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CONSEIL DE L'EUROPE

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Steering Committee for the Rights of the Child (CDENF)

**Revised Draft Explanatory Memorandum to Draft Recommendation CM/Rec(2023)XX
of the Committee of Ministers to Member States containing Guidelines on
Strengthening reporting systems on violence against children**

Compilation of comments received as of 12 December 2022

The present document presents comments made by Delegations in the context of the paragraphs of the previous version of the draft Explanatory Memorandum (CDENF(2022)25rev2) to which they refer. Comments and drafting proposals, as well as national good practices, are highlighted in **grey**. The comments and proposals have already been considered and integrated in the revised draft of the Explanatory Memorandum (CDENF(2023)03).

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Draft Explanatory Memorandum to Draft Recommendation CM/Rec(2023)XX of the Committee of Ministers to Member States containing Guidelines on Strengthening reporting systems on violence against children

GENERAL COMMENTS

[DENMARK]: In Denmark, "duty to report" is called "duty to notification" (underretningspligt) in regards to the social system. The comments here are therefore related to the Danish legislation and practice in this regard.

[NETHERLANDS]: We agree with the document in the understanding that it does not imply a binding reporting obligation and would like to see this reading clarified in the Explanatory Memorandum.

I Aim, scope and definitions

[BELGIUM]: Please include the definitions from the Recommendation in the Explanatory memorandum as well.

Note for the final revision of the EM (following comments made by CDEF members at 6th plenary meeting): Specify which authorities, institutions and organisations may be concerned by reporting procedures and targeted by the Recommendation (either as "reporters" or services receiving, responding to or processing reports)

[DENMARK]: The Danish Consolidations Act on Social Services is the main legal framework in Denmark regarding reporting procedures, casework and measures of special support within the social system. The Danish Consolidations Act on Social Services is a framework law, which cover all cases of violence against children, whether taking place in private or public settings. For example, the duty to report violence against a child applies to all adults in Denmark. However, the Danish State has wider authority when it comes to regulating duties, procedures and policies etc. regarding public institutions and authorities compared to private organisations. For elaboration, please see below.

Reporters

According to the § 154 of the Danish Consolidations Act on Social Services, any person who learns that a child or young person under 18 years of age is being exposed to neglect or degrading treatment, including violence, by their parents or other caregivers or is living under conditions endangering their health or development has a duty to notify the municipality thereof. Hence, this duty applies to all adults in Denmark.

Furthermore, according to § 153 of the Danish Consolidations Act on Social Services, there is a special duty of notification for persons performing public functions or holding public offices who shall notify the municipal council if, in the exercise of their duties, they learn or have grounds to assume that:

- i. a child or young person under 18 years of age may need special support;
- ii. a child may need special support immediately after being born because of the circumstances of the expecting parents;
- iii. a child or young person under 18 years of age may need special support due to the child's or young person's unlawful absence from school or failure to meet the compulsory education requirement; or
- iv. a child or young person under 18 years of age has been exposed to abuse (including violence)
- v. This duty of notification also applies to private persons, organisations, or institutions that are part of the public service delivery in the Danish municipalities. It is a criminal offence for persons included in § 153 to not fulfill the duty to report to the authorities, e.g. in cases of violence against a child.

Receivers and responders

Under the Danish Consolidations Act on Social Services, the municipal council shall ensure a timely and systematic assessment of all notifications to determine whether the child or young person needs special support. The municipal council shall perform a central registration of the notifications in order to support the planning of potential measures to help and support the child.

Within 24 hours of receiving a notification, the municipal council shall assess whether the health or development of the child or young person is at risk and whether there is a need for implementing immediate measures targeted at the child or young person. The municipality council shall in all cases react and assess what measures should be taken

based on receiving a notification, including an assessment on the requirement to further examine the needs of the child and carry out measures to help and support the child.

[MALTA]: In Malta, the Foundation for Social Welfare Services with the Ministry for Social Policy and Children's Rights is responsible for child protection reports. The Directorate for Child Protection (DCP) deals with cases of abuse and neglect of children and are also involved when a child seems to be suffering from, or is at risk of, significant harm.

Supportline 179 is the national helpline, which offers support, information about local social welfare services and other agencies, and a referral service to callers who require assistance. It is also a national service for people who are in times of difficulty or crisis. The primary mission of the Supportline 179 service is to provide immediate and unbiased help to those seeking information, support, and/or require a referral to social service agencies. Supportline 179 receives calls on situations of child abuse, domestic violence, drug/alcohol/gambling problems, and homelessness, amongst others.

The BeSmartOnline! is a co-funded project by the European Union. The consortium working on the project is led by the Foundation for Social Welfare Services through Aġenzija Appoġġ, the Office of the Commissioner for Children, the Ministry responsible for Education specifically the Directorate for Learning and Assessment Programmes and the Cybercrime Unit within the Malta Police Force. The hotline receives reports from internet users on illegal content such as child sexual abuse material. All reports which are deemed illegal by the childwebalert hotline are inputted in the ICCAM database hosted by Inhope, the international network of Hotlines which FSWS is a member of. The ICCAM database is linked to the ICSE database by Interpol and those images and videos which are highlighted as baseline are further investigated to try to find the victims and rescue them.

[PORTUGAL]: In Portugal, all entities specified in articles 64º and 65º of chapter 4 of the Act on the Protection of Children and Young People in Danger (approved by Law No. 147/99, of September 1, amended by Law No. 31/2003, of August 22, Law No. 142/2015, of September 8, Law No. 23/2017, of May 23 and Law No. 26/2018, of July 5.) have competences and obligations to report situations of Violence Against Children and other situations that put children and young people in danger. Communication of any situation of a child or youngster in danger must be addressed to the competent local Commission for the Protection of Children and Young People (according to the local where the child or youngster live). Cases requiring criminal proceedings must be reported by the local Commissions to the Public Prosecutor.

III Legal and policy-based duties to report

25. Guidelines are provided to member States on how legal and policy-based duties to report VAC can effectively be adjusted or implemented in national legislation and policy frameworks **[BELGIUM]** or a mandatory code for specific professions can be established, to report concerns or suspicions of violence against children. As highlighted, national law should thoroughly cover the prevention of all forms of violence against children, however mild, and include a clear prohibition of all forms of violence at *all* times and in *all* settings. They should also include reporting of children going missing. Appropriate legislative measures should also repeal legal defences and authorisations for any form of violence, including those inflicted for disciplinary purposes, whether within the family context or outside of it. Member States must ensure that all types of violence against children – either by commission or omission - are clearly defined and prohibited under national law and must guarantee an effective implementation of legislative prohibition of violence against children.

[BELGIUM]: Needs more elaboration as the recommendation gives the choice between the duty and the mandatory code.

Note for the final revision of the EM (following comments made by CDENF members at 6th plenary meeting): specify which public authorities (at national, regional and local levels) are meant to fulfil reporting duties, and what may be the scope and limitations of such obligations (including in terms of staff and financial resources to be made available, and relevant influence on private organisations)

[DENMARK]: Please consult answer under paragraph 23.

Under Section 82 of the Danish Constitutional Act, the Danish municipalities have the right to manage their affairs independently under the State's supervision. Concerning financing, the framework for the total expenditure of the municipalities is decided upon annually according to the Act on provision of expenditure limits for state, regions and municipalities, cf. section 7.2.1 about the Budget Act, and in an agreement between the Government and Local Government Denmark on the economy of the municipalities for the coming year. It also deals with the framework for total local government expenditure for service.

Within this framework, the municipalities are responsible for fulfilling their service delivery under the Act on Social Services.

When imposing new concrete obligations to the Danish municipalities by law, the State is required to compensate the municipalities financially for the undertaken task. Hence, when introducing the obligation to notify municipalities according to the § 153 and § 154 of the Danish Act on Social Services, and the obligations for the municipalities to process and assess all incoming notifications, the Danish municipalities have been financially compensated for the entailed tasks by the State.

[MALTA]: In Malta, the onus of reporting is on all professionals who possess information of harm on minors. This is established under Chapter 602 Art 9(b) of the Laws of Malta. It is then the function of the Directorate for Child Protection Services (DCPS) and the Malta Police Force to investigate any such reports to determine risk and veracity, leading to protective action. There is also another obligation set by the Protection of Minors Act (POMA) on the employer, to vet and check all prospective employees who are going to work with or around children, whether voluntarily or against payment, to ensure that the person about to be employed has not been convicted of crimes against children.

[PORTUGAL]: In Portugal, all entities specified in articles 64^o and 65^o of chapter 4 of the Act on the Protection of Children and Young People in Danger (approved by Law No. 147/99, of September 1, amended by Law No. 31/2003, of August 22, Law No. 142/2015, of September 8, Law No. 23/2017, of May 23 and Law No. 26/2018, of July 5.) have competences and obligations to report situations of Violence Against Children and other situations that put children and young people in danger. Communication of any situation of a child or youngster in danger must be addressed to the competent local Commission for the Protection of Children and Young People (according to the local where the child or youngster live). Cases requiring criminal proceedings must be reported by the local Commissions to the Public Prosecutor.

Good practice examples of reporting laws with a wide enough scope

[PORTUGAL]: In Portugal, the Act on the Protection of Children and Young People in Danger (Law No. 147/99, of September 1, amended by Law No. 31/2003, of August 22, Law No. 142/2015, of September 8, Law No. 23/2017, of May 23 and Law No. 26/2018, of July 5.), includes chapter IV directly targeted for reporting situations of Violence Against Children and other situations that put them in danger. Situations that could not be resolved by the intervention of first-line respondents/entities, have to be reported to the local Commission for the Protection of Children and Young People in the area where the child or adolescent lives (there are 311 local Commissions covering all country). The obligation to report is placed on the judiciary and police authorities as well as all entities with competences in dealing with childhood and youth. The Law also includes the obligation to report by the local Commissions for the Protection of Children and Young People (which includes professionals that compose them) to the Public Prosecutor (art^o 70^o) in cases requiring criminal proceedings. Local Commissions, that are independent entities, are nevertheless monitored by the [National Commission for the Promotion of the Rights and the Protection of Children and Young People](#) to whom they annually report their activities to protect children and young people from violence and other dangerous situations that were communicated to them by other entities or individuals. The local Commissions also have the obligation to report monthly to the Public Prosecutor on severe cases of violence against children which includes ill-treatment and sexual abuse that are under the competences of the local Commissions.

28. Appropriate **[BELGIUM]:** and proportionate measures or sanctions for professionals that fail to comply with their reporting duties should be included in the legal and/or policy-based duties to report to ensure the effectiveness of the reporting system. *[Proposal to add further practical*

examples for sanctions to non-reporting, including on the type (disciplinary, criminal, administrative, etc.) and content (for instance a prohibition on working with children in the future) of sanctions in place in member States.]

[BELGIUM]: elaborate on the need for proportionality with the facts, and the difference of responsibility between professionals and volunteers

[BELGIUM]: Belgium/ Flanders: Cachet is a network, subsidised by the Flemish government for people who came into contact with youth care and do not recognise themselves in the stereotypes. The organisation wants to create a different image: one of optimism, where complaint becomes strength, where experiences are not hidden away, but used to inspire other children and young people, care services, public opinion and policy. Cachet is a non-profit client organisation : <http://cachetvzw.be/>. There are also client organisations for parents.

[MALTA]: The Foundation for Social Welfare Services (FSWS) with the Ministry for Social Policy and Children's Rights uses its experience with children, and take on the voices of the children who speak to the professionals during all of their interventions to shape its future work in a way that fits the best interests of the children.

[PORTUGAL]: In November 2019, the [National Commission for the Promotion of Rights and the Protection of Children and Young People](#) in Portugal, launched and established the [National Council of Children and Young People](#), which started its activities in March 2020. This Council is composed of children and young people aged between 8 and 17 from all over the country – including the mainland, the Autonomous Region of the Azores, and the Autonomous Region of Madeira. Besides consisting of a forum where children and young people are given voice and empowered to express their experiences, concerns, needs and expectations, the Council also acts as a tool that connects their child and young members amongst themselves and with their local communities. The Council is expected to have an impact on public policies (including protection policies and legislation) and on social change. Their intervention also extends to European and international affairs as the National Commission has already consulted the National Council of Children and Young People on several occasions for European documents (of both the European Union and the Council of Europe) and for international projects.

Good practice examples of anonymity

[ICELAND]: Under Article 19 of the Icelandic Child Protection Act, any person who gives notification to a child protection committee shall identify him/herself. However, Article 16 allows a notifying party to request anonymity vis-à-vis parties other than the child protection committee, this shall be respected unless there are special reasons not to do so.

A decision by a child protection committee regarding anonymity or a refusal to lift anonymity may be appealed to the Welfare Appeals Committee. 1) Notifying parties, and parents, shall be informed of their right to appeal against the child protection committee's decision. 2) The provisions of the second paragraph on the right to anonymity shall not apply to notifying parties under Articles 17 and 18.

Anonymity only applies to individuals who report to child protection committees according to Article 16. Child Protection Act. These are usually relatives, neighbours or others who are familiar with the child's circumstances, and it is important that they can enjoy a certain degree of protection in accordance with what is stated above. [...] Those who are involved in matters concerning children, cf. Articles 17 and 18 the Child Protection Act, do not enjoy anonymity. Here is with others the employees of institutions who know the child's situation well, others due to close ties with the child, e.g. in school or kindergarten, or because of knowledge of the child's circumstances due to communication with his parents, such as in a hospital. In most cases, these are cases that have already been discussed with the parents without any positive change, such as the attendance of a child at school or the parents inadequate care of a child in kindergarten, and the resources available to the institution in question are not sufficient. The case is therefore reported to the child protection committee so that it can be used by others and sometimes stronger resources. It is most appropriate for these notifications to come in the name of the institution in question and not from an individual employee who is in close contact with the child and / or his or her parents, such as named teacher or nurse. In most cases, it is normal for the institution in question to inform parents that the matter has been reported to the child protection committee, but this is not obligatory. [...]

[PORTUGAL]: Reports concerning children or young people that are in danger can be anonymously communicated in case they are made by children, young people, or adults as members of civil society. In the case that a report is made by an entity that has the legal obligation to report, as obliged in the Act on the Protection of Children and Young People in Danger, reports must be signed by the entities responsible as opposed to by an individual working for the authority/entity. Sometimes, the local Commission might be able to identify the author of a report because of the way its drafted or made what could prevent the reporting in the first place or result in risks arising from reporting. To conceal the identity of the individual that filed a report and to encourage reporting violence against children, local Commissions are authorised to make the necessary changes to the parts of the report which may give rise to the identity of the author. The original report is kept safe and in case that the situation is forwarded to the Public Prosecutor, the original report is sent to the Public Prosecutor.

IV Creating a favourable context for reporting VAC

Good practices regarding confidentiality and anonymity

[PORTUGAL]: There are situations where the local Commission while reading a communication of danger perceives that the way that the communication is made allows the identification of the author of the report what would result in constraint or risk in reporting the violence acts. To conceal the identity of the individual that filed a report and to encourage reporting violence against children, local Commissions are authorised to make the necessary changes to the parts of the report that may give way to the identification of the author of the report made. The original report is kept safe and in case the report is referred to the Public Prosecutor, the original report is sent to the Public Prosecutor.

[DENMARK]:

Regarding anonymity: In Denmark, professionals can request to have their details omitted from a report if they fear the reaction from a third party. In that case, it will be an individual judgement in each case whether it is in agreement with the best interest of the child, and there has to be clear concern regarding the reporter that clearly exceeds the sake of the family and their interest in knowing the identity of the reporter.

Regarding confidentiality: In Denmark, the duty to notify the municipalities comes before the rules on confidentiality/professional secrecy for public employees. This is clearly highlighted, for instance in the official guide to the Danish Consolidations Act on Social Services.

Good practices on protecting professionals from reprisals,

[BELGIUM]: The Belgian criminal code (Art. 458bis) contains a “right to report” to the public prosecutor for professions with a professional secrecy, when concrete criteria are met (specified (criminal) acts to minors, vulnerable persons, ... and great and urgent danger for the integrity of a person).

[MALTA]: In Malta, Chapter 602 of the laws of Malta [Minor Protection (Alternative Care) Act], Art 9(4), indicates that no action may be taken against a professional making a report in bona fide.

[PORTUGAL]: The Penal Code includes violence or threats against professionals as specific offenses that amount to public crimes, what means that criminal prosecution will take place even if a report is not filed, with the aim of preventing reprisal acts against professionals.

Examples of informing parents

[DENMARK]: In most situations, the parent will have the right to be informed when the municipality receives a notification about their child. Thus, it is a general principle in the Danish Consolidations Act on Social Services that caseworkers shall always involve and co-operate with parents when this is in agreement with the best interest of the child. However, in cases when the municipality suspects that a parent has committed violence against the child, measures have been taken in the law to protect the child. First of all, the caseworker is obliged to talk to the child about the suspected violence without the parent’s consent and presence. Furthermore, it is up to the judgement of the police and the municipality in each concrete case when the parent(s) should be informed about the reported violence against the child and when they should be involved in the investigation and examination of the child.

The parents will usually be parties to the case regarding violence against their child. Generally, the parties will have access to information regarding the case. However, the municipality can restrict the access to information based on a concrete and individual assessment in each case - e.g. based on a consideration to protect the child.

The judicial system:

Parents who are only suspected of having committed violence against their child do not have the right to receive information on a police report being made. If the parents are accused of a criminal offence, they have the right to defence. Their defence lawyer will have access to the case documents including information about police reports being filed. The defence lawyer may only forward the case documents to the accused if the police consent hereto. The Police may order the defence lawyer not to pass on information received from the Police if it is necessary for the sake of, inter alia, the investigation of the case or a third party, including for the safety of a witness.

An accused who does not have a defence lawyer must also, upon request, have access to the case documents concerning the accused. For the same reasons as mentioned above, the Police may refuse to pass on information received concerning the case.

Following a request by the Police, the Court may decide that the rules on the defence's and the accused's right to access documents are waived if this is required, inter alia, in order to solve a case, for the sake of the life or health of third parties or protection of confidential information concerning police investigation methods.

[MALTA]: In Malta, the parents would be given the details of what form of abuse they were given. The identity of the reporting person would be kept anonymous.

[PORTUGAL]:

In the case of a criminal proceeding, justice secrecy applies, which can only be lifted by a court order if it does not compromise the security of the offender. In protection proceedings, the file of the child is always confidential, but parents and the child can have access to information. Nevertheless, parts of the information may be removed from the file if they risk compromising the child's security or best interests or even if they may compromise the security of one of the parents. The removal of parts of the information in a file must always be communicated to the Public Prosecutor. In case that the protection case has to be forwarded to the Public Prosecutor, it is always sent with all the information (including the information that was removed of access to parents).

39. To increase reporting of suspected incidents of VAC, member States should **[DENMARK]** ensure support a framework for ensuring methods to promote and raise awareness of both hotlines and helplines, in order to increase accessibility for children and the general public. Methods aimed at increasing public awareness can include, for example: advising social workers or those working with families to transfer information about child hotlines and helplines to children and their families; coordinating between governmental authorities and partners to promote child hotlines and helpline information within existing public information messages, and place information in both offline and online public spaces (for example in schools and online learning platforms; tv programmes; pharmacies, health centres, police offices, markets and public transport stations); including mobile operators and social media platforms for promoting awareness of and increasing accessibility of hotlines and helplines; and, where necessary, undertaking data analysis by consulting children and families on where and how they are accessing information and communicating with others, in order to identify those who are not accessing hotlines and helplines, and using this information to conduct targeted messaging for said groups.¹ For any promotional and awareness-raising activities it should be kept in mind that the information should be conveyed in a child-friendly and age-appropriate manner. Finally, though hotlines and helplines, have an important function in national child protection systems to report cases of VAC and help prevent further violence, they only seem to play a subsidiary role for professionals reporting violence within clearly defined national reporting mechanisms.

¹ Ibid.

[DENMARK]: Reasoning for wording proposed

In Denmark, on their web pages, the municipalities and the National Social Appeals Board have contact forms and/or telephone numbers where people can report. If that is covered under “hotlines and helplines”, Denmark can support the wording.

However, in Denmark, there are also non-governmental helplines where adults as well as children and youth can seek advice on VAC and other issues. These helplines are privately driven and develop their own methods of promoting their platforms etc.

If the wording is meant to be covering these kinds of helplines, Denmark can support a wording where “should ensure” is replaced by “should support a framework for ensuring methods to...”.

Good practices: facilitating reporting by citizens

[PORTUGAL]: During the pandemic, and to increase the opportunity for children and young people and also for NGOs and citizens of civil society to report any situation of children in danger, the National Commission for the Promotion of Rights and the Protection of Children and Young People created a hotline and helpline specifically designed for the purpose of facilitating reporting mechanisms for the public. This can be reached on the number: 96 123 11 11. An online form for filing reports was also created, which can be reached on the child-friendly website, and acts as a “Space for Children and Young People”. A video and written information are also available on the website, designed to facilitate help in these situations. Situations that are reported through the hotline and helpline and the online form are communicated to the local Commissions for the Protection of Children and Young People, which can then intervene with the case and will also refer the case to the Public Prosecutor when criminal investigation proceedings are required.

Note for the final revision of the EM (following comments made by CDEF members at 6th plenary meeting): Specify the role of hot- and helplines with regard to this Recommendation

[MALTA]: In Malta, through the Besmartonline project, awareness raising campaigns are held to promote the work of the helpline and hotline and to raise awareness on online issues in which children can fall victims of abuse. Through the campaigns, the Besmartonline consortium aims to target all children in Malta and Gozo and to educate the parents and guardians on online risks that could expose their children to different forms of abuse.

[PORTUGAL]: In Portugal, reports made of violence against children or any other situations of children or young people in danger that are received through hotlines and helplines and through the online form (referred above) are reported to the National Commission for the Promotion of Rights and the Protection of Children and Young People to the local Commissions for the Protection of Children and Young People. The Commissions will assure the child or adolescent is given the necessary protection, for however long that is necessary, and will remove the danger and to protect them. The Commissions will also immediately alert the Public Prosecutor of any situations that require the initiation of criminal proceedings.

V Effective reporting procedures

Contact points, coordination of reporting systems

[BELGIUM]: In Flanders, there is the legal obligation for each recognised and subsidised youth and sport organisation to have an integrity contact point and to have a policy on integrity. Within the ministry there is a supporting officer who is also the liaison for the public prosecutor's office in case of serious suspicions or convictions.

[DENMARK]: In Denmark, anyone including professionals can report to the municipalities. For elaboration, please consult answer under paragraph 23.

Danish municipalities are committed by law to have a local “action plan” on how to deal with cases of children experiencing violence or sexual abuse. The “action plan” shall describe how to prevent, detect and deal with cases regarding violence and sexual abuse against children, and it shall be approved by the local government and made public. Furthermore, the municipal council should ensure that all professionals working with children within the municipality knows the local “action plan” and hence which steps to take in case of violence against a child. Furthermore, anyone can contact the National Social Appeals Board if they suspect that a municipality is not taking the necessary steps in order to help a child in need for special support, e.g. because of violence against the child.

The Danish Consolidations Act on Social Services has no fixed threshold or requirement of proof regarding reports on violence against children or any other concern regarding the wellbeing of a child. It is the responsibility of the responsible municipality to process any incoming report in order to assess whether any steps must be taken to further examine the needs of the child and carry out support measures.

[MALTA]: Malta believes that the best practice is within the National Public Schooling system. The Public Schools have an internal Children Safety Service that offers daily support to the schools, who are able to ask for consultation at the school premises on observed concerns. These are trained officials, with a specialisation in child abuse, who are able to make determinations of preliminary risks and then refers the report to Child Protection Services. Furthermore, the Directorate for Child Protection Services has established a Contact Liaison Leader, who is available for direct line consultations with the schools who are wishing for a consultation about a case of suspected child abuse. These two mechanisms have been able to sift through the hundreds of suspected cases and take good decisions as to what should be reported and what should not.

Guidelines for professionals

[PORTUGAL]: To help professionals address situations of maltreatment or any other situation that may put children in danger, Portugal has produced guidelines for professionals that have direct contact with children. The following guidelines are available for professionals: “Guide for health workers in addressing situations of maltreatment or other situations of danger”; “Guide for education professionals in addressing situations of maltreatment or other situations of danger”; “Guide for law enforcement professionals in addressing situations of maltreatment or other situations of danger” and “Guide for social workers in addressing situations of maltreatment or other situations of danger”. There is also a specific resource: the “Handbook of Procedures - Active Collaboration in the Prevention and Elimination of Female Genital Mutilation” aimed at guiding and supporting all entities and professionals, but also NGOs with intervention in the protection of children and young people that face this specific danger. The National Commission for the promotion of Rights and the protection of Children and Young People has adopted a [“SAFEGUARDING POLICY for the Promotion of the Rights and the Protection of Children and Young People”](#) that is mandatory to their professionals and that also exists in a [child-friendly language](#) to be distributed by professionals to children and young people previous to consultations with them.

[SLOVENIA]: Good practice example of multidisciplinary prevention mechanisms

In Slovenia, The Pomurje Social Work Centre together with the Murska Sobota Police Department and psychologist from the Health Care Centre, Murska Sobota established a prevention group called the "Multidisciplinary Group for the Prevention of Domestic Violence Pomurje", which received the European Award for Social Services this year. It is an example of good practice in the implementation of preventive and multidisciplinary activities. A special feature of preventive approach is the inter-institutional approach, adjusting the activities and members to target groups and responding to current issues within the domain of domestic violence. The Group constantly improves the mutual cooperation between all institutions that could be involved in the issue of domestic violence (social work centres, police departments, schools, kindergartens, health organizations, the prosecutor's office, the judiciary, non-governmental organizations). The Group membership is not fixed and is subject to change. It is dependent on the current issues at hand and the specifics of the target group, which means that they select different members for different scenarios. The only permanent members of the Group are the coordinator for preventing the domestic violence at Pomurje Social Work Centre, Saša Car and the senior police inspector at the Murska Sobota Police Department, Boris Rakuša. Their purpose is to be present and accessible in the local environment as well as in institutions themselves. They are pointing out that the response, when other institutions heard about our activities, about how to work with victims and perpetrators of domestic violence, about who to reach out to when they meet a victim or are in a dilemma on how to respond to it, was very positive. An advantage of their rural environment is that public workers from different institutions know each other personally and thus work together more easily.

MAIN GOALS:

- Raising awareness about and preventing domestic violence among vulnerable groups, especially children and the elderly, who are particularly vulnerable because of their personal circumstances, and public in general, including
- Appropriate training for professionals who work with vulnerable social groups. Only by improving cooperation between the competent authorities and further training of professionals, can we ensure the best possible treatment for victims and also the perpetrators of domestic violence

- We are referring to one of the key goals of the state resolution and state action plan, that is by increasing people's sensitivity for acts of domestic violence, we can reduce the time interval from detecting to reporting perpetrators of violent acts to police, authorities or other institutions. The other significant task is intensive cooperation between competent authorities and an accurate analysis of complex cases of acts of domestic violence

TOPICS:

They prepared a variety of topics which are specially adjusted to the target group of listeners:

- Definition of violence (process, recognition, signs, stereotypes that need to be overcome, dynamics of a violent relationship ...)
- Duty to act (legislation that obliges bodies and organizations to respond to the problem and participate in the hearing - emphasis on the improvement of the domestic violence prevention legislation)
- The treatment procedure and the role of the centre for social work
- Preparing to testify in court for a witness
- The role of the police department in preventing violence
- Violent acts of children against their parents

Good practices for children filing reports

PORTUGAL: In Portugal, children themselves can report situations of children in danger by filling out the online form provided at the website of the National Commission for the Promotion of the Rights and the Protection of Children and Young People (CNPDPJ) in an area created for them in child-friendly language, as well as by calling to the phone line "Children in Danger", established and operated by the National Commission for the same purpose, as part of the nationwide campaign "Protecting Children is Everyone's Responsibility".

Good practice example of transnational co-operation tools:

[MALTA]: Malta believes that the best practice is within the National Public Schooling system. The Public Schools have an internal Children Safety Service that offers daily support to the schools, who are able to ask for consultation at the school premises on observed concerns. These are trained officials, with a specialisation in child abuse, who are able to make determinations of preliminary risks and then refers the report to Child Protection Services. Furthermore, the Directorate for Child Protection Services has established a Contact Liaison Leader, who is available for direct line consultations with the schools who are wishing for a consultation about a case of suspected child abuse. These two mechanisms have been able to sift through the hundreds of suspected cases and take good decisions as to what should be reported and what should not.

[PORTUGAL]: Portugal applied for an EEA Grant/Fund of Bilateral Relations to fund a bilateral initiative that it coordinated with Norway as a partner on "Enhancing the protection of the rights of the child in priority areas". This initiative resulted in the production of two tools: A ["Thematic Glossary of Child Protection Systems and of the Promotion of Children's Rights focused on the hearing of the child in especially vulnerable contexts"](#) and a ["Referential of Good Practices for Enhancing Child Participation in the Promotion and Protection of the Rights of the Child"](#).

VI Responding to VAC reports and follow-up

Informing reporting professionals about the follow-up

[DENMARK]: In general, professionals that have reported suspicion of violence to the municipality have the right to be informed about relevant steps taken by the municipality based on the notification – e.g. whether the notification has given the municipality reason to examinations or measures under the Act on Social Services. It is only possible to not provide this information to professionals under very special circumstances, e.g. if it is regarded to be necessary in order to protect the child or in order to ensure cooperation with the family about support measures for the child.

Good practice –cooperation between professionals

[MALTA]: In Malta, if a child reports on the internet helpline some form of online abuse, the child is followed by professionals who will offer support and guidance.

[BELGIUM]: Referral to Juvenile Courts in Belgium:

In BE/ Flanders when there is there a distressing situation and help gets stuck or is not accepted, a mandated facility (youth support centre or confidential child abuse centre) can follow up the assistance or start new assistance. Young people for whom voluntary help is no longer possible in a severely problematic living situation can be referred to the juvenile court.

Barnahus/Children's House examples

[DENMARK]: In Denmark, the Children's Houses (børnehuse) are regulated by the Act on Social Services. It is an institution under the municipalities, which facilitate cooperation between the municipalities, the police and the health services.

If the municipality knows or suspects that a child is a victim of violence or sexual abuse, and when the police and/or the health system is involved in the case, then the municipality is obliged by the law to use a Children's House as part of the child protection examination.

Also, the police uses the Children's Houses for questioning and video questioning of children for the use of the investigation by the police.

[MALTA]: With the enactment of Chapter 602 of the Laws of Malta, Malta officially established its Children House which operates on the standard Barnahus Procedures. Whilst legislations to officialise the jurisdiction and procedure of the Children House may be underway, the House is in operation.

The Children's House (Barnahus) was fully functional by 2020. In legal terms, the obligation to use the Children's House (CH) by the judiciary stems out of Chapter 602, which essentially implies that the Juvenile Court, during proceedings related to requests for Protection Orders (CAP 602 Art 19), needing to hear the minors, should do so through the functions of the CH. Other courts are insofar not obliged to utilize this measure, even though there is much local effort by the Directorate for Child Protection Services (DCPS) to encourage the Judiciary to migrate this procedure to the CH. This has ensured that the child victim (and potentially other family members) are given the chance of going through the entire forensic process safely in premises that are designed for this purpose. Great care is taken in the Barnahus model to protect victims of violence; and this is evident in the core principles of the project that are all in some way feeding into the commitment to keep children safe throughout the process. In fact, apart from ensuring that the victims have the littlest contact with perpetrators, it ensures that the gathering of evidence is done in a child friendly manner whilst ensuring that the gathering of evidence is done in a forensically sound manner to protect the narrative of the minor in court (therefore enhancing the likelihood for justice). It also ensures that the climate of the process is not a burden to the child/minor. The Barnahus project also looks into the need for expedient therapy soon after the forensic process is settled. The Child Protection Service makes sure that the gathering of evidence is done as swiftly as possible without engaging in practices that are troubling to the children. CPS workers liaise continuously with the Vice Squad for this effect, and the Service is quick to refer children and their families for support at the Victim Support Unit, other services in the community, private practitioners or therapeutic services within the FSWS.

VII Data collection and monitoring

Good practices: data collection

[PORTUGAL]: The National Commission for the Promotion of the Rights and the Protection of Children and Young People has a software application where the local Commissions for the Protection of Children and Young People fill information on all reports made of children and young people in danger. The categories of situations of danger reported and the measures of protection decided and applied to stop the situation of danger are filed. With the information reported by all the local Commissions in the country, the National Commission produces an annual report on the situations of danger communicated by the local Commissions each year. This report contained the measures of protection that were decided and also the challenges faced and how they were overcome as well as what points to address in areas considered requiring special attention, namely resulting from each year's context. This report is always presented in an annual meeting with the local commissions.

[DENMARK]: It is a bit a unclear what is precisely meant by and implied in “monitoring” and “accountability mechanism”.
However, the highlighted example of good practice from Ireland seems to be somewhat similar to the Danish context.

[DENMARK]: Proposal to add new paragraph:

“To the extent that personal data is collected and shared, it must take place in accordance with applicable data protection rules.”

VIII Media and communications

Workshops for journalists

[PORTUGAL]: The National Commission for the Promotion of Rights and the Protection of Children and Young People has organised two workshops for journalists designed to sensitise journalists to the rights of the child as enshrined in the Convention on the Rights of the Child. Two workshops have already taken place, both having "The protection of children and young people in the media: privacy and the right to image" as the main thematic focus.