

## CHILD'S ABUSE AND EXPLOITATION: TRAINING PROFESSIONALS TO DEAL WITH VICTIMS

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### Abstract

The paper explores the current state of affairs in the area of international and national legal provisions to provide specialized training for professionals who engage in protecting children against sexual abuse and sexual exploitation and dealing with victims thereof..

The research takes into account the relevant international legislation that includes the Lanzarote Convention, Explanatory report to the Convention, Directive 2011/92/EU of the European Parliament and of the Council, etc. The paper focuses on the national legislation and current practices of those states that ratified the Convention and currently operate as the Committee of the Parties to the Convention.

The paper aims to identify best practices and stumbling blocks regarding standards, formats, procedure of training those in charge who work with alleged victims to take their cases to trial.

The research methodology rested on the comparative analysis of data provided by the General and Thematic questionnaires that engaged Lanzarote Committee Member States. 26 Member States participated in the first monitoring round; the Russian Federation was not included in the round due to the late ratification date, though the information of Russian authorities on the relevant issues regarding the research topics is covered in the present paper.

The research findings reveal the issues with regards to the targeted audiences that are subject to specialized training, contents and features of special training.

The paper also provides preliminary recommendations with respect to the above mentioned issues.

**Keywords:** Lanzarote Convention, protection of children, minors' sexual exploitation and abuse

### 1 INTRODUCTION

Children are the world's blessing future, a driving force for the contemporary society progress and development. Nonetheless, today children are facing sophisticated forms of abuse and exploitation that destroy their mental and physical capacity, affect their human development, and deprive nations of their invaluable treasure. International legislation in force (including conventions, directives, etc.) aims to guaranty

child's rights and safety with regard to varied risky settings.

The present research focuses on international and national legal provisions to protect children against sexual abuse and sexual exploitation as the situation in the field is increasingly alarming (Ewing, 2014).

The relevant legislation includes the Lanzarote Convention (Lanzarote Convention 2007), Explanatory report to the Convention (Explanatory Report to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse), Directive 2011/92/EU of the European Parliament and of the Council (Directive 2011/92/EU), etc. Under the above white papers of the member states' national legislations further on, and the member states' agencies and institutions are trying to do their best to combat minors' sexual exploitation and abuse.

## **1.1 Research goal**

In view of the above the research goal is to identify current state of art and best practices regarding standards, formats, procedure of training those in charge who work with alleged victims to take their cases to trial.

## **1.2 Research methodology**

The research methodology rested on the comparative analysis of data provided by the General (GOQ replies: Lanzarote Convention Member States' Replies to General Overview Questionnaire) and Thematic (TQ replies: Lanzarote Convention Member States' Replies per Questions) questionnaires that engaged Lanzarote Committee Member States.

The respondents' body included 26 countries, namely Albania, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Denmark, Estonia, Finland, France, Greece, Hungary, Iceland, Italy, Lithuania, Luxembourg, Malta, Republic of Moldova, Montenegro, Netherlands, Portugal, Romania, San Marino, Serbia, Spain, "The former Yugoslav Republic of Macedonia", Turkey and Ukraine.

The comparative qualitative analysis focused on the following issues:

- a) targeted audiences that are subject to specialized training (i.e. police, officers, judges, health care officials, etc.);
- b) features of special training: interdisciplinary approach; optional/mandatory mode, curricula contents and modules, training frequency, cooperation between nations, cooperation between specialized agencies in charge and academia; planning; regional/local concerns, etc.);

## **2 RESEARCH FINDINGS AND DISCUSSION**

The research findings have revealed a number of challenges.

First, the bulk of bodies and agencies needs clarification. Thus, article 34§1 of the Lanzarote Convention specifies, that "Each Party shall adopt such measures as may be necessary to ensure that persons, units or services in charge of investigations are specialized in the field of combating sexual exploitation and sexual abuse of children or that persons are trained for this purpose. Such units or services shall have adequate financial resources" (Lanzarote Convention 2007).

Thus, the legal interpretation of the above statement limits the list of the relevant officials and bodies to those involved in criminal proceeding.

The Explanatory report concretizes the list of services in its par. 234 and enumerates police, prosecution services, child protection and health services to promote comprehensive multi-agency interdisciplinary services for the investigation (Explanatory Report to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse).

It should be mentioned that the above approach excludes judges and lawyers though they ex officio do take part in the court trial, to say nothing about teachers, though they might take part in the investigation as the educational institution representatives, or act in the child victim interests at pre-trial stage and during trial itself.

The above situation leads to various national practices across the Lanzarote Convention Member States regarding training of four specialized professional groups, namely prosecutors, police, child protection and health care service.

The questionnaires reveal that 10 out of 26 Member States provide specific training for the prosecutors (Austria, Bosnia and Herzegovina, Bulgaria, Croatia, Iceland, Lithuania, Republic of Moldova, Portugal, Netherlands and Turkey). Nine Lanzarote Committee State Parties conduct training for their police (Austria, Croatia, Denmark, Iceland, Italy, Lithuania, Republic of Moldova, Netherlands, Portugal, and Turkey). And eight member States provide special training for the child protection officers, namely Belgium, Croatia, Iceland, Lithuania, Italy, Republic of Moldova, Portugal and Turkey. Five countries informed about health services officers, including Belgium; Iceland, Italy, Netherlands, Portugal.

According to the replies in the questionnaires only two of the Committee Member States - Iceland and Portugal – run the practice of specialized and diversified training for the above mentioned concrete professional groups.

The survey showed that some countries responded in a general way (Romania, San Marino, Serbia and Spain), two Member States recognized they had no special training on the issue, Finland mentioned that the concept of circle of trust is considered in all training related to child abuse issue.

With the respect thereof it should be mentioned that survey reveals that national legislations and activities differ with respect to specialized training on the issues related to the child's abuse within the circle of trust. The present research has to acknowledge that currently according to the Member States replies there is no direct use of the express wording of the "Circle of Trust" among Member States with regard to specialized training.

Moreover, no system can be traced concerning special training as such due to the national differences in curricula, frequency, approaches, cooperation, etc, see member states replies to question 5 of the TQ (TQ replies: Lanzarote Convention Member States' Replies per Questions).

Nonetheless, the survey findings made it possible to summarize a number of promising practices regarding the approaches to, content of training, etc.

Thus, six countries focused on the interdisciplinary approach, including Bosnia and Herzegovina, Iceland, Lithuania, Italy, Republic of Moldova and Portugal. Another six underlined the mandatory nature of specialized training, including Austria, Belgium, Bulgaria, Croatia, Netherlands and Portugal.

Meanwhile Member States acknowledged that the training frequency differs, and might be conducted on the continuing basis (Denmark, Lithuania, Croatia), annually (Belgium, Bulgaria, Croatia, Luxembourg), or occasionally (Bosnia and Herzegovina).

Training curricula also might focus on the following key issues, including communication issues within police activities settings (Denmark, Lithuania and Republic of Moldova), interviewing procedure and skills (Denmark, Lithuania, Moldova, Netherlands); examination (Denmark), investigation (Croatia, Denmark).

As for the prosecution training, the information was provided by Iceland (work procedure regarding prosecution) and by the Republic of Moldova and Turkey (regarding audition of children). Little data has been submitted on curricula for health and social services staff training.

Another issue regarding the training concerns cooperation with external bodies and agencies. The promising practices encompass Austria's cooperation with Interpol and Europol, the Republic of Moldova collaboration with the USAID, The former Yugoslav Republic of Macedonia" joint efforts with the UNICEF, Embassy of France; Embassy of Netherlands, Portugal cooperation with the CPLP) and Turkey's resort to the UNICEF.

It should be underlined that some Member States reported cooperation with non-government organizations (further NGO), including Belgium, the Republic of Moldova, Montenegro and Portugal.

No participants to the first monitoring round mentioned any cooperation with Academia regarding specialists' training. The Russian Federation experience seems to be a kind of promising practice.

The coverage of current activities and trends in the Russian Federation follows below.

First, it should be mentioned that within the higher education area Russian Interior Ministry conducts the relevant training with degree award in the following fields:

- a) Law Enforcement (major profile "Activities of Units for Minors' Protection", training course index is 40.05.02)
- b) Pedagogy and Psychology of Deviant Behavior (training course index is 44.05.01, degree in Social Pedagogies).

The above degree courses provide students with the required competencies, including skills that are necessary for identifying persons who involve minors in the commission of crimes and antisocial acts, or commit wrongful acts against minors; for implementing preventive work to protect minors against abuse and exploitation; for protecting children from information harmful to their health.

In addition, the academic discipline "Victimology" (total workload is 72 hours), provides for examination of questions to determine the type of the victim of the crime, to identify, assess and neutralize criminal factors contributing to the commission of crimes, including crimes committed against minors.

Second, the Russian Interior Ministry develops action plans annually the plan for the staff continuing professional development (further –CPD), approved by annual orders of the Russian Ministry of Internal Affairs (for -2016 see the order of the Ministry dated December 24, 2015 number 1/10803).

Within the CPD courses, the Russian Interior Ministry organizes training for law enforcement officers, whose duties include work with minors in the course of the investigation, criminal and administrative proceedings, and the organization of preventive work with juveniles, as well.

CPD training on the relevant educational programs is conducted separately for the following professional groups: chiefs of units on the organization of precinct police and chiefs of the juvenile territorial police bodies, psychologists of detention centers for minors, inspectors of the territorial inspection units for minors' affairs, senior security officers and security officers of the territorial criminal investigation departments who engage in operative search and combat against minors' criminal activities.

It seems important to mention non-government agencies that engage in CPD training for various professional groups that deal with minor victims of sexual abuse and exploitation. For instance, regional non-government organization "Sisters (started its activities in 1994) has been providing training for law enforcement officers, call center employees, doctors who deal with minor victims of sexual abuse (Sexual assault recovery centre "Sisters").

Particular training should be laid on the healthcare professionals' training. The Ministry of healthcare supervisors a number of training programs at various medical universities that run specialized degree programs, training of highly qualified personnel in the clinical residency in specialties "psychiatry", "forensic psychiatric examination", "psychiatry, drug and alcohol abuse," "psychotherapy", "Sexology" (duration: 2 years).

Moreover, in various Russian cities centers for minor victims of abuse and exploitation operate, some of them are located on the premises of children's city clinical hospitals (see, for instance the information on such a Rehabilitation service center in Saint Petersburg, that operates as part of the Filatov Children City Clinical Hospital, visit the web-page for the Filatov Children City Clinical Hospital - Rehabilitation Center).

The center combines consultations, healthcare activities, emergency help to minors who have become subject to abuse and violence. In addition, the service tasks include the coordination of inter-agency cooperation in providing assistance to minors and ensuring the continuity of the integrated child support.

Thus, in the case of physical or sexual violence against a child, the hospital staff will organize the interaction and exchange of information between healthcare institutions, social protection, guardianship authorities and law enforcement agencies.

Further on, Russian non-government agencies participate in partnership projects with international agencies that are on track to raise professionals' competence and awareness of the minors' sexual abuse issues within international settings. The relevant information might be found in the section of Russia on the site of the world childhood foundation (World childhood foundation, Russia).

### **3 CONCLUSION**

The analysis of Lanzarote Convention Member States' activities regarding specialized training of professionals who deal with minor victims of sexual abuse and exploitation has made it possible to map a number of promising practices, including interdisciplinary approach to training, its mandatory nature, and further coordination of standards for training, their approval and implementation.

Cooperation between specialised government agencies, ministries etc. with NGO and Academia require further efforts and practical steps.

International partnership should be a part of the Lanzarote Committee Member States national, regional, local policies and activities.

Training of child protection officers and the staff of healthcare services deserves particular attention and requires the development of case-tailored approach to training.

The overall research proved that Academia can be one of efficient stakeholders to enhance interdisciplinary continuing professional development activities to train professionals who deal with sexual abuse victims to take their cases to trial.

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