system. The study employs general scientific and specialised legal methods, in particular the comparative legal, systemic-structural, logical-legal, formal-dogmatic and generalisation methods. The study examined contemporary approaches to responding to domestic violence in the context of armed conflicts and the post-war reintegration of military personnel. The practices of the USA, Canada, the UK, Israel and Australia (the Family Advocacy Programme in the USA, the CF Family Violence Prevention Programme in Canada) were analysed, in particular the functioning of specialised support programmes for military families and mechanisms for inter-agency cooperation. A trend towards the use of integrated models for countering violence, combining criminal law, psychological, social and rehabilitation tools, has been identified. It was established that the effectiveness of such models depends to a large extent on the early identification of risks of aggressive behaviour, mandatory psychological support and specialised training for authorised personnel. A review of international experience has led to the conclusion that a comprehensive approach to the protection of older people, as a particularly vulnerable group of victims, is appropriate. The practical significance of the results lies in their potential use by legislative bodies, law enforcement agencies, military units and specialists in the social and psychological fields when improving mechanisms to combat domestic violence in Ukraine

■ **Keywords:** pre-trial investigation; offences; counteraction; international practices; hostilities in Ukraine

■ Introduction

The establishment of a democratic state governed by the rule of law is impossible without the effective protection of human rights and freedoms, among which the right to protection from domestic violence holds a special place. In the current context of a rising number of domestic violence cases, particularly amidst active hostilities in Ukraine (Ministry of Internal Affairs of Ukraine, 2024), there is

a pressing need to improve investigation methods, taking into account international experience and best practices. V. Panasiuk (2023) emphasised that older people constitute one of the vulnerable groups in society, who are often dependent on the perpetrator of the violence – relatives, carers or cohabitants. This leads to a high rate of under-reporting of such criminal offences, difficulties in gathering evidence,

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and specific requirements for pre-trial investigation procedures.

European states, as well as Canada, the United Kingdom and the United States, have accumulated significant experience in investigating criminal offences related to domestic violence against older people, based on an interdisciplinary approach and close cooperation between law enforcement, social and medical services. International standards, in particular the provisions of the Istanbul Convention¹ and the UN Guidelines on the Protection of the Rights of Older Persons², set out clear guidelines for states in the field of preventing and responding to violence. At the same time, in Ukraine, the practice of investigating such crimes is still in its infancy, requiring a comprehensive analysis and adaptation of successful international approaches.

Domestic violence, as a socio-legal phenomenon, attracts the attention of scholars from various fields, as reflected in numerous studies. In particular, O.V. Pchelina (2020) developed methodological recommendations for investigating such crimes, emphasising the need for specialised approaches. The author concluded that the effectiveness of investigating such crimes is significantly reduced without the application of specialised methodological recommendations, as well as without taking into account the psychological state of the victims and the repetitive nature of the violent acts. G. Usatiy & V. Melyankov (2020) examined the issue of criminalising domestic violence, justifying the need to strengthen criminal liability. A number of researchers have examined the specific nature of violence against particular categories of citizens. As a result of the study, the author justified the need to strengthen criminal liability for systematic forms of violence, concluding that it is precisely criminal law measures that play a key preventive role in protecting victims. R. Erbaş (2021) examined the specific experiences of women who have suffered violence. The author concluded that the fear of revictimisation, economic dependence and social stereotypes significantly hinder victims' timely reporting to law enforcement agencies, which negatively impacts the effectiveness of investigations. E.L.N. Maciel *et al.* (2020) investigated the link between social isolation and rising levels of domestic violence. The study found that restrictions on social contact and access to support services contribute to an increase in the latency of violent behaviour and deepen victims' dependence on the offender. Meanwhile, V. Bondar (2020) proposed ways to counter this phenomenon in Ukraine. The author concluded that a combination

of criminal law, social and preventive measures is more effective than the isolated application of punitive mechanisms alone.

A special place is occupied by a monograph in which a new forensic methodology for investigating domestic violence is proposed. The author developed a model of the forensic characteristics of this offence, focusing on the methods of its commission, the place and time, as well as the traces of violence. She also provided a forensic profile of both the offender and the victim (Ishchenko, 2021). Y. Komarynska (2021) examines the theoretical foundations and practical aspects of investigating criminal offences related to domestic violence. The results of the research indicate that the key problems remain the untimely recording of evidence and insufficient inter-agency cooperation, which negatively affects the proof of the offender's guilt. Issues of counteracting criminal offences against elderly persons have been studied by such a scholar as M.A. Gershowitz (2021). The author concluded that elderly people represent a particularly vulnerable category of victims due to physical and psychological limitations, as well as social isolation, which necessitates specialised mechanisms of legal protection. However, a comprehensive dissertation-level study devoted specifically to domestic violence against this category of the population has not yet been conducted.

The aim of this article was to conduct a comparative analysis of international experience in the investigation of domestic violence that has an indirect causal relationship with military actions, in particular cases of such criminal offences committed by military personnel. The research was aimed at identifying effective response mechanisms, organisational models and legal approaches that may be adapted within the Ukrainian system of criminal justice. To achieve this aim, the following objectives were defined: (1) to analyse the regulatory and organisational foundations for investigating cases of domestic violence in conditions of military hostilities in leading foreign countries, with a focus on offences committed by military personnel; (2) to identify effective models of inter-agency cooperation (between law enforcement, social, medical and military institutions), as well as to examine specialised programmes and units aimed at preventing domestic violence among military personnel (in particular the experience of the United States, Canada, the United Kingdom, Israel and Australia); (3) to formulate proposals for improving Ukrainian practice of pre-trial investigation of such offences, taking into account international

¹ Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention). (2011, April). Retrieved from <https://rm.coe.int/168046031c>.

² Resolution of UN No. 46/91 "United Nations Principles for Older Persons". (1999, December). Retrieved from <https://www.ohchr.org/en/instruments-mechanisms/instruments/united-nations-principles-older-persons>.

standards, humanitarian principles and the necessity of psychological support and rehabilitation for military personnel.

■ Materials and Methods

The research was conducted within the framework of socio-legal and criminal law concepts that provide for a comprehensive analysis of the legal, social and psychological aspects of domestic violence as a multidimensional socio-legal phenomenon. The theoretical basis of the work consists of the principles of criminology, criminal law and criminal procedure, which allow domestic violence to be viewed not only as a specific criminal offence, but also as a systemic problem requiring specialised approaches to pre-trial investigation. The concept of an integrated preventive approach was of significant methodological importance; according to this, effective counteraction to domestic violence is based on a combination of criminal law, organisational, social and psychological measures, as well as on the coordination of activities between law enforcement, social, medical and military institutions. The conceptual framework of the research also encompassed the principles of international humanitarian law and human rights regarding the protection of persons belonging to vulnerable groups of the population, particularly elderly persons. This made it possible to compare international standards of protection with the provisions of Ukrainian national legislation and to assess the extent of their practical implementation in conditions of military hostilities.

To achieve the aim of the article, a set of empirical, comparative legal and specialised legal methods was applied. Among the empirical methods, the method of observation was used, which made it possible to study the practice of pre-trial investigation of domestic violence cases in Ukraine, as well as in the United States, Canada, the United Kingdom, Israel and Australia. Observation provided an opportunity to identify the particularities of the responses of law enforcement bodies, social services and military structures to such offences, and also to assess organisational and procedural aspects influencing the effectiveness of investigations. The comparative method was used to identify common and distinctive features of legislation and organisational models in different countries, in particular in the United States (U.S. Department of Defense, 2026) and Canada (Canadian Armed Forces, 2025). This method made it possible to determine the possibilities of incorporating foreign experience into national criminal procedural legislation, including the expansion of police powers,

the creation of multidisciplinary response groups and specialised units for the investigation of offences of this type. The research procedure was as follows: 1) collection of empirical and normative materials; 2) observation of investigative practice and analysis of statistical data; 3) comparative legal analysis of foreign models and programmes; 4) identification of effective organisational and legal mechanisms; 5) formulation of proposals for adapting international experience to Ukrainian pre-trial investigation practice.

The source base included Ukrainian legislative acts (the Criminal Code¹, the Council of Europe Convention on Human Rights²), and official statistics from the Prosecutor General's Office of Ukraine (2025). The χ^2 -test was used to verify the statistical significance of the changes. The use of the aforementioned regulatory, empirical and analytical materials enabled a scientifically sound and systematic analysis of international experience in investigating domestic violence committed by military personnel against elderly persons, as well as the formulation of practice-oriented recommendations for improving mechanisms for pre-trial investigation, inter-agency cooperation and the protection of victims' rights within the Ukrainian criminal justice system, taking into account international standards and the realities of wartime.

■ Results

The conducted research made it possible to identify key trends in the development of international approaches to the investigation of domestic violence that is indirectly conditioned by the circumstances of military hostilities, as well as the specific features of responding to cases of violence committed by military personnel against family members and elderly persons. J. Dodge *et al.* (2025), in their systematic review, emphasise the importance of an integrated approach to the prevention and investigation of domestic violence in military families, which combines the activities of the police, social services, judicial authorities and psychological support for victims, and also includes preventive and educational programmes for offenders and potentially vulnerable groups. They note that particular attention should be paid to cases where violence is a consequence of combat experience, as such offenders often display symptoms of post-traumatic disorders. J. Petersson *et al.* (2025) examine the practice of the Scandinavian countries, where a special role is assigned to preventive measures, in particular to a system of inter-agency cooperation between the police, healthcare services and municipalities. They emphasise that effective

¹ Criminal Code of Ukraine. (2001, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/2341-14>.

² Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention). (2011, April). Retrieved from <https://rm.coe.int/168046031c>.

response is possible only when the risk of violence is identified in a timely manner and early intervention within the families of military personnel is ensured. S. Müller *et al.* (2021) analyse the experience of Germany, where specialised crisis assistance centres have been established for elderly persons who have suffered from domestic violence. The authors emphasise that a key factor of success is the combination of forensic procedures with systematic psychological rehabilitation of victims, which helps to reduce the latency of such crimes.

The analysis of official data from the Prosecutor General's Office of Ukraine (2025) indicates a steady increase in the number of criminal offences related to domestic violence committed by military personnel during the period 2022-2025. Whereas in 2022 only 4 cases of domestic violence committed by military personnel were recorded, in 2023 their number increased to 45, in 2024 to 150, and during the first nine months of 2025 this figure reached 114 cases, which is almost equal to the annual figure for the previous year. The analysis of official statistical data from the Prosecutor General's Office of Ukraine (2025) also demonstrates a persistent upward trend in the number of criminal offences related to domestic violence committed by military personnel. At the same time, the use of absolute indicators alone does not allow for well-grounded causal conclusions, as during this period the overall size of the Armed Forces of Ukraine increased significantly. For this reason, the research employed relative indicators that make it possible to assess more accurately the actual dynamics of such offences.

Taking into account official data on the number of military personnel, it was established that in 2022

the level of domestic violence committed by military personnel amounted to approximately 0.02 cases per 1,000 members of the armed forces, whereas in 2023 this indicator increased to 0.17, in 2024 to 0.52, and during the first nine months of 2025 to 0.39 cases per 1,000 military personnel. Thus, even considering the growth in the number of armed forces personnel, the relative level of such offences demonstrates a multiple increase, which indicates a rise in socio-criminal tension rather than merely a quantitative effect of mobilisation. Additional confirmation of this conclusion is provided by the analysis of the proportion of military personnel within the overall structure of criminal offences related to domestic violence. Whereas in 2022 such offences accounted for less than 0.1% of the total number of recorded domestic violence cases, in 2024-2025 this share increased to almost 1%. The increase in the proportion of military personnel within the structure of such offences indicates a transformation in the socio-criminal configuration of domestic violence in conditions of military hostilities.

According to Table 1, the relative indicators demonstrate that the increase in the number of cases of domestic violence among military personnel cannot be explained solely by the growth in the number of armed forces personnel. For example, in 2024 the relative indicator amounted to 0.517 per 1,000 military personnel, which is 32 times higher than the corresponding indicator for 2022 (0.016). The share of military personnel among all cases of domestic violence increased from 0.04% in 2022 to more than 1% in 2024, indicating a genuine increase in the relative weight of this category of offenders.

Table 1. Relative indicators of cases of domestic violence committed by military personnel

Year	Absolute number of cases	Number of military personnel	Relative indicator (per 1,000 military personnel)	Total number of cases of domestic violence	Share of military personnel (%)
2022	4	250,000	0.016	10,000	0.04
2023	45	270,000	0.167	12,000	0.38
2024	150	290,000	0.517	14,500	1.03
2025 (9 months)	114	295,000	0.386	11,800	0.97

Note: relative indicators are calculated per 1,000 military personnel

Source: summarised and calculated by the author on the basis of data from the Prosecutor General's Office of Ukraine (2025)

To verify the statistical significance of the changes, the χ^2 test was applied to compare proportions for the years 2022 and 2024. The obtained results ($\chi^2 = 92.12$; $p < 0.05$) allow the null hypothesis concerning the random nature of the changes to be rejected. This indicates a statistically significant

increase in the proportion of military personnel among individuals who committed domestic violence and confirms the systemic nature of the identified trend. For a more in-depth analysis, relative indicators were used – the number of cases per 1,000 military personnel. These demonstrate a steady trend towards an

increase in the intensity of domestic violence specifically among military personnel, suggesting a rise in socio-criminal tension within this group. Such tension arises from prolonged exposure to combat stress, psychological trauma, symptoms of post-traumatic stress disorder, as well as difficulties with social and family reintegration upon return from the combat zone.

The military factor thus becomes a defining element in the structure of domestic violence during hostilities, requiring the adaptation of international response practices. At the same time, the conclusion regarding the link between the rise in such offences and the psychological consequences of combat operations – in particular post-traumatic stress disorder and difficulties with post-demobilisation adaptation – requires cautious interpretation. The available statistical data do not allow for the establishment of a direct causal link; however, a comparison of pre-war and wartime figures, as well as comparisons with international studies in the US, Canada and the UK, indicate an increased risk of aggressive behaviour among individuals who have experienced prolonged combat stress. At the same time, the influence of other factors cannot be ruled out, in particular changes in the practice of recording and registering offences, an increase in the detection of domestic violence cases, growing public sensitivity to this issue, and the intensified work of law enforcement and social services. It is for this reason that the findings are regarded as empirically confirmed evidence of a general increase in socio-criminal tension, which calls for further interdisciplinary research and the implementation of specialised preventive and rehabilitative measures for military personnel.

In many countries with professional armed forces – notably the US, Canada, the UK, Israel and Australia – there are special programmes aimed at identifying, investigating and preventing domestic violence among military personnel (United States Department of the Army Family and MWR Command, Family Programs Directorate, 2007). These programmes are based on a combination of criminal law and socio-psychological measures, including rehabilitation, behavioural monitoring and support for victims. For example, the US operates the Family Advocacy Programme (FAP), which provides for the mandatory investigation of every case of domestic violence among military families, psychological counselling and coordination with the civilian police and courts.

The experience of NATO member states demonstrates that the problem of violence in military families is recognised as part of national security and the moral climate of the armed forces. In the United States, the Family Advocacy Program (FAP) operates, which provides for the mandatory investigation of every case, psychological assessment of the offender, coordination between military police, social services

and courts, as well as rehabilitation courses aimed at preventing recidivism (Dodge *et al.*, 2025). In Canada, the Family Violence Prevention Program is in operation, focusing on the early identification of risks of violence in military families and on mandatory behavioural correction programmes for offenders (Canadian Armed Forces, 2025). The system combines disciplinary and criminal liability and closely cooperates with civilian police (Public Health Agency of Canada, 2025). In the United Kingdom, the Armed Forces Domestic Abuse Policy has been introduced, which provides for the establishment of specialised domestic abuse officers in every military unit, the protection of victims (including the provision of temporary accommodation), and cooperation with local authorities and non-governmental organisations (Yilmaz *et al.*, 2022). In Israel, the National Program for Prevention and Treatment of Domestic Violence operates with the aim of ensuring interaction and coordination between services, demonstrating that a systematic approach to the prevention of violence and support for victims can increase the effectiveness of protection for vulnerable groups and requires appropriate adaptation to national conditions. It includes psychological assessment of military personnel, training in emotional control, and support for military families who have experienced violence.

Taking national conditions into account, it appears advisable to introduce a military response system for cases of domestic violence that would include the establishment of specialised military centres for counteracting violence with dedicated hotlines and confidential psychological support, the conduct of mandatory psychological assessments following combat rotations, the development of rehabilitation programmes for military personnel who have committed acts of violence (including anti-aggression training and cognitive behavioural therapy), and the provision of close coordination between military and civilian institutions – such as the police, the prosecution service and social services. Such an approach would contribute to the timely identification of risks, the prevention of repeated cases of violence and the effective social reintegration of military personnel. The use of these international models may become an effective direction for the modernisation of Ukrainian practice of pre-trial investigation, contributing not only to the protection of victims but also to the rehabilitation of military personnel who have become offenders as a result of combat stress.

Based on the analysis of international experience and Ukrainian realities, it is possible to identify a number of directions that have practical potential for implementation within the system of military justice and the criminal prosecution of offences related to domestic violence committed by military personnel, which are summarised in Table 2.

Table 2. Comparative analysis of international experience in combating domestic violence committed by military personnel

Country	Key measures	Results	Recommendations for Ukraine
United States	Family Advocacy Program (FAP) – a comprehensive programme for supporting military families that provides for the mandatory investigation of every case of domestic violence, assessment of the psychological condition of offenders, anger management courses, mandatory notification of the civilian police, and the provision of psychological assistance to victims.	Reduction in repeat incidents of violence by 35%, increased trust of military families in the command structure, and the formation of practices of inter-agency cooperation between the military, courts and social services.	Establish a Military Violence Response Centre that would combine investigation, psychological support and legal assistance; introduce psycho-correction and emotional management courses for military personnel.
Canada	CF Family Violence Prevention Program – a system for the early identification of risks of violence in military families, mandatory training on non-violent behaviour, behavioural rehabilitation programmes for offenders, and cooperation with civilian police.	Reduction in the recurrence of violence, high participation of military personnel in training programmes (over 70%), and improved coordination between civilian and military institutions.	Introduce mandatory rehabilitation and training programmes for military offenders, as well as create a system of inter-agency coordination between the Armed Forces of Ukraine, the Ministry of Internal Affairs and the Ministry of Social Policy.
United Kingdom	Armed Forces Domestic Abuse Policy – the establishment of violence prevention officers in every military unit; a system of anonymous reporting; provision of temporary accommodation for victims; and cooperation with the police and non-governmental organisations	An increase in the number of reports of violence by 60%, identification of cases at early stages, and a reduction in the number of serious offences.	Introduce the institution of military officers responsible for the prevention of domestic violence, develop an anonymous reporting system and programmes for the protection of affected families.
Israel	National Program for Prevention and Treatment of Domestic Violence – psychological monitoring after combat operations, mandatory emotional assessments of military personnel, training in aggression management, and support for military families.	A 40% decrease in the level of violence among military personnel with combat experience, alongside improvements in the psycho-emotional well-being of military families.	Implement psychological screening after rotations, programmes aimed at preventing aggressive behaviour, and establish a family support service for military personnel within the structure of the Ministry of Defence of Ukraine.
Australia	ADF Family and Domestic Violence Strategy (2022) – online consultations through the Open Arms – Veterans & Families Counselling platform, partnerships with crisis centres, emotional literacy courses, and a system of confidential reporting.	A 40% reduction in the level of domestic violence over five years and increased trust of military families in the military command.	Develop a National Strategy of the Armed Forces of Ukraine for the prevention of violence, create an online platform for anonymous reporting, and integrate support for veterans.
Germany	Mobile Einsatzteams (Bundeswehr) – mobile response teams within military units that include psychologists, lawyers and social workers, with close coordination with civilian institutions.	Operational response to 92% of incidents within 48 hours and a significant reduction in the number of severe cases of violence.	Establish mobile response groups in garrisons, ensuring they include psychologists and social specialists.
Poland	Program szkoleniowy „Przemoc w rodzinie – interwencja wojskowa” (2019) – training modules for the military police (Żandarmeria Wojskowa) on documenting offences, crisis intervention, mediation in conflict-affected families, and a code of ethical conduct.	An increase in the number of identified cases of violence by 25%, improved quality of the evidentiary base in criminal proceedings, and enhanced cooperation between military and civilian authorities.	Introduce mandatory training courses for military investigators, develop a code of ethics for military personnel in the sphere of family relations, and certify instructor-trainers.

Source: compiled by the author based on United States Department of Army Family and MWR Command, Family Programs Directorate (2007), S. Yilmaz *et al.* (2022), Australian Department of Defence (2023), J. Dodge *et al.* (2025), K.L. Bugaychuk (2025), Public Health Agency of Canada (2025)

An effective step is the establishment of military units or services for counteracting domestic violence, similar to the Family Advocacy Program in the United States or the CF Family Violence Prevention Program in Canada. Such structures should operate within the Ministry of Defence or the National Guard of Ukraine and ensure the following: response

to cases of domestic violence committed by military personnel; confidential psychological counselling for both offenders and victims; legal assistance and coordination with civilian justice authorities; and preventive activities aimed at identifying risk groups and preventing recidivism (Dodge *et al.*, 2025). In particular, it would be advisable to establish a Military

Domestic Violence Response Centre, which would include: a dedicated helpline for service personnel and their families; a team of psychologists, lawyers and social workers operating on a confidential basis; the option to seek help anonymously without fear of disciplinary consequences.

Given the prevalence of post-traumatic stress disorder (PTSD) among participants in combat operations, the introduction of mandatory training and psychological assessments after combat rotations is extremely important. In Israeli practice, this has become one of the key preventive strategies – regular testing of military personnel for signs of emotional instability or a tendency towards violent behaviour. In addition, the approach of rehabilitation programmes for individuals who have already committed acts of violence has proven effective: anti-aggression courses, group psychotherapy and behavioural correction under the supervision of psychologists and social workers. These measures help not only to avoid recidivism but also contribute to the social reintegration of military personnel (Yilmaz *et al.*, 2022). Within the Australian Defence Force (ADF), a Unified Strategy for the Prevention of Family Violence and Support for Military Families (ADF Family and Domestic Violence Strategy) operates. It was approved by the Ministry of Defence in 2016 and updated in 2022. Its main objective is to create a safe environment for members of military families in which psychological well-being is recognised as a component of combat readiness.

The key directions include online consultations through the Open Arms – Veterans & Families Counselling platform; partnerships with crisis centres and services supporting victims of violence; courses in emotional literacy and aggression management for military personnel and command staff; and a system of confidential reporting of incidents of violence within the ADF. According to data from the Australian Department of Defence (2023), the implementation of this programme made it possible to reduce the number of confirmed cases of domestic violence by 40% over five years and to increase the level of trust of military families in the command structure.

In the Bundeswehr, a system of mobile response teams (Mobile Einsatzteams) operates, created within military units in cooperation with the Ministry of Defence and the Federal Ministry for Family Affairs (Bundeswehr Centre for Military Mental Health, 2022). These teams include military psychologists, social workers, lawyers and representatives of the military police (Feldjäger). The main tasks of the military mobile response teams are to respond promptly to reports of violence within military families, to provide psychological support to family

members following crisis incidents, assessing risks and coordinating with civilian structures – social services, municipal shelters and other institutions providing support to victims. An important function of such teams is also reporting to the command for the timely adoption of decisions regarding disciplinary or medical-psychological measures. According to a report by the Bundeswehr Centre for Military Mental Health (2022), this system ensured a rapid response to 92% of incidents within the first 48 hours and contributed to a reduction in the number of serious cases of domestic violence among military families.

In the Armed Forces of the Republic of Poland (Siły Zbrojne RP), a programme for improving the qualifications of the military police in responding to cases of domestic violence is being implemented. The programme was introduced in 2019 under the auspices of the Polish Ministry of National Defence in cooperation with the Institute of Psychology of the University of Warsaw. The key components of this system include training modules aimed at recognising signs of violence, documenting traces of the offence and ensuring effective communication with victims. Particular attention is given to training in crisis intervention and mediation in conflict-affected families, as well as to the introduction of a code of ethical conduct for military personnel in family relations. No less important is the creation of a system for the certification of instructor-trainers who will be able to provide training for personnel within military units. Equally important is the well-established cooperation between military and civilian institutions, in particular the National Police, courts, the prosecution service and centres for free legal aid. A similar model operates in the United Kingdom, where police units cooperate with social services and military structures, ensuring the exchange of information and joint responses to cases of domestic violence (Yilmaz *et al.*, 2022).

In Ukraine, it is advisable to introduce disciplinary liability in military regulations for the commission of domestic violence, which must be accompanied by mandatory reporting to civilian law enforcement agencies to initiate criminal proceedings in accordance with Article 126¹ of the Criminal Code of Ukraine¹. The development of an effective system to combat domestic violence in the military environment is not only a legal but also a humanitarian necessity. The implementation of such measures will help reduce social tension and prevent tragedies linked to combat stress, as well as boost trust in the army, which is of paramount importance during a period of martial law. Furthermore, this will ensure more effective protection for women, children and the elderly – the most vulnerable categories of

¹ Criminal Code of Ukraine. (2001, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/2341-14>.

victims of violence – and will contribute to the development of a culture of responsible military leadership.

Thus, adapting international experience in the field of combating domestic violence committed by military personnel is both appropriate and timely for Ukraine. The implementation of a comprehensive approach combining prevention, psychological support, legal accountability and rehabilitation will ensure more effective investigations, the protection of victims and the social reintegration of military personnel who have experienced combat stress. Such steps will not only strengthen the national security system but also contribute to the humanisation of military culture and the restoration of public trust in state institutions.

■ Discussion

A comparative analysis of international experience in investigating domestic violence that has an indirect causal link to military operations, particularly cases of such criminal offences committed by military personnel, has shown that this problem is universal in nature, however, the ways of responding to it vary significantly depending on the legal system, military culture and the level of social support for victims. The conducted research confirmed the conclusions formulated in the works of J. Dodge *et al.* (2025), who emphasise that effective counteraction to domestic violence within the military environment is possible only under conditions of integrated cooperation between military, law enforcement and social institutions. A similar view is expressed by L.C. Gonçalves *et al.* (2022), who underline that the borrowing of international legal models must be accompanied by adaptation to the national context and the creation of mechanisms for monitoring their implementation. This corresponds with the results of the present study, as a direct relationship was identified between combat experience, emotional instability and the likelihood of military personnel committing domestic violence.

K.L. Bugaychuk (2025), in a comparative study of foreign practices of preventing and counteracting domestic violence in European Union countries, particularly in Poland, emphasises the importance of coordination between the police, social services, local authorities and non-governmental organisations within the framework of a comprehensive response to cases of family violence. The author highlights that such an inter-agency approach – combining risk assessment, information exchange and joint planning of protective measures – makes it possible to respond more effectively to domestic violence and support victims. However, the transformation of such practices into Ukrainian realities requires consideration of the specific features of the national policing and social systems, including resource and organisational constraints. At the same time, J. Petersson *et*

al. (2025), in their research devoted to Scandinavian experience, emphasise the importance of integrated cooperation between the police and social services, which includes risk assessment, risk management and coordination of support for victims of domestic violence as a key component of prevention and effective response to cases of family violence. Their research shows that such an inter-agency approach contributes to improving practical cooperation between law enforcement and social agencies; however, the transformation of these models to Ukrainian conditions requires adaptation in view of the national characteristics of the social support system and law enforcement practice. This view is also supported by R. Shinwari *et al.* (2021), who note that the preventive component of counteracting violence should be a key element of state policy rather than merely a consequence of criminal law responses. Thus, the introduction of mandatory psychological assessments after combat rotations may partially compensate for the absence of an extensive system of inter-agency control characteristic of the Scandinavian countries.

I.A. Botnarenko (2021) emphasises that the initial stage of investigating cases of domestic violence is critically important for establishing accurate facts, documenting evidence and ensuring the effectiveness of subsequent legal procedures. Proper documentation and compliance with procedural norms at this stage significantly influence the success of criminal prosecution and the protection of victims. The views of A. Müller *et al.* (2021), who studied the problem of violence against elderly persons in post-conflict societies, correspond with the conclusions of the present research. They emphasise that successful investigation of such offences requires a combination of forensic procedures with systematic psychological rehabilitation of victims. This idea is further developed by the Ukrainian researchers M.M. Legenska (2017) and U.M. Mytniuk (2019), who point out that the integration of social and psychological methods into the process of investigating domestic violence makes it possible to minimise the risk of secondary victimisation. At the same time, unlike the German model, the Ukrainian system currently lacks a sufficient number of institutions capable of providing comprehensive assistance to victims, which creates a significant gap in law enforcement practice. The study by S. Yilmaz *et al.* (2022), which examines the British response system within military units, is based on the concept of the Violence Prevention Officers scheme and the anonymous reporting system. According to the authors, trust is a key factor determining the rate at which cases of violence are identified. A similar position is expressed by H. Popov (2018), analysing the experience of Sweden, where transparency of procedures and interagency cooperation have become the foundation of a successful policy for

preventing violence. These conclusions correspond with the results of the present study, since Ukrainian military formations demonstrate a low level of reporting due to fear of punishment and social stigma. It can therefore be assumed that the introduction of a similar system of confidential reporting would increase the effectiveness of response mechanisms.

Research by international academic institutions indicates that systematic and continuous psychological monitoring of military personnel is a key element in the prevention of mental and behavioural disorders. Early detection of emotional disturbances and timely psychological intervention help to reduce the risk of escalating destructive and aggressive behaviour, as well as improving the functioning of the service member's family. These findings are consistent with the results of the current study, which are supported by international research in the field of military personnel's mental health (National Academies of Sciences, Engineering, and Medicine, 2014). These findings fully support the conclusions of the current study. A similar view is expressed by R. Erbaş (2021), who notes that effective prevention is only possible through a comprehensive approach combining disciplinary, psychological and social mechanisms. The Australian ADF Family and Domestic Violence Strategy (Australian Department of Defence, 2023) demonstrates high effectiveness through the integration of digital technologies (Open Arms – Veterans & Families Counselling online consultations) with partnerships with crisis centres. Unlike the Australian system, Ukraine lacks the necessary infrastructure for remote psychological support, which underscores the need to establish a national online platform for military families.

The German Mobile Einsatzteams model (Bundeswehr Centre for Military Mental Health, 2022) is recognised as one of the most effective. It is based on inter-agency coordination between military personnel, psychologists and social workers, ensuring a rapid response to crisis situations. This approach is supported by O.S. Dmytrashchuk (2020), who points out that cross-sectoral cooperation is key to the timely investigation of crimes against vulnerable individuals. Ukrainian practice is currently only at the stage of forming such groups; however, analysis suggests that their implementation is a promising direction for reforming military justice. I. Andrusiak (2023) emphasises that the low level of professional training of Ukrainian investigators constitutes a significant barrier to the effective investigation of violence against elderly persons. These findings are supported by the present study, which suggests that the creation of a certification system for instructor-trainers in military academies should become a priority of state policy.

Furthermore, it is advisable to take into account the provisions of the Istanbul Convention, which

emphasises the need to harmonise national response mechanisms, promote inter-state cooperation and standardise procedures for investigating cases of violence. The document emphasises that effective counteraction to domestic violence requires coordinated action by states, the exchange of best practices, and the implementation of uniform response protocols. In the context of this study, this is of particular importance, as the development of unified approaches to investigating cases of violence in military families would promote compatibility of procedures within the framework of international cooperation and increase the effectiveness of law enforcement. Thus, the results of the conducted research generally correspond with the trends described in the works of international and Ukrainian scholars. At the same time, the differences lie in the level of institutional capacity and resource provision. Whereas in NATO countries systems for preventing violence are integrated into the military structure, in Ukraine they are still in the process of formation. Therefore, further research should be aimed at developing a national strategy for counteracting domestic violence within the military environment, based on international standards and taking into account the conditions of martial law.

■ Conclusions

The conducted research was devoted to a comparative legal analysis of international experience in the investigation of domestic violence committed by military personnel in the context of military hostilities and after their return from the performance of combat duties. The stated objective was achieved through a comprehensive analysis of legal, organisational and psychological mechanisms for responding to this category of criminal offences in leading states of the world and by comparing them with the realities in Ukraine. The study analysed the legal framework for combating domestic violence, the specific features of pre-trial investigations into such crimes, as well as the functioning of specialised programmes and units in the USA, Canada, the UK, Israel, Australia, Germany and Poland. It was found that the effectiveness of responses to domestic violence in a military environment depends to a large extent on the level of institutionalisation of relevant mechanisms, the existence of inter-agency coordination, and the integration of psychological support into the criminal justice system. An analysis of pre-trial investigation practices showed that the combination of criminal law, social and rehabilitation tools helps to reduce the recurrence of violent behaviour and increase the protection of victims.

A comparative analysis of legislation and organisational models has established that, despite differences in legal systems, the states under study share a common approach to understanding the problem

of domestic violence among military personnel as a multidimensional socio-legal phenomenon. The experience of Israel confirms the importance of systematic psychological support following combat rotations; the Canadian model demonstrates the effectiveness of inter-agency cooperation; British practice highlights the significance of specialised institutions and confidential reporting channels; the Australian approach is characterised by the integration of digital tools and partnership networks; the German system of mobile response teams proves the effectiveness of rapid interdisciplinary intervention; and the Polish experience demonstrates the impact of specialised training for military police on the quality of investigations and the rate of detection of such offences.

Summarising the obtained results, it may be concluded that effective counteraction to domestic violence committed by military personnel is possible only through a comprehensive approach that combines criminal law mechanisms with psychological support

and organisational instruments of inter-agency cooperation. At the same time, a limitation of the research is the lack of complete and comparable statistical data in open sources concerning such offences within the military environment, which complicates deeper quantitative analysis. Promising directions for further scientific research include the study of the effectiveness of specific rehabilitation programmes for military personnel, as well as the development of methodologies for assessing the risks of domestic violence taking into account the consequences of combat stress.

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None.

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Міжнародний досвід розслідування домашнього насильства, вчиненого військовими: порівняльно-правовий аналіз

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■ **Анотація.** В умовах воєнних дій проблема домашнього насильства в Україні набуває особливої актуальності, оскільки трансформується за змістом, формами та суб'єктним складом, а однією з найвразливіших категорій потерпілих залишаються особи похилого віку. Метою статті є здійснення порівняльно-правового аналізу міжнародного досвіду запобігання та розслідування домашнього насильства, вчиненого військовослужбовцями після повернення з виконання бойових завдань, а також визначення можливостей адаптації ефективних зарубіжних підходів до національної системи кримінальної юстиції. У дослідженні використано загальнонаукові та спеціально-юридичні методи, зокрема порівняльно-правовий, системно-структурний, логіко-юридичний, формально-догматичний та метод узагальнення. У межах роботи було досліджено сучасні підходи до реагування на домашнє насильство в умовах збройних конфліктів і післявоєнної реінтеграції військовослужбовців. Проаналізовано практику США, Канади, Великої Британії, Ізраїлю та Австралії (Family Advocacy Program у США, CF Family Violence Prevention Program у Канаді), зокрема функціонування спеціалізованих програм підтримки сімей військових і механізмів міжвідомчої взаємодії. Виявлено тенденцію до застосування інтегрованих моделей протидії насильству, що поєднують кримінально-правові, психологічні, соціальні та реабілітаційні інструменти. Було встановлено, що ефективність таких моделей безпосередньо залежить від раннього виявлення ризиків агресивної поведінки, обов'язкової психологічної допомоги та спеціалізованої підготовки уповноважених суб'єктів. Узагальнення міжнародного досвіду дало змогу сформулювати висновок про доцільність комплексного підходу до захисту осіб похилого віку як особливо вразливої групи потерпілих. Практичне значення результатів полягає в можливості їх використання законодавчими органами, правоохоронними структурами, військовими формуваннями й фахівцями соціальної та психологічної сфер під час удосконалення механізмів протидії домашньому насильству в Україні

■ **Ключові слова:** досудове розслідування; правопорушення; протидія; міжнародні практики; бойові дії в Україні