

REPORTING SUSPICION OF CHILD SEXUAL ABUSE

JOAN FORNER ROVIRA

Lanzarote Committee Rapporteur on reporting child sexual abuse





INTERNATIONAL LEGAL FRAMEWORK (Council of Europe)

“How was it that we were all so blind?”

Joan Coleman, Attachment, Trauma and Multiplicity

LANZAROTE CONVENTION

Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse
 into force since 01/07/2010

- 47 Council of Europe member States have signed it
- 44 States have ratified it
- Pending ratification: Armenia, Azerbaidhan and Ireland
- Non-CoE member States can also become States Parties
- Article 12 – Reporting **SUSPICION** of sexual exploitation or sexual abuse
 1. Professionals
 2. Any person



WHO SHOULD REPORT?



Reporting by professionals

(in contact with children)

General rule:

In most Parties, professionals are bound by general confidentiality rules

Exceptions: 1) Respond to Court, child's best interest ...
2) Obligation or duty to report (*normally when the state has particular laws, regulations, codes of ethics, dealing with family issues and failure to do so, may entail criminal liability*)

What professionals: 1) General: in touch or working with children.
2) Specific sectors: health, social affairs, education.
3) Specific list of professionals: doctors, surgeons, pharmacists, teachers, psychologists, youth services ...
4) Compulsory for all civil servants



WHO
SHOULD
REPORT?

Promising practices

Italy Network of 15.000 paediatricians (“sentinel doctors”) trained to recognise signs of abuse

Netherlands “Child Abuse Protocol” . Professionals report three times more

Serbia General Protocol for Protection of children from Abuse and Neglect.
Manual for its implementation

Lanzarote Committee Recommendation

To ensure confidentiality rules are
NOT AN OBSTACLE
for professionals to report when
there is reasonable ground for
believing that a child is a victim



**Together against
sexual exploitation
of children**

WHO SHOULD REPORT?



enough secrets.
enough shame.
enough hurt.
enough confusion.
enough denial.

enough child sexual abuse.

Reporting by any person

- 1) General obligation: Criminal Code or Code of Criminal proceedings
- 2) Specific provisions to encourage
- 3) Awareness raising campaigns

Promising practice

Austria “No safe place” brochure. www.gewaltinfo.at



WHO SHOULD REPORT?



Reporting by any person

Exceptions: Perpetrators closest relatives, spouse, common law partner, first line blood relatives, brother or sister, adoptive parent, priest, ...

Lanzarote Committee Recommendation

To introduce necessary legislative or other measures, such as awareness raising campaigns, **TO ENCOURAGE** any person who knows or suspects to report to the competent services

WHOM TO REPORT TO?



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- In general:
 - Police
 - Public prosecutor
- If there is specific regulation:
 - Child protection units
 - Children and youth services
 - Social authorities
 - Municipalities
 - Social welfare specialised centres



Promising practice

Netherlands "Safe at Home Organization"



1st
implementation
report (para. 74)

"..., the Committee notes that mandatory reporting is an additional factor in data collection, since where it is in force, a larger number of cases are reported and consequently registered."

