

**Group of Experts on Action against Violence
against Women and Domestic Violence
(GREVIO)**



**Report submitted by Portugal
pursuant to Article 68, paragraph 1
of the Council of Europe Convention
on preventing and combating violence
against women and domestic violence
(1st thematic evaluation round)**

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against Women and Domestic Violence
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**Questionnaire for the evaluation of the implementation of the
Council of Europe Convention on Preventing and Combating
Violence against Women and Domestic Violence by the Parties**

**1st thematic evaluation round: Building trust by delivering support,
protection and justice**

Adopted by GREVIO on 13 October 2022

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Introduction

In accordance with Article 66, paragraph 1, the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) shall monitor the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). Following its baseline evaluation procedure which provided an overview of the implementation of the full spectrum of provisions of the convention by each state party, Article 68, paragraph 3, of the convention and Rule 30 of the Rules of Procedure of GREVIO (the Rules of Procedure) mandate GREVIO to carry out subsequent evaluation procedures divided into rounds. At the beginning of each round, GREVIO shall select the specific provisions on which the evaluation procedure shall be based and shall send out a questionnaire (Rule 31 of the Rules of Procedure).

For its 1st thematic evaluation round, GREVIO adopted this questionnaire to be sent to all states parties which have undergone the baseline evaluation procedure, according to an order approved by GREVIO. States parties are requested to transmit to GREVIO a reply to this questionnaire within five months from the date it was sent.

GREVIO decided to focus its 1st thematic evaluation round on the theme of building trust by delivering support, protection and justice. To address this overarching theme, the present questionnaire aims, in its first section, to identify developments in key areas such as comprehensive and co-ordinated policies, funding and data collection that have ensued following the completion of the baseline evaluation procedure. In its second section, it sets to obtain more in-depth information on the implementation of selected provisions in the area of prevention, protection and prosecution, in respect of which baseline evaluation procedures and the Conclusions on the Recommendations of the Committee of the Parties to the Istanbul Convention have revealed significant challenges and the need for further sustained implementation. In its third section, it brings its attention to emerging trends in the area of violence against women and domestic violence. Its fourth and last section requests annual statistics for two complete calendar years prior to receiving this questionnaire on specific administrative and judicial data.

The reply to the questionnaire should be submitted in one of the official languages of the Council of Europe (English and French) and should contain all the relevant information on the implementation of the Istanbul Convention since GREVIO's first baseline evaluation report, including copies or extracts of relevant legislation, regulations, case law and strategic documents or action plans referred to (Rule 33 of the Rules of Procedure).

Part I: Changes in comprehensive and co-ordinated policies, funding and data collection in the area of violence against women and domestic violence

Article 7: Comprehensive and co-ordinated policies

1. Please provide information on any new policy development since the adoption of GREVIO's baseline evaluation report on your country to ensure comprehensive policies covering the areas of prevention, protection, and prosecution in relation to stalking, sexual harassment and domestic violence, including their digital dimension, rape and sexual violence, female genital mutilation, forced marriage, forced abortion and forced sterilisation, thereby demonstrating further implementation of the convention. Please specify the measures taken particularly in relation to those forms of violence against women that have not been addressed in past policies, programmes and services encompassing the four pillars of the Istanbul Convention.

The intervention in the area of Domestic Violence and Violence Against Women is foreseen in the National Strategy for Equality and Non-Discrimination 2018-2030 ([ENIND](#)), more specifically by the Action Plan for the Prevention and Combat of Violence Against Women and Domestic Violence (PAVMD), whose instrument for the four-year period 2023/2026 was approved on August 14 (2023). This new national plan (the 7th, since 1999) is organized in 6 main strategic areas:

- 1) Prevent and eradicate social tolerance to the various manifestations Domestic violence and violence against women, raise awareness about its impacts and promote a culture of non-violence, of human rights, equality and non-discrimination
- 2) Support and protect — extend and consolidate the intervention.
- 3) Intervene with aggressors, promoting a culture of responsibility.
- 4) Qualify professionals and services for intervention.
- 5) Investigate, monitoring and evaluate public policies.
- 6) Prevent and combat harmful traditional practices, namely FGM and child, early and forced marriages.

ENIND brings together under an integrated strategy, areas of public policy that until then were incorporated into separate action plans. This integrated approach fosters collaboration and

coordination of efforts, valuing a common vision that simultaneously has a more structuring and sustainable effect.

Several initiatives have been implementing the intersectional approach to the issues of VAW/DV and the promotion of the protection of its victims, namely with the creation of specialized support structures for victims with increased vulnerabilities (depending on age, disability, sexual orientation and gender identity, migrants and ethnic origin, among others); the development of specific projects and the strengthening of legislative protection.

In 2019, the Government approved the Resolution of the Council of Ministers n°. 139/2019, of 19 August which defined a set of measures aimed at strengthening responses to prevent and combat violence against women and domestic violence. This Resolution represented an ambitious commitment to eradicate the phenomenon of violence against women and domestic violence, focusing on the prevention, intervention and accountability/punishment of crime. Under this resolution, a number of actions have been established and carried out with regard to the identified needs – it should be noted that the Government has launched four new guides that, for the first time, set out harmonised lines of action and procedures on VAW/DV to be followed by all relevant professionals: 1) Manual of action for police forces within 72 hours of the denunciation of the crime of domestic violence (including on the collection and urgent preservation of evidence, containment and procedural position of the author, judiciary and social intervention); 2) Guide for an integrated intervention with child victims of domestic violence (including detection, protection and referral procedures); 3) Common training plan on VAW/DM for all sectors of the Public Administration with intervention in these matters and 4) Definition of minimum requirements for primary prevention programmes and projects in the field of VAW/DM.

During the pandemic, all materials aimed at alerting to a possible increased risk of VAW/DV and to inform about the existence of support services, helplines and safety advice were being systematically and widely disseminated, to reach all women across the country and were translated into several languages including Arabic, Bengali, French, Hindi, Chinese/Mandarin, Nepali and Russian, as well as in Portuguese Sign Language. In addition, channels to facilitate requests for support from victims have been strengthened and diversified, including a nationwide telephone line (toll-free and confidential hotline, available 24 hours a day), an email address accessible to victims and professionals, and a new free and confidential SMS 3060 line

Launch of the first national campaign on preventing and combating early and forced child marriages (online campaign and brochure) to raise awareness among public and technical professionals with intervention on the ground to deconstruct myths associated with these practices, as well as some of the main warning signs to be taken into account. It is an information campaign produced by the Working Group on preventing and combating early and forced child marriages (created by the Portuguese Government).

Publication of a Model of Signalling and Prevention of Victims in Portugal and travel to countries with FGM practice and early, child and forced marriages. The model is intended for all entities that contact communities affected by the practice of FGM/C or early and forced child marriages, seeking to list the mechanisms currently in place to protect children and young people/minors from the risk of leaving the national territory subject to such traditional harmful practices, the border authorities to make the appropriate referral of the cases referred to and / or found in a border environment.

Review and update, by the General Directorate of Health, of the guidelines addressed to health professionals on the prevention and fight against FGM.

Emergency response for child victims of early and forced marriage is being implemented in Portugal.

Support was reinforced to associations representing communities at risk of FGM for the development of projects in territories with a higher prevalence of FGM.

Creation of Support Offices for Victims of Domestic Violence and/or Harmful Traditional Practices in the three National Support Centers for the Integration of Migrants. These Support Offices aim to provide an integrated and proximity response through a specialized service, also ensuring personalized information and guidance to migrants and descendants in Portugal.

In February 2021, the Portuguese Government, through the area of Equality created the first working group on the prevention of child, early and forced marriages (CEFM), composed of several members from key sectors, such as the Attorney General's Office, the Criminal Police, the Immigration and Borders Service, the Commission for the Promotion of the Rights and Protection of Children and Youth, UNICEF Portugal, NGOs working with domestic violence, sexual assault and victims of human trafficking, etc. The working group created a repository with documentation, articles, theses, news, reports and national and international legislation,

reviewed the literature, developed a survey model to consult those working in the area and key sectors, worked on a proposal to standardize the concepts of "child marriage, early and forced" and launched an awareness campaign for public service professionals and other professionals with intervention in the field. Due to the pandemic context and the need to apply the developed survey model, the Portuguese Government prolonged the Working Group's mission in order to complete the objectives proposed, namely the report with recommendations and the survey's results and conclusions.

Portuguese National Defence launched the National Defence Action Plan for Equality 2022-2025 (Plano Setorial da Defesa Nacional para a Igualdade 2022-2025), following the previous plan from 2019-2021 and aligned with the National Strategy for Equality and Non-Discrimination 2018-2030 - Portugal + Equal (Estratégia Nacional para a Igualdade e a Não Discriminação 2018-2030 – Portugal + Igual). It is organized in four main areas: Equality, Work-Life Balance, Training and Women, Peace and Security. This action plan establishes 2 measures regarding the prevention of sexual harassment and sexual violence: In March 2021, the Minister of National Defence established the Defence Harassment Prevention Unit.

This Unit is an independent mechanism, separated from the chain of command, and the Head of the Unit reports directly to the Minister of National Defence. Military and civilian personnel can report incidents of harassment, sexual violence and discrimination directly to this Unit. One of the measures in the Defence Action Plan is to publicize its existence and roles but also to raise awareness about this type of violence. Develop and implement a standardized awareness session about prevention and response to harassment and sexual violence in the Defence.

2. Where relevant, please provide information on any measures taken to ensure the alignment of any definitions of domestic violence and of violence against women in national legislation or policy documents with those set out under Article 3 of the Istanbul Convention and provide the relevant applicable provisions in English or French.

On August 16th, Law no. 57/2021 was published, amending Law no. 112/2009, of September 16th, which extends protection to victims of domestic violence. The Penal Code and the Code of Criminal Procedure were also amended in what concerns Domestic Violence.

Main amends:

The concept of victim was enlarged, including now children or young people up to 18 years of age who have suffered abuse related to exposure to contexts of domestic violence.

So, now, the article goes as follows:

- Victims are now considered to be "individuals who have suffered a damage, including an attack on their physical or psychological integrity, emotional or moral damage, or material loss, directly caused by action or omission, in the context of the crime of domestic violence provided for in Article 152 of the Criminal Code, including children or young people up to 18 years of age who have suffered abuse related to exposure to contexts of domestic violence".
- Order No. 138-E/2021, of July 1st - Approves the models of supporting documents for granting the status of victim and especially vulnerable victim, including for crimes of domestic violence.

3. Please provide information on how your authorities ensure that policies on violence against women and domestic violence put women's rights and their empowerment at the centre and on any measure taken to enhance the intersectionality of such policies, in line with Articles 4 paragraph 3 of the convention.¹

The National Strategy for Equality and Non-Discrimination (ENIND) is based on a strategic vision for the sustainable future of Portugal, as a country that effectively realizes human rights, based on the collective commitment of all sectors in defining the measures to be adopted and the actions to be implemented. This integrated approach enhances collaboration and coordination of efforts, valuing a common vision that simultaneously has a more structuring and sustainable effect on the future that is intended to be built. ENIND marks a new programmatic cycle that begins in 2018, aligned temporally and substantively with the 2030 Agenda for Sustainable Development. It is based on three National Action Plans on equality between women and men (IMH), preventing and combating violence against women and domestic violence (VAW/DV) and combating discrimination on grounds of sexual orientation, gender identity and sex characteristics (OIEC).

¹ The concept of intersectionality refers to the fact that "individuals (and groups) are affected by multiple inequalities based on various grounds of distinction rather than by discrimination based on one ground at a time. Therefore, discrimination, inequality and gender-based violence cannot be examined in relation to only one category of difference – for instance, gender – while precluding others – such as race, class, age, disability, sexual orientation or gender identity – because social categories intersect and interlock in multiple systems of discrimination that simultaneously affect an individual's life." See in this respect the study Ensuring the Non-discriminatory Implementation of Measures against Violence against Women and Domestic Violence: Article 4, paragraph 3, of the Istanbul Convention, A collection of papers on the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, p.12-13.

In the realization of this vision, ENIND assumes as central the elimination of gender stereotypes as factors that are at the origin of direct and indirect discrimination based on sex that tend to perpetuate themselves and that impede the substantive equality that should be guaranteed to women and men, reinforcing and perpetuating historical and structural models of discrimination.

Reflecting the multidimensional nature of disadvantage, ENIND and, consequently, the Plans, aims to eliminate stereotypes that underlie discrimination on the grounds of sex and intersect with stereotypes on the basis of other factors of discrimination such as racial and ethnic origin, nationality, age, disability, and religion. This intersection reveals how experiences of discrimination cannot be assumed to be homogeneous, requiring the ability to construct responses that recognize the specific needs of Roma, Afro-descendants, elderly, disabled, migrant and refugee women, among others.

Discrimination on the grounds of sexual orientation, gender identity and sexual characteristics are based on homophobic, transphobic and interphobic. This discrimination intersects with discrimination on the basis of other factors and manifests itself in forms of violence, social exclusion and marginalization, such as discourse of hatred, the deprivation of freedom of association and expression, disregard for private life and family, discrimination in the labor market, in access to goods and services, in education and in sports.

In this sense, the objective of eliminating stereotypes is assumed as the central and guiding body of ENIND and of the measures included in the three plans.

Article 8: Funding

4. Please provide information on any new development since the adoption of GREVIO's baseline evaluation report on your country concerning the allocation of appropriate and sustainable financial and human resources for the implementation of integrated policies, measures and programmes to prevent and combat all forms of violence covered by the Istanbul Convention.

Private social solidarity institutions and similar (IPSS) may apply, whenever an application period is open, to the Program for the Conclusion or Extension of Cooperation Agreements for the Development of Social Responses (PROCOOP), according to Ordinance No. 100/2017, March 7 and its attached regulations. They must also comply with the general

requirements of Art. 5 of Ordinance No. 196-A/2015, July 1, as amended by Ordinance No. 296/2016, November 28.

In this sequence, from the perspective of financial support from the state, there are no impediments to the realization of new cooperation agreements, as long as they meet the legal conditions and the requirements established in the call for tenders, i.e., entities wishing to develop the social measures “Shelter House” or “Attendance Center”, to have funding for the operation, may apply to PROCOOP, on an equal footing with entities that are already operating.

PROCOOP has territorial coverage that covers Continental Portugal. PROCOOP aims to effectively introduce mechanisms to ensure greater predictability and transparency in the selection of entities and social responses to be included in the Budget Program, thus allowing the conclusion or revision of the respective cooperation agreements, through the clear definition of priorities, criteria, and rules of prioritization of social responses, to be implemented through applications, which will be approved within the budget allocation disclosed therein.

The selection criteria are based on indicators of territorial planning, local coverage at the level of cooperation, adequacy of the number of users by the capacity installed in the social response (measure), and economic and financial sustainability of institutions.

The cooperation between the State and social economy entities, namely the Private Institutions of Social Solidarity or legally equivalent, is of central and vital importance in terms of the implementation of programs, measures, and social protection services, including those aimed at victims of domestic violence. Attentive to this principle of cooperation and subsidiarity, the Social Security Institute (ISS) supports the development of a set of social responses in which are included those addressed to victims of domestic violence such as the Centers for Attendance to Victims of Domestic Violence and the Shelter Homes, whose sources of funding are only the budget of Social Security.

The ISS integrates the National Network of Support to Victims of Domestic Violence (RNAVVD), having a network of services of attendance and monitoring of social action, throughout the continental national territory, with competencies in the scope of attendance and social monitoring to people, families and groups in situations of social vulnerability, namely people and families who experience contexts of violence. It should be noted that an evaluation diagnosis and audit of all entities that integrate or intend to integrate the National Network of Support to Victims of Domestic Violence - RNAVVD is underway, with a view to its certification.

In 2021, in the scope of support and protection for victims of domestic violence, the ISS funded the following social responses:

- Total number of Cooperation Agreements, in 2021: 45 houses, comprising, 17 Attendance Centers for the victims of domestic violence and 28 Shelter Houses;
- Total number of licensed social responses in 2021 (capacity): 2,057 social responses;
- Total funding for Social Responses (2021): € 5,787,145.

Program Area: Financial support for assistance and shelter structures for victims of

- Total Financial support granted to entities: **14 434 196,65 €**
- List of financed projects:
 - o <https://www.cig.gov.pt/area-pt2020/projetos-aprovados/poise/3-16-apoio-a-sociedade-civil/>
 - o <https://www.cig.gov.pt/area-pt2020/projetos-aprovados/poise/3-17-instrumentos-especificos-de-protecao-das-vitimas-e-de-acompanhamento-de-agressores-na-violencia-domestica/>
 - o <https://www.cig.gov.pt/area-pt2020/projetos-aprovados/poise/1-06-apoio-tecnico-a-elaboracao-e-monitorizacao-da-execucao-e-avaliacao-dos-planos-para-a-igualdade/>

Financial support granted to entities (ONG/ third sector) support value

Assistance for victims of domestic violence (assistance and referral)	7 893 053,99 €
Shelter structures for victims of domestic violence	6 541 142,66 €
Total	14 434 196,65 €

Financial and technical support to civil society organizations	5 672 420,70 €
Support for preparing Equality Plans at the municipal level	1 344 975,49 €
Training of strategic audiences - Gender equality and domestic and gender violence	2 305 159,61 €
Total	9 322 555,80 €

[EEA Grants 2014-2021: Program Area: Domestic and Gender-based Violence](#)

Total amount available: € 1,575,525

List of financed projects:

- ViViDo - Management Platform of the Portuguese National Support Network for Victims of Domestic Violence
- Evaluative Study on the impact of measures applied to offenders
- PEER NETWORK: Gender Violence and Empowerment
- (Re) Design Affections-Affection Workshop: Educating in Equality-No!-Project "Inês = Pedro?"
- BY your Side - Breaking the intergeracional cycle of domestic violence-Improved prevention, assistance, protection and (re)integration system for victims of sexual exploitation

5. Please provide information on any development concerning the provision of appropriate and sustainable financial and human resources for women's rights organisations that provide specialist support services to victims, including those supporting migrant women and girls.

The current National Network of Support to Victims of Domestic Violence (RNAVVD), integrates 204 support canter (of which three are specific to migrants, and are located in the cities with the highest migratory flows), 36 shelter houses and 17 emergency reception responses.

The operation of this network (including the payment of the approximately 630 professionals who are part of it) is based almost exclusively on public funding from the following sources:

- State Budget
- Community funds
- Social Games

Area	Year					Total
	2019	2020	2021	2022	2023*	
Violence Against Women (including Domestic Violence and FGM)	1 416 667,00 €	3 126 258,89 €	2 821 447,75 €	2 572 106,16 €	3 268 704,03 €	13 205 183, 83 €
LGBTI+	127 000, 00 €	88 884,60 €	142 028,73 €	189 616,35 €	328 876,23 €	876 405, 91 €

Women trafficking	444 197, 00 €	193 424,12 €	148 758,72 €	271 477,18 €	163 635,00 €	1 221 492, 02 €
					TOTAL	15 303 081, 74 €

*Until September

Article 11: Data collection and research

6. Please provide information on any new development since the adoption of GREVIO's baseline evaluation report on your country on the introduction of data collection categories such as type of violence, sex and age of the victim and the perpetrator, the relationship between the two and where it took place, for administrative data of relevance to the field of violence against women and domestic violence emanating from law enforcement agencies, the justice sector, social services and the public health care sector.

Following the publication of Law no. 57/2021, August 16 (article 37-A) and subsequent publication of Order no. 9054/2021, which approves the constitution of the Working Group (WG) for the development of the Database on Violence against Women and Domestic Violence (BDVMVD). The Working Group is coordinated by the Ministry of Home Affairs and aims to develop the Database on Violence against Women and Domestic Violence (BDVMVD). The aim is to unify the Database on Domestic Violence (BDVMVD), instituting an information processing system based on a global and integrated vision of homicides and other forms of violence against women and domestic violence. The data originates from several entities, including the Social Security Institute (ISS) and the National Commission for the Promotion of the Rights and Protection of Children and Young People (CNPDPJC).

In 2023, the entities that contribute to the Regulations of the BDVMVD and the model of data to be communicated by the former were stabilized.

The data communication protocols are being finalized, namely that of the CNPDPCJ. The impact assessment is still awaiting finalization in terms of data protection, under the responsibility of the General Secretariat of the Ministry of Home Affairs. Once concluded, this document will be sent along with the Regulation at stake, as to collect the prior opinions and consultations referred to in Article 37-A (8) and (9) of Law no. 57/2021, August 16 approved amendments to Law no. 112/2009, September 16, which establishes the legal framework applicable to the prevention of domestic violence, protection and assistance to its victims.

Other important updates:

- Recommendation No. 1/CNPDPJ/2019, on children and young people in the context of homicide in domestic violence. Recommendation for the local Commissions for the Protection of Children and Young People (CPCJ) on procedures to be taken with children and young people in context of homicide in domestic violence;
- The CNPDPCJ guidance for cases and domestic violence in the pandemic COVID-19 (Circular letter no. 7/2020);
- Within the scope of the Resolution of the Council of Ministers No. 139/2019, of August 18, the CNPDPCJ integrated the inter-ministerial working groups coordinated by the Secretary of State for Citizenship and Equality that gave rise to:
 - To the Guide for Integrated Intervention with Child or Young Victims of Domestic Violence which aimed at:
 - Promotion of inter-institutional articulation and information sharing;
 - Uniformization of procedures of action and ways of registering intervention through the definition of a flowchart of joint action between the various areas or sectors;
 - Definition of technical guidelines for professionals, namely members of CPCJ.

Upon the conclusion of this guide, technical guidelines have been developed for the professionals involved in the implementation of the above-mentioned guide, namely for the National System for the Promotion of the Rights and Protection of Children and Young People. The document on the technical guidelines for the local Commissions was concluded and validated by the restricted modality of the National Council of the CNPDPCJ.

- The annual joint training plan on violence against women and gender violence. The CNPDPCJ contributed to the training referential of the module regarding the aforementioned guide; the annual joint training plan is currently in progress (details in the reply to question 25).
- Within the scope of the exceptional and temporary measures adopted during the COVID-19 pandemic, the reception periods for victims of domestic violence were automatically extended given its protection (Decree-Law no. 22-A/2021, of March 17). These measures covered the social responses: attendance centers, shelters, and emergency reception responses.

In Portugal, the Electronic Health Record - Professional Area is a web platform that allows the registration and sharing of information between the various institutions of the National Health Service. It was created in 2012 by the Shared Services of the Ministry of Health.

Since July 2020, there was implemented in Portugal National health Service (NHS) the *Clinical Record of Violence in Adults* (CRVA), integrated in the clinical process of NHS users. It seeks to dematerialize the records related to violence situations in interpersonal

violence, as well as supporting the good practices of health professionals. Systematizes information taking into account the steps and procedures of the General Intervention Protocol in Interpersonal Violence and respective flowchart, contained in the technical Manual of Interpersonal Violence - Approach, Diagnosis and Intervention in Health Services and its Practical Guide. It is intended to record any form of victimization (suspected or confirmed) exercised against adults, regardless of individual variables. In CRVA, data are integrated into 5 tabs with the following contents:

1. **Interpersonal violence screening;**
2. **Victim identification**, including sex, contacts, naturality, nationality, civil status, academic qualification, professional situation, existence of children, personal background (history of violence in childhood, history of mental health problem, other experiences of victimization, substance Abuse), special condition of vulnerability (pregnant, physically/mentally dependent, economically dependent, migrant, refugee) and witness identification;
3. **Identification of the presumed perpetrator**, including including sex, contacts, naturality, nationality, civil status, academic qualification, professional situation, cohabitation with the victim and relationship with the Victim: *'Intimate partner', 'Former intimate partner', 'Child', 'Father/mother', Stepmother/stepfather', 'Stepson/a', 'Other relative', 'Caregiver/person with disability', 'Colleague/Professional from the same institution', 'Professional of higher hierarchical level', 'Professional of lower hierarchical level', 'Professional from another institution', 'User/client', 'User/client's family member', 'User/client's companion', 'Acquaintance', 'Unknown', 'Other', 'Does not know/does not answer'*;
4. **Violence Assessment, including typologies** (*'Physical', 'Psychological', 'Sexual - abuse/coercion', 'Sexual' - rape, 'Negligence/deprivation', 'Self-inflicted', 'Economic'*), sub-typologies of violence (*'Domestic violence/dating', 'Domestic violence/intimate relationships', 'Domestic violence/family relationships', 'Elder abuse', 'Gender Violence against Women', 'Gender Violence against Men', 'Trafficking in Human Beings', 'Institutional Violence', 'Stalking', 'Mobbing', 'Violence against Health Professionals', 'Bullying/Cyberbullying', 'Female Genital Mutilation', 'Discrimination in reason for Sexual Orientation, Gender Identity and Expression, and Sexual Characteristics', 'Racial/Ethnic Discrimination', 'Other Discrimination'*), qualitative risk assessment (standardized criteria from the risk assessment form used by security forces and judicial authorities), facts description, physical examination procedures;

5. **Intervention plan**, including intervention protocol (suspected, risk or danger situation), activation of intra and inter-institutional resources, security plan, mandatory crime report and signaling to the national network of teams.

For children registration, there is also available the **Family Risk Assessment(FRA)**, integrated in Child and youth health program digital module – *Sclínico* in primary healthcare), following the steps of the children and youth technical manual, practical guide and flowcharts, including protective and risk factors and indicators, warning signs, types of risk or violence and intervention plan.

Together CRVA, FRA and other materialized registration tools (that have not yet been possible to digitize due to lack of funds), including Annual Teams Activity Reports (Support Teams for Child and Youth at Risk and Teams for the Prevention of Violence in Adults), are instruments that constitute the **Intervention and Surveillance System of Violence in Health**. This System allows faster and more effective monitoring and strategy implementation regarding situations of violence from a lifecycle perspective, with special focus on particularly vulnerable victims, namely children, women, refugees/migrants, people with disabilities and older persons.

The main goal of this Surveillance System is to contribute to the improvement, harmonization and permanent updating of official data in health regarding violence in lifecycle, together with other areas of government.

Reinforcing health data collection and violence response, also a collaborative project is being developed between the National Program for the Prevention of Violence in Lifecycle and National Institute of Medical Emergency (NIME), aiming violence registration in NIME digital record system – iTEAMS, and automatic referencing to Support Teams for Children and Youth at Risk and Teams for the Prevention of Violence in Adults, existing in the NHS in primary and hospital health care. In situations of suspected or identified violence by medical emergency care, intend a direct signalization to these teams (notification via email), ensuring continuity of care and health response after intervention in an emergency phase. It is function of these teams, afterwards, reassess the situation and articulate with health family team and community support networks, ensuring protective and timely intervention.

Within the scope of the National Program for Infant and Youth Health, it is also planned to develop a Child and Youth Health e-Bulletin also integrated in digital clinical records, including assessment and registration module in risk and child maltreatment.

Regarding specific data registered in *Clinical Record of Violence in Adults* (CRVA) – 8 July 2020 to 30 June 2023:

- **Registration of 777 situations of interpersonal violence, with 443 Children involved**
- **51% of episodes registered by hospital care services**
- **Regarding health regions, 71% in Regional Health Administration of Lisbon and Tagus Valley**
- **Nationality of victims: 9% foreigners - most from Brazil (42% of all foreign victims)**
- **Sex of victims: 87% female**
- **Age range of victims: 12% of 18-24 years old; 31% of 25-44 year old; 31% of 45-64 year olds; 26% over 65 years old**
- **Gender presumed aggressors: 58% male; 11% female; 31% unknown/no answer**
- **66% of presumed aggressors living with the victims**
- **29% of presumed aggressors, with addictive behaviours (alcohol or other substances), 13% with psychiatric morbidity and 4% with criminal history**
- **Typology of violence: 75% psychological violence, 68% physical violence, 10% economic violence; 6% sexual (abuse coercion), 4% sexual (rape), 9% neglect/deprivation and 1% self-inflicted**
- **Protocol activated according with risk assessment: 22% Protocol 1 - Suspected violence protocol; 41% Protocol 2 – Risk; 37% Protocol 3 – Danger**
- **In 57% of situations safety plans were discussed with the victim**
- **22% of situations with crime report by health professional; 10% of situations crime report is in preparation; in 62% of the situations there was a previous crime report**
- **Health care provided to victims: 43% nursing care; 35% medical care; 29% health social services**
- **18% psychological care; 18% emergency care; 3% hospitalization**
- **In 28% of the situations security forces were activated**
- **In 4% of the situations needed forensic evaluation**
- **10% of the situations referred to the national support network for victims of domestic violence, 4% to social services and 1% referred to a emergency shelter for victims of violence**

Despite the publication of specific CRVA Technical Guidance and a Practical Guide for users, the creation of an online training course as well promoting several webinars, the use of the

platform still remains below expectations, consequently with sub notification of violence situations. Beyond a wide lack of knowledge about CRVA by health professionals, one of the obstacles to registration is that the platform (the only registration system with interoperability between primary and hospital care) is only accessible at the moment by doctors and nurses. The NPPVLC Coordination Team is implementing various efforts to promote greater dissemination of this registration system, crucial for epidemiological surveillance of the violence phenomenon and good practices support.

For clinical data on female genital mutilation, an individual tab was created where it is possible to record, for each woman submitted to cutting, the following variables: current age, registration date, institution where the registration is introduced, type of mutilation (type 1; 2; 3; 4) , age and country where the mutilation was performed, whether it was performed during the stay in Portugal (yes/no), scope in which the woman was observed (consultation; hospitalization; pregnancy; puerperium), whether the women were informed of the legal framework (yes/no), if and what are the associated complications (uro-gynecological; sexual; obstetric; psychological). Between January and December 2022, 190 records of Female Genital Mutilation were made on the platform, with an increase of 27.4% compared to the same period in the previous year.

Mostly the records were made in the context of pregnancy surveillance (38.9%) and the rest during the puerperium (16.8%), in consultation (22.6%) or upon admission (21.6%).

There is a predominance of cases carried out in Guinea-Bissau (70.5%) and Guinea Conakry (23.7%). This aspect reinforces the information already known, considering the predominance of immigrant communities residing in Portugal and the estimated prevalence of Female Genital Mutilation in these countries. Since 2014 until 2022, a total of 853 cases have been registered in Portugal.

Under Resolution 139/2019, work was done to develop the new Database on Violence against Women and Domestic Violence (BDVMVD), meant to unify the Database on Domestic Violence (BDVD).

In this context, this system that is being developed by the General Secretariat of the Ministry of Home Affairs (SGMAI) has the aim to facilitate the fulfilment of the article no. 37-A , of the Law 112/2009, of 16th September, in its current version (last amendment by the Law 57/2021, of 16th August) regarding the data collection by law enforcement agencies to cover all forms of violence against women as well as the coordination with the judicial bodies, and with all the

other state agencies involved in improving the effectiveness in the protection of the victims of violence against women and domestic violence, aiming in the long term to promote a deep knowledge of violence against women and domestic violence in order to contribute to the development of criminal policy, security policy and other public policies aimed specifically at preventing and combating such violence and to obtain a global and integrated overview of homicides and other forms of violence against women and domestic violence, by processing and cross-referencing information from the criminal justice system, including data from other sectors, and enabling the analysis of the trajectories of cases.

This system is going to be fundamental for bringing together the different public institutions that have competences in VAW and domestic violence integrating all the information of interest that is considered necessary, thus facilitating its exchange; facilitating the assessment of risk of further violence occurring.

Steps that were made for the implementations of this system and further activities Amendment to the Law No. 112/2009, of 16th of September which introduces the obligation to collect data from law-enforcement bodies, the judiciary and social agencies so as to reconstruct the entire criminal and support proceedings chain; Introduction of alterations to the standard form for recording the domestic violence offence, that was implemented in law-enforcement agencies Since august 2022; Data communication protocols were created between the new system and the law-enforcement agencies operative systems based in the new the standard form, as well as with all the other public agencies involved; the regulation of the database was approved by the working group that was constitute with all the agencies that are data source entities; the data Protection impact Assessment is ready to be delivered to start the process of validation by the National Data Protection Commission (CNPD). At this stage of the project is expected that communication of real data to the system will begin, which may occur in progressively way, according to the progress made in implementing the communication protocols with the identified data source entities).It should be pointed that the system will be able to contain a larger number of crimes, in order to cover more effectively all forms of violence against women and domestic violence.

Regarding the justice sector, the collection of data on all types of crimes, namely domestic violence, sexual violence and rape, is ensured with regard to crimes registered by the police, cases investigated by the Judiciary Police, cases and stakeholders in criminal cases in the trial phase closed in first instance judicial courts and also foreseen at the inquiry stage.

The data collection on the victim and his/her characterization is also provided for in all perspectives, except for inmates in prisons.

The constraints in the form of data recording and communications that have prevented the production of indicators on the number of cases in which the victim is a woman are being addressed.

With regard to the collection of data related to the sex of the victims in criminal cases in the trial phase closed in first instance judicial courts, this question was identified in a transversal analysis of the changes to be made to the system of support for the processing of cases in the first instance judicial courts. Finally, it should be pointed that the data reported annually by the SGMAI is segregated in all the criteria's mention.

The collection of data on all types of crimes, namely with regard to domestic violence, sexual violence and rape, is ensured with regard to a) crimes registered by the police forces, b) cases investigated by the Judiciary Police, c) criminal cases in the trial phase d) and inmates in prison.

In order to contribute to the monitoring of the phenomenon of violence against women , the Ministry of Justice has carried out, in recent years, an annual collection on data on persons convicted of marital homicide in criminal cases completed at trial stage in the first instance judicial courts. This exercise includes a collection on the characterization of the victims of marital homicide, by gender. Following the collection of this data, an annual statistical highlight is prepared and publicly disclosed (attached is a copy of the last statistical highlight produced on this topic: Annex 1).

According to the Recommendations of the Multidisciplinary Technical Commission to improve the prevention and combat of domestic violence, (RCM No. 139/2019, of 19th August), a new database on violence against women and domestic violence is being developed.

In order to continue the initial work already carried out to define and standardize the data and indicators that must integrate the new BDVMVD, to prepare the BDVMVD Regulation and ensure the implementation of the operational aspects of the new database and its practical applications, through Order No. 9054/2021, of September 13, 2021, a Working Group for the development of the Database on Violence against Women and Domestic Violence (BDVMVD) was created, in conjunction with the High Judicial Council and the Prosecutor General's Office,

in order to continue the implementation of the project, now also with a technical-operational dimension.

The aforementioned Working Group is in operation under the coordination of the Ministry of Home Affairs, and several technical meetings have been held.

Regarding the collection and data from the entities that integrate RNAVVD, since March 2020, a monthly and annual monitoring has been carried out, which allows characterizing both the sociodemographic profiles of the victims throughout the country, the activity of victims support (in its various valences), identifying relevant public policy needs and planning the strengthening of this Network, regarding professionals needs, territories and type of services provided.

During the year 2021, and to ensure the quality of all services provided by RNAVVD and the full compliance of these services with legal obligations and minimum technical requirements, an external audit was carried out to all entities of the Network with a view to their Certification. This audit resulted in three levels of assessments: non-compliant entities (and that could not continue to provide services and access public funding), entities with conditional Certification (i.e., with identified needs for legal and/or technical readjustments), which were given a deadline for such compliance, and entities with full certification. Henceforth, and in accordance with national legislation, any public financial support obliges all entities to this certification.

During the period under review, and using the EEagrants funding, already mentioned above, an information management system – Vivido Platform – was built that will allow, from 1/1/2024, to manage online all the activity of RNAVVD, ensuring a centralized management of all the information produced. The ViViDo Project - Management Platform of the National Support Network for Victims of Domestic Violence aims to create a digital platform, as a management tool, to provide an in-depth, systematic and updated knowledge of the national panorama of violence against women and domestic violence.

Quarterly, the main public policy data are made public, on the [CIG website](#) on the Government website.

7. Where relevant, please provide information on any new development since the adoption of GREVIO's baseline evaluation report on your country to enable disaggregated data collection:

- a. on the number of emergency barring and protection orders and the number of breaches and the resulting sanctions;
- b. on the number of times custody decisions have resulted in the restriction and withdrawal of parental rights because of violence perpetrated by one parent against the other.

Data about coercive measures applied to defendants in criminal cases in the first instance judicial courts, for all kinds of crimes, including crimes of domestic violence, is systematically collected.

In particular, data are collected on specific coercive measures, related to emergency barring and protection orders, such as prohibition of contact with the victim and removal from the residence where the victim lives.

Justice statistics are made available annually on the following website: [Os números da Justiça em Portugal](#).

Relevant data are also provided quarterly on [Portal da Violência](#).

8. Please provide information on measures taken to allow cases of violence against women and domestic violence to be tracked from reporting to conviction, at all stages of the law-enforcement and judicial proceedings.

The Prosecutor General's Office (PGR), through the partnership established in 2000 with the Judiciary Police (PJ), monitors and follows up on all cases of murder in the context of domestic violence and proceeds with their validation for the purpose of public statistics (see data on domestic violence, at <https://www.cig.gov.pt/area-portal-da-violencia/portal-violencia-domestica/enquadramento/>).

This activity is undertaken in accordance with the prosecutor's general 's office 1/2021/PGR (available at <https://www.ministeriopublico.pt/sites/default/files/documentos/pdf/diretiva-1-2021.pdf>).

Furthermore, the recently enlarged Office for the Family, Children, Youngsters and against Domestic Violence (GFCJVD), in partnership with the Department on Technologies and Information Systems (DTSI), both established within the PGR, monitors cases of attempted

murder in the context of domestic violence. In addition to this, all criminal proceedings, registered and classified as related to domestic violence, are monitored on a monthly basis and at the national level. These departments, acting in partnership, also pay particular attention to, and regularly monitor, cases of forced marriage and female genital mutilation.

The GFCJVD also identifies and promotes good practices, which encourage the action of the Public Prosecutor's Office in the promotion and defense of the rights of children, young people, the elderly and Especially Vulnerable Victims and enhance the articulation between different jurisdictions, when related to such matters.

The prosecutor's general office is part of the Working Group that is preparing the Regulation to enable the operation of a Database on Violence against Women and Domestic Violence, under Article 37.^o-A of Act 112/2009, of 16 September.

Part II: Information on the implementation of selected provisions in priority areas in the field of prevention, protection and prosecution

Article 12: General obligations

9. Please provide information on any primary prevention measures aiming to change mentalities and attitudes in relation to violence against women and to reduce women's exposure to gender-based violence by:

- a. addressing harmful gender stereotypes and prejudices, customs and traditions based on the idea of the inferiority of women;
- b. addressing the heightened exposure to gender-based violence by women and girls at risk of intersectional discrimination;
- c. encouraging all members of society, including men and boys, to contribute actively to preventing all forms of violence against women covered by the scope of the Istanbul Convention, and promoting the empowerment of women and girls in all areas of life, notably their participation in politics at all levels and in the labour market.

Please see answer to Q.1.

Article 14: Education

10. Please provide a few examples of promising teaching or prevention programmes, materials, or initiatives for use in formal education (from pre-school to higher education) that:

- a. educate children and youth about equality between women and men, the right to personal integrity, mutual respect and non-violent conflict resolution in interpersonal relationships, including the notion of freely given consent;

Education and Citizenship integrates the curriculum of basic and secondary Portuguese education and is developed, within the scope of the National Strategy of Education for Citizenship, by each school through the subject area of Education for Citizenship. It aims to contribute to the formation of responsible, autonomous individuals who know and exercise their rights and duties in dialogue and respect for others, with a democratic, pluralistic, critical, and creative spirit, with reference to human values. Human Rights, as a field of Citizenship Education - Citizenship and Development, aim to promote a culture of human rights and fundamental freedoms in all aspects of people's lives, contributing to children and young people acquiring the knowledge, skills, values and attitudes that allow them to understand, exercise and defend Human Rights, as a field of Citizenship Education Citizenship and Development, aim to promote a culture of human rights and fundamental freedoms in all aspects of people's lives, contributing to children and young people acquiring the knowledge, skills, values and attitudes that allow them to understand, exercise and defend Human Rights, assuming respect for these as the responsibility of all people, for the sake of a world of peace, justice, freedom and democracy.

- b. address some or all the forms of gender-based violence against women and girls covered by the Istanbul Convention;

Concerning education, Portugal approved a National Strategy for Citizenship Education. Launched in 2017, this strategy aims to give students the tools to understand, value and practice equality in interpersonal relationships, human rights and democratic citizenship. This Strategy develops students' knowledge and skills regarding themes such as human rights; gender equality, including the issues of violence against women and domestic violence.

Also, Portugal is implementing the project 'Education Guides for Gender and Citizenship' as a strategy for gender mainstreaming in education system' and has been coordinated by the Commission for Citizenship and Gender Equality, since 2008. The project includes the production of Education Guides about Gender and Citizenship for all the cycles of compulsory public education system (from 1st grade to 12th grade) and nationwide inservice teachers' training for the application of the guides and the integration of gender equality in teachers' practice. The main purpose of the Guides is to mainstream consideration of gender in formal educational practices, by offering teachers a range of concrete and common themes from a gender perspective to work on with their students, such as concerning the body, health or security, gender stereotypes, ICT, decision-making, non-violent behaviours and responsibility skills.

There has been a close articulation between sex education and the issues of violence against women, and the issues of violence are monitored in the DGE by the Health Education team.

This already has a long history in Portugal, since the 90s, having almost all schools Health Education Projects and one or one teacher responsible for it. To this network of teachers, the MoU ensures regular training. It is Health Education that integrates sex education. Although they are considered themes of Citizenship Education and as such have been contemplated in ENEC, these two themes therefore have a specific organic framework in the DGE.

Campaigns against dating violence, strongly directed at schools, have sought to respond to the need to introduce the problem of power relations into intimate relationships.

More recently, the 2019 Council of Europe Recommendation on preventing and combating sexism, and its campaign (Sexism. Look at it. Talk about it and stop it) has allowed to disseminate the effects of sexism on the relationships of dominance/subordination, between boys and girls, establishing more clearly these effects on the relationships of intimacy between young people. In 2021, this theme was the subject of a school competition that resulted in the production of short videos by students from 13 to 18 years of age, of denunciation and combating sexism, including in intimate relationships.

- c. promote the inclusion of digital literacy and online safety in formal curricula as foreseen under GREVIO General Recommendation No. 1 on the digital dimension of violence against women;

Media Education is another area of Citizenship Education and aims to encourage students to use and interpret the media, namely in the access and use of information and communication technologies, aiming at the adoption of behaviors and attitudes appropriate to a critical and safe use of digital technologies. Values such as impartiality, truth, commitment to ethics, must be apprehended. It is urgent to respond to the enlightened use of various sources of information and information and communication technologies.

- d. ensure that teaching material used in school does not convey negative gender stereotypes of women and men of all ages;
- e. offer tailored interventions aimed at preventing gender-based violence and empowering all girls, including those at risk of intersectional discrimination.

Within the scope of the National Strategy for Citizenship Education (2017), the field of Gender Equality is mandatory for all levels and school cycles (because it is a cross-sectional and longitudinal area), the field of Sexuality is mandatory in at least two cycles of basic education.

Education for Gender Equality aims to encourage students to get to know the Gender Equality Concept. It also seeks to promote the rights of women and girls and gender equality at various levels – political, economic, social and cultural – contributing to the elimination of stereotypes.

Education for Sexuality aims to develop a reflection on relationships based on affection, respect and gender identity, which implies learning about sexual and reproductive rights, violence in intimate relationships and risky behavior. Both domains contribute to the purposes of Law 60/2009 - 6 August. On the specific website, whose target audience is the educational community, there is a space dedicated to Gender Equality (<https://cidadania.dge.mec.pt/igualdade-de-genero>) and Sexuality (<https://cidadania.dge.mec.pt/sexualidade>)

In this context, many initiatives have been developed, which contribute to respond to the various paragraphs. Some Examples: 1. Webinars (resources): Building the Future with Technology (<https://youtu.be/B9nCHonalcA>) Webinar where it is demonstrated that professions have no gender and that technology is within reach of any young person and far from being an option only for young men. Genderless Professions - The place of women in engineering and technology (<https://www.youtube.com/watch?v=UZxwVoe8BuE>) Professions are genderless, so working in engineering and technology doesn't have to be an option only for young men.

A session intended to be interactive and reflect on professions, the work world and the pursuit of studies, fighting stereotypes that condition school and career options and promoting equal opportunities for girls and boys.

The Future Portuguese Women in Tech - Engineering and Technology for Everyone (<https://youtu.be/T-DvRZsZDws>) Webinar that aims to contribute to Equal Opportunities in choosing an academic and professional path for girls and boys. Eye to Eye, Without Violence, Without Prejudice - Educating for Citizenship with Affections (<https://www.youtube.com/watch?v=ItNMFIMasRU>) It focuses on Bullying, in particular the homophobic type, on the prevention of violence and on the elimination of prejudice. The debate focused on: understanding concepts (LGBTQI+), types of bullying, consequences, what to do, how to help, sharing recommendations and also contributing to the improvement of affective-sexual relationships of young people - within the purposes of Law 60/2009 - August 6: elimination of behavior based on sexual discrimination or violence based on gender or sexual orientation, respect for differences between people and different sexual orientations, valuing sexuality and affectivity. Growing and Educating in Equality - Educating for Citizenship with Affections (<https://youtu.be/zUNjRGOyu9E>)

Focused on the objective of promoting Gender Equality, as a fundamental Human Right, investing in the education and awareness of children in pre-school education and the 1st cycle of basic education as an essential condition for the formation of citizens with full rights. Eyes in the Eyes for Equality - Educating for Citizenship with Affections (<https://youtu.be/HCZOnBI3VwM>)

Centered on the issues of dating violence, masculinity and femininity in the promotion of Gender Equality. The discussion converged on the promotion of women's and girls' rights and gender equality on several levels – political, economic, social and cultural –, contributing to the elimination of stereotypes and the prevention of gender violence and dating violence (domestic violence). 2. Challenges (reflection spaces in the classroom)

Proverbs, let's go around the text... (<https://cidadania.dge.mec.pt/sexualidade/proverbios-vamos-dar-volta-ao-texto>)

Proverbs, wise phrases created by the people, pass from generation to generation, being part of our culture and often used as justification/acceptance for certain acts and behaviors. The origin or meaning is not always known, and most are inscribed in the historical and social context in which they were created. It is important to look at them and understand whether, in

the context of today's society, which wants to be inclusive, free of stereotypes and a promoter equal rights and opportunities for girls and boys, women and men, whether they should be taken literally, or need to be seen from a different perspective.

In this sense, the Directorate-General for Education's Educational Project Services Department, within the scope of the work to be carried out in the field of sexuality and gender equality, presented the challenge of, in a class context, promoting reflection on the meaning of certain proverbs, some of which infer an inequality of power, opportunities and visibility of men and women, leading to a subjugation of the female gender and also to the promotion of a toxic masculinity.

It was important to rewrite proverbs that translated a patriarchal reality, of a dominant gender over others, of the opposition of the home sphere for women to the public sphere for men, in a vision of the past and to give them a current and wise nature, promoting a society fairer and more egalitarian, as recommended in the Profile of Students Leaving Compulsory Schooling. In this challenge, over the course of 7 months, school children and young people looked at proverbs that, being part of our culture, do not adapt to the current reality, where a fair, egalitarian, and inclusive society is intended.

There were more than 335 proposals put forward to rewrite many of the proverbs that are part of our cultural background. In more than 119 Schools/School Clusters, in many classrooms, this challenge provided reflection and discussion, in the voice of male and female students, of ideas, prejudices and stereotypes associated with gender, thus contributing to a society more just, egalitarian and inclusive, without violence and promoting human rights and in particular equality between girls and boys, men and women.³ Resource Production: Elaboration and dissemination to schools of a set of 10 leaflets/posters on different GI themes, violence prevention and elimination of stereotypes available for download at: <https://cidadania.dge.mec.pt/igualdade-de-genero/sabias-que>

Short videos with message and information about the field of Gender Equality (<https://youtu.be/SAd24EmVKas>) and reference documents (<https://youtu.be/Uwss6cJMymI>)

Article 15: Training of professionals

11. Please complete tables I and II included in the Appendix in order to provide a comprehensive overview of the professional groups that receive initial and in-service training

on the different forms of violence against women and domestic violence. Please specify the frequency and scope of the training and whether it is compulsory.

To reinforce training of relevant professionals on DV and violence against women, namely in the justice sector (prosecutors, judges, lawyers, court clerks), security forces and health areas (medical doctors, nurses, administrative staff), CIG established protocols (e.g., with Bar Association, Centre for Judicial Studies, Directorate General for Justice Administration, police forces, Prosecutor's General Office) to offer more training and specialisation courses and produce adequate materials for that effect.

Regarding the training of judges and prosecutors, Center for Judicial Studies (CEJ) provides both initial and life-long training on various topics of fundamental rights and constitutional law, in the form of courses, workshops or seminars, which include DV, gender-based violence and FGM.

Law no. 80/2019, of 2 September, establishes that training on human rights and on domestic violence is, from now on, mandatory for judges and prosecutors.

In the period under analysis, from 2019 to 2023, the Authority for Working Conditions (ACT) and the Commission for Equality at Work and Employment (CITE) provided initial training actions (see Table 1). The ACT and the CNPDPCJ provided in-service training to professionals (see Table 2).

The CNPDPCJ provided training to the members of the 311 Local Commissions for the Protection of Children and Young People that cover the whole national territory, aiming at contributing to preparing the professionals of the different areas that integrate them, from health services to education services, security forces, and community projects. In the period under analysis, the National Commission provided in-service training to professionals (Table 2) but did not develop what could be deemed exclusively as initial training actions (Table 1). Nevertheless, the new professionals that took over office terms at the Local Commissions participated in the in-service training actions along with their colleagues who have been involved in those Commissions.

The CNPDPCJ has publications and makes public interventions that aim to contribute to the prevention of and combat violence, ill-treatment, abuse, or sexual exploitation of children", as of the examples below:

- Child Sexual Abuse – National Commission's Campaign:
<https://www.youtube.com/watch?v=-c6WLvtMg5E>

- "Take Good Care of Me" Series:

https://www.youtube.com/watch?v=j7hGqIGYiXk&list=PLy_PirdrlqvR5Dz_QezNKKOq9wKp9shPB

Interview (18 November- European Day on the Protection of Children Against Sexual Abuse and Sexual Exploitation):

https://www.youtube.com/watch?v=1FHsw_-U7al&t=2s

- April - Child Maltreatment Prevention Month:

<https://www.youtube.com/watch?v=8JeTr9PFZe8>

- Child Maltreatment Prevention Month Interviews:

"Paying attention to the signs children give us":

https://www.youtube.com/watch?v=sWfsD6hIW_k&t=14s

"The Marks of Childhood Maltreatment":

<https://www.youtube.com/watch?v=gKcN4EzShzs&t=8s>

"Importance of psychological health for healthy growth":

<https://www.youtube.com/watch?v=8EVZnJrrACA&t=330s>

According to the information available, there is no training in Human Rights included in the initial training for access to the Portuguese NHS. However, it is considered that it would be extremely important to include, even if brief, a training on these topics.

Regarding professionals' training, they should be actively promoted by management and defined at a higher level.

In 2021 and 2022, there was set in place a post-graduation training about Female Genital Mutilation for health professionals. It resulted from a protocol between the Gender Equality Commission, the National School of Public Health and the Directorate-General of Health. A new edition will start next October 2023.

The information in the tables I and II contemplates the training in service of the professionals of the law enforcement, namely GNR and PSP. This curricula for this training Programme was developed specifically for fulfil the gap of knowledge in same areas of domestic violence for instance risk assessment, legal procedures in a total of 13 unit courses. This common training plan on violence against women and domestic violence was produced under Council of Ministers Resolution 139/2019, which was the first common training plan for the various

sectors intervening in this area, and therefore it is based on the standardization of concepts, the definition of contents and training methodologies based on the analysis of specific cases and the identification of a pool of specialized trainers. Consequently, this plan ensures that these sectors root their actions on an integrated, multidisciplinary and interdisciplinary vision of the training contents, ensuring the necessary degree of specialization. It will entail in a first stage, the training of more than twelve thousand public administration professionals from five sectors – security, justice, education, employment and social security, and health, and the modules are structured around the conceptual framework of violence against women and domestic violence.

Ano	Força de Segurança	
	GNR	PSP
2021	294	475
2022	1605	1652
2023	220	260
TOTAIS	2119	2387

It was jointly produced by several ministries, including the Ministry of Education, the Integrated Intervention Guide with Children or Young People Victims of Domestic Violence².

This guide supports the Joint Training Plan on Violence Against Women and Domestic Violence³, annual joint training plan in practice, which aims to respond to the recommendations issued by the Retrospective Analysis of Homicide in Domestic Violence Team regarding the reinforcement of training, complying with the provisions of article 6 of the Istanbul Convention, integrating a gender perspective aligned with the provisions of Sustainable Development Goal 5 – achieve gender equality and empower all women and girls, and also responding to the recommendations of the GREVIO report, addressed to Portugal in the field of article 15 of the Istanbul Convention.

As a result of the implementation of the [Annual Joint Training Plan for Public Administration](#), already mentioned, a large-scale training strategy was initiated in 2021, aimed at public administration professionals who intervene, more or less directly, in the problem of domestic violence and violence against women.

To date, these are the data collected on the scope of this training plan:

² https://www.cig.gov.pt/wp-content/uploads/2020/06/170-20_Guia_Intervencao_Integrada.pdf

³ https://www.cig.gov.pt/wp-content/uploads/2020/06/172-20_PLANO_ANUAL_FORMACAO.pdf

1) Lisbon metropolitan area

Participations by Government Area			
2022-2023	2022	2023 (até Junho)	TOTAL
Internal Affairs	864	238	1102
Education	197	59	256
Justice	226	47	273
Health	0	0	0
Social Security	173	60	233
Total	1460	404	1864

2) North and Center of Portugal

Participations by Government Area				
2021-2022-2023	2021	2022	2023 (until June)	TOTAL
Internal Affairs	793	2478	252	3523
Education	415	588	234	1237
Justice	417	675	130	1222
Health	42	57	0	99
Social Security	296	403	277	976
Total	1963	4201	893	7057

In total, 815 courses were carried out for these professional groups, corresponding to 5 946 hours of training.

12. Please specify if the expertise of women's rights organisations or specialist support services is integrated in the design and/or implementation of the training.

Within the scope of the Resolution of the Council of Ministers No. 139/2019, of August 18, the CNPDPCJ has contributed to the training referential of the module regarding the Guide for Integrated Intervention with Child or Young Victims of Domestic Violence. Also seeks to respond to the recommendations issued by the Retrospective Analysis of Homicide in Domestic Violence Team regarding the strengthening of training for magistrates, health professionals, and security forces, to provide a greater number of frontline professionals with knowledge that will improve their understanding of the characteristics and dynamics of these behaviors and increase the quality of their performance, particularly in the reception and care of the victim, evidence collection, risk assessment and in the definition and implementation of the safety plan.

In parallel, and in accordance with the organic law, Authority for Working Conditions (ACT) is the only Authority that exists in Portugal with the mission to improve better working conditions through the enforcement of labour legislation. In previous years, ACT plays a strong role in promoting gender equality and combating gender discrimination in the workplace, in particular through the work of its labour inspectors.

Harassment and equality and non-discrimination at work are part of the initial and annual training of ACT professionals, especially the Inspectors. On the other hand, in the last 3 years, around 180 labour inspectors have been hired, and they received training in these matters.

Also, regarding the subject of Gender Equality at Work, ACT has worked with CITE, according to the attributions of each organization. Within the framework of this collaboration, ACT professionals took part in trainings promoted by CITE (Commission for Equality in Work and Employment), related to this topic.

In the health sector, the expertise of women's rights organizations or specialist support services is integrated in the design and implementation of the in-service training directed to health professionals: integration of technical manuals produced in the contents of initial and advanced training; participation of health professionals in training actions promoted by women's rights organizations and vice versa; dissemination of community resources, namely victim support services - National Support Network for Victims of Domestic Violence and National Trafficking Victims Support and Protection Network. In health violence intervention protocols and in Clinical Record of Violence in Adults are listed victim support resources, as well health responses available in national domestic violence resource guide, namely contacts from health centres, hospitals, Support Teams for Children and Youth at Risk and Teams for

the Prevention of Violence in Adults. Technical references have been developed together in which, in addition to public administration sectors participation, civil society organizations are also involved.

Within the scope of Resolution of the Council of Ministers No. 139/2019, of 19.08.2019, diploma which approves priority measures and actions to prevent and combat domestic violence, the Government determined the a joint elaboration by the governmental areas of the Citizenship and Equality, Home Affairs, Labour, Solidarity and Social Security, Justice, Education and Health, of an Annual Joint Training Plan aiming standardizing concepts, definition of contents and training methodologies based on the analysis of concrete cases, and the identification of a pool of trainers. Women's rights organizations and specialist support services are part of its implementation, not only in the plan design, represented by the Commission for Citizenship and Gender Equality, as the public entity that coordinates these responses integrated the National Support Network for Victims of Domestic Violence, but also in in the monitoring of some formative modules.

Concerning the health professional's training on FGM, the community-based migrants associations are involved on the development of the programmes.

The Ministry of National Defence has been organizing gender training with the support of academia and civil society organizations. For example, in 2022, the Gender Responsive Budgeting course was delivered by a women's rights organisation, the Portuguese Platform for Women's Rights, and the Annual Specialisation Course on Gender Equality in National Defence was organized and delivered by CIEG (Interdisciplinary Centre for Gender Studies) which belongs to the Institute of Social and Political Sciences, University of Lisbon (ISCSP-ULisboa).

Ministry of education reported that for implementation of the training was necessary the identification of a training grant of specialized trainers and it was established a protocol with INA (National Institute of Administration) to provide the training. Some training modules are being applied by trainers from women's rights organizations and specialized support services.

Article 16: Preventive intervention and treatment programmes

13. Please provide information on measures taken to increase the number of available preventive intervention and treatment programmes for perpetrators of domestic and sexual violence both for voluntary and mandatory attendance.

The Program directed to Domestic Violence Aggressors (PAVD) which is a program of application in a community context is coordinated, in partnership, by the General Directorate of Reintegration and Prison Services (DGRSP) and CIG -, with a minimum duration of 18 months, aims to promote, in aggressors of domestic violence, the awareness and assumption of responsibility for their criminal behavior, as well as the learning of alternative strategies to violent behavior, with a view to reducing recidivism. The adapted version of the VAP intervention model for application in prisons also coexists.

Participation in the PAVD may be judicially ordered, either in the form of 1) a protective measure; 2) a precondition for the provisional suspension of criminal proceedings or the suspension of the prison sentence; or 3) as an ancillary penalty.

The CONTIGO Programme aims to combat marital/gender-based violence through cooperative and networked work of a systemic nature. It is aimed at victims and aggressors of conjugal violence and their family and community contexts, as well as organizations with intervention on the problem of conjugal violence and the community in general.

The process begins when the PSP or support organizations detect victims of a situation of marital violence, followed by a specialized intervention of protection and support to the victim and the possible referral of the aggressor to a process of social reintegration, through a court decision. The assistance provides for the following areas:

a) a process of emotional pre-stabilization and "combat" to addictive problems when this proves necessary; b) the frequency of a psycho-educational module consisting of 18 sessions (specific strand for aggressors and specific strand for victims); c) family therapy sessions in situations where cohabitation between victim and aggressor is maintained; d) monitoring of the aggressor's conduct and motivational work on the two adults (victim and aggressor);

14. Please provide information on measures taken to:

- a. increase the number of men and boys attending perpetrator programmes for domestic and sexual violence;
- b. ensure that the perpetrator programmes apply standards of best practice;
- c. ensure the safety of victims and co-operation with specialist support services for victims;
- d. ensure that the outcomes of the programmes are monitored and evaluated.

People integrated into programs for aggressors

PERIOD	TOTAL	IN ENVIRONMENT	PRISON IN COMMUNITY	THE
2T2023	2438	189		2249
1T2023	2387	108		2279
4T2022	3078	316		2762
3T2022	3055	316		2739
2T2022	3085	292		2793
1T2022	2964	231		2733
4T2021	2937	223		2714
3T2021	2595	191		2404
2T2021	1962	134		1828
1T2021	1955	134		1821
4T2020	1985	28		1957
3T2020	1926	28		1898
2T2020	1596	28		1568
1T2020	1386	28		1358
4T2019	1674	33		1641
3T2019	1341	33		1308
2T2019	1391	33		1358
1T2019	1306	33		1273

Source: DGRSP

This program was evaluated by the Cooperativa de Ensino Politécnico e Universitário – Instituto de Ciências da Saúde do Norte (CESPU), which in 2012 concluded that this program produces a decrease in the risk of violence, a decrease in beliefs of legitimation of violence, a decrease in the risk of addictive behaviors, especially alcohol abuse, an increase in self-responsibility for the agent's criminal behavior and the consequent increase in the prevention of recidivism.

The growing trend of application of programs and consequent increase in the number of individuals who benefit from their frequency is directly linked to the proportional increase in training actions aimed at professional program applicants, which has occurred in recent years.

Article 18: General obligations

15. Please provide information on any multi-agency co-operation mechanisms, structures or measures in place designed to protect and support victims of any of the forms of gender-based violence against women covered by the Istanbul Convention (e.g., interdisciplinary working groups, case-management systems, cross-sectoral protocols/guidelines...). Please describe:

- a. the state agencies involved in their functioning (law-enforcement agencies, judiciary, public prosecutor, local authorities, healthcare services, social services, educational institutions etc.);
- b. whether they involve specialist support services provided by civil society organisations, especially women's rights organisations;
- c. how they adopt a gender-sensitive approach to violence against women, including the prioritisation of the safety of women and girl victims, their empowerment and a victim-centred approach;
- d. the financial and human resources dedicated to their implementation; and
- e. any available information on the evaluation of their outcome or impact.

Several mechanisms in this regard are already in place or being developed. For example, in 2019 PGR signed a number of Protocols with relevant NGO's – the Portuguese Association for Victim Support (APAV), the Association of Women against Violence (AMCV), União de Mulheres Alternativas (UMAR), Aveiro Caritas and Associação de Figueira.

These Protocols enabled the establishment of several Offices for Victim Support (GAV) that are now operating in 8 major Departments of Investigation and Criminal Action (DIAP) – in Braga, Aveiro, O’Porto-East, Coimbra, Lisbon-North, Lisbon-West, Lisbon (South Embankment) and Faro⁴.

The Portuguese government has ordered a study to evaluate GAV, undertaken by the Psychology School of Minho University; the results of this evaluation study are about to be public

Furthermore, the Prosecutor General’s Directive 5/2019/PGR, established Integrated Specialized Sections on Domestic Violence (SEIVD).

These are specialized structures of Public Prosecution operating at the Regional DIAPs of Lisbon and Oporto and constituted by two units: the Unit on Criminal Action (NAP) and the Unit on Family and Children (NFC) working in articulation. In some SEIVD there are Offices for Victim Support (GAV).

In addition, public prosecution services have recruited and hired specialized Psychology Consultants who are working at the level of the Regional Prosecution Offices of Lisbon, Oporto, Coimbra and Évora.

In addition to this, the Commission for Citizenship and Gender Equality (CIG) is developing and implementing, through local Protocols, the National Territorial Network of Support to Victims of Domestic Violence. These protocols involve municipal authorities, specialized NGO’s and several public bodies in the areas of education, employment, law enforcement, justice, health, social security and others. It is expected that such protocols will strengthen the local network of partnerships to combat domestic and gender-based violence, namely by enhancing its prevention and improving the protection of victims and law enforcement responses.

Finally, we would like to add that the Prosecutor General's Office is part of a Working Group chaired by the Ministry for Home Affairs, which is in the final stage of implementing an experimental multiagency response model (to be denominated “AGIR-VD”). Under this model, public prosecution/ law enforcement authorities take the lead and, in conjunction with the Victim Support Officer (TAV) – if the victim so wishes – shall be responsible for dealing in a coordinated manner with all entities deemed necessary to respond to the assessed risks.

⁴ These Protocols are available at <https://www.ministeriopublico.pt/protocolos>

For further information on Vivido platform and how it improves case-management systems, cross-sectoral protocols with, please see answers above.

16. Please detail whether any such co-operation mechanisms or structures set up for the delivery of support services for a specific form of violence covered by the Istanbul Convention is based on a legal or policy document advocating for or requiring such approaches.

- RNAVVD – National Support Network for Victims of Domestic Violence consists of a set of services and responses aimed at supporting victims, and includes:
- CIG – Commission for Citizenship and Gender Equality
- The Social Security Institute, I. P. (ISS, I. P.)
- Shelters for Victims of Domestic Violence
- The support canterers
- Emergency vacancies
- The specific responses of Public Administration bodies and
- SIVVD – Information Services for Victims of Domestic Violence (Help Line)

The services provided through RNAVVD are free of charge.

It is up to the State to promote the creation, installation, expansion and support for the operation of shelter houses and other structures that make up the national network, in order to ensure balanced coverage of the national territory and the population, and should cover all districts.

Emergency vacancies, support centres and shelters require the technical supervision of CIG, in conjunction with the competent social security services.

This technical supervision aims to:

- The verification of the conformity of the procedures adopted with the national, Community or European technical guidelines on the prevention of domestic violence, protection and assistance of its victims and their articulation with public policies;
- The monitoring of the work of the teams regarding the intervention models and practices of action and the training, information and updating of the technical-scientific skills of the people who integrate them;
- The verification of compliance with the minimum requirements for intervention in the field of domestic violence and gender-based violence established by CIG, with a view

to standardizing, formalizing and improving the practices and procedures to be developed in the field of domestic violence.

The Offices for Victim Support (GAV) have been established pursuant to a protocol signed in March 2019 between the Ministry of Justice and the Prosecutor General's Office

https://www.ministeriopublico.pt/sites/default/files/anexos/protocolos/protocolo_mj-pgr.pdf.

The reasoning for the establishment of this protocol was based, not only on the requirements of the Istanbul Convention, but also in the provisions of Act 112/2009, of 16 September (Legal Framework applicable to the Prevention of Domestic Violence and to the Protection of, and Assistance to, its Victims), which provides for the creation of victim support offices in the premises of the Departments for Investigation and Criminal Action.

The creation of such offices was also foreseen in the Plan of Action to Prevent and Combat Violence against Women and Domestic Violence (PAVMVD), integrated into the National Strategy for Equality and Non-Discrimination (ENIND) 2018-2030.

To operationalize GAV throughout the country, protocols have been signed, in relevant judicial districts, between the Ministry of Justice, the Prosecutor General's Office and specialized NGO's working at the local level (see, for instance, <https://www.ministeriopublico.pt/sites/default/files/anexos/protocolos/protocolo-criacao-gav-diap-aveiro-porto-este.pdf>

and

https://www.ministeriopublico.pt/sites/default/files/anexos/protocolos/protocolo_mj-pgr-amcv.pdf).

The operation and functioning of each GAV is under the direction of public prosecution services, which also provide the necessary premises. NGOs deploy competent victim support officers to work in GAVs, in order to receive and provide support and referral services to victims, as well as to provide technical support and specialized training to public prosecutors working in the area. Budgetary support to the operation of these offices is provided by the Ministry of Justice.

In the Ministry of Defence, all National Defence entities have approved **Codes of Conduct for Preventing and Combating Harassment** and specific internal channels for monitoring these situations.

Moreover, in June, it was approved the **National Defence guide for prevention and combating harassment, sexual violence and discrimination**. This guide aims to constitute

a support tool for National Defence bodies and services, as well as for all persons serving in the National Defence, in order to prevent, combat and eliminate behaviours likely to constitute harassment, sexual violence and discrimination in the workplace.

17. Please explain whether all or some of the services of protection and support offered for victims of the different forms of violence against women are provided on the basis of a one-stop-shop approach.

GAV work as central structures to ensure the referral of victims to adequate services and allow for a close coordination between public prosecution, child protection services, relevant NGO and any other institution which may be required to act in a specific case.

Regarding the services provided by those 204 support centers, there are multidisciplinary teams of them whose function is, among others, to manage, with the victim her/himself, all the issues related to de crime, the divorce process, housing, health, education, employment and all the areas identified as needing intervention.

Article 20: General support services

18. Please provide information on programmes and measures aimed at ensuring, through general services, the recovery of victims of violence, including in the health and social areas, financial assistance, education, training and assistance in finding employment and affordable and permanent housing.

Employment services

The Employment and Vocational Training Institute (IEFP) has adopted internal procedures aimed at prioritizing access to job offers, integration into vocational training, or active employment measures for victims of domestic violence. Access to these measures is considered particularly important among victims who are in a situation of economic dependence on the aggressor.

These actions were taken as provided for in Law No. 112/2009, September 16, which establishes the Legal Regime Applicable to the Prevention of Domestic Violence, Protection, and Assistance to Victims, namely as defined in Article 48 "Access to employment and vocational training": *"1 - Victims of domestic violence must be given priority access to job*

offers, integration into professional training programs or any other active employment measure; and 2 - The victim has also assured priority in attendance at employment centers and employment and professional training centers which must be carried out in privacy conditions”.

Social benefits

- **Family restructuring leave and family restructuring allowance:** the creation of a family restructuring leave and subsidy for victims of domestic violence, within the scope of the legal regime for the prevention of domestic violence, protection, and assistance to its victims (article 132 of Law no. 2/2020, March 31, which approved the State Budget for 2020, Decree-Law no. 101/2020, November 26, which amended Law no. 138-E/2021, July 1).

It covers victims of domestic violence who work, as well as professionals who are not covered by the social security social protection system or when they do not have any employment or professional relationship, who are recognized as having this status and who are forced to leave their homes due to the committing the crime of domestic violence.

Leave and family restructuring subsidy (paid by social security) awarded for a maximum period of 10 days, with the daily amount of the subsidy equivalent to 1/30 of the reference remuneration value (or 1/30 of the IAS (in 2023 = € 480.43), in the case of workers with no employment relationship).

- **Extension of unemployment benefit to victims of domestic violence:** forecast, in the OE, of extending the unemployment benefit to victims of domestic violence [Article 112 of Law No. 12/2022, of 27 June].

The extension of the personal scope of the unemployment subsidy should correspond to the waiver of the obligation of involuntary job loss by victims of the crime of domestic violence, being sufficient for this purpose to recognize them as victims under the terms of Law No. 112/2009, September 16, in the current wording.

Currently, in Portugal, the National Health Service (SNS) has an integrated model of responses in all forms of child abuse and interpersonal violence prevention, implemented through the National Program for the Prevention of Violence in the Lifecycle (NPPVLC) of the Directorate-General for Health – Order No. 9494/2019 of October 21th. This Program include three major intervention areas: Health Action for Children and Youth at Risk (HACYR - Dispatch No. 31292/2008, December 5th); Health Action on Gender, Violence and Life Cycle

(HAGVLC - Dispatch No. 6378/2013, May 16th); and Action Plan for the Violence Prevention in the Health Sector (APPVHS - Resolution of the Council of Ministers No. 1/2022 of 5 January).

The National Program was created with the aim of reinforcing prevention, diagnosis and intervention mechanisms in interpersonal violence, with special attention to populations with increased vulnerability, as children, women, people in a situation of incapacity or disability, refugees, migrants and older persons: a) Guarantee the early detection of risk factors and situations of interpersonal violence; b) Ensuring, in situations of interpersonal violence, an adequate, timely and articulated intervention; c) Promoting human rights literacy in the context of interpersonal relationships and a culture of non-violence.

It consists in a paradigm of good practices in the Health Sector focusing healthy relationships promotion and interpersonal violence prevention in different contexts (including Health Sector) and stages of the lifecycle, based in an intersectional approach contemplating a gender sensitive response. Includes all forms of violence and discrimination, no matter its context or nature (physical, sexual, psychological or economic violence): violence against children, bullying, domestic violence, sexual violence/harassment, intimate partner violence, stalking, gender-based violence (women, men, LGBTI), human trafficking, female genital mutilation, forced marriage and other forced practices, violence against LGBTI or other persons based on real or imputed sexual orientation, sex characteristics, and gender identity, racial violence and other forms of discrimination.

Health professionals in NHS have at their disposal national technical references and digital registration systems, including guidelines, flow charts and action protocols in violence intervention, specific with screening, detection, assessment, diagnosis, intervention, signaling network of NHS teams and partner responses network. These technical references are duly aligned with national and international normative and Conventions, namely from United Nations, World Health Organization, European Commission and Council of Europe. As mentioned above since 2020, it was implemented the Clinical Record of Violence in Adults, with a specific area to register gender violence. It is also possible to register conditions with an increased vulnerability such as: pregnancy, physical, mental, or economic dependence, migrant, refugee.

The Children's Protocol integrates 4 algorithms: Algorithm 1 - Risk/life threatening/crisis; Algorithm 2 - Warning Signs; Algorithm 3 - Maltreatment Detection; Algorithm 4 - Emergency procedure (danger situations). The Interpersonal Violence Protocol for Adults integrates: a

General Action Flowchart with three Actions Protocols according to risk assessment (Protocol 1 - Suspected violence; Protocol 2 – Risk situation; Protocol 3 – Danger situation); and a Flowchart for Acute Situations or Sexual Violence, according to National Institute of Legal Medicine and Forensic Sciences to ensure adequacy in the performance of physical examination, collection of evidence and preservation of the chain of custody. For Violence in Health Sector are available a Prevention Circuit (evaluation of preventive measures) and Intervention Circuit (clinic, psychologic and legal support, as well work accident notification, observatory notification and crime report).

The Program also has a national network of 522 multidisciplinary teams in Primary and Hospital Health Care in NHS: 288 Support Centers for Children and Young People at Risk and 234 Teams for the Prevention of Violence in Adults. In the area of violence in health sector, 736 Institutional and Local Focal Points are also designated in the various health institutions, contributing to an organizational culture and climate based on equality, well-being, and safety, with the involvement of health professionals and citizens, regarding rights and duties in the access and provision/use of health care, including workplace harassment.

These Teams and Focal Points constitute the reference elements within the health services, having as main attributions: consultancy, raising awareness amongst community and health professionals on violence prevention, training health professionals and community resources, providing technical consulting regarding child maltreatment, interpersonal violence and violence in health sector, establish intervention plans for victims and reinforce intra and inter-institutional articulation, referring victims to the partner network for specialized responses (education, social services, police, justice and other).

In practice, when a potential situation of violence (children and/or adults) is detected by a healthcare provider, is expected that victims (and also perpetrators) are properly assessed and referred to support services, with the main focus on its recovery and rehabilitation. In the case of health services, also include referral to specialized mental health services and divisions for intervention in addictive behaviors and dependencies. Regarding community specialized resources, include support by National System for the Promotion of the Rights and the Protection of Children and Young People, National Support Network for Victims of Domestic Violence and National Trafficking Victims Support and Protection Network.

There is national and regional coordination and an emphasis on ongoing training and prevention.

Since 2008, this internal NHS network has accompanied more than 126,331 situations: 105.236 children (2008-2022); 17.677 adults (2013-2021); 3.418 health professionals (2020-2022). Also, reinforces an important fact in prevention domain: 80% children with no judicial intervention, which means that the child best interests are supported by front-line services with interventions in family context.

Questions specific to the public health sector:

19. Have specific measures been taken to ensure that public health services (hospitals, health centres, other) respond to the safety and medical needs of women and girls victims of all forms of violence covered by the Istanbul Convention on the basis of national/regional standardised protocols?

(See previous and subsequent questions about national standardized protocols)

National Program for the Prevention of Violence in the Lifecycle (NPPVLC) aims to reinforce prevention, diagnosis and intervention mechanisms in interpersonal violence, according to the following sustainable principles of approach:

- Principles included in the main international normative and legal instruments regarding the prevention of interpersonal violence, ratified by the Portuguese State
- Principles laid down in the applicable Portuguese legislation on protection and criminal law, including mandatory report
- Principles stated in the national technical and normative reference documentation, with due regional and local adaptations
- Principle of non-violence and non-discrimination culture
- Principle of health care equity and accessibility
- Principle of participatory citizenship
- Principle of preventive and early approach, which contemplates dynamic interaction among risk factors, protection factors, and life crises
- Principle of sensitive and humanized intervention
- Principle of minimal intervention and non-revictimization
- Principle of confidentiality and security
- Principle of decentralized and proximity intervention
- Principle of minimizing harm
- Principle of child best interest
- Principle of autonomy in the adult victim
- Principle of timeliness and proportionality

- Principle of subsidiarity in intervention at the various levels of prevention of interpersonal violence, through intra- and inter-institutional cooperation
- Principle of applying the systemic model of approach to the phenomenon of interpersonal violence, contemplating responses for victims and aggressors
- Principle of integrated network intervention through mechanisms of intersectoral articulation

20. Do such protocols detail the procedure to:

- a. identify victims through screening;
- b. provide treatment for all the medical needs of victims in a supportive manner;
- c. collect forensic evidence and documentation;
- d. ensure that a clear message of support is conveyed to the victim;
- e. refer to the appropriate specialist support services that form part of a multi-agency co-operation structure; and
- f. identify children who may have been exposed to domestic violence or other forms of gender-based violence against women and girls and require further support.

Portuguese NHS General Protocol for Action are due aligned with WHO guidelines for violence intervention and main functions for health sector, established in **World report on violence and health (2002), namely:**

- Being alert to possible signs and symptoms of abuse and follow-up;
- Offering health care and recording the situation in the clinical history;
- Helping the victim understand their malaise and their health problems as a consequence of violence and fear;
- Informing and referring victims to resources available in the community;
- Keeping privacy and confidentiality of the information obtained;
- Stimulating and supporting the victim throughout the whole process, respecting their evolution;
- Avoiding attitudes that are less solidary or guild-mongering, as they may reinforce isolation, reducing self-confidence and the likelihood that they will seek help;
- Collaborating with other professionals and institutions;
- Helping assess and investigate the problem by recording cases.

In detail, the General flowchart for action on interpersonal violence includes the following six steps:

1. **Violence Screening** (regularly and routinely, regardless of the presence or absence of violence indicators);
2. **Detection/Assessment**, includes indicators that may suggest the existence of violence, concerning both victims and potential perpetrators, interview guidelines in case of suspicion or confirmation and specific assessment: psychosocial, physical exam (with specific guidelines about declared, free and informed consent; exam procedures; collection of physical and biological traces; photo documentation criteria's), emotional state, situation of violence, change process in the victim, risk assessment;
3. **Diagnosis Hypotheses** (based on observation of the victim's attitude, clinical interview, data available and, when necessary, physical exam): no present risk, suspicion without imminent danger, confirmation without imminent danger, confirmation with imminent danger;
4. **Record** (register criteria and instruments): Clinical Record of Violence in Adults (CRVA), integrated in the clinical process of NHS users or materialized form, signalled to TPVA or to STCYR (in case of children involved); Checklist - Stages of the physical exam, collecting traces and photo documentation (if needed); Form for Declared free and informed consent (if needed); Custody Chain Form (if needed); and Crime Report Form;
5. **Action**, with 3 intervention protocols to be selected according to the evaluation: Protocol 1 - suspected situation (to promote acknowledgment by the victim of their situation of abuse, helping understand it as a problem, so that there are conditions to carry out direct intervention); Protocol 2 - risk situation (to make the victim feel supported and be aware of their situation, so as to initiate the necessary changes that allow breaking the cycle/dynamics of violence); Protocol 3 - situation of danger (to promote the victim(s)' safety, including that of dependants, in situations of serious violence, actual or risked, that may represent imminent life danger. In this stage, it is included the development of an assistance plan to support the victim, referral to specialized mental health services and divisions for intervention in addictive behaviors and dependencies, discuss with the victim safety strategies (safety plan template available) and activation of external support resources (appropriate specialist support services that form part of a local multi-agency cooperation). There is also a complementary and specific Flowchart for Action in Acute and/or Sexual Assault Situations, jointly elaborated with National Institute of Legal Medicine and Forensic Sciences, to ensure adequacy in the performance of physical examination, collection

of evidence and preservation of the chain of custody. In cases of female genital mutilation (FGM) health professionals must follow a special flowchart and specific Record Form, according to the *Guideline 008/2021 of the General-Directorate for Health*; as well in Human Trafficking, follow specific *Guiding principles to support victims of trafficking in human beings*, integrated in the *National Referral System for victims of Trafficking in Human Beings* and *National Referral System for (PRESUMABLE) child victims of Trafficking in Human Beings*;

6. Signalisation to TPVA or to STCYR (in case of children involved), comprised as the transmission of information about the situation of violence to the teams for case-study purposes. The aim is also to foment joint professional responsibility between the healthcare provider and team, assuming the situation as a health problem about which they must develop an intervention plan as in other health problems.

Attached technical Manual of Interpersonal Violence - Approach, Diagnosis and Intervention in Health Services and its Practical Guide⁵.

21. Please provide information on the procedures in place for the documentation and collection by actors of the public health sector of forensic evidence in relation to victims of domestic violence, victims of sexual violence, including rape, and victims of female genital mutilation.

(See previous question about national standardized protocols)

Local protocols were established between National Institute of Legal Medicine and Forensic Sciences (INMLCF) and hospitals concerning the documentation and collection of forensic evidence. We also highlight the handbook created by the Directorate General of Health, with the collaboration of INMLCF professionals, entitled “Manual Violência interpessoal. abordagem, diagnóstico e intervenção nos serviços de saúde. 2nd Edition, 2016.”⁶

It was also created a document with the desirable clinic approach for management of violence cases, in a more practical layout, entitled “Guia prático de violência interpessoal. abordagem, diagnóstico e intervenção nos serviços de saúde.”⁷. Also to consider the handbook “Maus tratos em crianças e jovens guia prático de abordagem, diagnóstico e intervenção”⁸, which focuses on handling child abuse cases.

⁵ “Handbook on Interpersonal violence: approach, diagnosis and intervention in health services”

⁶ See above

⁷ “Practical guide to interpersonal violence: approach, diagnosis and intervention in health services”

⁸ “Child and youth abuse: a practical guide to approach, diagnosis and intervention”

Urgent examinations of victims of aggression carried out outside the normal operating hours of the medical-legal services may take place in emergency services of public hospitals or other official health establishments, depending, in the latter case, on the prior conclusion of cooperation protocols between them and the INMLCF, I. P. (Lei 45/2004, de 19 de Agosto updated by Decree-Law 53/2021, de 16 de June) A Protocol was already celebrated between the Health Ministry, Justice Ministry and the National Commission for the Promotion of the Rights and the Protection of Children and Young People (CNPCJR) in 2011.

Medical legal expert's intervention is regulated by internally approved guidelines, namely, "NP-INMLCF-007 : (Recomendações gerais para a realização de exame em casos de suspeita de violência doméstica, maus tratos ou crimes sexuais contra crianças)"⁹, "NP-INMLCF-011 (Recomendações para a gestão de vestígios forenses)"¹⁰, NP – INMLCF-014 (Recomendações sobre as instalações, equipamento e material para a realização de exame medico forense em casos de alegada agressão sexual)¹¹.

Between 2019 and 2021, the CIG carried out a project – Sexual Violence in Intimacy Relationships – which covered the training of several public administration professionals: health, education, justice, social security, police forces – in the area of care for victims of violence of sexual violence in intimate relationships. This project also included, for the first time, a study on the perceptions of these professionals on this problem. A manual was produced [to support](#) the intervention of professionals in the various areas and a nationwide awareness campaign was launched.

During the period under review, four specialized support structures for victims of sexual violence were opened within the RNAVVD.

22. Are all women victims of violence, irrespective of any of the grounds listed in Article 4 paragraph 3 of the Istanbul Convention, in particular asylum-seeking women, refugee women, migrant women, women from national or ethnic minorities, women with irregular residence status, women with disabilities and LGBTI women, able to benefit on an equal footing from existing healthcare services? Please describe any measure taken to reduce legal or practical barriers to their accessing regular healthcare services.

⁹ "General recommendations for examination in cases of suspected domestic violence, ill-treatment or sexual offences against children"

¹⁰ "Recommendations for forensic trace management"

¹¹ "Recommendations on facilities, equipment and material for conducting forensic medical examination in cases of alleged sexual assault"

(See previous question about national standardized protocols)

In Portugal, through the National Health Service, equal access to services is guaranteed for all Portuguese, foreign and migrants regardless of their legal status and gender, included all victims of violence, as women irrespective of any of the grounds listed in Article 4 paragraph 3 of the Istanbul Convention, in particular asylum-seeking women, refugee women, migrant women, women from national or ethnic minorities, women with irregular residence status, women with disabilities and LGBTIQA+ women.

In general, the Constitution of the Portuguese Republic establishes that the right to health protection is achieved through a national universal and general health service. Considering the fundamental right to health protection, established in Article 64 of the Constitution of the Portuguese Republic (CPR), it is a priority of the State to guarantee the access of all citizens, regardless of their economic condition, to preventive, curative and rehabilitation health care.

The Basic Health Law - Law 95/2019, of September 4, establishes the universality of coverage of health care services as one of the basic characteristics of the Portuguese National Health Service, determining that public health services extend to the entire population. It also establishes equity as a general principle of the health system, understood as the guarantee that access to health care provision takes place under conditions of effective equality.

This fact implies a comprehensive conception of health and imposes the challenge, for health care services, to incorporate the operationalization of strategies that can contribute to the reduction of health inequalities, improvement of equity in access to health care, namely considering the needs of particularly vulnerable, including minorities, asylum seekers and migrants including undocumented migrants.

Specifically, according to Base 2 of the Basic Health Law, all people have direct health protection, with respect for the principles of equality, non-discrimination, confidentiality and privacy, and access to health care appropriate to their situation, promptly and at any time deemed clinically acceptable, in a dignified manner, according to the best available scientific evidence and following the best practices in health quality and safety.

In addition to the terms of Article 64 CPR and paragraph 4 of Base 1 and Base 6 of the Basic Health Law, the State promotes and guarantees the right to health protection through the National Health Service (SNS), universal and general and tendentially free, through the Regional Health Services and other public, central, regional, and local institutions. In order to

implement these structuring principles, access to the SNS is conditioned to compliance with a set of rules that essentially aim to guarantee access for all people to the health care they need (principles of universality and generality), as well as to ensure the respect regarding direct access to health care appropriate to your situation - subparagraph b) of paragraph 1 of Base 2 of the Basic Health Law.

Violence prevention and intervention protocols also covered all victims of violence, as women irrespective of any of the grounds listed in Article 4 paragraph 3 of the Istanbul Convention, in particular asylum-seeking women, refugee women, migrant women, women from national or ethnic minorities, women with irregular residence status, women with disabilities and LGBTIQ+ women.

Despite legal framework, in order to reduce practical barriers to their accessing regular healthcare services and promote awareness to the particular health and social needs of these populations, given their particular condition of vulnerability, there has been developed literacy campaigns (see example banner attached), specific training to health professionals and dissemination of *International Organization for Migration – Portugal delegation materials* and *Migrant Support Line* and Service of Telephone Translation of the *High Commission for Migration*.

An online Training Course on Migration and Health is also available, directed especially at health professionals, students, migrant associations, NGOs, international organizations and municipalities.

The course intends to raise awareness for humanizing access to health care, seeking to capacitate professionals to cover needs and improve care for migrant populations. Developed by the Directorate-General of Health has already registered a total of 2,592 professionals. In 2022, the Directorate-General for Health (DGH), through the National Program for the Prevention of Violence in the Life Cycle in partnership with the National Program for Child and Youth Health, also organized a Webinar “The Right to Health and Inclusion of Children Migrants and Refugees in Portugal”. The initiative aimed to mark the international campaign Child Abuse Prevention Month raising awareness to the protection and promotion of migrant and refugee children’s rights, contextualized by the armed conflict in Ukraine. The webinar available in DGH YouTube Channel has currently 1.432 views.

Under RNAVVD there are 3 specialized care structures for migrant victims, 4 specialized support structures for LGBTI victims, 1 shelter house for victims of harmful traditional

practices, 1 shelter house for women with mental illness and one shelter for women with disabilities.

23. Please provide information on the measures in place to facilitate the identification and care of victims of violence against women in institutions for persons with disabilities and for the elderly as well as for those in closed reception facilities for asylum-seekers and to respond to their safety and protection needs.

Within the framework of the National Network for the Support of Victims of Domestic Violence (RNAVVD), several specialized services have been created to respond to the specific needs of groups of victims, namely shelters for women with disabilities, men victims of domestic violence, care and reception for LGBTI victims, crisis centers for victims of sexual violence, care centers for migrant victims and recently the creation of 31 psychological support teams for children and young victims of DV.

In 2020, the Government approved the increase of the maximum duration of emergency reception for victims of domestic violence in situations of greater vulnerability, namely due to disability, mental illness, sexual orientation, gender identity and expression, and age.

In July 2021, new models of victim status, especially vulnerable victim status and domestic violence victim status were approved. These new models inform, in a very clear and accessible way, about the rights of the victim.

The Equipment Network and Social Responses has a home for persons with disabilities victims of domestic violence and is in the process of opening a facility for elderly victims. There are no specific responses for people with mental health problems, alcohol and drug abuse.

24. Please provide information on how the authorities ensure that different groups of women and girls, *inter alia* women with disabilities, Roma women and other women belonging to national or ethnic minorities, migrant women and intersex persons are fully informed, understand and freely give their consent to procedures such as sterilisation and abortion.

The Directorate-General of Health's national guideline on informed consent (Guideline no. 015/2013 DGS of 03/10/2013 updated on 04/11/2015) - Informed, clarified and Free Consent Given in Writing) determines that this consent, is mandatory in the following situations:

-
- (a) voluntary termination of pregnancy;
 - b) Performing invasive techniques on pregnant women (namely amniocentesis, chorionic villus sampling, cordocentesis, drainage, amnioinfusion biopsy, cordocentesis, drainage, amnioinfusion);
 - c) Voluntary sterilization (tubal ligation and vasectomy);
 - d) Medically assisted procreation;
 - e) Placement of subcutaneous and intrauterine contraceptive devices.

This consent is valid for all the women and girls, regardless of their group differences.

It also determines that “the decisions on the health of a person who lacks the capacity to decide require, regardless of whether their involvement is attempted, that authorization should be obtained from their legal representative, health care proxy, an authority or a person or body designated by law”.

Furthermore, the health regulator entity carries out periodic audits to ensure that procedures are complied with.

Additionally, in the 2023 Plan of Activities of the National Commission on Human Rights, the Ministry of Health, inscribed a measure of dissemination and sharing of informed consents in the area of sexual and reproductive health in several languages in order to reach the migrant population.

Article 22: Specialist support services

25. Please describe the type of specialist support services dedicated to women victims of the forms of gender-based violence covered by the Istanbul Convention (e.g., stalking, sexual harassment and domestic violence, including their digital dimension, female genital mutilation, forced marriage, forced sterilisation, forced abortion), including those specialist support services providing:

- a. shelters and/or other forms of safe accommodation
- b. medical support
- c. short- and long-term psychological counselling
- d. trauma care
- e. legal counselling

- f. outreach services
- g. telephone helpline
- h. other forms of support (e.g. socio-economic empowerment programmes, online assistance platforms etc.)

See previous answers on this.

Within the scope of the Resolution of the Council of Ministers No. 139/2019, of August 18, the CNPDPCJ has contributed to the training referential of the module regarding the *Guide for Integrated Intervention with Child or Young Victims of Domestic Violence* (this annual joint training plan is currently in progress)

This annual joint training plan also seeks to respond to the recommendations issued by the Retrospective Analysis of Homicide in Domestic Violence Team regarding the strengthening of training for magistrates, health professionals, and security forces, to provide a greater number of frontline professionals with knowledge that will improve their understanding of the characteristics and dynamics of these behaviors and increase the quality of their performance, particularly in the reception and care of the victim, evidence collection, risk assessment and in the definition and implementation of the safety plan.

Under the National Strategy for Equality and Non-discrimination (ENIND), the CNPDPCJ also integrated, in 2019, the working group for the update of the Guide "Actively collaborate in the prevention and elimination of female genital mutilation (MGF)" concluded in December 2020 and was disseminate it to local Commissions for the protection of Children and Young People. In April, the National Commission contributed to the model for signaling and protection of victims in Portugal and traveling to countries with MGF/cutting practices and early and forced child marriages. It should also be noted that, within this scope, in 2019, the National Commission developed an action on Integrated Intervention for the End of MGF aimed at the local Commissions and other entities with competence in youth and youth and with 199 participants (as well as other actions on the topic of DV promoted by the Training Team).

More recently, the CNPDPCJ is implementing and testing actions in the protection system in the territories covered by the **Pilot Project By your side ("A Teu Lado")**, approved in September 2021, by the Financial Mechanism of the European Economic Area (MFEEE 2014-2021). This project includes several national entities that are relevant in this area of intervention as partners and aims to respond to the needs of early intervention with children victims of domestic violence, enhancing networking, and breaking the intergenerational cycle

of domestic violence through the development of actions that ensure protection and faster and more effective intervention with children victims of domestic violence in the territories of Amadora, Loures, Seixal, Almada, Loulé, and Faro. The main pillar of this model is the support provided on the day after an episode of domestic violence takes place, in which the security forces have intervened, and the prevention and treatment of trauma.

Within the scope of this project, training actions are also planned for the professionals involved, such as the Security Forces, local Commissions for the Protection of Children and Young People, and school groups, among others. Six actions have already been developed, one action per territory involved, with 7 hours of duration, with the following objectives:

- Train professionals for the implementation of the project "A teu Lado";
- Acquire skills for an integrated intervention with children and young victims of domestic violence;
- To train professionals to identify signs and symptoms of trauma in children and to refer them whenever possible;
- Promote and potentiate networking.

In 2022, 434 professionals (professionals of the local Commissions for the Promotion of the Rights and the Protection of Children and Young People, Security Forces, Teachers, and other professionals (Psychologists and Social Workers); in 2023, 19 professionals from the territory of Almada benefitted of these actions.

Portugal approved the first National Strategy for the Rights of the Child (ENDC 2021-2024) on November 27, 2020, through Resolution of the Council of Ministers no. 112/2020, an important strategic instrument of transversal nature, which brings together the articulation between the different governmental areas, around 5 priorities:

- I. Promote well-being and equal opportunities".
- II. Supporting families and parenthood
- III. Promoting access to information and participation of children and young people
- IV. Preventing and combating violence against children and young people
- V. Promote the production of instruments and scientific knowledge to enhance a global vision of the rights of children and youth

The implementation of the ENDC, coordinated by the National Commission, is carried out through two-year Plans of Action. The biennial plan 2021-2022, approved by the Interministerial Commission and approved by the Minister of Labour, Solidarity, and Social

Security on 18 November 2021, details, for the years 2021 and 2022, the measures that integrate the operational objectives, respective indicators, targets, responsible governmental areas and entities involved in the implementation of the ENDC.

In the field of violence against women and domestic violence, the following objectives stand out:

- Strengthening preventive and intervention strategies against violence in family settings, including domestic abuse;
- To prevent and combat all other forms of violence occurring in or perpetrated against children and young people, including exploitation, trafficking, early and forced marriage, and female genital mutilation; and
- Prevent dating violence and raise young people's awareness of gender equality issues.

These objectives were operationalized through various activities and measures, of which is mentioned below:

- the development, by the security forces and by several NGOs, of awareness-raising actions in schools, aimed at children and young people, covering the different forms of violence against children and young people, considering the perspective of gender violence
- the carrying out of training actions for professionals of the protection system, shelters, and houses of refuge) on the theme of violence against women and domestic violence, family conflict, within the scope of civil tutelage and promotion and protection proceedings. The National Commission contributed to this measure, having developed, in 2021, the action “The Impact of domestic violence on Children and Youth”, which covered 37 participants, and the action “Practices that Offend Children’s Rights – MGF”, with 23 participants. In 2022, it contributed to the development of actions within the scope of the project “A Teu Lado” (By your side) mentioned above.
- the development of training actions for professionals working with women and children on the integrated prevention guide on primary and secondary prevention of violence against women and domestic violence and respective sectorial technical guidelines, developed under RCM 139/2019, August 19. Being the National Commission one of the entities involved in the implementation of these actions, in 2022, it was possible, as already mentioned, the referral of 211 members of the local Commissions to these actions.
- the promotion of interventions and actions to prevent and combat dating violence, developed with young people by the Portuguese Institute for Sports and Youth or

articulated with civil society organizations with intervention in the area, under the scope of the Platform against Dating Violence.

Under the National Strategy for Equality and Non-discrimination (ENIND), the CNPDPCJ integrated, in 2019, the working group for the update of the Guide "Actively Collaborate in the Prevention and Elimination of female genital mutilation" concluded in December 2020.

In the framework of the international day of zero tolerance against MGF, on February 6; Circular Letter no. 4/2021 was issued to disseminate it to the local Commissions, and in April, the CNPDPCJ provided inputs to the Model for signaling and protection of victims in Portugal and traveling to countries with MGF/cutting practice and early and forced child marriages.

The National Commission integrates the Working Group for the Prevention and Fight against Child, Early and Forced Marriages, established in February 2021, whose mandate was extended until October 2023, by the Secretary of State for Equality and Migration and has as objectives, namely, to contribute to the systematization of available information and characterization of the state of the art of child, early and forced marriages in Portugal and to identify approaches, legislation and national and international good practices in this field, aiming to formulate recommendations and proposals for public policies. As part of this Working Group, on 11 October 2021 - International Day of Girls - an awareness-raising action was held on this issue, aimed at professionals, to deconstruct the myths associated with these practices and focus on the main warning signs to be considered.

To enhance the technical guidance to the local Commissions on the integrated intervention with children and young victims of Domestic Violence and to improve the inter-institutional articulation, **the CNPDPCJ is also this year, developing a training program on integrated intervention with children and young victims of Domestic Violence in collaboration with the Commission for Gender Equality** (which foresees the reinforcement of the capacity building of the local Commissions for the Protection of Children and Young People under the scope of Domestic Violence and the development of actions with the National Network of Support for Victims of Domestic Violence on the protection system to the coordinated intervention between the two systems.

It is important to highlight that both project "A Teu Lado" and the creation and implementation of the training programme mentioned above, are two measures included in the action plan 2023/2024 of the National Strategy for Children's Rights 2021/2024, in its IV Priority: Preventing and Combating Violence against Children and Young People, which awaits the

approval of the Interministerial Commission.

The Services (Navy, Army and Air Force) provide psychological counselling and medical support to victims of the forms of gender-based violence covered by the Istanbul Convention (e.g., stalking, sexual harassment and domestic violence).

26. Which type of specialist support service includes child psychologists or other professionals specialised in supporting children who have been exposed to domestic violence, including violence perpetrated by one parent against the other?

If the victim of domestic violence **is 16 years of age or older – the intervention only depends on the consent of the victim** (paragraph 2 of article 9 of Law no. 112/2009, of 16 September);

If the victim of domestic violence **is under the age of 16 and over 12 years – the intervention, in the case of an act of particular importance for the life of the child, requires the consent of both parents (Articles 1901, 1902 and 1906 of the Civil Code – CC), as legal representatives (Articles 124 and 1878 CC), or in the absence of one of the parents or if this is the perpetrator of the crime, this exercise is the responsibility of the entity designated by law (first part of paragraph 1 of article 1903 of the CC) which is the other parent, and of the consent of the child or young person aged 12 years or older** (paragraph 3 of article 9 of Law no. 112/2009, of 16 September) – Under Article 124 of the CC, the incapacity of minors is remedied by parental authority and, in the alternative, by guardianship, in particular if the parents have died or are inhibited from parental responsibility as to the governance of the person of the child (Article 1921 CC).

When there is no person in a position to exercise guardianship, the minor is entrusted to public assistance, in accordance with the respective legislation, exercising the functions of guardian the director of the public or private establishment where he has been interned (Article 1962 of the CC).

In these cases, consent is given by the person exercising the functions of guardian.;

If the circumstances prevent **the receipt, in good time**, of a declaration on the consent of the legal representative (of the two parents) or, or in his absence or if he is the agent of the crime, of the entity designated by law (of one of the parents – first part of paragraph 1 of article 1903 of CC2), the consent of **the child or young person aged between 12 and 16 years is**

sufficient to legitimize the intervention (paragraph 4 of article 9 of Law no. 112/2009, of 16 September);

If **the victim of domestic violence is under the age of 12** – the intervention, in the case of an act of particular importance for the life of the child, **requires the consent of both parents** (Art. 1901, 1902 and 1906 CC), as legal representatives (Art. 124.1 and 1878 CC). In the absence of one of the **parents or if the latter is the offender, this exercise is the responsibility of the entity designated by law** (first part of paragraph 1 of article 1903 of CC2) **which is the other parent. The child also has the right to pronounce**, depending on his or her age and degree of maturity, on the specific support (paragraph 3, part 1, and paragraph 5 of article 9 of Law no. 112/2009, of 16 September) – The second part of paragraph 1 of article 1903 CC establishes that, in the impediment of the other parent, The exercise of parental responsibilities is the responsibility, by judicial decision, to the following preferential order of persons:a) To the spouse or cohabiting partner of either parent;b) To someone in the family of either parent.;

In the case of consent of a minor, the maturity and comprehension capacity of the child or young person shall be taken into account. The evaluation of the child's cognitive and developmental abilities is the responsibility of the RAP professional.

In situations where **the best interests of the child are compromised, and in which the child is in danger** (paragraph 2, article 3 of Law no. 147/99, of 1 September), and without prejudice to the signalling to the competent entities in this area, the professional must **substantiate the legitimacy of his intervention through a technical opinion**, even without the consent of one of the parents.

It is important to bear in mind **that the rule is that of consent given by both parents and that the provision of consent by only one parent** is exceptional.

Exceptional situations shall be understood in particular:

- Absence or difficult access to one of the parents (person in part uncertain / not contactable / unknown, among others);
- Situation that compromises the best interests of the child and/or whose resolution compromises the urgency of the intervention.

In the absence of one of the parents when the latter is not the offender, the parent who gave consent alone, in a situation of manifest urgency, must provide information to the other as soon as possible.

The rules listed above regarding parental responsibilities are in force during marriage and after divorce or legal separation of persons and property, and are also applicable to situations of filiation established in relation to both parents when they live in a de facto union and also when this union ceases (Art. 1911 CC).

Whenever it is not possible to obtain the consent of one of the parents, it is important to be aware of the limitations and difficulties that this may bring to psychological and psychotherapeutic intervention.

The collection of consents may be carried out, if necessary, by digital or other alternative means.

On this subject, it is also suggested to consult the following documents:

OPP opinion on consent in psychological intervention with children and young people:

<https://bit.ly/3Hisy1H>

OPP opinion on consent in psychological intervention with children and young people without authorization from both parents or legal representatives:

<https://bit.ly/3kCL3Ea>

Guidelines for professional practice – Psychology in the context of the protection of children and young people at risk:

https://www.ordemospsicologos.pt/ficheiros/documentos/psicol_1.pdf

In the last quarter of 2021, 31 Psychological Support Responses for children and young people victims of domestic violence were created. This RNAVVD intervention is a response to the impact of domestic violence against children and young people, with a total allocation of 2 million and 510 thousand euros, from European Funding.

27. Do specialist support services exist that cater to the specific needs of migrant women and girls or those belonging to national or ethnic minorities who are victims of violence against women, including women and girls seeking asylum and those granted refugee or international protection status?

The High Commission for Migration opened three Victim Support Offices (GAV) that provide information, assistance, and specialized counselling to migrants affected by domestic violence and/or harmful practices, working towards their protection and with the aim of providing integrated and continuous support.

The GAV liaise closely with the National Support Network for Victims of Domestic Violence, other public services present at the National Support Centres for Migrants Integration (CNAIM) and any other services deemed necessary, including with the security forces.

The GAV have been operating since 2020 in Lisbon, and since 2021 in Faro (Algarve) and in Porto (North of Portugal).

In 2020, the GAV located at CNAIM Lisboa registered 5 appointments (in a universe of 5 persons). This number rose to 580 appointments in 2021 (in a universe of 27 persons). In 2022, the number of appointments continued to rise, registering a total of 795 (in a universe of 46 persons). In 2023 (until the 30th of June), 356 appointments were already carried out (in a universe of 21 persons).

In 2021, the GAV located at CNAIM North, registered 173 appointments (in a universe of 35 persons). In 2022, this number rose to a total of 711 appointments (in a universe of 130 people), and in 2023 (until the 30th of June), 388 appointments (in a universe of 50 persons) were already carried out.

In 2021, the GAV in Faro carried out three appointments were carried out, all to the same person. This number rose to 970 appointments in 2022 (in a universe of 45 persons), making this GAV the busiest in that year. Up to the 30th June 2023, 367 appointments (in a universe of 29 people) were already carried out.

The main issue addressed at the three Victim Support Offices is Domestic Violence.

Article 25: Support to victims of sexual violence

28. Please indicate if any of the below services are available in your territory:

- a. sexual violence referral centres (e.g. specialist support services offering immediate medical care, forensic examination and crisis intervention to victims of sexual violence);

- b. rape crisis centres (e.g. specialist support services offering long-term counselling, therapy and support to victims of sexual violence regardless of whether the sexual violence occurred recently or in the past);
- c. any other specialised services offering short-term and/or long-term medical, forensic and psycho-social support to victims of sexual violence.

Law no. 83/2015, of 5 August, amended the description of the crimes of rape, sexual coercion and sexual harassment in the Criminal Code in line with the Istanbul Convention. Following the recommendations of the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), Law no. 101/2019, of 6 September, reviewed the description of the crimes of rape and sexual coercion, clarifying that these offences are based on the absence of the consent of the victim and that the use of violence warrants the application of an aggravated penalty.

Although the Criminal Code does not subsume all form of non-consensual acts under the crime of rape, it qualifies and punishes a wide range of non-consensual sexual acts as crimes against sexual freedom (rape, sexual coercion, sexual abuse, harassment, and pimping). This differentiated catalogue allows for the consideration of the different degrees of severity of the conducts and of the harm produced as a consequence.

As for sexual harassment, the current description of the crime further includes the punishment of the conduct of importuning the victim by way of formulating sexual purposes.

Law no. 83/2015 also introduced the crime of stalking. Law no. 101/2019 amended the Code of Criminal Procedure extending the application of barring and restraining and protection orders to victims of threats, coercion and stalking. To ensure the victim's safety, the prohibition imposed on the defendant of contacting by any means with a particular person or frequenting certain places may be monitored by technical means of remote control.

Victims of rape and sexual coercion are also exempted from paying court fees court fees during the criminal proceedings.

- **Emergency services for victims of rape**

Victims of rape are considered especially vulnerable victims, statute that may warrant the application of special measures intended to protect the victim from secondary victimization or the suffering of further harm. In the case of victims of sexual violence, gender-based violence

or violence in close relationships, these special measures include that the victims' examination must be conducted by a person of the same sex as the victim, if he/she so wishes. These measures also include the conduction of examination always by the same person, measures to avoid visual contact between the victims and defendants, in particular during testimony, with resort to the appropriate technological means, taking of statements for future memory and the exclusion of publicity of the hearings.

In 2017 and 2018, two crisis centres for victims of sexual violence were created providing immediate psychological and psychosocial individualized support for women and girls victims of sexual violence (Lisbon and Porto, respectively). These centres are run by women's NGO's and financed by the State. Also, a centre for men victims of sexual violence was created in 2017.

- **Marital rape**

Marital rape is punishable within the frame of the crime of rape. The penalty is increased in one third in cases where the defendant is in a family relationship or cohabitates with the victim and the crime is committed by taking advantage of such relationship. It can also be punished as a crime of DV but only if a more severe penalty is not applicable through other legal disposition (which would be the case of the crime of rape).

Portugal developed in 2017 the project "Sexual violence in the relationships of intimacy" (VSRI), funded by the European Commission, promoted by CIG in partnership with Ministries of health, of Internal Affairs, of Justice, of Education and of Labour, Solidarity and Social Security. The project aimed to raise awareness within professionals in these five sectors (professionals in the public administration, considered key to implement prevention programs regarding sexual violence in intimate relationships, training them to recognize, in the context of their intervention, the problem of sexual violence in intimate relations and adapt their attitudes and behaviours.

There are non-governmental organizations and entities specialized in assisting victims and families, with whom the INMLCF articulates and promotes the access of victims. There are partnerships established with CIG (Comissão para a Cidadania e a Igualdade de Género), and CNPCJR, among others. INMLCF participates in project "CARE", a network of specialized support to children and youngsters victims of sexual violence for assistance of sexual abuse victims¹²

¹² <https://apav.pt/care/index.php/pt/>

29. Please provide information on the number of such services and the number of women and girls supported annually.

For more information consult the indicators on violence against women¹³.

30. Please indicate the procedures and time frames for collecting and storing forensic evidence in cases of sexual violence (e.g. existence of protocols, use of rape kits) in the relevant services.

Intervention by INMLCF professionals, is performed by a medical legal expert and regulated by the Law on medico-legal intervention in urgent settings (ACT 45/2004, 19 August, updated by Decree-Law 53/2021, 16 June, extended by a Protocol celebrated between the Health Ministry, Justice Ministry and the National Commission for the Promotion of the Rights and the Protection of Children and Young People (CNPCJR) in 2011.

Likewise, INMLCF approved internal guidelines, namely, “NP-INMLCF-011 (Recomendações para a gestão de vestígios forenses)”, NP – INMLCF-014 (Recomendações sobre as instalações, equipamento e material para a realização de exame medico forense em casos de alegada agressão sexual), already mentioned.

31. Please describe any applicable access criteria for use of these services (e.g. affiliation with a national health insurance, residence status, prior reporting of the case to the police, other).

The victims of domestic violence, victims of sexual violence, including rape, may report directly to INMLCF, regardless of affiliation with a national health insurance, residence status, and prior reporting the case to the police. INMLCF articulates, as stated before, with other entities based on the specificity of the case and the local resources available.

Article 31: Custody, visitation rights and safety

32. Please indicate whether under national law incidents of violence covered under the scope of the convention must be taken into account in the determination of custody and visitation rights of children. If this is the case, please clarify to what extent these provisions:

¹³ <https://www.cig.gov.pt/area-portal-da-violencia/portal-violencia-domestica/indicadores-estatisticos/#title6>

Portuguese Law (Criminal Code¹⁴, Domestic violence law¹⁵, Civil Code General Regime for Civil Guardianship Procedure¹⁶[https://euc-word-edit.officeapps.live.com/we/worDEDitorframe.aspx?ui=pt-pt&rs=pt-pt&wopisrc=https://ciggov.sharepoint.com/sites/GREVIO2023/_vti_bin/wopi.ashx/files/c114bd65348a4694adf4eaabe9030dc3&wdenableroaming=1&mssc=1&hid=603da55e-f29e-4045-829d-f4bbe2fab347.0&uih=teams&uiembed=1&wdlcid=pt-pt&jsapi=1&jsapiver=v2&corrid=5cd98ebc-7bf2-4a27-93ee-174889614774&usid=5cd98ebc-7bf2-4a27-93ee-174889614774&newsession=1&sftc=1&uihit=UnifiedUiHostTeams&muv=v1&accloop=1&sdr=6&scnd=1&sat=1&rat=1&sams=1&mtf=1&sfp=1&halh=1&hch=1&hmh=1&hwfh=1&hsth=1&sih=1&unh=1&onw=1&dchat=1&sc={"pmo":"https://www.microsoft365.com","pmshare":true}&ctp=LeastProtected&rct=Normal&wdorigin=TEAMS-ELECTRON.teamsSdk.openFilePreview&wdhostclicktime=1693297614719&instantedit=1&wopicomplete=1&wdredirectionreason=Unified_SingleFlush](https://euc-word-edit.officeapps.live.com/we/worDEDitorframe.aspx?ui=pt-pt&rs=pt-pt&wopisrc=https://ciggov.sharepoint.com/sites/GREVIO2023/_vti_bin/wopi.ashx/files/c114bd65348a4694adf4eaabe9030dc3&wdenableroaming=1&mssc=1&hid=603da55e-f29e-4045-829d-f4bbe2fab347.0&uih=teams&uiembed=1&wdlcid=pt-pt&jsapi=1&jsapiver=v2&corrid=5cd98ebc-7bf2-4a27-93ee-174889614774&usid=5cd98ebc-7bf2-4a27-93ee-174889614774&newsession=1&sftc=1&uihit=UnifiedUiHostTeams&muv=v1&accloop=1&sdr=6&scnd=1&sat=1&rat=1&sams=1&mtf=1&sfp=1&halh=1&hch=1&hmh=1&hwfh=1&hsth=1&sih=1&unh=1&onw=1&dchat=1&sc={)) provide that incidents of violence covered under the scope of the Istanbul Convention must be taken into account in the determination of custody and visitation rights of children

- a. explicitly list domestic violence as a criterion to be taken into account when deciding on custody and/or visitation rights in the applicable legislation. If so, please clarify whether this criterion is/has been applied in practice in the determination of both custody and visitation rights;

Article 1906 in conjunction with article 1906-A of the Civil Code explicitly lists domestic violence as a criterion to be considered when deciding on custody and/or visitation rights

It states that the court shall regulate the exercise of parental responsibilities in accordance with the interests of the child, considering all relevant circumstances, namely the conduct of each of the parents towards the child and towards each other and the availability shown by each of them to promote normal relations between the child and the other parent.

Article 44-A of the General Regime for Civil Guardianship Procedure states that when a coercive measure is ordered or an accessory penalty of prohibition of contact between the parents is applied, or if the rights and safety of the victims of domestic violence and other

¹⁴ Decree-Law No. 48/95, of March 15

¹⁵ Law 112/2009, of September 16th - Establishes the legal regime applicable to the prevention of domestic violence, protection and assistance to its victims.

¹⁶ Decree-Law No. 47344/66, of November 25

forms of violence in a family context are at serious risk, such as child maltreatment or sexual abuse, the Public Prosecutor's Office shall request, within 48 hours of becoming aware of the situation, the regulation or alteration of the regulation of the exercise of parental responsibilities.

In accordance with the principle of the hearing and effective participation of children, it is imperative that the child is heard before a decision in this regard is taken (either under the Civil Code, the General Framework on Civil Guardianship, the Act on the Promotion of the Rights and the Protection of Children, the Legal Framework applicable to the Prevention of Domestic Violence and to the Protection of, and Assistance to, its Victims, and the Victims' Statute).

- b. acknowledge the harm that witnessing violence by one parent against the other has on a child;

Portuguese law recognizes the harm that witnessing violence by one parent against the other has on the child, as this fact leads to an aggravation of the minimum sentence applicable to the perpetrator.

According to Article 152(1) of the Criminal Code "whoever repeatedly or otherwise inflicts physical or mental ill-treatment, including corporal punishment, deprivation of liberty, sexual offences or prevents access to or enjoyment of own or shared economic resources and property" to a person who maintains or has maintained, even if without cohabitation, a dating, marital or other analogous relationship with the perpetrator, namely, the parent of a common descendant in the 1st degree, shall be punished with a penalty of imprisonment **from one to five years**, if a more serious penalty is not applicable under any other legal provision.

However, if the perpetrator commits the act in the presence of a minor, shall be punished with a prison sentence from two to five years, whether he/she is a descendant of himself/herself or of one of the above-mentioned persons.

The law also states that children or young people up to the age of 18 who have suffered mistreatment related to exposure to contexts of domestic violence are considered, for legal purposes, victims¹⁷.

¹⁷ Article 2(a) of Law n.º 112/2009, of 16th of September

On the other hand, the harm that witnessing violence by one parent against the other has on a child shall represents a hazardous situation.

According to the Law for the protection of children and young people in danger¹⁸, the intervention for the promotion of the rights and protection of children and young people in danger takes place when the parents, the legal representative or those with *de facto* custody endanger their safety, health, training, education or development, or when this danger results from action or omission of third parties or the child or young person themselves to which they do not oppose in an appropriate manner to remove it. The child or juvenile is considered to be in danger, namely, when is subject, directly or indirectly, to behaviours that seriously affect his/her safety or emotional balance.

Under such terms, a child directly exposed to intense parental conflict, where there is exposure to verbalizations and internal conflicts of loyalty, should be considered a child in danger for his/her development and psycho-emotional stability.

When a process for regulating the exercise of parental responsibilities is underway, in the scope of which a situation of such danger is detected, a promotion and protection procedure may be opened as an appendix to that process.

At the level of jurisprudence, it is recognised that a young person who has lived with his stepfather and witnessed, over time, the ill treatment, whether psychological or of another kind, caused to his mother, will always suffer damage to his emotional or moral integrity with consequences for his future development, whatever his age, placing him in the concept of an especially vulnerable victim¹⁹.

- c. ensure that custody with the non-violent parent is preferred over foster-care;

Articles 1906 and 1906-A of the Civil Code ensure that custody with the non-violent parent is preferred over foster-care. As a result of the conjugation of both articles, it is stated that when the joint exercise of parental responsibilities regarding issues of particular importance to the child's life is deemed contrary to the child's interests, namely in situations where (i) a coercive measure is decreed or an accessory penalty of prohibition of contact between parents is applied, or (ii) the rights and safety of victims of domestic violence and other forms of violence

¹⁸ Article 3(1) and (2)(f) of Law No. 147/99, of September 1st

¹⁹ Judgment of the Court of Appeal of Évora of 23 March 2020 (Proc. 1244/19.7PBFAR-A.E1)

in a family context, such as child maltreatment or sexual abuse, are at serious risk, the court must, by means of a reasoned decision, order that these responsibilities be exercised by one of the parents.

Article 1918 of the Civil Code establishes that when the safety, health, moral formation or education of a minor is in danger and it is not a case of inhibition of the exercise of parental responsibilities, the court may, at the request of the Public Prosecutor's Office or of any relative of the minor, order the appropriate measures, namely entrusting it to a third person or to an educational or assistance establishment.

These provisions imply that foster care is only possible when both parents are unfit or unable to exercise the whole or part of parental responsibilities, which means that if one parent is violent and the other is not, custody should be granted in the first place to the non-violent parent

- d. foresee the screening of civil proceedings related to the determination of custody or visitation rights for a history of domestic violence among the parties;

The screening of civil proceedings related to the determination of custody or visitation rights for a history of domestic violence among the parties is not expressly foreseen by Portuguese law, but it can be done by the court at its discretion.

Article 1906 of the Civil Code states that "the court shall determine the child's residence and rights of access in accordance with the child's best interests, taking into account all relevant circumstances". This may include requesting information from law-enforcement agencies or other competent stakeholders about any previous or ongoing cases of domestic violence involving the parties. However, this practice is not systematic and depends on the awareness and sensitivity of the judge.

However, the law stipulates, pursuant to Article 1920-B of the Civil Code, that decisions that inhibit the exercise of parental responsibilities, provisionally suspend them, or establish measures that limit this power must be communicated to the competent civil registry to be registered. This allows the court, through civil registry certificates, to trace civil proceedings related to the determination of custody or visiting rights and to detect a history of domestic violence between the parties.

- e. foresee that judges conduct risk assessments or request the disclosure of risk

assessments drawn up by law-enforcement agencies or other competent stakeholders for victims of domestic violence, with a view to taking them into account and determining the best interest of the child in the context of custody and visitation decisions.

In the context of a complaint of domestic violence, the police authorities follow a common and concerted procedure that foresees, among several measures, the carrying out of risk assessments, which are attached to the complaint and included in the file submitted to the judge, who will take them into account in the context of custody and visitation decisions.

As soon as it becomes aware of the complaint, without prejudice to the precautionary and police measures already adopted, the Public Prosecutor's Office, if it does not decide to recall it, orders the criminal police body, by the most expeditious means, to carry out urgent procedural acts of acquisition of evidence enabling, in the shortest possible period of time without exceeding 72 hours, the taking of measures to protect the victim and the promotion of coercive measures in relation to the accused.

With the complaint, the victim is always forwarded to the local support structures, with a view to drawing up a security plan, if it has not been drawn up by the criminal police body and for the purpose of receiving other support provided by law.

Directive no. 5/2019 on domestic violence of the Portuguese Public Prosecutor's Office is a hierarchical instrument aimed at providing police officers and prosecutors with guidelines for uniform action in domestic violence.

One of the most relevant points of the directive is the focus on the risk assessment made by the Family and Children Units (NFC), which are specialised units within the Integrated Specialised Sections for Domestic Violence (SEIVD). The NFC act whenever there is news of children present in a context of domestic violence and regardless of whether they are the target of acts of violence or not.

The risk assessment aims at identifying the factors which increase or decrease the probability of the occurrence or repetition of domestic violence, as well as the victims' needs and expectations. The risk assessment should be carried out as soon as possible after the crime is reported and should be updated throughout the process, whenever relevant changes occur in the situation of the victim or the offender. The risk assessment should be communicated to the NAP and should be the basis for the establishment, by the Public Prosecutors, of urgent civil guardianship procedures, the application of victim's promotion and protection measures

and for the direction of the criminal investigation.

Once a complaint of the practice of domestic violence has been filed, and if there are no strong indications that the complaint is unfounded, the judicial authorities or the competent criminal police bodies shall assign the victim the status of victim for all legal purposes.

Whenever there are children involved, the assignment of the status of victim to the child and to the adult is immediately communicated by the judicial authorities or by the criminal police organs to the commission for the protection of children and youth and to the territorially competent family and juvenile court, accompanied by a copy of the respective official report or complaint, including a copy of the documentation relating to the additional steps taken in the meantime.

Mandatory risk assessment in criminal proceedings may be used in any civil proceedings regarding the guardianship or the promotion of the rights and protection of children. Such risk assessment does not prevent the realisation of any other expert examination which allows to confirm – or not – the existence of risk or danger to Victim Support Offices (GAV) have been used to undertake evaluation reports, also directly requested by Criminal Inquiry Judges

33. Please describe the measures in place to ensure that judges, court-appointed experts and other legal professionals:

- a. have sufficient knowledge of the law and understanding of the dynamics of intimate partner violence, including the psychological impact of witnessing violence on the child;

The Annual Plan for Joint Training on Violence against Women and Domestic Violence (PAFC-VMVD) is a government initiative that aims to train the professionals of the Public Administration who intervene in this area, in accordance with the Istanbul Convention and the recommendations of various national and international entities.

The PAFC-VMVD involves five governmental areas: Internal Administration, Justice, Education, Labour, Solidarity and Social Security and Health. The plan provides for more than seven thousand hours of certified training, structured into three training paths, with a total of 14 courses, aimed at more than twelve thousand trainees.

The objective of the Plan is to promote an integrated and inter sectorial intervention for Public Administration professionals, considering the identified needs and the existing good practices.

The plan also aims to strengthen the local networks of integrated intervention, as well as the continuous updating of knowledge and skills of the professionals involved.

In the case of professionals in the judicial area or sector, this plan aims to strengthen a special awareness and knowledge of the content of the concepts, their causes, manifestations and consequences, as well as to provide a broad and multidisciplinary knowledge that enables to identify situations, to know the ways in which they are manifested and to deal with the different intervening parties, in order to promote a more effective and efficient communication articulation between all the intervening parties and to better enable them to intervene in their professional areas with a view to the promotion and defence of the fundamental rights affected by this type of criminality.

The course addresses topics such as the concepts and forms of violence against women and domestic violence, victims' rights, protection and support mechanisms, judicial procedures, and risk assessment. Data on this training plan scope were previously available.

As far as the magistrates are concerned, Law 80/2019 ensures mandatory training for magistrates on human rights and domestic violence. The continuous training actions may be of generic or specialized scope, , and must mandatorily focus on the area of human rights and, in the case of magistrates with functions in the criminal courts and family and minors' courts, mandatorily on domestic violence, in the following subjects:

- a. Status of the victim of domestic violence.
 - b. Forms of specific protection for elderly and especially vulnerable victims.
 - c. Coercive measures.
 - d. Accessory penalties.
 - e. Vicarious violence.
 - f. Promotion and protection of minors.
-
- b. duly take into account victims' grievances in cases of domestic violence and hear children victims/witnesses, where applicable, in the determination of custody and visitation rights;

According to Portuguese law, judges, court-appointed experts, and other legal professionals should take into account victims' complaints in domestic violence cases and listen to child victims/witnesses, when applicable, when determining custody and visitation rights.

To ensure that this happens, there are several measures in place.

- Victims may request urgent protection measures, such as a contact ban or removal of the abuser from the family home, which can be granted by the Public Prosecutor's Office or the criminal investigation judge within 48 hours of the request being made.
 - The courts must inform victims of their rights and the support services available and to provide them with free legal aid if necessary.
 - The existence of specialized services for attending to and monitoring victims of domestic violence in the courts and in the districts, which provide psychological, social, and legal support to victims and their families.
 - The possibility of victims to make declarations for future memory. The judge, at the request of the victim or of the Public Prosecutor's Office, may proceed to question the victim during the enquiry so that the testimony may, if necessary, be considered at the trial. The victim must be assisted during the proceedings by a victim support worker or by another professional who has been providing psychological or psychiatric support, previously authorized by the court.
 - In view of the principle of the best interest of the child, the investigating judge may take statements for future memory of the child, as soon as possible, making sure that the proceedings take place in an informal, reserved and protective environment, to enable the provision of a genuine, spontaneous and as complete a statement as possible, making every effort to avoid possible flaws in the taking of statements, which will tend to prevent the child from having to be heard at trial.
- c. are informed of the unfoundedness of notions of “parental alienation”²⁰ or analogous concepts that are used to overshadow the violence and control exerted by perpetrators of domestic violence over women and their children.

Portuguese legislation provides responses to meet these requirements.

In accordance with Articles 1906 (2) and 1906-A of the Civil Code, in case the common exercise of parental responsibilities is considered contrary to the best interest of the child, the

²⁰ In its baseline evaluation reports GREVIO has consistently referred to the statement of December 2017 by the European Association for Psychotherapy (EAP), which draws attention to the fact that the concepts of “parental alienation syndrome” (PAS) and “parental alienation” (PA) are unsuitable for use in any psychotherapeutic practice. This statement by the EAP, which is made up of 128 psychotherapy organisations from 41 European countries, acts as a guiding principle for European psychotherapists. Moreover, in February 2020 the World Health Organisation (WHO) published its new draft International Classification of Diseases, 11th Revision (ICD-11) and confirmed that it had removed parental alienation from index term in the final ICD-11. See also the Platform of Independent Expert Mechanisms on Discrimination and Violence against Women ([EDVAW Platform](#)) statement of May 2019 “[Intimate partner violence against women is an essential factor in the determination of child custody, say women’s rights experts](#)”.

court shall determine that such responsibilities will be exercised by one parent only. The law sets out two cases in which it may be presumed that the common exercise of parental responsibilities is contrary to the best interest of the child: if it is decreed the coercive measure or applied the accessory penalty of prohibition of contact between both parents; or if there is grave danger to the rights and security of victims of domestic violence or of other forms of violence within the family, such as ill-treatment or sexual abuse of children.

In accordance with the principle of the hearing and effective participation of children, it is imperative that the child is heard before a decision in this regard is taken (either under the Civil Code, the General Framework on Civil Guardianship, the Act on the Promotion of the Rights and the Protection of Children, the Legal Framework applicable to the Prevention of Domestic Violence and to the Protection of, and Assistance to, its Victims, and the Victims' Statute).

Furthermore, pursuant to legislative amendments introduced in August 2021 to the Legal Framework applicable to the Prevention of Domestic Violence and the Protection of, and Assistance to, its Victims (Act 112/2009, of 16 October), the restriction of the exercise of parental responsibilities is currently one of the urgent coercive measures to be applied to the offender. Pursuant to the same 2021 amendments, children and youngsters exposed to, or witnesses of, violence within the family are, for this sole fact, autonomous victims of the crime of domestic violence. Furthermore, criminal legislation provides, as accessory penalty for crimes of domestic violence and crimes against sexual freedom and self-determination, that the sentence shall determine the inhibition of the exercise of parental responsibilities.

On the part of the Attorney-General's Office, on the basis of Directives 5/2019 and 1/2021, measures of functional operation have been implemented to mandate the collection of statements for future use in the case of victims of domestic violence, including children. This aims precisely at protecting these victims and prevent re-victimisation. In accordance with the law, such statements, as pieces of evidence produced in advance, can be used in all proceedings instituted to regulate the exercise of parental responsibilities and to promote the rights of, and protect, children.

On the other hand, the concept of "parental alienation" is not recognized in the Portuguese legal framework. The Attorney-General's Office, through its Office for the Family, Children, Youngsters and against Domestic Violence (GFCJVD), undertakes periodic meetings with public prosecutors to disseminate the unfoundedness of the concept of "parental alienation" and promotes the adoption of investigation protocols with the view to the swift adoption of

measures to protect victims and restrain abusers. The same has been advocated in the Handbook on the Functional Operation of Criminal Police Bodies, which is available online at: [https://www.cig.gov.pt/wp-content/uploads/2020/06/172-20 MANUAL ATUACAO FUNCIONAL Final.pdf](https://www.cig.gov.pt/wp-content/uploads/2020/06/172-20_MANUAL_ATUACAO_FUNCIONAL_Final.pdf). This handbook was elaborated by a multiagency working group which the Attorney-General's Office is a part of.

Portuguese legislation provides responses to meet these requirements.

The concept of “parental alienation” is not recognized as such in the Portuguese legal framework. However, there are continuous and mandatory training of legal professionals on gender issues, women's human rights and the prevention and combat of domestic violence, including the identification and appropriate treatment of cases of parental alienation or similar concepts²¹.

The court can always resort to the involvement of specialists such as psychologists, social assistants and from other relevant fields, who can assess the risk and protection situations of the victims and their children and provide technical opinions to the judges.

The rigorous application of the principle of the best interests of the child, which implies the priority consideration of the safety and well-being of the victims and their children, as well as respect for their opinion and participation in the judicial proceedings that concern them. In both criminal and the civil cases, the measures applied must consider the child's entire context, and hearing the child is essential to understand if there is any degree of manipulation.

On the part of the Public Prosecutor's Office, based on Directives 5/2019 and 1/2021, measures of functional operation have been implemented to mandate the collection of statements for future use in the case of victims of domestic violence, including children. This aims precisely at protecting these victims and prevent re-victimisation. In accordance with the law, these statements, as pieces of evidence produced in advance, can be used in all proceedings instituted to regulate the exercise of parental responsibilities and to promote the rights of, and protect, children.

The Public Prosecutor's Office undertakes periodic meetings with public prosecutors to disseminate the unfoundedness of the concept of “parental alienation” and promotes the adoption of investigation protocols with the view to the swift adoption of measures to protect

²¹ <http://www.udireito.com/eventos/alienacao-parental-em-foco-no-cej/> ; <https://elearning.cej.mj.pt/course/view.php?id=717>

victims and restrain abusers. The same has been advocated in the Handbook on the Functional Operation of Criminal Police Bodies, which is available online at: https://www.ciq.gov.pt/wp-content/uploads/2020/06/172-20_MANUAL_ATUACAO_FUNCIONAL_Final.pdf

The Ministry of Justice includes in its annual training, courses that approach this topic and has developed specific training materials that are permanently available to all court staff on its moodle e-learning platform. Court staff is encouraged to apply to these courses.

Contents permanently available for court staff (manuals and guidelines) are:

- Manual de recomendações às comarcas sobre o acesso e circulação nos edifícios dos Tribunais das Vítimas de Crime (Handbook of recommendations to courts on access and circulation in court buildings for victims of crime)
- Manual de boas práticas na receção, interação e apoio às Vítimas de Criminalidade, em especial, de menores e de adultos vulneráveis (Manual of good practices in the reception, interaction and support to Victims of Crime, in particular minors and vulnerable adults)
- Guia de orientações das ações a implementar nas comarcas, no tocante ao acesso, circulação e acolhimento das vítimas, nos edifícios dos tribunais. (Guidelines for actions to be implemented in the courts regarding access, circulation and reception of victims in court buildings.)
- Guia de orientações às comarcas sobre o acesso e circulação nos edifícios dos Tribunais das Vítimas de Criminalidade por Fase do Processo. (Guidance to Courts on Access and Movement in Court Buildings for Victims of Crime by Case Phase)
- Guia de orientações das ações e boas práticas a implementar na interação com a vítima. (Guidelines for actions and good practices to be implemented in the interaction with the victim.)
- Nota Informativa 24/2021 -Proteção das Vítimas de Violência Doméstica. (Information Note 24/2021 - Protection of Victims of Domestic Violence)
- Guia de Boas Práticas no Atendimento às Vítimas (Guide to Good Practices in Care of Victims)
- Estatuto da Vítima -Documentos publicados: (Statute of the Victim - Published documents)
- Como Denunciar um Crime | Cartaz- (How to Report a Crime | Poster)
- Direitos das Vítimas em Processo Crime | (Victims' Rights in Criminal Proceedings)
- Etapas do Processo | Folheto (Tríptico Stages of the Process | Triptych Leaflet)
- Notícia – Diretiva 5/2019, de 04 de dezembro, da PGR - Violência Doméstica (News - Directive 5/2019, of 04 December, of the PGR - Domestic Violence)

34. Please provide details on the procedures in place to ensure that the competent court for family-related issues co-operate/communicate with other relevant bodies/professionals, including, but not limited to, criminal courts, law-enforcement agencies, health and education authorities and specialist women's support services when taking decisions on custody and visitation or when offering family law mediation. Please specify whether the law provides a legal framework for any of the procedures in place.

Several mechanisms in this regard are already in place or in development. For example, in 2019 Protocols have been signed with relevant NGO – the Portuguese Association for Victim Support (APAV), the Association of Women against Violence (AMCV), UMAR, Aveiro Caritas and Associação de Figueira – under which **Offices for Victim Support (GAV)** have been established and are operating in 8 major Departments of Investigation and Criminal Action (DIAP) – in Braga, Aveiro, O'Porto-East, Coimbra, Lisbon-North, Lisbon-West, Lisbon (South Embankment) and Faro. The contents and reasoning are specific to each protocol and all are publicly available in the Public Prosecution's website, at <https://www.ministeriopublico.pt/protocolos>. In addition to receiving and supporting victims, these offices also provide technical support to public prosecutors.

The Portuguese government has ordered the realisation of a study to evaluate GAV, undertaken by the Psychology School of Minho University; the results of such evaluation are ready but have not yet been made public.

Furthermore, in accordance with the Prosecutor General's Directive 5/2019/PGR, **Integrated Specialised Sections on Domestic Violence (SEIVD)** have been created. These are specialised structures of Public Prosecution operating at the Regional DIAPs of Lisbon and O'Porto and constituted by two units: the Unit on Criminal Action (NAP) and the Unit on Family and Children (NFC) working in articulation. In some SEIVD there are Offices for Victim Support (GAV).

Also, public prosecution services have recruited and hired **Specialised Psychology Consultants** who are working at the level of the Regional Prosecution Offices of Lisbon, O'Porto, Coimbra and Évora.

In addition to this, the Commission for Citizenship and Gender Equality (CIG) is developing and implementing, through Local Protocols, the **National Territorial Network of Support to Victims of Domestic Violence**. These protocols involve municipal authorities, specialized

NGO and several public bodies in the areas of education, employment, law enforcement, justice, health, social security and others. It is expected that such protocols will strengthen the local network of partnerships to combat domestic and gender-based violence, namely by enhancing its prevention and improving the protection of victims and law enforcement responses. Public prosecution services are part of this network through its Coordinators in each constituency.

Finally, we would like to add that the Attorney General's Office is part of a Working Group chaired by the Ministry for Home Affairs, which is in the final stage of implementing an experimental **multiagency response model** (to be denominated "AGIR-VD"). Under this model, public prosecution/ law enforcement authorities take the lead and, in conjunction with the Victim Support Officer (TAV) – if the victim so wishes – shall be responsible for dealing in a coordinated manner with all entities deemed necessary to respond to the assessed risks.

The cooperation between the different actors involved in the process is essential to guarantee an adequate assessment of the child and her/his family situation, as well as to ensure the protection and follow-up of victims of domestic violence.

According to Portuguese law, the competent court for family related issues is the family and juvenile court. This court has exclusive jurisdiction to decide on issues such as the exercise of parental responsibilities, the regulation of parental responsibilities in case of divorce or separation, the assignment of custody of the child, and the establishment of the visitation regime. The family and juvenile court may request the cooperation of other relevant bodies/professionals whenever it considers it necessary for the protection of the child or for obtaining information relevant to the decision.

In cases of domestic violence, the family and juvenile court should communicate with the criminal court trying the offender, as well as with the police authorities that have intervened in the situation. The family and juvenile court should also communicate with the health and education authorities that have knowledge of the child's situation or are aiding the child. In addition, the family and juvenile court should refer victims of domestic violence to specialized support services, which can offer legal, psychological, and social support.

The goal of these procedures is to ensure that the family and juvenile court has an overview of the situation of the child and his or her family, as well as the risks and needs associated with domestic violence. In this way, the court can make decisions about custody and visitation

rights that are appropriate to the best interests of the child and ensure the child's safety and that of victims of domestic violence.

Both the Offices for Victim Support and Public Prosecution's Integrated Specialised Sections on Domestic Violence (SEIVD) are good examples of articulation between relevant bodies in order to enhance mutual cooperation and communication. Public Prosecutor's Office Directives 5/2019 and 1/2021 set out practices to effectively develop and implement such articulation.

As previously stated, the Law allows for and promotes this articulation. An example of this are the provisions on the collection of victims' statements for future use as evidence. See replies to questions 15 and 16 for further details, namely provisions of the Legal Framework applicable to the Prevention of Domestic Violence and to the Protection of, and Assistance to, its Victims, the National Strategy for Equality and Non-Discrimination (ENIND) and the Plan of Action to Prevent and Combat Violence against Women and Domestic Violence (PAVMVD), as well as the numerous protocols signed to operationalise the measures provided for therein.

35. Please provide detailed information on the procedures in place (including, if applicable, the relevant personnel used, the specific infrastructure available), in the exercise of custody and visitation rights, to:

- a. eliminate the risk for the abused parent to be subjected to further violence;

According to Portuguese law the victims of domestic violence benefit from the statute of victim from the moment when the complaint of the perpetration of the crime of domestic violence is lodged, which gives them a set of rights and guarantees.

AS soon as the Public Prosecutor's Office becomes aware of the complaint, and without prejudice of the precautionary and police measures already adopted, it can either refer the case or order the criminal police body, by the most expeditious means, to carry out urgent procedural acts to acquire evidence that enables, in 72 hours at the most, to adopt victim's protection measures as well as promoting coercive measures related to the accused.

After the complaint is filed, the victim is referred to the local support structures, in order to draw up a safety plan, in case it has not been drawn up by the criminal police body, and for the purposes of receiving other support provided for by law.

The victim status is granted to the victim of the crime and to children and young people who witness or have witnessed situations of domestic violence. Such status grants, among others, the following rights:

- The right to be informed about the process, the support services available and the existing protection measures. For example, the victim has the right to know if the aggressor has been arrested, released, or subjected to any measure of coercion, as well as to receive information on the progress of the case and the appeals that can be lodged.
- The right to benefit from protection measures appropriate to their situation, such as distancing from the offender, prohibition of contacts or electronic surveillance. The security forces adopt the necessary procedures to ensure the monitoring and police protection of victims. The police protection of a victim of domestic violence, in or out of the judicial context, shall be based on the provision of self-protection guidelines or on an individualized safety plan, drawn up by the locally competent police authority, according to the level of risk of re-victimization, which level shall guide the moment of reassessment of that risk.
- The right to be heard and to actively participate in the proceedings, and to present evidence, request measures and appeal against decisions. For example, the victim can make statements about the facts they have witnessed or suffered, present documents, witnesses, or other evidence to support their version of the facts, ask the court to order medical or psychological expertise to prove the damage suffered, or challenge decisions they consider unfair or unlawful.
- The right to benefit from psychological, social, and medical support through the national support network for victims of domestic violence, which includes shelter homes, care structures and free telephone services.
- The court, with a view to applying the measures and penalties provided by law, shall, whenever indispensable to the protection of the victim, order that compliance with such measures be monitored by technical means for remote control.

As for the court, it can, for instance:

- determine provisional measures of protection for the victim and her children during the judicial proceedings, such as: prohibit the aggressor from contacting the victim or her children; remove the aggressor from the common residence or the victim's residence; provisionally regulate parental responsibilities; provisionally award custody of the children to the victim; set provisional maintenance for the children.

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- apply coercive measures to the aggressor during the judicial process, such as: forbidding the aggressor to have contact with the victim or her children; forbidding the aggressor to approach the residence or workplace of the victim; forbidding the aggressor to use or carry weapons.
 - apply protection measures to the victim and her children in the final sentence of the judicial process, such as: definitively regulating parental responsibilities; definitively attributing custody of the children to the victim; definitively fixing maintenance for the children; prohibiting the aggressor from having contact with the victim or her children; prohibiting the aggressor from approaching the victim's residence or place of work; prohibiting the aggressor from using or carrying weapons.
 - determine that the visits of the aggressor to the children be supervised by a specialized technical team, whenever there is a risk of violence to the victim or to the children.
 - suspend or restrict the exercise of parental responsibilities by the aggressor, whenever there is danger to the life, physical or psychological integrity, freedom, or moral formation of the child.

The security forces and services work in close cooperation with the national support network for victims of domestic violence.

The national support network for victims of domestic violence comprises the Public Administration body responsible for citizenship and gender equality, the social security services, shelters, emergency reception responses and assistance structures.

All actors in the network and all entities that cooperate with it must work together with a view to implementing, always, the measures that prove to be most appropriate for the protection of victims.

In cases where the victims are elderly or in a dependent situation, without family support, the social security services, or other competent body must develop a priority referral for reception within the scope of the network of social services and equipment, without prejudice due articulation with the national support network for victims of domestic violence.

In situations where the victims of domestic violence are children or young people, it is incumbent upon the National Commission for the Protection of Children and Young People at Risk and the commissions for the protection of children and young people to establish protection procedures in accordance with their legal competences, without prejudice to possible cooperation modalities with the organizations and entities of the national support network for victims of domestic violence.

- b. eliminate the risk for the child to witness or experience violence;

The coercive measures that imply the restriction of contact between parents or between parents and their children are immediately communicated by the court to the Public Prosecutor's Office at the competent court, for the purpose of establishing, as a matter of urgency (48 hours), the respective process of regulation or alteration of the regulation of the exercise of parental responsibilities and/or the civil guardianship measure deemed adequate.

Whenever there are children, the grant of victim status to the child and the adult is immediately communicated by the judicial authorities or by the criminal police bodies to the commission for the protection of children and young people and to the territorially competent family and juvenile court.

The communication, when addressed to the territorially competent family and juvenile court, must be accompanied by a copy of the respective official report or complaint, including a copy of the documentation relating to additional steps taken in the meantime.

In such cases, the aggressor's visitation regime must be evaluated, and may be suspended or conditioned, under the terms of the applicable law.

The court will determine the child's residence and visitation rights in accordance with the child's interest, considering all the relevant circumstances.

- c. ensure that the responsible personnel are trained and that the facilities are suited to enable safe supervised visitation.

Attorney-General's Directives 5/2019 (aimed at providing guidance to prosecutors on consistent action in the area of domestic violence) and 1/2021 (containing generic instructions regarding the implementation of the Act on Criminal Policy for the biennium 2020-2022), as well as the above mentioned Handbook on the Functional Operation of Criminal Police Bodies (also called "The 72-Hour Operational Handbook") provide instructions and protocols which enable the swift adoption of measures to protect victims and restrain offenders. They also allow for the adoption of coordinated measures to reduce and avoid the danger of continuation of criminal activity. Examples are the possibility to prohibit contacts and restrict exchanges between children and the abusive parent.

Furthermore, mandatory criteria are established to request the early production of probatory

testimony, through the recording of statements, including of children, for future use. Such early statements may and should be used in all procedures, criminal or other.

Currently, Victim Protection Officers and other specialised staff are called upon to take part, and assist victims, in any procedural act or step in which the latter are due to participate.

In some places, eg. police stations, public prosecution services and courts, there are conditions to ensure enhanced security to victims; they may also include spaces to allow the holding of supervised visits.

See also reply to question 33.

Under the Council of Ministers' Resolution no. 139/2019, of 19 August, several actions were established namely the publication of four guides, in line with GREVIO recommendations:

1. Action manual for the criminal police forces in the 72 hours ensuing a domestic violence complaint (including on urgent collection and preservation of evidence, containment and procedural position of the perpetrator, judiciary and social intervention);
2. Guide for an integrated intervention with children who are victims of domestic violence (including on detection, protection and referral procedures);
3. Common training plan on violence against women and domestic violence (including harmonized concepts, training contents and methodologies based on concrete cases).

The RNAVVD – National Support Network for Victims of Domestic Violence is made up of a set of services and responses aimed at supporting victims, and includes:

- The CIG – Commission for Citizenship and Gender Equality
- The Social Security Institute, IP (ISS, IP)
- the shelter houses
- The service structures
- Emergency host responses
- The specific responses of public administration bodies and
- The SIVVD – Information Services for Victims of Domestic Violence

The services provided through RNAVVD are free of charge.

It is up to the State to promote the creation, installation, expansion and support for the operation of shelters and other structures that make up the national network, in order to ensure balanced coverage of the national territory and the population, which must cover all districts. Emergency reception responses, assistance structures and shelters need the technical supervision of the CIG, in conjunction with the competent social security services.

This technical supervision aims to:

- Verification of compliance of procedures adopted with national, community or European technical guidelines on the prevention of domestic violence, protection and assistance to its victims and their articulation with public policies.
- Monitoring the work of the teams in terms of intervention models and performance practices and training, information and updating of the technical-scientific skills of the people who form part of them.
- Verification of compliance with the minimum intervention requirements in the context of domestic violence and gender violence established by the CIG, with a view to standardizing, formalizing, and improving the practices and procedures to be developed in the context of domestic violence.

The Vacancy Management Platform of the National Support Network for Victims of Domestic Violence (RNAVVD) makes it possible to know, in real time, the availability of reception facilities, as well as enabling direct communication between entities.

This platform is intended for all Referral Institutions – assistance offices for victims of domestic violence and Host Institutions – shelters and emergency shelter structures, which are part of RNAVVD.

Regarding the functioning and strengthening victim support structures and services, all services in charge of supporting, sheltering, and transporting victims, provided by the National Support Network for Victims of Domestic Violence, are considered essential services, and remain active, in close cooperation with other services and municipalities to respond to urgent requests for shelter.

36. Please indicate whether national provisions foresee the withdrawal of parental rights in criminal sentences if the best interest of the child, which may include the safety of the victim, cannot be guaranteed in any other way.

Yes. This protective measure is provided for under Articles 69.^o-C and 152.^o (6) of the Portuguese Criminal Code.

Portugal has adopted several measures to ensure that judges, court-appointed experts and other legal professionals duly take into account victims' grievances in cases of domestic violence and hear children victims/witnesses, where applicable, in the determination of custody and visitation rights. Some of these measures are:

- The Law on Domestic Violence (Law No. 112/2009) establishes that the victim's testimony is a privileged means of evidence, and that the victim has the right to be heard by a judge within 48 hours after the complaint.
- The Law on Protection of Children and Young People at Risk (Law No. 147/99) provides that children and young people who are victims or witnesses of domestic violence have the right to be heard by a specialized team, composed of psychologists, social workers, and lawyers, who can assess their situation and provide adequate support.
- The Law on Parental Responsibilities (Law No. 61/2008) stipulates that the court must consider the best interests of the child when deciding on custody and visitation rights, and that the court can restrict or suspend these rights if there is a risk of physical or psychological harm to the child due to domestic violence.
- The National Strategy for Preventing and Combating Domestic and Gender-Based Violence includes several actions to improve the training and awareness of legal professionals on domestic violence issues, such as developing protocols, guidelines, and manuals, organizing seminars and workshops, and creating specialized units within the judicial system.

Article 48: Prohibition of mandatory alternative dispute resolution processes or sentencing

Criminal law:

37. Please provide information on the measures taken to ensure that mandatory alternative dispute resolution processes are prohibited in criminal proceedings related to cases involving the different forms of violence against women covered by the Istanbul Convention.

In Portugal, despite under the law there are alternative dispute resolution mechanisms that aim to facilitate the resolution of conflicts in a quick, effective, and less costly way than the courts, mediation in criminal matters is not legally admitted for public or semi-public crimes in case the offense is punishable in abstract with a sentence of imprisonment whose maximum limit exceeds 5 years or in the case of crimes against sexual freedom or self-determination.

In addition to this, for the crime of domestic violence, the provisional suspension of proceedings is only admitted when requested by the victim in a free and informed manner. In the case of crimes against sexual freedom or self-determination committed against under 18

year-olds, proceedings can only be provisionally suspended if that corresponds to the best interest of the child.

Criminal proceedings do not provide for any mandatory mechanisms of alternative dispute resolution in the case of offences provided for under the Istanbul Convention.

38. Where voluntary alternative dispute resolution processes exist for any criminal offences within the remit of the Istanbul Convention, such as conciliation or mediation, please provide information on the safeguards incorporated to ensure the free and informed consent of the victim to such processes and the measures taken to avoid that direct or indirect pressure is placed on the victim. Please also state whether the offer of alternative dispute resolution processes may result in the discontinuation of criminal investigation and prosecution or other consequences for the victim.

This could only be applicable to domestic violence in the case of temporary suspension of proceedings, which always depends on the victim's free and informed request. To ensure this is the case and avoid situations of direct or indirect pressure on the victim, Directive 5/2019 instructs prosecutors to always hear the victim in person. The decision to temporarily suspend proceedings does not necessarily imply their termination. Should the defendant fail to comply with the imposed rules and prescriptions, proceedings continue for court adjudication.

Civil law:

39. Please provide information on the measures taken to ensure that alternative dispute resolution processes such as mediation or procedures which can be considered tantamount to the latter are not used in family law proceedings such as divorce proceedings or proceedings related to custody and visitation of children, where there is a history of violence.

In accordance with the provisions of the General Framework on Civil Guardianship (Article 24-A) resorting to specialized technical hearing and family mediation is legally forbidden in all cases when the prohibition of contact between both parents is applied as a coercive measure or accessory penalty; or if there is grave danger to the rights and safety of victims of domestic violence and other forms of violence within the family, such as ill-treatment or sexual abuse of children. In these situations when the rights of the child or youngster are at risk (cf Article 11 of the Act on the Promotion of the Rights and the Protection of Children), Public Prosecution

may determine that protection proceedings shall be dealt with by court, even if there is agreement between both parents for dealing with the case extra-judicially, through the intervention of the Commission for the Protection of Children and Youngsters (CPCJ).

With the entry in force of Law No. 24/2017, of May 24, **the use of specialized technical hearings and mediation is not accepted between the parties** when (1) a coercive measure is decreed or an accessory penalty prohibiting contact between parents is applied, or (2) the rights and safety of victims of domestic violence and other forms of violence in a family context, such as child maltreatment or sexual abuse, are at serious risk²².

Articles 49 and 50: General obligations and immediate response, prevention and protection

40. Please describe the human, financial and technical resources provided to law enforcement agencies to diligently respond to and investigate all cases of violence against women, including their digital dimension.

In the Security Forces, in 2022, there were a total of 1343 personnel with specific responsibilities within the scope of the domestic Violence (809 in the GNR and 534 in the PSP).

The GNR had 124 military personnel assigned to the Investigation and Support Centers for Specific Victims (NIAVE) and 685 military personnel assigned to the Investigation and Inquiry Teams; in the PSP there were 357 elements assigned to the Proximity and Victim Support Teams (EPAV) (exclusively), 90 elements assigned to the special domestic violence - investigation teams. And finally, 87 of elements of PSP were performing functions in the mixed EPAV-EPES teams.

41. Which measures have been taken to ensure that the premises of police stations are accessible and suitable for receiving and interviewing victims of violence while ensuring their privacy? Is it possible to report cases of violence against women elsewhere than in police stations, including through digital means?

Currently there are 148 Public Security Police Rooms for Assistance and Support to Crime Victims, created to ensure specialized and adequate care for each type of victimization, particularly in cases of more violent crimes or when victims are more vulnerable and fragile, to ensure better support, protection and referral.

²² Article 25 of Law No. 141/2015, of September 8th.

Around 74% (487 out of 663) of GNR and PSP posts and police stations with territorial jurisdiction had a victim assistance room (SAV), highlighting the existence of a further 21 SAVs in other subunits /units, making a total of 508 SAV.

To deal with this phenomenon, the PSP currently has 449 Police in the Proximity and Victim Support Teams (EPAV) and 77 police officers assigned to the Special Domestic Violence Teams (EEVD), the PSP Criminal Investigation, which constitute a first line of intervention, protection and security, service, monitoring, support and referral of victims.

GNR has specialized teams, 24 hours a day, 365 days a year, to advise, support and investigate this crime in all districts.

In the Security Forces, in 2022, there were a total of 1343 personnel with specific responsibilities within the scope of the domestic Violence (809 in the GNR and 534 in the PSP).

2. The GNR had 124 military personnel assigned to the Investigation and Support Centers for Specific Victims (NIAVE) and 685 military personnel assigned to the Investigation and Inquiry Teams; in the PSP there were 357 elements assigned to the Proximity and Victim Support Teams (EPAV) (exclusively), 90 elements assigned to the special domestic violence - investigation teams. Finally, 87 of elements of PSP were performing functions in the mixed EPAV-EPES teams.

It is also possible to report a case of domestic violence using the complain on line, according to the indicators of 2022, in the Electronic Complaint System, reports of domestic violence were received via this digital mean, which corresponds to around 2.4% of the total volume of reports made through this System.

Since 2008, when the System came into operation, until December 31, 2022, a total of 530 complaints regarding domestic violence were registered, which represents around 3.6% of the total complaints made through this System. It should be noted that within the scope of this System, a set of information and guidelines are made available to promote the safety of victims of domestic violence.

42. Please explain whether specialist police/prosecution units exist to investigate and prosecute violence against women and specify:

- a. which forms of violence against women they are competent for;

- b. whether such units exist in all police/prosecution districts throughout the country.

At the national level, there are numerous public prosecutors who deal exclusively with directing the investigation of crimes of domestic violence, gender-based violence and sexual violence. Simultaneously, in Lisbon and O'Porto Regional Departments of Investigation and Criminal Action (DIAP) there are 5 Integrated Specialised Sections on Domestic Violence (SEIVD) – in Matosinhos, O'Porto, Sintra, Lisboa and Seixal. In order to promote adequate coordination between criminal and civil (family and children) jurisdictions, SEIVD are composed by two units of functional operation, working in coordination: the Unit on Criminal Action (NAP) and the Unit on Family and Children (NFC). Their work is regulated by Attorney-General's Directive 5/2019/PGR.

43. Please describe any measures taken to ensure swift investigation into and effective prosecution of cases of violence against women and domestic violence such as prioritisation through fast-tracking, benchmarking or other initiatives, without compromising the thoroughness of the investigation.

All domestic violence proceedings are urgent. Furthermore, as it concerns any form of violence provided for under the Istanbul Convention, all victims thereof are considered especially vulnerable victims.

The above mentioned Handbook on the Functional Operation of Criminal Police Bodies (also called "The 72-Hour Handbook") defines the terms to improve the mechanisms to be adopted by criminal police bodies within 72 hours after a case of ill-treatment in the context of domestic violence is reported, in coordination with other concerned entities and structures, on the basis of the recommendations issued by the multidisciplinary technical commission to improve the prevention of, and combat to, domestic violence (CTM).

This handbook, as well as Prosecutor-General's Directives 5/2019 e 1/2021, establish operation practices aimed at accelerating procedures and furthering respect for the rights to information, assistance, and protection of victims of these types of crime.

44. Are any measures taken to encourage women and girls who experience any of the forms of violence against women covered by the Istanbul Convention to report incidents of violence to the authorities? Please provide examples of any measures taken to instill confidence in law-enforcement officials, including those aimed at addressing any language or

procedural difficulties they encounter when lodging complaints, in particular those of migrant women, asylum-seeking women, women with disabilities, women with addiction issues and other women and girls at risk of intersectional discrimination.

Portugal has been promoting National Campaigns aimed at reaching diverse audiences, with special attention to the prevention and combat of domestic violence and violence against women. The Commission for Citizenship and Gender Equality together with several Civil Society Organizations launch annual campaigns to combat domestic violence and violence against women.

45. Please indicate whether protocols/standard operating procedures or guidelines for police officers are in place providing guidance on how to receive reports, interview victims, investigate and collect evidence in cases of rape and sexual violence, domestic violence, psychological violence, stalking, sexual harassment (including their online manifestation), forced marriage, female genital mutilation and forced sterilisation/abortion. Please provide information on how the authorities ensure the comprehensive collection of evidence beyond the victim's testimony.

One of the measures included in RCM No. 139/2019 is the improvement of the domestic violence reporting standard form used by police forces, Judiciary Police and Public Prosecution Office. This measure has materialized through the adoption of the Ministerial Order No. 209/2021, of 18th October. This form is applicable to report maltreatment situations in the context of domestic violence characterizing the crime of domestic violence established in article 152 of the Criminal Code or other crime committed against one of the persons provided for in article 152 (1) with a more serious criminal framework, such as a serious physical integrity offense and homicide (attempted form).

One of the improvements is the inclusion of a field to record the victim's statements, which, if confirmed by its signature, are valid as an act of inquiry in the investigation phase, thus enabling to summon him/her again to confirm the statements in the investigation phase.

This form is in use since august 2022. In an attempt to ensure adequate conditions for specialised, dignified and tailor-made assistance to each type of victimisation, the SFS have significantly increased the number of stations and police stations in the country, which foresee victim assistance and support rooms (SAV) on their premises.

In 2020, the Rules on the Material Conditions of the Victim Assistance Rooms in Police Premises were approved, which detail the conditions the SAV must meet, thus contributing to strengthen the quality of assistance provided to victims of crimes, notably the most vulnerable, in particular victims of domestic violence (Order no. 11718-A/2020 of 25th November).

Under Resolution 139/2019, of 19 August, approved following the recommendations of the Multidisciplinary Technical Committee for the Improvement of Prevention and Combat against DV (created in March of 2019 and that in June presented its recommendations), within the scope of the established priority actions, several working groups were created and products were concluded and disseminated, namely the functional action handbook to be adopted by the Law enforcement agencies (LAE) within 72 hours of filing a complaint for mistreatment committed in the context of DV; and the already mentioned, annual joint training plan on violence against women and Domestic Violence (currently being implemented) and the Guide for integrated intervention with children or young persons victims of DV.

In terms of improving the intervention, it should also be mentioned that new models for attributing the status of victim were developed (entered into force in September 2021) and the standard DV registration form (used by LAE) has also been revised and entered into force in January 2022). The new models for the victim status were approved, for especially vulnerable victim status and for the status of the domestic violence victim, were approved by Ordinance No. 138-E/2021, of 1st July.

These new models aim to: update the existing model according to the legislation in force, in order to avoid presenting to the victim two documents with complementary information; clarify and simplify these instruments, in order to provide to the victim a more comprehensible information enabling her to be autonomous and as so contributing to the victim's empowerment; provide information targeting areas of victimization that are subject to specific rights, more specifically the one regarding human-trafficking, aid to illegal immigration and terrorism.

This new model informs, in a very clear and accessible way, about the victim's rights. The Ordinance states that whatever the nature of the crime or the special vulnerability, the victim is always granted the applicable victim's status. Regarding the collection of evidence, reference should also be made to the Criminal Police Bodies Action Manual for procedures within 72 hours after a domestic violence complaint which was produced following Council of Ministers Resolution 139/2019.

This action manual dedicates a specific chapter to evidence collection, underlining the need to diversity means of evidence. In particular, the manual highlights best practices in terms of precautionary and police measures, regarding the hearing of victims and of third-party complainants, regarding statements for future memory, regarding measures to protect the victim and contain the offender, as well as regarding the swift definition of criminal procedure to be taken.

Finally, taken in account the quarterly official data on VAW/DV, collected since 2019 that include indicators regarding coercive measures applied in the context of VD crime, namely: Coercive measures – distance from the victim Coercive measures – distance from the victim – with electronic surveillance Coercive measures – distance from the victim – without electronic surveillance.

This data shows that there has been an increase in the application of these measures.

46. Please describe the efforts taken to identify and address all factors that contribute to attrition (the process whereby cases drop out of the criminal justice system) in cases of violence against women and domestic violence.

In the last years efforts have been made for reducing the attrition rates namely with the above-mentioned guide. Or the development of the also above mentioned database on VAW/DV that will centralize a wide range of official data – it will expand data collected by law enforcement agencies to cover other forms of violence against women and other public sources of data in this field, improve data indicators on DV so as to include different forms of VAW including, stalking, sexual violence and rape and standardize data collection among law-enforcement agencies and the judiciary regarding other forms of VAW than domestic violence, with the aim, inter alia, of assessing attrition rates.

Attrition can have negative consequences for victims, such as re-victimization, distrust in institutions and impunity for perpetrators. It is therefore important to ensure that cases are properly investigated, prosecuted, and sanctioned, respecting victims' rights and promoting their recovery.

To combat this phenomenon, Portugal has adopted several legislative, political, and institutional measures, which have been reported throughout the verification procedures of the recommendations addressed to Portugal by GREVIO. These include, for instance:

- a. The autonomy of the crime of domestic violence in the criminal code in 2007;
- b. The 2015 amendments to the Criminal Code regarding crimes against sexual freedom and self-determination, which added new crimes such as female genital mutilation and forced marriage.
- c. The creation of the National Network of Support for Victims of Domestic Violence, which integrates public and private services for the care, reception and protection of victims (which integrate 133 attendance structures, 39 shelters and 26 emergency shelters²³);
- d. The drawing up of national plans to prevent and combat violence against women and domestic violence, which define the strategies and actions to be developed by the several sectors involved²⁴
- e. The organization of awareness-raising and training campaigns on violence against women and domestic violence, aimed at the general population and at professionals dealing with these situations.

The above-mentioned Directives 5/2019 and 1/2021 aim at contributing towards this end. Specifically in relation to domestic violence, the Prosecutor-General's Office has elaborated Practical Note No. 1 (available online at <https://gfcj.ministeriopublico.pt/sites/default/files/documentos/pdf/nota-pratica-1-2023-viol-domestica-bem-juridico.pdf>), on the legal asset protected by this crime, which concludes by setting out good practices as it regards interpretation by public prosecutors.

47. Please indicate if legislative or other measures have been taken to issue a renewable residence permit to migrant women who have become a victim of any of the forms of violence

²³ <https://www.cig.gov.pt/wp-content/uploads/2019/01/Rede-Nacional-de-Apoio-às-Vitimas-de-violencia-domestica.pdf>

²⁴ National Strategy for Equality and Non Discrimination 2018-2030 (ENIND). ENIND includes the three following Action Plans, which define concrete measures for periods of four years:

- Action plan for equality between women and men;
- Action plan for preventing and combatting violence against women and domestic violence;
- Action plan for combatting discrimination on the grounds of sexual orientation, gender identity and expression and sexual characteristics.

covered by the Istanbul Convention if the competent authority considers that their stay is necessary for the purpose of their co-operation in investigation or criminal proceedings.²⁵

The Prosecutor-General's Office has issued a favourable opinion in relation to existing legislative bills in that regard²⁶.

Article 51: Risk assessment and risk management

48. Please describe any standardised and mandatory risk assessment tools in use by all relevant authorities in all regions for forms of violence against women such as stalking, violence committed in the name of so-called honour and domestic violence and to what extent these tools are being used in practice to assess the lethality risk, the seriousness of the situation and the risk of repeated violence with a view to preventing further violence. Please specify whether the following elements are considered as red flags when carrying out the risk assessment:

- a. the possession of or access to firearms by the perpetrator;
- b. the filing for separation/divorce by the victim or the break-up of the relationship;
- c. pregnancy;
- d. previous acts of violence;
- e. the prior issue of a restrictive measure;
- f. threats made by the perpetrator to take away common children;
- g. acts of sexual violence;
- h. threats to kill the victim and her children;
- i. threat of suicide;
- j. coercive and controlling behaviour.

The risk assessment tool in use by GNR and PSP for domestic violence (RVD) became a mandatory procedure since November 2014. Since then, it is considered in the procedures regarding cases of domestic violence.

The information contained in this assessment is received by Prosecutors, who often request reassessments (e.g., whenever the investigation of the case is not delegated to GNR or PSP).

²⁵ This question refers to the obligation contained in Article 59, paragraph 3. State parties that have entered a reservation in respect of Article 59 may reply to this question but are not required to do so.

²⁶ See <https://www.parlamento.pt/ActividadeParlamentar/Paginas/DetailIniciativa.aspx?BID=152618>).

Such risk assessment procedures are considered in areas where mechanisms that facilitate a multi-agency approach are implemented and police forces are directly involved.

The entity that receives the complaint immediately draws it up, performs an initial risk assessment and defines the risk level as high, average or low. In order to do so, professionals are encouraged to:

- Consider the risk level ascertained as a result of the application of the form, which comprises 20 risks factors;
- Consider other potential risk factors not mentioned therein and that might have been identified according to information provided by the victim or by any other witnesses;
- Make use of their professional judgement.

The victim's opinion on the degree of risk to which she or he is subject is an essential element in this type of assessment and the decision for ascribing a risk level other than the one suggested by the form shall be properly substantiated.

One RVD (1L or 2L) shall be elaborated per victim. Accordingly, each occurrence will comprise as many RVDs as the number of victims identified. The RVD 1L form type is applied whether or not the occurrence is reported by the victim her/himself. In turn, the RVD 2L form type is only applied to the victim. Whenever an addition to the initial report is elaborated (e.g., in the case of new occurrences or when new facts are learned), a new RVD 1L form shall be filled in and such addition shall be signed.

The result of such assessment is an essential element to support the proposal of urgent protective/coercive measures. It shall be highlighted that the assessment form also comprises a list of risk management support measures that shall be selected pursuant to the results.

Both the standard form of the complaint and the victim's risk assessment carried out by the criminal police bodies are then sent to the Public Prosecutor's Office.

The risk assessment shall be reviewed and updated, including during the investigation stage, as it is highly dependent on the circumstances of the victim. Guidelines exist regarding reassessment timelines - ranging from periods of 3 to 60 days - that consider the risk level ascribed. All the procedures as described in the Handbook of application of RVD

Council of Ministers' Resolution No. 139/2019, of 19 August has defined a set of measures aimed at strengthening responses to prevent and combat violence against women and domestic violence.

Under this resolution, several actions were established and undertaken, such as the publication of guides establishing coordinated action lines and procedures on violence against women and domestic violence to be followed by all relevant professionals, in line with GREVIO recommendations. Regarding risk assessment tools, we highlight the following: Action manual for the criminal police forces in the 72 hours ensuing a domestic violence complaint²⁷

- a. Guide for an integrated intervention with children who are victims of domestic violence²⁸ (including on detection, protection, and referral procedures).
- b. Common training plan on violence against women and domestic violence²⁹ (including harmonized concepts, training contents and methodologies based on concrete cases)

In addition, Prosecution Office's Directive 5/2019 of 15/11/2019 establishes specific procedures to be observed by Public Prosecutors in the area of domestic violence, regarding risk assessments [see answer to Question 32 e)].

When there is news of physical or psychological ill-treatment against a potential victim of domestic violence (persons referred to in article 152(1) of the Criminal Code), the criminal police body should follow the above-mentioned action manual and Directive, which establish the procedures for victim protection, urgent acquisition of evidence and risk assessment

²⁷ https://www.cig.gov.pt/wp-content/uploads/2020/06/172-20_MANUAL_ATUACAO_FUNCIONAL_Final.pdf

²⁸ https://www.cig.gov.pt/wp-content/uploads/2020/06/170-20_Guia_Intervencao_Integrada.pdf

²⁹ https://www.cig.gov.pt/wp-content/uploads/2020/06/172-20_PLANO_ANUAL_FORMACAO.pdf

established in the Law on Domestic Violence.

The risk assessment is carried out in accordance with the forms currently in force and under the terms of the respective action manual. The risk of victimization of children living with the victim will also be identified. It should be done and confirmed by a professional with specific training. The result should always be communicated to the victim.

When the security forces have applied the RVD-1L risk assessment form, they shall always undertake periodic reassessments.

The security force that has applied the RVD-1L risk assessment form and does not have investigative powers will carry out a single reassessment and forward it to the prosecutor in charge of the investigation. In this case, the prosecutor may expressly request other reassessments. Both the standard form of the complaint and the victim's risk assessment carried out by the criminal police bodies are then sent to the Public Prosecutor's Office.

The risk assessment shall be reviewed and updated, including during the investigation stage, as it is highly dependent on the circumstances of the victim. Guidelines exist regarding reassessment timelines - ranging from periods of 3 to 60 days - that consider the risk level ascribed.

When the report for a crime of domestic violence is drawn up at the Public Prosecutor's Office or the complaint is filed there, the Prosecutor in charge may apply the RVD-1L risk assessment form.

According with this documentation, the verification of any of the elements referred to as red flags should be signaled in the forms.

49. Please specify how effective co-operation is ensured between the different statutory authorities and specialist women's support services in making risk assessments and whether the risks identified are managed by law enforcement agencies on the basis of individual safety plans that include also the safety of the victim's children.

Risk assessment is currently undertaken in all situations of domestic violence and in relation to any victim, including children, despite the fact that the standardized form currently in use is strongly geared towards situations of violence within relations of past or present marital intimacy.

Such assessments may be undertaken by law enforcement officers, public prosecutors or NGO members of the National Network to Protect Victims of Domestic Violence. The staff of Victim Support Offices (GAV) established in Departments for Investigation and Criminal Action (DIAP) has received specific initial training in this regard. Whenever a risk assessment is undertaken, an Individual Security Plan specific to each victim is elaborated, and the person informed thereof.

50. Please describe the efforts made to analyse retrospectively all cases of gender-based killings of women, in the context of domestic violence and other forms of violence against women to identify the existence of possible systemic gaps in the institutional response of the authorities with the aim of preventing such acts in the future.

The Retrospective Analysis Team of Homicide in Domestic Violence (EARHVD) has as its mission and objectives the analysis of homicide situations that occurred in the context of domestic violence and that have already been the subject of a final judicial decision or a final decision of archiving or non-pronunciation, aiming to draw conclusions that allow the implementation of new preventive methodologies at the level of the respective procedures and also the production of recommendations to the entities public, private and social sector intervention in this field. It was created by Article 4a of the Law establishing the legal regime applicable to the prevention of domestic violence and the protection and assistance of its victims (Law No 112/2009 of 16 September, as amended by Law No 129/2015 of 3 September (LVD)), the retrospective analysis procedure being regulated by Ordinance No 280/2016, of 26 October, by the Rules of Procedure of the EARHVD and the Manual of Retrospective Analysis prepared by it³⁰.

All reports produced by the team are available, in English, on the team's [website](#) . The work of this team has been identified as good practice at European level, which has motivated its involvement in the training of professionals from other countries, namely in the training of the Norwegian team.

Article 52: Emergency barring orders

51. Have any legislative or other measures been taken to introduce and/or amend the legal framework governing emergency barring orders in order to align it with the requirements of Article 52? If yes, please specify whether:

³⁰ <https://earhvd.sg.mai.gov.pt/LegislacaoDocumentacao/Pages/Relatorio-de-Atividades.aspx>

Portuguese law provides urgent measures to interdict the perpetrator of domestic violence in situations of immediate danger, aiming to protect the life, physical and psychological integrity, freedom and safety of the victims and their relatives.

Urgent measures of interdiction shall not prejudice the application of other measures of restraint or asset security provided for in the Code of Criminal Procedure.

The coercive measures are provided for in the Code of Criminal Procedure (articles 196 to 203) and are characterized as measures taken provisionally and in the initial phase of the proceedings, whenever any of the following assumptions are met: when there is escape or danger of escape, danger of disturbance to the course of the enquiry or instruction for the acquisition, preservation or veracity of evidence, or danger that the accused will continue criminal activity or seriously disturb public order and tranquility³¹

Although these measures can be applied in the initial phase of the process, by the criminal instruction judge, it is still necessary to decide the application of "urgent measures of coercion", in the scope of article 31 of Law no. 112/2009, of 16 September (for domestic violence).

The main difference with the general rule is the clear urgency of the measures, which can be applied within 48 hours of the defendant being charged.

Such measures must be justified according to the principles of necessity, appropriateness, and proportionality (Article 193 of the Code of Criminal Procedure), under penalty of being invalid and violating the rights of the accused.

According to article 31 of the Domestic Violence Law³² the Public Prosecutor may request the examining judge, within the scope of the investigation, after being formally considered suspected of having committed a crime of domestic violence (constituted defendant), the application of urgent measures of interdiction to the defendant, such as:

- a. Not acquire, use or hand over, on an immediate basis, weapons or other objects and utensils in their possession that are capable of facilitating the continuation of criminal

³¹ Article 204 (a), (b) and (c) of the Code of Criminal Procedure.

³² Law no. 112/2009, of 16 September, which establishes the legal regime applicable to the prevention of domestic violence and the protection and assistance of its victims.

activity.

- b. To be subject, with prior consent, to attend a program for defendants in crimes within the context of domestic violence.
- c. Not remaining in or approaching the residence where the crime was committed, where the victim lives or which is the family home, imposing on the accused the obligation to leave it
- d. Not contacting the victim, certain persons or frequenting certain places or certain environments, as well as not contacting, approaching, or visiting pet animals of the victim or the family
- e. Restricting the exercise of parental responsibilities, guardianship, the exercise of measures relating to vulnerable adults, the administration of property or the issue of securities.

These measures shall be applied by the examining judge **within 48 hours** of the request by the Public Prosecutor's Office, after hearing the defendant, if possible, and weighing the conflicting rights and interests. The judge may also order that compliance with the measures be monitored by remote technical means (electronic surveillance).

The urgent measures of coercion do not depend on the validation of the accused, within 10 days, as a person who is formally constituted as a party to proceedings, in terms of paragraph 3 of Article 58 of the Code of Criminal Procedure. Under Law No. 112/2009 of 16 September, the judge can directly and immediately order the measure, without any requirement or pronouncement of the Public Prosecutor on the judicial decision and without the need for prior hearing of the accused.

Urgent measures of interdiction shall not prejudice the application of other measures of restraint or asset security provided for in the Code of Criminal Procedure (articles 196 to 201).

Regarding the materialization of responses through the action of the competent authorities, Council of Ministers' Resolution no. 139/2019, of 19 August, as it was already mentioned, has defined a set of measures aimed at strengthening responses to prevent and combat violence against women and domestic violence.

Under this resolution, several actions were established and undertaken, such as the publication of guides establishing coordinated action lines and procedures on violence against women and domestic violence to be followed by all relevant professionals, in line with GREVIO recommendations. Regarding the functional action of the authorities the Action manual for the

criminal police forces in the 72 hours ensuing a domestic violence complaint should be highlighted.

It establishes the procedures that start with the knowledge of the crime and that should be developed by the Criminal Police Bodies (OPC), with a view to protecting and supporting the victim, preserving, and mobilizing urgent evidence, containing, and defining the procedural situation of the aggressor and the subsequent judicial and social intervention integrated.

It also defines the terms for the improvement of the mechanisms to be adopted by the OPCs within 72 hours following the lodging of a complaint of ill-treatment committed in a context of domestic violence, in coordination with the other entities and structures involved in this area, based on the recommendations of the Multidisciplinary Technical Commission for improving the prevention and combat of domestic violence.

These are standard procedures for police protocols to be applied in any situation of ill-treatment in the context of domestic violence.

The OPC, as soon as they become aware of any crime, should communicate it to the Public Prosecutor's Office as soon as possible, without prejudice to immediately start the investigation and, in all cases, carry out the necessary and urgent precautionary actions to ensure the means of proof and the protection of the victim. Within 72 hours, as determined by art. 29-A of the Domestic Violence Law, the OPC carries out the taking of evidence necessary to verify the basis of the complaint, define the protection measures that guarantee the victim's safety and enable the Public Prosecutor's Office to request coercive measures against the accused.

The victim should be mandatorily informed of the procedures outlined for the reassessment of risk, so that when these occur, they can understand their motives, promoting adherence to them.

Whenever there is news that a minor has been a victim of maltreatment, has witnessed a situation of domestic violence, lives with the victim or whose situation is one of the underlying reasons for the conflict, a communication shall be made, regardless of the consistency of the existing evidence, to the Commission for the Protection of Children and Young People in their area of residence, to the Public Prosecutor with competence in the family and juvenile jurisdiction and to the holder of the enquiry.

The OPC should guide its functional action in the sense of ensuring, whenever possible, the exit of the victims from their residence should only occur as a last resort, as well as in cases of high risk to their life or physical integrity, and should also act so that solutions, which legitimize, accept or perpetuate and normalize the exit of victims from their homes, often accompanied by children, are not admissible.

Whenever possible, effective measures to restrain the aggressor should be preferred, whenever possible the aggressor, whenever it seems indispensable for the safety of the victim(s).

The aggressor should be neutralized at the time, for example, by means of arrest and/or signaling the importance of adopting coercive measures to the Public Prosecutor's Office, in order to the removal of the aggressor (including the use of electronic surveillance).

The referral to foster care should be the last alternative to the response to be given regarding the victim's decision to leave her residence, seeking, first, solutions for the exit of the aggressor from the victim's home, fostering by a relative or for by close person indicated by the victim.

Reference should also be made to Public Prosecution Office's Directive 5/2019 of 15/11/2019 which establishes specific procedures to be observed by Public Prosecutors in the area of domestic violence, regarding risk assessments [see answer to Question 32 e)].

When there is news of physical or psychological ill-treatment against a potential victim of domestic violence (persons referred to in article 152(1) of the Criminal Code), the criminal police body should follow the above-mentioned action manual and Directive, which establish the procedures for victim protection, urgent acquisition of evidence and risk assessment established in the Law on Domestic Violence.

- a. emergency barring orders may remain in place until a victim can obtain a court-ordered protection order in order to ensure that gaps in the protection do not arise;

Law 112/2009, of September 16, which establishes the legal framework applicable to the prevention of domestic violence and the protection and assistance of its victims, did not expressly establish any maximum duration of the coercive measures provided for therein, after which they will be extinguished.

As for the duration, amendment and revocation of the urgent coercive measures provided for therein, Law 112/2009 only refers to this matter in article 35, paragraph 5 (which states that the rules provided for in articles 55 to 57 of the Criminal Code and articles 212 and 282 of the Code of Criminal Procedure apply to the revocation, amendment and termination of the removal measures supervised by remote technical means). It completely omits to regulate the removal measures that are not subject to supervision by technical means and the other measures provided for in article 31.

Express reference to article 212 of the Code of Criminal Procedure means that coercive measures, when supervised by remote technical means, are immediately revoked if it is found that they have been applied outside the conditions provided for by law or if the circumstances that justified their application no longer subsist. Similarly, they are replaced by a less onerous measure, or a less serious form of execution is determined, when the precautionary requirements are reduced. It is understood that the other measures are also subject to these rules, under penalty of maintaining the application of a measure of coercion, which is illegal, as it is unnecessary to the precautionary requirements of the process.

On the matter of the duration of coercive measures applied in the context of crimes of domestic violence, the Case law³³ is currently expressing the view that the general rules set out in the Code of Criminal Procedure must be applied. According to that, the maximum duration of the coercive measures in article 31 of Law 112/2009, of 16 September, is that provided for in articles 218(2) and 215(2) of the Code of Criminal Procedure (CCP), considering the very similar nature of the measures to those provided for in article 200 of CCP. It is 6 months until the indictment is filed, 10 months until a decision to indict is made, 1 year and 6 months until a conviction in the first instance and 2 years without a final conviction - and because we are dealing with a crime that includes the concept of violent crime (Article 1 (j) CCP).

As for the extinction of the measures, they are subject to the causes of extinction set out in article 214 of the Criminal Procedure Code (closure of the enquiry, issuing of an order not to indict, an order rejecting the charge or an acquittal decision).

- b. support and advice are made available to women victims of domestic violence in a

³³ Judgment of the Oporto Court of Appeal of 16-11-2022 (proc. 983/21.7PBAVR-A.P1); Judgment of the Oporto Court of Appeal of 04-01-2023 (proc. 11/22.5PIPRT-B.P1); Judgment of the Oporto Court of Appeal of 22-02-2023 (189/20.2GEGDM-A.P1)

pro-active manner by the authority competent to issue an emergency barring order;

Victims may benefit from other protection measures provided for in Law no. 112/2009, such as legal aid, psychological support, placement in a shelter or in an emergency service structure, assignment of the status of particularly vulnerable victim and the right to compensation.

Whenever there are children below 18 years of age, the regime of visits of the aggressor must be evaluated and may be suspended or conditioned, according to the applicable law.

According to Portuguese law the victim of domestic violence benefits from the statute of victim from the moment when the complaint of the perpetration of the crime of domestic violence is lodged, which gives them a set of rights and guarantees aimed at protecting and supporting the victim³⁴.

The status is granted to the victim of the crime, if there are no indications that the complaint is false, and also to children and young people who witness or have witnessed situations of domestic violence. For more information on the rights granted please see the answer 35 a) .

- The right to be informed about the process, their rights and duties, the support a) services available and the existing protection measures. For example, the victim has the right to know if the aggressor has been arrested, released, or subjected to any measure of coercion, as well as to receive information on the progress of the case and the appeals that can be lodged.
- The right to receive free legal aid and to be assisted in the proceedings. For example, the victim may request the assistance of a lawyer or a public defender to defend his or her interests in the proceedings and may intervene at all stages of the proceedings and submit requests or complaints.
- The right to benefit from protection measures appropriate to their situation, such as distancing from the offender, prohibition of contacts or electronic surveillance. For example, the victim can ask the court to impose an obligation on the abuser to stay away from her residence or workplace, to forbid him/her to approach or communicate with her/his relatives, or that his or her address shall be concealed in notifications from competent authorities addressed to the suspect or accused person.
- The right to be heard and to actively participate in the proceedings, and to present evidence, request measures and appeal against decisions. For example, the victim

³⁴ The Ordinance no. 138 - E/2021 of 1st July approves the models of supporting documents for the attribution of the victim status and the especially vulnerable victim status, including for the crime of domestic violence.

can make statements about the facts they have witnessed or suffered, present documents, witnesses, or other evidence to support their version of the facts, ask the court to order medical or psychological expertise to prove the damage suffered, or challenge decisions they consider unfair or unlawful.

- Right to be compensated for the damage suffered in result of the crime and may request the payment of compensation by the State. For example, the victim can ask the court to condemn the offender to pay a sum of money for the material damage (such as medical expenses or loss of earnings) and non-material damage (such as physical or psychological pain) caused to him or her or ask the State for provisional or permanent compensation if the offender is unable to pay.
- The right to benefit from psychological, social, and medical support through the national support network for victims of domestic violence, which includes shelter homes, care structures and free telephone services.

c. children are specifically included in contact bans issued under the emergency barring order;

Yes, they are. The Public Prosecutor's Office must request, within 48 hours of becoming aware of the situation, the regulation or alteration of the regulation on the exercise of parental responsibilities, if a coercive measure is decreed or an accessory penalty of prohibition of contact between parents is applied, or if the rights and safety of the victims of domestic violence and of other forms of violence within a family context, such as child abuse or sexual abuse, are at serious risk³⁵.

any exceptions to contact bans are made and in which circumstances.

Domestic violence is a serious crime that violates the human rights and dignity of the victims. Portuguese law provides interdiction measures to the perpetrator of domestic violence in several situations, in order to protect the physical and psychological integrity of the victims and prevent the repetition of the acts of violence.

There is no explicit reference to exceptions to contact bans in the law.

³⁵ Article 44-A of Law No. 141/2015, of September 8, and Article 31(4) of Law n.º 112/2009, of September 16

Nevertheless, the application of any coercive measure must respect the principles of necessity, appropriateness, proportionality, and minimum intervention, given the need to reconcile the principle that every accused is presumed innocent until a sentence is passed against him or her with the need to subject him or her to coercive measures before conviction.

The choice of the most appropriate measure or measures depends on the seriousness of the crime, the defendant's personality, family and social situation, criminal record and the concrete danger posed to the victim or the community. The judge must apply the least restrictive measure or measures that are sufficient to achieve the desired objectives.

Portuguese law allows for the existence of “exceptions” in domestic violence cases to the prohibition of contact between the aggressor and the victim in some situations, but always with the safeguard of the victim's rights and interests.

For example, if during the proceedings the accused and the victim have moved back to live with each other in conditions similar to those of spouses, the additional penalty of prohibition of contact with the victim (namely imposing the removal of the accused from the residence where he or she lives with the victim) cannot be applied, under penalty of illegitimately exceeding the freedom and autonomy of will of the victim herself³⁶.

Another situation in which there may be an exception to the prohibition of contact is when the offender and the victim have children in common and it is necessary to regulate parental responsibilities. In this case, the court may authorise time-limited contact between the parties, for example, through a mediator or a specialised entity, which does not put the safety and well-being of the victim and the children at risk³⁷.

³⁶ Judgment of the Court of Appeal of Évora, of 29 Nov. 2016, Case 195/15

³⁷ Judgment of the Court of Appeal of Lisbon of 10 May 2018 (2208/17.0T8CSC-A.L1-6)

These exceptions are applied in a restrictive and cautious manner, considering the concrete circumstances of each case and the principles described above. The aim is to protect the victim from further aggression and to promote her autonomy and recovery, as well as to prevent the aggressor from re-offending and to encourage her social reintegration.

The accused convicted of an accessory penalty prohibiting contact with the victim may have it suspended or revoked by the court, at the request of the accused or the victim, when certain requirements are met, such as, for example:

- The defendant has fully served the main penalty, or the main penalty has been declared extinct.
- The accused has complied with the rules of conduct imposed by the court.
- The victim gives his or her consent unless the court does not consider the consent to be free or informed.
- The court considers that the suspension or revocation does not jeopardise the safety of the victim or public order.

52. Please provide information on the measures taken to enforce emergency barring orders and on responses to any violations of such orders.

Should it prove to be indispensable for the protection of the victim, the court must order that compliance with such measures should be monitored by remote technical means³⁸.

The use of technical means of remote control depends on the consent of the accused or the agent and, in cases where their use includes the participation of the victim, it also depends on the consent of the latter. It also depends on the consent of the people who must provide it, namely the people who live with the accused or the agent and those who may be affected by the mandatory stay of the accused or the agent in a certain place.

The failure by the defendant to comply with urgent coercive measures constitutes a crime of disobedience³⁹. In addition, non-compliance may lead to the application of a more serious measure or to pre-trial detention of the accused⁴⁰.

³⁸ Article 35 of Law n.º 112/2009, of September 16th.

³⁹ Article 348 of the Criminal Code

⁴⁰ Article 203 of the Criminal Code

The victim-worker has the right to be transferred, temporarily or permanently, to another establishment of the company, when two conditions are met: the presentation of a complaint and the departure from the family home at the time of the transfer⁴¹. Once the transfer request is made, the employer must proceed with the transfer, under penalty of being obliged to pay compensation to the employee for the unjustified refusal. The victim may also "immediately suspend the contract "117 until the transfer is made. The law also gives relevance to working time, to the extent that the victim's request to change from part-time to full-time, as well as the increase of working hours, should be considered as a priority or vice-versa. Consequently, the victim will be able to continue with her professional life, as the aggressor will no longer have access to her working hours or even the location.

Article 53: Restraining or protection orders

53. Have any legislative or other measures been taken to introduce and/or amend the legal framework governing restraining and protection orders in order to align it with the requirements of Article 53? If yes, please specify whether:

Yes. Please see answer to question 51.

- a. restraining or protection orders are available – in the context of criminal proceedings and/or upon application from civil courts - to women victims of all forms of violence covered by the Istanbul Convention, including domestic violence, stalking, sexual harassment, forced marriage, female genital mutilation, violence related to so-called honour as well as digital manifestations of violence against women and girls;
- b. children are specifically included in protection orders;
- c. any exceptions to contact bans are made and, if so, in which circumstances these may be made.

Please see answer to question 52.

54. Please provide information on the measures taken to enforce protection orders and on responses to any violations of such orders.

Please see answer to question 52.

⁴¹ Article 42 no.1 of law 112/2009 and Article 195 of the Labour Code

Article 56: Measures of protection

55. Please provide information on the measures taken to ensure the following:

- a. that the relevant agency informs the victim when the perpetrator escapes or is released temporarily, at least when they or their family might be in danger (paragraph 1 *b*);

According to article 11 of Law 112/2009, the State shall ensure that victims are provided with adequate information to protect their rights, namely on support services and legal measures available, guaranteeing that this information is provided in good time and in a language that the victim understands.

Article 11, §9 of the victim's Status, establishes that appropriate mechanisms should be promoted to provide victims, especially in cases where the accused is recognized as dangerous, with information on the main judicial decisions affecting their status, in particular the application of coercive measures. According to §10, victims should be informed, without undue delay, of the release or absconding of a person who has been arrested, charged, sentenced or convicted.

- b. the protection of the privacy and the image of the victim (paragraph 1 *f*);

Victim's Status

Pursuant to Article 15 (1) of the Victims Status, an adequate level of protection is ensured to victims and, where appropriate, their family members, particularly as regards safety and privacy, when the competent authorities consider that there is a serious threat of reprisals and situations of victimisation or strong indications that this privacy may be disturbed.

Paragraph 2 of the same Article adds that contact between victims and their relatives and suspects or accused persons should be avoided in all places where they are present during proceedings, namely in court buildings

Law 112/2009

Law 112/2009, establishes in article 20 that an adequate level of protection is ensured for the victim and, where appropriate, their family or people in a similar situation, namely with regard to security and safeguarding privacy, whenever the competent authorities consider that there is a serious threat of reprisals, situations of re-victimisation or strong indications that this

privacy may be disturbed.(§1) Contact between victims and defendants in all places where they are present during joint proceedings, namely in court buildings, should be avoided, without prejudice to the application of the procedural rules established in the Code of Criminal Procedure.(§2) . Particularly vulnerable victims must be guaranteed the right to benefit, by court decision, from conditions of testimony, by any compatible means, that protect them from the effects of testimony given in open court (§3).

Victims can request that their address be withheld from notifications from the competent authorities to which the suspect or defendant is the addressee. (§5) These provisions can be applied together with other solutions contained in the special witness protection regime, particularly with regard to the protection of the victim's family members.

Article 27 of the same law assures that the victims assistance offices operating within the criminal police agencies ensure the prevention, assistance and monitoring of situations of domestic violence (§1); Each security force and service shall set up its own network of offices, equipped with suitable conditions, including privacy, for attending to victims (§2).

These provisions should also be implemented, whenever possible, on the premises of the investigation and prosecution departments (DIAP) (§3).

The victim is guaranteed priority in the service provided by the employment centres and vocational training centres of the Institute for Employment and Vocational Training, I. P. (IEFP, I. P.). (IEFP, I. P.), which must be carried out in conditions of privacy (article 48, §2), and specially related to the rights and duties of victims and minors children sheltered in foster care, article 70 establishes that victims and their minor children sheltered in shelters have right to accommodation and food in dignified conditions and to enjoy privacy and a degree of autonomy in the conduct of their personal lives appropriate to their age and situation.

Code of criminal proceeding

The Code of Criminal proceedings enshrines rules that protect privacy and the right to the image and intimacy of private life (Article 87 and Article 88) .

Article 87(3) of the CPP on public attendance at procedural acts establishes that in the case of proceedings for the offence of trafficking in persons or offences against sexual freedom and self-determination, procedural acts take place, as a rule, without publicity.

In addition, Article 88(1) of the CPP states that the media is only allowed to give a detailed account, within the limits of the law, of the content of procedural acts that are not covered by judicial secrecy or which the general public is allowed to attend.

In addition to the procedural rules already mentioned, the media are subject not only to the legal regime aimed at directly protecting children, but also to the rules resulting from the activity carried out by the media.

With regard to the rules designed to protect children, special mention should be made of those contained in the Victims Status (Law no. 130/2015, of 4 September), which states in Article 22 (Rights of child victims) that information that could lead to the identification of a child victim must not be disclosed to the public, under penalty of its agents incurring the crime of disobedience (no. 5).

This provision is complemented by an express authorisation for the media, which reads as follows: 1 - The media, whenever publicising situations relating to the commission of crimes, when the victims are children or young people or other particularly vulnerable persons, may not identify, or transmit elements, sounds or images that allow their identification, under penalty of their agents incurring in the commission of a crime of disobedience. 2 - Without prejudice to the provisions of the previous paragraph, the media may report the content of the public acts of the criminal proceedings relating to the crime in question (Article 27.)

Finally, mention should be made of the general limits to which the media are subject, which are set out in the laws that govern their activity: Article 3 and Article 30 of the Press Law (Law no. 2/99, of 13 January); Articles 27, 34, and 71 of the Television and Audiovisual Services on Demand Law (Law 27/2007, of 30 July); and Articles 30, 32 no. 1; 65 no. 1 of the Television and Audiovisual Services on Demand Law (Law 27/2007, of 30 July). as well as the Journalists' Code of Ethics, which stipulates that journalists must not directly or indirectly identify victims of sexual crimes. Journalists must not directly or indirectly identify minors, whether they are sources, witnesses to news events, victims or perpetrators of acts that the law classifies as criminal offences. Journalists must not humiliate people or disturb their pain.

The same reasoning applies, *mutatis mutandis*, to offences committed through the media, because the principle of the best interests of the child and the imperative standards of protection that aim to protect them determine this.

Other rules in the Portuguese legal system also protect children, namely those contained in

the Law for the Protection of Children and Young People in Danger, which prohibit the dissemination by the media of information about children and young people at risk (Articles 1, 2, 3, b), f) and g), and 90). It also includes the rules of the civil guardianship regime (Law 141/2015 of 8 September), in particular Articles 90(1) and 33(2), which also prohibit the dissemination of such information and refer to the aforementioned regime of the Protection Law.

- c. the possibility for victims to testify in the courtroom without being present or at least without the presence of the alleged perpetrator, notably through the use of appropriate communication technologies, where available (paragraph 1 i);

According to article 32 of Law 112/2009, if the victims' statements and testimonies, involve the presence of the accused, shall be made via videoconference or teleconference if the court, namely at the request of the victim or the Public Prosecutor's Office, deems it necessary to ensure that statements or testimonies are made without constraints, and may, for this purpose, request the opinion of health professionals, victim support technicians or other professionals who are monitoring the development of the situation.(§1) . Whenever the victim so requests, he or she shall be accompanied when making statements or giving evidence by a victim support counsellor or another professional who has been providing psychological or psychiatric support (§2) .

Article 33 of Law 112/ 2009 is also important. the judge, at the request of the victim or the Public Prosecutor's Office, may question the victim during the course of the enquiry, so that the testimony may, if necessary, be taken into account in the trial.(§1) The Public Prosecutor's Office, the accused, the defence counsel and the lawyers constituted in the case shall be notified of the time and place of the statement so that they can be present, and the attendance of the Public Prosecutor's Office and the defence counsel is mandatory.(§2)

Statements are taken in an informal and reserved environment, with a view to ensuring that the answers are spontaneous and sincere, and the victim must be assisted during the proceedings by a victim support technician or other professional who has been providing psychological or psychiatric support, previously authorised by the court. (§3). The questioning is carried out by the judge, after which the Public Prosecutor's Office, the lawyers and the defence counsel, in that order, may ask additional questions. [§4). Articles 352, 356, 363 and 364 of the Code of Criminal Procedure shall apply accordingly. [§5)

The taking of statements under the terms of the previous paragraphs shall not prejudice the giving of testimony at a trial hearing, whenever this is possible and does not jeopardise the physical health of the accused. (§7)

If, for well-founded reasons, the victim is unable to attend the hearing, the court may order,

of its own motion or on request, that statements be taken at the place where he or she is, on a day and at a time that it will communicate to him or her, and the provisions of article 319 of the Code of Criminal Procedure shall apply accordingly (article 34 of 112/99).

Special rules apply related to the hearings of children victims of sexual abuse (article 21 and 24 of the Victims Status, article 271 and article 352 Code of criminal Proceedings)

Article 349.^o of the CCP establishes that the questioning of witnesses under the age of 16 is carried out only by the president. At the end of the questioning, the other judges, the jurors, the Public Prosecutor's Office, the defence counsel and the lawyers for the assistant and the civil parties may ask the president to put additional questions to the witness.

Law 93/99, of 14 July, which regulates the application of measures for the protection of witnesses in criminal proceedings, contains a set of measures aimed at protecting witnesses and, if necessary, their family members and persons living with them in conditions similar to those of their spouses, when their life, physical or psychological integrity, freedom or property of considerable value are endangered as a result of their contribution to the evidence of the facts that are the subject of the proceedings.

These measures are also designed to obtain, under the best possible conditions, testimony or statements from persons who are particularly vulnerable, particularly on account of their age, even if the danger referred to above is not present.

These include:

- making statements with concealment of the image or with distortion of the voice, or both, in order to avoid recognition of the witness (Article 4(1))
- giving statements by means of teleconference (Article 5(1));
- retention of knowledge of the identity of the witness (Article 16)
- non-disclosure of the identity of the witness (Article 15);
- ad hoc security measures, namely the indication, in the proceedings, of residence other than the habitual residence or which does not coincide with the places of domicile provided for by civil law; to be provided with transport in a vehicle provided by the State in order to be able to intervene in a procedural act; to benefit from police protection (Article 20);
- special security programmes (Article 21);
- specific measures for particularly vulnerable witnesses, particularly in view of their age, namely monitoring by a specialised technician; psychological support; prior visit (prior

appearance before the judge for the sole purpose of presentation and so that the victim can be shown in advance the premises where the act in which he or she is to take part will take place); temporary separation from the family or the closed social group in which he or she is included (Articles 26 to 31).

- d. the provision of appropriate support services for victims so that their rights and interests are duly presented and taken into account (paragraph 1 e).

As soon as the Public Prosecutor's Office becomes aware of the complaint, without prejudice to the precautionary and police measures already adopted, if it does not decide to call the case in, it orders the criminal police body, by the most expeditious means, to carry out urgent procedural acts to acquire evidence that will enable, in the shortest possible time, without exceeding 72 hours, the taking of measures to protect the victim and the promotion of coercive measures with regard to the accused (article 29 §1, law 112/2009) . When a complaint is presented, the victim is always referred to local support structures, with a view to drawing up a safety plan, if one has not been drawn up by the criminal police body, and for the purposes of receiving other legally prescribed support (article 29 §2))

Law112/2009 provides for:

- a) Awarding, rights and termination of victim status

Article 14 - Awarding victim status

Article 15 - Right to information

Article 16 - Right to a hearing and to present evidence

Article 17 - Communication guarantees

Article 18 - Specific assistance to victims

Article 19 - Victims' expenses resulting from their participation in criminal proceedings

Article 20 - Right to protection

Article 21 - Right to compensation and restitution of property

Article 22 - Conditions for preventing secondary victimisation

Article 23 - Victim resident in another State

Article 24 - Termination of victim status

- b) police action and judicial protection

Article 25 - Access to law

Article 26 - Technical advice and counselling

Article 27 - Victim assistance and information offices in criminal police agencies

Article 27a - Intervention by criminal police bodies
Article 28 - Procedural speed
Article 29 - Reporting the crime
Article 29-A - Victim protection measures
Article 30 - Detention
Article 31 - Urgent coercive measures
Article 32 - Use of videoconferencing or teleconferencing
Article 33 - Statements for future reference
Article 34 - Taking statements
Article 34-A - Victim risk assessment at the trial stage
Article 34b - Suspension of execution of prison sentence
Article 35 - Technical means of remote control
Article 36 - Consent
Article 37 - Compulsory communication and data processing
Article 37-A - Violence against Women and Domestic Violence Database
Article 37b - Compulsory communication of judicial decisions
Article 38 - Measures to support the reintegration of the perpetrator
Article 39 - Restorative meetings
Article 40 - Financial support.

c) Social protection

Article 41 - Co-operation of employers
Article 42 - Transfer at the worker's request
Article 43 - Absences
Article 43a - Family restructuring leave
Article 43b - Family restructuring allowance
Article 43c - Responsibility for payment of family restructuring allowance
Article 44 - Collective labour regulation instruments
Article 45 - Rent support
Article 46 - Social integration income
Article 47 - Family Allowance
Article 48 - Access to employment and vocational training
Article 49 - Clinical treatment
Article 50 - Exemption from user charges
Article 51 - Restitution of benefits
Article 52 - False declarations

c) Building a National network

Article 53 - National support network for victims of domestic violence

Article 53a - Coordination within the network and with other players

Article 54 - Free of charge

Article 55 - Participation of local authorities

Article 56 - Financing

Article 57 - Collaboration with foreign organisations

Article 58 - Commission for Citizenship and Gender Equality

Article 58-A - Powers of the Social Security Institute, I. P.

Article 59 - Territorial coverage of the national network

Article 60 - Shelters

Article 61 - Assistance structures

Article 61-A - Emergency shelters

Article 62 - Specific responses from public administration bodies

Article 63 - Objectives of shelters

Article 64 - Operation of shelters

Article 65 - Organisation and management of shelters

Article 66 - Technical team

Article 67 - Training the technical team

Article 68 - Reception

Article 69 - Immediate grounds for termination of reception

Article 70 - Rights and duties of the victim and minor children in foster care

Article 71 - Complaints

Article 72 - Domicile of victims in foster care

Article 73 - Medical care and medication

Article 74 - Access to educational establishments

Article 75 - Assistance centres

Article 76 - Mutual help groups

In the Ministry of Home Affairs, around 74% (487 out of 663) of GNR and PSP posts and police stations with territorial jurisdiction had a victim assistance room (SAV), highlighting the existence of a further 21 SAVs in other subunits /units, making a total of 508 SAV.

Part III: Emerging trends on violence against women and domestic violence

56. Please provide information on new developments since the adoption of GREVIO's baseline evaluation report on your country concerning:

- a. emerging trends in violence against women and domestic violence, including its digital manifestations (types of perpetration, groups of victims, forms of violence);
- b. emerging trends in domestic case law related to violence against women;
- c. emerging trends in the allocation of funding and budgeting by your state authorities;
- d. innovative approaches to primary prevention, for example new target audiences and means of communication, public/private partnerships etc.
- e. emerging trends related to access to asylum and international protection for women victims of violence against women.

We also underline a jurisprudential trend that recognizes the registration of victims' statements for future use in cases of domestic violence as an effective victim protection measure and the need to adopt this practice at the earliest possible moment.

Part IV: Administrative data and statistics

57. Please provide annual statistics for two complete calendar years prior to receiving this questionnaire on administrative and judicial data on:

- a. the number of reports, investigations opened, prosecutions, final convictions secured and sanctions imposed in respect of all forms of violence against women and domestic violence covered by the Istanbul Convention;
- b. the number of emergency barring orders issued by the competent authorities, the number of breaches of such orders, and the number of sanctions imposed as a result of these breaches;
- c. the number of protection orders issued, the number of breaches of such orders and the number of sanctions imposed as a result of such breaches;
- d. data on the number of decisions issued by family courts on custody/visitation/residence of children that have expressly taken into account incidents of domestic violence.

Although these data are from the Justice annually in the VD monitoring report, SGMAI makes the following data treatment that is sent if they consider it relevant:

Year 2021

Charges – 745 (includes acquittals, convictions and death of the accused);

Convictions- 467

Penalties:

- Fines – other crimes – 2;
- Effective arrest – 22;
- Working for the community – 1;
- Suspended – total – 398; divided as follows:
 - Suspended – 330;
 - Suspended – internment – 1;
 - Suspended and fine – 1
 - Suspended for 2 defendants – 1
 - Suspended 1 year – 1
 - Suspended 2 years – 6;
 - Suspended 2 years and 2 months – 1;
 - Suspended 2 years and 6 months – 3;
 - Suspended 2 years and 7 months – 1;
 - Suspended 2 years and 8 months – 1;
 - Suspended 3 years – 27;
 - Suspended 3 years and 10 months and fine – 1;
 - Suspended 3 years and 6 months – 3;
 - Suspended 4 years – 12;
 - Suspended 5 years – 9;
 - No information – 322

Ancillary penalties of prohibition of contact – 179;

Total occurrences (BDVD) – 27172;

Occurrences by type of violence (BDVD) – 46297 (physical violence – 17417; psychological violence – 21836; sexual violence – 701; economic violence – 1915; social violence – 4158; no information – 270)

Number of victims (BDVD) – 27172.

2022

Charges – 996 (includes acquittals, convictions and death of the accused);

Convictions- 622

Penalties:

- Fines – 3;
- Effective arrest – 21;
- Effective house arrest - 1
- Suspended – total – 530; divided as follows:
 - Suspended – 407;
 - Suspended – internment – 1;
 - Suspended and fine – 1;
 - Suspended 1 year – 4;
 - Suspended 2 years – 16;
 - Suspended 2 years and 10 months – 1;
 - Suspended 2 years and 3 months – 1;
 - Suspended 2 years and 6 months – 1;
 - Suspended 2 years and 8 months and fine – 1;
 - Suspended 3 years – 48;
 - Suspended 3 years and 4 months – 1;
 - Suspended 3 years and 5 months – 1;
 - Suspended 3 years and 6 months – 2;
 - Suspended 4 years – 15;
 - Suspended 4 years and 6 months – 2;
 - Suspended 5 years – 22;
 - Suspended 5 years by obligations – 2;
 - Community work – 1;
 - No information – 366

Ancillary penalties of prohibition of contact – 189;

Total occurrences (BDVD) – 30570;

Occurrences by type of violence (BDVD) – 50892 (physical violence – 19728; psychological violence – 24835; sexual violence – 859; economic violence – 2315; social violence – 2859; no information – 296)

Number of victims (BDVD) – 30570.

Please see annex 2 for various statistical information available on the following matters:

- Domestic violence crimes recorded by the police forces (2020 - 2022);
- Criminal cases in the trial phase closed in the first instance judicial courts, for the crime of domestic violence (2020 - 2021);

- I. - Defendants in criminal cases in the first instance judicial courts, for the crime of domestic violence (2020 - 2021);
- II. - Convicted in criminal cases in the first instance judicial courts for the crime of domestic violence (2020 - 2021);
- III. - Convicted in criminal cases in the first instance judicial courts, for the crime of domestic violence, according to the final condemnatory decision (2020 - 2021);
- IV. - Coercive measures applied to defendants in criminal cases in the first instance judicial courts, for the crime of domestic violence, according to the coercion measures (2020 - 2021);

**Victims of marital homicide in criminal cases closed in first instance judicial courts,
by sex (2020 - 2021).**

Victims	2021	2020
Total	29	26
Female	23	18
Male	6	8

Notes:

- a) Since 2007, statistical data on cases in the 1st instance courts have been collected from the computer system of the courts, representing the situation of the cases registered in that system.
- b) Last update: 24/11/2022.

APPENDIX

Table 1: Initial training (education or professional training)

Please fill in the table and list the professionals (in the area of healthcare, law enforcement, criminal justice, social welfare, education, asylum and migration, media/journalism and support services) which have received initial training on violence against women. Please place each category of professional in a separate line.

Professionals	Do they benefit from initial training on violence against women and domestic violence?	Is this training mandatory?	Are training efforts supported by guidelines and protocols?	Who funds the training?	Please describe the content and the duration of the training
<i>Trainee Labour inspectors</i>	Yes	Yes	Yes	ACT	<p>Authority for Working Conditions (ACT) has as its mission the improvement of better working conditions through the enforcement of labor legislation.</p> <p>In this context, the subject of violence against women integrates harassment, and violence in the workplace, as well as with non-</p>

					<p>discrimination and gender equality. The initial internship for the career of a Labour Inspector has a duration of 12 months, and these subjects are always a part of it.</p> <p>In 2019 began an internship (for the career of senior inspector) that included 42 trainees. In 2020 began an internship that included 78 trainees. And in 2021 began an internship for 67 trainees. Every internship included these subjects, having a theoretical component and a practical one.</p>
<i>Labour Inspectors</i> <i>Senior Officers</i>	156	Yes	Yes	Yes	<p>The man promoting equality (2019); Conference on</p>

					<p>Equality and Non-Discrimination between Women and Men in Work and Employment (2019); Law as an Equality Engine (2019); 13th Edition of Labor Market Equality and Non-Discrimination Laboratories (2020); Laboratory for Equality and Non-Discrimination in the Labour Market (2021); Equal Remuneration for Women and Men | Laboratory for Equality (2022)</p>
<p>Human resources; Labour inspectors; Teachers; Jurists; Lawyers;</p>	<p>Yes. Initial training on equality and non-discrimination between women and men and</p>	<p>No</p>	<p>Training based on CITE's training manual.</p>	<p>CITE provides free training</p>	<p>Thematic training Equality Lab, with the contents: equality and non-discrimination between women and men in the labour market; gender violence</p>

<p>Public Officers/Civil Servants of central and local government</p> <p>Workers of companies.</p> <p>Total: 1.041 participants (230 men + 811 women).</p>	<p>gender violence.</p>				<p>and harassment at the workplace; parenthood and reconciliation between professional, family, and personal life and equal pay.</p> <p>Duration of training: 4 hour/action</p> <p>Total: 68 hours of training in 2018.</p>
<p>Human resources;</p> <p>Labour inspectors;</p> <p>Teachers;</p> <p>Jurists;</p> <p>Nurses;</p> <p>Lawyers;</p> <p>Public Officers/Civil Servants of central and local government</p> <ul style="list-style-type: none"> Workers of companies; 	<p>Yes.</p> <p>Initial training on equality and non-discrimination between women and men and gender violence.</p>	<p>No</p>	<p>Training based on CITE's training manual.</p>	<p>CITE provides free training</p>	<p>Thematic training Equality Lab, with the contents: equality and non-discrimination between women and men in the labour market; gender violence and harassment at the workplace; parenthood and reconciliation between professional, family, and personal life and equal pay.</p>

<ul style="list-style-type: none"> Workers of NGO. Total: 944 participants (233 men + 711 women) 					<p>Duration of training: 4 hour/action</p> <p>Total: 132 hours of training in 2019.</p>
<p>Public Officers/Civil Servants of central and local government;</p> <p>Workers of NGO.</p> <p>Total of 1.184 participants (342 men and 842 women).</p>	<p>Yes.</p> <p>Awareness-raising actions on equality and non-discrimination between women and men and gender violence.</p>	<p>No</p>	<p>Awareness-raising based on CITE's guidelines.</p>	<p>CITE provides free training.</p>	<p>Awareness-raising action with the contents: gender violence and harassment at the workplace.</p> <p>Duration of training: 2:30 hour/action</p> <p>Total: 68 hours of awareness-raising action in 2019.</p>
<p>Human resources;</p> <p>Labour inspectors;</p> <p>Teachers;</p> <p>Jurists;</p> <p>Lawyers;</p>	<p>Yes.</p> <p>Initial training on equality and non-discrimination between women and men and</p>	<p>No</p>	<p>Training based on CITE's training manual.</p>	<p>CITE provides free training</p>	<p>Thematic training Equality Lab, with the contents: equality and non-discrimination between women and men in the labour market; gender violence</p>

<p>Public Officers/Civil Servants of central and local government; Workers of companies.</p> <p>Total: 359 participants (87 men + 272 women).</p>	<p>gender violence.</p>				<p>and harassment at the workplace; parenthood and reconciliation between professional, family, and personal life and equal pay.</p> <p>Duration of training: 4 hour/action</p> <p>Total: 120 hours of training in 2020.</p>
<p>Human resources; Labour inspectors; Teachers; Jurists; Lawyers; Public Officers/Civil Servants of central and local government Workers of companies.</p> <p>Total: 23.427 (6.401 men +</p>	<p>Yes.</p> <p>Initial training on equality and non-discrimination between women and men and gender violence.</p>	<p>No</p>	<p>Training based on CITE's training manual .</p>	<p>CITE, in partnership with IEFP, IP, developed a project on the NAU platform - Distance Learning and Training for</p>	<p>Thematic training Equality Lab, with the contents: equality and non-discrimination between women and men in the labour market; gender violence and harassment at the workplace; parenthood and reconciliation between professional, family, and personal life and equal pay.</p>

17.026 women).				large audiences, to provide training on Gender Equality and Non-Discrimination in the Labour Market .	Duration of training: 3 hour/action Total: 30 hours of training in 2021.
Human resources; Teachers; Jurists; Lawyers; Nurses; Doctors; Public Officers/Civil Servants of central and local government; Workers of companies. Total: 81 participants	Yes. Initial training on equality and non-discrimination between women and men and gender violence.	No	Training based on CIG's training manual .	Funded by POISE - 3.15 - North, Centre , and Alentej o Region s - Portug al 2020	Thematic training Equality Lab, with the contents: equality and non-discrimination between women and men in the labour market; gender violence and harassment at the workplace; parenthood and reconciliation between professional, family and

(6 men + 75 women).					personal life and equal pay. Duration of training: 58 hour/action Total: 290 hours of training in 2021
Human resources; Teachers; Jurists; Lawyers; Public Officers/Civil Servants of central and local government. Total: 44 participants (1 man + 43 women).	Yes. Initial training on equality and non-discrimination between women and men and gender violence.	No	Training based on CITE's training manual .	CITE provides free training	Thematic training Equality Lab, with the contents: equality and non-discrimination between women and men in the labour market; gender violence and harassment at the workplace; parenthood and reconciliation between professional, family, and personal life and equal pay. Duration of training: 4 hour/action Total: 24 hours of training in 2021.
Human resources; Teachers; Jurists;	Yes. Initial training on equality and non-discrimination	No	Training based on CITE's training	CITE provides free training	Thematic training Equality Lab, with the contents: equality and non-discrimination between women

<p>Labour inspectors; Lawyers; Public Officers/Civil Servants of central and local government; Workers of companies; Workers of NGO.</p> <p>Total: 915 participants (232 men + 683 women).</p>	<p>on between women and men and gender violence.</p>		<p>manual</p>		<p>and men in the labour market; gender violence and harassment at the workplace; parenthood and reconciliation between professional, family, and personal life and equal pay. Duration of training: 4 hour/action Total: 485 hours of training in 2022.</p>
<p>Human resources; Public Officers/Civil Servants of central and local government; Teachers; Labour inspectors; Lawyers.</p> <p>Total: 539 participants (108 men + 431 women).</p>	<p>Yes. Awareness-raising actions on equality and non-discrimination between women and men and gender violence.</p>	<p>No</p>	<p>Awareness-raising based on CITE's guidelines.</p>	<p>CITE provides free training.</p>	<p>Awareness-raising action with the contents: gender violence and harassment at the workplace. Duration of training: 2:30m hour/action Total: 2h30m of awareness-raising action in 2022.</p>

<p>Human resources; Public Officers/Civil Servants of central and local government; Teachers; Nurses.</p> <p>Total: 648 participants (45 men + 603 women).</p>	<p>Yes. Awareness-raising actions on equality and non-discrimination between women and men and gender violence.</p>	<p>No</p>	<p>Awareness-raising based on CITE's guidelines.</p>	<p>CITE, in partnership with IEFP, IP, developed a project on the NAU platform - Distance Learning and Training for large audiences, to provide training on Gender Equality and Non-Discrimination in the Labour Market.</p>	<p>Thematic training Equality Lab, with the contents: equality and non-discrimination between women and men in the labour market; gender violence and harassment at the workplace; parenthood and reconciliation between professional, family, and personal life and equal pay. Duration of training: 3 hour/action Total: 48 hours of training from January to March 2023.</p>
<p>Human resources; Jurists; Workers of companies EGEAC.</p> <p>Total: 46 participants (8 men + 38 women)</p>	<p>Yes. Awareness-raising actions on equality and non-discrimination between women and men and gender violence.</p>	<p>No</p>	<p>Awareness-raising based on CITE's guidelines</p>	<p>CITE provides free training</p>	<p>Thematic training Equality Lab, with the contents: equality and non-discrimination between women and men in the labour market; gender violence and harassment at the workplace; parenthood and</p>

					reconciliation between professional, family, and personal life and equal pay. Duration of training: 4 hour/action Total: 4-hour training in February 2023.
Human resources; Jurists; Workers of DGAE. Total: 23 participants (2 men + 21 women).	Yes. Awareness-raising actions on equality and non-discrimination between women and men and gender violence.	No	Awareness-raising based on CITE's guidelines.	CITE provides free training	Thematic training Equality Lab, with the contents: equality and non-discrimination between women and men in the labour market; gender violence and harassment at the workplace; parenthood and reconciliation between professional, family, and personal life and equal pay. Duration of training: 4 hour/action Total: 4hour training in February 2023.

<p>Human resources; Jurists; Engineers; Workers of LNEC.</p> <p>Total: 49 participants (17 men + 32 women).</p>	<p>Yes.</p> <p>Awareness-raising actions on equality and non-discrimination between women and men and gender violence.</p>	<p>No</p>	<p>Awareness-raising based on CITE's guidelines.</p>	<p>CITE provides free training</p>	<p>Thematic training Equality Lab, with the contents: equality and non-discrimination between women and men in the labour market; gender violence and harassment at the workplace; parenthood and reconciliation between professional, family, and personal life and equal pay.</p> <p>Duration of training: 4 hour/action</p> <p>Total: 4hour training in March 2023.</p>
<p>Human resources; Nurses Doctors Workers of Hospital Garcia Orta.</p> <p>Total: 38 participants (8</p>	<p>Yes.</p> <p>Awareness-raising actions on equality and non-discrimination between women and men and gender violence.</p>	<p>No</p>	<p>Awareness-raising based on CITE's guidelines.</p>	<p>CITE provides free training</p>	<p>Thematic training Equality Lab, with the contents: equality and non-discrimination between women and men in the labour market; gender violence and harassment at the workplace; parenthood and reconciliation</p>

men + 30 women).					between professional, family, and personal life and equal pay. Duration of training: 4 hour/action Total: 4hour training in March 2023 .
All military personnel when they join the armed forces (Basic Training)	yes	yes	Istanbul Convention ; EIGE guidelines; Portuguese Commission for Citizenship and Gender Equality Guidelines and training references on Domestic and Gender-Based Violence	Each of the services (Navy, Army, and Air Force)	1h 30 min
DGAJ Court staff	Until 2019, the date of the last initial training, DGAJ did not	NO	The training provided meets the	DGAJ	In 2023 , DGAJ plans to include this topic in a 12-hour criminal

	include in the initial training specific content in the area of violence against women. In the next initial training (September 2023), we intend to include this topic.		legal provisions on victims in general and on victims of domestic violence, among others.		procedure module
DGRSP 65 prison officers	yes	yes	No	DGRSP	Content attached (Annex 3)
P J (Sexual crimes investigation Unit - Lisbon)	yes	yes	yes	PJ	Contents: - Criminal framework and criminal procedure - Interview techniques for victims of sexual violence - Interrogation techniques for sex offenders - Crime scene management, evidence preservation and collection Duration: One week modules

Ordem dos Advogados	yes	yes	yes	OA	Annex 4
Auditors of Justice (Future Judges and Public Prosecutors) Centre for Judicial Studies – Ministry of Justice	yes	yes	yes	Centre for Judicial Studies – Ministry of Justice	<p>The training on violence against women and domestic violence is integrated in the Initial Course for future judges and public prosecutors, provided every year by the Centre for Judicial Studies.</p> <p>In the 1st Cycle of initial training, the matter related to the situations of Violence against women and Domestic Violence are especially addressed in the jurisdiction of Family and Children, in the sessions dedicated to the Regulation of the Exercise of Parental Responsibilities and the Processes of</p>

					<p>Promotion and Protection.</p> <p>In addition, in the simulations of trials and other procedural acts carried out in that jurisdiction, cases involving situations of domestic violence are often handled.</p> <p>With regard to the offense itself and its elements, as well as the possible criminal consequences of its practice, this is a matter addressed in the jurisdiction of Criminal and Criminal Procedure.</p> <p>In the 2nd Cycle, the auditors of justice work, on a recurring basis, processes involving situations of domestic violence.</p>
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Table 2: In-service training

Please fill in the table and list the professionals (in the area of healthcare, law enforcement, criminal justice, social welfare, education, asylum and migration, media/journalism and support services) which receive in-service training on violence against women. Please place each category of professional in a separate line.

Professionals	Number of professionals trained	Is this training mandatory?	Frequency	Training efforts supported by guidelines and protocols	Please describe the content and duration of the training
Labour Inspectors Senior Officers	156	Yes	Yes	Yes	The man promoting equality (2019); Conference on Equality and Non-Discrimination between Women and Men in Work and Employment (2019); Law as an Equality Engine (2019); 13th Edition of Labour Market Equality and Non-Discrimination Laboratories (2020); Laboratory for Equality and Non-Discrimination in the Labour Market (2021); Equal

					Remuneration for Women and Men | Laboratory for Equality (2022)
(Members of the Local Commissions for the protection of Children and Young People, Security Forces Teachers, and other school professionals (Psychologists and Social Workers))	453	No	These are specific actions within the scope of the implementation of the <u>Project By your side – Breaking the intergenerational cycle of the violence “A Teu Lado” - Quebrar o ciclo intergenerational da violência</u>	These actions were based on the <u>Guide for integrated intervention for children or young people who are victims of domestic violence</u>	Duration: 7 hours Contents: Integrated intervention with children and young victims of domestic violence (with a gender perspective); Trauma-informed services; Action flowcharts
Members and technical support of the Commissions for the Protection of Children and Young People of the North,	769 registered	No	Monthly and bi-monthly	Course "Integrated intervention with children or young people who are victims of domestic violence", integrated into	33 actions in 2022 and 2023, each one of 12 h of duration. General goal: To ensure adequate intervention for children and

Centre, and Alentejo Regions and the Lisbon Metropolitan Area				<p>the annual joint training plan Violence against Women and Domestic Violence and implemented under the cooperation protocol between the Commission for Gender Equality and the National Institute for Administration supported by the same Guide above referred.</p>	<p>young people who are victims of Domestic Violence (DV), establishing a common national framework for integrated intervention in situations of DV.</p> <p>Specific goals:</p> <p>To standardise concepts, key ideas, and general principles of action on DV;</p> <p>Raise awareness of the impact of DV on children and young people;</p> <p>Train professionals to identify warning signs, factors, and use of DV risk indicators;</p> <p>Train signaling skills and share information on situations of DV;</p> <p>Promote inter-institutional articulation and sharing of</p>
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					information on situations of DV; Standardize procedures for joint action between the various areas or sectors.
Entities with competence in matters of childhood and youth (ECMIJ)	3090	No		Integrated Intervention for the End of Female Genital Mutilation Assessment and Diagnosis of Maltreatment/ Abuse against Children and Young People Protection of Children and Adolescents in the Context of Family Violence Maltreatment and positive parenting Child protection system - better knowledge for	Actions in 2019

				<p>better intervention</p> <p>Good treatment - positive parenting</p> <p>Domestic violence - crime scene</p> <p>Child maltreatment - knowing the signs to better protect</p> <p>Children and young people in the context of domestic violence</p> <p>Interpersonal violence throughout the life cycle</p> <p>Child and youth promotion and protection system/domestic violence</p> <p>Sexual abuse of children and young people</p>	
Teachers and Education Technicians	7580	No	Average of 4 per year	Assessment and Diagnosis of Child Abuse	Actions between 2020 and 2023

<p>of Public School Facilities (at the request of the Directorate General of Education) and Private Schools at national level</p>				<p>Awareness and Detection of Childhood Maltreatment/ Abuse</p> <p>Childhood Maltreatment/ Abuse - Knowing the Signs to Better Protect</p> <p>In your body you are in charge!</p> <p>Educating for Citizenship With Affection (... and without abuse)!</p> <p>Good Treatment: a question of humanity</p> <p>Detecting and Intervening against Child Abuse</p> <p>The importance of institutional partnerships in the Protection of Children and Young People</p>	<p>(June) of 7h or 4h each</p> <p>Its general objective is to raise awareness among the different target audiences on the topic of Sexual Abuse and Domestic Violence, addressing the procedures to be adopted.</p> <p>Develop a critical, reflexive and trained look on indicators, marks and signs of ill-treatment/abuse against children and young people and its possible and real causes;</p> <p>Acquire and develop skills for early identification of situations of maltreatment/abuse and other situations of danger.</p> <p>Reflect on and assess protection procedures in</p>
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					situations of maltreatment/abuse of children and young people.
Law enforcement (National Republican Guard - GNR and Public Security Police-PSP)	2605	No	Bi-monthly average, 7h each	<p>Assessment and Diagnosis of Maltreatment/ Abuse against Children and Young People.</p> <p>Course on prevention and police intervention in domestic violence for officers and chiefs with leadership and coordination skills.</p> <p>Promotion and protection system for children and young people - the role of PSP - Collaboration with the local Commissions for the Protection of</p>	Actions between 2019 and 2023 (June)

				<p>Children and Youngsters (CPCJ)</p> <p>Protection of children and young people (improvement course in maritime authority)</p> <p>Criminal prevention, community policing and human rights</p> <p>Domestic Violence/ Articulation with CPCJ and Courts</p> <p>Domestic Violence and Child and Youth Protection System</p> <p>Human Rights and Gender Equality</p> <p>The PSP and CPCJ - Articulation</p> <p>The System for the Protection of</p>	
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				<p>Children and Young People in Portugal - The role of the OPC`s</p> <p>Course of Criminal Investigation for GNR Officers.</p> <p>Course of Prevention and Police Intervention in Domestic Violence Police Intervention with Minors.</p> <p>Police Intervention with Children and Young People.</p> <p>Awareness of the role of ECMIJ in the Protection System.</p>	
Members and technical support of the child and youth	1185	No	Bi-monthly average, of 4h or 7h each	<p>Assessment and Diagnosis of Child Abuse.</p> <p>Child and Youth</p>	<p>Actions between 2020 and 2023 (June)</p> <p>Its general objectives are:</p>

<p>protection commissions and Entities with competence in matters of childhood and youth</p>				<p>Protection System/Protective Intervention. Assessing the Potential for Change in Families Preventing Child Abuse. Detecting and Intervening in Child Abuse. Educating for Affections-Awareness Raising on Child and Youth Maltreatment.</p>	<p>To raise the awareness of the different target audiences on the issue of Sexual Abuse and Domestic Violence, addressing the procedures to be adopted; Develop a critical, reflective and trained look at indicators, marks and signs of ill-treatment/abuse against children and young people and their possible and real causes; Acquire and develop skills for early identification of situations of maltreatment/abuse and other situations of danger; Reflect on and assess protection procedures in situations of maltreatment/abuse of children and young people.</p>
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Military and civilian personnel from the Air Force	265 military and civilian, 114 women and 151 men	NO	5 sessions in 2023	Istanbul Convention; EIGE guidelines; Portuguese Commission for Citizenship and Gender Equality Guidelines and training references on Domestic and Gender-Based Violence	3 hours session
Military and civilians from MoD	22 military (14 women, 7 men) in 2022	NO	Once a year	Specialized Course in Gender Equality in Defence	90 hours
Military and civilians from MoD	33 women, 27 men in 2022	NO	At least 4 sessions per year	Istanbul Convention; EIGE guidelines; Portuguese Commission for Citizenship and Gender Equality Guidelines and training references on Domestic and Gender-	3 hours sessions Domestic Violence session about: The evolution of the problem in PT; The numbers; Crime - legal framework; The complexity of the phenomenon; The abusive dynamics; Identification and

				Based Violence	referral; Support Services
Education	1564	NO	(1) Coordinators and Members of the Multidisciplinary Teams to Support Inclusive Education (teachers, psychologists, social workers) of schools, Members of the Board of Directors of Schools, Senior Technician s of the Central and Regional Services of Education Ministry and other schools Senior Technician s who	(2) This training plan aimed to operationalize the <i>Integrated Intervention Guide with Children or Young Victims of Domestic Violence</i> , and improve intervention with children or young victims of maltreatment in the context of domestic violence, and to establish a common framework for integrated intervention between the governmental areas of citizenship and equality, internal administration, labor, solidarity and	(3) This training plan, common to the various sectors that act in this area, is based on the standardization of concepts, the definition of contents and training methodologies based on the analysis of concrete cases, and the identification of a training grant of specialized trainers. The Annual Joint Training Plan "Violence Against Women and Domestic Violence" (https://dre.pt/applicacion/file/a/124044447) also intends to promote the development of an action based on an integrated,

			<p>provides psychological and social support to students in Schools.</p>	<p>social security, justice, education, and health, in conjunction with the Attorney General's Office. It was established a protocol with INA (National Institute of Administration) to provide the training.</p>	<p>multidisciplinary and interdisciplinary view of the training contents, while at the same time ensuring the degree of specialization necessary for each intervening governmental area.</p> <p>It was developed between May 2021 and June 2023</p>
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Annex 1 - Ministry of Justice – Directorate General of Justice Policy

[Statistical Highlight marital homicide- 2007 2021](#)

Annex 2 Statistical information, Ministry of Justice- Directorate General of Justice Policy

Domestic violence crimes recorded by the police forces (2020 - 2022)

N.º crimes	Year		
	2022	2021	2020
Crime (3rd Level)			
Domestic violence against spouse/akin	26 073	22 52 4	23 43 9
Domestic violence against minors	819	63 9	59 1
Other crimes of domestic violence	3 596	3 35 7	3 60 7
Note:			

Last update: 27-03-2023

Criminal cases in the trial phase closed in the first instance judicial courts, for the crime of domestic violence (2020 - 2021)

N.º cases	Year	
	2021	2020
Crime (3rd level)		
Domestic violence against spouses or similar	3 07 7	2 93 9

Domestic violence against minors	11 3	88
Other crimes of domestic violence	75 1	63 2
Notes:		

- a) The counting of the cases takes into account the most serious crime in the process.
- b) In these data are not counted the cases carried over, the joined, incorporated or integrated cases, those sent to another entity and cases with term "N.S." and modality of the term "N.S.".
- c) Since 2007, statistical data on cases in the 1st instance courts have been collected from the computer system of the courts, representing the situation of the cases registered in that system.
- d) The data includes crimes in attempted form and in aggravated form.

Last update: 28-10-2022

Defendants in criminal cases in the first instance judicial courts, for the crime of domestic violence (2020 - 2021)

N.º Defendants Crime (3rd level)	Year	
	2021	2020
Domestic violence against spouses or similar	3 140	3 016
Domestic violence against minors	125	97
Other crimes of domestic violence	785	680

Notes:

- a) The counting of the defendants takes into account the most serious crime for which they were accused.
- b) The counting of the defendants takes into account the most serious crime for which they were accused.
- c) Since 2007, statistical data on cases in the 1st instance courts have been collected from the c that system.

d) The data includes crimes in attempted form and in aggravated form.

Last update: 28-10-2022

Convicted in criminal cases in the first instance judicial courts for the crime of domestic violence (2020 - 2021)

N.º Convicted	Year	
	2021	2020
Domestic violence against spouses or similar	1 749	1 722
Domestic violence against minors	73	50
Other crimes of domestic violence	432	382

Notes:

a) The counting of the convicted takes into account the most serious crime for which they were convicted.

b) Cases carried over, remitted to another entity, joined and incorporated or integrated are not counted.

c) Since 2007, statistical data on cases in the 1st instance courts have been collected from the computer system of the courts, representing the situation of the cases registered in that system.

d) The data includes crimes in attempted form and in aggravated form.

Last update: 28-10-2022

Convicted in criminal cases in the first instance judicial courts, for the crime of domestic violence, according to the final condemnatory decision (2020 - 2021)

N.º Convicted		Ano	
Crime (nível 3)	Final decision condemnatory	2021	2020
Domestic violence against spouses or similar	Fine	4	6
	Imprisonment replaced by suspended fine	..	..
	Imprisonment replaced by community work	3	..
	Suspended imprisonment	84	78
	Effective imprisonment	141	160
	Penalty relatively undetermined	..	..
	Detention safety measures	11	11
	Suspended imprisonment with behaviour rules	127	121
	Suspended imprisonment with disciplinary rules	1 206	1 156
	Suspended imprisonment subject to duties	139	156
	House arrest with electronic surveillance	7	9
	Exemption from penalty	..	..
	Subsidiary imprisonment	..	..
	Suspended subsidiary imprisonment	3	3
	Safety measure of internment of imputable with psychic anomaly	..	..
	Safety measure of suspension of the enforcement of internment with subjection to rules of conduct	10	8
Suspended safety measure with rules of conduct	..	..

	Other penalties or measures, penalties ignored or n.s.	..	..
	N.S.	8	9
	Domestic violence against spouses or similar	1 749	1 722
Domestic violence against minors	Imprisonment replaced by suspended fine	..	..
	Suspended imprisonment	..	4
	Effective imprisonment	3	9
	Suspended imprisonment with behaviour rules	7	5
	Suspended imprisonment with disciplinary rules	53	28
	Suspended imprisonment subject to duties	7	4
	Suspended subsidiary prison	..	..
	Safety measure of suspension of the enforcement of internment with subjection to rules of conduct	..	..
	N.S.	..	..
	Domestic violence against minors Total	73	50
Other crimes of domestic violence	Fine	..	..
	Imprisonment replaced by suspended fine	..	..
	Imprisonment replaced by community work	..	..
	Suspended imprisonment	14	22
	Effective imprisonment	58	59
	Penalty relatively undetermined	..	..
	Internment security measures	20	7
	Suspended imprisonment with behaviour rules	25	14

Suspended imprisonment with disciplinary rules	270	234
Suspended imprisonment subject to duties	26	27
House arrest with electronic surveillance	3	..
Suspended subsidiary imprisonment	..	..
Safety measure of internment of imputables with psychic anomaly	3	..
Safety measure of suspension of the enforcement of internment with subjection to rules of conduct	9	8
Suspended safety measure with rules of conduct	3	3
Other penalties or measures, penalties ignored or n.s.	..	..
N.S.	..	..
Other crimes of domestic violence Total	432	382

Notas:

- a) The counting of the convicted takes into account the most serious crime for which they were convicted.
- b) Cases carried over, remitted to another entity, joined and incorporated or integrated are not counted.
- c) Since 2007, statistical data on cases in the 1st instance courts have been collected from the computer system of the courts, representing the situation of the cases registered in that system.
- d) The data includes crimes in attempted form and in aggravated form.

.. Null result/protected by statistical confidentiality

N.S. Non specific

Last update: 28-10-2022

Coercive measures applied to defendants in criminal cases in the first instance judicial courts, for the crime of domestic violence, according to the coercion measures (2020 - 2021)

Coercive measures	2021	2020
Removal from the residence where the victim lives	464	317
Periodic appear bef criminal police	163	115
Periodic appear bef judicial authorities	10	10
Attendance of program (domestic violence)	44	39
House arrest not subj eletronic tagging	..	..
House arrest subject eletronic tagging	27	23
Preventive arrest	166	141
Prohibition of contact with the victim	760	559
Prohibition of absence	7	5
Prohibition of contact	127	157
Exclusion	219	142
Restriction to the use of weapons or other objects	116	103
Suspension from exercise of rights	..	..
Suspension from profession	..	..
Grand Total	2 106	1 612

Notes:

- a) All coercive measures applied to the defendants were counted, taking into account the most serious crime for which they were accused. The term of identity and residence was not counted.
- c) Since 2007, statistical data on cases in the 1st instance courts have been collected from the computer system of the courts, representing the situation of the cases registered in that system.

.. Null result/protected by statistical confidentiality

Last update: 28-10-2022

Victims of marital homicide in criminal cases closed in first instance judicial courts, by sex (2020 - 2021)

Victims	2021	2020
Total	29	26
Female	23	18
Male	6	8

Notes:

- a. Since 2007, statistical data on cases in the 1st instance courts have been collected from the computer system of the courts, representing the situation of the cases registered in that system.
- b. Last update: 24/11/2022.

Annex 3 – Ordem dos Advogados (Table I)

The training promoted by the Bar Association is wide-ranging, and that which took place over the years in question was financed by the Bar Association itself, specifically through the following initiatives:

Conference on "The System's Response to Victims of Domestic Violence - Reflections and Challenges" - 4 November 2022

The Human Rights Commission of the Portuguese Bar Association (CDHOA) promoted, on 4 November 2022, a conference dedicated to the theme "The system's response to Victims of Domestic Violence - Reflections and Challenges". The conference was held in the Noble Hall of OA and had free admission, with broadcast on the YouTube Channel of the Bar Association.

It can be viewed at: <https://portal.oa.pt/comunicacao/noticias/2022/11/cdhoapromove-conferencia-sobre-violencia-domestica/galeria-fotografica-conferencia-a-resposta-do-sistema-a-vitimas-de-violencia-domestica/>

Screening of the film "Submission" and Debate | PpDM - 7 December 2022

The Portuguese Platform for Women's Rights (PpDM) invites you to the screening of the film "Submission", followed by a debate, to take place on 7 December, at 10am, at CIUL - Lisbon Urban Information Centre. After the film, there will be a discussion on the journeys of women victims of intimate partner violence throughout the justice system.

PROGRAMME 9h45: Welcoming of participants 10h10: Welcome Ana Sofia Fernandes, PpDM 10h10 - 12h10: Screening of the film Submission 12h10 - 13h00: A conversation about (in)justice in situations of violence against women in intimate relationships

Comunicado da CDHOA | "Dia Internacional para a Eliminação da Violência contra as Mulheres", 25 de Novembro de 2021 Pode ser consultado em: <https://portal.oa.pt/ordem/comissoes-e-institutos/cdhoa-comissao-dos-direitos-humanos/comunicados/comunicadocdhoa-25-novembro-eliminacao-da-violencia-contra-as-mulheres/>

Conferences - Cycle "Women and the Law" CDHOA, in the context of Women's Day, 8 March, held a vast programme on "WOMEN AND THE LAW", with three different panels, with the following themes: "The inequalities that still exist and the new challenges for a cultural change", "Women and the Legal Profession" and "Democracy and Parity". Sixteen women were invited to take part in the panels, moderated by the members of this Committee, which was opened by the President Prof Luís Menezes Leitão.

Workshop CDHOA| "Violence - Children - Law" CDHOA together with Associação Projecto Criar organised three workshops in 2021, lasting 8 hours each, for 9 days, for a total of 24 hours of training, the first session being held in March 2021, the second in April 2021 and although the third session was scheduled for December 2021, it had to be postponed to a later date due to the Covid-19 pandemic.

Around 70 people attended these trainings. The three workshops were taught by lawyer Leonor Valente Monteiro, who also created their programme contents. The training aimed to promote Law 141/2015 of 8 September and the new wording of Law 112/2009 of 16 September - by virtue of Law 129/2015 of 3 September, analysed in the eyes of the Istanbul Convention and Lanzarote Convention. They were also aimed at promoting good judicial practices to protect the most vulnerable victims, since these conventions have legal mechanisms that help to defend the interests of victims, not only in criminal cases of domestic

violence and child sexual abuse, but also in civil guardianship proceedings (especially those of parental responsibility regulation).

Annex 4 - Ministry of Justice - Directorate General of social inclusion and prison services

Prison behavior 4. 1 Gender equality, preventing and combating domestic and gender-based violence (2022)

Abstract

Objectives: to situate gender equality in the framework of human rights; to demonstrate the existence of inequalities in Portuguese society, to relate the promotion of gender equality to the prevention of domestic and gender-based violence.

Program: Definition of gender equality; identification of the causes and consequences of gender equality, gender-based violence and domestic violence, recognize gender inequalities as a context favoring gender-based violence and the crime of domestic violence; understand the relational dynamics in cases of gender-based violence (6 hours).)

Annex 5 - Ministry of Justice - Directorate General of social inclusion and prison services

Program for convicted of sexual offences against adults - Conter Level II program (2022)**Abstract**

Objectives: to develop technical skills in the area of adult rehabilitation; train professionals in the application of the program for convicted of sexual offences against adults - Conter Level II program

Program: theoretical review and framework, training in assessment tools; interview strategies and selection of participants; review of the structure of the program manual; training of sessions; elaboration of the implementation plan of the Conter program in the UO

Annex 6 - Ministry of Justice - Directorate General of social inclusion and prison services**Program for persons convicted of sexual offences against minors - link program - level II - part 2 (2022)****Abstract**

Objectives: to develop technical skills in the area of adult rehabilitation; to train professionals in the application of the Program for persons convicted of sexual offences against minors - link program;

Programme: theoretical review and rehearsal; training on assessment tools; interview strategies and selection of participants, review of the structure of the Program Manual; training of sessions; elaboration of the implementation plan of the link program in the OU.

Annex 7- Ministry of Justice - Directorate General of social inclusion and prison services**Program for people convicted of domestic violence - Life program Level II-2nd part (2022)****Abstract**

Objectives: to develop technical skills in the field of rehabilitation of prisoners; to train professionals in the application of the Vida program: technical intervention aimed at prisoners convicted of domestic violence offences;

Program: process of inter vision of the programs in application; training of the sessions

Annex 8- Ministry of Justice - Directorate General of social inclusion and prison services**Community technical integration program for convicted sex offenders (crimes against children and adolescents) - PAVS-CA - level II - part 2 (2022)****Abstract**

Objectives: to develop technical skills in the area of rehabilitation of individuals sentenced to measures to be served in the community for crimes of a sexual nature against minors to train professionals in the application of the Technical Intervention in the Community program aimed at sex offenders (children and adolescents).

Program: Completion of training sessions

Annex 9 - Ministry of Justice - Directorate General of social inclusion and prison services

Program for domestic violence offenders (PAVD) (2022)

Abstract

Objectives : to train the senior social reintegration technicians in the application of the PAVD.

Program: psychoeducational intervention

Modules	Title
1	Stereotypes and gender-based violence
2	Risk management strategies
3	Harm, empathy and responsibility
4	Communication and interpersonal relationships
5	Meaning and function of emotions
6	Dysfunctional beliefs about the self
7	Intimacy, insecurity and jealousy

Annex 10 – Ordem dos Advogados (Table II)

Since the beginning of the mandate of the General Council currently in office, I highlight:

Communiqué to mark the International Day for Zero Tolerance of Female Genital Mutilation - 6 February 2023:

<https://portal.oa.pt/ordem/comissoes-e-institutos/cdhoa-comissao-dos-direitos-humanos/noticias-e-atividades/cdhoa-assinala-dia-internacional-da-tolerancia-zero-a-mgf/>

Communiqué of the Commission on Human Rights on Dating Violence - 13 February 2023:

<https://portal.oa.pt/ordem/comissoes-e-institutos/cdhoa-comissao-dos-direitos-humanos/comunicados/comunicado-violencia-no-namoro/>

Communiqué of the General Council and the Commission on Human Rights on Mandatory Legal Advice for Victims of Domestic Violence Crimes - 23 January 2023

<https://portal.oa.pt/ordem/comissoes-e-institutos/cdhoa-comissao-dos-direitos-humanos/comunicados/comunicado-obrigatoriedade-de-aconselhamento-juridico-as-vitimas-de-crimes-de-violencia/>

Conference "Gender equality: what needs to be differentiated today" - 8 March 2023

<https://portal.oa.pt/ordem/comissoes-e-institutos/cdhoa-comissao-dos-direitos-humanos/noticias-e-atividades/comemoracoes-do-dia-internacional-da-mulher-2023/>

Public Presentation of the Manual of Good Practices in the field of Domestic Violence - 16 June 2023

<https://portal.oa.pt/ordem/comissoes-e-institutos/cdhoa-comissao-dos-direitos-humanos/noticias-e-atividades/manual-de-boas-praticas-para-advogadas-no-apoio-a-pessoa/>