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The role of the State in the initial protection of women in situations of domestic violence: police assistance, urgent measures, and economic vulnerability.

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The role of the State in the initial protection of women in situations of domestic violence: police assistance, urgent measures and economic vulnerability

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Abstract

Domestic violence against women constitutes a serious violation of human rights and reveals structural flaws in state action, especially in the initial stages of protection for victims. Although Law No.

While Law 11.340/2006 (Maria da Penha Law) represents a normative milestone in addressing gender-based violence, its effectiveness depends on the integrated and immediate action of public bodies responsible for providing support, registering incidents, and applying urgent protective measures. This study analyzes the role of the State in the initial protection of women in situations of domestic violence, with an emphasis on police assistance, the granting and monitoring of protective measures, and the implications of economic vulnerability for the effectiveness of these responses. It begins with the problem of obstacles faced by victims in seeking institutional help, such as the lack of preparedness of public agents, revictimization, and the insufficiency of public policies aimed at women's economic autonomy. The research adopts a qualitative and exploratory methodology, based on bibliographic and documentary research, with analysis of legislation, doctrinal productions, institutional reports, and official data. From an interdisciplinary and critical-reflective approach, it seeks to understand domestic violence as an expression of historical and structural gender inequalities. It is concluded that initial protection is still insufficient, requiring coordinated actions from the State involving public security, justice, and social assistance, capable of breaking the cycle of violence and promoting the dignity, autonomy, and citizenship of women.

Keywords: Domestic violence; Protective measures; Economic vulnerability.

Abstract

Domestic violence against women constitutes a serious violation of human rights and reveals structural failures in state action, especially at the initial stage of protecting victims. Although Law No. 11,340/2006 (the Maria da Penha Law) represents a normative milestone in combating gender-based violence, its effectiveness depends on the integrated and immediate action of public agencies responsible for reception, incident reporting, and the implementation of urgent protective measures.

This study analyzes the role of the State in the initial protection of women in situations of domestic violence, with an emphasis on police assistance, the granting and monitoring of protective measures, and the implications of economic vulnerability for the effectiveness of these responses. The analysis is grounded in the obstacles victims face when seeking institutional assistance, such as a lack of training among public officials, revictimization, and insufficient public policies aimed at women's economic autonomy. The research adopts a qualitative and exploratory methodology, based on bibliographic and documentary review, including the analysis of legislation, doctrinal works,

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institutional reports, and official data. Through a juvenile, interdisciplinary, and critical-reflective approach, the study seeks to understand domestic violence as an expression of historical and structural gender inequalities. It concludes that initial protection remains insufficient, requiring coordinated state action among public security, justice, and social assistance sectors to break the cycle of violence and promote women's dignity, autonomy, and citizenship.

Keywords: Domestic violence; Protective measures; Economic vulnerability.

1. Introduction

Law 11.340/2006, known as the Maria da Penha Law, defines domestic violence and family history includes any action or omission based on gender that causes death, injury, physical suffering, sexual, psychological, patrimonial or moral harm to women within the domestic, family or other context. any intimate relationship of affection. This legislation was innovative in recognizing violence as an expression of the power inequalities between men and women, seeking to break the cycle of submission and dependency. According to Gomes (2022, p. 46), “the norm has a protective and pedagogical character, aimed at Prevention and accountability of the aggressor, promoting material equality and dignity. "feminine". It follows that the Maria da Penha Law was created with the intention of preserving dignity. female, in accordance with art. 10-A, Inc. III of Law No. 11.340/2006.

The Civil Police plays a fundamental role in receiving complaints and conducting investigations. of the facts and in referring victims to protection services. The Specialized Police Stations Women's Assistance Centers (DEAMs) were created precisely to offer support. humane, avoid revictimization and ensure qualified recording of incidents. Amorim (2022, p. 34) highlights that these units strengthen the victim's confidence in the justice system and make it possible "Faster responses." It can be inferred that DEAMS (Specialized Police Stations for Women) provide greater safety to female victims. of the Maria da Penha Law.

The State has a duty to guarantee the effectiveness of the emergency protective measures provided for. under the Maria da Penha Law, ensuring that the judicial decision produces concrete and immediate results. This implies continuous monitoring, data integration between agencies, and social follow-up of... victim. Peixoto and Dias Júnior (2025, p. 89) “emphasize that the effectiveness of the measures depends on efficient communication between the police, the Public Prosecutor's Office and the Judiciary”. It is public knowledge that Public authorities must cooperate to ensure that public regulations concerning the protection of to ensure that measures against domestic violence against women are effective.

Domestic violence is a structural phenomenon that affects thousands of women in Brazil and This constitutes one of the most serious violations of human rights. The 1988 Federal Constitution, when To ensure the dignity of the human person as a foundation of the Republic (Article 1, item III), requires... The State has an obligation to protect the physical, psychological, and moral integrity of victims. However, the The effectiveness of this protection still faces numerous challenges.

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According to Saffioti (2015), violence against women is rooted in a structure patriarchal system that naturalizes unequal power relations and perpetuates cycles of dependency and silencing. The Maria da Penha Law (Law 11.340/2006) represented an important legal milestone. by providing for urgent protective measures and holding the State responsible for prevention, but its The application is hampered by institutional flaws.

According to Pasinato (2020), many women face obstacles even in the initial care, whether due to the absence of specialized police stations, or the lack of sensitivity of public officials. This situation is characterized as secondary victimization, in which the victim, in addition to the violence suffered, encounters negligence or discredit on the part of state institutions. The woman victim of the Maria da Penha Law. da Penha has encountered negligence since her first contact with those responsible for the order. public.

Another crucial point relates to economic vulnerability. Data from the Brazilian Forum of Public Security (2023) indicates that financial dependence is one of the main factors that They hinder reporting and breaking ties with the abuser. In this sense, Garcia and Souza (2021) highlight that The absence of intersectoral public policies aimed at women's economic empowerment exacerbates the... Perpetuation of violence. The crime covered by the Maria da Penha Law, for the most part, stems from economic vulnerability.

The role of social assistance is indispensable for empowering women who are victims of violence. Violence, especially regarding economic and emotional autonomy. Transfer programs. Income support, institutional care, and professional retraining are measures that help in... reconstruction of these women's lives. Maffacciolli (2024) emphasizes that the protection policy must to coordinate security, justice, and assistance services, forming an integrated network of confrontation. In this way, protection ceases to be solely a police matter and begins to incorporate dimensions. social, psychological, and economic factors. The crucial point to be addressed concerns the creation of policies. public services for victims in vulnerable situations.

The rights to life, physical integrity, and liberty are fundamental guarantees enshrined in law. by the Federal Constitution of 1988, which imposes on the State the duty to prevent and repress all forms of violence. In the domestic context, economic dependence acts as a barrier to effective action. of these rights, perpetuating situations of submission and risk. Ferrez and Schiavon (2022) state that the Poverty and economic inequality reduce the reach of protection policies, which necessitates action. State-owned companies that promote financial independence and social inclusion. These are, therefore, points that These results stem from infractions outlined in the Maria da Penha Law and a lack of economic independence. of women, a relevant factor for coexistence in society.

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2. Materials and Methods

The methodology adopted in this research is qualitative and exploratory in nature, focused on understanding the multiple dimensions of economic vulnerability and emotional dependency as Factors that perpetuate gender-based violence. The study is based on an approach interdisciplinary, linking the fields of Law, Psychology and Social Work, in order to to highlight the legal, social, and emotional implications that condition the permanence of Women in abusive relationships. Qualitative research enables the interpretative analysis of sources. normative, doctrinal, and empirical approaches, seeking to understand the phenomenon of dependency not only as a social fact, but also as an expression of structural inequality.

The methodological procedure was based on bibliographic and documentary research. involving the analysis of doctrinal works, relevant legislation, especially Law 11.340/2006 (Maria da Penha Law), reports from international organizations, scientific articles and statistical data from official institutions, such as UN Women and the Brazilian Forum on Public Security. Exploratory research made it possible to identify gaps in state action and in public policies aimed at to women's emancipation.

Using content analysis techniques, the aim was to understand how the authors... They address the interrelationships between economic dependence, social vulnerability, and violence. domestic, as well as identifying the institutional practices that contribute to maintaining this cycle.

The methodology also adopts a critical-reflective approach, inspired by the dialectical method, to to recognize that gender inequality is a product of historical and structural contradictions of patriarchal society. Thus, the research is not limited to describing reality, but proposes a A reflection on the transformative role of the State and public policies in promoting autonomy. financial and emotional well-being of women.

3 Results

Domestic violence against women is one of the most serious social problems and Human rights in contemporary Brazil, demanding integrated and immediate state action. According to Gomes (2022, p. 45) argues that gender-based violence reflects a structural and historical phenomenon, which demands Intersectoral public policies that link security, justice, and social assistance. The effectiveness of Protection still faces obstacles related to the initial response from the State, especially in police assistance and the granting of emergency protective measures.

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Police assistance represents the first contact between the victim and the State, being crucial for ensuring the continuity of the protection process. Studies by Amorim (2022, p. 33) point out that specialized police stations, although fundamental, face an overload of "The demands and lack of technical training among professionals." The overload of services reveals There is high social demand, while a lack of training indicates a need for investment. continuous professional development. In this context, Andrade, Macedo and Pona (2024, p. 77) They advocate for the need for standardized protocols and continuous training for police officers and "To ensure humane and effective service for our staff."

It follows that the need for standardized protocols and successive training sessions for The role of police officers and civil servants, within the context of Law No. 11.340/2006, is fundamental to enabling service. efficient and never re-victimizing for women in situations of domestic and family violence. Thus, the Lack of specialization and uniformity in approaches can result in revictimization. Skepticism towards institutions and failures in protecting the victim's life.

According to Peixoto and Dias Júnior (2022), regarding emergency protective measures, Recent research indicates that its judicial granting is increasing, but its effectiveness is still lacking. It depends on monitoring and integration between security and justice agencies. Another aspect What is particularly relevant is the economic vulnerability of women, which often limits their ability to Breaking the cycle of violence. Financial dependence is one of the main factors that perpetuate it. women in abusive relationships, even after filing a police report.

According to Ferrez and Schiavon (2022, p. 212), “poverty and lack of economic autonomy They reduce the effectiveness of security policies, because the woman, upon returning to the abuser's home... "due to a lack of alternatives." The social relevance of the research is evident in its potential to contribute to reduce recidivism and femicide rates, strengthening the protection of rights. fundamental to life and dignity.

In the scientific field, "the analysis of the interface between police service, the measures protective measures and economic vulnerability fill gaps in the contemporary literature on the subject. "Operationalization of public protection policies" (Joly et al., 2025). This highlights the importance of to understand how institutional and socioeconomic factors interact to ensure the effectiveness of public policies. I realize that this analysis helps to fill relevant gaps in the literature. scientific

From an academic point of view, "the research fosters interdisciplinary reflections between Law, Social Work and Public Security, serving as a basis for the training of professionals and for the "Evidence-based policy formulation" (World Bank, 2023, p. 17). The articulation between Different areas broaden the understanding of social and legal problems.

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Finally, the proposed research has a direct impact on the quality of public policies and on...
Protection of women in situations of violence. By identifying shortcomings and proposing solutions, the study
It contributes to strengthening state action and promoting more accessible justice.
efficient and humane

4. Discussion

It is clear that the topic highlights that the initial protection of the victim requires not only the adoption of
Urgent legal measures are needed, but also the strengthening of social policies and the qualification of...
Police interventions and combating institutional revictimization. Domestic violence cannot be...
understood not merely as an individual problem, but as a structural issue that demands
The state's response on several fronts.

Initial protection for women experiencing domestic violence is still ineffective.
primarily due to the lack of preparedness of police institutions and the absence of public policies that
ensure economic autonomy for victims. This gap favors revictimization and contributes to...
Perpetuation of the cycle of violence, revealing structural flaws in the State.

Domestic violence is a structural phenomenon affecting thousands of women worldwide.
Brazil, and it is one of the most serious violations of human rights. The 1988 Constitution, in electing the dignity of
The human person as the foundation of the Republic (Article 1, item III) imposes on the State the duty to
To safeguard the physical, psychological, and moral integrity of the victims. However, the realization of this protection...
It still faces significant obstacles.

The consolidation of women's human rights represents one of the greatest advances in...
contemporary constitutionalism, but also one of the most challenging fields for implementation.
The practice of these rights. The State, as the guarantor of these rights, must act proactively.
in the formulation and implementation of public policies aimed at protection, promotion and reparation
of the historical inequalities that affect women. The 1988 Brazilian Constitution, in enshrining the dignity of the person
human rights as a foundation of the Republic (Article 1, III) and by guaranteeing gender equality (Article 5, I),
establishes normative bases that oblige the Brazilian State to adopt concrete measures to
to ensure the full exercise of women's human rights.

According to Maria Berenice Dias (2021, p. 78), violence against women is a direct violation of
human rights and demands “the firm and continuous presence of the State, not only in repression, but
"primarily in prevention and social education." The author emphasizes that legal recognition
The recognition of women as subjects of rights occurred late, and even after the creation of the Maria da Penha Law...
Penha (Law No. 11.340/2006), gaps persist in its implementation, especially due to the absence

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of integrated public policies. It should be emphasized that state omission and inaction tarnish the duty of protection and the very notion of a democratic rule of law.

Finally, women's human rights require proactive, cross-cutting state action and guided by a gender perspective. The effectiveness of these rights requires not only the creation of laws, but also the implementation of integrated public policies, the strengthening of institutions of protection and holding the State accountable for its omissions.

4.1 ADPF 635 reports from the trial regarding police operations on violence against women

ADPF 635, judged by the Supreme Federal Court, although its central focus is Police lethality also has significant repercussions for the protection of vulnerable groups. especially women experiencing violence in peripheral communities of Rio de Janeiro. The trial highlighted the need for public security policies that take into account the gender specificities.

During the analysis of the case, the ministers emphasized that state action must respect the fundamental rights, including the protection of women's physical and psychological integrity, frequently exposed to domestic and institutional violence. As Silva (2023, p. 85) points out, "The State's omission in vulnerable contexts intensifies gender-based violence and perpetuates it." structural inequalities.

The State's omission in contexts of vulnerability is not limited to a mere absurdity. administrative, but it constitutes an active element that fuels gender violence and perpetuates it. Structural inequalities, acting as an indirect accomplice to crimes such as femicide.

Reports from the trial also indicate that disorganized police operations can exacerbate situations of violence against women, hindering access to protection services and assistance. In this sense, Souza (2024, p. 119) states that “the absence of planning in actions "Safety measures directly impact women who are already in a situation of social risk."

Another relevant aspect was the need for integrated action between public bodies, such as Security, health, and social assistance services, to ensure effective protection for women. (According to Oliveira) (2025, p. 62), “the decision in ADPF 635 reinforces the importance of intersectoral policies in "Combating violence against women."

Thus, the Supreme Court's decision broadens the debate on state responsibility not only in containing police violence, but also protecting women in contexts of vulnerability, requiring a more humanized, preventive approach committed to rights. humans.

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Law 11.340/2006 defines domestic and family violence as any conduct or omission.
based on gender that results in death, harm or suffering of a physical, sexual,
psychological, financial, or moral harm to a woman, occurring within the context of domestic or family life.
or in intimate relationships of affection. By recognizing violence as a manifestation of asymmetries of
power dynamics between men and women, the norm represented a significant step forward in seeking to break down the...
historical patterns of subordination and dependence. As Gomes (2022, p. 46) teaches, “it is about
legislation with a function that is not only protective, but also educational, aimed at preventing
violence".

Thus, the current law addressing domestic violence aims to hold the aggressor accountable.
and to the promotion of material equality and female dignity, rejecting inhumane conduct and
embarrassing.

In this context, the Civil Police plays a central role in receiving complaints and investigating the...
facts and refer victims to the protection network. The Specialized Police Stations for Assistance to
Women's Police Stations (DEAMs) were established with the goal of ensuring humane treatment and reducing violence against women.
revictimization and ensuring the proper formalization of incidents. According to Amorim (2022), such
These units contribute to strengthening victims' trust in the justice system and to
faster institutional responses. However, as Andrade, Macedo and Pona (2024) warn,
The lack of material and human resources, coupled with high demand, continues to compromise efficiency.
of customer service and integration with other state agencies.

It is the State's responsibility to ensure the effectiveness of the emergency protective measures provided for in
The Maria da Penha Law ensures that judicial decisions produce concrete and immediate effects.
Therefore, continuous monitoring and coordination between databases are essential.
institutional and social support for victims. Peixoto and Dias Júnior (2024) emphasize that the
The effectiveness of these measures depends on effective communication between the police, the Public Prosecutor's Office and...
The Judiciary. Thus, the absence of oversight or state omission weakens the right to...
security and encourages the recurrence of violence.

According to Saffioti (2015), violence against women has its roots in a patriarchal structure.
which legitimizes unequal power relations and perpetuates cycles of dependency and silencing. Although
The Maria da Penha Law represented a normative milestone by providing for protective measures and assigning
While the State has a preventive responsibility, its practical application is often limited by shortcomings.
institutional.

According to Pasinato (2020), many women face difficulties right from the first
service, whether due to the lack of specialized police stations, or the lack of preparedness and
sensitivity of public officials. This scenario contributes to what is called secondary victimization.

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A situation in which a woman, in addition to the violence she has suffered, faces neglect, disbelief, or treatment. Inadequate on the part of state institutions.

In Brazil, the inertia or omission of the State manifests itself in the fragility of the protection networks. due to delays in implementing protective measures and a lack of effective public policies.

Another relevant factor concerns the economic vulnerability of the victims. Data from the Forum Brazilian Public Security (2023) indicates that financial dependence constitutes one of the main obstacles to reporting and breaking ties with the abuser. In this sense, Garcia and Souza (2021) highlight the insufficiency of intersectoral public policies aimed at autonomy Women's economic situation contributes to the perpetuation of cycles of violence.

The rights to life, physical integrity, and liberty constitute fundamental guarantees. guaranteed by the 1988 Constitution, imposing on the State the duty to prevent and repress any form of violence. In the domestic sphere, economic dependence acts as a limiting factor. The realization of these rights perpetuates contexts of submission and risk. Ferrez and Schiavon (2022, p. 214) state that “poverty and inequality reduce the reach of protection policies, requiring "State actions aimed at promoting financial independence and social inclusion."

State inaction in adopting effective measures to protect women constitutes a violation of fundamental rights and may give rise to civil liability. The Supreme Federal Court, when judging the ADPF 635 recognized that deficiencies in the provision of public security services give rise to The State is objectively liable when damages result from state failure. In this sense, Dias (2024, p. 40) argues that governmental inaction in the face of domestic violence violates the The principle of the dignity of the human person.

It can be inferred that state liability, therefore, is not limited to merely repairing the damage. but reaffirms the public duty to protect the life and integrity of women, considering that the Brazil, as a democratic state, has as one of its fundamental principles the intrinsic value and each person's supreme being.

4.2 Domestic violence and institutional revictimization

Domestic violence is one of the most serious forms of human rights violation. of women, as it affects not only the physical and psychological integrity of the victims, but also the Dignity, autonomy, and citizenship. In Brazil, despite the existence of advanced legislation, Represented mainly by Law 11.340/2006 (Maria da Penha Law), women still face serious obstacles to obtaining effective protection from the State. Among the greatest challenges, the following stands out: The phenomenon of institutional revictimization occurs when institutions responsible for ensuring

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Victims' rights end up reproducing discriminatory, negligent, or violent practices.

According to Maria Berenice Dias (2021, p. 81), “domestic violence does not end with the aggressive act; it perpetuates itself when the victim, seeking help, encounters neglect, distrust, or "indifference within state structures." It is understood that women are often subjected to Multiple interrogations, moral judgments, and excessive bureaucracy, which exacerbates their suffering. and undermines trust in public institutions. This series of revictimizations is reinforced by Gender stereotypes that place women under suspicion, disrupting the protection system in environment. Create a photo. Black hair, long and straight, with light waves, some strands falling casually draped over the face, covering one eye, creating a mysterious and slightly subtle effect. bold.

• Makeup: fox eyes and expressive eyelash extensions, creating the effect of a fox eye look. Fox. Her lips are painted with nude pink powder lipstick, emphasizing her natural fullness. A top quality leather

• Outfit: a V-neck dress and an F-shaped necklace,

Composition and lighting

• Pose: The girl leans slightly towards the camera, one of her arms is extended. Looking forward (which is characteristic of a selfie), creating a feeling of closeness with the viewer.

• Lighting: The light is soft, warm, directed from above and to the side. It effectively highlights the texture. from the hair and clothing, creating soft shadows and highlighting facial features.

DO NOT CHANGE THE FACE, IT CAN BE THIS ONE IN THE PHOTO.

The overall atmosphere of the photo can be described as confident, contemporary, and elegant. High. Detailed description of skin and hair textures. Facial features are fully rendered. preserved, just like in the reference photo. Of symbolic violence.

According to Pimentel (2019, p. 62), “institutional revictimization stems from the persistence of a "A patriarchal culture deeply rooted in legal and public security institutions." This reality This highlights the gap between the law and practice, one of the main obstacles to the effectiveness of the Maria da Penha Law. da Penha. Thus, legal protection alone is not sufficient if it is not accompanied by policies. Training, awareness-raising and accountability of public officials.

Therefore, combating institutional revictimization requires the reconstruction of state practices from the perspective of human rights and gender equality. It is necessary to overcome formalism. legal and adopt a humanized, interdisciplinary, and intersectoral approach.

Professionals involved in the formulation and implementation of public policies should To provide psychosocial support to victims, as well as basic protection guidelines. Among other things...

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Among these guidelines, the recommendation that the woman share her experience with stands out.
someone you trust and identifying safe locations near your home where you can
Stay there until you get proper help. Furthermore, it is essential to inform the victim about the available resources.
Formal reporting procedures, encouraging the use of the 180 hotline or seeking assistance at the nearest police station.
preferably by a Specialized Police Station for Women (DEAM) (Melo,
2020).

Currently, the legal system allows even cases of bodily injury to
Minor offenses should be reported to the police by third parties, without being limited to the initiative of the police.
exclusively for the victim. Therefore, people who are aware of the violence, such as family members, should be involved.
or neighbors can file a formal complaint, allowing the police chief to initiate an investigation.
conduct a criminal investigation and forward the proceedings to the Public Prosecutor's Office so that appropriate measures can be taken.
"The appropriate legal measures will be taken to hold the aggressor accountable."

According to Gama (2024), it is highlighted that the core acts as a channel for receiving demands.
related to the various forms of violence faced by women, both in the private sphere
both in public spaces, encompassing situations foreseen in the Maria da Penha Law, as well as
occurrences in the workplace and on public transportation. It is, therefore, a space of
institutional reception, intended to guide and direct the measures necessary for the performance of
justice system, with a view to guaranteeing the safety and protection of victims.

Title V of Law 11.340/2006 provides for the role of the multidisciplinary team linked to...
to the Domestic and Family Violence Courts, composed of professionals from the psychosocial areas,
legal and health-related.

> The care provided by this team should be guided by qualified listening, humanized support, and strategies aimed at strengthening the woman's self-esteem and autonomy, with the goal of overcoming the violence suffered and interrupting the victimization processes (Mello; Paiva, 2022, p. 230).

Services tailored to women experiencing violence, based on listening.
Qualified care, humane treatment, and the strengthening of self-esteem and autonomy constitute a
An effective technical and ethical protocol to break the cycle of violence.

According to Mello and Paiva (2022, pp. 194-195), the Specialized Centers of
Women's Services are configured as reference spaces intended for welcoming and...
Psychosocial support, offering emotional support, social guidance, and referrals.
Legal aid to victims of violence. These centers aim to contribute to overcoming the...
situations of violence, promoting women's empowerment and the resumption of the full exercise of their rights.
citizenship.

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In addition to monitoring compliance with protective measures, the Maria da Penha Patrol offers specialized care, provided by trained professionals to support victims and encourage them. the formalization of the complaint. As Souza and Lara (2019) point out, the team's actions seek to make women aware that emotional bonds should not be an obstacle to holding the aggressor accountable, reaffirming that reporting is an essential tool for... Stopping domestic violence.

Reporting violence is, in fact, the first and most effective way to break the cycle of violence. domestic. It begins to transform a situation discussed as a private matter into an event of Police and social protection, allowing state intervention to guarantee the victim's safety.

4.3 Effectiveness of protective measures

The Maria da Penha Law represents a fundamental legal milestone in the fight against violence. domestic and family violence against women, by establishing legal instruments aimed at protection and Prevention of further attacks. Among these instruments, emergency protective measures stand out. if it serves as the primary mechanism for immediate protection, and should be granted swiftly and effectively. However, the effectiveness of these measures still faces practical obstacles, stemming from both the lack both the institutional structure and the persistence of cultural and institutional patterns of neglect.

According to Maria Berenice Dias (2021, p. 214), “protective measures are the heart of the Maria da Penha Law.” da Penha, as they represent a break with traditional penal logic, prioritizing the protection of "The focus should be on protecting the victim rather than merely punishing the aggressor." However, the author emphasizes that the absence of policies Integrated public policies and deficiencies in monitoring court orders compromise effectiveness. of these orders. In many cases, women remain exposed to risky situations even after The granting of the measure highlights flaws in the state's execution and oversight.

Debora Diniz (2020, p. 82): “Effectiveness, therefore, requires intersectoral action, guided by "through cooperation and shared accountability between levels of government." The Law Law 11.340/2006 is a landmark in the fight against domestic violence in Brazil, by increasing penalties and creating... specialized courts and institute protective measures. Although it has significantly reduced the Regarding the murder of women at home, its effectiveness is uneven across the country due to failures in full implementation. due to public policies and lack of infrastructure.

According to Pimentel (2019), it is essential to understand protective measures from the perspective of women's human rights, recognizing them as instruments for guaranteeing dignity and of physical and emotional integrity. The author warns that legal protection cannot be limited to The repressive role of the State is important, but it must also encompass preventive, educational, and assistance-based actions.

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The vulnerability of women and gender-based violence accompany their trajectory. of humanity since its earliest periods, having been historically constructed from relationships unequal relationships between men and women. These relationships have solidified patterns that associate... Aggressiveness towards men places women in a position of greater exposure to abuse in contemporary society (Ávila; Areosa, 2023). The idea of male ownership over the body and life of women Women, coupled with the trivialization of violence in everyday life, especially the invisibility of violence. Symbolically, it shares the same origin: a patriarchal and misogynistic social structure.

Lenio Streck (2020) reinforces that the problem of the effectiveness of protective measures is linked to the hermeneutical crisis of public institutions, which interpret the law in a formalistic way, without commitment to its transformative dimension. For the author, the role of the State is to guarantee the effective The application of fundamental rights, and not merely their recognition in the abstract. The absence of Diligent and coordinated action therefore constitutes state omission that may give rise to liability. civil.

Finally, the effectiveness of protective measures depends on the existence of mechanisms. technological and administrative measures that allow for monitoring compliance with court orders. Although The Brazilian Federal Constitution of 1988 and its subordinate laws formally guarantee equality between genders. The major obstacle lies in the effective implementation of this right, since legal equality often... This translates into concrete inequality (Saffioti, 2015, p. 46). Such disparity sustains a scenario of repeated violence, stemming from the privilege historically granted to men and their position as subordination imposed on women, the effects of which persist to this day (Jesus; Ghislandi, 2021).

Law 11.340/2006 was enacted to combat domestic and family violence. based on the historical subordination of women to men, protecting women in situations of physical, psychological, sexual, moral, or financial violence, breaking the cycle of oppression and guaranteeing constitutional equality.

The imposition of a subordinate role on women, coupled with an overload of responsibilities. social and economic responsibilities attributed to them and the absence of an effective social response to the The aggressor increases women's vulnerability to violence within the family. Physical and physical assaults Psychological experiences within marital relationships place women in a position of inferiority. and social submission, reinforcing the historical and structural character of violence, shaped by the prevailing social arrangements (Ávila; Areosa, 2023).

This reality causes the victim to experience continuous and repeated suffering, even after the initial violence has ended. Within the justice system, the reproduction of patriarchal and sexist structures, evidenced in discriminatory practices and behaviors based on gender, present in procedures and decisions. In these situations, a reversal occurs.

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of roles, in which the woman becomes responsible for the events, being subjected to questioning.
invasive, social stigmas and discredit regarding their word (Rodrigues, 2023).

Institutional violence intensifies the psychological damage suffered by victims, who often already...
They demonstrate resistance to seeking support due to past abuse. This scenario
This makes breaking the cycle of violence even more difficult and generates a feeling of abandonment and...
insecurity regarding the exercise of their rights.

Furthermore, instead of directing responsibility towards the aggressor, society, repeatedly
Sometimes, the blame is shifted to the woman, questioning her choices and conduct. This fact, according to
Rodrigues (2023), becomes yet another obstacle to accessing protection and shelter services.
suitable.

Santos et al. (2019) argue that, in several cases, when seeking the competent authorities for
To formalize the complaint, the victims found themselves in antagonistic environments, in which the crime
What was tolerated was distorted, based on judgments laden with sexist prejudices and perceptions.
supported by common sense.

The authorities sometimes demonstrated negligence in the face of the seriousness of the allegations or
They adopted inappropriate postures in their service, contributing to increased fear and reticence.
and the insecurity of women.

4.4 The role of public officials in the context of domestic violence

Many victims turned to the Military Police because of their visibility on the streets and...
lack of awareness of other channels, as reported in studies about the period. The promoter of
The justice interviewed in Pinto's monograph (2024) highlighted that "a significant number of victims
sought support from the Military Police due to their constant presence on public roads.

Regarding community or preventive policing present in public spaces...
public perception suggests that the aforementioned visibility is understood by the victims as a factor in providing assistance and
security.

Emergency protective measures were prioritized by the Judiciary, with processing...
accelerated. Law 14.022/2020 automatically extended these measures during the emergency.
sanitary measures facilitate the protection of victims (Brazil, 2020). Despite this, obstacles such as the lack of
Technological integration between systems persisted, compromising the flow of information about
the occurrences.

Intersectoral collaboration and educational campaigns were essential to expanding the channels.
reporting procedures and protocols for neighbors or family members to report incidents during the pandemic (Melo, 2020).

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Public spaces authorized to operate were used for advertising, with the aim of obtaining Quick responses from the authorities. Society played an active role in encouraging reports.

Domestic violence remains one of the biggest social challenges in Brazil, demanding... Proactive action by public officials to eradicate it. These professionals, including police officers, Prosecutors and judges play a pivotal role in the implementation of policies, such as the Law. 11.340/2006, guaranteeing immediate protection to victims. According to Bourguignon (2021), the bureaucracy of The street, represented by civilian and military police officers, shapes the effectiveness of these policies through its... daily discretion, often influenced by personal convictions in low-level contexts oversight.

In the context of Law 11.340/2006, public agents must coordinate intersectoral actions. From filing police reports to adopting urgent protective measures. Studies Studies reveal that over 52% of reported cases are not investigated due to discretionary decisions. of these servers, which constitutes an agency problem. Cavalcante et al. (2023) highlight the Initial reception is considered crucial, and the need for training for healthcare workers is emphasized. and security, in order to break cycles of violence.

The challenges include overwork and lack of training, exacerbated by precarious working conditions. public security agencies. The Brazilian Yearbook of Public Security (2024) indicates that complaints Domestic violence cases perpetrated by individuals themselves reveal internal contradictions, with 25% occurring in residences. Research such as that of DataSenado (2023) indicates that 46% of women perceive Unequal treatment, which demands greater accountability from prosecutors and defense attorneys. public.

The Public Prosecutor's Office takes on an oversight role, promoting criminal actions and extrajudicial measures to punish aggressors. Ipea reports (2021) analyze how magistrates and Multidisciplinary teams update the meaning of the law in specific cases, broadening its scope. protective. Despite the progress, obstacles to public governance persist, as a study notes. in Goiás (2021), in which the lack of coordination results in systematic omissions.

Preventive strategies involve education and engagement with civil society, as well as... promotion of referral centers. ObservaDH (2024) notes that the victims are mostly Children and the elderly in domestic settings, which reinforces the state's duty of proactive prevention. Recent authors advocate for reforms to raise governance standards, integrating gender and Human rights to the training of agents.

Cultural transformation is indispensable, with public agents acting as vectors of it. change against sexist patterns. Bourguignon (2021) argues that the low visibility of Police work compromises multi-faceted policies that go beyond repression and encompass aspects

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psychological. Initiatives such as the Violence Observatory (2024) monitor violations committed by agents, promoting transparency and internal punishment.

In short, the role of public agents transcends repression, encompassing prevention and... Empowerment. Studies from 2023-2024 emphasize continuous capacity building to overcome the arbitrary discretion, aligning actions with the Maria da Penha Law. Thus, a strengthened network. It guarantees fairness and safety, reducing recidivism in more than 50% of investigated cases. appropriately.

Institutional strengthening requires investments in technology and oversight, such as... Recent reports suggest this. Cavalcante (2023) proposes unified reception protocols that Integrate mental health into public safety. The 2024 Yearbook shows a decrease in femicides. assigned to specialized police stations, but persistent in outlying municipalities.

Future prospects include AI for monitoring complaints and cross-sector partnerships. DataSenado (2023) reveals that 46% of respondents are optimistic about improvements. resulting from greater state involvement. Authors such as those from Ipea (2021) conclude that the Molecular responsibility in public action defines success in the fight against domestic violence.

Therefore, public officials, when properly trained and supervised, constitute the state's shield. effective. Bourguignon and colleagues (2021) summarize that multifocal coordination is key to Sustainable policies. This recent vision drives reforms towards a Brazil free from violence. intrafamilial.

The link between sustainable policies and combating domestic violence is structural; Furthermore, eradicating this violence is a fundamental component for development. Sustainable socially, economically, and environmentally. The persistence of violence against women constitutes a an obstacle to development, creating situations of fear, economic dependence and social exclusion.

4.5 Emergency protective measures

Emergency protective measures, established by the Maria da Penha Law, constitute one of the main legal instruments aimed at curbing the various forms of violence practiced against women in the domestic and family sphere (FBSP, 2020). This is a mechanism intended to safeguard the physical and psychological integrity of the victim through immediate state action, simplified and preventive in nature. The very expression "emergency measures," adopted by The legislator's intention is to safeguard against situations of imminent risk, as well as to prevent... to stop the violence or to allow for the immediate reparation of damages resulting from the crime, reason

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which are understood as precautionary measures (Mello; Paiva, 2022, pp. 286-287).

The legal provision for the aforementioned measures represents progress in addressing...
domestic violence, as it allows one to interrupt the cycle of aggression without, essentially, the
The initial state response is based on depriving the aggressor of their liberty, a measure that is not always effective.
It shows that it is adequate or sufficient at first glance.

Article 22 of Law 11.340/2006 establishes that, upon verification of the practice of domestic violence and
In a family context, the judge may immediately impose sanctions on the aggressor, either individually or cumulatively,
various protective measures, such as restrictions on carrying weapons, removal from the home, and...
prohibition of approaching and contacting the victim, limitation or suspension of visits to children.
minors, the establishment of provisional alimony, as well as the obligation to participate in
re-education and psychosocial support programs (Brazil, 2006; Brazil, 2020).

After identifying the need for protection, a request for measures can be made.
together with the police stations, the Public Prosecutor's Office or the Public Defender's Office, with the deadline being set by the judge.
up to 48 hours to review the request (FBSP, 2020). It should be noted that the granting of these
The measures depend on the victim's expressed will, who may request their revocation at any time.
time.

Furthermore, "the list provided in the legislation is merely illustrative, and does not preclude adoption."
of other legal measures, including atypical measures such as preventive detention or the use of
"Electronic ankle bracelet" (Torres; Falavigna; Vainer, 2021, p. 136). Whenever necessary to guarantee
for the safety of the victim.

The importance of protective measures stems primarily from the fact that violence occurs in
As a rule, within the domestic sphere, mechanisms capable of protecting the victim are required, and when
It is necessary to remove the aggressor from the family environment, preventing further contact. Given the...
Given the vulnerable condition of women, such measures must be applied swiftly and
effectiveness. In this sense, non-compliance with emergency protective measures was classified as
This is an autonomous crime under Article 24-A of the Maria da Penha Law, the penalty for which is now imprisonment for two years.
five years, in addition to a fine, according to the wording updated by Law 14.994/2024, reinforcing the
coercive and preventive nature of the institute (Torres; Falavigna; Vainer, 2021, p. 136-137; Brazil,
2024).

Law 11.340/2006 is considered a landmark in our legal system, built upon...
A three-pronged approach of prevention, protection, and coercion to combat domestic and family violence against women.
woman. Although often seen only as punitive, it has a strong preventive character and
swift coercive measures to ensure the safety of victims.

In cases of domestic and family violence against women, the victim's word takes precedence.

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of particular evidentiary relevance, since such conduct generally occurs without the presence of witnesses or impartial third parties (Mello; Paiva, 2022, p. 290; DJBA, 2024, p. 1538). Thus, the The prevailing legal understanding recognizes that the victim's testimony, when Coherent and consistent, this is sufficient to justify granting urgent protective measures.

With regard to the duration of emergency protective measures, the prevailing understanding is that that they are not subject to a pre-established deadline, and it is up to the judge to re-examine the case. concrete and ensure the maintenance of protection as long as the risk to the victim persists. However, such an understanding does not authorize the indefinite imposition of restrictions on individual rights. It is essential to observe the principles of proportionality and adequacy in the analysis. of its permanence (Brazil, 2020).

With regard to the exercise of the rights and duties arising from motherhood and Regarding paternity, the fulfillment of these measures can be facilitated through the mediation of A third person, designated by mutual agreement of the parties, responsible for the minor's transportation, with the aim of avoiding direct contact between those involved, without prejudice to the adoption of other measures. additional matters within the scope of the Family Court (Mello; Paiva, 2022, p. 301).

Criminal proceedings, in turn, are initiated after the measures have been granted. protective measures are used to investigate the facts, punish, and hold the aggressor accountable. As a rule, these The actions begin with a complaint filed by the Public Prosecutor's Office.

Final Considerations

This article achieved its goal by bringing greater visibility to the topic. highlighting the complexity of the phenomenon of domestic violence, the need for strategies effective measures to combat violence against women are exacerbated, reinforcing the... The urgency of public policies adapted to crisis contexts. In light of the reflections developed, the Domestic violence constitutes a serious public order problem, overcoming which requires... joint engagement of the State and society

The analysis revealed that, although there have been regulatory and institutional advances, The protection of women still faces numerous challenges, especially in the face of persistent... There is a sexist and patriarchal culture in Brazil. It is essential that the authorities intensify their efforts. their actions, promoting not only the repression of violence, but also prevention and change. of sociocultural patterns that legitimize abusive practices.

It is observed that the role of women in society has been undergoing transformations. significant, with important achievements in the fields of rights and gender equality.

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However, such progress is still not enough to eliminate existing structural inequalities.
Therefore, continuous strengthening of public policies, educational actions, and initiatives is necessary.
focused on women's empowerment.

In this context, the relevance of the Maria da Penha Law as a legal instrument stands out.
fundamental in confronting domestic violence, by breaking down historically imposed stigmas.
to women and by recognizing them as protagonists of their own protection, ensuring measures of
assistance and the guarantee of rights. Finally, it is emphasized that combating domestic violence requires...
Active participation of state power and the whole of society, through support for victims, encouragement
to reporting, strengthening protection networks, and confronting attitudes that perpetuate the
violence. Only through coordinated actions will it be possible to build a more just, safe and...
Equal rights for all women.

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