

Question 17.c.

In our country, the public prosecutor manages the process, accompanied by experts consisting of psychologists, pedagogues and social workers, from the moment the allegation of sexual abuse is submitted to the relevant units. Statements of the victims are taken in the presence of experts, and the examination of the children is also carried out in the presence of experts in their field. A roadmap is created for the health and development of the child by interviewing also the families of the victims. In order to protect the psychological health of children, the expert support that starts as soon as the child is brought to the juvenile units of the law enforcement continues through the directorates of judicial support and victim services throughout the judicial process. After the judicial process, the victims, who are determined to be in need by the directorates of judicial support and victim services, are directed to the relevant units of the Ministry of Health for treatment services, to the relevant units of the Ministry of Family and Social Services for psycho-social assistance, and the health of the child victims continues to be protected.

Directorates of Judicial Support and Victim Services:

“Directorate of Judicial Support and Victim Services” was established at the court houses as a result of the works conducted to provide information, guiding and psycho-social support services to the victims of crime and to establish an efficient, sustainable and accessible victim support system, within the framework of the principles of restorative justice and social state of law, intended for all victims within the judicial process, especially the victims belonging to the vulnerable groups.

The establishment of Judicial Support Directorates has enabled the provision of the information and guiding services, which are quite significant for the victims during the judicial process, to the victims of crime in a systematic and efficient manner, and thus the victims can easily access the right information on their rights and obligations during the judicial process.

The information, guiding and psycho-social support services are provided to the victims and those in need of judicial support through the offices established under the body of the directorates. Judicial Support Directorates consist of information and guiding office, support office for vulnerable groups, criminal proceedings support office, civil proceedings support office, judicial support services office and office for the return of child and maintaining a personal relation with child.

This new structuring focusing on the victims aims that the victims receive psycho-social support during the judicial process and their secondary traumas are prevented by minimising the effect of crime during the judicial process. In this scope, the works have been carried out to establish the mentioned directorates in all court houses in need of these directorates, especially in the court houses with justice commissions of the first instance courts of civil and criminal jurisdictions; and as a result, directorates of judicial support and victim services have been established in 167 court houses.

When necessary, victims/their relatives are referred to the relevant units of the Ministry of Health for treatment services and to the relevant units of the Ministry of Family and Social Services for psycho-social support by the Directorates of Judicial Support and Victim Services.

Judicial Interview Rooms:

Article 41 titled "Protection of the family, and children's rights" of the Constitution of the Republic of Türkiye governs that the State shall take the necessary measures and establish the necessary organization to protect peace and welfare of the family, especially mother and children, and to ensure the instruction of family planning and its practice. Within this scope, in accordance with the principle of the best interests of the child, a total of 168 judicial interview rooms have been established in 161 court houses in 81 provinces in order to strengthen the access of all vulnerable groups, especially children, to justice and to prevent them from being traumatized, to carry out the proceedings of taking statements in private environments appropriate for the current physical, mental and psychological conditions of these persons for revealing the material fact, to enable taking statements of victims and especially children victims and especially children in specially created environments in court houses through experts without making children come face-to-face with the suspect and the accused. As of 03.04.2017, the date when the judicial meeting rooms started to give service, more than 86,000 judicial meetings have been held throughout the country.

Judicial interview rooms have been established with a view to taking statements of victims of sexual crimes and domestic violence crimes, especially child victims, witnesses and children pushed to crime, and other victims included in the vulnerable group, who are considered to be inconvenient to come face-to-face with the perpetrator, in a private environment, accompanied by a judicial support officer. With this practice, while it is primarily aimed to carry out child-friendly judicial procedures in accordance with the principle of the best interests of the child, the proceedings of taking statements of vulnerable groups such as child victims, witnesses and children pushed to crime, victims of sexual crimes and domestic violence crimes, and disabled and elderly victims, are carried out through judicial support officers in a private environment without making them come face-to-face with the suspect or the accused. In this way, secondary victimization of the individuals in question can be prevented, and a more qualified statement as evidence can be obtained by allowing the victims whose anxiety levels are reduced to express themselves more easily. In this sense, the practice of judicial interview rooms also serves to reveal the material fact.

Judicial interview rooms are private areas consisting of three rooms as "Waiting Room", "Interview Room" and "Observation Room" to prevent the persons to be interviewed from being traumatized.

Child Monitoring Centers:

Child Monitoring Centers are state institutions where, in cases of abuse, statements are taken by the experts from children who have been exposed to sexual abuse and harassment, by protecting them from the effects of the traumas they have experienced and from a secondary abuse; likewise, the children are examined in the presence of the experts in the field; a roadmap is created for the health and development of the children by having interviews with their families; and equipment and necessary personnel are provided to collect and report all findings. The child who has been brought to the center is welcomed by a judicial interviewer, taken into the waiting room, and the registration procedures are completed. The child is taken into a preliminary interview room appropriate for his/her age, and a preliminary interview is held. In this manner, it is ensured that the child gets accustomed to the environment and distanced from the trauma. Thereafter, the child is taken into the judicial interview room, and his/her statement is taken under the supervision of the Public Prosecutor and with the participation of the persons concerned. It is mandatory to take video and audio recordings while the child's statement is being taken. A statement record is prepared and undersigned right after

the judicial interview. A copy of the recordings will be submitted along with the minutes immediately after the interview has taken place. After statement of the child is taken, in line with the instructions of the Public Prosecutor, under Article 76 of the Criminal Procedure Code no. dated 04/12/2004 and numbered 5271, the physical examination and/or sampling of the child shall be carried out at the center by a forensic medicine expert or other relevant specialist physicians. Consultation is requested from the relevant specialist physicians for the physical and psychological examination and assessment of the child. Consultations are held at the center. Where follow-up and treatment are required at the end of the examination, the relevant clinic/polyclinic provides the follow-up and the treatment. In the family interview room is held an interview with the family with the exception of those who are alleged to have committed a sexual offence against the child. The findings obtained during the interview, including the neglect of the child, are evaluated, a report on the family interview is drawn up, and a copy of the report is conveyed to the Public Prosecutor's Office. All these procedures are conducted under a single roof, and multidisciplinary cooperation is made in order to prevent the child from getting further affected.

Pursuant to the "Circular No. 2012/20 of the Prime Ministry published in the Official Gazette No. 28431 and dated 4 October 2012", child monitoring centers have been established within hospitals or institutions affiliated to the Ministry of Health in order to ensure that all judicial and medical procedures of children who have been sexually abused are carried out under one roof by experts in this field. Currently, the number of CMCs in our country has reached a total of 64 in 61 provinces. In line with the joint efforts and positive feedback received, it is planned to expand CMCs throughout the country, primarily in provincial centers and then in high criminal centers.

The objectives of establishing child monitoring centers may be enumerated as follows:

Preventing the increase in the sufferings of the children who are victims of abuse by carrying out procedures such as examination, law enforcement procedures, legal and judicial system procedures and treatment of the child under a single roof.

Reducing the impact of trauma upon the children through child-friendly physical structures created in the centers.

Preventing secondary abuse of children while taking their statements.

Meeting the shelter, nutrition, health and safety needs of those children who need to be taken under protection until the place where they will stay in safety is determined.

Taking measures to reduce the trauma also experienced by the family by having interviews with the family.