

### Question 19.b.

The training of professionals (judicial authorities, criminal police bodies and court officials) is expressly provided for in Article 28 of the EV. It states that they should receive general and specialised training, of a level appropriate to their contact with victims, in order to increase their awareness of the specific needs of victims.

- *CEJ – Center for Judicial Studies*

The same provision, in its paragraph 2, states that the activities of the Centre for Judicial Studies (CEJ) shall include contents on victimisation, in order to raise the awareness of the judiciary and public prosecutors as regards the needs of victims.

The CEJ, which is in charge of the initial and continuous training of magistrates and public prosecutors, integrates in their respective programs, training regarding the hearing of children in the various contexts in which it may take place, namely in the criminal domain, with special focus on the frameworks in which they assume the position of victims of crime against sexual freedom and self-determination, domestic violence and trafficking in persons. The following information concerns the Family and Children's Jurisdiction and refers to the activity carried out within the scope of training in Family and Children's Law.

The Judicial Studies Centre, as a school for magistrates, has as its main vector the initial and continuous training of magistrates

The initial training of magistrates for the judicial courts includes a theoretical and practical training course, the first cycle of which takes place at the headquarters of the JTC.

Continuous training aims to develop the skills and competencies that are appropriate for professional performance and personal development throughout the magistrates' career.

However, this training also covers other professionals involved in the administration of justice.

The CEJ also produces several electronic contents, translated into the E-book publication, with free access.

It is, therefore, in these three aspects that we present the activity developed during the year 2020/2021.

#### 1. The Initial Training

In the theoretical-practical phase of the training course for magistrates, the rights of the child, especially its right to sexual freedom and self-determination, are the subject of particular reference throughout the initial training period and in relation to the various subjects covered, such as the guiding principles of intervention in family and children's law; civil tutelary proceedings, with special focus on the legal consequences in situations of sexual abuse, where the offenders are the child's parents or caregivers; the intervention in

situations of children in danger and the promotion and protection processes, focusing on the specificities of the law when dealing with situations of intrafamily violence, especially sexual abuse and juvenile delinquency, in relation to educational guardianship processes, analysing some practical cases in which children are victims of sexual abuse and young people are the perpetrators of such acts against other children.

This approach is supported by the programmatic objectives of the Family and Children's Jurisdiction, highlighting those that are interrelated with the theme in question.

.To sensitize the justice auditor to the universe of the fundamental and structuring principles of Family and Children's Law, enabling him/her to directly apply conventional norms of an international nature, even in situations in which national written law does not offer a complete answer;

Sensitize the justice auditor to the reality called "CHILD", reading it through pluridisciplinary lenses that encompass it in the legal and social unit that it constitutes, as an autonomous subject of rights;

Make the justice auditor understand that the "best interests of the child" is not merely a cultural construction that should only be of interest to jurists;

Sensitizing the justice auditor to the importance of hearing the child on issues that concern him or her, as is the prerogative of international instruments (conventional and communitarian) and internal law

Enable the justice auditor to know how to diagnose situations of danger that a child may experience, identifying alarm signals capable of requiring the immediate and urgent intervention of the protection system in Portugal, built by Law no. 147/99, of September;

Sensitize the auditor of justice of the Public Prosecutor's Office to the importance and need for true articulation with the Commissions for the Protection of Children and Youth, taking into account the legal impositions resulting from the LPCJP and the superior guidelines in force, articulation that should extend to the knowledge of pending criminal cases relating to the same situation, particularly in cases of intrafamiliar domestic violence

In the pursuit of these objectives and in addition to the practical issues that will be addressed throughout the sessions, the auditors also have a 6-hour training, dedicated exclusively to the hearing of children, taught by psychologists specializing in this area, where, moreover, are addressed concrete situations of children subjected to sexual abuse

## 2. Ongoing Training

In 2020/ 2021, several topics were addressed in the training sessions that are directly or indirectly related to the dangers to which children are subjected, particularly at the level of sexual abuse and exploitation, namely:

The child in the context of domestic violence: what consequences?

The intervention of police authorities in child protection;

The articulation between family and child jurisdiction and criminal jurisdiction;

Protecting children in times of covid;

Child exposure on social networks and the right to image;

Child and social networks: the view from psychology. Psychological impacts of child exposure on social networks;

Cyberbullying: criminal aspects;

Cyberbullying: source of civil liability;

- Presentation of the PSP campaign for bullying and cyberbullying cases;
- Covid-19: impacts on the protection of children and promotion of their rights - the promotion and protection process;
- Covid-19: impacts on the exercise of parental responsibilities and its vicissitudes - the tutelary civil proceedings;
- The etiology, prevention and consequences of the phenomenon of violence at school: who are the victims and the aggressors?
- Bullying, its framework and the tutelary educational response;
- The children of domestic violence: impacts;
- The Public Prosecutor in cases involving children victims of domestic violence - the practical interconnection of penal and protective interventions.

### 3. Electronic Resources

The regular edition of E-books, containing subjects related to the theme we are discussing here is also a reality, with emphasis on those published in 2020/2021. They are available for free at:

[http://www.cej.mj.pt/cej/recursos/ebook\\_familia.php](http://www.cej.mj.pt/cej/recursos/ebook_familia.php)

- Training actions of the family and children's jurisdiction;
- Domestic violence - sociological, psychological and legal implications of the phenomenon - a multidisciplinary manual (2nd edition);
- Family and children's law - current issues under debate;
- Children at risk and the promotion and protection of their rights - multiplicity in intervention.

- MAI

Since 2017 until 2021 PSP collaborate in a project that produced a Good Practices Manual for professionals dealing with Sexual Violence in Intimacy Relations. On the first part this manual approaches the prevalence of the SVIR phenomenon, its specificity and diversity, indicators beliefs, myths, or stereotypes. On the second chapter the professionals can study subjects like the principles of intervention with SVIR victims, difficulties in intervention,

secondary victimization, minimizing the impacts without, stigmatizing victims, and specific training and conducting multiple interviews, dealing with trauma, or risk assessment. In the law enforcement chapter, the manual stresses the importance of a good approach to the VSRI victim and the risk assessment, security plan and proper referral.

- INMLCF

The National Institute of Legal Medicine and Forensic Sciences regularly provides education to multiple institutions to raise awareness of signs of suspicion in abused children as well as steps to take into account when a case arises

- Direção Geral para a Administração da justiça (DGAJ)

The DGAJ, through the Training Center, has promoted training activities for Justice Officials, on the protection and rights of especially vulnerable people, namely the rights of child victims, as provided for in the EV. These actions are intended to ensure awareness and adequate knowledge to the Justice Officers about the rights of victims, especially rules of reception and good practices in the interaction with them, in order to realize their rights.

The DGAJ's Training Centre provides training on issues involving victims of crime and raises awareness among judicial officers on the subject of crime against children, namely crimes of sexual exploitation and sexual abuse of children, among others, in order to recognise the existence of such crimes and the obligation to report them.

Training courses given that it was possible to collect from the DGAJ Training Centre, including the number of participants.

Year 2020

Funded external training, given by APAV to all the Comarcas (due to the pandemic situation, the face-to-face sessions were converted into synchronous distance sessions).

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Courses	Type	Timetable		Number of actions carried out	Number of trainees	Workload	
		Start date	End date			Unitária	
Support to children victims of sexual violence	b-Learning (face to face-session)	February	March	3	23	21	
Support to children victims of sexual violence	b-Learning (distance session)	February	June	20	106	17	

Year 2021

E-learning course "Statute of the Victim", 6 hours, available from 27/09 to 29/10, 104 OJ participants

Webinar "Good practices in the reception of victims", 14/10, 3 hours, 62 OJ participants

Parental Abduction and Child Protection	2nd semester	6 hours	Webex	24 and 25 November (09.30 - 12.30)
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With 14 OJ participants.