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CAN surveillance in ITALY: current policies and practices

Country Profile

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“Coordinated Response to Child Abuse & Neglect via Minimum Data Set” [JUST/2012/DAP/AG/3250]

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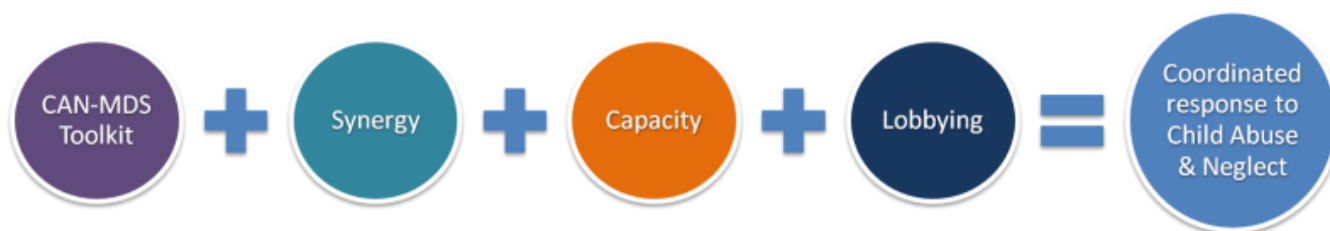
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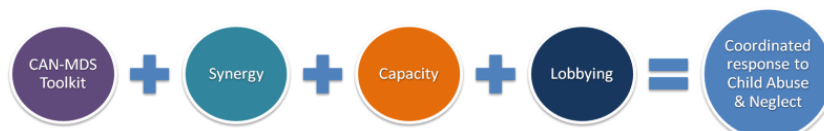
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1 – The rationale for a CAN-MDS in Italy

In Italy, the younger generations are influenced by the following demographic and social developments:

- lower birth rate (families are no longer regenerated);
- on average, both men and women get married at an older age;
- in connection to the previous point, couples now have children later;
- smaller average family size;
- higher number of couples having no children;
- lower number of couples having children;
- higher number of single-parent families;
- weakening of relations with relatives, which leads to the increased social isolation of families;
- increase in separations and divorces;
- slight yet significant increase in the number of children born from unmarried couples;
- growing tendency of young people to remain with their families well beyond the average age at which people get married.

All these phenomena are closely related to each other. In the medium-long term, the structural and cultural changes occurring in the Italian families have an enormous impact on society, which can be summarized in two main points:

- a) **Generational imbalance.** The progressive reduction in cohorts of newborns means that children are now more likely to grow up without siblings and cousins, i.e. without horizontal family ties. On the other hand, the vertical ties (with grandparents and great-grandparents) are more easily interrupted, they become more complicated, due to separations or divorces, or more onerous because of the longer life expectancy. Another important aspect to be underlined is the growing age difference between parents and their children (adults have children at an older age), which leads to new psychological and relational imbalances.
- b) **Fragmentation of the social fabric.** The weakening of primary family ties implies further isolation of families, the emergence of renewed individualism in the anonymous metropolitan areas, more vulnerability to react with violence in relationships (see the growth of femicide, not rarely together with the homicide of the children).

The changes currently underway in families have an impact on the family and social life of children.

In the last fifteen years, key changes took place in Italy with regards to preventing and counteracting violence against children.

In the last two decades, the Italian Government, Parliament and local institutions attempted to establish a general policy on children and adolescents to defend children's rights. The process of awareness raising on the necessity of a strong action for the prevention of child abuse and the protection of children victims was characterized by a multidimensional approach, whose main points are the following:

- Child abuse is a public matter.
- Sexual abuse and sexual exploitation of children are crimes.
- The State's duty is to guarantee that children's needs are met and their rights are respected.
- All workers in the public sector must report any case of child abuse or a child in need to Juvenile Court and/or the police.

Some of the measures taken by Italy in the last decade to prevent and fight against child abuse and to assist victims include:

- the reform of the legislative framework in Juvenile, Civil and Penal domains;
- the financial support, e.g. through the Act 285/97, to the development of projects for the creation of specialist services, counselling centres, children's home and shelters;
- initiatives to raise public awareness and specialist training courses for workers in the educational, social, healthcare, media and judicial sectors;
- the promotion of information campaigns among children and adolescents, aimed at encouraging their active participation;
- surveys and research to learn more about the phenomenon as well as to gain information about the nature of the phenomenon and the response across the country.

Nevertheless, the Italian action in this field suffers a dramatic gap of knowledge concerning the number of children in need, or victim of violence; a lack of data which makes difficult, almost impossible, to assess seriously the impact of the initiatives put in action in the last decades.

Operators have often lamented the lack of a National Register keeping track over time of minor victims of abuse and violence, a category in need of special protection.

The available statistics come from cases reported to the criminal judicial authorities or to the prosecutors of Juvenile Courts as there are no national statistics on minors reported to and assisted by the local healthcare and social services .

The lack of unified data collection system enabling researchers to ascertain incident and prevalence of the phenomenon – thus shedding light on the evolutionary paths of child victims of abuse – is a severe short coming in terms of social policies and programming (Di Blasio e Camisasca 1996, Bianchi e Moretti, 2006).

Comparing different practices operating on the national territory becomes, in fact, challenging. The lack of comparison, in turn, is an obstacle for the identification of good practices capable of ensuring appropriate protection measure to maltreated children.

Due to the absence of such national system it is also difficult to collect reliable and updated data on the actual magnitude of CAN: retrospective research allows to study the prevalence of the phenomenon but not the incidence.

Moreover, the lack of data jeopardizes the entire evaluation process of policy makers' intervention protocols, bearing great negative consequences on institutions capacity to adequately allocate resources into the most effective models of intervention.

Currently, statistics describe only those cases that lead to pressing charges to the judiciary authorities which then open penal trials or reporting at the juvenile court. This means that a great number of CAN cases remains hidden – most often occurring within family settings. Sporadically, these cases are detected by researches engaging with samples of different size and not necessarily representative of significant regional differences of the Italian territory.

Uncertainty also extends to cases of children at risk of CAN that are tackled by social services on the basis of the *hypothesis of harm* which does not result immediately in legal reporting to the judiciary. Even when services are monitoring the phenomena, different entities adopt different modalities of data collection and management, classifying data according to heterogeneous category on the basis of which services also develop heterogeneous programming. Taking all these factors into account it becomes evident how difficult it is for operators to ascertain the effective incidence of the phenomenon.

Hence, the importance for Italy to participate in the project was driven by the will of giving a contribution to the development of a specialised data collection.

1.1 - Aims & Objectives of developing a CAN-MDS at national & Community level

The Daphne III programme, part of the General Programme “Fundamental Rights and Justice” aims to contribute to the protection of children, young people and women against all forms of violence and to attain a high level of health protection, well-being and social cohesion.

The Project “*Coordinated Response to Child Abuse and Neglect via Minimum Data Sets*”, co-funded by the EC under the Daphne III Programme, aims to contribute to the protection of maltreated children and children at risk and to improve child protection services by creating the scientific basis, necessary tools and synergies for establishing national child abuse and neglect (CAN) monitoring systems using minimum data sets (MDS). Such systems are expected to provide comprehensive, reliable and comparable case-based information at national level for children who have used child protection services. The data that will comprise the CAN-MDS could be used in multiple ways: for development of annual country profiles indicating current needs for services in the field, exploration of the relationship between specific factors and types of child maltreatment and as a point of reference indicating the priorities arising at local, national and international levels (benchmarking). Moreover, it could support development of CAN National Surveillance Mechanisms / improvement of the available mechanisms (*according to country specifics*). Lastly, CAN-MDS data could be used as a baseline for services and interventions' effectiveness evaluation, identification of good practices and for planning future policies and legislation.

The need for working towards the development of such national systems derives from the current situation in the EU countries where CAN case-based data are derived from a variety of intersectoral sources and follow up of victims at local and national level is not sufficiently coordinated among the involved services. Specifically, the main barriers for effective CAN monitoring concern a. the lack of common operational definitions, b. the lack of common registering practices and c. the use of a variety of methods and tools for data collection and sharing among stakeholders.

The establishment of a CAN registration mechanism via MDS at national level could be part of the routine administrative process in all child protection services and the MDS could be uploaded in a single database operating via a restricted-access on-line network. National child protection services that would initially join these MDS collection/sharing of information would also be expanded to include more services, with an ultimate aim being to capture the entire EU area. Insofar efforts for unifying European CAN related information resources have focused mainly on judicial cases or cases involving authorities' involvement; this project targets at providing a common ground for CAN cases that do not involve legal or public order authorities as well and will be handled and managed by services in the health, welfare and educational sectors as evidence suggests that the vast majority of CAN cases fall into this particular category.

To this end, a Toolkit will be developed consisting of the necessary protocols, tools, a short-training module and a Guide for potential operators of a CAN-MDS system, namely professionals who will be in charge of collecting and registering data. Partners serve as national "focal points" who have undertaken the initiative to create and train their national "core" groups of operators (social/health/other professionals working in the field of child protection or with child victims) as well as to promote the Policy Manual for the establishment of national CAN-MDS systems.

Specific objectives of the project are:

- Development of the methodology for defining a minimum data set on child abuse and neglect (CAN-MDS)
- Mapping of national child protection related services, case-based follow up and CAN monitoring mechanisms
- Development of a CAN-MDS Toolkit and evaluation of its quality
- Formation of national core groups of professionals-potential operators of CAN-MDS
- Building the capacity of professionals working in child protection and CAN prevention related services for collecting and sharing CAN-MDS via a short-training course conducted by trained facilitators and Evaluation of trainings' effectiveness
- Creation of a Policy and Procedures Manual addressing policy makers and other related stakeholders towards the establishment of national CAN-MDS and adaptation of the Manual according to country specifics
- Conduction of a variety of dissemination and lobbying activities for the adoption of CAN-MDS in participating countries

For lobbying towards a uniform systematic registry and monitoring of abused children at local and national levels (also facilitating international comparisons), a *Policy & Procedures Manual* including ready-to-use tools is going to be created addressing policy makers and other related stakeholders.

1.2 – Ethical Considerations

Data collection on CAN cases must be in line with the application of the UN Children rights convention (ratified with Act 169/1991) and the most recent laws concerning the protection of personal data.

The Un Convention is relevant in the regards of safeguarding the respect of the dignity of the child and his/her right to privacy, protection and health. It represents (should represent) the general framework under which to implement any action which has an impact on the life of a child.

Legislative Decree no. 196 of 30 June 2003 established the ITALIAN PERSONAL DATA PROTECTION CODE, which ensures that personal data are processed respecting data subjects' rights¹, fundamental freedoms and dignity, particularly with regard to confidentiality, personal identity and the right to personal data protection.

The code is divided into three parts.

- The first part sets out the general data protection principles that apply to all organisations.
- Part two of the code provides additional measures that will need to be undertaken by organisations in certain areas, for example, healthcare, telecommunications, banking and finance, or human resources.
- Part three relates to sanctions and remedies. It is expected that the second part of the code will be developed further through the introduction of sectoral codes of practice.

According to the Code, processing of personal data must be regulated protecting personal data in compliance with the principles of simplification, harmonization and effectiveness of the mechanisms by which data subjects can exercise their rights and data controllers can fulfill their obligations. This approach aims at making the process more transparent and understandable for individuals. Processing is allowed with the data subject's consent (which must be provided in writing) and the Ombudman's authorization if the data controller is a private body. As for public bodies, processing is allowed if it is provided for in laws/regulations; however, the latter must specify processing operations and purposes in detail.

The code aims to strengthen individuals' data protection rights, allowing them to exercise their rights and instigate proceedings more easily. I

Legislative decree 196/2003 has also enhanced the importance of codes of conduct with regards to the protection of personal data.

In particular, codes of conduct are to be implemented when processing data via the Internet and/or in the employment context, for marketing purposes, by private credit reference agencies, or in connection with video surveillance activities. Compliance with the provisions set forth in the relevant code of conduct is a prerequisite for the processing operations to be lawful - see section 12(3).

In 2002 the **Code of conduct and professional practice applying to the processing of personal data for statistical and scientific research purposes within the framework of the national statistical system was drafted**. c bodies are permitted to process personal data in order to discharge their institutional tasks, e.g. the protection of a child. Under

¹ **Data Subject's Rights** Under Italy's Personal Data Protection Code, every Data Subject has various rights in connection with the processing of their personal data (see Section 7): 1. The right to obtain general information on processing operations performed in our country by accessing, free of charge, the online Register of Processing Operations kept by the Italian DPA; 2. The right to access their own personal data directly at the entity holding such data (the Data Controller), i.e. the right to obtain confirmation that such data exists and communication of the data as well as to know the source of the data and what criteria and purposes apply to its processing. In the latter case the Data Controller may charge a fee ("handling fee") if it is found that no data relating to the data subject is held; 3. The right to obtain erasure or blocking of any data that is processed in breach of the law, for instance because no consent was asked for. This right may also be exercised if there is no valid reason any longer for retaining data that had been collected lawfully; 4. The right to have inaccurate and/or incomplete data updated, rectified or supplemented; 5. In the cases mentioned under 3. and 4. above, the right to obtain confirmation from the Data Controller that the above operations have been also made known to the entities the data had been communicated to beforehand, unless this proves impossible or requires a disproportionate effort compared to the right to be protected; 6. The right to object to the processing of one's own data on legitimate grounds; 7. The right to object, in any and all cases, to the processing of one's own data for commercial information purposes and/or for sending advertising or direct selling materials and/or for market research purposes.

(Data protection and privacy glossary, Garante per la protezione dei dati personali, http://www.garanteprivacy.it/web/guest/home_en/data-protection-and-privacy-glossary)

the Italian code, organizations are required to notify the Ombudsman exclusively when processing higher-risk categories of data. These include: genetic and biometric data

The Code interests the processing of personal data for statistical purposes as carried out by

a) statistical organisations and agencies included and/or participating in the National Statistical System with a view to either implementing the national statistics programme or producing statistical information, in compliance with the respective institutional framework,

b) entities other than those mentioned under a), though belonging to the same administration/body, if the relevant processing operations are provided for by the national statistics programme and statistical agencies certify the methods adopted, by having regard to the provisions included in legislative decrees no. 322 of 06.09.1989 and no. 281 of 30.07.1999 - as subsequently amended and supplemented - in addition to those laid down herein.

In 2004 the Code was approved by the Central Authority for the protection of personal data and undersigned by:

- Conference of Italian Universities Deans ;
- Italian Epidemiologists' Association;
- Italian Sociologists' Association;
- Italian Council for Social Science;
- Italian Economists' Society;
- Italian Biometrics Society;
- Italian Historical Demography Society;
- Italian Society for Hygiene, Preventive Medicine, and Public Health;
- Italian Statistics Society;
- Italian Society of Medical Statistics and Clinical Epidemiology;
- Association of the Institutions and Bodies Carrying out Market Surveys, Opinion Polls, and Social Researches

The provisions of the Code of conduct and professional practice are aimed at reconciling the individual's fundamental rights and freedoms, in particular the right to personal data protection and the right to privacy, with the requirements of statistics and scientific research as deriving from the principle of freedom of research set forth in the Constitution, which is a precondition for scientific development, improvement of individuals' life-styles, and the growth of a democratic society.. Researchers working, whether alone or jointly with others, within universities, research bodies and institutions, and scientific societies, shall abide by the Code in all stages of processing personal data for statistical and/or scientific purposes regardless of whether the respective bodies and scientific societies have undersigned this Code.

As a rule, sensitive and/or judicial data processed for statistical and/or scientific purposes must be anonymous. Where the lawful, specific statistical or scientific purposes aimed at by the processing of sensitive and/or judicial data cannot be achieved without identifying data subjects, also on a temporary basis, the data controller shall take specific measures to keep the identification data separate ever since collection, unless this proves impossible because of the features of the processing or else entails use of clearly disproportionate means.

The Code has provisions also related to the Staff 's characteristics, retention of data, implementation of research in specific sector such as Health one, ecc.

With regards to data collection concerning health matters it is interesting to note that health care professionals and public health care bodies may process medical data (the Code refers to "data suitable for disclosing health") with the data subject's consent and without the Garante's authorisation if the processing concerns data and operations that are indispensable with a view to the data subject's health and/or bodily integrity; conversely, they may process medical data without the data subject's consent but with the Garante's authorisation if the processing is indispensable to safeguard public health.

Moreover, the current legislation regulating personal data processing allows for data transfer to take place within EU countries without special provisions unless transfer of data could prejudice data subjects' rights.

The personal data protection code refers directly to the treatment of sexual violence victims' data specifying that "whoever discloses judgments or other measures by judicial authorities at all levels and of all instances shall be required to omit, in any case, name(s), other identification data and other information, also concerning third parties, that may allow detecting - directly or not - the identity of children or else of parties to proceedings concerning family law and civil status." (personal data protection code, page 47)

2 - Country Profile

2.1 - How well known is the CAN problem in the country?

The main national data on the phenomenon of child abuse derive from Judiciary sector , then they are mainly focused on the crimes and less on the victims and related protective interventions.

In the last decade, in general, the available data from judiciary database show an increase in all forms of CAN. Indeed, apart from specific variations that are not easy to interpret, the number of reported cases of sexual abuse, maltreatment within the family and the sale of children has risen constantly. This does not necessarily mean there has been a quantitative increase in the phenomenon, although there definitely has been an increase in the production, possession, exchange and posting of child pornography on the Internet. What the data does tell us is that there is a greater tendency to report such issues. This is linked to a number of factors, primarily:

- Various training initiatives have increased the abilities of social, healthcare, educational and judicial workers to detect such problems;
- Social and cultural sensitivity to the problem has increased, lowering the tolerance for what is acceptable within a family;
- More widespread availability of specialised support services (teams, centres for the protection of minors, help lines etc.)
- Progressive decrease in the stigma attached to being a victim.

Official data

Every year the Public Security Department of the Ministry of Interior - disseminates data on child victims of abuse and crimes of child maltreatment.

The data source is the complaint of police forces to the judicial authority, which does not include all existing types of maltreatment but only physical abuse (beatings, and threats), sexual abuse (rape, sexual acts with a minor, prostitution and child pornography), psychological maltreatment (considering only the form of corruption of minor), while it is completely ruled out neglect.

According to such data, in absolute terms, in Italy there have been well over 10985 new cases in 2011 compared to 8884 in 2005.

Table 1.

Minors victims of CAN							
	2005	2006	2007	2008	2009	2010	2011
North	4354	4821	5314	5211	4739	5214	5360
Centre	1633	1815	2081	1973	1847	2004	2193
South	2897	3152	3558	3404	3362	3200	3432
Italy	8884	9788	10953	10588	9948	10418	10985

Source: Ministero dell'Interno – Dipartimento di Pubblica Sicurezza. (CISMAI-TdH, 2013)

Table 2.

Minors victims of CAN (% on resident minors)							
	2005	2006	2007	2008	2009	2010	2011
North	0,11%	0,12%	0,12%	0,12%	0,11%	0,12%	0,12%
Centre	0,08%	0,09%	0,10%	0,09%	0,08%	0,09%	0,10%
South	0,11%	0,12%	0,14%	0,14%	0,13%	0,13%	0,14%
Italy	0,09%	0,10%	0,11%	0,10%	0,10%	0,10%	0,11%

Source: Ministero dell'Interno – Dipartimento di Pubblica Sicurezza. (CISMAI-TdH, 2013)

Research

A recent sample survey of the Italian National Documentation Centre on Childhood and Adolescence (Istituto degli innocenti) aimed to estimate the number of the children out of home in residential and foster families, indicates that at the 31.12.2010 they were of 29.309, and roughly the 47% were removed from home due to serious or less serious conditions of CAN.

A research promoted in 2012 by Terre des Hommes and CISMAI, has tried to estimate the number of child victims of maltreatment regardless of the year in which the abuse occurred (prevalence).

They estimated that 1,49% of resident minors are under care by social services due to CAN situation, then considering the total number of resident minors in Italy in 2011, they estimated that the children assisted by social services as victims of CAN were 152.424.

The most common type of abuse is material and / or affective neglect (52.7 %), followed by other forms of abuse: violence assisted (16.6 %), psychological maltreatment (12.8 %), sexual abuse (6.7 %), the pathology of care (6.1 %) and physical abuse (4.8 %).

A retrospective study on sexual abuse, held in Milan with a sample of 3000 students of 18 and 19 years old (Pellai et al., 2004), estimated a rate of 14,6% on the total sample (9,7% for male student, 19,9% for female students).

A retrospective sample research on CAN in childhood, promoted by the Italian National Documentation Centre (Bianchi, Moretti, 2005), to estimate the prevalence of sexual abuse and other forms of ill-treatment of minors (psychological and physical maltreatment, material neglect and witnessing of violence), by looking at past cases of sexual abuse and maltreatment of children. The retrospective analysis looked at a sample of 2,320 women. The data obtained made it possible to estimate the prevalence of maltreatment and sexual abuse of Italian women aged 19 to 60 and to break this down according to area, namely northern, southern and central Italy².

The sampling technique was also subjected to demographic and geographical checks to ensure the sample spread matched that of the actual Italian female population. Once this was done, it was possible to project the following: 5.9% of the female Italian population has experienced some form of sexual abuse, not linked to maltreatment, while still a minor; 18.1% experienced both sexual abuse and maltreatment; and 38% experienced some form – either mild or severe – of maltreatment. As regards the level of severity of the maltreatment, the synthetic indicators were defined considering the type of maltreatment suffered, the presence of multiple maltreatments and the frequency, as well as the different problems existing within the family (parents or brothers with chronic diseases, psychiatric trouble, drug or alcohol addictions, sudden and severe economic problems in the family, pathological reaction patterns). Researchers and clinicians point to these factors as being the vital ones when looking at how traumatic an event is.

Severity of abuse	Abused only	Abused & maltreated	Total
Mild	45.9	37.4	39.4
Moderate	46.6	47.6	47.4
Severe	7.5	15.0	13.2
Total	100.0	100.0	100.0

In 2000, it was developed, a multicentre, cross-sectional study of 15 randomised census days during a six month period to evaluate how often children seen in paediatric accident & emergency (A&E) departments. Trained research assistants working with local paediatric staff completed a purpose made anonymised

checklist covering sociodemographic and medical information. A six point suspicion index was used to rate compatibility with child maltreatment based on the occurrence of observable harm. Statistical analysis was carried out on the basis that a score of 4 or more was suspicious of child maltreatment. Nineteen hospitals provided standardised

² The 2,320 interviewed responded to a questionnaire in the form of formal face-to-face interviews. The technique adopted was that of the structured direct interview (the form is filled-in by an interviewer that uses codified responses). This is regarded as the most reliable method to determine the prevalence of physical and sexual abuse, because, compared to other techniques, it enables the establishment of a relationship between interviewer and interviewee. It also offers the possibility to provide explanations and offer emotional support for the interviewee if questions stir bad or painful memories or cause unease.

paediatric A&E consultation data on 0–14 year olds presenting between 10 am and 10 pm. The Results pointed out that among the 10 175 assessed children, 204 aroused suspicion of child maltreatment (95% CI 163 to 214 per 10 000). In a logistic regression model of suspected maltreatment statistically significant associations were found with socioeconomic disadvantage, children living in single parent families, and developmental delay. There was no correlation with pre-school age, male gender, foreign origin, or living in urban areas. Child maltreatment based on immediate scoring of suspicion, focused on observable harm, occurred in 2% of a representative sample of paediatric emergency consultations in Italy. This was more common if there were associated social and developmental vulnerabilities.

Concerning witnessing violence, there are no official data on the extent of this problem. However, in 2006 the National Institute of Statistics, Istat, implemented a CATI survey on domestic violence with a sample of 25.000 women aged between 16 – 70 year. 31,9% (6.743.000) declared to have been victim of violence during their life (physical , psychological, sexual abuse or stalking). Among the women who have suffered repeated episodes of abuse, 62,4% said that their children witness one or more situation of domestic violence . The relevance of witnessing violence is proved also by the monthly data of the help line for women victim of domestic violence, because almost the 40% of the women who contacted the Line, said that their children are present when they are battered.

Child prostitution

According to data from Servizio Centrale Operativo of Central Anticrime Direction of the Police, in 2009, there were 72 denounces for children prostitution . It is important to note that practically every report of this crime involves more than one person, and generally two. It is also important to note that existing data come from judicial statistics about “Child Prostitution” as per art. 600 bis of the Criminal Code. ONGs working in the field estimate the presence of 1,500 - 1,800 children sell their bodies on the street, accounting for 8-10% of total prostitution. There are no estimates for prostitution that is practiced off the streets. However, it is still very difficult to reliably determine the extent of the phenomenon, because of three main factors:

1. difficulties in identifying with confidence that the subjects are under age;
2. the constant turnover of prostitutes in the streets and their increased mobility to avoid the police, especially street patrols;
3. the inaccessibility and invisibility of places other than the streets that prostitutes use.

In addition, this phenomenon is extremely changeable and fast moving. The current situation is certainly very different from how things were a mere decade ago. Prostitution is definitely changing. Indeed, the view of prostitution being linked to street prostitution, which is in turn linked to illegal immigration – thus limiting attention on child trafficking for sexual exploitation – is too narrow, as this is now only one subsystem.

In Italy, child prostitution comes in four main forms:

TYPE	CONTEXT	FORMS	BENEFICIARIES
Result of systematic and organized exploitation, in a forced situation	Children, adolescents – <i>foreigners</i> – trafficking – coercion – violence	"Professional" in streets or premises	Organized third parties – partners – family
A way to ensure a living for adults close to the minor and for the minor him/herself	Children -adolescents – <i>Italians</i> – economic needs and social and cultural deprivation – induction	"Home made" At home	Family – minor
Casual activity to complement the income from informal work	Adolescents - <i>Foreigners</i> – self-determination – social exclusion – lonely migrants	"Amateur" in the streets or in dedicated premises	Minors – occasionally friends and adults – indirectly the family
Spontaneous offer, occasional in varying degrees, in order to make high profits for secondary needs	Adolescents - <i>Italians</i> – self-determination – social and cultural integration – not extreme deprivation	"Amateur" at home or in dedicated premises	Minors – occasionally friends or other adults

The complexity of prostitution highlights the real need for diversified action. Serious thought needs to go into determining the most effective actions and methods to offer true rehabilitation and emotional support, as well as a real opportunity for change. Migrants who are minors generally come from Eastern Europe, Niger and South America. The last information indicates that the average age for foreigners is 16 compared to 13 for Italians.

The context

The majority of the perpetrators of crimes are Italian. When analyzing the characteristics of the people reported to the judicial authorities, two different kinds of relationship with the victim can be distinguished: intra-specific (the perpetrator knows the victim) and extra-specific (the perpetrator does not know the victim). In the vast majority of cases, the relationship between the victim and the perpetrator is intra-specific.

Within the intra-specific relationship (family, school and social setting), the family environment represents the most dangerous one for children, given that on average 90% of the abuses reported to the judicial authorities are perpetrated by relatives of the child or someone who has a close relationship with the child. In addition, "acquaintances" represent the greatest threat to children, accounting almost for the 50% of the total number of people reported that fall into the intra-specific category. Amongst close relatives, the most frequent perpetrators are parents. As data come from judiciary databases they provide information on CAN cases as classified within the penal code. For instance, we dispose of data concerning the reporting of the following crimes: Sexual abuse (art. 609 bis and ter, Criminal Code.), Sexual intercourse with minors (art. 609 quater C.C.), Corruption of a minor (art. 609 quinquies C.C.), Gang rape (art. Octies C.C.) .

Data analysis shows that the age bracket with the most victims is 11 to 14, regardless of the type of crime. As regards the nationality of the victims, in most cases the reported abuses concern Italian children: roughly 85%. The foreign component, however, has increased over the years of available data. Amongst foreign nationals, the most common nationalities that are victims are Romanians (the majority) and Moroccans. A sharp decrease has been noted amongst Albanian minors. In the period considered and based on the number of underage victims reported to the judicial authorities, the number of female victims outnumbers males victims by two to one.

Child Pornography and Pedophilia

As far as pornography is concerned the Post and Communication Police Service – PCPS- is involved in various research projects and studies of different aspects of child pornography and its perpetrators, with the objective to:

1. to analyze the behaviour of the paedophiles active in the exchange and dissemination of child pornography on the web;
2. to support staff fighting against online paedophilia and child pornography.

To achieve the first objective, a data reporting method was created and used by all agents in the PCPS active in the fight against these crimes. The method came into operation in 2003 and, during the first phase, files about 1,000 people being investigated for child pornography were compiled. These initial results have made it possible to gain psychological and criminological insight into Italian online paedophiles:

- the vast majority are male (96%);
- the majority are single (67%), but a relevant percentage are married or living with a partner (30%);
- the most common age group is 21 to 30 (44% of those studied);
- many subjects are students, employees or professionals;
- the paedophiles are fairly evenly distributed across the country;
- the average paedophile has not committed previous offences (90%).

According to the study, the behavioural profile of the online paedophile is as follows:

- in 89% of the cases, the paedophile is "voyeuristic", only looking at child pornography and not actually engaging in any physical contact with children;
- in 8% of the cases, there is "mixed" behaviour with the systematic use of child pornography and only occasional physical contact with a child (members of the family or with minors casually approached);
- in 2% of the cases, there is "mixed" behaviour with the systematic use of child pornography and frequent and repeated contact with children known to the paedophile
- in 1% of the cases, the subject shows paedophile behaviour aimed at the physical abuse of children who are contacted through the prostitution market and "sex tourism". In such case, child pornography is a secondary interest.

With regards to children knowledge and use of the Internet the International Crime Analysis Association developed the Child and Internet Risk Perception survey that has first of all, provided information on the extent to which the Internet is used by children (77% of children addressed in the study are internet users), the way it is used, and which services are accessed (Websites 94% Chat rooms 23% Downloads (music, videos, etc.) 72%

2.2 – Critical review of the available data

Data reported in the previous paragraph offers an overview of major CAN trends as they are being monitored through current possibilities of data collection. It is important to underline that the data on sexual abuse of minors are objectively difficult to interpret. In fact, based on the available information, from a methodological point of view it is not possible to come to a thorough, conclusive explanation of the issue. On the one hand, we cannot be sure that the reported cases represent the whole phenomenon and, on the other hand, it would be necessary to carry out a qualitative analysis of such data in order to know the reported cases better.

The available statistical information essentially comes from two sources:

- from the administrative side of the social, healthcare and judicial sectors;
- from special surveys and studies on groups or samples of either the adult or underage population.

Between these two sources, most of the available official statistics come from cases reported to the criminal judicial authorities or to the prosecutors of Juvenile Courts as there are no national statistics on minors reported to and assisted by the local healthcare and social services. For instance, when looking at the number of emergency measures taken by juvenile courts on issues calling for foster care solutions, the statistics available only record measures implemented by the courts and thus they do not provide information about the actual number of children that have been involved in juvenile court proceedings.

As explained in the section illustrating reporting mechanisms in Italy, social services report cases to the public prosecutor of juvenile courts when facing situations where their protection actions fail to safeguard the child's integrity. Therefore, a significant number of CAN cases is currently escaping official statistics. CAN-MDS can be used by social services to monitor their work and the cases they deal with even if they do not lead to legal reporting or pressing charges. This type of documentation would represent a significant step forward into understanding the whole phenomenon and, therefore, institutionalize effective preventive and protective measures.

Maltreatment is another category of CAN that is currently documented through juridical statistics, making it difficult to assess whether the victim is an adult or a child since the information relates to the actual crime. This is a major limitation. It does not change the overall assessment that there has been an increase in reporting family violence involving children, whether those children are direct victims or witnesses to acts of physical, economic, psychological or sexual abuse against another minor or adult member of the family. However, using a tool such as the CAN-MDS would allow for the data to provide information about age, together with all other relevant variable to monitor the phenomenon, and develop operators capacity to assess cases and protection measures.

The key question is, though, how many children are really in trouble, requiring intervention from social, healthcare or judicial services? What are their main problems? What are the methods of intervention that are most commonly adopted by the services and institutions entrusted with promoting well-being and protecting children?

The data that truly covers the national and regional situations are from the official judicial channels or from some samples where the results can be "projected" onto a national scale.

However, the official judicial statistics can be rather limited in conceptual terms, reducing the scope for considerations about and analyses of the victims of maltreatment and sexual abuse or exploitation. They give us important information on the situation of the crimes in Italy, but are less focused on the child, even if we have a new database in the Ministry of Interior (Department of Public Security) which contains data on the cases of sexual violence, identifying also the age and the sex of the victim, and other relevant characteristics.

CAN-MDS can support the work of Ministry of Interior database. When adopted by local social services and the Judiciary, CAN data can be transmitted into a single register providing a standardized data collection procedure.

Regional administrations have begun to create information systems about minors not living with their families (partly because of the Law no. 149/2001) and some have started to collect both quantitative and qualitative information about minors who are victims of maltreatment or sexual abuse that have contacted and are being followed by the local branch of social services or another specialized centre. These actions are currently not comprehensive and therefore limited in their capacity to offer a national overview of the phenomenon, however, CAN-MDS could expand the potential of these efforts providing the tool to channel different efforts into a standardized, comprehensive mode of data collection.

This type of action is not completely new to Italy as the National Documentation and Analysis Centre for Childhood including CAN situations. CAN-MDS would empower the National Centre to collect data from different administrations in standardized format facilitating the significant task of monitoring the phenomenon at the national scale. The National Centre has also highlighted data collection areas in need of further development that are directly linked to the advantages provided by the adoption of and Adolescence has been active in monitoring child conditions in Italy the CAN-MDS tool.

There is, in fact, a need to establish a monitoring system to ensure a constantly updated flow of data regarding the number of cases, the nature of these cases and the types of actions undertaken. Such information can then be used by either local or national bodies for clinical or informative purposes. In addition, it can be used to check the effectiveness of the primary, secondary (early diagnosis) and tertiary prevention programmes as well as to build effective indicators, define quality standards and outline the essential services required to ensure minimum protocols of protection and treatment. Finally, the data can be used to plan investment in this sector (Bianchi, 2006).

Lastly, the availability of data that has been collected constantly and uniformly allows for more detailed analyses that can look at variations in trends, which are often consistent, that occur from year to year in the total number of cases reported and the most prevalent forms of violence. Causes of fluctuations and changes in data are linked to:

- changes in how and what data are recorded and then used for statistical purposes;
- structural variations in the phenomenon;
- cultural changes in how certain behavior is viewed;
- changes in the willingness to report cases;
- changes in the laws, including the introduction of new types of crimes or changes in the way crimes are investigated as well as changes in the sanctions that might or might not be applied;
- changes in the procedures in how cases are managed or in the importance given to certain instances of the phenomenon.

Adopting the CAN-MDS tool would hence allow to gain an understanding of the overall picture while enabling comparisons between national and international actions at the European level.

It is important to define the conceptual framework within which a shared surveillance mechanism can be established.

A powerful aspect of CAN-MDS relates to the choice of variables and categories that ought to be closely observed to detect CAN considering that children are agents embedded in specific cultures, family and social histories.

CAN-MDS can empower different sectors to effectively integrate their actions and operational response to situations of risk or rights violations. Importantly, CAN-MDS provides a standardization of the language used by different services: the minimum data set is based on a glossary capable of shedding light on different conceptualization of CAN cases due to terminology gaps.

3 – Legal Framework

3.1 - Legislation, policies and mandates for reporting and recording of CAN cases in different professional fields

First of all, *What constitutes a child under Italian law?*

Under Italian law, anyone under 18 is a child. This is in line with the UN Convention on the Rights of the Child, which Italy ratified on 27 May 1991 with Law no. 176. Moreover, under Italian law, the mere fact of being born grants an individual the status of a “person subject to the law”, with rights and duties (legal capacity). Minors gain the right to exercise their own rights independently – and legally – and are subject to certain duties upon turning 18 (art. 2 of the Italian Civil Code), which is the age when they acquire the so-called “capacity to act”. Until this point, the protection of minors’ rights is entrusted to the parents, legal guardians or a guardian appointed by a judge. However, it is possible to acquire a limited capacity to act before reaching 18, provided the minor is at least 16. This leads to empowered minor status, which can only be acquired following approval of the Juvenile Court – which assesses the minor’s physical and psychological maturity – for someone who is married. Empowered status means the minor is no longer under his/her parents’ control, thus being allowed to perform routine administrative tasks. However, the minor still needs the assistance of another party, called the curator, to make any asset-related decision.

In specific situations, the legal system might also bestow on minors greater power in exercising consent, for example (and especially), as regards healthcare treatment.

Law no. 194 of 1978 entitled “Rules for the social protection of maternity and abortion” allows minors, without specifying any age limit, to personally request the administration of the necessary means to ensure conscious birth-control. Moreover, for abortion, the law states that any underage female wishing to interrupt a pregnancy within the first 90 days must have the consent of both her parents or legal guardian. However, in cases where the circumstances strongly suggest it is better to not inform the parents or legal guardian or the parents either refuse their consent or express conflicting opinions, then the relevant family counselling centre, social healthcare facility or trusted physician will undertake the necessary medical investigations and assess, together with the underage woman, the situation that led to the decision to terminate the pregnancy. The same subject will also provide her with possible alternatives and information about her rights and the social and healthcare support facilities available to her during pregnancy and after the delivery. Following this, the same subject (family guidance centre, social healthcare facility or trusted physician) must submit a report, alongside with their opinion, within seven days to the competent court of protection. The judge, within five days of hearing the underage woman’s case and considering her wishes, can grant her permission to terminate the pregnancy, without any possibility of recourse.

Sexual consent. Both girls and boys have the right to consent to sexual activity at the age of 14. This age comes from criminal law (art. 609, par. 4; Criminal Code), which prohibits sexual acts committed with minors of less than 14 years. This age limit is reduced to 13 years in the case in which consent has been given for a sexual encounter with a minor who is not more than 3 years older. A minor can never give valid consent to incest (punished within the limits set down by art. 564 of the Criminal Code) and, until the age of 18, the minor cannot consent to sexual acts with his or her guardian or with a person who has been in a position of care and control over him or her, whether it be for reasons of education, supervision or custody. Nonetheless, the law-makers do specify that such a crime only occurs when it can be shown that the person in the position of responsibility, the parent or the guardian of the minor that committed the sexual act abused power related to their position (as reformed by the Law no. 38/2006).

Criminal responsibility. The minor is not legally responsible for crimes committed up to the age of 14, presuming that until that age, for whatever crime, he or she is not sufficiently capable of forming the necessary criminal intent (art. 97, Criminal Code). Between the ages of 14 and 18, each case must be decided individually as to whether the minor, at the time of committing the crime, had the capacity to understand or the intention and therefore whether he or she was legally responsible for his or her actions (art. 98, Criminal Code). He or she cannot be subjected to administrative sanctions, unless, at the moment in which he or she committed an indictable administrative offence, he or she had reached the age of 18 (art. 2, Law no. 689 of 24 November 1981). Children under the age of 14 who commit serious crimes or who are considered to be dangerous can be placed in a judicial reformatory (art. 224, Criminal Code). There is no minimum age limit for this.

Intervention and legal framework

The Constitution of the Republic recognises and ensures: the inviolable rights of Man (art. 2), quality and equal dignity of all citizens before the law (art. 3), family rights (art. 29), the parents’ right/duty to maintain, educate and instruct

children (art. 30), economic and non-economic measures to the benefit of families and for the protection of maternity, infancy and youth (art. 31).

In relation to care, treatment and protection, it is worthy to remember that Italy is divided into 20 Regions that are in charge of administrating local territories and implement national policies through regional legislation and policy making. Constitutional Law 3/2001, reforming the V title of Constitution, strengthened Regions legislative power concerning social policies implementation and coordination.

Law 328/2000 further specifies Regions' competence with regards to social policies programming, evaluation and coordination. Specifically, childhood policies and child rights protection programmes are regionally devised in respect of national Law 285 /1997 providing 'for the promotion of rights and opportunities for children and adolescents' as well as all relevant articles of the civil and penal codes.

The Presidency of the Council of Ministers' Decree of the 14th of February 2001 appoints Municipalities as the administrative bodies responsible for the implementation of protection and supportive actions for minors victim of maltreatment or involved in delinquency.

After the transfer of the full competence of the regulation of the system of social services from Central Government to the Regions, the issue emerges of what is meant by "national level", for ensuring an integrated system of social services, and how can it be mentioned in this context.

The system has three features: first, there remains the system of constitutional guarantees and of the objectives of "substantial" quality defined by the Constitution; these objectives bind the various local authorities which are involved in the management of the system of social services. Second, Central Government continues to be in charge of defining the basic levels of the services to be provided uniformly throughout the nation, and social services, whatever is their arrangement and regulation decided by the regional legislator, shall ensure such levels. Third, the State still has the possibility to act *ex post*, as a replacement, to make basic services actually usable. The challenge is coordination, and the possibility becomes significant of forms of legislative and planning convergence among the Regions by means of self-coordination.

A large number of measures have also been promoted by the Regions and local municipalities in the field of children's rights and prevention, since, in Italy, they have specific regulatory or operative competences.

Many Regions have already embarked on a process of renovation and consolidation of the social and health care services dedicated to the prevention of child abuse and maltreatment and to the protection of children, adolescents and their families. The main principles guiding the prevention and fight against child abuse in many regions are:

- the integration of programmes, in particular of those aimed at promoting the well-being of children with those aimed at treating and solving problems;
- the focus on children and adolescents, for the development of a culture of protection and respect in the services dealing with them;
- the homogenization of the social and health care services, in order to guarantee the same qualitative and quantitative standards across the Regional territory, independently from the local organization of services;
- the intersectoral integration;
- the dialogue between the regional administrators and the social and health care workers to plan actions, in order to define together new, integrated, organizational models and more effective procedures for the implementation of provisions concerning them (such as the obligation to report indictable crimes against minors to the judicial authorities).

However, there are glaring inequalities in the services available to children across the different Italian regions (above all between the North and the South): the training of personnel in this field is not always sufficient; the diffusion of services is unequal across the territory and it is not always possible to effectively coordinate the various services and to create networks. NGOs and other members of civil society have also made a significant contribution to support activities in favour of children's rights. For instance, several NGOs have been working actively to raise public awareness on children's issues, to spread knowledge about their rights and to prevent violence.

Law 184/1983 invests social services with the responsibility to support and assists minors in fulfilling their right to a family and they become in charge of surveilling children's well being when in foster care or other types of out of home placements. Social Services are also main actors concerning the monitoring and recording of CAN cases due to their function relating the prevention of domestic harm and child protection as specified in various laws (the Presidential Decree 616/77, Law 184/83, Law 84/1994, Law 149/2001, Law 66/96, Law 269/98, article 430 of the Civil Code and Law 328/2000).

Moreover, article 344 of the Civil Code spells out public administrators' relationship with judges and judiciary authorities according to child protection principles further elaborated by article 400 and 402 of the Code. Importantly, article 403 of the Italian Civil Code endorses social services and public authorities with the power to activate special protection measure for cases of emergency. The same article identifies social services as the public authority in charge of activating evaluation and protective measures for social protection of children at risk.

According to Presidential Decree 616 local administrations also need to carry out preventive measures of surveillance through actions of preventive support. The same Decree regulates the relation of cooperation between social services and juridical authorities to safeguard children's rights.

Local health Care agencies are also legally invested with the responsibility of contributing to preventing CAN and supporting victims of CAN, their families and the perpetrator psychotherapeutic path according to Law 405/1972, 184/1983, 66/1996, 269/1998 and the Presidency of the Council of Ministers' Decree of the 14th of February 2001.

Judicial procedures

As far as reporting of suspected CAN cases is concerned, according to Italian Law certain cases call for mandatory reporting, while others *can* be reported. Cases ought to be reported to the Public Prosecutor Office of Juvenile Courts and should be communicated to the social services operating in the territory. Cases may also be reported to the Police or Carabinieri when factors induce to the criminal hypothesis.

Article 9 of Law 184/1983 mandates compulsory reporting for public officials and operators working in public services, these categories include municipalities' and health care psychosocial workers, deans, teachers, doctors, educators, operators working in foster care and workers of semi-private social enterprises...when encountering signs of a child experiencing a condition of suffering, neglect or material and moral abandonment.

Reporting is compulsory in cases of a child growing up in unhealthy and risky conditions or when raised by people who are unable to provide for his or her education as according to article 403 of the civil code.

Cases of minors involved in prostitution, trafficking or pornographic activities are also to be reported as according law 269/1998.

Reporting is considered desirable when the child's safety and integrity are jeopardized by factors that persist in spite of social or health interventions. This means that social services are obliged to report cases whereby their interventions would not succeed in terminating a relationship between the child and the abusive person; parents refuse to allow social services to intervene, parents consensus to accept social service intervention is apparent and liable to being withdrawn damaging the child.

Depending on the case reported, the public prosecutor of juvenile courts will decide on the path to follow in terms of protection measures to be adopted : placement of the child in foster care, regulating of parents' duties division, devision of social service supporting and protection actions to give the child appropriate care, declaring the status for adoption.

When adults' behavior consist in criminal behaviors, reporting should be made to the public prosecutor of juvenile courts as well as the public prosecutor of ordinary courts.

Reports are to be submitted in written form and need to include every practical element that can be used to assess the case including:

- Personal data of the child and his/her parents
- Reasons that led to the alert
- Reasons motivating the urgency of the alert
- Information relating to the family of the child besides his or her parents
- resources available within the family and in the area
- the action envisioned for the child

It is important to note that according to the Italian praxis, if a case is not being reported for the first time, public prosecutors need to receive the files concerning previous reporting of the case attached to the new statement.

Doctors are obliged to submit medical reports to judiciary authorities when diagnosing signs that hint at the occurrence of felony as according article 334 of the Penal Procedure Code. Breaching this obligation is punishable as stated by article 365 of the Italian Penal Code.

First Aid operators are also obliged to submit medical report when dealing with victims of abuse and inform the social services of the territory to intervene with protection measures also when encountering cases of witnessed violence, where the child has not been physically assaulted.

Pressing charges is obligatory when gaining knowledge of activities relating to criminal facts prosecutable by law, from Penal code:

- ✓ Personal Wounds due to an illness duration over 20 days (Art. 582 penal code) or aggravated art. 583 e 585 cp
- ✓ Abandonment of the child Art. 591 penal code
- ✓ Violation of family support obligations Art. 570
- ✓ Correction and discipline methods abuse Art. 571
- ✓ Maltreatment in the family art. 572
- ✓ Female Genital Mutilation practices Art. 583 bis
- ✓ subjection to slavery art 600
- ✓ subjection to prostitution art. 600 bis
- ✓ private violence art. 610
- ✓ violence or threat to coerce child to commit a crime art 611
- ✓ employment of child for begging art. 671
- ✓ sexual violence 609 bis
- ✓ sexual group violence 609 octies
- ✓ sexual acts involving minors 609 quarter
- ✓ incest art. 564
- ✓ child prostitution art. 600 bis
- ✓ child pornography art 600 ter
- ✓ custody of pornographic material art. 600 quarter
- ✓ sex tourism initiatives involving sexual exploitation art. 600 quinquies
- ✓ human trafficking 601
- ✓ purchase and alienation of slaves 602
- ✓ child corruption 609 quinquies
- ✓ grooming 609 undecies
- ✓ stalking 612 bis.

It is interesting that following the ratification of the Council of Europe Convention Against Sexual Abuse and Sexual Exploitation of children, also known as the Lanzarote Convention, crimes have been redefined , to some extent, and the punishment foreseen has been increased.

Among others: 414 bis mandates for more severe punishment concerning the crime of prodding pedophilia activities and pornography . Article 416 , septem elaborated on the punishment assigned to the commission of organized crime with regards to sexual crimes. Article 609 undecies was revised to better articulate the definition of grooming and the crime of Maltreatment in the family, art. 572, has also been subjected to increased severity of punishment .

Article 332 of the Procedural Penal Code exemplifies what ought to be included in the statement when pressing charges. The fact denounced needs to be clearly illustrated and the date of the acquisition of knowledge specified together with known sources of information. When possible, information about the person who is accused of committing the crime should be provided as well as about the victim and possible witnesses.

It is important to note that private citizens *can* press charges when knowing about violations as spelled out by article 333 of the Procedural Penal Code, while public officials and public services operators *are obliged* to follow up on information regarding the commission of crimes with pressing charges, article 331 of the Procedural Penal Code. Public

officials and public services operators are also punishable under articles 361 and 362 of the penal code when refraining from or delaying in pressing charges when knowing about the occurrence of crimes.

Professionals working in the psycho-social realm are committed to professional secrecy to safeguard the trusting relationship they develop with their clients or patients. This means that professionals cannot share personal information of the person they assist *unless* the information pertains to actions prosecutable by law or relating to detrimental conditions or abandonment. These also apply to social workers who are subjected to the obligation of keeping professional secrets by law 119/2001.

Looking at the legislation regulating reporting of CAN cases, social services and public prosecutor Offices emerge as key stakeholders where CAN histories are recorded. Public officials and public services operators are also an important category whose work entails an obligation to engage with reporting cases to the authorities when detecting signs of harm caused by CAN likelihood.

The Police, the Carabinieri and the health system are three entities also involved and legally bound to engage with CAN cases monitoring and investigation. While the overall praxis for pressing charges and case reporting is based on national principles of child rights protection and the terms of cooperation between social services, health care and the judiciary is regulated by the Civil Code, regional diversity influences the way local administrations fulfill their monitoring and reporting tasks.

Furthermore, while certain conditions of CAN call for an obligation of reporting or the pressing of charges according to specific legislation, recording of CAN cases that are not seen to match those criteria of harm – more specifically those cases that are being managed by social services or private professionals – is done according to heterogeneous practices.

Therefore, CAN histories may be differently tracked depending on the service detecting them. In addition, regional differences affect administrative practices and cooperation modalities between certain services. The result is a discontinuous and heterogeneous mode of documenting CAN cases across different sectors and region, which makes it difficult for policies to be properly evaluated and national data to be collected.

In terms of recording CAN cases and monitoring the phenomenon at the national level, it is worth mentioning Law 451/97 whereby the Italian National Childhood and Adolescence Documentation and Analysis Centre is entrusted with the responsibility of collecting data on the living conditions of children on the national territory.

In 2005 the Ministry of Labour and Social Policies launched an experimental project to foster the Italian National Childhood and Adolescence Documentation and Analysis Centre capacity to collect data on CAN through the definition of a common protocol to collect data, but it was criticized by Regions since they saw a limitation of their power in the social sector. Another project was launched in 2009 by the Ministry of Labour and Social Policies, SINBA – national system of children and adolescents in care, the aim was to define again a minimum data set for registering all the children in care with social services. Even if the team leader of this project was identified by the Ministry in the Region of Campania, also in this case the reactions of some Regions were not enthusiastic, but the reason to stop it were problems related to the use and storage of sensible data. The Central Authority for the protection of personal data asked additional evaluation of the system and the definition of new rules for the storage of individual data. Recently a solution was negotiated and the project will start again.

Furthermore, through Law 269/1998 the Observatory against Pedophilia and Pornography. Among other tasks, the Observatory collects and monitors data on administrations' strategies to fight the phenomena. The Observatory has promoted recently a new project for the implementation of a database concerning all data on the various forms of sexual violence against children. The database under construction would not record victims' sensitive information, but data concerning the types of crimes committed, crimes perpetrators and victims and judicial trials. It will be a form of data warehouse on the phenomenon of child abuse, putting together all the available information.

Looking at how CAN cases are recorded and addressed by public policies, the CAN-MDS tool could play an important role in facilitating specific steps necessary for protection measures to be effective in responding to situations of harm.

CAN-MDS can facilitate narrative transfers from different offices. This is important considering that individuals or

institutions reporting CAN cases have to inform the Judiciary as well as the social services who need to set in place co-ordinated response. Similarly, CAN-MDS can facilitate health care personnel and schools' staff communicate with the social service and judiciary effectively, while Police and Carabinieri may easily access CAN MDS to inform their investigations.

The accessibility to a shared, efficient MDS can thus boost local cooperation and dialogue among the various institutions involved in the detection and protection response to CAN. At the same time MDS can be used by the Observatory on Pedophilia and Pornography and the National Centre on Childhood and Adolescence Documentation and Analysis to record national data and monitor trends at the regional and national level.

3.2 – Legal provisions for administration of sensitive personal data

The Italian Data Protection Authority – DPA - (Garante per la protezione dei dati personali) is an independent authority set up to protect fundamental rights and freedoms in connection with the processing of personal data, and to ensure respect for individuals' dignity. The DPA was set up in 1997, when the first Data Protection Act came into force.

It is a collegiate body including four members, who are elected by Parliament for a seven-year term.

The DPA's tasks are set forth in the law (the Data Protection Code 196/2003, which superseded the Data Protection Act 675/1996). They include the following:

- supervising compliance with the provisions protecting private life;
- handling claims, reports and complaints lodged by citizens; banning or blocking processing operations that are liable to cause serious harm to individuals;
- checking, also on citizens' behalf, into the processing operations performed by police and intelligence services;
- carrying out on-the-spot inspections to also access databases directly;
- reporting to judicial authorities on serious infringements;
- raising public awareness of privacy legislation;
- fostering the adoption of codes of practice for various industry sectors;
- granting general authorizations to enable the processing of certain data categories;
- and participating in Community and international activities, with particular regard to the work of joint supervisory authorities as per the relevant international conventions (Schengen, Europol, Customs Information System).

An authorisation by the Italian DPA is required to enable private bodies to process sensitive data. Additional safeguards apply to the processing of judicial data. To prevent private-sector data controllers from having to apply for ad-hoc authorisations, the DP Code provides that "general authorisations" may also be issued by the Italian DPA. Where a data controller complies in full with the provisions made in the relevant general authorisation, no ad-hoc authorisation will be required. If this were not the case, a specific application will have to be lodged with the Italian DPA; the DPA will then consider all the circumstances of the case and decide whether the authorisation is to be granted.

The code indicates also general technical specifications concerning minimum security measures for:

PROCESSING BY ELECTRONIC MEANS

The following technical arrangements are to be implemented by the data controller, data processor and person(s) in charge of the processing whenever data are processed by electronic means:

Computerized Authentication System (Persons in charge of the processing shall be allowed to process personal data by electronic means if they are provided with authentication credentials such as to successfully complete an authentication procedure relating either to a specific processing operation or to a set of processing operations).

Authorization System (Where authorization profiles with different scope have been set out for the persons in charge of the processing, an authorization system shall be used).

Security Measures for updating of the specifications concerning the scope of the processing operations that are entrusted to the individual persons in charge of the processing as well as to the technicians responsible for management and/or maintenance of electronic equipment.

Security Measures for protecting personal data against the risk of intrusion and preventing vulnerability

Security Policy Document, by 31 March of each year, the controller of processing operations concerning sensitive and/or judicial data shall draw up, also by the agency of the data processor, if nominated, a security policy document containing appropriate information with regard to: the list of processing operations concerning personal data, the distribution of tasks and responsibilities among the departments/divisions in charge of processing data, an analysis of the risks applying to the data..

Electronic databases, hence, need to comply to the principles specified in the Data Protection Code 196/2003, bearing in mind the action of data controllers and the responsibility of people managing the data.

4 - Brief overview of child maltreatment prevention and child protection

4.1 – Roles and responsibilities

As illustrated by section 2 of the present report, in most cases, the professional category that is most involved in approaching CAN cases concern staff from the local social services. Social workers have the most comprehensive view of the conditions of children at risk and they are required to act upon detecting signs of CAN.

At the same time school personnel are often the ones that firstly detect CAN cases and need for protective measures. Teachers and school staff are recommended to share their concerns with the principle of the schools structure, as the response should come from the institution rather than the single individual.

Health workers, nurses and doctors are also likely to discover CAN cases and hold a responsibility to share their concerns with the social services or public prosecutor of juvenile courses depending on the diagnosis.

At the level of protection and care, we can find also important specialized center belonging to the so –called Third sector, the personnel is generally formed by child -psychiatrists, social workers or psychologists, they used to work on the basis of specific contract with public administration, then they are juridically defined as en-charge of public services, so with the obligation to report crime to be prosecuted de officio.

Social workers, nurses, doctors and other health personnel working in the public sector are considered as public officers, then they have a specific obligation to denounce the situation of child at risk or in danger that are thinkable as to denounced de officio.

The Police and the Carabinieri get involved in reporting and charge pressing practices. They also engage directly with children and have specific protocols concerning their procedures with CAN cases.

As already mentioned, staff from the Police of Post and Communication are significantly engaged in the monitoring of CAN cases concerning online pedophilia and child pornography.

Private citizens may come in touch with CAN cases, they do not have a legal obligation to report them, but they can. As advocated by relevant institutions such as the Council of Europe, it is advisable to empower the general public to detect CAN cases also with regards to phenomena such as sex tourism.

The judiciary is clearly involved in responding to CAN issues, although judicial staff is involved once reports or charges are being filed. Both staff of juvenile courts and ordinary courts can become engaged in the processes of CAN cases evaluation.

Operators of child-helplines are seen to also play an important role in the surveillance mechanisms concerning CAN and the development of protection strategies.

Section 3 of the report illustrated that, generally, public officials and public services operators are obliged to engage with reporting cases to the authorities when detecting signs of harm caused by CAN likelihood. This legal obligation targets them as a focal group of professionals who could be engaged in the development and use of CAN-MDS.

With the aim to coordinate procedures, several Regions (almost the 70% of them) adopted their own guidelines for the detection and treatment of cases of child abuse and maltreatment. Then every Region has set up its procedures, divisions of roles and intervention criteria, that are slightly different so there is a lack of uniformity and homogeneity across the nation.

With such initiatives, the Regions want to meet the **need of workers in the field to have intervention models providing indications on:**

- the legislative texts of reference, the obligations and non-mandatory functions they have based on current regulations;
- how to identify family situations “at risk” and what to do in order to establish whether the cases of suspected violence are true;
- when and how to report cases to the competent authorities;
- how to implement inter-institutional integration (social and health care services, schools, hospitals, police, etc.);
- how to reconcile the protection and care of the victims with the legal proceedings for the prosecution of the perpetrators of violence;

- how to face the family crisis implied in violence in order to guarantee, if possible, the rights of the child and of the parents and to recreate positive affective relationships;
- which measures to adopt in cases in which the family of origin is considered unsuitable to take care of the child victim;
- how to guarantee adequate treatment of post-traumatic child disorders due to violence.

Indeed, the risks of fragmentation, which are more generalized, can be particularly serious for the topic of child abuse. The efforts of Regions and municipalities have been great, but there is still a clear gap between the North and the South of Italy, where there are structural difficulties in systematizing childhood policies (in particular on child abuse, maltreatment and sexual exploitation), even if there are certainly positive initiatives which can become models to be improved.

4.1.1 - Agencies mandated with the recording of child abuse and neglect cases

In Italy, there are various agencies involved in the administration of CAN cases at various level.

The Ministry of the Interior, with the Department of Public Security, is very active in monitoring child abuse through an information system that supplies up-to-date data in real time, this is a focal point for the gathering of data at the national level.

Another important actor is the Ministry of Justice, which collect all data concerning the judicial procedures on the side of the protection , Juvenile Court, and on the penal side, Prosecutor.

An Observatory for the fight against paedophilia and child pornography was established by Law 38/2006 . The Observatory operates within the Presidency of the Council of Ministers (Equal Opportunities Department), now within the competence of the Ministry for Labour and Social policies. The body has the task to collect data on sexual abuse and exploitation. In 2007 agreement protocols for the creation of a database to collect all the information necessary for its monitoring, including contributions from the various administrations were signed by the Ministers for Family Policies, Home Affairs, Justice and Innovation and Reform of the Public Administration. This act gave space for planning the implementation of such a database although the system has not been finalized yet.

In the past, the national observatory on childhood also put forward a proposal to monitor CAN to the National Documentation and Analysis Centre for Childhood and Adolescence, which has already worked on MDS tools to be filled in every time the relevant bodies become aware of a case of abuse or maltreatment (physical, psychological, negligence, sexual abuse, violence) of a child. Hence the National Documentation and Analysis Centre for Childhood and Adolescence is another focal agency working at the national level.

The Postal and Communications Police Service or PCPS is seen to play a crucial role in monitoring websites and delivering crucial reports from investigative work as enabled by Law no. 269/1998 which granted detectives the power to search the web undercover. This has proved highly useful in discovering and revealing both individual paedophiles and more complex networks of paedophiles.

Moreover, the Computer Crimes Analysis unit was created in 2002 and is led by a police psychologist and manned by trained personnel. Its role is to provide support for investigations into crimes linked to new technologies, to plan new detective techniques and to trace the psychological and behavioural profiles of the perpetrators of such crimes.

Practically speaking, this means the unit:

- researches and studies computer crime, working in collaboration with universities, companies and institutions;
- tests new ways of investigating computer crime;
- plans initiatives to prevent computer crime and trains people about computer safety and computer crime, working in collaboration with schools, universities and companies;
- disseminates the information derived from and the results of the research done;
- provides psychological support for investigators dealing with computer crime (paedophilia).

It is worth mentioning the International Crime Analysis Association I.C.A.A. and the Ministry of Communications, which have collaborated in the past with SYMANTEC, UNICEF, the Postal and Communications Police Service and the Lazio Regional Council to undertake a study evaluating the behaviour that increases the risk of children being molested and lured into chat rooms and the dysfunctional attitudes of adults (parents and teachers) responsible for supervision and prevention. The information from these studies can help develop various preventative measures and direct police action.

With regards to trafficking of human beings, regulated by Law 228/2003, It is the National Anti-Mafia Unit that collects, elaborates and disseminates official data. The National Anti-Mafia Unit is furthermore entrusted with the coordination of investigations into organized crime at a national level. The data, concerning cases established to be true during the investigations, include the number of proceedings, victims and persons under investigation.

There are several organizations that are involved in the study and fight against CAN and they represent important stakeholders involved in the monitoring on the phenomenon. It is important to mention the Italian Coordination of Public and Private Services Against Child Abuse (CISMAI), which has recently undertaken a quantitative study - together

with NGO Terre des Homme – on child maltreatment reaching out to 31 municipalities. There are also local initiatives such as the Provincial Centre Specialized against CAN in Bologna or the Giada project in Bari which aims at responding to CAN with quick diagnosis and protection measures facilitating cooperation among different services involved.

At the local level social services can and become involved in many situations of prejudice that require public resources and action, but that do not require, in terms of the law, that these situations are reported to the judicial authorities, especially the criminal sections and the police. For example, the social services often become involved in cases of neglect or psychological abuse, but they are able to manage such situations directly and autonomously. Indeed, these are areas they are required to act in, and do act in using the social and psychological/educational tools that they have at their disposal.

Moreover, their decentralized presence on the national territory allows them, in spite of regional difference, to collect data representing CAN incidence and prevalence as articulated with local specificities. Social Services are able to provide data about CAN cases of different entity and intensity, while statistics from the Judiciary of the health system relate to a certain typology of serious harm.

As already mentioned some regional administrations have begun to create information systems about minors not living with their families (partly because of the Law no. 149/2001) and some have started to collect both quantitative and qualitative information about minors who are victims of maltreatment or sexual abuse that have contacted and are being followed by the local branch of social services or another specialized centre. While this work is not comprehensive it means that local systems are in place to collect data on CAN with regards to out of home minors. Therefore, these monitoring systems can be involved in the use of the CAN-MDS tool as well.

Regional observatories can play a key function as well as they are engaged with monitoring childhood conditions. At a local level, the law 451/97 promoted the establishment of Observatories on childhood, whose function, among the others, is to collect and analysis qualitative and quantitative data. Some regions have chosen to build up such specialized observatories, while others have decided to create specific units inside regional observatories on health and social policies.

4.2.1 - Creating synergies: *Who could participate in the CAN-MDS? Core and extended national CAN-MDS groups*

We suggest as key actors

- Social Services operators
- Police
- Carabinieri
- Specialized local ONGs
- Health and Clinical operators (doctors, pediatricians, psychologists)
- Public Prosecutor of Juvenile Courts
- Juvenile Courts
- Public Prosecutor of Penal Court

4.3 – Available infrastructures and resources

Italy has not yet established a national system of monitoring on the side of Social service. We have had some preliminary project, one is Sinba, which has been already mentioned in this report. We attach the last draft of the minimum set for Sinba as example of indicators which have been selected to monitor the situation of the children victims of CAN.

We have some regional system of recording data concerning children in charge of social services or removed from home, some of them are base on individual data, other are only aggregated information. It is also different the set on info collected, generally the most common blocks of info are on:

- the child
- the family
- the possible perpetrator
- who inform the service
- the cause for taking care of her/him
- the interventions

It is quite different also the timing for updating them so even if the collection is based on the data deriving from each single Region, it is rather impossible to have simultaneously updated info.

In the Health sector the situation is quite different, there is a national set of info to be collected on each child who receive health care but data in child abuse are not well declined, or not at all; moreover, since there is a regionalization of the policies in the health sector, each Region has developed its own system.

In the Judiciary system, including Police, there are the following structures

- the Information System Management of Penal Registers (Re.Ge.) and other information systems of the Ministry, specifically SICAM and Re.Ge Minor (the last one is being integrated into the SIGMA system) for registering the subjects and the activities of the Juvenile Courts, they are under at the General Directorate for computerized information systems of the Ministry of Justice, .
- the Interagency Information System of investigation (S.D.I.) based on the Interagency data base of criminality at the Central Directorate of the Criminal Police Service;
- the database of the National Center for the Fight against Child Pornography on the Internet (CNCPO) at the Central Service of Postal and Communication Police .

ReGe allows to share statistical data among judiciary offices, e.g, related to:

- the number of defendants or suspects involved in each report to Penal Court;
- the number of defendants involved in the decisions of magistrates ;
- the number of defendants involved the indictments in court;
- the number of cases registered with detainees or without detainees

- the number of judgments of conviction or acquittal;
- the number of procedures defined divided by type and average duration.

From the point of view of information, statistical and management, the database Rege is the only basis of administrative data available to follow the process of the case of criminal proceedings.

In 2008, the process of development of the information system Rege went further ahead with the installation in some regions of the judicial Rege web application, that provides a the re-engineering Relational Rege. The transition to web Rege was completed at the end of 2010.

Among the benefits that resulted from the passage to the web version of Rege, is the possibility of obtaining a statistical database of the national level. In fact, if Rege with early versions of the data were organized by district court of appeal, and in some cases even for individual judicial offices, the web Rege provides the creation of a single national database that will eliminate the fragmentation and the risk of repetition.

The system of investigation SDI "System investigation" becomes operational in 2001 when the Ministry of the Interior decided to reorganize the existing information system Command (SII).

The SDI system information is based on the registration of each communication to Police or Carabinieri . In the system there are two types of communication, that is of process which generates statistical info: Fact and Statement of Police . Fact is any communication that is originated from complaints to the Police Force by individuals , or which arises by the police as part of the prevention of crime, so all facts are considered crime offenses on individuals (victim , complainant or owner of the object involved) or objects (lost, stolen , used in fact , etc.). . Each Fact is identified by a number of SDI protocol , which provides the link between more facts and more measures that can undertaken in various moments in the time by Judicial authorities (eg. Investigation) , this explains because the number of SDI protocol is registered also into Re.Ge. as a way to ensure the connection between Re.Ge. and SDI on the same event. Statement of Police are those measures (arrest warrant , prohibition of residence , seizing weapons , etc. .) issued by the Penal court or by the Police force against persons or objects involved in the facts .

The information system SIGMA should be the goal of the reform of the information system in the area of data deriving from the judicial procedure concerning minors. SIGMA should be the synthesis of the existing Information systems:

- SICAM Information System for the management of records and measures concerning of civil litigation, jurisdiction and voluntary adoption. It can offer insights on the measures of protection and assistance ordered by the Juvenile Court in favor of a child victim of CAN;
- System Re.Ge. 2.1 Minor, is a data base for the management of criminal records concerning underage perpetrators of crimes.

The two systems are in the process of migration and integration in the new platform Juvenile Justice Automated Information System (SIGMA) , which provides for the development of applications on current relational database , in order to achieve a common database between criminal and civil area, and allow the connection of the Juvenile Court Offices with the Offices of the Department of Juvenile Justice .

With the SIGMA project , the Ministry of Justice wants to :

- provide a first level of computerization in order to streamline processes and make them more appropriate, effective and efficient;
- acquire and manage computationally information assets related to Juvenile Services ;
- implement data on the population of children cared for by the Juvenile Services;
- identify unambiguously and certain individuals receiving services ;
- make possible the electronic connection between all Juvenile Services , and between them and the joints of the Department of Juvenile Justice ;
- schedule the workloads of staff (psychologists , educators ...) in order to optimize the allocation of the tasks and resources ;
- support the analysis of aggregate data for the measurement of the performance at the end of the treatments provided as alternative measures.

The data that the various projects for the establishment of a central information system on CAN wanted to organize in a statistical system , could be identified as

- 1 . variables already available, and published;
- 2 . variables collected but not published;

- 3 . variables provided by existing information systems , but not collected in a systematic manner;
- 4 . new variables , not foreseen by existing information systems .

After a very brief presentation on the principle structure providing data on the phenomenon, it is useful , therefore, to present a brief overview of currently available statistics in the field of CAN.

The currently national statistics are developed by ISTAT in the judicial and civil Statistics , which are based on data produced by the Central Anti-Crime Police State - Central Operational Service - analysis Division, which collects information on crimes introduced by Law 66/96 , Law 269/98, Law 38/2006. This data set also provides insights on issues that concern the perpetrator to the victim , eg . age and sex of the victim , as well as citizenship and the relationship between perpetrator and victim , but the information is not exhaustive as the data sources do not provide national coverage .

The short list below will help identify at a glance which ones are the major information gaps that the database is intended to fill . In particular, it is immediately apparent lack of information on victims of offenses , as well as on the outcome of the proceedings and the protection measures adopted .

The judicial statistics currently available allow us to derive insights on four dimensions :

1 . **crime** , ie the amount and type of acts constituting violations of criminal laws and those responsible for such violations. The data relates to the crimes for which the Authority has initiated legal proceedings , this means that for statistical data are reported in the following cases: 1. when it provides for a formal indictment of the person subjected to preliminary investigation , pursuant to art . 405 Code of Criminal Procedure 2. when the offense gives rise to rubricazione in the "Register unknowns" . The data are obtained from the system Re.Ge , and in the case of the person sued for more than one crime , the author is taken into account with reference only one time for the most serious crime. It is clear that this simplification leads to an underestimation of the extent of criminal events that have substantial autonomy in terms of their social impact of criminal conduct.

2 . **the crime rate** , which relates to all complaints submitted to the judicial authorities by the police for criminal offenses. Current statistics on this issue are drawn from the information system of the SDI Database Element and include crimes recorded by the State Police , the Carabinieri , the Guardia di Finanza , the State Forestry Corps and the Prison service , the Special Investigation Department against mafia and other offices . The available data on crime rates exclude complaints made directly to the court by other public officials and private individuals , a gap that can pose a significant systematic error on the offenses which we deal with as it is the case that specific entity in most cases where it is about to some hundreds of cases . For example , in 2004 the complaints of possession of pornographic material through the exploitation of children was 370 , if in the same year there were 25 reported cases directly to the courts , not included in the official figures are regarded as the current recording mode of the statistics , we should observe an underestimation of the overall level of the case more than 6%.

3 . **Legal judgments** , that is, the statistics on defendants convicted of crimes tempted and consumed , affecting those convicted at any stage or type of judgment of conviction if the measure becomes irrevocable and shall be entered in the criminal record. This implies a delay that can last for years in the record convicted of a crime if the case goes up to the Supreme Court, you also lose the partial results of the various levels of courts, and some interesting aspects to be evaluated for a sociological analysis of the processes (Di Blasio et al. , 2007). Even in this case, when there is competition for the crimes , the offender is taken into account with reference to the crime for which there is the most serious penalty.

4 . **The criminal processuality** , these statistics refer to the set of procedures and measures put in place by the organs of criminal justice.

5 . **The civil justice** , the one that concerns us is essentially the work of the Juvenile Court. On the civil side of the Juvenile Court ,in its function of protection of child victim , information that can help to characterize what are the security measures taken to support the child, is absent. To date, the civil juvenile statistics describe only the overall size of a few types of protective measures : urgent measures, interim measures of removal from the household, measures that affect parental authority , general administrative provisions . Of these interventions is possible to know the distribution for territorial seat of the Tribunal, but you do not provide , to date, details relating to the child.

Then, the current drawn from the processing of public Re.Ge offer statistics on :

- crimes committed and reported to the judicial authorities ;
- known author is not known ;
- author in a state of freedom or shutdown state ;
- period in which the crime was committed .

More precisely, the judicial statistics office Istat produced through the information from the information system of the Ministry of Justice provide data , but not always broken down by type of offense , on :

- reported crimes by type of crime for which the judicial authorities have initiated criminal proceedings , of which unknown authors and territorial distribution by type;
- people reported for which the judicial authorities have initiated criminal proceedings , including distinction by sex and type of offense ;
- adults and minors convicted by type of crime ;
- complaints by type of crime for which the judicial authorities have initiated criminal prosecution , stating whether the complaint relates to a single offense or multiple offenses ;
- reported crimes and people (including children) for which the judicial authorities have initiated the prosecution of crime by type , region and province ;
- spatial distribution (crimes , complaints , people complained , convicted, municipalities, provinces, regions and abroad) ;
- benefits granted by law ;
- security measures;
- minors (chargeable and non- chargeable) reported to prosecutors for juveniles according to the status (free, arrested , together , subjected to stationary) , sex and type of offense (Source Re.Ge Minor) ;
- juvenile offenders (Source Re.Ge Minor) .

By the information system of the SDI Database interforce the info which are at the moment, extracted concern:

- crimes reported to the judicial authorities ;
- people reported to the judicial authorities ;
- minors reported to the judicial authorities .

The statistics compiled and used to date are centered mainly on the management of the administration of justice and on issues pertaining to the control of crime. There is a serious lack of qualifications on the victims , even as age and sex; lack of qualifying elements such as the relationship between victim and the perpetrator , the place where the offense takes place or who was the reporting / complainant.

With regard to Re.Ge Minor, the information system of the penalty of the Juvenile Court , we draw some general information about the type of crime committed by minors reported and reported, and the outcome of the proceedings. There are , however, processes that link the type of action taken with the type of crime committed , nor, as stated above for crimes committed by adults, qualifications concerning the link between perpetrator and victim or the place where the offense occurs .

5 - Advocating towards the adoption of a CAN-MDS

- CAN MDS can standardize social services data collection as well as schools' monitoring of students condition. As discussed in the reports, social services and schools are the institutions which find themselves on the forefront of detecting CAN cases. In that sense, communication between social services, schools and the judiciary can be facilitated through CAN MDS, which can be also used by municipalities monitoring the conditions of minors living out of home. The standardized data collected through CAN MDS enables local administrations to keep track of the preventive and protection measures in place to evaluate their effectiveness and ensure children are protected from CAN. Currently social services collect data with different methodologies and schools also monitor the phenomenon according to different guidelines, this makes it impossible for comparisons to take place; yet the type of information collected by these agencies is key to gaining an understanding of the actual scope of CAN as well as for the drafting of effective prevention and protection policies.
- CAN MDS can foster communication between social services and local administrations, who can provide safety measures and rehabilitative, protection interventions for those situations where courts may not proceed with juridical decisions. For instance, it can be used by health practitioners who, as previously discussed, are obliged to send medical reports to the public prosecutor of courts when detecting abuse and maltreatment. However, using CAN MDS, next to medical reports sent to the court, enables social service to set up protective measures and safeguard the child in spite of the juridical proceedings. This is extremely relevant for cases of mental health harm or instances of abuse that are less likely to be proven in court.
- CAN MDS can facilitate national institutions monitoring of CAN phenomenon in the country to regulate investments in efficient policies and actions. As local administrations of social services, schools, health structures and municipalities collect data through MDS, data sets can be transferred to regional observatories enabling them to perform local analysis. At the same time they can also be transferred to the National Centre Italian National Childhood and Adolescence Documentation and Analysis Centre to trace national trends and manage the national data. As such, the information can be also complement and facilitate the work done by the Observatory for the Fight Against Paedophilia and Child Pornography, but also the monitoring action of the Ministry of the Interior, the Anti-Mafia Unit within the Ministry of Justice.
- CAN MDS can strengthen preventive measures. As illustrated in the report, current statistics rely on judiciary databases that document cases where by legal action was taken to protect minors. These are often extreme situations where crimes have already taken place or the child is facing a situation a serious harm. However, the use of CAN MDS by social services, school staff, and public servants operating in different sectors would empower protection agencies to step in and support families before serious violations take place. Moreover, as research shows, domestic violence can go unnoticed for many years and children may be subjected to harm and abuse for a long time before reporting may take place. Yet social services have information about these risky situations before serious acts of violation may take place. The MDS surveillance action can foster public services capacity to prevent the escalation of violence and advocate for successful preventive measures.
- CAN MDS can also foster international comparison and exchange of good practices. As shown by the UN study on violence, CAN is a worldwide issue concerning children and people across cultures, social and economic statuses. Coordinated actions and a comparative study of the dynamics leading to violence as well as the policies and actions that may counter act it are crucial for the development of effective preventing and protective measures.

5.1 - Recent and on-going developments

It is important to mention here the S. In. Ba. Project: Information System on care and protection of children and their families. The project, which started in 2010, is promoted by the Ministry of Labour and Social Policies that assigned its coordination to the Calabria Region. S.In.Ba entails the development of an information system to monitor the conditions of minors taken care of by social services. In fact, the project takes place within a larger development involving social services as of Law 328/2000 which mandates for an information system of social services. As discussed in this report, social services are a key actor with regards to the monitoring and responding to CAN, therefore, an effort such as S. In. Ba. is relevant to the work of the European Union funded CAN-MDS project.

It is also appropriate to refer to the work that Terre des Hommes Italy and the Italian Services Coordination against CAN– CISMAI have been doing to undertake national analysis of CAN. TDH and CISMAI have, in fact, undertaken a national qualitative and quantitative investigation on CAN involving municipalities. They have also performed cost analysis, looking into the Italian welfare engagement with CAN identifying costs derived from the Judiciary operations as well as foster placements, mental and physical health care, delinquency special measures (such as protective or special education measures). For instance, taking numbers of hospital visits due to CAN reasons, they have estimated that in 2010 the total expenditure related to the hospitalization of CAN victims amounted to 194.805 euros (CISMAI and TDH 2013). Figures like these are important to inform and prioritize policy agendas. The CAN MDS project is going to connect with the work CISMAI and Terre des Hommes as the organizations' work can be boosted by the methodological support provided by the CAN MDS toolkit.

The issue of data on a well known phenomenon such as Child abuse and neglect, which is difficult to define exactly in its magnitude demands attention on the side of resources devoted to service for children and how the data become information for mass media.

The first point means that any minimum data set on CAN should describe accurately the event, the characteristics of the child and also the whole of interventions put in place and the professionals who are involved in order to get data which could sustain and justify the system of protection for children. That is, the data must support the monitoring of the phenomenon in itself AND give indicators for the resources devoted to prevent, to counteract it and assist children. The second point is related to the relationship between mass - media and violence against children and adolescents, in particular how data could be used to inform , to activate stakeholders and the press, and how the press may contribute to the improvement of children's rights and of child abuse's prevention³.

Regarding the concept of **evidence**, the main question is how can we build a culture of child abuse prevention through the media? Giving evidence to the problem is certainly the starting point. In the Italian press, the issue of violence against children is well present. Children are mentioned in the press primarily as victims of violence. Violence is the most recurrent theme among those which the media propose to represent the childhood and the adolescence .

Then, the phenomenon is highlighted by the press, information on the effective size of the event are often absent, so the reader can not define an his/her own idea about the phenomenon and its changes over time.

How do we deal with this problem? The **use of data** from research. Often the available sources are used poorly even if there is an easy access. In addition, there is often an escalation of attention in the stage of "development" of the news, but once the spotlight is off on the event, it remains open this question: after the initial facts, what happens? The launch of a fact on the newspapers, whose the media does not provide information on what has happened "after", produces a risk to reduce the information at the level of a fiction.

And, in particular, television can transform the information on the events regarding children into a new form of violence against them due to modalities adopted to inform and represent the situation. There is also the violence by media, there is not only the violence of reality. The violence caused by the ways in which the media represents the events of child abuse and their actors, what effects does it have on the children involved and on the readers?

³ The report on this theme, by Prof. Stefano Laffi , an expert on the media and children of the Catholic University of Milan, offered the main elements for discussion. It was the result of an analytical work carried out by prof. Laffi under the 'Observatory Children and Press' of the Istituto degli Innocenti, which produces an annual report, that focuses on the mechanisms that characterize news and information on the children, the family, the educational issues .

Moreover, data should be coherent with the scenario under investigation, is that the prevention of violence against children and protection are pluridimensional commitments composed of: **universalistic actions** intended for all citizens, irrespective of whether they present specific risk factors; **selective actions**, that mobilise resources intended for family units that are considered to be vulnerable and are identified as being exposed to the risk of the onset of various forms of abuse, and that have an effect on individual, family or social risk factors and at the same time on the valorization of resources and of the protection factors nearest to the victims; **targeted actions**, aimed at avoiding the occurrence of further violence, minimising the physical and psychosocial harm suffered by victims and ensuring that the perpetrators of ill-treatment do not repeat their violent behaviour.

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