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Report on procedures and protocols supporting an inter-agency agreement between Croatian authorities competent for implementing the Barnahus model in Croatia

Summary of initial consultations for the drafting of the inter-agency agreement for the implementation of the Barnahus model in Croatia

2nd draft of the Memorandum of understanding on implementing the Barnahus model in Croatia

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The Report on procedures and protocols supporting an inter-agency agreement ("I-A Agreement") between Croatian authorities competent for implementing the Barnahus model in Croatia, the Summary of initial consultations for the drafting of the inter-agency agreement for the implementation of the Barnahus model in Croatia and the 2nd draft of the Memorandum of understanding on implementing the Barnahus model in Croatia were prepared within the framework of the Output 5 - Report on procedures and protocols supporting an inter-service agreement between ministries and other stakeholders on the implementation of the Barnahus model of the joint EU – CoE project "Implementing the Barnahus model in Croatia". In order to produce the output, it is envisaged to develop procedures and protocols to support interagency co-operation through the assistance by a team of national experts (consultants) and relevant authorities, consultations with stakeholders for information collection and validation of proposed amendments and peer-review by one or more international experts (consultants) (depending on the topic/field of expertise).

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Table of Contents

Report on procedures and protocols supporting an inter-agency agreement between Croati	ian authorities
competent for implementing the Barnahus model in Croatia	4
Summary of initial consultations for the drafting of the inter-agency agreement for the imp	
of the Barnahus model in Croatia	23
2nd draft of the Memorandum of Understanding on implementing the Barnahus model in C	Croatia 26

Report on procedures and protocols supporting an interagency agreement between Croatian authorities competent for implementing the Barnahus model in Croatia

1. Introduction

The Report builds on the Mapping and desk research review of the international standards and principles as well as the existing Croatian legislation relevant for professionals handling cases of children victims of sexual violence and abuse (<u>full version in Croatian / summary in English</u>) and the Analysis of the legislative, policy and institutional framework regarding protection of children and procedures for cases on violence against children, including sexual violence in Croatia that inter alia, includes the identification of relevant stakeholders, their competencies and existing cooperation modalities relevant for the preparation of the inter-agency agreement between Croatian authorities competent for implementing the Barnahus model in Croatia ("I-A Agreement"). The Report is supplemented with the findings from the comparative solutions identified in other CoE and EU member states, primarily in the CoE publication: "<u>Barnahus: a European journey</u>. Mapping study on multidisciplinary and interagency child-friendly justice models responding to violence against children in Council of Europe member states" and complemented with interviews and written contributions provided by five states already operating the Barnahus model.

2. Current legal basis for the establishment of Barnahus in Croatia and the I-A Agreement

The establishment of the Barnahus model in Croatia is envisaged by the Croatian Government in the "National Plan for Combating Sexual Violence and Sexual Harassment for the period until 2027" prepared by the Ministry of Labour, Pension System, Family and Social Policy. Its pertaining implementation document "Action Plan for Combating Sexual Violence and Sexual Harassment for the period until 2024", inter alia, envisages Special Goal 2 – Enhancing care and ensuring availability of support services to victims of sexual offences, Measure 6 - The establishment of the Children's House, based on the Barnahus model, as an interdisciplinary and multisectoral centre for child victims and witnesses.

The purpose of Measure 6 is to ensure that medical examinations, forensic interviews and therapeutic services are provided to a child in a safe space in order to prevent re-traumatization, support the family and ensure a co-ordinated action between relevant stakeholders before and during the criminal proceedings. The implementation of the said Measure is envisaged by the following performing indicators: (1) preparing an analysis for its establishment; (2) establishing a legal framework for its start of operations; (3) establishing administrative capacity for its implementation and providing necessary training in this regard; (4) developing a communication strategy for its establishment to raise awareness among the general and expert public on the harmfulness of sexual abuse and exploitation of children. These activities are to be finalized in the 4th quartal of 2024 (end of 2024). In addition, the Ministry of Justice, Public Administration and Digital Transformation is envisaged as the competent authority for achieving the performance indicators, including the financial aspect.

According to the information provided by the Ministry of Labour, Pension System, Family and Social Policy as the competent body overseeing the implementation of the indicated National and Action Plan, one of the four envisaged performance indicators (preparation of an analysis) was

completed while the remaining three are expected to be realized. In addition, the said Ministry indicated that the Action Plan for the period between 2025 and 2027 will be prepared during the beginning of 2025.

As regards the establishment of the legal framework for the start of operations of the Barnahus indicated as performance indicator no. 4 in the above Action Plan and envisaged by the Project's outputs, it is planned to prepare an I-A Agreement as a legal document demonstrating the high-level will of relevant Croatian stakeholders for the implementation of the Barnahus model in Croatia. The I-A Agreement will constitute the first joint legal document of the Croatian authorities in their journey of establishing the Barnahus at the national level.

3. Applicable national co-operation agreements

The most relevant co-operation agreement signed between the Ministry competent for justice matters and other authorities that is applicable in the matter at hand, and relates to the protection of human rights, is the Inter-Agency Agreement on co-operation in cases of violence against women and domestic violence. It was signed in 2018 in the presence of the Prime Minister by the Ministry of Justice, the Ministry of Foreign and European Affairs, the Ministry of Interior, the Ministry of Health, the Ministry of Demographics, Family, Youth and Social Affairs and the Ministry of Science and Education.

Its contents primarily include the need for human rights protection, purpose of the Agreement, expressed commitment of relevant stakeholders for joint action and comprehensive protection of victims, multi-disciplinary trainings, including with NGOs. It delineates relevant stakeholders and prescribes the manner of inter-agency co-operation.

4. Existing national by-laws on the protection of children against sexual abuse

To help identify the stakeholders of the I-A Agreement, scope of their competencies and obligations, manner of co-operation and applicable judicial proceedings for protection of children against sexual abuse, the following existing national by-laws prescribing codes of conduct of relevant stakeholders in cases involving child abuse were researched:

- Protocol on Procedures in Cases of Sexual Violence (adopted at the Government Session of 7 October 2023),
- Protocol on Procedures in Cases of Child Abuse and Neglect (adopted at the Government session of 13 November 2014),
- Protocol on Procedures in Cases of Domestic Violence (adopted at the Government session of 19 June 2019),
- Protocol on Procedures in Cases of Violence among Children and Young People (adopted at the Government session of 15 April 2024).
- Protocol for the Identification, Assistance and Protection of Victims of Trafficking in Human Beings,
- Rules on Procedure of Police Officers (Official Gazette No. 20/22),
- Rules on Procedure of Educational Workers in Schools on Undertaking Protective Measures of Pupil's Rights and on Reporting any Violation of These Rights to Competent Authorities (Official Gazette No. 132/2013),
- Rules of Procedure on the Work of Non-Legal Expert Assistants in the Field of Youth Delinquency and Criminal Justice Protection of Children in State Attorney's Offices and Courts (Official Gazette No. 22/13),

 Rules of Procedure on the Manner of Conducting an Individual Assessment of the Victim (Official Gazette No. 106/2017).

Main findings are summarized below.

<u>Introductory remark:</u> Protocol on Procedures in Cases of Sexual Abuse ("PPCSA") is a dedicated by-law that identifies relevant stakeholders in child sexual abuse cases, regulates their codes of conduct and obligations as well as the co-operation modalities before, during and after criminal proceedings. Other protocols prescribe co-operation modalities in other types of child abuse cases. This report is therefore focused on inter-agency cooperation prescribed in the PPCSA and is supplemented with other by-laws to the extent necessary.

Key principles of conduct: (i) protection of the child's best interests, (ii) preventing retraumatization, (iii) preventing undue delays in gathering evidence and conducting criminal proceedings, (iv) ensuring evidentiary validity of gathered evidence, (v) providing necessary support and compassion to the child and non-offending family members including therapy and counselling, (vi) ensuring standardized operative procedures and co-ordinated action, (viii) contributing to swiftly bringing the perpetrator to justice.

Handling of child sexual abuse cases: Protection by State agencies is called upon from the first disclosure made by the child or others to the following professionals working in: kindergartens, schools, social welfare services, healthcare services, police, state attorney's offices. This means that there will be a need for protection of a child even before the criminal proceedings were instigated if the initial information was obtained by the kindergarten, schools, social welfare and healthcare services that have an obligation to report it to the police. Following the criminal complaint, the authorities carry out the police investigation, inquiry or the prosecutorial investigation, depending on the type of the criminal offence and evidence obtained. During this pre-trial phase the child can be interviewed, it can undergo a medical examination and social welfare services may provide the necessary support. After the indictment is confirmed, the trial phase commences during which an additional interview may take place and social welfare services may continue to be provided. Following the rendering of the judicial decision, there is a possibility of another interview if a retrial was ordered, and social welfare services may continue to provide their services.

Identification of relevant stakeholders handling child sexual abuse cases: professionals from kindergartens and schools (Ministry of Science, Education and Youth), social welfare services (Ministry of Labour, Pension System, Family, and Social Welfare), healthcare services (Ministry of Health), police (Ministry of Interior and its Police Directorate), state attorneys (State Attorney's General Office), non-Legal expert assistants in the field of youth delinquency and criminal justice protection of children at c courts that conduct forensic interviews ("expert assistants"; Ministry of Justice, Public Administration and Digital Transformation), courts (Supreme Court of the Republic of Croatia), lawyers (Croatian Bar Association).

<u>General obligation of relevant stakeholders:</u> when reporting the sexual abuse, all relevant stakeholders are under an obligation to ensure adequate and timely protection of the victim and the effective prosecution of the perpetrator. Educational institutions are obliged to put in place internal regulations on procedures for handling sexual abuse cases that include reporting, providing support to the victim and instigating disciplinary proceedings if an employee of such an institution is suspected of committing the sexual abuse.

Scope of provided information: (i) healthcare institutions: prior to conducting the medical examination, the specialist is under an obligation to explain to the child the scope and reasons for the examination, both verbally and in writing. The child victim has the right to refuse the medical exam. The consent and the refusal will be entered in a dedicated Consent form. The child has the right to choose whether the examination will be carried out by a female or a male specialist if specialists of both sexes are available on site; (ii) social welfare services: the social worker of the Croatian Bureau for Social Work must inform the victim on rights guaranteed by the social welfare system, on the right to financial compensation, on the right to free legal aid, on the right to healthcare services and on specialized victim support services; (iii) educational institutions: professionals must inform the child on the envisaged activities in a child-adapted manner, and on the right to seek counselling, (iv) police, state attorneys and judges: the child has to be provided relevant information and explanation of activities that will be carried out in a child-adapted manner.

<u>Obligation to testify:</u> Healthcare, social welfare and educational professionals are under an obligation to testify in criminal proceedings related to child sexual abuse cases and cannot waive this right as witnesses.

Inter-agency co-operation:

- (i) Provision of healthcare services: If the child victim is admitted to a healthcare institution without the presence of the police and the caretaker, the healthcare professionals are under an obligation to promptly call the police to report the instance of sexual abuse and notify the caretaker, unless the caretaker is under suspicion for committing the sexual abuse. In that case, the healthcare professionals will contact the competent branch office of the Croatian Bureau for Social Work. The caretaker or a person of trust may attend the medical examination of the child that is carried out by a senior specialist paediatrician, preferably two. If a paediatrician with necessary expert knowledge related to the medical examination is not available, the child should be examined by a specialist with necessary knowledge regarding the health issue. In addition, the child must be provided with the therapy treatment. The healthcare institution is under an obligation to immediately deliver the necessary medical documentation to the juvenile state attorney, upon their request. They must enable the police to carry out the police investigation without interference. The healthcare institution must assign a co-ordinator for sexual violence cases.
- Provision of social welfare services: If the information of child sexual abuse has primarily (ii) reached the social welfare worker of the Croatian Bureau for Social Work, they must immediately report it to the police regardless of whether the abuse was already reported by others, and through a co-ordinated response with the police establish a prompt contact with the child and the caretaker (unless there is a conflicting interest between the child and the caretaker) to carry out emergency measures to stop the abuse and provide protection to the child. In addition, the expert team of the Bureau must promptly prepare the Specific Child Assessment taking into account the child's needs and the family situation that is coupled with a psychological evaluation of the child. On the basis of the Assessment, the expert team proposes protection measures for the child victim and other children in the family, if applicable. If the caretaker is suspected of sexual abuse, the expert team shall immediately assess the family situation and separate the child from the family by ensuring alternative care and accommodation. In case of conflicting interests between the child and the caretaker, the Bureau shall appoint a special guardian. The expert team shall furthermore refer the child to counselling based on its needs. The social worker is under an obligation to immediately deliver the relevant documentation to the police, juvenile state attorney, and the court upon their request. During the exercise of its powers,

the social worker is authorized to seek information from the healthcare services and educational institutions to tailor the Specific Child Assessment to the physical and mental conditions of the child and the family situation. The social worker may also seek information from the police, the state attorney and the court on the developments in the criminal proceedings.

- (iii) Provision of services by the educational professionals: When an educational institution receives information on child sexual abuse, the principle or any other member staff in charge are under an obligation to report the abuse to the police or the state attorney and to the Croatian Bureau for Social Work. If the suspected perpetrator is an employer of the education institution or other child protection institution, the staff member in charge must carry out disciplinary measures. They are also under an obligation to inform the caretaker, or the Bureau if a caretaker is suspected of abuse. In case of emergency medical assistance, they are under an obligation to accompany the child to the healthcare institution and wait the doctor's recommendation for further action. In addition, these stakeholders are also under an obligation to inform the competent Ministry, the competent doctor, the Ombudsperson for Children and the Ombudsperson for Persons with Disabilities (in case of a child with disabilities) on the abuse within 7 days of carrying out activities in this respect. In addition, if the educational institution decides to have an interview with the child regarding the abuse, it must be carried out in a child-adapted manner, enabling the child to freely describe the event without leading the child.
- (iv) Joint action: Healthcare and education institutions are under an obligation to co-operate with the Croatian Bureau for Social Work by exchanging relevant information for the protection of children bearing in mind the need to act in line with the professional ethics principles. The Bureau is also under an obligation to immediately deliver to the state attorney, the police and the court the documentation necessary for deciding on criminal proceedings.
- (v) Police authorities: When child sexual abuse was reported to the police, the juvenile police officer is required to immediately accompany the child to a healthcare institution to receive necessary medical care. As regards the Croatian Bureau for Social Work, the police shall inform its competent branch office within 24 hours on the sexual abuse so that the Bureau can assess and provide necessary social welfare services to the child and his or her family. If there is a suspicion of sexual abuse by an educational professional, the police shall inform the respective school/kindergarten thereof. Prior to conducting the police interview, the police shall conduct an individual assessment of the child in co-operation with other authorities and organizations providing support to the child, usually by seeking information from the Croatian Bureau for Social Work. While carrying out the police investigation, inquiry activities or activities ordered by the juvenile state attorney within the prosecutorial investigation, they are obliged to promptly inform the juvenile state attorney on their findings relevant for pursuing the case.
- (vi) Prosecution authorities: The juvenile state attorney is obliged to inform the competent branch office of the Croatian Bureau for Social Welfare within 24 hours on the sexual abuse so that the Bureau can assess and provide necessary social welfare services to the child and their family. In respect of education institutions, the juvenile state attorney shall inform the competent school/kindergarten on suspicion of abuse by education professional in the respective education institution. In addition, the juvenile state attorney is authorized to request information from the healthcare institutions, social welfare

institutions and education institutions and other child-protection institutions relevant for the criminal proceedings, which they are under an obligation to provide.

(vii) Judicial authorities: The court is under an obligation to inform the Croatian Bureau for Social Work on the instance of sexual abuse and ensure necessary support and assistance to the child during the proceedings. The juvenile investigation judge prior to carrying out the forensic interview must carry out the individual assessment of the child, usually through the professional assistance of the expert assistant who contact the competent branch of the Croatian Bureau for Social Work to gather the relevant data on the child's wellbeing and family situation. Other authorities and organization providing victim support may also be consulted. The expert assistant facilitates the conduct of the forensic interview by preparing the child and reframing the posed question in a child adapted manner. All relevant stakeholders are under an obligation to co-operate with the court.

5. Identified parties to the I-A Agreement

The following national stakeholders operating in child sexual abuse cases were identified as proposed parties to the I-A Agreement.

CENTRAL	Ministry of Justice, Public Administration and Digital Transformation	
OPERATING AUTHORITY	Competencies: The implementation of the Barnahus model in Croatia will be carried out under the auspice of the said Ministry as the central authority competent for setting up and functioning of Barnahus.	
JUDICIARY	Supreme Court of the Republic of Croatia Competencies: It appoints juvenile judges competent for conducting criminal proceedings related to child sexual abuse at the municipal and county court, High Criminal Court as well as within the Supreme Court itself.	
	> State Attorney's General Office	
PROSECUTION	Competencies: It appoints juvenile state attorneys vested with powers to prosecute child sexual abuse cases. In addition, they conduct inquiries and prosecutorial investigations involving suspicion of child sexual abuse during the pre-trial phase of the criminal proceedings, decide on filing an indictment against the defendant, represent the prosecution in the trial phase and are competent for lodging legal remedies in the post-trial phase.	
	> Ministry of the Interior and Chief Police Directorate	
POLICE AUTHORITY	Competencies: Under the Chief Police Directorate juvenile police officers are competent for conducting investigatory steps related to child sexual abuse cases and undertaking protective measures towards the child victim of sexual abuse during the pre-trial phase of the criminal proceedings. They include eliminating imminent danger, ensuring urgent medical care, conducting an individual assessment of the child victim's protection needs, gathering of relevant information, and interviewing the child victim or witness of sexual abuse. On the basis of the evidentiary material gathered by the police, the juvenile state attorney decides on the prosecution of the case. The Chief Police Directorate is formally under the Ministry of Interior that supervises its lawful work.	

	Ministry of Justice, Public Administration and Digital Transformation
EXPERT ASSISTANTS	Competencies: Expert assistants prepare the child for the forensic interview, reframe questions during the forensic interview posed to the child by the juvenile investigation judge in a child adapted manner and carry out an assessment of the child to determine the need for an additional interview.
	 Ministry of Labour, Pension System, Family and Social Policy and Croatian Bureau for Social Work
SOCIAL WELFARE SERVICES Competencies: Croatian Bureau for Social Work which operates und auspices of the said Ministry is competent for providing protection and supchildren victims of sexual abuse at the national level through their branch and for providing competent authorities with information necessary for concrelevant criminal proceedings in this respect. In particular, in instances of sexual abuse they carry out an individual assessment on the needs of the and its family to decide on the type of adequate social services and mean they consist of ensuring counselling and psychosocial support to the appointing a special guardian to the child in case of conflicting interests we caretaker, separation of the child from the family if a parent is suspected of abuse.	
	> Ministry of Health
HEALTHCARE SERVICES	Competencies: It is competent for ensuring provision of necessary medical assistance to the child victim by conducting relevant medical examinations by paediatricians, gynaecologists and urologists and by prescribing medical treatments. In addition, they ensure psychological therapy to the child. Medical assistance is currently provided in healthcare facilities only (clinics, hospitals and medical centres).
	> Ministry of Science, Education and Youth
EDUCATIONAL SERVICES	Competencies: It is competent for ensuring violence-free national educational system by putting in place necessary code of conduct in child sexual abuse cases. In addition, in many cases, the first disclosure of information on child sexual abuse is made to professionals in kindergartens or schools.
	 Judicial Academy, Police Academy, Social Welfare Academy, Croatian Bar Association
TRAININGS	Competencies: Judicial Academy is competent for providing targeted trainings to professional from the public sector handling child sexual abuse cases. In addition, the Police Academy ensures trainings to police officers handling child sexual abuse cases while the Social Welfare Academy provides such trainings for social welfare workers. Croatian Bar Association appoints lawyers competent for representing children in child sexual abuse cases that must be well versed in children's rights in criminal proceedings and complete the initial training provided by the Lawyer's Academy of the Croatian Bar Association.

6. Comparative solutions in other CoE and EU member states

CoE has promoted the implementation of the Barnahus model in member states as of 2015 when the Lanzarote Committee recognized it as a promising practice in ensuring child-friendly justice through dedicated joint CoE and EU projects (2017-2022 Slovenia, 2021-2024 Finland, 2021-2024 Ireland, 2022-2024 Spain, 2023-2026 Croatia). CoE has also carried out a feasibility study in Montenegro in 2023 in cooperation with UNICEF and participated in other projects in Georgia, Republic of Moldova and Ukraine. It is also supporting the setting up of Barnahus in Latvia as an advisor in Norway-EEA grant funded project.

In 2023 the CoE produced a publication "Barnahus: a European journey. Mapping study on multidisciplinary and interagency child-friendly justice models responding to violence against children in Council of Europe member states" ("Mapping Study"). It provides an overview on how the Barnahus model progressed throughout Europe based on information provided by member states and other relevant participants to identify its key functioning criteria. This Report therefore entails a summary of the extracted relevant information from the Mapping study to identify comparative solutions. They include data gathered for states that are already operating Barnahus or Barnahus-type services in CoE and EU member States. In addition, this Chapter of the Report also entails a data summary of interviews that were carried out with representatives in CoE and EU member States to identify its legislative framework and its practical implications as well as challenges experienced so far.

6.1. Summary of the Mapping Study

Distribution of Barnahus units among CoE and EU member states: First Barnahus was established in 1998 in Iceland and slowly moved through Nordic countries (2006 in Sweden, 2007 in Norway, 2013 in Denmark and in 2019 in Finland). Barnahus exists in 22 CoE member states (Armenia, Cyprus, Denmark, Estonia, Finland, Georgia, Germany, Hungary, Iceland, Ireland, Latvia, Lithuania, Malta, Republic of Moldova, Netherlands, Norway, Poland, Romania, Slovenia, Spain, Sweden and Ukraine).

Number and location of Barnahus units: The majority of member states have one Barnahus unit or Barnahus-type unit, while some set up such units nationwide (operational: 33 in Sweden, 24 in Netherlands, 135 in France; planned: 16 in Spain, 14 in the Czech Republic). The majority also opted for integrating the Barnahus within an existing structure, e.g. university hospitals in Finland while in contrary, Iceland and Scandinavian countries established it as a separate house. It is highlighted that the number and location is not an essential criterion for the effective operating of the Barnahus but rather the quality of provided services and their accessibility to all children victims.

Legal framework for setting up Barnahus: In 19 member states Barnahus is anchored in a dedicated piece of legislation (law) while 14 nestle it in by-laws (national strategies in Cyprus and Slovakia; guidelines in Sweden; regional laws and policies in Germany and in Spain). In addition, nine states envisage memorandum of understanding, internal rules (Bulgaria), draft Inter-Agency Agreement (being prepared in Ireland), operational manual (Moldova). Examples of practices: laws introduced in Slovenia, Spain and Denmark and National Interagency Agreement in Estonia in addition to the law. In 2021, Spain moreover established a pilot court specialized in child abuse cases.

International standards referencing the Barnahus legal framework: 18 member states refer to the UNCRC, 14 to the Lanzarote Convention, 6 to the ECHR, 7 refer to the CoE Guidelines on child-friendly justice as an important non-binding standards/soft law while several states also

mention relevant CoE Recommendations and policy guidelines. This shows the level of awareness and importance of a member state to strengthen the implication of international standards in its national system.

Inter-agency co-ordination: In the majority of states Barnahus operates under the auspices of the Ministry of Social Affairs/Family/Children (16), law enforcement services (13) or child protection services (10) while in others it is anchored in the Ministry of Justice (9), Ministry of health (9), NGO (8), healthcare sector involving hospitals/clinics/medical centres (6), Ministry of the Interior (6), local authority (municipality) (5), regional authority (4), courts (4), other (4) and independent state entity or human rights institution (1). In all states Barnahus therefore operates as a public institution, even in cases in which Barnahus operates within NGOs since they cooperate with the state. Example of practices: In Ireland, the Department for Children, Equality, Disability, Integration & Youth leads on the development of the Barnahus model, in partnership with the Department of Health and the Department of Justice, who are co-signatories on a three Department agreement to provide a long-term basis for the establishment and development of the Irish 'Barnahus' model of service, and to embed long-term support for Barnahus in the three departments.

Multidisciplinary teams: Organizing MDIA cooperation was identified by 46% of states as the main difficulty in operating Barnahus. In most states, Barnahus teams consist of child psychologists and social workers who are directly employed by the Barnahus (12 states) or are appointed by their competent agencies (10 states). Legal and law enforcement professionals and forensic interviewers tend to come to Barnahus on a need's basis. Examples of practices: Denmark and Sweden. In Denmark Barnahus units directly employ social workers, psychologists, and administrative staff while law enforcement professionals, forensic interviewers and paediatricians are employed by their own agency. All Barnahus units have a formalised cooperation agreement with the police, the forensic institute and hospitals. Sweden set up a national network of Barnahus enabling professionals providing services in Barnahus units to share experiences and practices at annual meetings occurring twice a year.

Budget: Allocation of sufficient funding was identified as the biggest obstacle for setting up Barnahus. Only a smaller number of states (10) were able to provide information in this respect. Challenges were identified in Sweden that has a high number of Barnahus units throughout the state which depend on municipal and regional funding while in Greece on funding by a political decision of a competent Ministry. In some states financing is ensured through projects operated by EU or UNICEF (Poland, Latvia) or funds are allocated for a fixed period by EEA grants (Portugal) hampering the sustainability of Barnahus. CoE underlines the importance of supporting national strategies aimed at children protection by adequate human and financial resources. *Examples of practices: annual national allocation of funds to Barnahus units in Norway (approx. 23 million EUR)* and Finland (approx. 7 million EUR).

Target groups in Barnahus units in CoE and EU member states: children victims of sexual abuse (96%) or any form of violence (71%), children victims of human trafficking (68%) as well as non-offending parents (68%) and other family members (54%). Certain states also provide services to child witnesses of criminal offences (14), migrant children (4) and children participating in custody proceedings (3). In addition, Barnahus services are also provided to children suspects in criminal proceedings (9) or displaying harmful sexual behaviour (2).

Referrals to Barnahus units: in some states (10) referrals are guaranteed in all dedicated cases while in some are conditioned by the initiation of criminal investigation/judicial proceedings or remote location of the child. Practices show that children are usually referred by the police or

social welfare services. Examples of practices: mobile service teams in Estonia, Finland and France to ensure a national outreach.

Types of services provided by member states in Barnahus: forensic interviews (25), MDIA case conference (23), crisis intervention to non-offending family members (23) and children (22), short-term support (22), long-term support (10), short term accommodation (Ireland, Norway, Ukraine, Lithuania, Hungary) (10), exploratory interview (21). Professionals in Barnahus are all female and cannot be chosen by gender in Ireland, Iceland, and in one of Spanish Barnahus units.

Professionals conducting the interview in CoE and EU member states: child psychologist (13), forensic interviewers employed exclusively for conducting the interview (13, incl. Ireland, Spain, Finland, Denmark), police officers (12: Cyprus, Czech Republic, Estonia, France, Georgia, Germany, Iceland, Ireland, Netherlands, Romania, Slovenia, Sweden), social worker (10), judge (3), prosecutor (1). Example of practices: In Ireland, all the specialist interviewers employed for conducting the child interview in Barnahus are forensic interviewers trained to interview children in accordance with a Good Practice Guidance, which includes an interview protocol for police. Barnahus West aims at establishing, wherever possible, a joint interview of the child by a police officer and a social worker as a standard approach. Ireland set up Multi-disciplinary Teams and Child Protection Case Conferences.¹

Evidence-based interview protocol: 50% of states use either NICHD, NCAC or national protocols (Denmark and Ireland).

Child-friendly environment: available mainly at police stations, courts, social welfare premises.

Timing of child interview in CoE and EU member states: investigation phase (21), pre-trial phase (15), court proceedings (8).

Videorecording of interviews: in all cases (12), if conducted as a part of criminal investigation (11). It is admitted as evidence in criminal proceedings in 23 states and in civil proceedings in 5 states.

Professionals observing the interview: professionals who have a procedural role in criminal investigation as a rule have the right to pose questions (judges, prosecutors, police, defence lawyers, child's lawyer) while other professionals are allowed to only observe without interaction to develop deeper understanding of the case (social workers, guardians, non-offending parents). Example of practices: In the Irish Barnahus West, two forensic interviewers are in charge of the child interview; one of them is interviewing the child, whereas the other is observing the interview and has the possibility to pose questions to the lead interviewer who is wearing an earpiece. Other observers are not permitted. The videorecording of the interview, however, is viewed by a social worker as part of the child protection assessment. The Irish Barnahus, therefore, does not provide the conditions for a judge to conduct a full hearing in its premises, or for the prosecution service or defence lawyers to be present and pose questions to the child through the interviewer.

13

¹ It is noted that according to the principles of achieving best practices (PEACE model) Croatian police officers were trained in Northern Ireland and Ireland within the framework of the IPA 2009 project: "Strengthening of capacity in the field of combating sexual exploitation and sexual abuse of children and providing police assistance to vulnerable victims of crime". The training was provided by the Zagreb Police academy following the Good Practice Guidance.

Statistics on cases assisted at Barnahus: most common criteria for data disaggregation are number of children assisted (total and by gender), forms of violence, criminal offences investigated, convictions, average length of criminal proceedings in which Barnahus service were provided. Relevant for creating baseline data to assess and monitor the impact these services have on the prosecution of child sexual abuse cases.

Initial and continuous evaluation: only 6 states reported evaluation procedures carried out regarding the operation of Barnahus units (Denmark, Finland, Norway, Sweden, Poland, Spain) while in some evaluations are planned to take place (Czech Republic, Ireland, Iceland, Germany, Malta and Slovenia).

Child participation: only six states consult children on their experience in Barnahus, e.g. in Cyprus the staff use a board game that helps prepare children for the court proceedings, in Spain there is a satisfaction survey and Ireland set up a dedicated panel of children (not victims) that consult the authorities on issues related to the functioning of the Barnahus and drafted a Barnahus-specific participation strategy.

Challenges in setting up the Barnahus: securing sufficient budget (incl. Croatia), organizing MDIA cooperation, understanding the Barnahus concept, achieving legislative reforms (incl. Croatia), data sharing, guaranteeing sustainability of services, finding adequate premises and staff members. Data gathering and sharing was identified as a particular hurdle. There should therefore be legislation regulating collection/transfer/keeping and usage of data and the roles and responsibilities of stakeholders should be envisaged. Clear procedure on data management should be put in place. A centralized coordination body should be created to handle data in a safe manner and to centralize and analyse data for programme and policy design and for monitoring evaluation. Example of practices: in Denmark the law on Barnahus envisaged data registration in all cases.

Recommendations for effective functioning of the Barnahus model: (i) anchoring in public institutions, framed by co-operation agreements clearly establishing responsibility of all stakeholders and their mutual communication that are nestled in applicable legal framework, (ii) attributing specific annual budget over a multi-year period to enhance sustainability, (iii) providing specialized initial and continuous training to all relevant stakeholders with competence-based evaluation and supervision, (iv) ensuring regular meetings between all relevant stakeholders to enable exchange of experiences and to discuss activities and services at national and regional level, (v) conducting child interviews at the earliest appropriate moment by trained professionals using evidence-based interview protocols that should be video-recorded and admitted as evidence, (vi) conducting medical examination of the child without undue delay in a child-friendly setting (preferably at Barnahus premises in cooperation with the Barnahus team) and by specially trained professionals, (vii) provision of child assessment and tailor-made support, including to non-offending family members, (viii) ensuring clear procedures for the processing of personal data and for data keeping and analysis, (ix) additionally, to consider developing a CoE policy instrument on Barnahus, e.g. dedicated CM Rec.

6.2. Summary of interviews

From 3 to 9 December four interviews were carried out with relevant representatives from Slovenia, Iceland, Ireland and Spain. In addition, written contributions were received from Finland. The representative of the Croatian Ministry of Justice, Public Administration and Digital Transformation and CoE's Children's Rights Division also took part in the interviews. Summary of interviews is presented below and is partially supplemented with data extracted from the applicable national frameworks regulating Barnahus in member states.

SLOVENIA	3 December 2024 (13:00-14:00) Representatives: Andrej del Fabro (Ministry of Justice), Simona Mikec (Director of the Barnahus)
Legal basis:	In 2018, the relevant stakeholders (Ministry of Justice; Ministry of Labour, Family, Social affairs and Equal Opportunities; Ministry of Health, Ministry of Interior; Supreme Court; State Attorney's General Office; General Police Directorate) signed a Declaration to support the creation, development, implementation, and operation of a Children's House in accordance with the National Guidelines for Barnahus in Slovenia and the Roadmap towards establishing, operating and evaluating Barnahus in Slovenia and that progressively meets the European Barnahus Quality Standards wherein a multidisciplinary team approach will be utilized in the assessment, investigation, prosecution, and referral for medical and therapeutic treatment for children who may have been abused. In 2021, Slovenia enacted the Act on Child Protection in Criminal Proceedings and Comprehensive Treatment of Children in the Children's House ("Barnahus Act") as the legal basis for establishing and functioning of the Barnahus. It regulates the following: subject and purpose of the Act, definitions, principles of comprehensive treatment, public service, personal data handling, data sharing, establishment, tasks, bodies, supervision, child's treatment (preparatory and forensic interview, spatial requirements, medical examination, crisis support, psychosocial treatment) and training. Transitional provisions indicated that within three months of its entry into force, the Slovenian Government shall adopt the Act on the Establishment of the public bureau ("javni zavod") operating as the Barnahus. In 2022 two Government Decrees were adopted on the basis of the Barnahus Act. The first one was the Government Decree on Inter-Agency Co-operation Mechanism that envisages co-operation between the Children's House and other relevant stakeholders relating to mutual information sharing, (iii) police – provisions on conducting the informative interview with the child; (iv) social welfare services – use of Barnahus, preparatory meeting, medical examination and Protocol
Central authority:	Slovenian Barnahus operates as an independent public bureau ("javni zavod") formally nestled under the Ministry of Justice. Barnahus is under an obligation to send annual reports to the Ministry that supervises if it functions in accordance with the law. The operative supervision is done by the Barnahus Board.
No. of units:	1 (Ljubljana). Broadening the current number of units is currently considered since the statistics show that there is a high prevalence of offences in areas not close to Ljubljana (e.g., Maribor), making it difficult for children and their parents to come to the capital.

Budget:	Secured under a dedicated budget line of the Ministry of Justice.
Daaget.	Step-by-step approach was envisaged in the initial phase focusing on children
Target groups:	victims/witnesses of sexual abuse to prevent over-flooding the Barnahus. Subsequently, it was broadened to children victims/witnesses of all criminal offences as well as to minor offenders (Protocol for the latter was drafted). Services are also provided to non-offending family members.
Services provided:	Three main services: (i) forensic interview; (ii) crisis support provided during the child's stay in Barnahus, (iii) psychosocial support (therapy), before, during and after the criminal proceedings (up to 6 months with the possibility of extension). Police is authorized to use Barnahus premises for conducting the informative interview ("obavijesni razgovor") with the child during the pre-trial phase (not used in practice often). Preparation of the medical room is underway.
Referral to	
Barnahus:	Not mandatory. Depends on the motion of a judge in criminal proceedings.
Interview observers:	Judge, prosecutor, defence attorney, parent (if the child's best interests are not hampered; decision is made by the judge).
M-D teams:	Barnahus employs 7 staff members: administrative and IT staff, lawyer and 3 and a half members that include the interviewer and counsellor. Each child is assigned with 2 staff members upon receipt in Barnahus (interviewer and counsellor for crisis support). Medical staff comes on a need's basis.
I-A co-	
operation:	Preparatory meetings are done before the forensic interview.
Challenges:	Referral to Barnahus is not mandatory since it depends on the motion of a judge in criminal proceedings. Provision of crisis support is hampered by long waiting lists. No major challenges were detected regarding inter-agency co-operation since Slovenia is a small country and the professionals already know each other.
Statistics:	Annual report on the functioning of the Barnahus is mandatory. It includes statistics on the number of children received (age, sex, gender, competent court), and types of services provided. It is sent to the Ministry of Justice and is used as an indicator of lawful functioning of the Barnahus and for allocating the budget.
Evaluation:	First evaluation was done in the pilot phase. Further evaluations are also envisaged to primarily assess the impact of the Barnahus on the rise of criminal cases.
ICELAND	4 December 2024 (14:00-15:00) Representative: Ólöf Ásta Farestveit, General Director of Barnahus
Legal basis:	Barnahus was initially set up on the basis of an agreement between relevant ministries at the Government level. There is no dedicated piece of legislation regulating Barnahus, but rather various mentions of Barnahus in legislation regulating the conduct of relevant stakeholders (e.g. criminal proceedings, police, child protection services).
Central authority:	Barnahus operates under the auspices of the National Agency for Children and Family that is supervised by the Ministry of Justice.
No. of units:	1 central unit (Reykjavik) operating regularly with staff permanently employed and a satellite unit (near Akureyri, Northern part) operating on a need's basis (staff is sent from Reykjavik usually two or three times a week).
Budget:	Allocated by the Ministry of Finances.
Target groups:	Initially children victims of sexual abuse with the possibility of providing counselling to children victims of other types of physical abuse. After the new Barnahus premise was open in 2016, services are provided to children victims/witnesses of other criminal offences (e.g. psychological abuse, domestic violence, unaccompanied minors) as well as to minor offenders.
Services provided:	Three types of services: (i) forensic interview (carried out in Reykjavik or the satellite unit, traveling costs are covered by the municipality), (ii) counselling (provided in the child's home town in cooperation with the municipality that decides on the most appropriate location); (iii) medical examination (done in Barnahus for non-acute cases when offense was not committed within 72 hours by a medical team (nurse, paediatrician, gynaecologist) sent to Barnahus every other Wednesday while in acute cases the child

	is sent to the Rape Centre in a respective hospital that has a child friendly setting and trained personnel on how to secure evidence in these types of offences.
Referral to Barnahus:	Not mandatory. It can be done by child protection services if they decide that it is necessary or by the judge once the criminal proceedings is instigated. Child protection services may also request exploratory interview in Barnahus to establish the need for further actions. When child protection services receive information on abuse, they contact the child and parents and immediately report it to the police. If the child is under 15, the child protection service freely decided on the referral to Barnahus, and if the child is over 15 then the child must give its consent for referral.
Interview observers:	Judge, prosecutor, defence attorney, child's representative/guardian, police, child protection service. Prosecutor, police and defence lawyer are authorized to pose questions via judge who may grant/dismiss them.
M-D teams:	Staff members permanently employed (11): majority entails psychologists (9) with the addition to administrative and IT staff, and the co-ordinator who receives the child and co-ordinates services provided. Preparatory meeting is done before the forensic interview so that professionals exchange available information and prepare for the interview (participants: judge, prosecutor, defence attorney, police, child protection services, interviewer). During the forensic interview the judge may decide to stay in their court chambers,
	however, the majority prefer to come to the Barnahus.
I-A co- operation:	In the beginning it was difficult to get the judges on board to use Barnahus premises since lcelandic applicable law envisages forensic interviews to be carried out in suitable premises. This was strengthened in 2012 by the relevant Ministry that obliged courts to use the best facility for forensic interviews with the indication of Barnahus.
Challenges:	Lack of training for medical staff. A second medical team coming to Barnahus is needed.
Statistics:	Not mandatory but kept from the beginning of functioning. Data is gathered in a dedicated database per age, sex, type of abuse, relation to offender, prevalence, etc. It can be used by the Academia for research.
Evaluation:	Not mandatory but done through the assessment of statistics.
Additional:	It is important to explain to judges the importance of conducting the forensic interview in Barnahus since the child's memory works better in a child-friendly setting. Relevant elements ensuring child-friendly premises in Barnahus to reduce child's anxiety: smell, setting, waiting room, child reception.
IDEL AND	Interview date: 6 December 2024 (15:00-16:00)
IRELAND	Representative: Gerard Brophy, Chief Social Worker at TUSLA
No particular legislation was passed at the beginning of the implementation of the Barnahus model. The practice showed that a clear legal basis is needed for data sharing In addition, Ireland is currently drafting an Inter-Agency Agreement (three-department) agreement) between TUSLA (Child and Family Agency), HSE (Health Service Executive and the AN Garda Siochana (Police). It is based on relevant international documents a the Barnahus Quality Standards and entails, inter alia, provisions on the governance the implementation of the Barnahus model, roles of agencies, Barnahus participation group, Barnahus staffing, evaluation and review.	
Central authority:	National Intradepartmental Group was set up as the highest political body for establishing and leading the Barnahus model in Ireland. It has set up the National Agency Steering Committee as the decision-making and financing body. TUSLA manages the Barnahus at the operative level.
No. of units:	2 operating Barnahus centres: Barnahus West (Galway), Barnahus South (Cork), while Barnahus East (Dublin) is planned to open in 2025.
Budget:	Each professional is paid by its respective agency while the management is paid by TUSLA.
Target groups:	Children victims of sexual abuse.

Services	Forensic interview (done by the police with the assistance of 2 interviewers). The police		
provided:	$_{ extstyle e$		
providod.	examination. Temporary accommodation.		
Referral to	In 90% TUSLA refers to Barnahus while other stakeholders have this competency as well,		
Barnahus:	e.g. healthcare professionals.		
Interview	Social worker usually observes. Others (judge, prosecutor, defence) do not observe.		
observers:			
	Twice a week the Barnahus team discusses the referrals and exchange gathered		
M-D teams:	information.		
	Getting judges on board to use the Barnhus units. Data sharing between agencies. Key		
Challenges:	to effective response is planning.		
	Each agency has its own database. Common indicators are being developed currently		
Statistics:			
Statistics:	that will include e.g. lapse of time between the referral to carrying out the forensic		
- · · ·	interview.		
Evaluation:	Evaluation of Barnahus West was done twice. It also included the children's participation.		
Additional:	Mr Brophy additionally sent: (i) draft Interdepartmental Agreement, (ii) PPT presented		
7 laditional.	during the interview.		
	Interview date: 9 December 2024 (9:30-10:30)		
SPAIN	Representative: Emilie Rivas, Barnahus Advocacy Manager at the NGO "Save the		
	Children" that works with the Catalonian Government on the Inter-Agency		
	Agreement		
	At the outset, it is highlighted that the below information relates to the Barnahus model		
	established in Catalonia since it is currently the only region in Spain with Barnahus units.		
	2016: Government Decree setting up the Inter-Agency Commission for the establishment		
	of the Barnahus model.		
	2018: Parliament Resolution calling for regions to set up the Barnahus units. Start of the		
	pilot Barnahus in Tarragona (Catalonia). A smaller city was proposed as opposed to the		
	region capital (Barcelona) due to a smaller number of cases that can be managed easily.		
I amal basis.	2021: Organic Law on Barnahus enacted at the national level with key elements that		
Legal basis:	should be considered by each region and implemented and broadened depending on		
	their specificities.		
	2022: Catalonian Government adopted the Barnahus Strategy and appointed the I-A		
	Commission to follow it up.		
	2023: Integration of the Barnahus in the Public Social Care Services Network.		
	2024: Finalization of the Protocol that will regulate the I-A co-operation of the Barnahus		
	in Catalonia (work started in 2018). In addition, the Catalonian judges also prepared a		
	Protocol for Judges to describe in detail how to use the Barnahus units and how to		
	conduct an evidence based forensic interview.		
Central	Catalonian Child Protection Agency that is a part of the Catalonian Government.		
authority:			
No. of units:	14 in Catalonia. Spain plans to broaden the model in other regions as well.		
	Allocated by the Catalonian Government from the national funding for violence against		
Budget:	women. In the beginning it was strengthened with the funds provided from the Next		
Daaget.	Generation EU.		
Target	Children victims of sexual abuse.		
Target	CHINGER VICINIS OF SEXUAL ADUSE.		
groups:	Farancia intensions accompalling and resulted accomply the transfer to the second of t		
	Forensic interview, counselling and medical examination is provided. Barnahus		
	permanent staff composes of the Barnahus co-ordinator, psychologists, and social		
	workers. The medical team consists of a gynaecologist, nurse and paediatrician who		
Services	come on a need's basis (in Barcelona once a week) as well as the forensic psychologist		
provided:	who interviews the child. The medical service is provided on the basis of an agreement		
provided.	with the Catalonian healthcare service. It is always offered and depends on the consent		
	of the child. The defence (defendant and their lawyer), the prosecutor and the judge		
	remain at the court while the judge may come to Barnahus if they wish so (rarely used in		
	practice so far due to judges' obligation). The work on the case in Barnahus starts with		
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	an exploration phase during which the relevant authorities gather and share information on the child to prepare it for the interview and assess the therapy needs.
Referral to Barnahus:	Conducting a video-recorded forensic interview carried out by a trained interviewer is mandatory for all children under the age of 14. However, referral to a Barnahus unit in this respect is not mandatory by a dedicated piece of Catalonian legislation and depends on the judge who may opt for the interview to be carried out in a separate room at the courthouse that has double screens but is usually not child friendly. In addition, the Judges Protocol encourages the referral to Barnahus units for all children under 18.
Interview observers:	The defence, the prosecutor and the judge observe from the courthouse.
M-D teams:	The Barnahus team consists of one Barnahus co-ordinator, one psychologist, one social worker and two psychologists for therapy.
I-A co- operation:	It was suggested to outline the main stakeholders, their competencies and their co- operation in a more general manner by the I-A Agreement.
Challenges:	Lack of statistics gathering and analysis as well as evaluation to identify the lessons learned. Lengthy drafting period of the Protocol serving as the I-A Agreement (6 years). Issues getting all the relevant stakeholders together and on board. Presence of multiple interviews, e.g. the police interview and the forensic interview in the Barnahus. In this respect it is envisaged that the police interview is carried out in the Barnahus as well.
Statistics:	Not mandatory. No database currently put in place.
Evaluation:	It was done following the pilot phase in Tarragona. It indicated that the number of reported cases quadrupled. It was also indicated that the experience from other States with whom Spanish authorities discussed expressed similar experiences following the establishment of the Barnahus model. It is not mandatory.
Additional:	In 2021 a pilot court for child abuse cases was set up at the Canary Islands. Documents additionally provided by Mrs Rivas: (i) Catalonian Draft Protocol on I-A Agreement, (ii) executive summary of the National Roadmap for the implementation of the Barnahus model in Spain and the Regional Roadmap for the implementation of the Barnahus model in Spanish autonomous regions and cities, (iii) Guide for prosecutors handling child sexual abuse cases by use of the Barnahus model, (iv) Co-ordination guide for relevant stakeholders, (v) English version of the National Roadmap.
FINLAND	Information obtained on: 21 November 2024 Representatives: Järvilehto Liisa and Tom Pakkanen, child psychologists and interviewers
Legal basis:	Approximately 37 different laws governing various aspects of child protection and agency cooperation. No dedicated I-A Agreement nor unified law. The Act on Organizing the Investigation of Sexual and Assault Offences against Children" (1009/2008), plays a crucial role in governing co-operation during pre-trial investigations and Barnahus operations. It regulates how investigations should be conducted within healthcare settings when there are suspicions of sexual or physical abuse of children. It gives Barnahus units important legal powers to obtain and share information - for instance, the units have the right to receive necessary information from police, prosecutors, and courts, as well as from other authorities and healthcare providers, regardless of confidentiality provisions. The law also mandates that these investigations must be conducted without undue delay and requires that the units have properly qualified staff and appropriate facilities. This law forms the primary legal foundation for the Barnahus operations in Finland, even though it predates the actual establishment of the Barnahus model in the country. This law is significant because it provides a clear legal basis for certain aspects of inter-agency cooperation, particularly regarding information sharing in investigation contexts. However, it focuses primarily on the investigative aspects rather than comprehensive service provision or broader inter-agency cooperation, which is one reason why additional legislative reforms are being considered. Finland is currently planning on introducing a dedicated legal framework regarding data sharing and inter-agency co-operation.
Central authority:	Barnahus units operate under university hospitals that operate as specialized centres affiliated with medical universities, focusing on advanced care, research, and medical

	education, and serving as regional referral hubs for complex cases. Unlike other hospitals, they combine healthcare services with teaching and innovation, playing a key	
	role in shaping national healthcare standards.	
No. of units:	Five and additional 2 satellite units.	
Budget:	National allocation of funds, approx. 7 million EUR.	
Target	Victims of sexual abuse.	
groups:		
Services	Forensic interview. Therapy. Medical examination.	
provided:		
Referral to Barnahus:	Authorities competent for conducting pre-trial investigation (police, prosecutors, court, customs, border guards) are authorized to refer the child to Barnahus according to the applicable legislation.	
M-D teams:	Existence of fixed and mobile teams.	
Challenges:	Fragmented regulation. Lack of clearly defined roles and responsibilities of stakeholders. Unclear referral procedures and child's age for referral. No systematic data collection. No child consultations on Barnahus services. Issues related to data sharing.	
Evaluation:	Done.	
Statistics:	Data is collected regularly, but mostly not on the national level. On the national level only data on multi-agency screening of cases is collected.	
Additional:	The following considerations were given: (i) bringing together the justice and the social welfare/healthcare sector, (ii) need for preliminary assessment, (iii) data sharing, (iv) description of stakeholders' competencies in all stages (pre-trial, trial and post-trial phase), (v) ensuring therapy during all stages, follow-up and long-term case monitoring, (vi) evaluation, (vii) review of agreement	

7. Conclusions

At the outset, it is noted that Croatia already has experience in regulated inter-agency cooperation in human rights related topics through inter-agency agreements that outline the main stakeholders, their competencies and code of conduct. In addition, Croatia has already put in place an adequate policy document for the preparation of the legal framework (that will include the I-A Agreement) as one of the top priorities. Moreover, it is highlighted that the Croatian applicable legislative and policy framework already envisages provision of Barnahus-type services, such as conducting the video recorded forensic interview through professional aid of expert assistants and in a child-friendly environment; existence of specialized juvenile courts; appointment of juvenile judges, juvenile investigation judges, juvenile police officers, and juvenile state attorneys; provision of psychosocial treatment prior, during and after criminal proceedings; provision of medical exams by specifically trained medical staff. As regards the inter-agency cooperation it is emphasized that Croatia has a long-standing application of a dedicated by-law regulating the mutual co-operation between relevant stakeholders in sexual abuse cases.

Such an elaborate legislative, policy and institutional framework will facilitate the implementation of Barnahus by focusing on the areas that need to be put in place for its start of operations, e.g. type of public institution, legal basis for functioning, allocation of budget, venue and implementation phases.

In addition, the researched comparative solutions will aid the relevant authorities to see how the implementation phase was carried out in other member states and how the key functioning criteria operate in practice. The authorities will be able to apply these assessment-based options to the national context bearing in mind the specificities of the Croatian legal system. It is moreover interesting to see that the majority of member states opted for a more fluid approach in the

implementation of the Barnahus by first starting a pilot Barnahus and subsequently developing the inter-agency co-operation documents and the necessary legislation. The lessons learned from these examples are of a great importance for Croatia to identify challenges faced and good practice to prevent similar obstacles and benefit from examples of effective functioning. On the other hand, it seems more prudent for Croatia to start with putting in place an initial legal basis (I-A Agreement) and then move to the adoption of a dedicated piece of legislation that could run in parallel with a pilot Barnahus in Zagreb. This is because the Croatian legal mentality and background is accustomed to a higher level of legislating prior to commencing the application in practice. This also provides a stronger operative framework for all the relevant stakeholder who are then under an obligation to follow the prescribed codes of conduct.

Against this backdrop and the researched documents and approaches, it is proposed to draft the I-A Agreement as a general legal document showing high-level commitment of the relevant stakeholders to implement the Barnahus in Croatia. The entire document would primarily be rooted in safeguarding the best interests of the child, ensuring child-friendly justice, preventing re-traumatization and providing necessary healthcare services to the child in co-operation with healthcare institutions. It would entail an introductory note referencing the relevant international standards and documents related to protection of children against sexual abuse that Croatia adopted in its legal system as well as the relevant Barnahus Quality Standards. This would follow by the identification of all relevant parties to the Agreement and their competencies, as well as the identification of criminal proceedings and its pertaining parts in which Barnahus service would be solicited. Subsequently, the I-A Agreement would focus on the outline of the code of conduct/manner of co-operation between relevant stakeholders and their mutual obligations. It would also entail provisions enabling the possibility of agreement review and amendment. The I-A Agreement will build on the existing national by-laws already regulating the co-operation between relevant stakeholders handling child sexual abuse cases. The most relevant comparative solutions that will be taken as a source of inspiration for the Croatian Barnahus model are the Slovenian, Spanish and Irish documents regulating the inter-agency co-operation.

8. Initially proposed timeline for the preparation of the I-A Agreement²

ACTIVITY	STEPS	DEADLINE
INITIAL CONSULTATIONS	Initial consultations with the AG to discuss the findings from the Report, to identify the needs of the parties to the I-A Agreement and their proposals on its content. During these consultations the draft of the Roadmap could also be discussed with the AG to get their input on the most suitable Barnahus model and how to proceed with the implementation since the identification of key criteria for developing the Croatian Barnahus model are equally relevant for the Roadmap and the I-A Agreement. It is proposed to carry out the initial consultations in person in Zagreb with the possibility of on-line participation. In this respect the authorities would start to co-operate together on key aspects of the Croatian Barnahus model and start implementing the inter-agency approach from the very beginning. It would also motivate the stakeholders to find the best of option for exercising their responsibilities within their own respective portfolio.	15 January 2025
	First draft of the I-A Agreement.	16 January – 3 February 2025
	Peer review, comments from the CoE and the Ministry of Justice, Public Administration and Digital Transformation.	3 – 14 February 2025
DRAFTING	Second draft of the I-A Agreement pursuant to comments obtained. Submission to the AG and the EU.	15 February - 3 March 2025
	Comments from the AG and EU. Finalisation of the draft according to comments obtained by	4 – 11 March 2025 11 – 18 March
	the AG and EU and submission to the AG for endorsement.	2025
OFFICAL ENDORSEMENT	Official endorsement by the AG. To be carried out on-line. 19 March 20	
OFFICIAL SIGNING	Participation at the official signing of the I-A Agreement in Zagreb.	

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 $^{^{2}}$ This timeline was defined at the very beginning of the process and has therefore been slightly adapted to the needs and cycles of consultations.

Summary of initial consultations for the drafting of the inter-agency agreement for the implementation of the Barnahus model in Croatia

Between 20 and 29 January 2025 initial consultations were held with the stakeholders relevant for the preparation of the I-A Agreement. The summary of gathered information is presented below.

Date	20 – 29 January 2025	
	Group 1 (20 January 2025)	
	- Alma Bernat, Ministry of Labour, Pension System, Family and Social Policy, AG	
	member	
Participants	- Marijana Pavlić, Ministry of Health, AG member	
	- Kristina Filipović, Ministry of the Interior, AG member	
	- Momir Karin, Ministry of Science, Education and Youth, AG member	
	Group 2 (21 January 2025)	
	- Ileana Vinja and Melita Božičević Grbin, Supreme Court of the Republic of Croatia,	
	AG members	
Participants	- Sanja Marković, State Attorney's General Office, AG member	
	- Anita Lazarin, Judicial Academy, AG member	
	- Lea Čavić, Croatian Bar Association, AG member	
	Group 3 (29 January 2025)	
	- Lana Petö Kujundžić, youth judge, High Criminal Court of the Republic of Croatia,	
Participants	AG member	
	- Kristina Knežević Červar, youth judge, Pula-Pola Municipal Court, consultant	
	- feedback on the Report on procedures and protocols supporting an inter-agency	
Topics	agreement between Croatian authorities competent for implementing the Barnahus	
Topics	model in Croatia	
	- initial proposals on the form and content of the I-A Agreement	

The consultations with group 1 and 2 were carried on-line with the support of Frederique Privat de Fortunie and Adela Methasani from the Childrens' Rights Division of the Council of Europe. Edita Bodružić, the representative from the Ministry of Justice, Public Administration and Digital Transformation acting as the main national partner on the Project also participated at these consultations. The consultations with Group 3 were carried out via phone call.

Main takeaways

- Desk research: endorsed by all participants, minor technical changes proposed.
- Ministry of the Interior: it was highlighted that accompanying the child to a healthcare facility is done on a prior assessment of the child; if the child shows poor mental and physical state of health it is accompanied to a healthcare facility immediately; proposal were made to give evidentiary powers to the police interview (as was seen in Finland during the Study visit) and bearing in mind that the Ministry of the Interior carries out tailor-made trainings on how to conduct police interviews in line with the child's best interests.
- Ministry of Labour, Pension System, Family and Social Policy: proposal to appoint Barnahus focal points tasked with providing expert support to authorities handling child sexual abuse

- (e.g., if there is a dilemma on how to proceed or in cases of serious violations, specific circumstances, etc.); proposal to include the need for trainings; suggestions to include other types of violence of children was also indicated although the I-A Agreement should focus on the sexual violence of children since this is the core element of the Barnahus model (following the pilot period additional consideration can be had on the need to broaden its scope on other children in need of Barnahus services).
- Ministry of Health: proposal to provide medical services in healthcare institutions or in Barnahus units on a need's basis, without having permanent medical staff available in the Barnahus; trainings on medical examination of children are a part of the regular specialization of gynaecologists in Croatia; it will be necessary to ensure the availability of paediatricians and mental health professionals.
- Lana Petö Kujundžić: Barnahus trainings should include effective handling of cases of younger children and children with disabilities due to lack of necessary know-how of expert assistants on how to question this group of children; decisions should be taken regarding the proposal of the Ministry of the Interior to give evidentiary powers to the initial police interview and on the venue of carrying out the medical examination (healthcare institutions or Barnahus); it is necessary to ensure an adequate number of child gynaecologists and medical equipment needed to carry out examination of children; emphasis should be placed on ensuring in the I-A Agreement that the police should bring the child to the Barnahus following the first information on the abuse to carry out the initial police interview.
- Kristina Knežević Červar: it is proposed to pay particular emphasis of ensuring protection of child victims of sexual abuse with disabilities and health impairments.
- Proposals on the number of Barnahus units: the participants endorse the proposal to start with a pilot unit in Barnahus and gather lessons learned during the evaluation period; they also propose to envisage regional coverage of units, in particular due to the need to cover children from rural areas.

Conclusions

- The proposed technical changes were introduced in the Report to align it with the proposals of the participants.
- As regards the main sources of inspiration for drafting the I-A Agreement, the following documents will be used: the Slovenian applicable Decree, the Spanish and Irish draft agreements provided following the interviews taken with the representatives from these member states, national applicable by-laws identified in the Report.
- The form and content of the I-A Agreement will present a statement of high-political commitment of relevant stakeholders to establish Barnahus in Croatia and will be drafted in a rather general manner, leaving the details to be prescribed in the draft Law.
- As regards the parties to the I-A Agreement, options will be provided to either limit the agreement to those stakeholders handling child sexual abuse cases within the realm of the criminal proceedings or to broaden the scope to other stakeholders as well (e.g. Ombudsperson for Children, universities, etc.).
- In respect of the type of criminal offences that will be handled in Barnahus: it will be proposed to limit the pilot project to those related to child sexual abuse with the possibility of broadening the scope to other criminal offences involving children at the later stage.
- Consideration will be had on how to incorporate the need to have a Barnahus focal point competent for providing practical expert support to authorities in handling cases of child sexual abuse.

- The need to ensure regional coverage of Barnahus units in the I-A Agreement will be taken into account and reflected accordingly by e.g. indicating the pilot project in Zagreb and regional units.
- Ministry of Health will be asked to clarify its position on the location of providing healthcare services to children when submitting the 1st draft of the I-A Agreement.
- The issue of giving evidentiary powers to the initial police interview will be also indicated when submitting the 1st draft of the I-A Agreement.

Note: After the official submission of the Report on procedures and protocols supporting an interagency agreement between Croatian authorities competent for implementing the Barnahus model in Croatia and the Summary of initial consultations for the drafting of the inter-agency agreement for the implementation of the Barnahus model in Croatia, the first draft of the Inter-Agency Agreement regulating the commitment of the relevant stakeholders to implement the Barnahus model in Croatia was prepared and submitted to the Advisory Group for comments.

The members of the Advisory Group had the opportunity to provide their first feedback at an online meeting that took place in February 2025. It is highlighted that during the meeting, representatives of certain stakeholders (the Supreme Court of the Republic of Croatia, the State Attorney's Office) expressed their reservations regarding the title of the document (Inter-Agency Agreement) bearing in mind the independency of the judiciary. These reservations were also made by the representatives from the Ombudsperson for Children's Office during subsequent online consultations.

In this respect it was decided to change the initial title "Inter-Agency Agreement" to "Memorandum of Understanding" to shape the document as a symbol of high-level commitment of stakeholders to undertake the necessary activities underpinned by inter-agency and multidisciplinary cooperation aimed at establishing the Barnahus model in Croatia. Furthermore, it was decided to broaden the scope of the signatories initially proposed in the Report on procedures and protocols supporting an inter-agency agreement between Croatian authorities competent for implementing the Barnahus model in Croatia. In line with the changes made and the comments provided by the Advisory Group, the 2nd draft titled "Memorandum of understanding on implementing the Barnahus model in Croatia" was submitted for feedback to the members of the Advisory Group for further comments.

2nd draft of the Memorandum of Understanding on implementing the Barnahus model in Croatia

MEMORANDUM OF UNDERSTANDING ON IMPLEMENTING THE BARNAHUS MODEL IN CROATIA

between

Ministry of Justice, Public Administration and Digital Transformation

Ministry of the Interior

Ministry of Labour, Pension System, Family and Social Policy

Ministry of Health

Ministry of Science, Education and Youth

Supreme Court of the Republic of Croatia³

High Criminal Court of the Republic of Croatia

Ombudsperson for Children

Chief Police Directorate

Croatian Bureau for Social Work

Judicial Academy

Social Welfare Academy

Croatian Bar Association4

Croatian Chamber of Psychology

Zagreb Law Faculty

³ pending approval of the Supreme Court of the Republic of Croatia

⁴ pending approval of the Executive Board of the Croatian Bar Association

Introductory remark

This Memorandum of Understanding represents a high-level commitment by key stakeholders to the implementation of the Barnahus model in Croatia reflecting a shared vision, sustained dedication, and unwavering support for ensuring a child-centred, multidisciplinary, and interagency response to sexual violence of children. By endorsing this Memorandum of Understanding, the signatories reaffirm their collective determination to uphold the highest standards in safeguarding children's rights, to advance child-friendly justice, and to foster a society where every child is protected, heard, and supported with dignity and care.

The aim of this Memorandum of Understanding is to establish the signatories' fundamental commitment to the implementation of the Barnahus model in Croatia, while its full realization will be ensured through a dedicated legislative framework, which will comprehensively regulate all procedural, administrative and operational aspects.

The below Memorandum of Understanding has been developed in the framework of the joint project of the European Union and the Council of Europe "Implementing the Barnahus Model in Croatia" co-funded by the European Union via the Technical Support Instrument, and co-funded and implemented by the Council of Europe, in cooperation with the European Commission, the Reform and Investment Task Force (SG REFORM) and the Ministry of Justice, Public Administration and Digital Transformation of the Republic of Croatia as the main beneficiary.

During the consultations the viewpoint of several members of the Advisory Group to establish all Barnahus units simultaneously in Zagreb and in the regions has been duly noted. However, based on available human and financial resources, the phased approach with a pilot unit in Zagreb first is the option that has been chosen by the Ministry of Justice, Public Administration and Digital Transformation. Therefore, this Memorandum of Understanding has been drawn up based on that approach. Nevertheless, the Ministry of Justice, Public Administration and Digital Transformation is committed to setting up at least four Barnahus units as quickly as possible.

PREAMBLE

The signatories to this Memorandum of Understanding:

- reaffirming their strong commitment to ensure zero tolerance policy rooted in eradicating all forms of sexual violence of children in line with key international documents incorporated by the Republic of Croatia in its legal framework, in particular, United Nation's Convention on the Rights of the Child, Council of Europe's Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention), the EU Agenda for the Rights of the Child, and the EU Strategy on the Rights of the Child, Council of Europe's Strategy for the Rights of the Child (2022-2027), Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice, Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography and Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime,
- building on the continuous efforts and on the current national legislative, policy and institutional framework put in place by the Republic of Croatia to ensure child-friendly justice and an integrated and a comprehensive protection system to children against sexual violence,
- highlighting the importance of implementing the Barnahus model in Croatia in line with the with the Key common criteria for Barnahus and European Barnahus Quality Standards that envisage a child-friendly inter-agency and multidisciplinary response to child sexual violence by bringing under one roof all relevant stakeholders handling child sexual violence cases within the context of criminal proceedings and procedures related to protection of children against sexual violence, in particular to help produce valid child's testimony, to provide necessary psychosocial support and medical assistance, to prevent re-traumatisation and ensure child-friendly justice,
- bearing in mind that the Barnahus model is recognized as an example of good practices by the Committee of the Parties to the Council of Europe's Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Committee) and the European Commission Recommendation on Developing and Strengthening Integrated Child Protection Systems in the Best Interests of the Child,
- emphasizing the importance of placing the best interests of the child as the key guiding principle for all activities related to the establishment and the functioning of the Barnahus model in Croatia and providing a comprehensive response to children victims or witnesses of child sexual violence in accordance with the child's specific circumstances, needs and vulnerabilities,
- ensuring equal treatment to all children in cases of sexual violence, in particular to children facing risks of violence or discrimination, children in need, and children experiencing specific disadvantages,
- acknowledging the need to apply a family-oriented approach in the implementation and functioning of the Barnahus model in Croatia by providing support to non-offending family members and strengthening child support through co-operation between competent authorities and non-offending family members.

- ensuring that children's rights to express their views and to receive timely information in a child-adapted manner are respected and fulfilled when handling cases related to child sexual violence.
- recognizing that a co-ordinated joint action contributes to prevention, early identification, and timely and effective protection of children against sexual violence as well as to ensuring an inclusive child-centred protection system,

hereby agree to support the implementation of the Barnahus model in Croatia as an inter-agency and a multidisciplinary approach in criminal proceedings and all actions related to the protection of children against sexual violence embedded in the protection of the child's best interests and providing a safe environment to the child by bringing all relevant stakeholders under one roof to timely secure a valid child's testimony and provide psychosocial and medical support in a child-adapted manner and thereby contribute to the prevention of secondary victimisation and to ensuring child-friendly justice.

I. MEANING OF TERMS

- 1. The term "child" shall include all persons under the age of 18.
- 2. The term "sexual violence" shall encompass all forms of sexual violence of children as defined by the relevant criminal offences described in title XVII of the applicable Criminal Code.
- 3. The inter-agency and the multidisciplinary co-operation shall include co-operation in cases related to criminal offences that include sexual violence of children while the need to broaden the scope to other cases involving protection of children shall be taken into account when evaluating the implementation and the functioning of the Barnahus model in Croatia.
- 4. The inter-agency and the multidisciplinary co-operation shall include co-operation in all types of examinations of allegations of sexual violence, in criminal proceedings including the pretrial phase, the trial and the phase following the judgment, as well as any other procedures for the protection of children against sexual violence.
- 5. The primary beneficiaries of services provided in units established pursuant to the Barnahus model in Croatia shall be children victims or witnesses of criminal offences related to child sexual violence while the secondary beneficiaries shall be their non-offending family members/caretakers.

II. KEY CO-OPERATION OBJECTIVES FOR THE IMPLEMENTATION OF THE BARNAHUS MODEL IN CROATIA

The signatories agree to undertake the following steps aimed at:

- 1. ensuring that the implementation and the functioning of the Barnahus model in Croatia is rooted in a multi-disciplinary and inter-agency approach bringing together professionals from the judiciary, law enforcement, social welfare, healthcare, educational and other services to work for and with children in a child-adapted manner and under one roof with a goal to prevent re-traumatisation, secure evidentiary material and provide necessary psychosocial support from the first disclosure of sexual violence, and during and after criminal proceedings, in line with the needs of the child victim or witness and of the child's non-offending family member/caretaker.
- 2. designating the ministry competent for justice matters as the competent authority for establishing and supervising the functioning of the Barnahus model in Croatia with the expert assistance of the signatories to this Memorandum of Understanding and other relevant experts in the field of the protection of children against sexual violence,
- 3. carrying out the assessment of the current legislative framework governing the protection of children against sexual violence within their respective competencies aimed at:
 - determining if and which legislative amendments should be undertaken for the implementation and functioning of the Barnahus model in Croatia,
 - deciding on the need to introduce a dedicated legislative act, acting as a *lex specialis*, that would regulate the establishment and the functioning of the Barnahus model in Croatia and analysing the need to carry out necessary legislative amendments in this respect to prevent any possible discrepancies or overlap with the legislative acts regulating the protection of children against sexual violence currently in force,
- 4. conducting a cost analysis and putting in place a financial plan for the implementation of the Barnahus model in Croatia,
- 5. ensuring administrative capacities for the implementation and the functioning of the Barnahus model in Croatia by identifying the need for necessary human resources and analysing the possibility of benefiting from professionals already working on cases related to sexual violence of children.
- conducting infrastructural planning to ensure adequate premises for setting up Barnahus units in a child friendly environment bearing in mind the importance of preventing contact between the child and the defendant at all times and taking into account specific needs of the child, and ensuring necessary equipment for the provision of Barnahus services,
- 7. contributing to national and regional distribution and equal accessibility to Barnahus services by identifying the need to establish Barnahus units across key country regions (central Croatia, Slavonia, Istria, Dalmatia) in line with the regional needs, prevalence of child sexual violence and the importance of expanding outreach to children living in rural and remote areas.
- 8. putting in place procedures for inter-agency planning, case management and review in Barnahus units to ensure a co-ordinated approach in child sexual violence cases,

- 9. ensuring the possibility of provision of healthcare services in Barnahus units bearing in mind the importance of timely securing material evidence in a child-adapted manner, unless urgent circumstances warrant the conduct of medical examinations and treatments in a healthcare institution.
- 10. envisaging clear procedures for personal data processing and keeping in Barnahus units,
- 11. ensuring that professionals handling child sexual violence cases receive mandatory, continuous, and tailor-made trainings on how to effectively provide services to Barnahus beneficiaries in line with the national child protection system and applicable international child protection standards laid down by the United Nations, Council of Europe, European Union, Key Common Criteria for Barnahus and Barnahus Quality Standards, and that such trainings are integrated in the national applicable legislative framework,
- 12. envisaging regular evaluation of the functioning of the Barnahus model in Croatia,
- 13. setting up a dedicated body tasked with gathering, consolidating and analysing data related to sexual violence against children with a view to identifying good practices and challenges and ensuring research-based legislative, policy and institutional developments of the Barnahus model in Croatia,
- 14. developing a communication strategy for the establishment of the Barnahus model in Croatia to raise awareness among general and expert public on the harmfulness of sexual violence of children.

III. GRADUAL APPROACH IN THE IMPLEMENTATION OF THE BARNAHUS MODEL IN CROATIA

- 1. Bearing in mind the need to align the current national legislative, policy and institutional framework with the international standards regulating the functioning of the Barnahus model in Croatia and to ensure its sustainable and effective functioning, the implementation of the said model shall be carried out in two operative phases as follows.
- 2. The first operative phase (pilot phase) shall include launching the Barnahus pilot unit in Zagreb by, in particular, adopting the necessary legal basis for its establishment and functioning, ensuring the necessary budget and administrative capacities, deciding on which Barnahus services will be provided therein, choosing and adapting adequate premises in line with the European Barnahus Quality Standards, envisaging the duration of the pilot period and evaluation of the challenges identified and lessons learned.
- 3. Building on the key findings obtained during the pilot phase, the second operative phase shall be conducted to finalize the establishment of the Barnahus model in Croatia in line with the above key co-operation objectives by designating the Barnahus unit in Zagreb as the Barnahus central hub and by setting up additional regional units in Slavonia, Dalmatia and Istria in accordance with the identified needs.

IV. FINAL PROVISIONS

- Each signatory shall designate a focal point tasked with providing expertise in their field of competence under the supervision of the Ministry of Justice, Public Administration and Digital Transformation for the purposes of the implementation of steps and activities envisaged by this Memorandum of Understanding.
- 2. This Memorandum of Understanding may be amended and supplemented at any time by a mutual written agreement of the signatories.
- 3. This Memorandum of Understanding shall enter into force on the date of its signing.
- 4. This Memorandum of Understanding shall be signed in XX () copies, with each signatory retaining one copy.

Zagreb, XX XX 2025

Ministry of Justice, Public Administration and Digital Transformation	Ministry of the Interior
Minister	Vice-President of the Government and Minister
Damir Habijan	Davor Božinović, Ph.D.
Class:	Class:
Reg. Number:	Reg. Number:
Ministry of Labour, Pension System, Family and Social Policy	Ministry of Health
Minister	Minister
Marin Piletić	Assoc. Prof. Ph. D. Irena Hrstić, M. D.
Class:	Class:
Reg. Number:	Reg. Number:
Ministry of Science, Education and Youth	Supreme Court of the Republic of Croatia
Minister	President ad interim
Prof. Radovan Fuchs, Ph.D.	Gordana Jalšovečki
Class:	Class:
Reg. Number:	Reg. Number:
High Criminal Court of the Republic of Croatia President Snježana Hrupek-Šabijan	Ombudsperson for Children Helenca Pirnat Dragičević
Class:	Class:
Reg. Number:	Reg. Number:

Chief Police Directorate Director	Croatian Bureau for Social Work Director
Nikola Milina	Tatjana Štritof
Class: Reg. Number:	Class: Reg. Number:
Judicial Academy	Social Welfare Academy
Director Kristina Bekavac	Director Marija Barilić
Class: Reg. Number:	Class: Reg. Number:
Croatian Bar Association	Croatian Chamber of Psychology
President Iva Markotić Bagarić	President Dejvid Zombori
Class: Reg. Number:	Class: Reg. Number:
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Dean Prof. Ivan Koprić, Ph.D.	
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