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COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 07 January 2021

CDENF-GT-VAE(2020)PV3

Steering Committee for the Rights of the Child (CDENF)

Working group on responses to violence against children (CDENF-GT-VAE)

Meeting report

3rd Meeting by videoconference

1-2 December 2020, respectively from 10:00 – 13:00 hrs

Prepared by the Children's Rights Division

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Third meeting of the CDENF-GT-VAE

Part I of the meeting (1 December 2020)

Agenda item 1: Opening of the meeting

1. **Rosário Farmhouse** (Portugal), Vice-Chair of the Steering Committee for the Rights of the Child (CDENF), opened the third online meeting of the Working Group on responses to violence against children (CDENF-GT-VAE; “Working Group” hereinafter), replacing the Chair of the Working Group, Mr Vella, who was excused for compelling reasons. She thanked all experts present for their continuous commitment and recalled the focus of the present meeting on (1) reporting mechanisms for professionals to report violence against children and (2) harmful sexual behaviour by children, underlining the importance of these issues during the pandemic situation where children spent even more time using online technologies involving certain risks.
2. **Maren Lambrecht-Feigl**, Programme Officer at the Children’s Rights Division, welcomed and thanked all VAE experts and observers, and guided the participants through the agenda and the order of business for each day.
3. **Regína Jensdóttir**, Head of the Children’s Rights Division, equally welcomed the Working Group and underlined its significance in supporting the work of the CDENF, notably with a view to the fact that violence would certainly remain a priority under the next Strategy; there was potential for further developing preventive strategies and knowing more about any good practices among member states would be useful.

Agenda item 2: Adoption of the draft agenda

4. The agenda was adopted without any further change, as it appears in Annex I.

Agenda item 3: State of play of CDENF-GT-VAE activities

5. **The Secretariat** briefly recalled the state of play of the Working Group’s activities as reflected in the updated workplan 2020/2021.

Agenda item 4: Contribution to the development of non-binding instruments or tools containing guidance for member states

6. **The Secretariat** briefly reminded the Working Group of the state of play of this activity, the revised outline for a feasibility study prepared by the consultant and the questionnaire that had been sent out to the Working Group with a deadline of 31 December 2020.

Agenda item 4.1 Towards a draft Recommendation on the Development of effective mechanisms for professionals to report violence against children

7. **Professor Mariëlle Bruning**, from Leiden University, presented the revised outline for a feasibility study (CDENF-GT-VAE(2020)06rev) on a draft Recommendation on reporting mechanisms. The working document had been modified to include two new elements:
 - *Support to families* - When violence against children is inflicted by a family member, the step of reporting is aimed at supporting the family, to avoid, wherever possible, contacts with the justice system, at preserving the family unity and respecting the right of the child not to be separated from his/her parents. In this context, social services are an important element of the response.
 - *Definitions* - The distinction between a mandatory *legal* duty to report and mandatory duty to report anchored in professional standards needs to be made very clear, and both formats covered in a draft Recommendation. Most European countries’ systems today have incorporated a mandatory legal duty to report, with a few exceptions, e.g. Netherlands, Belgium, Germany.

8. **Professor Bruning** invited the Working Group to notably look at the following questions:
- *The definition of violence against children* - whether to include all types of violence, including online violence (for example), or keep the focus on violence within the “circle of trust” as defined by the Lanzarote Committee;
 - *The consideration of children and the general public as reporters of violence in the draft Recommendation* - whether there should be a reference to public reporting mechanisms (e.g. hotlines etc.) or to reporting by professionals only (including child consultation).
9. The feasibility study, including first elements of a draft Recommendation, was then reviewed by the Working Group along the following pending questions listed by the Secretariat (including the two previously highlighted by the consultant):¹
- i. **Scope of application:** The importance of inviting professionals to report all forms of violence was underlined, whether taking place in the circle of trust or beyond. Considering the relatively broad definitions used by the World Health Organisation (WHO), the Working Group was in favour of elaborating a definition of violence that could serve as a clear basis for the scope of a draft Recommendation, by covering all types of violence, including online violence, and also possibly peer violence.
 - ii. **Online violence:** Online violence is not new, but especially during confinement children had experienced multiplied incidences of violence against them, as a result of more time spent in online activities. The definition of violence to be elaborated should be broad enough to include the online sphere and allow to consider the impact of online violence on children.
 - iii. **Threshold for reporting:** The question whether reporting should only take place from a certain threshold onwards, was still considered a challenging issue: on the one hand, the inclusion of a threshold and “minimum signs” for reporting would prevent overreporting and over-burdening relevant systems. On the other hand, it would contradict the aim to respond to all forms of violence and prevent more serious violence on the basis of first signs and suspicion of violence. Furthermore, if the focus was on family support provided by social services, the establishment of a threshold of severity might result in overlooking instances of neglect which were proposed to be covered by the draft Recommendation as well.
 - iv. **Difference between “reporting” and “signalling”:** At the recent CDENF meeting, the question had been raised whether a distinction should be made between the two, in particular regarding the “reporting” of very serious cases to the police, and the “signalling” of less serious cases to the social services. It was reminded that the Working Group had discussed this issue at its previous meeting, when the Dutch professional Robinetta de Roode had presented the main features of the Dutch reporting system. Instead of “signalling”, the term “report of concerns” was used to indicate the existence of a layered system. However, the Working Group did not see a clear distinction between the two terms that could be used as homologues, but saw the need for differentiated responses to incidences of violence according to their degree of severity or evidence.
 - v. **Confidentiality rules:** The Working Group agreed that rules about confidentiality and professional secret should not constitute an obstacle to reporting as they were overruled by the best interests of the child when the child was in need of protection and support; this principle should be reflected in the draft Recommendation.
 - vi. **Avenues for reporting by professionals:** Depending on the setting, there were usually different ways and means to report, *inter alia*, reporting centers (for all types of reporters), inspectorates (e.g. for violence in educational institutions), child abuse officers or designated persons (e.g. for violence in sport). All these should be taken into consideration. Besides, hotlines are often the first avenues where reports are filed; their role for professionals reporting still needed to be explored further. More information was also expected from the survey on national reporting mechanisms sent to the CDENF-GT-VAE member states by the 31 December 2020.

¹ [Presentation](#) by Professor Bruning.

- vii. **Levels of trust:** In some cases, reporting violence could have implications for the professionals themselves (e.g. trust by witnesses of violence towards professionals or by professionals towards reporting systems). It also remained to be considered whether there should be consequences or sanctions for professionals who knew about cases of violence against children and failed to report. To increase the rate of reporting and the confidence of professionals in reporting systems it was necessary to raise awareness among the general public and create a favourable overall context.
 - viii. **Follow-up provided to VAC reports:** Besides judicial responses to the most serious cases of violence, reference should be made to a broad range of support services to intervene on a case-by-case basis, including family support, therapeutic support (both for victims and offenders) and, in very serious cases, the removal of children from their families, which should only be used as a last resort.
 - ix. **Role of children:** In some countries children were able to report violence through an App (either on their own personal device or through a school tablet) and such systems seemed to work well to increase children's willingness to share any incidences. All VAE members agreed that children should always be heard by reporting professionals and social services.
 - x. **Role of the general public:** It was important to raise awareness on violence against children and everyone's responsibility in preventing and reporting it. A cultural mind-shift was needed and should be called for even if the focus of the draft Recommendation would be on the professionals (according to the CDENF mandate). If professionals acted in a child-centred atmosphere, they would perform better in reporting as this was appreciated by society as such and not generating suspicions of interference in family life or defamation.
10. With regard to involvement of the CDENF in the work process towards the draft Recommendation and possible further research to be undertaken on selected questions amongst all CDENF delegations, the Working Group agreed to postpone the decision until reception of the results of the survey.

In summary, the Working Group agreed on the following lines for the draft Recommendation:

- the scope of application of the draft Recommendation **should go beyond the child's circle of trust**, and not take the setting of violence as a starting point, but rather the forms of violence, then including all types of violence (to be grasped in a comprehensive definition at the beginning of a draft Recommendation), including relatively new and emerging forms of violence, such as online violence;
- **hotlines and helplines** would be referred to in a draft Recommendation, along with other avenues for reporting (to be further explored and described);
- **no general difference** was perceived by VAE members between "**reporting**" and "**signalling**" (except, possibly, for specific national contexts) and the focus should rather be set on the subsequent and differentiated procedures to be followed (involving both interventions by the judiciary and social services); such differentiation could also be specified in the explanatory memorandum;
- **confidentially** was not perceived as a major issue, as criminal acts seemed to justify going beyond confidentiality rules;
- **future implementation tools** to be developed following the draft Recommendation could include checklists, reference services, 30 minutes training courses.

The Working Group also decided to keep an eye on some important and sensitive issues such as:

- the **issue of the threshold** of severity triggering a report (although there was general agreement that strict thresholds were not useful);
- the **role of children** in reporting;
- the **role of the general public**, notably in creating a social atmosphere that was favourable to and facilitated reporting.

Agenda item 4.2: Measures and interventions aimed at preventing peer violence and harmful sexual behaviour by children

11. **The Secretariat**, drawing from Professor Simon Hackett's study² and the two presentations given by professionals from Iceland³ and the UK⁴ at the Working Group's previous meeting, gave an overview of first responses developed regarding the issue of harmful sexual behaviour displayed by children ("HSB" here following), recalled the prevalence of the issue in member states and relevant international and regional standards, and shared some characteristics of children displaying HSB. Examples of initiatives developed in member states to address this issue, such as the provision of psychological help or the setting up of child helplines, were given, as well as some initial recommendations on measures to be taken, for instance increased awareness-raising, training of parents and professionals, promotion of comprehensive sex and relationship education, increase and promotion of research, and promotion of holistic treatments and rehabilitative interventions for children displaying HSB.⁵
12. The Secretariat, recalled that the topic of sex and relationship education was already noted to be promoted through the next Council of Europe Strategy for the Rights of the Child (2022-2027) and a possible instrument to be elaborated.
13. The Working Group discussed how different member states currently addressed the topic of sex and relationship education, once again noting the differences in the approaches taken, and the barriers present in some countries to the provision of such education. However, the importance of providing age-appropriate sex and relationship education to all children, including children with disabilities, was agreed; the same goes for the importance of taking into account children's own views (e.g. in selecting the topics to be covered). The Chair underlined that, in her own country, Portugal, such education was foreseen in the citizenship education programmes for all pupils.
14. The Secretariat once again underlined the role of sex and relationship education as a tool to prevent the occurrence of HSB displayed by children and to promote healthy relationships between children. Some tools had been developed by the Council of Europe in this area, such as the child-friendly "Kiko and the hand" materials on the prevention and protection of children from sexual abuse.⁶ **Heiða Björg Pálmadóttir** from Iceland supported the idea that such education (including about children's own body conscience) should start at a very early age of children; in her country relevant child-friendly material was distributed as of the age of 4.
15. **Elda Moreno**, Head of the Department of Children's Rights and Sports Values also pointed to the growing body of evidence on the benefits of sexual education in tackling the issue of HSB and promoting healthy behaviour. This evidence was a powerful tool to debunk some myths and overcome resistance to the provision of sex and relationship education to children. She also noted the lack of resources in particular targeting the youngest children.
16. The Working Group discussed whether the topics of sex and relationship education and of HSB should be dealt with separately jointly; a majority of experts on the group was in favour of keeping the two issues separate for the time being, and stressed the need for further research on the issue of HSB in order to have a more comprehensive understanding on how this issue was addressed in member states.

² [Study](#) by Professor Simon Hackett.

³ [Presentation](#) by Anna Newton.

⁴ [Presentation](#) by Stephen Barry.

⁵ [Presentation](#) by the Secretariat.

⁶ See [relevant materials](#).

The Working Group agreed that:

- A questionnaire on HSB should be proposed by the Secretariat, and finalised by the Working Group before being approved by and disseminated to the CDENF in full at and following its plenary session in May 2021. This would increase the understanding on how the issue of HSB was addressed in member states and be instrumental in preparing any subsequent action in this area, including by preparing the grounds for a possible instrument on sex and relationship education to be elaborated under the new Strategy (2022-2027).

Agenda item 5: Other tasks of the Working Group

Agenda item 5.1: Supporting the review of progress towards the UN Sustainable Development Goals (UNSDGs), and notably SDG Target 16.2 to end all forms of violence against children: proposals for a possible CDENF methodology

17. **The Secretariat** presented possible CDENF activities to be proposed by the Working Group towards UNSDG Target 16.2, including exchanges on initiatives by member states at a plenary session, exchanges with representatives supporting this process at global level and updating the CoE 2017 Information note on Ending all forms of violence against children by 2030.⁷
18. **Elda Moreno** highlighted the Council of Europe's active role in the field of the violence against children, and presented two main challenges to achieving UNSDG 16.2, which could also be brought to Council of Europe level and consulted with children at an appropriate moment:
 - **Data collection:** A number of global indicators have been agreed to measure progress (towards UNSDG 16.2, for instance), but States seem to be struggling with data collection and their approach to research. The Council of Europe, in cooperation with UNICEF, could offer a platform for a discussion to agree on possible guidance for data collection.
 - **Reviewing progress in a holistic manner:** The Working Group could reflect in more depth on ways to assist member states in strengthening their integrated approaches in fighting violence against children as promoted by the relevant Council of Europe guidelines; the UNSRSG remained a first-line partner of the Council of Europe in this regard.
19. The Working Group discussed the possibility of reviewing progress towards the UNSDGs in a cross-cutting, child-centred approach shedding light on progress made under each Goal of Agenda 2030 and making data more comparable through a common approach to data collection. The Secretariat underlined that the Council of Europe should continue to play a role as a regional platform to assist member states in achieving the UNSDGs.

The Working Group agreed that:

- Representatives of UNICEF, the office of the UN Special Representative of the Secretary-General on Violence Against Children and possibly the Global Partnership to End Violence against Children could be invited to the next CDENF plenary meeting in May 2021; this proposal would be submitted to the CDENF Bureau at its first meeting in January 2021;
- An exchange of views on good practice initiatives could be organised at one of the next CDENF meetings;
- The 2017 Information note on Ending all forms of violence against children by 2030 could be updated according to the results of the above exchanges and possible consultancy work in this area.

⁷ [Information note.](#)

Agenda item 5.2: Supporting the implementation of CDENF activities on the rights of the child in the digital environment: organisation of a webinar to launch the Handbook for policy makers

20. **The Secretariat** informed the Group on the upcoming webinar aimed at launching the *Handbook for policy makers on the rights of the child in the digital environment* produced to promote the implementation of Recommendation CM/Rec(2018)7 by the Committee of Ministers, and invited all members to join the webinar and propose possible issues to be discussed on this occasion, together with the authors of the Handbook who would be present.
21. **The Chair** referred to the “hot topic” of data protection, which was found to be difficult in Portugal when it came to explaining relevant risks to children.
22. **Michèle Clarke** reported that in Ireland, there had been engagements with international companies and platforms concerning the rights of the child (e.g. Facebook), because those who provided the digital environment had to be involved in child protection; it would be interesting to know how Internet and other service providers were held responsible in other countries. For any Council of Europe action in this field, she offered to facilitate contacts with her partners.
23. **Diana Šmidova** agreed to the importance of issues raised and reported on her government’s co-operation with Vodafone to launch, very soon, an online application for children.
24. **Marino Di Nardo** also agreed on the importance to engage with private companies and presented some of issues currently debated in Italy:
 - the issue of privacy versus the protection. It should not be apprehended as a binary decision, but a compromise should be found in order to have the involvement of business companies.
 - the issue of the involvement of families. A common standard should be established on how to reach and involve with the families of the children.
 - the children participation, especially when we talked about reporting
 - the issue of the collection of data at a European level and the lack of data on this issue.
25. **The Secretariat** underlined the importance of the Handbook not only for policy makers, but also for the private sector, even though collaboration between the two was not always easy as they followed different logics. The Council of Europe Data Protection Committee had recently edited guidelines to protect children’s personal data in education settings. As of 2021, the Children’s Rights Division would also try to more strongly involve private companies (Snapchat or Microsoft), not least based on the Council of Europe platform of companies collaborating on human right, but any further contacts recommended were of course welcome.

Agenda item 5.3: Supporting the ongoing development of the “VAC Clearinghouse” - online platform on responses to violence against children: state of play

26. **The Secretariat** recalled that the VAC Clearinghouse, the new online platform on responses to violence against children, was well advanced (illustrating this by sharing some of the screens) and could finally be launched in early 2021. An information note on the state of play and a procedure proposed for regularly updating it with support from national delegations on the CDENF and its sub-groups would be prepared for the next Working Group meeting in April 2021.

Agenda item 5.4: Contributing to the preparation of the Council of Europe Strategy for the Rights of the Child (2022-2027): update on the current process

27. **The Secretariat** recalled the survey led for the new Strategy among CDENF members and observers. The first results of the survey had shown that the priority area “a life free from violence for all children” would remain high on the intergovernmental agenda under the new Strategy. The first steps were currently being taken towards a child consultation process, for which more than 20 national delegations had shown willingness to provide support. Further proposals for challenges to be considered in the new Strategy could always be sent to the Secretariat following the meeting (and before the end of the year).

Agenda item 5.5: Supporting the organisation of thematic exchanges on specific challenges of violence, as a follow-up to the COVID-19 pandemic: consideration of the CDENF concept paper

28. Following the COVID-19 situation, the **CDENF** had decided for the organisation of thematic exchanges on specific child-related challenges of the pandemic, in a series of webinars focusing on: Education (in February 2021); Domestic violence (in June 2021) and Children’s mental health (in December 2021).
29. The Group was invited to inform the Secretariat of any national good practice initiatives in these areas with a view to identifying interesting speakers and experiences to be presented.

Discussion

30. A good practice spontaneously reported from Portugal regarded continuous education during the COVID-19 situation by keeping open educational institutions in social “hot-spots” where children had less access to digital technologies and were more in need of a safe place during the day. The efforts undertaken to keep schools open was also underlined by other delegations.

Agenda item 6: Dates proposed for the next meetings of the working group in 2021

31. The Working Group took note of the dates proposed for its 4th meeting, to be held on 22-23 April 2021, and of its 5th meeting to be held on 23-24 September 2021, in Strasbourg or online depending on the sanitary situation. Both these meetings would focus on the preparation of the draft Recommendation on reporting mechanisms.

Agenda item 7: Other business

32. No other business was mentioned.

Annex I

Draft Agenda

1. Opening of the meeting
 2. Adoption of the draft agenda and order of business
 3. State of play of CDENF-GT-VAE activities
 4. Contribution to the development of non-binding instruments or tools containing guidance for member states
 - 4.1 Towards a draft Recommendation on the Development of effective mechanisms for professionals to report violence against children
 - 4.2 Measures and interventions aimed at preventing peer violence and harmful sexual behaviour by children
 5. Other tasks of the working group
 - 5.1 Supporting the review of progress towards the UN Sustainable Development Goals (UNSDGs), and notably SDG Target 16.2 to end all forms of violence against children: proposals for a possible CDENF methodology
 - 5.2 Supporting the implementation of CDENF activities on the rights of the child in the digital environment: organisation of a webinar to launch the Handbook for policy makers
 - 5.3 Supporting the ongoing development of the “Clearinghouse on responses to violence against children”: update on the state of play
 - 5.4 Contributing to the preparation of the Council of Europe Strategy for the Rights of the Child (2022-2027): update on the current process
 - 5.5 Supporting the organisation of thematic exchanges on specific challenges of violence, as a follow-up to the COVID-19 pandemic: consideration of the CDENF concept paper
 6. Dates proposed for the next meetings of the working group
 - 4th meeting:* 22-23 April 2021, Strasbourg (or virtual)
 - 5th meeting:* 23-24 September 2021, Strasbourg (or virtual)
 7. Other business
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Draft Order of Business - Overview

Tuesday 1 December	10h-13h	1, 2, 3, 4.1
Wednesday 2 December	10h-13h	4.2 and 5, 6, 7

Annex II

PARTICIPANT LIST/LISTE DES PARTICIPANTS

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Ireland

Ms Michèle Clarke
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Expert
Office of the Department for Family Policies of the Presidency of Council of Ministers

Portugal / Chairperson

Ms Rosário Farmhouse
President
National Commission for the Promotion of the Rights and Protection of Children and Young People

Russian Federation

Ms Olga Opanasenko

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OBSERVER STATES

Mexico

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Ms Lorena Alvarado Quezada
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Ms Emmanuelle Vacher
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