



SOCIAL ACTIVITIES AND PRACTICES INSTITUTE

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PREVENTION
OF
VIOLENCE AGAINST CHILDREN IN BULGARIA
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THE SOCIAL ACTIVITIES AND PRACTICES
INSTITUTE

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Introduction

Prevention of violence against children was the main goal of the work of the Social Activities and Practices Institute in 2017. One of the main difficulties with this subject is the lack of research, data, analyses that outline the situation and go beyond summaries based on institutional interest or other subjective factors.

With this report, we would like to launch an initiative of an annual analysis of this topic based on our research data, and also on our experience of providing services for children and families at risk, for child victims of violence, as well as on data from providing services to professionalise the helping such as trainings, supervision, methodological support for those working in the social work system. The purpose of this analysis is to identify and highlight the *hot topics* in the field of violence against children, justifying them by evidence such as organisation's research data as well as data from recording of activities involved in the direct work on prevention of violence against children.

SAPI's experience includes direct work on prevention of violence against children, collecting data on the situation of child victims of violence in the country and conducting own research on that topic. Direct prevention work includes primary, secondary and tertiary prevention activities¹, i.e. general violence prevention activities, activities to prevent violence against children in a social risk situation and activities to prevent repeat and secondary victimisation of child victims of violence.²

The methodology of the analysis is based on a review of the activities of the organisation at the three levels of prevention - general, risk prevention and prevention of the recurrence of violence, and in each of these fields were identified specific criteria for analysis that are theoretically deduced, and where possible also specific indicators of these criteria.

The report includes key conclusions from the data we have and proposals to address these issues, which we have called promising practices. As good practices we have identified practices which have underwent an external evaluation.

¹ Under "activities" we understand trainings, campaigns, service provision, research on the topic.

² Pursuant to the Prevention of Domestic Violence Act a child is a victim also when he/she is a witness of such violence

The report is not intended to be exhaustive, it only gives rise to the issues and possible solutions, that were identified by SAPI in their practice.

1. GENERAL / PRIMARY PREVENTION OF VIOLENCE AGAINST CHILDREN

The general prevention of violence traditionally encompasses the efforts for the welfare of the people in a society, and in terms of children, it covers care and upbringing in the family, access to and quality of education, health care, etc.

The main guidelines in this area in 2017 have traditionally been contributing to building a secure environment around the child, which means a secure environment in the family, at school and in the community. Under a secure environment, we understand such attitude of adults that satisfies the child's emotional, cognitive, social and spiritual needs.

1.1. Corporal punishment

Corporal punishment, harsh attitude of adults, mainly parents and teachers relate to the behavioural difficulties of children. In our country this relation is not yet sufficiently recognised.

The data from the third consecutive survey of the problem with corporal punishment³ conducted in Bulgaria in 2017 (and this time the subject of the survey⁴ were studies in Bulgaria and abroad), as well as the analysis of the content of pedagogical publications aimed at teachers and educators, show that the subject of corporal punishment⁵, as well as of sufficient alternatives to corporal punishment are missing. The absence of special attention to the subject in the training of future teachers in kindergartens and elementary schools, future social workers and social pedagogues opens the field for research and change. Until the 1990s, corporal punishment was considered an acceptable disciplinary method that was not considered an abuse⁶. Recent research, however, finds a link between history of corporal punishment in childhood and greater risk of aggressive behaviour, learning problems, crime and domestic violence in adulthood⁷. As a

³ See "Prevention of Corporal Punishment in Children aged 0 to 3", SAPI, 2011

⁴ The whole survey will be published in the Trainer's Manual in 2018

⁵ National report "Prevention of Corporal Punishment", SAPI, 2017

⁶ Durrant & Ensom, 2012

⁷ Durrant & Ensom, 2012; Gershoff, 2013

result, the use of corporal punishment against children is a risk factor for physical violence and, according to experts, is an adopted method of abuse.⁸

A number of international studies⁹ have shown the relation between different forms of corporal punishment and behavioural difficulties in children. The corporal punishment, including forms such as hitting (with the hand, leg, or with an implement), degrading treatment, other non-physical forms of punishment, that are also cruel and degrading, e.g. punishment which belittles, humiliates, denigrates, scapegoats, threatens, scares or ridicules the child¹⁰, against children, both in the family and its substitute structures, and in school is rather subject of media attention when such cases become known, than of real measures and programmes on the part of the public authorities.

Most of the cases of violence against children that have recently become known in the public domain and which provoke outrage are forms of violence that are *de facto* mild and as a result it is difficult for the perpetrator to be punished, because the victim or their legal representative must file a complaint. When the victim is a small child, it is difficult for them to explain what has happened to them, and they would hardly know they can file a complaint. Administrative sanctions are imposed pursuant to the Labour Code when the violence is committed by an employee in a residential service. A penalty may only be imposed if there is a bodily harm, mild, medium or severe. However, there are other forms of violent practices or actions that undermine the child's integrity and dignity - insults, screaming, pulling hair and ears, time-out standing in the corner, and other forms of abuse that fall within the scope of the so-called "corporal punishment".

Corporal punishments are often discussed in criminal case law. The main problem in this case is that a large proportion of the crimes leading to bodily harm are prosecuted following a complaint by the victim and to the extent that the victim sustains the complaint. It's about the so-called "private prosecutions", for which the laws provide that they are initiated and prosecuted only on the initiative of the victim. In many cases, where the victim is a descendant, a spouse, a brother

⁸ Durrant & Ensom, 2012; Straus, 2000.

⁹ The whole survey will be published in the Trainer's Manual in 2018

¹⁰ CRC, GENERAL COMMENT No. 8 (2006) (para.11) The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment (arts. 19; 28, para. 2; and 37, inter alia)

or a sister, the criminal prosecution is initiated only on the complaint of the victim - Art. 161, para. 1 of the Penal Code.

Our work during the year allowed us to assert that corrective approaches in both family and school continue to be governed by authoritarian pedagogy, resulting in an increase in the violence against children by adults and an increase in aggression among children¹¹.

Most forms of aggression in school are also addressed by the media and by pedagogical specialists as a manifestation of poor home upbringing, i.e. insufficient control, discipline, rules, etc.

Promising practice

“Positive parenting” is a practice of experiential training. It is delivered under two different programmes - one for parents, and another one for carers - social workers, teachers, educators, etc. Both programmes were delivered in 5 modules of two hours each, conducted in different days. In this way the trainees had the opportunity to think through the learning material and reflect on it. The feedback from this type of training is very positive; participants expressed mostly satisfaction with the new techniques learned for dealing with unwanted behaviour and the fact that they had the opportunity to share with other people in a similar situation. Understanding that their problems are not unique, that others encounter them too, and that it is normal, has led to a significant reduction in the trainees’ emotional burden.

Self-reflection and reflection on the contribution of school life, the way of teaching, the relationship between teachers and children, teachers and parents are happening mostly as an exception.

Practices of good attitude/treatment (*bientraitance*) of children are being developed in some schools and kindergartens, most often in partnership with NGOs, but they do not have the status of proven good practices to be recommended by public authorities as models to be followed.

Promising Practice - Supervisory Teachers Community.

This is a voluntary community of teachers of one school who meet at least once every two months and discuss specific cases of children. This group includes school psychologists, the pedagogical counsellor. The group was initially run by a professional supervisor who used group-centred

¹¹ Resilience Project

supervision. The idea was for a small community to reflect on what the teacher does, the emotions they experience, the desires they have. They all try to find new ideas, opportunities, approaches.

1.2. Prevention of sexual violence against children

Preventing sexual violence against children is still a difficult subject for the adults, which is more of a problem related to the difficult communication with children

Comparing the data from 2015 and 2017 of a national representative survey among parents and guardians of children aged between 5 and 11 years we can say that there is a significant change in the results, which in the first study have indicated that 61% of parents/guardians have not discussed with the child that they may become victims of sexual assault. Compared to the repeated survey, where more than half of the parents (51%) haven't discussed with their children on the topics of sexual education. This is an indication that for parents it is difficult to communicate freely and openly with their child on this subject. However, a change of 10% is reported, which is probably due to the more intensive campaigns and programmes developed and implemented by NGOs in schools and for the general public.

The survey found that a small proportion of parents (22%) who had talked to their children shared that talking to the child about how to prevent sexual assault was relatively the most difficult, or one of the most difficult conversations for them. However, those who have done so have warned their child mainly about violence that may come from outside, advised them not to talk to strangers, etc., but they have not mentioned the possibility that the child may be hurt by someone close to them.

It is important to note the significant difference in the results related to including and paying attention to the topic of Internet hazards. According to the initial survey, only 8,3% of parents have discussed this subject with their children, while in the repeated survey a much higher sensitivity was registered - 39,2%. The earlier this conversation begins; the better prepared children will be and will be able to recognise threats and hazards in the Internet.

As the repeated survey shows, parents have the greatest responsibility to talk to children about the safety from sexual assault - over 90%, but the school/teacher also have a very important and major role that is shared by about 70% of the respondents. This shows the importance of focusing

on raising awareness, creating an environment in which to talk about the problem, and engaging parents, school and children themselves in violence prevention programmes.

In conclusion, we can say that working with respect to the parents' attitudes is a key moment for their motivation and willingness to talk with their children on topics related to sexual education and assault. Parents view this responsibility as shared with the school - they believe that the topic of prevention of sexual assault should be included in the school curriculum.

It is indicative that large number of parents still feel uncomfortable, they do not know how to talk to children about these topics. At the same time sex education at school is extremely insufficient, which implies the need to include/introduce sex education programmes at school aimed at prevention of violence and, in particular, sexual violence against children.

Promising practice "Think Before..."

For yet another year, we continued with the campaign on prevention of child sexual exploitation and abuse – "Think Before...". It is aimed at prevention among teenagers of four different forms of sexual exploitation and abuse - first sexual contact under pressure, sexting, sponsorship, trafficking. It involved over 200 children in the towns of Shumen, Stara Zagora, Sofia and Vidin. For easier access to the materials developed, a website for teenagers has been created, which was promoted among children as well as among teachers and parents.

1.3. Social Services for Children and Families at Risk

Social services for children and families at risk continue to include also some prevention activities by means of supporting parents to improve their parenting skills for "good parenting" – for prevention of violence, neglect and all forms of humiliation of children. In 2017, **1,264 parents and 385 children participated** in prevention programmes provided by the social services run by SAPI. In 2017, we have worked with 285 parents included in programmes for Positive Parenting (2 parents' groups), "Education with no Spanking", Workshop for Parents, School for Pregnant Mothers, Self-help Groups of Adopters and Adoptees, "Kiko and the Hand", and other.

The analysis of their participation showed that respect, regard for the dignity, partnership based on the understanding that “It is difficult to be a parent”, as well as interactive programme methods contributed to changes in the attitudes and the parents’ behaviour.

Promising practice

In 2017 – in June and July in the Centre a parents group meeting was organised for the first time under a programme developed in the framework of “Hands Up” project, implemented with the financial support of the EC under the “Rights, Equality and Citizenship” Programme. The project objectives were:

- Increase cooperation, planning and capacity of different public agencies to effectively address corporal punishment against children;*
- Promote the adoption of positive discipline practices among parents and caregivers;*
- Raise community awareness of the need to eliminate corporal punishment against children.*

The lead project organisation is APDES (Portugal), and the partners are: The Catholic University of Portugal; SAPI (Bulgaria); Camino (Germany); University of Alicante (Spain), One Child, One World (Greece). 50 parents took part. In 2018, the programme will also be implemented in the services in the towns of Shumen, Vidin and Stara Zagora. In 2017 a shift was seen towards stronger partnership with schools and teaching staff in all towns where SAPI provides social services. Our hypothesis for this positive change is that it is based on the trust built over the years and the new philosophy of the Preschool and School Education Act.

1.4. Child participation

Child participation understood as empowerment, respect, genuine respect for opinions and needs is a serious factor in violence prevention.

We can draw this conclusion on the basis of the analysis of the work of social services with **1,530 children included in group programmes and trainings** on violence and aggression prevention in schools in the towns of Shumen, Sofia, Stara Zagora and Vidin. This analysis shows that children can be involved, they can share and look for ways to cope with difficulties in a constructive way when programmes that adults use are:

- Interactive, involve child participation, activity, expression of opinion, etc.;

- On topics that children are excited about;
- Make use of different learning methods - materials, videos, learning resources;
- Based on a clear concept.

Promising practice

In October 2017, in partnership with "Sava Dobroplodni" Secondary School in Shumen, we launched an innovative activity related to the organisation of a Children's Human Rights Club. The Children's Club enables children to develop their communicative skills, to work in a team towards achieving common goals, to apply the knowledge in the school, at home, in the neighbourhood, to inform and advise their peers to advocate for supporting peers in need or on current issues affecting more children.

Promising practice

In relation to prevention of asocial behaviour and violence in 2017, we continued to cooperate with educational institutions, where social workers deliver trainings on: "Good and Bad Aggression," "Gender Relations," "Teamwork", "Tolerance," "WEB 112. Net". "It's Better to Talk" Programme was implemented by the specialists of Vidin Complex for Social Services for Children and Families (CSSCF) with children and young people placed in the Crisis Centre. The programme was aimed at raising their skills to recognise physical, sexual and emotional violence among peers and between child and adult, and develop skills in children to recognise the difference between trust, love, insult, anger, aggression, etc.

Promising practice

With the initiative "Being Your Own Lawyer", 50 children from Stara Zagora schools participated in an interactive presentation of the "Blue Room" service and an introduction to its nature. The aim was for children to acquire knowledge of their rights guaranteed by law, to learn to invoke them and to use them effectively. Through experiential techniques the participants became acquainted with the "Blue Room" and found more about its nature. The children were also delivered a short training in groups of 15.

Promising practice – “The Researcher” Club

About 300 children from Stara Zagora participated in workshops and activities together with “The Researcher” Club and specialists from the Complex. The aim was to strengthen the spiritual values of the Bulgarian people in children and young people, to enrich their knowledge of nature and to contribute for building good relationships with people. The work is aimed at the physical, intellectual and social development of children and adolescents. Most activities are related to outdoor practices - where real adventures happen - regular gatherings, camps, excursions, hikes, sports and cultural events, leaving vivid memories in children and adolescents. Additionally, children and adolescents learn to be responsible and active citizens of our country by being assisted to develop in themselves values that provide a solid foundation for a decent and fulfilling life.

Promising practice

A National campaign “Being a father” (6 - 12 November, 2017). We organised a series of events that emphasised the important role of the father in every child's life. For yet another year, the Complex for Social Services for Children and Families - Shumen focused the community's attention to two significant dates - 19 November - World Day for Prevention of Child Abuse, and 20 November - the anniversary of the adoption of the UN Convention on the Rights of the Child. This year to three of the schools - partners of the CSSCF (II Primary School “Dr. Petar Beron”, the High School of Mathematics “Nancho Popovich” and the Secondary School “Panayot Volov”) we provided information materials and thematic boards that were available to the students throughout the week of 20 to 24 November. This theme was also covered in the “Good day, Shumen” show, on Shumen Television.

Promising practice

On 1st of June, the International Children's Day, specialists from the Community Support Centre (CSC) in Sofia organised Children's Rights Workshop for Children. Two workshops with children from 5th and 6th grade of 16th School in Nadezhda district were held. A total of 40 children participated in the event.

2. VIOLENCE PREVENTION FOR CHILDREN AT RISK/SECONDARY PREVENTION

In 2017, the social services run by SAPI in the three Complexes for Social Services for Children and Families in the towns of Vidin, Stara Zagora and Shumen and the two Community Support Centres (CSC) in Sofia met the needs of a total of 3,617 children and parents, of whom 2,353 children and 1,264 parents. Of these, 823 children and 979 parents were referred to them by the respective Child Protection Departments.

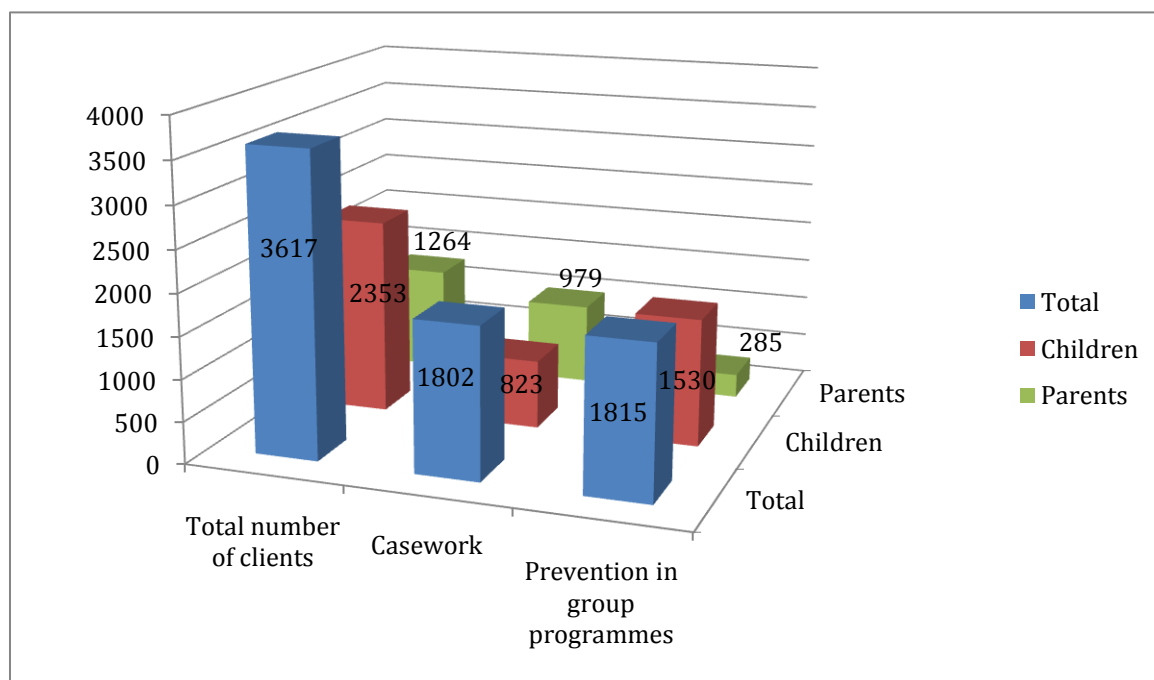


Fig 1. Clients received in the services run by SAPI in 2017

The data from our work in 2017 again showed that the key issues for children at risk were related to various forms of violence - neglect/poor parenting/emotional violence, abandonment/separation, corporal punishment and physical violence, bullying, including by peers, and sexual assault, abuse and violence.

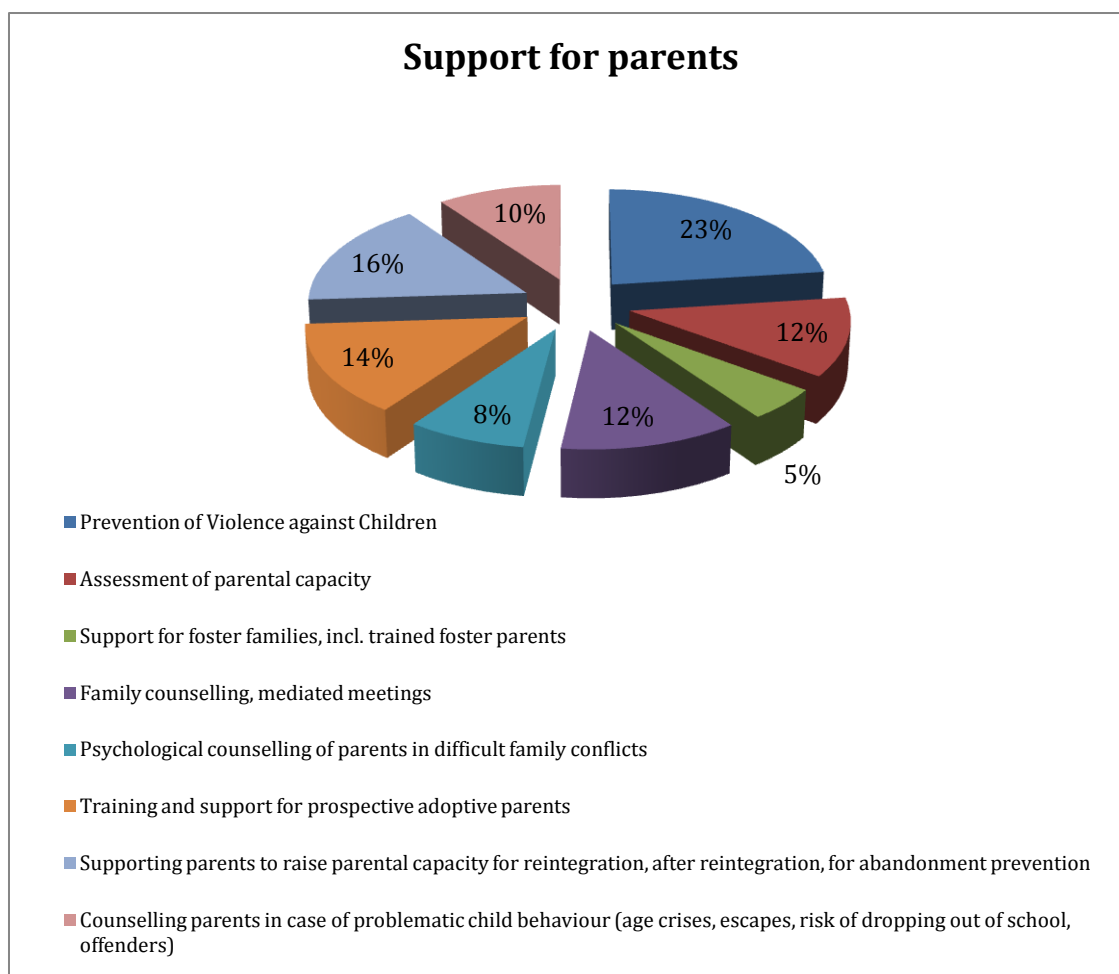


Fig. 2 Support for parents

2.1. Working with parents of children at risk

Our analysis showed that the relative share of referrals for working with parents of children at risk is steadily increasing. The child protection system is increasingly geared towards working also with families and relatives of children, especially in case of protection measures in family environment.

The main indicator to judge about the change is the relative share of parents from the total number of clients, an indicator that we have been monitoring for over 10 years. In 2017, parents were 35%, however in casework the number of referrals for children and parents was almost equal - 751 for children compared to 794 for parents. In 2016, the ratio in casework was 45% parents to 55% children.

In 2016, the relative share of rereferrals for reintegration support was approximately 18% of all referrals for working with parents, while in 2017 it increased to 22.5%.

This has been a major change over the last ten years, which may indicate a change in the understanding of child protection, which means working not only with children but also with their parents. It is also the result of the specific understanding of SAPI of casework and work with the parents of children, as individual service users, individual clients.

Good practice

Upon receiving of a referral or a request for supporting a child, the routine procedure involves a study of the situation, the problem, the child's needs, and the resources for the case, which includes meeting and interviewing parents and relatives, and based on the above a professional assessment is made. If it shows that the needs of the child can be met by mainly working with him/her, an individual plan for working with the child is drafted. More often, the assessment shows some needs of the parents that can be met if working with them together or individually, in the same way as with an individual client. Then casework for the parent starts that includes a study, an assessment, and a work plan drafted by a social worker and a team if needed. Thus, one can understand and meet the parental suffering, which usually is the basis for the difficulties in parenting, which in turn leads to difficulties in the child.

2.2. Work on violence prevention

Work on violence prevention in 2016 was about 90% of all the work with parents, while 10% covered the work for training and preparation of adoptive and foster parents. In 2017, it accounted for 86%, since the relative share of the work for preparation of adoptive and foster parents had increased. All other forms of work have a preventive aspect with respect to violence against children, but are not recognised as such.

The proportion of prevention of emotional abuse of children in the family is steadily increasing.

Prevention of emotional abuse should be considered the essence of the work in cases of parental conflicts, divorces and separations, with the substantial part of the work being with parents, and not children. It is notable that the share of referrals for casework when it comes to severe family conflicts was about 7% in 2016, while in 2017 it was already 16%, which together with

psychological counselling and mediated meetings, that were also mainly implemented in family conflicts, reached nearly 40% of the work with parents.

Promising practice – Ensuring contact with both parents for the benefit of the child

The work in case of severe family conflicts is aimed at empowering parents, providing contact of the child with each of the parents. Where necessary, contact is observed in a specialised premises - “Blue Room” or another appropriate place. Our understanding is that every child has the right to contact with his/her parents. We ensured the contact of a baby abandoned on the street with his parents because we believe that it is good for the baby to be able to part from his mother and father through their good words.

The analysis of our work shows that the difficulties in supporting and achieving results correlated to the best interests of the children stem from the lack of law and boundaries that should give to the child security and opportunity to benefit from the support.

In the majority of cases, the court decisions on the contact of the child with the alienated parent are not implemented, and usually the parent who provides the care is the one who is least emotionally abusive to the child.

The child protection system in most cases does not identify parental conflicts, parental alienation as a type of violence against children, and often unduly only children are referred to services. The child should be referred to a service only if their emotional security is guaranteed, i.e. work is done also with the parents.

The conflicts’ duration increases the risk for children and requires protection measures to be implemented, accompanied in some cases also with moving out of the family. There is a tendency the number of cases that the Child Protection Department refers for support in a situation of severe family conflicts and parental alienation, to increase. The support provided **to children in case of severe family conflicts and in mediated meetings in 2017 was 161 cases in total**. The analysis of the cases showed that the majority of children were teenagers and needed support to overcome age crises. Another part of the children were living in conflicting family relationships and crises following the divorce of parents.

Promising practice

Mediated meetings: Parents divorced two years ago and the boy (5 years old) was left with his mother and her parents. He hadn't seen his father for more than a year and a half. The father insisted on seeing the child and the mother said she would not oppose because she realised that the child needed contact with his father. Meetings were held at the CSC and were mediated by a psychologist. The child was refusing to see his father, the mother was standing next to him, stroking him and saying, "Do not worry, I'm here, do not worry ...". The psychologist agreed with the child that the father can come to the room only to see him, and that the child would talk to his father only when and if the child would be willing to do so. Initially the mother was also in the room because the child refused to stay there without her. Gradually and as a result of working with the mother for changing her messages to the child, the child started to stay with only the psychologist, and the father was present. After a continuous work the child understood that he could talk to his father without this being "a betrayal" to his mother and the contact was gradually recovering. As a consequence, the child began to "detach" from his mother, to play without any problems with his peers, and to be more autonomous.

2.3. Prevention of separation of the child from the birth family

Preventing the separation of a child from his/her birth family is effective when there is a united action to increase parental capacity, social assistance, employment, housing support, and so on. Poverty, low education, lack of employment continue to be the factors for moving children out of their families.

Over the years, we have built up consistent actions and a package of services for parents who have difficulties in caring for children. In all our structures, we are following a specialised framework to assess parental capacity and the extended family, and based on that we make a conclusion on the readiness to reintegrate a child or on the need for support prior to reintegration. The cases are very dynamic, but there is a predominant need for support for good parenting, which is at least 6 months, and in many cases also long-term one year. After submitting an opinion to the Child Protection Department, for possible reintegration, we continue with support for the family in their care for the child after the reintegration has been implemented. We had a total of 146 clients for assessment of their parental capacity, and 220 for support for reintegration and post reintegration. We recognise that in about 10% of all cases in the support process, there is no actual return of a child to the birth family, regardless of the

support provided by the specialists. For post reintegration cases we can report that the cases where the child had to be moved out of the birth family yet again, were incidental.

Promising practice

Internal team meetings on child and parents cases. At least twice a month a general team meeting is held between the professionals working with the parents and the child. A representative of the management of the service must attend the meeting.

Data analysis shows difficulties in preventing separation/disrupting adoption of children who were already adopted. This year again the tendency was sustained for referring younger and younger children due to behavioural difficulties and the inability of the educational system to meet their needs.

A total of 45 adopted children were supported through casework by the teams of the services in the towns of Shumen, Sofia and Stara Zagora. CPD would issue a referral when a high risk has been identified in the family - severe conflicts and deviant behaviour of the child. In the CSSCF Stara Zagora they have worked on 2 cases of disrupting the adoption of children, who were also heard in the Specialised Room. CPDs usually say that parents don't want, and they cannot oblige them. For some reason, the child protection system refuses to delegate compulsory post-adoption monitoring to social services for children and families at risk. Regardless of the many efforts and meetings with the CPD for issuing referrals for support in the post-adoption period, no referrals were issued by the CPD for the services provided by the suppliers. For the past year, only three referrals for working with the family after the adoption have been issued for the CSC Sofia. Hence the help is often too late and unsuccessful, which increases the risk of disrupting the adoption.

Promising practice

Adoptive parents' group. This is a model of group work where adoptive parents can share, raise issues they are concerned with, and seek answers through the specialist and the experience of the other families.

There are active support groups for adoptive parents in the services in Shumen and Sofia. In 2017, a total of 20 adoptive parents and prospective adoptive parents participated in these group.

2.4. Relation between the child's age and the problems of the parents

It can be said that there is a relation between the age of the child and the specifics of the problems of parents for which they seek help or are referred to seek support. In 2017 there was a tendency of getting more requests from parents of teenagers.

It is also noticeable that parents generally have greater sensitivity to seeking professional support when children are on the brink of adolescence or are already at that age. Probably because the authoritarian model of upbringing and education puts seriously to the test the communication with children during this period.

Our work with parents of children in pre-school or elementary school age is most often related to difficulties in adapting the child to school, compliance with rules and requirements, difficulties in interaction with peers, including aggressive behaviour. The efforts of the professionals were aimed at supporting parents to better understand the specifics of the respective age of their child/children, as well as to develop skills for active listening and talking to them.

2.5. Preventing the risk of violence for children in alternative care.

There is a professional understanding that placing a child out of his/her birth family is a traumatic experience that needs accompanying and support. There are indicators for overcoming the understanding present among the professionals of the child protection system and the foster care teams that since it is a protection measure, it is necessarily accepted by the child as well as protection. At the national level, it is still the understanding that children placed in foster care should be referred to services only if "there is a problem".

In 2017, from the direct work based on referrals from the CPD performed in the services run by the SAPI, the highest percentage of cases were cases for ***supporting children placed in foster care - 231, and another 29 were the cases of children placed in residential services, out of a total of 751 referrals for working with children.*** The opportunity that different professionals may work with the child is a crucial one because these children have experienced various traumatic events and deep emotional crises, they have a lot of difficulties in communicating, sharing and building a trusted relationship.

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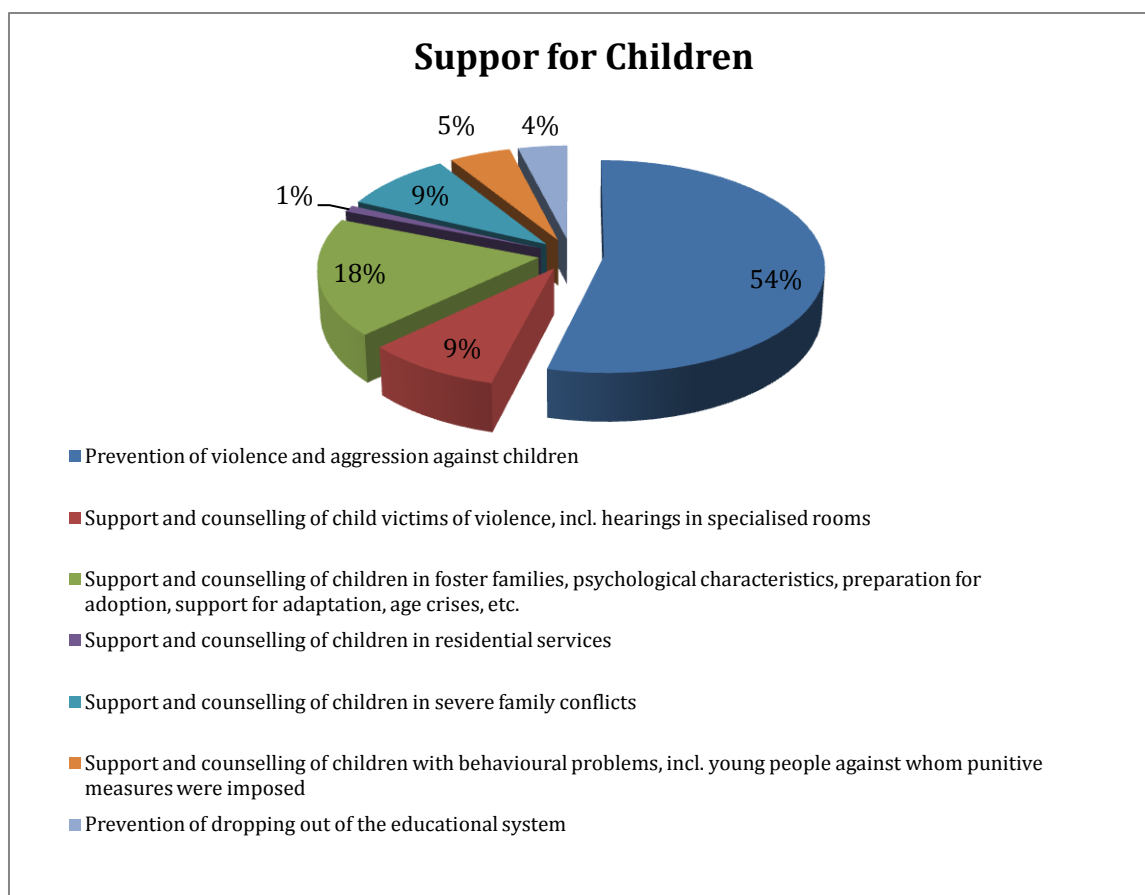


Fig. 3. Support for Children.

The support for children is organised, on the one hand, through individual psychological and social support by the key worker who makes an assessment and develops a specific relationship of trust with the child, and also through involving children in specialised group programmes. The leading areas of work are on developing understanding, assembling, comprehension, accepting the personal story; finding meaning, projection of the future.

Promising practice

*Personal story programme "My Identity". This is a programme for individual work with children with a fragmented story aimed at providing support for resilience based on narrative and system approaches. It covers a set of sessions aimed at rationalising the story, its supports, giving new meaning to events.*¹²

¹² SAPI, 2017 r. Children in Conflict with the Law, Manual for Professionals, vol. Identity and Life Story. Book of Life.

Parallel to individual psychosocial support, drafting psychological characteristics and preparation for adoption, children are included in ateliers and group programmes. Participants succeed to expressing their emotions and processing the negative experiences through art.

The preparation for adoption of children placed in alternative care in 2017 started to be delivered also through referrals upon entry into the register, posed serious challenges. On the one hand, informing the child and seeking his/her opinion on this entry is an important act of guaranteeing the right of the child to participate, and on the other introducing the topic of adoption without having a real procedure may turn into an act of traumatising the child.

The need of preparation for adoption was brought out also in children and foster families where they were placed prior to adoption, as well as the need for a follow-up support. There have been cases where foster parents have provided long-term care for children who were subsequently adopted abroad at a higher age, but no longer keep in contact. In these cases, during the supervisions, we were struck by the excitement of foster parents and their desire to hide the emotions: “Do not think that I'm crying. I'm a professional parent and I should not have feelings.” This also raises the question of understanding the professional foster care that totally rejects the establishment of links between the foster parent and the foster child and the need for subsequent professional support for dealing with the separation.

Promising practice

In the framework of preparing the child for entry in the adoption register, social workers and psychologists work with children for comprehending their personal story, for understanding the temporary nature of alternative care, projection of the future depending on the age of children. Direct preparation is only made when there are prospective adoptive parents for the child.

3. PREVENTION OF VICTIMISATION/ THERAPY PREVENTION IN CHILD VICTIMS OF VIOLENCE

The SAPI has more than fifteen years of experience in working with child victims of violence and their families and it encompasses also a number of national and international surveys and studies,

trainings, provision of specialised services such as Emergency Accommodation, Crisis Centre, Support for Child-Friendly Justice, Child Centre for Advocacy and Support *Protection Zone*.

3.1. Analysis Methodology

The analysis methodology combines qualitative and quantitative methods and gives grounds for reliable conclusions.

Methods of gathering information - The analysis of the situation regarding the prevention of secondary victimisation of child victims of violence or crime is based exclusively on data gathered by the Social Activities and Practices Institute through:

3.1.1 Action Participatory Research 2016-2017 during the training of 1,134 social workers, medical professionals, police officers, prosecutors, judges, etc. (see Figure 4). The trainers' reports followed a common analysis framework based on the work of the training participants on the same case studies in all groups, 28 trainers' reports were analysed. The total number of participants in the study was 297.

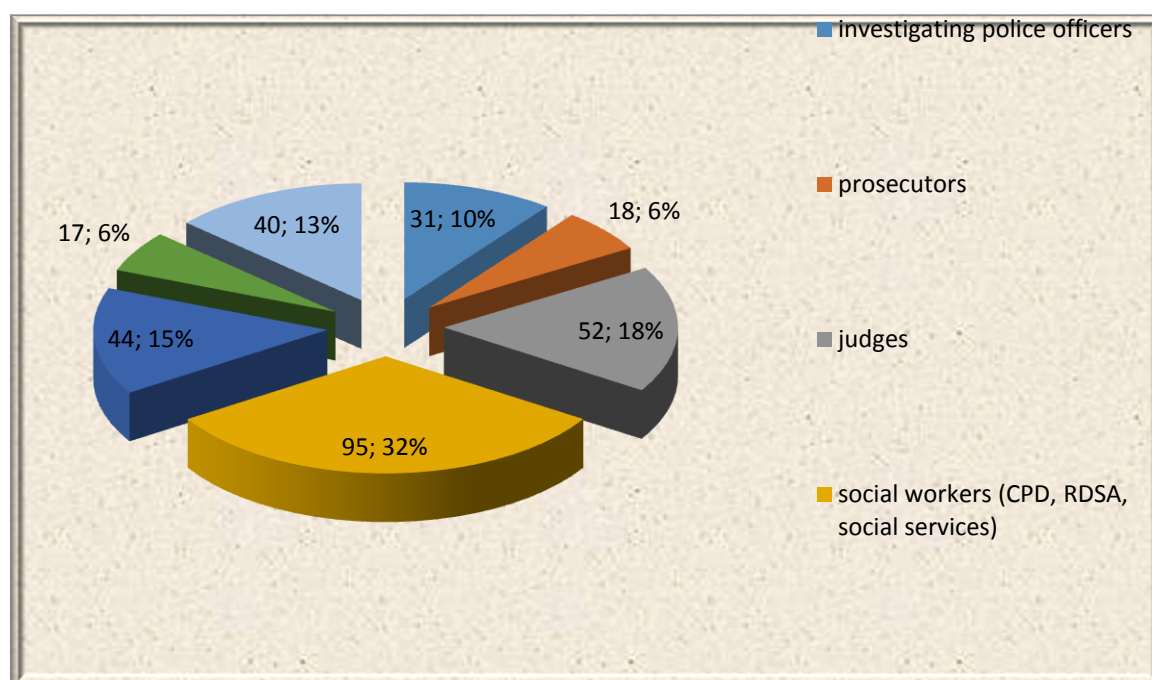


Fig. 4. Participants in the Action Research.

The survey is based on aggregated observations at the meetings and supervisions following the trainings, from more than 80 supervisions carried out by inter-institutional teams in the 28 regional centres, through analysis of the reports; review of over 300 cases of child victims, through content analysis; interviews with 37 child victims and their parents, as well as vulnerable adult victims of crime. The analysis also includes data from a 2017 study¹³, from the review of cases that involved sessions in the specialised interviewing rooms¹⁴ or receiving support services. The data was collected through questionnaires and analysis of documentation kept in the specialised interviewing rooms in Bulgaria. Twelve of all 21 currently existing specialised interviewing rooms were covered. These are rooms located in social services with which the SAPI maintains a supporting relationship, information exchange and common efforts to change the situation in our country¹⁵. Hearings and interviews in these rooms are most often carried out with child victims or witnesses of sexual assaults, domestic violence, custody cases, etc., and also cases of minors with antisocial behaviour. A Framework for initial individual assessment within the meaning of Directive 2012/29/EU has been validated during the trainings and the follow-up supervision.

3.1.2. Quantitative data and annual analysis of the work of the specialised services for supporting child victims of violence *Protection Zone* in Montana and Shumen.

3.1.3. Quantitative data and annual analysis of the work of the social services run by the SAPI - CSSCF Shumen, CSSCF Vidin, CSSCF Stara Zagora and CSC Slaveikov and CSC Nadezhda in Sofia.

3.1.4. Official statistical and other data on the subject.

2017 was the second year of real implementation of the requirements of Directive 2012/29/EU which asked for the establishing minimum standards on the rights, support and protection of

¹³ The total number of vulnerable victims covered by the survey conducted by the SAPI for 2016 and 2017 on the existing practice in Bulgaria for protection of the rights of child victims of crimes and undertaking special protection measures within the framework of justice and during their participation in legal procedures was 446 children and adults, of whom 290 were cases of children who have passed through blue rooms, 119 were described and reviewed during the provided 112 supervisions on cases and 37 were included through interviews. Based on the cases of children who have passed through the blue rooms, it is evident that more often these are girls and children under 14 years of age.

¹⁴ Since 2008 SAPI has been supporting the development of a network of specialised premises for interviewing child victims of violence or crimes.

¹⁵ **The survey was conducted within the framework of Project “Justice befriends the child – training of practitioners for better cooperation”,** financed by the EC under contract No JUST/2014/JACC/AG/VICT/7465, **covering survey period January 2016 - November 2017.** These are the so-called “Blue Room” for interviewing children in the towns: Blagoevgrad, Burgas, Vidin, Dupnitsa, Montana, Pazardjik, Plovdiv, Ruse, Sliven, Sofia, Stara Zagora and Shumen.

victims of crime, especially the most vulnerable of them like victims of domestic violence, children and adults with disabilities. Indeed, the Directive requires the Member States to adapt their criminal proceedings to the needs of victims of crime. Since the governmental structures responsible for its transposition claim that it was introduced in Bulgaria¹⁶, we accept as the main analysis criteria and the conclusions to be drawn from it the requirements of Directive 2012/29/EU concerning the establishment of minimum standards with regard to child victims of crime. We must immediately state that, under the Directive, children are presumed to be vulnerable victims.

Criteria for analysing the information gathered is the implementation of Directive 2012/29/EU with respect to child victims of crime - informing the victims of crime of their rights, a multidisciplinary and interinstitutional approach, speed of the process, implementation of measures for child-friendly justice based on the individual assessment, victims' access to recovery services.

3.2. Difficulties in data gathering

There are still difficulties when gathering data. There are some discrepancies between the data on working with child victims of violence collected by the SAPI and the official data of the child protection system. There are discrepancies also between the data of different governmental structures. These are discrepancies both in terms of number and types of violence, and in terms of working with such cases.

The first discrepancy is with regard to the total number of child victims of violence. The total number of reports for child victims of violence received in the CPD/DSA for 2017 is 1,282¹⁷. According to the data of the Agency for Social Assistance, the total number of cases of violence¹⁸ which the child protection system has worked with is only 382, out of a total of 1282 reports of violence against children received by the child protection system. Only in the services run by the SAPI in 2017, however, we have worked on 298 cases of violence. According to the data of the State Agency for Child Protection¹⁹ all licensed providers in the country have worked with 2,207 cases.

¹⁶ MoJ letter to the NNC

¹⁷ ASA official data for 2017

¹⁸ NNC, Report Card 2018, p 87

¹⁹ NNC, Report Card 2018, p 87 (edition in Bulgarian)

There are some discrepancies also between the data of the child protection system and the data of the police and the Supreme Prosecutor's Office of Cassation (SPOC). According to the SPOC data²⁰ only for the period 01.01.2017 to 30.09.2017 the pre-trial proceedings for child victims initiated pursuant to all texts of the Criminal Code are 3,032, while 696 of them are the pre-trial proceedings initiated for crimes against the child's person.

Data on cases of child victims of violence, per type of violence, of all services, incl. the specialized								
Service	Total number of victims of violence	Physical violence	Sexual violence	psychological violence	Internet violence	Neglect	Witness of domestic violence	Bullying
CSC – CSSCF, Vidin	35	2	11	21	1	0	0	0
Crisis Centre – CSSCF, Vidin	15	7	5	1	0	2	0	0
CSC “Pirotska”, Sofia	87	10	6	54	3	14	0	0
CSC “Nadezhda”, Sofia	34	7	4	13	0	10	0	0
CSC Stara Zagora	31	8	7	12	0	4	0	0
Specialised services Protection Zone	96	29	26	1	1	6	30	3
Total	298	63	59	102	5	36	30	3

Table 1. Cases of child victims of violence the social and specialised services run by SAPI have worked on, per type of violence

²⁰ The data were provided by the SPOC at the request of the SAPI at a national conference on 17 November 2017 under Project “Justice befriends the child – training of practitioners for better cooperation”, contract No JUST/2014/JACC/AG/VICT/7465

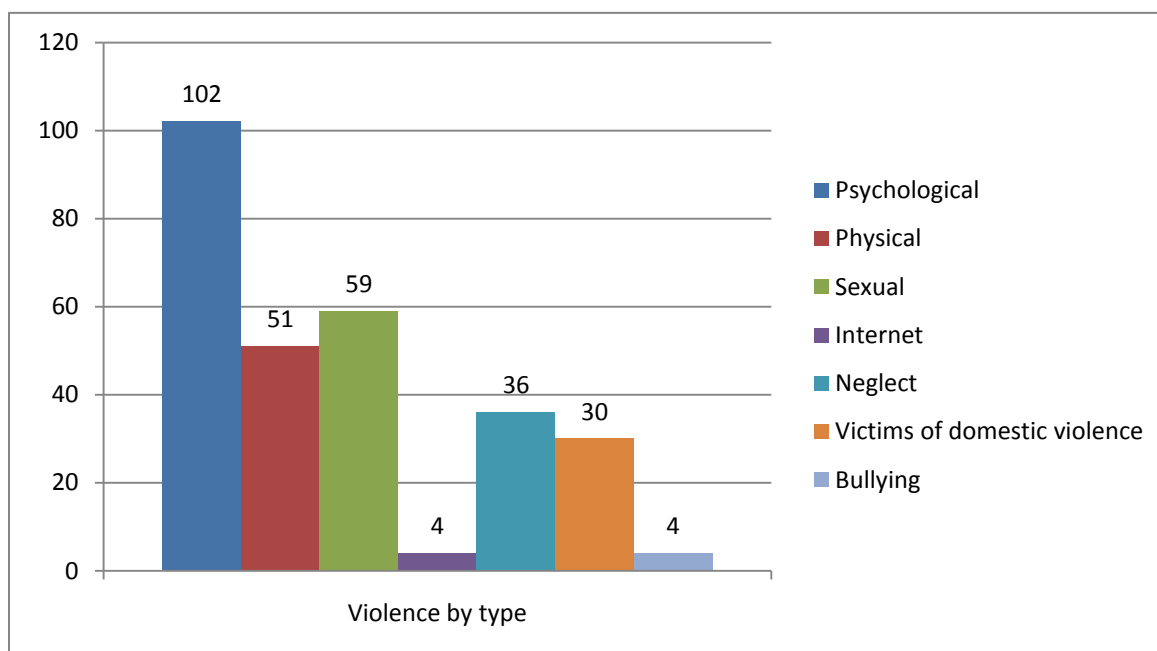


Fig 5. Data from services, managed by SAPI per type of violence.

Next, the discrepancy in the data also shows that while, according to official statistics, the majority of victims are victims of physical violence, according to data from social services for children and families at risk and the specialised services that SAPI runs, the majority of the cases are cases of psychological violence. The reasons for this serious discrepancy may be different, but we believe that they are:

- subjectivity in identifying cases of violence, lack of common criteria;
- failure to recognize cases of severe parental conflicts by the child protection system, including cases of parental alienation as a display of violence;
- failure to report cases of school bullying by both parents and schools;
- failure to inform the CPD about many cases of crimes against children that have been reported to the police.

Data from the services run by the SAPI show that in 2017 the organisation has worked with 298 child victims of violence. By comparison, the data submitted by the ASA about the total number of child victims of violence for whom based on the reports to the child protection system in 2017 cases have been opened is 382²¹.

²¹ Data from ASA for the period 01.01.2017 - 31.12.2017

These data raise some questions - to what extent the national statistics of the ASA does actually cover all child victims of violence in the country with whom some work has been done, and this should be analysed. One possible explanation in our opinion is that Child Protection Departments consider the cases of child victims of violence as a complex of risk factors and do not identify violence as the lead suffering of children.

Data from the specialised services Child Advocacy and Support Centre (CASC) *Protection Zone* for child victims of violence and their families in the municipalities of Shumen and Montana show that in 2017 through the Child Advocacy and Support Centres *Protection Zone* in Shumen and Montana have passed a total of 128 children (80 in Shumen, 48 in Montana). Of these, 67 were girls and 61 were boys. 89 children were under 14 years of age, and 39 – between 14 and 18.

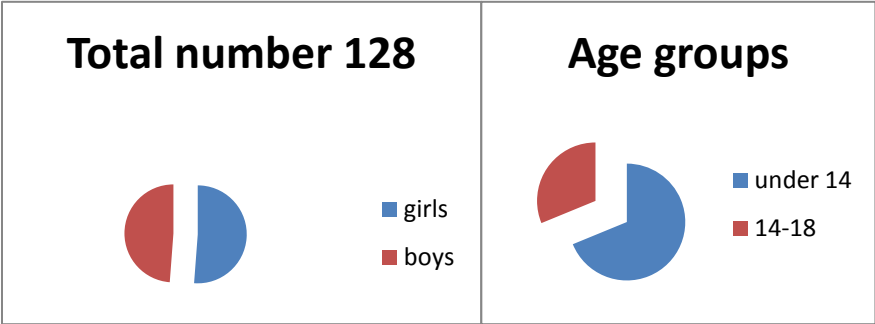


Fig 6. Total number of children, the Protection Zones have worked with, per age and gender.

The majority of children were living with their birth family, mostly in single parent families

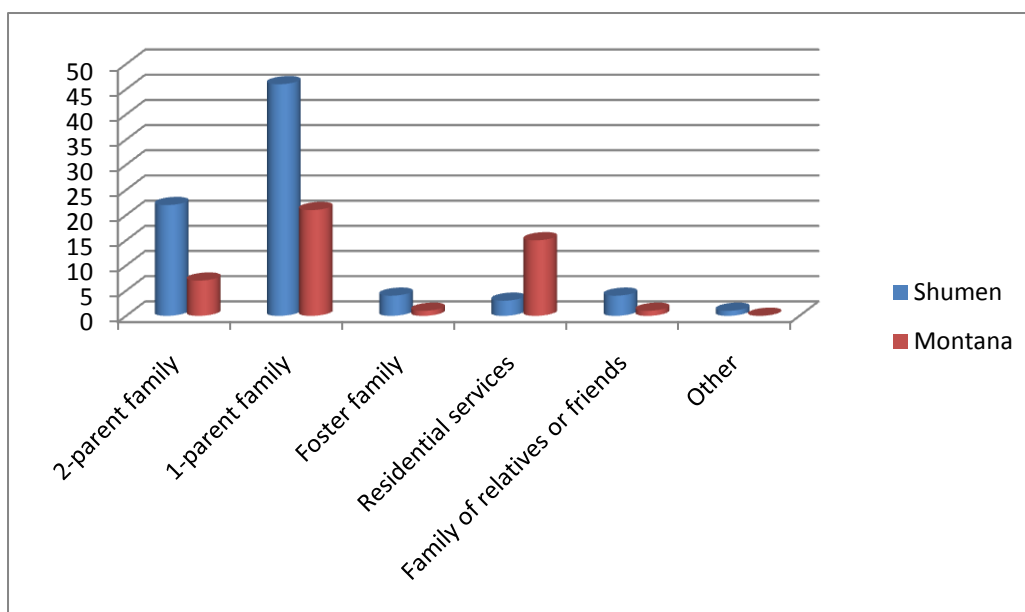


Fig. 7. Family status of children in the *Protection Zones*

It is striking that compared to Shumen *Protection Zone*, Montana *Protection Zone*, has worked on much more cases of children placed in a residential service – Family-Type Placement centre (FTPC), Crisis Centre, Mother and Baby Unit (MBU). Most children were referred to *Protection Zone* Montana for psychosocial counselling.

The majority of children the two *Protection Zones* have worked with (33) have witnessed domestic violence - 30 (incl. one murder); followed by physical violence - 27 children (during the civil proceedings 2 child victims of physical violence were identified), sexual violence - 26 children, neglect - 6 children, bullying - 3 children, on-line violence - 1 of the cases of sexual violence was combined with on-line violence, only psychological violence - 1 child.

Apart from cases of child victims of violence/crime, the two centres have also worked on cases of parental conflicts (where children are in a situation of psychological violence) as well as with children suspected of having committed a crime who were prepared for interviewing, and were interviewed in a “blue room”. The two *Zones* also worked on cases of child victims of crime: 2 children were victims of car accidents, and 2 – of persuading them to beg.

All data show that violence against children is performed by close, familiar people, mostly family members

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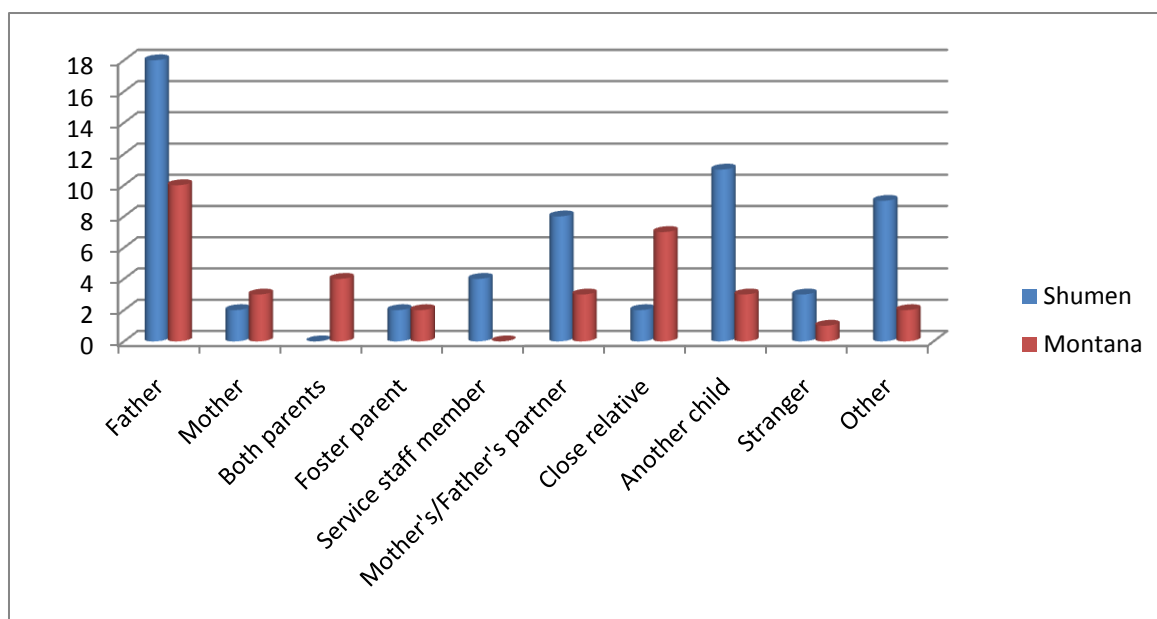


Fig. 8. Alleged perpetrator.

It is evident that almost all cases of violence were perpetrated by people with whom the children are in a relationship of trust²² - family members, relatives, acquaintances, *de facto* children knew the perpetrators of the acts against them. Moreover, violence in most cases has been committed in the child's home, which raises the question of the use of violence as a means of resolving family conflicts and using violence as a means of teaching children discipline. Sexual violence was again committed mostly by acquaintances – in the family, friend, relative, neighbour, in one of the cases, a social service staff member was suspected. Currently *Protection Zone* is a service that works with child victims of violence, non-abusive parents and abusive parents. For working with abusive parents the SAPI has a specially developed programme and in addition the teams of the two *Zones* were trained by an international expert.

Protection Zone Shumen worked with 31 parents over the year, of whom 6 were parents who had perpetrated violence. In one of the cases, the abusive parent was referred directly by the court.

Protection Zone - Montana worked with 24 parents, with psychosocial support being provided to only one case of a mother who, with her negligent behaviour, had put at serious risk the life and health of her small child.

²² <https://rm.coe.int/16800d3832> Here was used the interpretation of “relationship of trust” given in the Explanatory Report to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse

3.3. Attitudes for change in the work with child victims of violence

There is an expectation and a desire for a change in the work with child victims of violence among a large number of professionals from all professional areas – police officers, prosecutors, judges, social workers from the child protection system, social workers from social services, medical staff, etc. that outline the need for continuing the activities that bring them together at local level.

In all the trainings there were people - bearers of the idea that there should be meaning in what they were doing; and meaning not in general, but precisely for the people, for the results. There are places in the country where these people are in contact with each other, they work together and operate as an informal reform network.

Among the magistrates, the expressed desires for change were in terms of speed of the process, the specialisation of prosecutors and judges, opportunities for flexibility in their work and the interinstitutional cooperation.

In the case of police officers, the most serious interest and desire for change, understood as training, specialisation, interaction with other services, were demonstrated by the investigating police officers, probably because the topic of the training was directly related to their professional functions, and as content was very new to them.

Among the helping professionals, the active agents of change can be found both in the child protection system and among social service providers, the most serious desires are for even better interaction, mutual reporting, higher respect for their work. The research has shown that the availability of a CSC in municipalities is a serious resource to support child victims of violence and their families.

As a serious resource is also highlighted a specialised *Protection Zone* in the towns of Sofia, Montana, Shumen, as well as other specialised services such as Crisis Centres, Emergency Accommodation, sometimes “Mother and Baby Unit”.

The application of child-friendly procedures for interviewing children is expanding. There is already enough experience gathered that can be explored and analysed in order to improve the practice of interviewing children. The study, conducted in 12 of the existing blue rooms, showed that in 2017 interviews were conducted with a total duration of 157 hours. At the same time,

however, there is still insufficient publicity and awareness about the good experiences and patterns of interviewing child victims.

The annual analysis demonstrated that service directors in Stara Zagora and Vidin reported twice more requests from the CPD/DSA for interviews in specialised rooms, children, victims and witnesses of violence, both in criminal and civil cases. Their total number only for Stara Zagora, Vidin and Sofia is **166, while 74** of them were prepared and accompanied for their participation in legal proceedings.

3.4. Applying practices of child-friendly justice

There has been a significant increase in the application of child-friendly justice practices. They are still applied to a relatively small number of victims, predominantly for children who have experienced sexual violence and in civil cases. These practices are more often applied only in part, i.e. in quite a big number of cases only the room is used.

As stated above, the total number of reports for child victims of violence received in the CPD/DSA for 2017 was 1,282 and according to the data²³ of the SPOC for the period 1.01.2017 to 30.09.2017 the pre-trial proceedings initiated for child victims were 3,032, of which 696 for crimes against the child's person. This number of child victims of crimes against their person far exceeds the 178 cases covered in the functional blue rooms. Even if we add the number of additional rooms in Varna, Kozloduy and Pleven, built by the Ministry of Justice (MoJ)²⁴, where 17 more children were interviewed or heard, the total number will become 195 children - in 71% of the existing specialised premises, which is no more than 6 % of all pre-trial proceedings involving children or about 27 %²⁵ of these proceedings involving crimes against the child's person.

According to the analysis, prepared by the SAPI, 291 children in 12 municipalities passed through the blue rooms in 2016 and by November 2017²⁶. Only for 2017 the total number of child victims who have passed through the 12 blue rooms included in the survey was 178. Of these, 40% were

²³ The data were provided by the SPOC at the request of the SAPI at a national conference on 17 November 2017 under Project "Justice befriends the child – training of practitioners for better cooperation", contract No JUST/2014/JACC/AG/VICT/7465

²⁴ According to data of the Ministry of Justice through the newly-built blue rooms under a MoJ project in the towns of Pleven, Kozloduy and Varna for 2017, have passed 17 child victims or witnesses involved in criminal and civil proceedings. The total number of children who have passed through the specialised rooms is 195 children. These are data from a total of 15 operational specialised rooms for hearing or interviewing children out of all 21 rooms built in the country.

²⁶ The data were presented at a national conference on 17 November 2017 under Project "Justice befriends the child – training of practitioners for better cooperation", contract No JUST/2014/JACC/AG/VICT/7465, organised by SAPI with the special participation of the Ombudsman of the Republic of Bulgaria.

victims of sexual assault, nearly 3% were victims of domestic violence or witnesses of such violence; about 10% have suffered from physical violence and just over 47% have been heard in civil cases or as witnesses in other criminal proceedings, most often related to parental conflicts or rights of custody.

The package of services for child-friendly justice operates at regional level and is accessible to ***small and large settlements in the region***, as well as to neighbouring judicial districts that do not have blue rooms opened. Often perpetrators of violence are known to the children, therefore children feel confused about communicating the violence and sometimes endure it for years. In the majority of cases, children have disclosed the violence after some time has elapsed – a week, a month, and often even a year(s). Most of the children covered by the survey who have used the services of the blue rooms, according to data for 2017, come from a big regional centre - 45% of the children, 23% of the them come from villages, while 10% - from a small town.

3.5. An integrated, interinstitutional and multidisciplinary approach

The integrated, interinstitutional and multidisciplinary approach was being implemented rather incidentally, as individual good practices, resulting from difficulties in mutual reporting, information sharing and limited understanding of the integrated management of cases of child victims of violence or crime.

The existing National Coordination Mechanism (CM), as a common framework, partially secures the link between institutions when reporting cases of violence against children. It can be said that CM meetings are convened when the cases were reported to the child protection system, and had been identified as cases of violence.

Promising practice.

The Child Advocacy and Support Centre works with child victims of all forms of violence and their families, covering both children who have been victims of violence in the past, and recent cases. Both centres in Shumen and Montana cover the entire regions.

The method used is casework with two components - drafting an individual assessment of the child victim and preparing an individual support plan. Activities in the Protection Zone:

- *Supporting the CPD to provide a child-friendly environment for the child, to stop the violence;*

- *Accompany the child to get access to adequate medical care;*
- *Legal counselling, informing and advocacy for the rights of the child involved in legal proceedings and advocacy for the rights of the child before other institutions;*
- *Child-friendly participation in legal proceedings - assessment, preparation and support during the interview by a trained specialist in the specialised hearing premises – “Blue Room”;*
- *Psycho-social accompaniment;*
- *Psychological and therapeutic support for recovery from trauma.*

Annie is a 9-year-old girl, a victim of severe sexual violence by her birth father, which was prolonged in time. There are data for a period of about three years. Annie comes from a family living in a small settlement, in a municipal housing - a one-bedroom flat. Parents have a low social status, they are unemployed, living on social assistance. The mother had three children with her previous partner, and these children were adopted. From the current partner she has four children, the eldest one being an adult who works abroad. Three children are raised in the family: 2 girls - 13-year-old Pamela, 9-year-old Annie and one boy – Bobby, who is 6 years old. After her birth, Annie was placed for 1 year in an Infant Home, then she was reintegrated. The father was an alcohol addict. He had been convicted for sexual assault of a boy in the past (there was no other information; this had happened before he started living with the mother of the child).

The child's mother reported the violence to the Juvenile Delinquency Unit (JDU) (Child Pedagogic Room) at the Ministry of Interior (MoI) Regional Department when the child shared that she was feeling very sick and told what happened with her father. The investigation found that the child had shared about the violence on other occasions, but no attention was paid to her. The following steps were taken by the JDU inspector: emergency medical examination by a forensic doctor, issuing an order for police protection of the child at the Emergency Accommodation Centre to a Social Service, and the father was detained and acknowledged what he has done before the authorities of the MoI. On the next day after the report, a meeting under the Coordinating Mechanism was convened. The meeting was attended by representatives from the CPD, the SAPI, the municipality, the director and the lawyer of the CASC Protection Zone. Decisions were made to ensure protection and a secure environment for the three children: the child's stay at the Emergency Accommodation Centre (EAC) had to be extended, and given the seriousness of the

offense the other two children should also be moved out of the family environment and placed at the EAC. Follow-up activities were also planned:

- Crisis intervention for the child and her siblings who were moved out of the family environment;*
- Urgent meeting of the Protection Zone specialists with the investigating police officer who took over the girl's case and was investigating it by only interrogating the mother and the father;*
- An individual assessment of the child was initiated to be prepared by the psychologist from the Protection Zone;*
- An interview of the child before a judge was planned in the specialised premises "Blue Room";*
- Pre-trial proceedings were also initiated;*
- A special representative was appointed to the child;*
- An inter-institutional team was set up around the child, including: a social worker - case manager from the CPD, a key specialist from the Protection Zone, a lawyer from the Protection Zone, an investigating police officer, a specialist from a social service (Emergency Accommodation Centre).*
- CPD to issue a referral to the CSC as per the place of residence, for assessing the parental capacity of the mother;*
- Intensive psycho-social support to the child was initiated, provided by a psychologist from the Protection Zone.*

Following the planned actions, the inter-institutional team around the child conducted daily meetings to discuss the development of the case. The psychologist prepared an integrated assessment of the child in the Protection Zone, which was then made available to all partners in the case. Intensive meetings were also held by the CSC specialists to prepare the assessment of parental capacity of the mother. After the assessment of the parental capacity was made, matching meetings were held with a foster family, where the child's profile was presented and the family was prepared with regard to possible symptoms of the child upon the placement.

Annie was interviewed once in a Blue Room by a trained to do that specialist from the Protection Zone. The interview was planned to be done one week after the report was submitted, in view of the need to stabilise the psycho-emotional state of the child and to provide medical examinations and therapy. The investigating police officer, the head of the CPD, a judge, a prosecutor, the defendant's court-appointed lawyer, the defendant, court secretary, and court guard were present at the interview. The interview was recorded, and the record was submitted to the investigating

officer and the court secretary. After the interview, a psychological-psychiatric expertise of the girl was prepared in the Protection Zone.

Subsequently, the child was moved out of the Centre and placed with a foster family, and with a psychologist had worked with her for a long time. The father was convicted. Currently, Annie, Pamela, and Bobby after their moving out of the EAC, and the negative assessment of the mother's parental capacity, were successfully integrated in their foster families and often keep in contact with each other.

Challenges in this case:

Achieved interaction at the beginning of the casework. The Protection Zone does not continue to work on the case of these children because they were referred to CSC close to their place of residence.

The analysis of the different data allows us to assume that not in every case of violence a meeting was convened under the Coordination Mechanism, which is the most serious legal guarantee for the implementation of an interinstitutional and multidisciplinary approach. Its implementation varies across the regions in the country and needs refinement to overcome the difficulties.

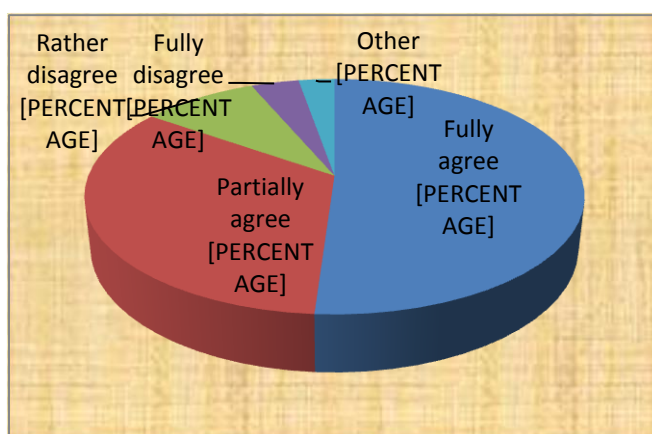


Fig. 9.

A CM meeting is convened mostly regularly, but only the social services and the SAPI take part in it

According to those who have confirmed the summarised findings of the action participatory research, more than half agree that “CM meetings are convened mostly regularly.” It should be noted that the part of the participants who disagree with this statement is not small. The CPD/DSA representatives have a relatively clear commitment, it is their initiative for a meeting to be convened, and when they get the report, they would rather organise the meeting. About half of the participants with whom the findings of the participatory research were consulted agree with the statement, but the same number also disagree.

This finding was also confirmed by the data obtained from the work of the two *Protection Zone* services in 2017. They have information about 30 CM meetings convened (out of 96 cases of child victims of violence the two services have worked on).

Promising practice

We can identify as an undeniable success the involvement of representatives of both Protection Zones in the first CM meeting; in Shumen we went even further, the meeting actually takes place in the Protection Zone.

Data from specialised services raise some questions: why CM meeting has been convened in only 1/3 of the cases - sometimes it is because violence has occurred in a past period. CM meeting has not been convened in many cases of domestic violence (then the discussion is about interinstitutional meetings), in 7 cases of sexual violence and in 1 case where the child witnessed a murder. Cases in which a child is witnessing domestic violence fall within the scope of the Protection against Domestic Violence Act (PDVA) Art. 2, para 2 “As a psychological and emotional violence against a child shall be considered any domestic violence committed in his/her presence.” Possible explanation is that specialised services also work with children who had been victims of violence in the past.

The analysis of the survey data allows us to summarise that the not convening meetings under the coordination mechanism is due to:

- unclear criteria for identifying a case as a case of violence; for all participants;
- gaps in mutual reporting, especially by the police to the CPD;
- the way in which the composition of these meetings is defined (absence of clear rules for participation, engagement and control of these participants, absence of key figures in it).

Difficulties with the CPD are related to the fact that they are not always alerted and that they have a serious shortage in recognising and managing a child's case, a victim of violence and a real misunderstanding / resistance to engaging the case as a guarantor of the child's rights. As the survey and service data show, there are many cases where the police do not alert the CPD. Often they call a specialised Blue Room service for interrogation support and the service alerts the CPD. The lack of understanding of case management and of an integrated approach are the main reasons why, in practice, except in extremely rare cases, there are subsequent inter-institutional meetings.

Regarding police as a mandatory participant, the difficulty is that this engagement is usually imputed to MRF inspectors as they are specialised police for work with children²⁷ and are not familiar with other police structures. During the survey, investigators in almost all areas of the country shared that they first understood this mechanism. Very often the alert is to the police on duty, who also seems to be unaware of the police's commitment to cases of child abuse. Probably here are the main reasons not to alert the CPD to all cases of child abuse. As the conclusion of this conclusion has shown, over 80% of respondents share this claim.

Statement - the CPD always alerts the police when there is a crime against a child, the police also alert the CPD in such a case, sometimes it is not immediately, and there are places where the CPD does not alert.

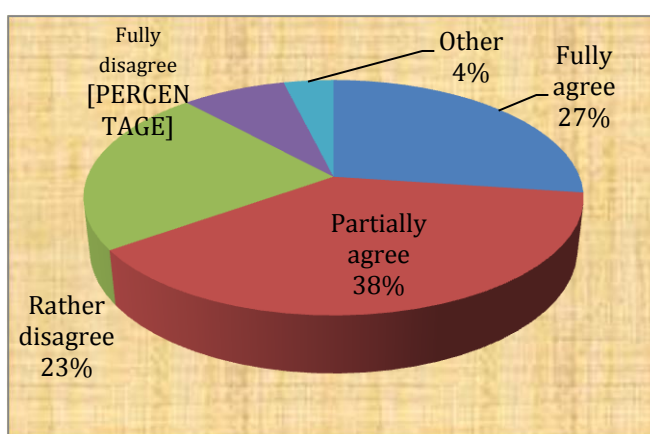


Fig. 10.

A case from the practice

²⁷ Rules of Procedure of the Juvenile Delinquency Units, Art.1: <http://detskasisgurnost.bg>

A CPD head from a small town shared a case of fornication against a child aged 4; they learnt about this case from ASA, two weeks after the police was notified. The CPD head also said that this was not a single case.

The practice under the current Coordination Mechanism is not focused on tracking the case from reporting to recovery. According to data of specialised services, only for two children the CM has been convened twice, in all other cases – only once. According to survey data, nearly 70% of respondents believed that most probably this was the case.

Statement: There is usually only one CM meeting, after that everyone works on their own

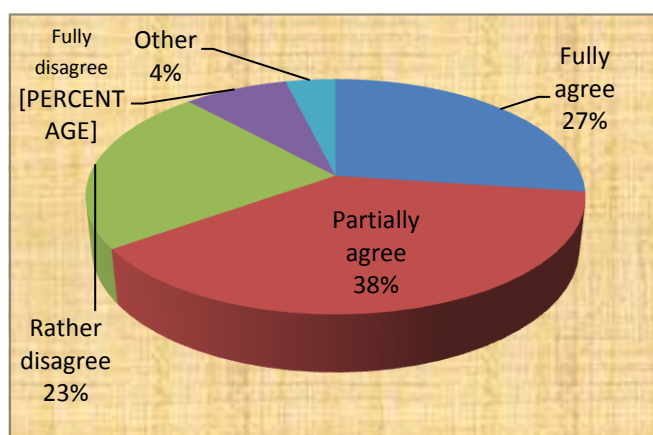


Fig. 11.

3.6. Guaranteeing the rights of child victims of crime or violence

Guaranteeing the rights of child victims of crime or violence depends on the protection system, but because of the gradual shift of the child protection system's philosophy as a guarantor of respecting their rights, it seemed it rather restricted itself to just implementing or not protection measures.

The rights of children and their families **to be informed** within the meaning of the Directive are definitely not guaranteed. It is not clear why the CPD/DSA is not involved in this activity. As the survey has shown, informing, if provided, is partial and in a language not incomprehensible for the child and the family. It is partial because information concerns only certain actions of a certain structure; no one provides information about the right to individual assessment under Article 22,

to protection measures under Art. 23 and 24 of the Directive, furthermore that they are not introduced into the Bulgarian legislation. The authority responsible for ensuring that these rights are respected, namely the CPD/DSA, is not at all involved with them. CPD staff are not aware of children's rights to be informed, to special protection measures such as interviewing in specialised premises, by specially trained people, etc., do not recognise them as their responsibility.

Statement: The CPD does not advocate for participation of the child in child-friendly practices of justice

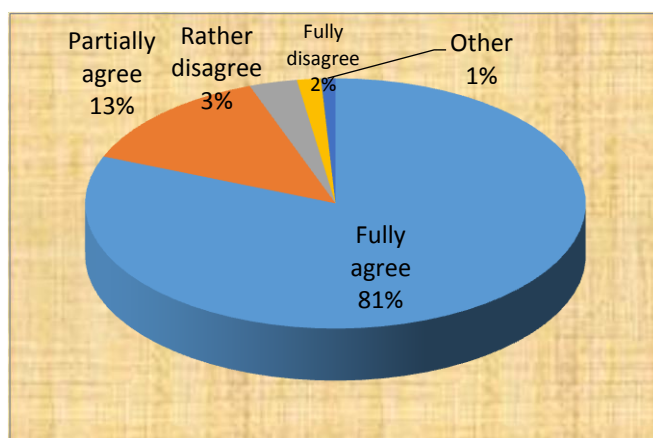


Fig. 12.

The analysis of the cases from the practice that were covered by the SAPI survey in 2017 showed that there was no sufficient awareness of children's rights and the possibilities in the justice system to guarantee these rights even among the professional community, not just among citizens and victims. From interviews²⁸ with child victims or their parents, it is evident that even *lawyers were not acquainted* with good practices and measures to safeguard children's rights. The lack of awareness is typical for all types of professionals - lawyers, police, court, prosecutors, social services, doctors. In the different judicial districts and settlements there are diverse practices, even within the same police station or court.

²⁸ Conducted interviews with vulnerable victims through direct conversations with the children, where possible, with their parents, as well as with women victims of crime. The interviews were conducted with victims from Sofia, Burgas, Veliko Tarnovo, Razgrad, General Toshevo, Shumen, Ruse, Stara Zagora, Montana, Varna, Pleven and others.

Interview with a parent, participation of children in a civil case, children are at the age of 7 and 11.

If I knew about the room, I would have been more relaxed, because I was also worried that they would be interviewed in court. We parents, in such cases, seek **the assistance of lawyers**. *If they do not inform us, there is no way we could know what the possibilities are.* I was not informed by my lawyer. The decision for the interview to be done in the blue room was taken by the court

There are places where it is clear that police officers are well informed and assist parents for interviewing the child victims in the specialised premises “Blue Room”.

Interview, parent of a 12-year-old victim

Did you know that you could use the “blue room”? From whom or how did you find out about it?
I understood from the police officer, and the ladies there explained to me what the room was about and I liked it. This was the better solution for the child than going to the court.

Unfortunately, there are still cases where children are not sufficiently protected from further traumatic experiences during court proceedings.

Interview with a 10-year-old child heard in a custody case in a courtroom before the lawyers of the parties, the parents were moved out of the room.

... The judge asked my parents to go out and I stayed with my mom's lawyer and dad's lawyer. This was like one of my worst nightmares. I started crying. The judge however, did not stop dad's lawyer. He was scaring me. All the time he moved around and came very close to me, waving his arms... It seemed to me that this interviewing took a lot of time I do not want to go into court anymore, I had nightmares afterwards... It was difficult.

Feedback data shows that neither children nor their parents are informed of the rights they have. Information of these rights and access to special protection measures is provided in some individual places in the country with long years of pilot practices, like Shumen.

In the towns where the SAPI is active, the partnership with the protection system is very good, and it includes advocacy and following-up of the case. In the specialized services *Protection Zone*, there is a satisfactory level of provision of information on the rights of the child and advocacy for the participants in legal proceedings.

However, there is a need to deepen the understanding of advocacy support and in this connection, it is planned to provide training in advocacy of the teams of the two Protection Zones - in Shumen and Montana. This is an area that should be developed and expanded also as advocacy for the rights of the child before all institutions.

Particularly valuable are the legal services provided by the Protection Zones lawyers. As an example of a promising practice, we can point out the legal accompanying of victims in cases of domestic violence.

Promising practice.

Advocacy from the Protection Zone

Example A. A child aged 15 years reports to the CPD of physical violence by the father. The family has a long history of domestic violence against the mother. An inter-institutional meeting was convened with the participation of the CPD, the MoI, social worker and the Protection Zone lawyer, the mother and the child. The Protection Zone lawyer informed and accompanied the mother for filing an application under the Protection against Domestic Violence Act with a judge on duty. The same day the judge on duty issued a restraining order for the father. An additional meeting was held with the father, who was informed of the action taken. The lawyer agreed a one-time hearing of the child in the Blue Room. The child was heard by the Protection Zone specialists. The court upheld the restraining order by using the record of the child hearing.

The right to a legal representative and person accompanying the child raises many questions before the legal framework and the actual practice of criminal justice. The problem with the representation of child victims of violence or crime, is extremely serious.

First of all, investigative actions with children can be taken also without informing and getting the consent of a legal representative, pursuant to the interviewing procedure under the Penal Procedure Code (PPC), as long as a pedagogue or a psychologist is present. This pedagogue or psychologist is most often a police officer from the Juvenile Delinquency Unit, which at least puts into serious question where his/her loyalty lies.

Next, children at risk who are moved out of their families have practically no representation in their capacity as victims of crime or violence. At the same time, as the data shows a special representative, where necessary, is very rarely appointed.

It is not by accident that the data about the children who have used the specialised premises in 2017 show that from 178 children covered by the blue rooms in 2017, 116 were raised in their birth family and only 33 of the child victims were raised outside their birth family.

Promising practice

*Specialised team supporting the child when taking part in legal proceedings. In 135 of the cases that have passed through the specialised premises for interviewing in 2017, **a child support person was provided during the interviewing.** This is a professional trained to interview children following a specialised protocol and working in the social service that runs the room.*

At the same time, here again the data confirmed the findings of the experts' opinion that a special representative of the child is mostly not appointed, for example, based on the data on the children who have passed through the blue rooms included in the survey, in only 20 cases out of the registered 33 cases in 2017 a special representative was provided. This is a sign of the shortcomings in the representation of children in cases of assaults against them where children need legal representation because they are not raised in a family environment. This is an alarming finding because the data show that the relative share of children who have been in need of such a special measure for protection and support in legal proceedings is higher. Generally, there are gaps in the system allowed by those working in the justice system and for the social protection of the victims.

Statement: The option for a special representative of the child available in the law is used rarely in most cases

The majority of respondents mostly agree (more than half)

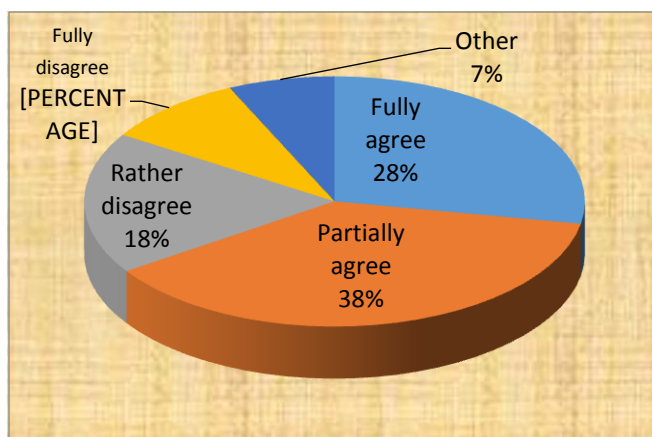


Fig. 13.

This gap in the judicial system, as well as in the social protection of child victims was pointed out as a problem by other surveys during the project. This was a topic and a problem that emerged from the interviews with children who were moved out of their families with protection measures and remained without legal representation, or it was provided at a much later stage.

3.7. Implementation of a friendly or child-friendly justice

The implementation of a friendly or child-friendly justice is entirely dependent on the assessment of the investigating authorities, and that assessment is in no way dependent on the requirement of the Directive 29 for an individual assessment.

The right to individual assessment of a child victim of violence has been respected to some extent only in cases of children for whom support was sought from the trained staff in the social services with specialised premises for interviewing children. One of the main criteria of the survey and analysis of the cases covered through the blue rooms was for how many of the cases of child victims of crimes who have passed through a specialised premises for interviewing were prepared individual needs and risk assessments. The data show that:

- In 38 of the cases assessments were prepared, and in 70 of the cases no such assessments were prepared for different reasons.
- More often, a report was produced, which is a written opinion containing information from the assessment of the child for the purposes of the protection and law enforcement authorities - 70 cases.

With respect to the question ***“At what stage was the assessment made?”*** the data show that it is most often made during the pre-trial proceedings, and also at the stage of Coordination

Mechanism meeting, as well as at the trial stage. Still ***more often, the evaluation and the report are used mostly by the protection system*** than by the justice system.

With respect to the question ***“Who makes the request for assessment”*** and ***“What is the duration of the interview?”***, the data show the following:

- Most often the investigating police officers, then judges, and not so often - prosecutors.
- Requests were made by JDU inspectors in the district police departments, also the CPD and others.

Multidisciplinary and inter-institutional individual assessment is useful for the protection, for friendly justice and for the recovery of the child

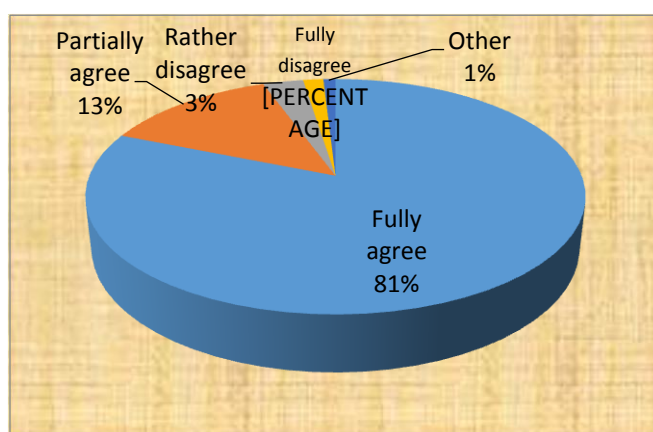


Fig. 14.

In cases other than in pilot projects, **individual assessment** of a child is not made, nobody asks for such assessment. The main reason for this is the way in which this assessment was “transposed” into Bulgarian legislation. The introduction of the requirement of the Directive for individual assessment, Article 22 that “victims receive a timely and individual assessment, in accordance with national procedures, to identify specific protection needs and to determine whether and to what extent they would benefit from special measures in the course of criminal proceedings, as provided for under Articles 23 and 24, due to their particular vulnerability to secondary and repeat victimisation, to intimidation and to retaliation.” has found its place as a supplement to

Art. 144 of the PPC as an expertise²⁹. In this way, the assessment cannot fulfil its role because it is not possible to be multidisciplinary, to be made as early as possible to determine the victim's characteristic as being vulnerable or not and to assess the victim's needs for specific protection and support measures. The assessment is assigned to an expert whose competency is not clear. Another important reason is the non-engagement of the CPD/DSA in such an assessment, which can definitely be affiliated with their assessment of the reporting, with only the conclusions drawn focus on the risks of continued violence or secondary victimisation.

Table 2.

Indicator	Protection Zone Shumen	Protection Zone Montana
Individual assessments made	55	35

As can be seen from the data, the teams of both Protection Zones have made individual assessments for almost all cases of child victims of violence. The individual assessment is integrated and is drafted in a format and following a methodology specifically developed by the SAPI in accordance with the provisions of DIRECTIVE 2012/29/EU, which requires the introduction of minimum standards for the protection of victims of crime. Approved good practice is to submit the assessment to all institutions and authorities that are functionally involved with the child victim, irrespective of whether or not they require it. In this regard, judges have expressed satisfaction with the comprehensive information about the child and the family received and its usefulness for the trial.

Example: A 15-year-old girl, victim of sexual violence. After the interviewing of the girl in the Mol Regional Department, the District Prosecutor's Office (DPO) issued a Decree refusing to initiate criminal proceedings for lack of data for a crime. The girl was referred to the Protection Zone. An assessment was made. The family was assisted by the Protection Zone lawyer to appeal the Decree before the Regional Prosecutor's Office, where the assessment was also provided. As a result, a Decree of the Regional Prosecutor's Office was issued, which repealed the Decree of the DPO and a pre-trial proceeding were initiated. An investigation is currently underway, and it is

²⁹ (3) (New – SG 63/2017, enforced on 05.11.2017) Expertise may be assigned also to identify the specific needs for protection of a witness, with respect to their participation in the criminal proceedings

expected that the child will be interviewed in the specialised premises “Blue Room” in the Protection Zone.

Table 3.

Indicator	Protection Zone Shumen	Protection Zone Montana
Prepared plan for support in the service	36	19

In connection with the identified in the assessments areas for supporting the children, a plan for support in the service is also prepared. It is notable that the plans drawn up are less in number than the assessments made (Table 3). Possible explanation for this is the fact that there are cases that access the Protection Zones only for assessments, to a greater extent this applies to Montana and the cases that are referred only for a hearing, such are cases from other regions and cases under civil proceedings (this is valid for both services).

3.8. Violation of the rights of children

One of the serious violations of the rights of children, which also has its negative effects on the fairness of justice, is the too slow administration of justice.

According to data from social services, the first interview within the initiated pre-trial proceedings is usually more than three months after the report, and the so-called police check. Very often, within the same period the child is subjected to intimidation, manipulation even when moved out of the family

Table 4

	Protection Zone Shumen	Protection Zone Montana
Time lapse between reporting and interviewing	Up to 1 week – 21 children	Up to 1 month – 4 children
	Up to 2 weeks - 8	in 4 months – 1 child
	Up to 3 weeks - 3	In a year and a half – 1 child
	Up to 4 weeks – 4 cases (civil proceedings)	2 cases for divorce trials (up to 5 weeks)
	Up to 5 weeks – 1 12	

	1 cancelled interview for a civil case	
	1 preparation	
Number of interviews	One-off – 30 2 interviews – in 3 cases Preparation - 5 cases	One-off – 7 1 child victim of sexual violence was interviewed 7 times

As can be seen from Table 4, the situation is different with the specialised services, which also involve many advocacy activities. It can be seen that most interviews in Protection Zone Shumen occur within 1-2 weeks, including in all cases of sexual violence, whereas in Montana this period is longer. Probably this is due to the well-established local working mechanism in Shumen based on the operation of the *Blue Room* prior to the opening of the *Protection Zone*, and the good partnerships achieved with the court and the prosecutor's office. Moreover, there is obviously a good interaction with the MoI in Shumen, where most cases of sexual violence were reported by the MoI and the interview took place within one week. On the other hand, in Montana are being heard also children from other regions like Vratsa. We cannot ignore the good trend in both services for one-off hearing of children and the role of the centres' teams for that. It is noticeable that in only one case a child was heard 7 times. This is an example of an inadequate understanding of the meaning of a child-friendly justice; hearing the child in the "Blue Room" alone is not enough. The idea is for the child to be heard in a timely manner, as soon as possible after the violent experience and only one time so that the child would give reliable information for the purposes of justice.

Example: During a training led by SAPI experts, a judge was impressed by the presentation of the Protection Zone model. He shared about his cases where he interviewed three child victims of sexual violence repeatedly for one year and they kept giving conflicting information. He wanted to refer the children for interviewing to the Protection Zones for the 8th time so that he could find out the truth.

In the specialised services, for example, a model has been developed of informing the child, participant in legal proceedings, of assessment, preparation and a child-friendly hearing in a specialised room and advocacy.

Table 5

Indicator	Protection Zone Shumen	Protection Zone Montana
Information about the participation in the proceedings provided to the child	72	25
Assessment, preparation and hearing in the <i>Blue Room</i>	38, out of which cases of violence – 28, 2 victims of crimes, 10 civil cases	9 preparations, 8 hearings
Advocacy actions	44 (mainly drafting opinions)	35

3.9. Access to medical care and forensic medical expertise

Access to medical care and forensic expertise is hindered by the insufficient awareness and protection of victims' rights to free medical care, and by the shortage of forensic experts in the country.

Medical professionals were also invited to trainings and supervisions, and they responded to most of the invitations. Some of the representatives of the Regional Health Inspectorate were not aware that they have obligations under the CM to attend the meetings. One major difficulty that was shared was the lack of clarity how a quick medical examination of the child could be provided as part of their initial risk assessment.

From the interviews with the victims it was found that the rights of the victim to free medical services and to the assistance of a lawyer, are still not guaranteed.

A case of a 16-year-old girl, a victim of severe domestic violence

The girl was seriously beaten by her father after witnessing physical violence against her mother and trying to protect her. The child had injuries on the head and the body.

After the mother alerted the police (this is a village close to a big regional centre) for the beating of her daughter, they advised her to get a medical certificate and a lawyer. The mother did so. She got the medical certificate, for which she paid with her own money and hired a lawyer for which she borrowed money in order to be able to afford a lawyer. She was not informed that she

was entitled to free medical and legal assistance. Informing about this happened much later when she encountered with the social system and the services.

A similar problem was shared by other victims of domestic violence - they did not know that they were entitled to free medical assistance and counselling.

Interview with a 33-year-old woman, victim of domestic violence

What prevented you from alerting and seeking help?

"I did not get medical certificate for the beating for two reasons - I did not want to cause problems with my man and because I had to pay money for the medical certificate for the court."

The lack of sufficient awareness of both free assistance and possible support often causes victims to continue to suffer violence and to postpone the search for support and not do it right away when the problems start, due to fear from the perpetrator and from worsening of their situation after reporting.

The experience from the practice shows, and at all the seminars was shared the difficulty with forensic medical expertise - places exist with no such experts available, other doctors, although they have the right to do it, prefer not to engage in legal proceedings. Sometimes also the referring authority, most often the police do not seek such expertise, even in cases of sexual violence.

An example shared during supervision: A 14-year-old child testified to a sexual violence, however the police officers said that they believed she consented, but she was saying that because she was afraid of her parents. They decided that there was no need for forensic expertise.

As can be seen from the data and the specialised services, the *Protection Zones* have hardly assisted with access to medical care. There are several reasons - first, not all cases require medical attention, some cases of violence have occurred a long time ago, usually cases come to the *Protection Zones* after having been provided with medical care since it is a priority.

Promising practice

Participation of the Head of the Paediatric Ward from the General Hospital in the first CM meeting.

The doctor participated in the initial assessment by giving an opinion on the condition of the child and the need for medical intervention. This is a practice under a project, there is no legal regulation, and although it does not contradict the law, it is not financed by the MoH or other public funds.

3.10. Psycho-social and psychotherapeutic support for child victims of violence

The psycho-social and psychotherapeutic support of child victims of violence is a serious challenge for the protection system, including social services for children and families at risk. This support is mostly limited to protection measures that do not accompany the entire process of child recovery and does not guarantee it.

The current mechanism does not guarantee following-up the case from reporting to recovery. According to the data provided by the specialised services only for two children, the CM has been convened twice, in all other cases only once. According to data from the participatory research, nearly 70% of respondents believe that it is rather the case.

Statement: There is usually only one CM meeting held, then everybody works on their own

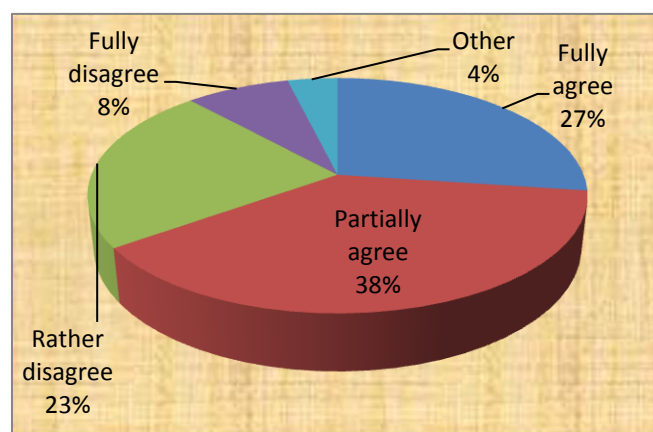


Fig 15.

The analysis of cases in the country has shown that the work often ends with the implementation of a protection measure *placement in foster care or residential service*.

Statement: The subsequent support of a child victim is provided mainly through protection measures, the psychotherapeutic work on the consequences of the experienced violence/abuse is mostly missing; there are practices for family support, but rather as social accompanying and not as psychosocial one.

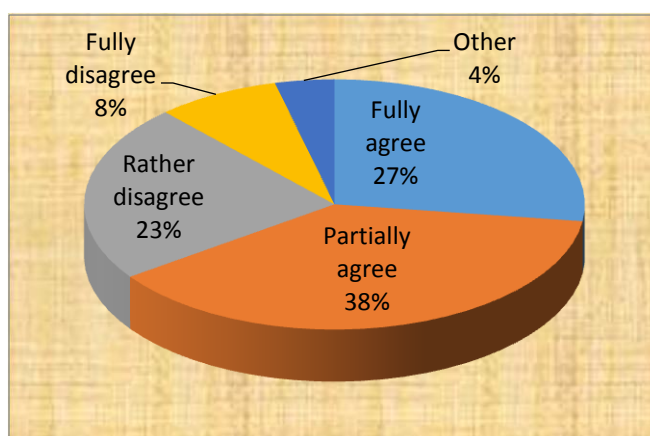


Fig. 16.

With respect to the question “Was the child victim provided with support?”, the data from the study of the child cases from the covered by the research child cases show the following: in 48 out of 178 cases, follow-up support was provided - nearly 27% of the cases covered by the survey. Most of the child victims remain without follow-up support and professional help. The reasons for this are different:

- There is not a sufficient network of services across the country, hence this support cannot be actually provided in the cases where children are located in settlements outside the regional centres.
- The victims are trying to “cope on their own” with the problem, i.e. they refuse support at this stage preferring or believing that they can deal with the consequences of the crime on their own.
- Another reason is that there is a lack of common understanding in the professional community that there is a need for follow-up support for recovery and no referrals or orders for services were being issued for the parents of the child victims.

One of the main advantages of the specialised service for child victims of violence *Protection Zone* is the following-up and accompanying of the child and his/her family throughout the entire period from reporting to full recovery and provision of psychosocial and therapeutic support for recovery from the trauma.

Table 6

Indicator	Protection Zone Shumen	Protection Zone Montana
Provided psychosocial support	66 (some of the children were provided with support as part of their preparation for the hearing)	35
Provided therapeutic support	2	2

In the specialised services the psychosocial support is prevailing. The therapeutic support is also very limited. This is due to several factors - lack of therapists, the therapists have concluded civil contracts with the services, the children are located not only on the territory of the municipality where the Zones are active. The most important reason, however, is that to a great extent the psychologists from the Protection Zones provide psychological support to child victims of violence, and report it as psycho-social support. Psychologists are not therapists but have undergone training in specialised psychological support for victims of violence. Nonetheless, it is important to recognize that therapeutic work should be developed through more active involvement of external clinical psychologists and therapists to work directly with clients and to push the team to develop clinical skills and also the professional development of psychologists from centres to continue through training, appropriate supervision, etc. forms of support.

3.11. Monitoring the observance of the rights of child victims

It is necessary to introduce at national level criteria and indicators for monitoring the observance of the rights of child victims and witnesses, participants in legal proceedings, in the justice and child protection systems. Criteria for the activity of the Prosecutor's Office regarding the oversight of the lawfulness and respect of the rights of child victims, criteria for the activity of the court, the police, the Child Protection Departments and others concerning the implementation of internal procedures for observing the rights of child victims with whom they interact.

To provide for regulatory changes concerning the interaction at local level through changes to the Coordination Mechanism, especially in cases of suspicion or a report of crimes against children, ensuring that CM is convened in these situations. Ensuring also the participation of local prosecutors in the CM on cases of violence with a report of a crime and a suspicion of a crime

against children, as well as ensuring the *participation of alternative participants in the CM meetings*.

Introducing the practice for signing local protocols for interaction in cases of crimes against children.

Introducing procedures for work with high-risk cases to avoid formal and ineffective interaction in working with children and cases where children are at risk.

3.12. Standards for training the specialists

It is necessary to introduce standards for training the specialists who have contact with child victims of violence, in child interviewing, in general principles and rules of professional ethics.

The different professionals know thoroughly their legal framework, but they do not know the partners' one, which hinders very much the common work for guaranteeing the best interests of the child and at the same time achieving the objectives of justice.

CPD/DSA social workers are not recognized as guarantors for observing the rights of the child and are not prepared to do so, as well as they have insufficient training for manage a case of a child victim of violence.

Applying child-friendly procedures should be a practice for all children while the specific measures should depend on the individual multidisciplinary assessment to be prepared before or during the first CM meeting.

4.TERTIARY PREVENTION / PREVENTION OF REOFFENDING IN CHILDREN IN CONFLICT WITH LAW

The analysis of the situation in children in conflict with the law is based on several types of data. First of all, this are the result of a survey that aimed to explore children's awareness of their rights when participating in legal proceedings. The survey was conducted in 2017 and included a questionnaire on children's rights in court proceedings and 3 focus groups on the same topic. The questionnaire was completed by 55 children and young people (53 boys and 2 girls), 5 of them under 14; serving a sentence of imprisonment, placed in a Corrective Home with a detention order or with a corrective measure - placed in Correctional Boarding Schools (CBS) Zavet, Podem and Kereka (34 children).

The other part of the data analysed was gathered in the course of working with children in the services for children at risk and in the specialised services for children in conflict with the law, which the SAPI is piloting in Shumen and Sofia.

4.1. Children involved in criminal proceedings.

The data is based on a survey³⁰ conducted by the SAPI on the ensuring the right to informing children in conflict with a law, which is an area where there are still serious challenges. They raise the issue of whether the children are informed, but also how they are informed so they really know their rights when participating in legal proceedings. Knowing these rights is one of the conditions for their observance, though it is not always enough. The survey is connected to the main purpose of the project to contribute to the implementation of Directive 2012/13/EU (on the right to information in criminal proceedings) and Directive 2010/64/EU (on the right to interpretation and translation in criminal proceedings), and Directive 2016/800/EU (on procedural safeguards for children who are suspects or accused persons in criminal proceedings).

It is noteworthy that there is a big difference between the data on crimes committed by minors, on convicted persons on an annual basis and on minors serving a sentence.

According to NSI data for 2016³¹, 1108 were convicted, or we had a decrease compared to 2010 more than twice, then they were 2,694. According to NSI data, through JDU for committing crimes had passed 4,971, of whom 3,908 were aged 14-18, i.e. they were criminally liable. In December, when the survey was conducted, 21 boys were placed in Boychinovtsi Corrective Home and 8 of them in the status of defendants, after having been for more than 6 months in detention facility. There were no girls convicted. Those sentenced to probation were about 250 in average per year. There was no evidence of juvenile perpetrators with suspended sentences, but according to the opinion of experts from the General Directorate *Execution of Penalties*, this is often imposed penalty for minors.

³⁰ In order to study the knowledge and implementation of children's rights in criminal proceedings, the project "Development of Child-Friendly Tools" included in the survey children who have passed through separate phases of the proceedings. The project aims to contribute to the implementation of Directives 2012/13/EU and 2010/64/EU within the partner countries' juvenile justice systems, taking into account the provisions of Directive (EU) 2016/800 of the European Parliament and of the Council on procedural safeguards for children who are suspects or accused persons in criminal proceedings.

³¹ Data for 2017 are still not published

The problem of imposing this penalty in minors without accompanying it with a probation supervision and programmes is usually understood by them as an absence of penalty and is very often followed by a serious crime.

4,805 corrective measures were imposed for committed crimes, of which 2,026 - a warning, 1,025 - under the supervision of a public supervisor, 16 - placed in CBS.

The response to crimes perpetrated by minors seems to be rather unprofessional, which poses a serious risk to their success in the prevention of reoffending. There are no official data on the success of the measures and the penalties, but it is noticeable that the group of convicted persons aged 18-29 is 4,167 men and 379 women, which is almost equivalent to the number of crimes committed by minors annually according to the JDU, Mol.

Children with a conviction or detention measure have a wider knowledge of their rights than children with a corrective measure, but rather because of their personal experience in the proceedings and because they have been using the services of a lawyer who has acquainted them with some of their rights. In most cases, the knowledge of children about their rights is chaotic, based on personal experience, with no clarity as to how, when and by whom to expect assistance to realize specific rights.

Children state that most of the information they received from their lawyer (when they had one), and not from the state authorities (court, police, prosecutor).

Children placed in CBS were rather unaware of their rights, they would rather speak about the Rules of Procedure. Children with corrective measures are not aware of the law, and some mention that the police officers were inviting them “to say everything they know”.

According to the data received, acquaintance with the rights does not always happen in a timely and comprehensive manner and in a language that is understood and clear. For example, getting acquainted with the right to information (of the accused or suspected) within the criminal proceedings is usually done *at the end of the first interview, and not before it.*

The knowledge of the right to be defended by a lawyer is not sufficient for realising it. Not everyone is aware of the option of free legal aid and a timely (prior to interviewing) consultation with a lawyer. Many children are not aware of the lawyer's role as a facilitator of understanding and monitoring the proceedings.

There were rights that they were aware of, but when trying to exercise these rights they have encountered some difficulties: they know about the right not to speak, but they share about coercion by the police. Data from sharing and focus groups showed that, according to the young people, they had been subjected to physical and psychological violence, manipulation and intimidation during detention. Almost all interviewees said that information on rights was provided after the interview, as well as the information about the right to call their parents, the right to a lawyer. Our hypotheses about the meaning of these allegations are in the direction of failure to differentiate between police check and interviewing, or about actual violation of their rights.

Focus group data

The Focus Group reviewed a case of a young man, who resisted arrest. When discussing the case, the young people were talking actually about themselves in relation to that case.

"In the police when they see you are a minor, they would beat you. They want to transfer to us all the crimes. With adults they don't do what they do with us."

"They showed me a video of a person in a sweatshirt with a hood, and were telling me - admit this is you. I kept telling them, I do not have such a sweatshirt - they kept beating me, until I would say that it's me, but I did not say it because it was not me. And they beat me up, my mother wanted to file a complaint, but nobody paid attention to her."

Much better known are the rights that are related to personal experience and which have been presented in clear and comprehensible language. Almost all of the children surveyed were familiar with of *the right of the holder of parental rights to be informed*. They also know that in case of detention by the police they should be and indeed have been detained separately from

adults. They were insufficiently knowledgeable of the right to individual assessment and access to programmes, or at least with this vocabulary.

The survey did not identify also a particular role of the parent/holder of parental rights in accompanying the child in criminal proceedings. Parents/holders of parental responsibility were present during interviewing, detention, court trials, but they were not recognised as providing information about what was happening or what is about to happen. It is possible that the families of part of the children are alienated or that the parents do not have sufficient social and/or parental skills. However, it is also necessary to think that the parents/holders of parental rights themselves lack the necessary information and knowledge to support the child and help him/her understand and follow the proceedings.

4.2. Support for children in conflict with the law

Psycho-social work/intensive socio-pedagogical support for children in conflict with the law can be successful when there is a good professional interaction with the JDU, the Probation Service, the Local Commission for Combating Anti-Social Behaviour of Minors (LCCASBM). Prevention of reoffending requires in-depth psychosocial support, advocacy and accompanying.

4.2.1. The work with children with behavioural problems, including young people with imposed penal measures, in the social services run by the SAPI - the Street Children Centres in Shumen and Vidin, the Community Support Centres (CSC) in Sofia and Stara Zagora was done on 129 cases, of which 90 children were receiving intensive supported. Under the Streets Children Centre (SCC) have been developed opportunities for support and social inclusion of children at medium and high risk of dropping out of the education system. Organised services for primary prevention of the actual problem gave very good results. Majority of the children were subjected to school bullying, neglected in the family, some of them had imposed corrective measures under the Law on Combating Anti-Social Behaviour of Minors (LCASBM), and an approach of interinstitutional partnership was applied in their case. For the school holidays period for all children were organised holiday programmes.

4.2.2. The analysis of the situation with children in conflict with the law was supplemented by data from the work of the specialised pilot service “Pravodetel”- Children's Rights Centre (CRC)³² where 5 adolescents and their families were supported for less than a year with activities for providing information, accompanying and advocating for their rights in forthcoming proceedings for imposing penal or corrective measures or support for the implementation of probation measures. In addition, the service team has carried out prevention activities on 17 cases (10 children and 7 adults) involving children with status violations and other behaviours that are currently not subject to imposing measures; child victims of violence; children who are vulnerable to violation of their rights (who have certain behavioural difficulties and are therefore stigmatised as difficult children, most often in the school environment, as well as children placed in an alternative to the family environment - small group homes). The main activities while working with them are: informing about rights, reporting in case there is a risk of their rights being violated, and advocacy when they get in contact with the law (not criminal law) and in their contact with institutions.

The analysis of the legal status of cases in the Children's Rights Centre is based on following-up the representation of children and the extent to which their rights were observed when imposing and enforcing the measures under the basic laws - the Penal Code, the MoI Act, the Law on Execution of Penalties and Detention, the Child Protection Act, the Law on Combating Anti-Social Behaviour of Minors (LCASBM), the Family Code. In the majority of cases, children who participated in procedures were not sufficiently and timely informed; they were not fully aware of their right to a lawyer and a special representative, especially when they were children from institutions and their parents were also not informed or present during the proceedings. The analysis of the cases in the Children's Rights Centre clearly highlights the trend that children with behavioural difficulties, when they have been subject of protection with issued protection measures inside and outside the family environment, have not committed offenses. The opposite trend may be observed as well - adolescents, perpetrators of crimes with sentences imposed have not been subject to protection measures under the CPA, but have only been subjected to corrective hearings under the LCASBM. Regarding the measures imposed under the LCASBM, it is difficult to collect official information in order to assess their effectiveness due to lack of

³² The service is piloted within the framework of project “Developing Children's Rights Centres for Children in Conflict and in Contact with the Law”, supported by the Velux Foundation and implemented by the National Network for Children.

cooperation with the Local Commissions for Combating Anti-Social Behaviour of Minors and the fractured life history of the young people.

Promising practice

We consider as very good the interaction between the social service Children's Rights Centre and the Regional Service "Execution of Penalties", which refers to the service minors for implementing probation measures. The partnership consists of direct work with minors and in day-to-day teamwork with probation officers responsible for the execution of the penalty.

4.2.3. Children in conflict with the law account for only 0.3% of all children who have used social services for children and families at risk run by the SAPI in 2017. In our opinion, this is primarily due to not considering the children in conflict with the law as children at risk. The next reason is the closed nature of the system for combating anti-social behaviour of minors and their unwillingness to cooperate with the social services.

The analysis included data on children in conflict with the law³³, as well as children with corrective measures imposed by the LCCASBM. Some of the children with corrective measures imposed had also committed violations of the criminal law – e.g. theft.

The total number of children referred for social services was 45, with boys at times more than girls - 38 boys, 7 girls (Fig. 17).

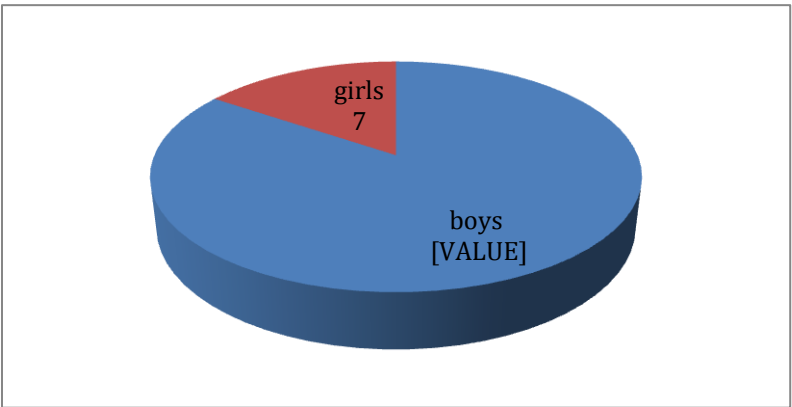


Fig. 17. Distribution by gender

³³ Pursuant to Article 40 of the Convention on the Rights of the Child, understood as children who are “alleged as, accused of, or recognized as having infringed the penal law”

The majority of children (37) were raised in a family environment, while the rest were placed under different protection measures. Children were referred to the services mainly by the DSA - 27. Cases of children with a penal measure were referred only to the services in Sofia. In some cases, both types of measures were imposed.

Referrals by the LCCASBM were made only to the CSSCF in Shumen. The referral was issued on the basis of an Agreement for the implementation of a corrective measure under Article 13 of the LCASBM. In the case of voluntary clients, they are referred to the CPD to get a referral to the service.

4.2.4. Our data shows that children in conflict with the law are teenagers who have not finished processing severe traumas such as abandonment (8 of the children are even now in alternative care, with 2 of them placed in a specialised institution), dysfunctional family care - father's absence, abuse, violence. In 19 cases we have a criminogenic family environment at times involving the children in the family.

In the case of children who have used the services the reasons again were combined, but the specificity is the larger number of children with a measure of protection outside the family environment and early abandonment. The reasons that stood out here were: the trauma of early abandonment, the lack of bonding with a significant adult, the influence of the environment. Another significant factor was the low social status of the family, dysfunctional families (conflicts, missing father figure, mental abuse). In nearly all children, regardless of the family status, as a significant factor were pointed out age-related characteristics - immaturity, impulsiveness, not being conscious of the consequence, age crisis, seeking identity, rebellion, etc.

It has been confirmed that at the root of problem behaviour (understood as violation of norms) lie:

- lack of positive social relationships (abandonment, early institutionalisation, missing/dysfunctional father figure, inability to form close relationships, lack of accepting and empowering environment)
- role models (conflict between/with the parents, violence in the family/institution, socialisation in a criminogenic family/friends environment)
- mental trauma (not accepted parental loss, conflicts with a parent, violence)

4.2.5. The acts of conflict with the law were mainly thefts. In almost all cases there was a combination of several offences or re-offending. It was obvious that the majority were status violations. For some of them, it can be argued that they are not so much acts of unlawful but of challenging behaviour.

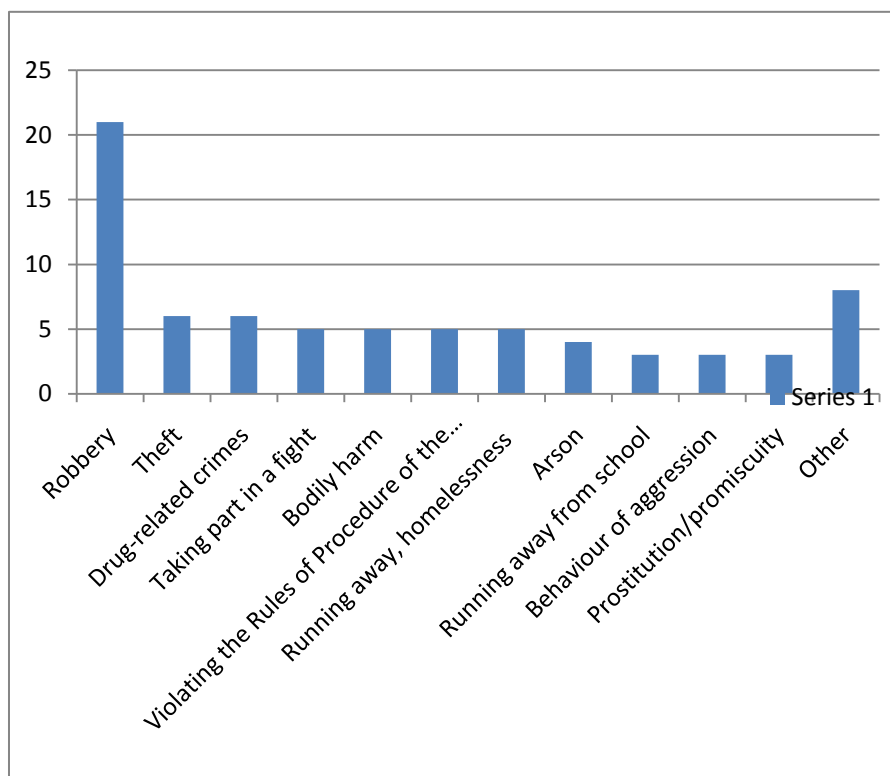


Fig. 18. Acts of children in conflict with the law

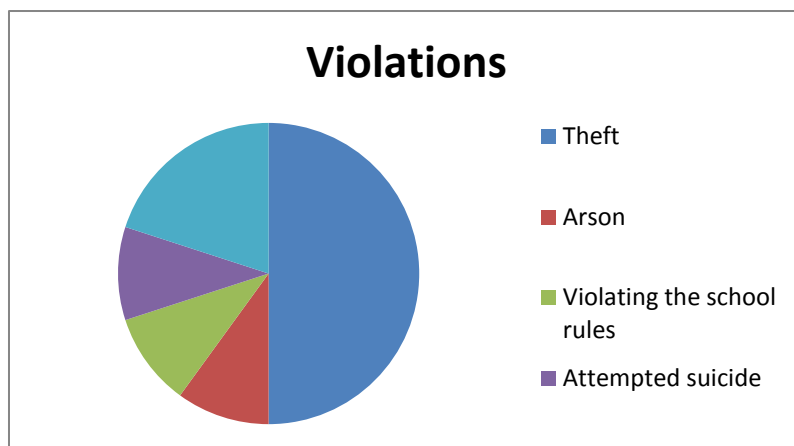


Fig 19. Violations, perpetrated by children under 14

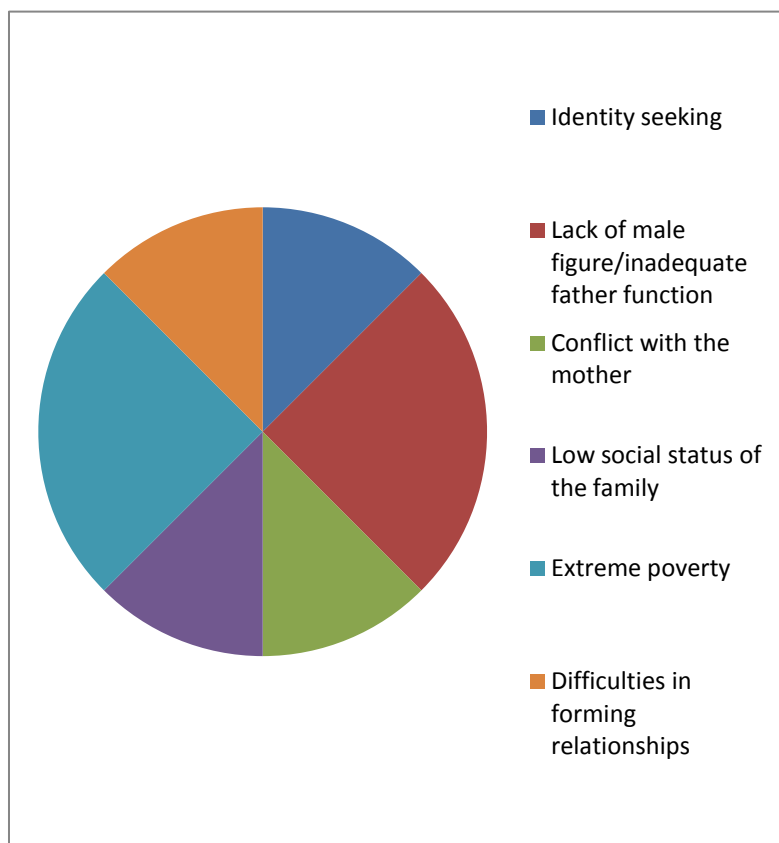


Fig. 20. Reasons for violations in children under 14, according to the professionals working with children.

4.3. Choosing an approach for working with children in conflict with the law

The understanding of the causes and factors, as well as the nature of the act of the child, is the basis for an effective choice of approach for working with them. This is about the individual assessment of minors who have passed the different stages of the proceedings as required by Directive (EU) 2016/800 of the European Parliament and of the Council on procedural safeguards for children who are suspects or accused persons in criminal proceedings.

The survey showed that the right to personal characteristic (individual assessment) is related not only to the lack of awareness but also to a lack of understanding by the children of the nature and need for the characteristic. The current procedure for drafting of the personal characteristic by the JDU inspectors does not guarantee the right to individual assessment, neither as a process of drafting, nor as a content.

Promising practice

In its work with children in conflict with the law, the SAPI uses a specially developed assessment framework that includes areas of study defined by the scientific knowledge, and the professional opinion itself is based on the resilience approach and is centred on the psychosocial difficulties laying the foundations of this behaviour, the resulting needs of the child, his/her resources, and on the risk of repetition and causing harm to others or to oneself. A Manual for Professionals for Working with Children in Conflict with the Law in 7 volumes was prepared in 2017 and is about to be published. One of the volumes is dedicated to the assessment.

4.4. Effective Approaches to Children in Conflict with the Law

Effective approaches to children, i.e. approaches with good outcome are those where the services provided are intense, i.e. not less than twice a week; they are also targeted at the child and his/her parents; and are in partnership with the structure responsible for implementing the measures or penalties.

Such services include accompanying, individual counselling, psychotherapy, advocacy, social counselling, parental involvement in group work, counselling with parents, supporting parents in coping with the problem behaviour of the child.

The results of these services are positive when they:

- meet the need for structure, boundaries, rules;
- provide clarity about what is happening with the child and his/her family;
- open secure space for sharing;
- empower the child;
- offer acceptance and respect for the child's personality, non-judgmental, good attitude;
- provide support to identify strengths;
- encourage positive change;
- create a trusted relationship with an adult
- provide support in a period of adaptation in a difficult for the family phase;
- lead to more understanding by parents;
- improve communication with parents;
- stimulate child-parent relationship;
- lead to change in parents' attitudes - expression of concern, love and acceptance.

Promising practice

Advocacy for children in conflict with the law. "Pravodetel" Centre is providing advocacy for each of the children sentenced to probation or being investigated. Advocacy includes informing about the rights of the child and his/her parents by a lawyer, accompanying him/her during the proceedings.

Advocacy at school was successfully implemented for two young people with probation measures - finding an appropriate school, accompanying for admission and adaptation, work on developing communication skills and interacting with others. In both cases, the results were related to finding the place of the child at school; changing the perception of oneself and the attitude towards others; absence of reoffending behaviour.

For one child in conflict with the law, **advocacy** activities have been carried out **in court** - preparation and accompanying for appearance in court proceedings. Include contact in advance with the child's lawyer, informing him/her about the work with the child at the Centre, discussing

together measures to support the child's needs, hearing the CRC team during the court proceedings, which is in the interest of the child.

Conducting **advocacy activities at the police**. In one case, during pre-trial proceedings, the child didn't know his rights because he was illiterate and did not know what to expect. The investigating officer was contacted and he informed the child in an accessible way. The other case was about a child who was being under surveillance by the police because of some registered acts and a penalty imposed.

In another case, there was an **advocacy at the level of an initiated corrective case** that was initiated in an area different from where the child lived. To this end, the Child Protection Department in the place of residence of the child was informed, and they on their part informed the LCCASBM and the case was transferred to the area where the place of residence of the child was. In this case, the team also contacted the child's parent, because the child did not live with him, and informed him about the upcoming case and about his role as representing the child.

In all cases of children in contact with the law - child victims, children placed outside the family environment, children with problematic behaviour at school, the children are informed about their rights, and are prepared before the upcoming proceedings, including also making a contact with professionals responsible for the case.

Promising practice.

Intensive social-educational support for the case of a 16-year-old boy sentenced to probation

A 16-year-old boy, called I., referred to the Community Support Centre for provision of the service "Intensive Support for Children in Conflict with the Law" and to the Children's Rights Centre at SAPI. Both services worked simultaneously on the case. The boy had 4 robberies registered, had a conviction with a 6-month probation measure. At the time when the case was received in the Centres, second court proceedings were held for robbery.

The specialised assessment identified the basic needs of the young person, related to support for forming own identity, finding his place in the family, finding personal goals. The young person needed accompanying to continue his education, for finding a job, advocacy in upcoming court trials. The main risk was associated with the possibility for him to be tempted in follow-up criminal

activities, and the identified need for accompanying and support, showed that the most appropriate for the young person was the intensive social-educational support. A team was formed for intensive work with the case, consisting of a social worker for the child, a social worker for the family and a psychologist who was planning the follow-up interventions. The intensive work with the young person is individual.

The essence of the intensive social-educational support consists in intensive weekly meetings with the specialists where individual counselling is conducted, motivating the young person for future realization, also work on creating the family history, forming a realistic picture of his current situation. Actual accompanying and a selection of a school, enrolment in the school, meetings with teachers, preparation and sitting on exams, meeting with an employer, and support for work were carried out. At the same time, I. was advised and prepared to appear in court and in the forthcoming procedures. In parallel, a social worker was advising his mother so that she is informed about his situation and to support him in the process of becoming a mature individual.

The intensive social-educational support in the case of I. led to several main conclusions:

- Acceptance of the person and the history of the child, and not the behaviour;*
- Work with the strengths, not with the deficits;*
- Work with the entire family system and the community;*
- Different roles in the team for the case reflect different important parts of the child;*
- Accompanying and advocating for the child, for his personality, abilities, rights and interests, leads to a change in the attitude towards him. This is a resource for change within the child himself.*

Intensive social-educational support also includes participation of children in group programmes such as "Life Skills", "Better to Talk", "A Bulgarian", "Sedyanka"(doing something together and having fun), "Think Before..." ateliers "School Support", "Applied Art", "Cooking", "Fairy Tale", "Photo and Cinema", Art Atelier. The paintings made in the atelier of the CSC Sofia, on the eve of 1st of June, were presented at the second exhibition of children's works in Gallery 2.0, 26 Shesti Septemvri Str.

Promising practice

*The summer-**holiday programme**, in which we involve also children from residential services and children placed in foster families. Children participate according to their needs identified in the plan for the service. Among the objectives of the summer-holiday programme are supporting children in consolidating and developing new social skills related mainly to their interests, the surrounding world and the environment in which they live, enrich their interpersonal relationships and encourage them for more tolerance. An important goal is to engage children and prevent the risk of violence, the risk of involvement in anti-social behaviour, etc. In Sofia, the Summer Programme started with the participation of children, services-users in the Festival of Young European Cinema; in Shumen the children participated in the festival "Singing and Dancing at Orlova Chuka, Different but Unified". The children participated in the festival market with hand-made panels and decorations.*