

## The Children and the Elderly victims of crime

APAV has noted that, since 2000 until 2011, there was a rise of 158% of cases of older people victims of crime. Just in the decade of 2000-2011, APAV supported nearly 6.249 elderly victims of crime. With these victim support cases we realised that there is insufficient knowledge of the issue by victims, relatives and care takers, as well as a lack of information and skills on the part of professionals that intervene in these situations.

In what concerns children, APAV registered a total of 6.500 children and young people victims of crime between 2000-2010. Through this period of time there was a 75,6% increase of child victims who used APAV's services. In the course of these 10 years there were reported a total of 10.152 crimes.

Violence is also considered a public health issue due to its impact in someone's life:

- It may cause death, injury, physical trauma and a series of mental, emotional and psychological problems;
- It diminishes the quality of life;
- It demands the reorganisation of preventive and healing medical care;
- It highlights the need to develop a more specific, but at the same time interdisciplinary intervention adapted to the social reality and with the cooperation of all the sectors and professionals (Minayo, 2006).

Studies show that, for example, women victims of domestic and sexual violence have an increased number of health problems and frequently need to use the public health services (whether emergency or not). Accordingly, the social costs will also be higher in these cases. It is also important to note that 25% of working days lost by women are caused by violence, which reduces the financial gains between 3% and 20%. The children who live and experience such violent environment are three times more likely to get sick and 63% of these children repeat at least one year in school, abandoning his studies, on average, at nine years old.

Demographic ageing in the EU shows the progress made in economic, social and medical spheres. However at the same time is extremely challenging. The "Europe's demographic future:Facts and figures on challenges and opportunities" shows that "the total population of EU25 will (...) become much older [and] the proportion of people living alone, particularly women, will increase (...)". As mentioned above these changes engaged with the weakening of social welfare systems can worsen situations of violence. In fact, seven in ten Europeans consider that older dependent people are victims of physical neglect or abuse of their assets (67%) and of receiving

inadequate care (66%). The majority considers that this vulnerable group is in risk of psychological or physical violence (64% and 52%, respectively) and a third (31%) are potential victims of sexual assault and rape (“Health and Long Term Care in the EU” Dec/07).

Elderly people find themselves much more isolated socially than any other population groups, which make the identification of violence a much harder task. Studies show that the older population in Portugal has features that might increase this age group vulnerability, when compared to other EU countries.

In a Continent like Europe where the latest reports show a fast ageing of the population, and in a world where ageing population will grow faster than any other sector of the global population (vide UNFPA 2011 Annual State of World Population Report), it is crucial to pay more attention to this particular group of victims. The World Health Organisation (WHO) fears that this rise, coupled with a certain severance of the links between generations and the weakening of the welfare systems, aggravates situations of violence.

In fact, in Portugal the Social Emergency Programme was created and it aims to address the existent gaps in the social responses and maximize the impact and use of the available resources. However what we feel today is the result of the financial constraints and the overburden of the field organisations. The financial support was merely maintained or even cut down which results in a daily struggle to answer to the needs of the victims of crime.

Nowadays the European Union ageing rate originates new challenges and brings up new needs that must be comprehended and accompanied, both in terms of knowledge and intervention, in order to promote tools for diagnosis, accompanying and monitoring, and to define solutions for support in risk situations. Beyond the creation of a network of specialised care, it is crucial to guarantee dignity in all ages.

Furthermore, and in what regards children, there is a need for stronger protection of children victims of crime when in cases of serious crimes. International obligations that Portugal has so impose, yet the reality still differs. For instance, there are many mechanisms available that are not yet, or not fully, in place and others that need to be integrated. The way children are involved in the judicial proceeding is often a source of secondary victimization, mainly due to repeated questioning. Protection orders are not sufficiently used and institutes such as the civil sponsoring and family hosting are scarcely used since the population is not properly aware of their existence or how they work. There are also not enough preventive measures set up, not those that promote protection in a natural environmental (such as parental education and training). The competences of the child welfare committees (CPCJ) are usually misunderstood by entities of first instance response and even courts, referring cases that shouldn't be dealt with by them, overloading instead of referring to proper entities, and this allied to a growing lack of technical means and uneven distribution of the existing brings added

problems.

Hence, it is crucial for the State, the field organisations, the scientists, the civil society, the different professionals that are working daily with children and elderly victims of violence, to be aware of the problem and of the strategies and solutions drawn locally in order to identify the cases, to act upon them and also to prevent them. Only with the dedication and commitment of all, it's possible to push forward the rights of children and the elderly victims of crime. Therefore, we set a list of recommendations that we consider determinant to today's reality and the struggling of each country due to the financial constraints.

### Recommendations

Given the above stated we highly recommend the following measures to take place:

- To implement identification, evaluation and intervention protocols for health practitioners when facing victims of crime and violence using the various community services available;
- To create rules and procedures regarding confidentiality and speedy means of cooperation with the competent authorities and services. For instance, article 53 of the Code of Ethics and Conduct in force approved by the Medical Council that states: every time a doctor in charge of treating a child, elderly person, handicap or disabled person realises that these are victims of ill-treatment or sexual harassment the doctor shall take appropriate measures to guarantee their protection, namely warning the competent authorities;
- To implement action measures and development of guidelines that aim at achieving adequate standards of support to victims of crime and violence;
- To promote appropriate organisation of services, promoting communication between the competent authorities to guarantee an effective intervention;
- To promote dissemination of information to health practitioners, namely on violence against children and elderly people; regarding prevention of violence and detection of such situation and support provision to them, particularly focusing on cases of domestic violence, sexual abuse (emphasizing the risk of sexually transmitted infections and HIV/AIDS) and violence in dating relationships and between peers (how to identify, what to do, current legislation);
- To promote training courses about victims of crime for health practitioners (with two perspectives: understanding the different types of crime and how to act upon those situations);
- To implement the National Action Program for Prevention of Violence against Elderly People proposed by the Directorate General of Health's Workgroup on Prevention of Violence Against Elderly People;
- To guarantee the same access to health for victims of serious crimes and victims of domestic violence, namely in terms of exemption for user charges;

- To create a mechanism that allows children victims of crime to be heard within the judicial proceeding (whenever possible only once) and that the information provided can be used for several proceedings running simultaneously. These hearings must be done with appropriate human and material conditions, which means for instance that the professionals that will interview the child must be qualified and specialized in interviewing children of different ages;
- To make the use of mechanisms previewed in the Witness Protection Law more frequent;
- To promote scientific research on the different services victims of crime seek;
- To produce a statistic report regarding the attendance of victims of crime and violence to health units, for example on the specific case of elderly people victims of crime who are “abandoned” in such care services (either formal or informal).

We also strongly support the recommendations set forth by the United Nations Secretary-General’s study on violence against children, namely in what regards:

1. In every country, a national strategy, policy or plan of action on violence against children, with realistic and time-bound targets, and integrated into national planning processes, should be developed and coordinated by an agency that can bring multiple sectors together.
2. Laws and policies to prohibit all forms of violence against children in all settings. No person below 18 years of age should be subjected to the death penalty or a sentence of life imprisonment without possibility of release.
3. Prioritising prevention of violence against children by addressing its underlying causes.
4. Actions to change attitudes that condone, accept and promote any form of violence against children, including stereotypical gender roles and discrimination, acceptance of corporal punishment, and harmful traditional practices.
5. Ongoing training and education for those who work with children to equip them to prevent, detect, and respond to violence against children.
6. Access to child-sensitive, affordable, high quality health and social services and independent legal assistance for children and families who have experienced violence.
7. Active engagement with children and respect for their views in all aspects of prevention, response and monitoring of violence against them.
8. Safe, confidential, accessible and well-publicized channels for children, their representatives and others to report violence.
9. Improved accountability for those who perpetrate violence against children.
10. Policies and programmes should be designed and implemented from a gender perspective - taking into account the different risks facing girls and boys in respect of violence.



11. Improved data collection and information systems to identify children at risk, inform policy and programming and track progress.
12. Ratification and implementation of all relevant international treaties and obligations.



## The Portuguese Association for Victim Support

The Portuguese Association for Victim Support (APAV) is a private charitable organisation, recognised by law with statutory objective to inform, protect and support citizens who have been victims of crime.

Its mission is to support victims of crime, their families and friends by providing free and confidential quality services and to contribute to the improvement of public, social and private policies centered in the statute of the victim.

It is a non-profit organisation assisted by volunteers, which supports victims of crime, in a personal, sensitive and professional way, through the provision of free and confidential services.

Founded on 25 June 1990, it has offices nationwide, with headquarters in Lisbon. Accordingly, APAV has a national network of 15 local victim support schemes, 2 shelters for battered women and children and 1 unit for the support to migrant victims and victims of racial and social discrimination. It is a voluntary organisation supported by a national network of more than 250 volunteers. The team of professionals and volunteers in the APAV offer assistance and personal support to the victims of crime. These services are provided within a multi-disciplinary approach involving different areas such as law, psychology and social work. In addition, services are provided from a network perspective, where various entities cooperate in dealing with each specific case, such as the police, hospitals and health care centres, social security, and both governmental and non-governmental organisations.

To succeed in its mission, APAV aims:

- To promote the protection and support available to victims of crime in particular those victims with fewer economic resources. To achieve this by means of information spread, personalised counselling and guidance, and all kinds of assistance moral, social, legal, psychological and economic;
- To liaise with all relevant entities and stakeholders the police, social security agencies, health centres, local authorities, autonomous regions, and any other private or public bodies dealing with crime and victims of crime;
- To foster and promote social solidarity, particularly through the creation of networks of volunteer collaborators and social sponsors, as well as through victim-offender mediation and other practices for restorative justice;
- To assist and sponsor research in to the problems victim's face, so that their interests can be satisfied in a more adequate manner;
- To promote and participate in programs and projects which raise public awareness of crime and the victims of crime;



- To contribute to the adoption of laws, regulations and administrative measures which increase the protection and support available to victims of crime, with a view to reducing the risk of victimhood and its effects;
- To liaise with international organisations, and work closely with similar bodies in other countries.

APAV is also a very active member of several European and international Forums, like Victim Support Europe and the European Forum for Restorative Justice, the World Society of Victimology, the International Association for Volunteer Effort, the Fundamental Rights Agency Platform and the European Network Against Racism.

The support given by APAV to the victims of crime is just by itself a decisive contribution to the promotion and protection of human rights. The victims of crime are in an emotional, social and sometimes economical vulnerability. That is why the support given by APAV network seeks to contribute to the victims' capacity building, strengthening their skills, giving way to social inclusion by promoting the development of victims' empowerment in the various domains of life.

From 1990 to 2011 APAV network supported 116.351 cases, which is equivalent to an estimated number of more than 200.000 victims that reached its victim support services. Just in 2011 APAV network supported, in average, per week, 133 women, 15 children and 14 older people, victims of crime.

When we speak about supporting victims of crime it's crucial to highlight that we are not only talking about one time crisis intervention. The cases supported in APAV network also entail a long term support and counselling, the development of safety strategies, the promotion of social inclusion. It is a daily work of endorsing change in people's lives so they can live with dignity and respect. Therefore, the support given to the victims of crime always involves a multidisciplinary approach. Psychology, social service and law are the main background areas from the more than 250 volunteers that work daily in the APAV network. They represent the strength of the organisation and are the main reason for its success.