

### Question 20.k.

It is listed in Article 5 entitled "Protective and supportive measures" of the Child Protection Law no. 5395. Accordingly;

1- Consultancy measure is governed in subparagraph a of paragraph 1 of Article 5 of the Child Protection Law and in Article 12 of the Regulation on the Implementation of the Protective and Supportive Measures Imposed in Accordance with the Child Protection Law. Accordingly, the consultancy measure is a measure oriented to providing guidance to children on solving problems related to their education and development and guidance on child rearing to those who are responsible for the care of the child. The consultancy measure is executed by the Provincial or District Directorates of the Ministry of Family and Social Services, the Provincial Directorates of National Education or local governments. There is no distinction made as to the designation of the implementing institution, the matter is subject to the discretion of the judge.

Article 12 of the Regulation on the Implementation of the Protective and Supportive Measures Imposed in accordance with the Child Protection Law regulates the implementation of the consultancy measure. According to the said article, consultancy measures are implemented for the purposes of ensuring the protection of the child while he/she is with his/her family, or supporting the child during the implementation of the measures imposed in respect of him/her, or informing him/her of the possible measures to be implemented.

2- Education/training measure is governed in subparagraph b of paragraph 1 of Article 5 of the Child Protection Law and in Article 13 of the Regulation on the Implementation of Protective and Supportive Measures Imposed in accordance with the Child Protection Law. Accordingly, the education/training measure is a measure oriented to ensure that the child attends an education institution as a day-student or boarding student, attends a vocational training course or arts and crafts course, or is placed under the supervision a master of profession or in a workplace belonging to the public or private sector for the purpose of acquiring a job or a profession. Such an order of measure is referred to Provincial Directorates of National Education or the Regional Directorates of the Ministry of Labour and Social Security for implementation.

3- Care measure is governed in subparagraph c of paragraph 1 of Article 5 of the Child Protection Law and in Article 14 of the Regulation on the Implementation of Protective and Supportive Measures Imposed in accordance with the Child Protection Law. Accordingly, the care measure is a measure to take a child from those who are responsible for the care of the child but who fail to do fulfil their care duties due to any reason, and place him/her in a governmental or private care services center or enable him/her to benefit from foster family services. Placing a child under the care services of an institution limits both the freedom of the child and the guardianship of the mother and father over the child. Therefore, keeping a child in a care services center without a judge decision is limited to five days. It is necessary to obtain a judge decision prior to the expiry of the said duration; otherwise, it will result in criminal responsibility for the public officers keeping him/her at the institution. That is why urgent protection decisions have been introduced; in case of a situation which requires taking the child under immediate protection and where there is not enough time to conduct any enquiry, an urgent protection decision may be rendered, and after the necessary enquiry has been conducted, a care measure may be imposed or the child may be returned to his/her family.

According to Article 14 of the Regulation on the Implementation of Protective and Supporting Measures Imposed in Accordance with the Child Protection Law, the care measure is a measure to have the child placed in a governmental or private care services center by the Social Services and Child Protection Agency or having the child benefit from the other service models carried out by the Agency in this scope or from the foster family services. While it is stated as the Social Services and Child Protection Agency in the regulation, the measure in question is implemented by the Directorate General for Child Services under the Ministry of Family and Social Services. Besides, it may be decided to keep those children in need of rehabilitation under the care of the institution until their rehabilitation is ensured.

4- Shelter measure is governed in subparagraph e of paragraph 1 of Article 5 of the Child Protection Law and in Article 15 of the Regulation on the Implementation of Protective and Supportive Measures Imposed in accordance with the Child Protection Law. Accordingly, the shelter measure is a measure oriented to provide a suitable shelter for those who have children but do not have a place to live, or to pregnant women whose lives are in danger. The shelter measure is implemented by the Provincial or District Directorates of the Ministry of Family and Social Services, local governments, the Provincial Directorates of National Education and the Ministry of Interior. Furthermore, the ID and address information of those about whom a shelter measure is being implemented is kept confidential upon their demand.

5- Health measure is governed in subparagraph d of paragraph 1 of Article 5 of the Child Protection Law and in Article 16 of the Regulation on the Implementation of Protective and Supportive Measures Imposed in accordance with the Child Protection Law. Accordingly, the health measure is a measure to ensure medical care and rehabilitation for treatment and protection of the child's mental and physical health, and treatment and therapy for children who use addictive substances. Health measures are implemented by the Provincial Directorates of Health Care under the Ministry of Health. The health measure is implemented to ensure treatment of mental health. As is for all of the other measures, in the implementation of the health measure, reports are drawn up in every three months at the latest in respect of the children, and either the measure is revoked by a judge decision or the treatment is maintained.

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.

A "Service Mapping" study is carried out in cooperation with the Ministry of Justice and UNICEF in order to ensure the necessary efficiency in directing children to the services offered to them by other institutions following the services provided by directorates of judicial support and victim services.

The aim of the mentioned study is to create province-based service maps regarding the services that all children can receive in terms of both injunctions and referral processes by being included in the legal support system, and thus facilitating children's access to services that meet their needs. Within the scope of the study, the services offered to children by the relevant institutions and organizations on a provincial basis will be listed and reported to the judicial authorities and the legal support and victim services directorates. Children will be directed to the services they need by judicial authorities and legal support and victim services directorates.

On the other hand, in practice, it is envisaged that the necessary planning, implementation, monitoring and coordination processes will be carried out effectively by a single legal support officer in order to provide the services for the victims in a systematic and timely manner by developing a legal support plan, case management and follow-up programs for the victims included in the vulnerable group. With this new victim-oriented restructuring, it is aimed to strengthen the victims' access to justice and the protection ring in the judicial process. Thus, it is aimed to increase trust in justice by ensuring that they receive psycho-social support throughout the judicial process and by minimizing the effects of the crime in the judicial process and preventing them from being harmed.

Moreover, in the Presidential Decree No. 63 on the Support of Victims of Crime published in the Official Gazette dated 10 June 2020, it is stated that; courses can be organized by the Ministry of National Education or by public institutions and organizations, municipalities or non-governmental organizations with the cooperation of the Ministry of National Education in order for the victims to acquire a profession, and it is possible for the victims to attend the existing courses,

Victims will primarily benefit from the economic and social support of public institutions and organizations as well as the municipalities,

Upon the request of the victims who had to change their place of residence or school, the Ministry of National Education, the Council of Higher Education or higher education institutions, according to their relevance, will ensure that they will attend the schools providing the same type of education to which they or their dependents or their descendants residing together already attend, in addition, if needed in the new educational institution, guidance services will be provided to the victims.