



Building a Europe  
for and with children  
Construire une Europe  
pour et avec les enfants



CDENF-GT-VAE(2021)PV2

17 December 2021

# **Steering Committee for the Rights of the Child (CDENF)**

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

**5<sup>h</sup> Meeting by videoconference**

**23-24 November 2021**

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### **Report Meeting**

#### Meeting times:

#### Day 1:

Tuesday 23 November

9:30-12:00 / 14:00-16:30 hrs

#### Day 2:

Wednesday 24 November

9:30-13:00 hrs

*Prepared by the Children's Rights Division*

[www.coe.int/en/web/children/cdenf-gt-vae](http://www.coe.int/en/web/children/cdenf-gt-vae)

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## Fifth meeting of the CDENF-GT-VAE

**Part I of the meeting (Tuesday, 23 November 2021) 09:30 – 12:00 / 14:00 – 16:30 hrs**

### **Agenda item 1: Opening of the meeting**

1. **Rosário Farmhouse** (Portugal), Chair of the Working Group and Vice-Chair of the Steering Committee for the Rights of the Child (CDENF) opened the fifth (online) meeting of the Working Group on responses to violence against children (CDENF-GT-VAE; “Working Group” hereinafter) and welcomed all members, observers and invited experts. She expressed hope that as of next year, the Council of Europe would see a return to face-to-face meetings in Strasbourg.
2. The Chair pointed to the fact that, this time some members of the working group were exceptionally replaced by colleagues and welcomed **Milena Anastasova (Bulgaria)**, **Alessandra Bernardon (Italy)**, and **Páll Ólafsson (Iceland)**, who briefly introduced themselves. She then recalled that the two-days meeting would be dedicated to reviewing the draft Recommendation on strengthening mechanisms for professionals to report violence against children (current working title), which had been consistently revised and shortened by the Secretariat and the supporting consultants to better comply with the latest Committee of Ministers’ standards for the format of such texts.

### **Agenda item 2: Adoption of the draft agenda and order of business**

3. The agenda was adopted with an addition proposed by the Secretariat to Agenda item 7 (other business) to provide an update about the upcoming Rome High-level Launching Conference for the new Strategy for the Rights of the Child (2022-2027) and its programme for which the input of the Working Group would be sought at some point.
4. The agenda as adopted can be found in Annex I; the list of participants in Annex II.

### **Agenda item 3: State of play of CDENF-GT-VAE activities in the context of the outgoing and new Strategies for the Rights of the Child**

5. **Maren Lambrecht-Feigl**, Programme Officer at the Children’s Rights Division (Secretariat hereinafter), gave an overview of the state of play of CDENF-GT-VAE activities, some of which would be pursued into 2022, notably the work on the draft Recommendation focused by the present meeting, with two further meetings proposed in March and September (online for the first, and hopefully face-to-face for the second).

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

6. The Chair briefly reminded the Working Group of the state of play of the activity and recalled that the present meeting was aimed at advancing with the work on the draft Recommendation and Guidelines concerning mechanisms for professionals to report violence against children (working title retained at the last meeting).

### **Agenda item 4.1 Draft Recommendation containing Guidelines on Strengthening mechanisms for professionals to report violence against children**

7. **Mariëlle Bruning**, Professor of Child Law at Leiden University (NL), and Independent child protection expert, reminded members and observers of the Working Group of the core elements contained in the new draft Recommendation and its current structure, notably highlighting some of the elements of content or terms yet to be agreed, including:<sup>1</sup>

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<sup>1</sup> For more information, see Professor Bruning’s [presentation](#).

- **Title of the recommendation:** See if it precisely reflects the purpose and content of the document
  - **Definition of violence:** See if it is complete and well linked to the content of the text
  - **Scope:** See if there is consensus to focus on professionals and volunteers as reporters
  - **Explanatory Memorandum:** Yet to be added on the basis of all previous elements prepared (draft Recommendation and its structure, feasibility study and practice report by Simona Florescu).
  - **Duty to report:** Legal duty to report and policy-based duty to report; see if both should be promoted by the draft Recommendation
  - **Voice of the Child:** See if there is agreement on the child's right to be heard (and informed), giving due weight to the child's voice, instead of seeking the child's consent before reporting
  - **Evolving capacities of the child:** Included in the draft Recommendation, as a sub-item to children's right to be heard
  - **Confidentiality issues:** See if there is agreement on a general reference to confidentiality in the draft Recommendation to be further detailed in the memorandum
  - **Threshold:** Clear definitions are needed in national laws or policies; indications to national practice can be given in the explanatory memorandum
  - **Anonymous reporting:** There seems to be varying practice with regard to the possibility for professional reporters to stay anonymous towards third parties; see how to reflect any cultural differences
8. The Secretariat detailed the steps to be completed regarding the draft Recommendation and Guidelines concerning mechanisms for professionals to report violence against children, and the components of such a new standard (Recommendation (core text), Guidelines (Appendix) and Explanatory Memorandum (for more detailed explanations on the application of the Recommendation and Guidelines). She expressed hope that the final versions of all documents could be prepared for the summer 2022. November 2022 was highlighted as the latest date to submit the draft text to the CDENF for its approval, before submitting the text to the Committee of Ministries for formal adoption.
9. **Simona Florescu**, Phd student at Leiden University and independent expert, gave a presentation<sup>2</sup> on the outcomes of the survey on national mechanisms for professionals to report violence against children (VAC) led amongst all CDENF delegations in 2021. She provided an overview of the main barriers professionals regularly encounter when reporting violence against children and made the following recommendations:
- Adopt clear definitions of legal or policy-based reporting duties and, where both exist, ensure coordination between the legal and policy-based duties in terms of when and how the duty is activated;
  - Indicate clearly and concretely the threshold for reporting VAC as well as the channels of reporting for professionals, create specialised trainings and organise awareness raising campaigns;
  - To set up a follow-up system ensuring that reporters are given feedback on the case after a referral.

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<sup>2</sup> For more information, see Simona Florescu's [presentation](#).

10. The Working Group revised the draft Recommendation paragraph by paragraph and the Secretariat took note of all changes proposed and agreed (directly on screen). The Chair subsequently gave the floor to participants who wanted to provide input into the text in the light of their respective national practice and moderated the discussion throughout.

**The Working Group discussed and agreed:**

- To modify the **title** to “Recommendation containing Guidelines on strengthening *reporting systems* on violence against children” (new working title), in order to shorten it and to highlight the aim of the recommendation;
- To make the **Council of Europe’s Strategies for the Rights of the Child** more visible in the text of the core Recommendation, referring to them before other standards (*NB: yet to be verified if this is acceptable according to Council of Europe standards*);
- To include a reference to the **impact of the Covid-19 pandemic** on violence against children in the text of the core recommendation;
- To add the need to **allocate sufficient financial and staff resources** to build strong child protection and reporting systems in the text of the core recommendation;
- To make more visible the innovative and all-encompassing **definition of violence**, placing it before other concepts and definitions at the beginning of the Guidelines;
- To add in Section IV of the Guidelines on the need for member States to create **holistic child protection systems** that stimulate the identification, reporting and responding to violence against children;
- To ensure that the draft Recommendation expressly encourages member States to allow professionals’ and volunteers’ reporting of violence against children to **remain anonymous** vis-à-vis third parties other than public authorities (e.g. for example towards perpetrators of violence in the family context);
- To include that professionals should be encouraged to discuss any concerns about the child’s safety with parents or caregivers, **only if it is appropriate and in the child’s best interests**;
- To clearly state that parents’ or caregivers’ **consent is not necessary** for reporting.

**Part II of the meeting (Wednesday 24 November 2021) 09:30 – 13:00 hrs**

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

11. The Chair welcomed the members of the Working Group back to the second meeting day, and briefly recalled the workplan for this part of the meeting, encouraging the participants to actively contribute to the discussion of outstanding or sensitive issues.

**Agenda item 4.1 Draft recommendation containing Guidelines on Strengthening mechanisms for professionals to report violence against children (continued)**

12. The Secretariat briefly introduced the item about the training of professionals that was included to the programme to further inform the work on the draft Recommendation and explained that DCI as an observer on the Working Group had an interesting example to share with the Working Group.

13. **Vanessa Buvens** from the DCI World Service Foundation, and **Emmanuelle Vacher** from DCI International, gave a presentation<sup>3</sup> on the PARCS project (“Promoting child protection and well-being within sports and leisure activities”) in Belgium aimed at developing child protection policies in the sports and leisure sectors and at improving the knowledge and expertise on the subject matter thanks to a pool of trained experts. The needs assessments for such trainings and the development of relevant tools were undertaken in close collaboration with different institutions and associations through a close collaboration process, involving several pilot projects.
14. **Rosário Farmhouse** informed the Working Group about the training provided to professionals in Portugal in areas such as education, social assistance, child protection and security forces. More information is available in [www.cnpdpdj.gov.pt](http://www.cnpdpdj.gov.pt).
15. **Michele Clarke** recalled the legal obligation to report child abuse that had been introduced in Ireland since 2015 and informed about the mandatory training professionals had to follow in this context (universal e-learning programme called Introduction to Children First<sup>4</sup>). More information is available in <https://www.tusla.ie/children-first/children-first-e-learning-programme/>.
16. The Secretariat summarised some of the **key issues** presented that were proposed to be taken into account for the draft Recommendation:
  - Training should be mandatory in areas where professionals are in contact with children;
  - Reporting procedures on violence against children should be embedded in legal and policy frameworks and strong child protection systems;
  - Needs-assessments should be undertaken before designing training programmes and these programmes should be regularly evaluated;
  - Creating partnership between institutions and professionals is crucial;
  - Trainings should also contribute to the multiplication of information (within specific areas and amongst professionals) and should also be provided to media representatives.

**In particular, the Working Group discussed and agreed:**

- That the suggestion coming from **Missing Children Europe as an observer** to include in paragraph 20 a reference to missing children was justified as such, but that this reference should be made in the upcoming Explanatory memorandum alongside with other vulnerable groups of children and consequences of violence, and not in the guidelines themselves where the intention would be to remain as focused as possible on reporting systems, and where no other vulnerable groups are explicitly mentioned;
- That **training and awareness-raising** activities should be mandatory for all professionals working for and with children and that information about child protection and reporting systems should be included in relevant curricula of the initial training of professionals;
- That the need to undertake **risk assessments** in collaboration between competent agencies, in order to fully assess the information in relation to the child, should be reflected in the draft Recommendation;
- That the issue of monitoring bodies should be addressed in a broad manner, since in some countries the assessment was not done by independent bodies, but public authorities themselves.

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<sup>3</sup> See DCI World Service Foundation’s [presentation](#).

17. The Working Group continued revising the draft recommendation during meeting day 2, and the Secretariat again took note of all changes proposed. Due to time constraints, it was decided to review the last sections through **written procedure**. The Secretariat informed that a new draft reflecting all changes made during the meeting would be circulated in the following days for review by the Working Group; possible additional comments could also be made then. All comments reaching the Secretariat in writing by 13 December, would be considered for an updated draft forming the basis of continuous work on the text in 2022.

#### **Agenda item 5: Other tasks of the Working Group**

##### **Agenda item 5.1: Supporting the ongoing development of the “Clearinghouse on responses to violence against children”, serving as a platform for the exchange of information on national, European and international responses to violence against children**

18. The Secretariat updated the Working Group on the state of preparation of the “Clearinghouse on responses to violence against children” and showed the current webpages related to it (including the central “resource centre”), which would soon be updated and finalised. All members and observers were invited to express what they would find useful in terms of contents on and procedures around the platform. Most members expressed their agreement and underlined that an additional section including institutions to be contacted in each country concerning responses to violence against children would be very useful.
19. The Secretariat thanked for the valuable input and informed the Working Group that a first draft form had been prepared to regularly update the online platform via the CDENF, and that it could be further completed by this kind of institutional information.

#### **Agenda item 7: Any other business**

20. The Secretariat updated the Working Group on the organisation of the High-level Launching Conference for the new Council of Europe Strategy for the Rights of the Child (2022 to 2027) to take place in Rome, Italy on 7-8 April 2022 under the Italian Presidency of the Committee of Ministers. It also informed members and observers about the opportunity to address the topic of reporting violence against children in one of the diving-in sessions. She announced that a provisional version of the draft programme would be circulated soon after the meeting.

#### **Agenda item 7: Date and place of next meeting**

21. The Secretariat recalled that the exact dates for the next online meeting in March would be identified via a Doodle request to be sent out before Christmas.

#### **Agenda item 8: Closing the meeting**

22. The Chair thanked all members and participants for their active participation in and contributions to the meeting and wished everyone excellent end of the year holidays.

## Annex I

### Draft Agenda

**Tuesday, 23 November 2021 – 9:30 – 12:00 hrs**

#### **Opening of the meeting**

1. *Opening by the Chairperson, Rosário Farmhouse, Vice-Chair of the Steering Committee for the Rights of the Child (CDENF)*

*Welcome by the Secretariat*

2. **Adoption of the agenda and order of business** CDENF-GT-VAE(2021)OJ2

#### **State of play of CDENF-GT-VAE activities in the context of the outgoing and new Strategies for the Rights of the Child**

3. *Activities to be pursued in 2022* CDENF-GT-VAE(2020)01rev3  
*State of play of the Strategy preparation* Updated workplan: State of play and next steps ahead  
*Update and exchange on current and upcoming activities on violence against children at the European and national levels*

4. **Contribution to the development of non-binding instruments or tools containing guidance for member states**

Working documents:

[CDENF-GT-VAE\(2021\)04](#)

#### **4.1 Draft Recommendation containing Guidelines on the Strengthening mechanisms for professionals to report violence against children**

Draft Recommendation containing Guidelines on Strengthening mechanisms for professionals to report violence against children

10:00 am:

Reference documents :

*Presentation by **Prof. Mariëlle Bruning**, Leiden University and the Secretariat*

[CDENF-GT-VAE\(2021\)02](#)

Revision of the Draft Recommendation and Guidelines

Reporting mechanisms and practices concerning violence against children in selected Council of Europe Member States – summary report of the survey led within the CDENF-VAE-GT

Presentation of next steps ahead for this activity

[CDENF-GT-VAE\(2021\)03](#)

Draft survey on national reporting mechanisms on violence against children

*NB: The discussion on the draft Recommendation and Guidelines will be pursued in the afternoon session and on Day 2 of the meeting.*

[CDENF-GT-VAE\(2020\)02](#) – Study on Strengthening Mandatory Reporting of Child Sexual Abuse in Europe (Prof. Mathews)

[CDENF-GT-VAE\(2020\)03](#) – Discussion paper on mandatory reporting of violence against children (Prof. Bruning)

**Tuesday, 23 November 2021 – 14:00 – 16:30 hrs**

**4.1 Draft Recommendation containing Guidelines on the Strengthening mechanisms for professionals to report violence against children (continued)**

14:00:

Presentation by **Simona Florescu, Leiden University**, on the summary report of the survey led amongst all CDENF delegations from May to October 2021

Continued revision of the draft Recommendation and Guidelines

Working documents:

[CDENF\(2021\)19](#)

Reporting mechanisms and practices concerning violence against children in several Council of Europe Member States

Reference documents:

See above

**Wednesday, 24 November 2021 – 9:30 – 13:00 hrs**

**4. 4.1 Draft Recommendation containing Guidelines on Strengthening mechanisms for professionals to report violence against children (continued)**

9:30 am:

Presentation by **Vanessa Buvens, Coordinator of the DCI World Service Foundation**, on the PARCS project ("Promoting child protection and well-being within sports and leisure activities") in Belgium aimed at training professionals in the sport and leisure sectors

Discussion

Continued revision of the draft Recommendation and Guidelines

Working documents:

See above

**5. Other tasks of the working group**

**5.1 Supporting the ongoing development of the "Clearinghouse on responses to violence against children", serving as a platform for the exchange of information on national, European and international responses to violence against children**

*Oral update by the Secretariat*

State of play of the activity

Discussion on the future role and use of a platform on responses to violence against children

**6. Any other business**

**7. Date and place of next meeting**

6th meeting suggested for:

March 2022 (exact date to be confirmed),  
Strasbourg (or virtual)

**8. Closing the meeting**



## **Annex II**

### **List of Participants**

#### **MEMBERS**

##### **Portugal**

Ms Rosário Farmhouse (Chairperson)

President

National Commission for the Promotion of the Rights and Protection of Children and Young People

##### **Belgium**

Mr Tim Stroobants

Director

Flemish Expertise Center on Child Abuse

##### **Bulgaria**

Mr George Ivanov (*excused*)

Head Expert

Politics and Programs for the children Department

Ms Marga Stoyanova

Lawyer

Politics and Programs for the children Department

Ms Milena Anastasova

State Agency for Child Protection

##### **Croatia**

Ms Tatjana Katrić Stanić (*excused*)

Head of Sector

Coordination of Policies and Improvement of Social Welfare Centres Expert Work

##### **Czech Republic**

Ms Diana Šmidova

Children's Rights Lawyer

Human Rights Department, Office of the Government of the Czech Republic

##### **Iceland**

Ms Heiða Björg Pálmadóttir (*excused*)

Government Agency for Child Protection, Ministry of Social Affairs of Iceland

Mr Páll Ólafsson  
Head of Consulting and Education  
Department of Consulting and Education  
Government Agency for Child Protection

#### **Ireland**

Ms Michele Clarke  
Chief Social Worker  
Department of Children, Equality, Disability, Integration and Youth

#### **Italy**

Ms Tiziana Zannini (*excused*)  
First-level executive and Director General  
Department for Family policies – Presidency of the Council of Ministers

Ms Alessandra Bernardon

#### **Russian Federation**

Ms Olga Opanasenko (*excused*)  
Counsellor of the Human Rights Department  
Ministry of Foreign Affairs

#### **OBSERVERS**

##### **United Nations Office of the Special Representative of the Secretary-General on Violence against Children (UNSRSG)**

Mr Mánuis De Barra (*excused*)  
Child Protection Officer

##### **Missing Children Europe**

Ms Louise Bonneau  
Senior Policy and Advocacy Officer

##### **DCI International (Belgium)**

Ms Emmanuelle Vacher  
Child protection officer

Ms Vanessa Buvens  
World Service Foundation (WSF) Coordinator

#### **PARTICIPANTS**

Mariëlle Bruning, Professor of Child Law at Leiden University, Netherlands  
Simona Florescu, PhD student, independent expert, Leiden University, Netherlands  
Stephanie Olsohn PhD student, Leiden Law School, Leiden University, Netherlands

## **SECRETARIAT**

Maren Lambrecht-Feigl  
Programme Officer

Katrin Uerpmann  
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Mireya Garcia de Murcia  
Assistant lawyer

Audrey Winum  
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