



Balkan Epidemiological Study on Child Abuse and Neglect

Report on the Family Abuse and Neglect of Children – Overview of the situation in Croatia

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I. INTRODUCTION

1. Children in Croatia

Croatia covers a territory of 56.538 km² and has a population of 4.38 million inhabitants (according to the last census in 2001). It is a country that has an interesting geographical and geopolitical position it belongs to the group of Mediterranean countries, the Danube countries, the countries of South-Eastern Europe and to the countries of Central Europe as well. In the last 20 years the development of the country was significantly influenced by several factors: (1) establishment of the independent Republic of Croatia in 1991 which used to be a constituent republic of Former Yugoslavia; (2) Homeland War (from 1991 to 1995) which resulted in enormous human and material losses and destruction due to the aggression against Croatia and the financial burden of providing for 755,000 displaced persons and 600,000 refugees from Bosnia and Herzegovina; (3) transition from a socialist to a market oriented and democratic political and economic system. The last two circumstances had an adverse impact on the social and economic situation in the country which directly or indirectly influenced the life and welfare of children in Croatia. This includes for example, the unemployment rate in areas that were affected by the war is over 30% and/or children are living with parents who are exposed to high levels of social stress, consequences of trauma, are impoverished or suffer from post-traumatic stress disorder (Ajduković, 2001.)

In 2009, there were 831,696 children living in Croatia, which represents 18.75% of the total population (Eurostat, 2010¹). Croatia is a country with a relatively low proportion of children in the total population. Fifty years ago (in 1961) children represented 27.2% of the population, while in 2001 according to the Eurostat data, the proportion of children in the population was 20.72%. The data provided reflects the fact that Croatia is a country with a very low birth rate in the last few decades.

In Article 64, paragraph 1 of *The Constitution of the Republic of Croatia* it is stated that „It is the duty of everyone to protect children and those who cannot help themselves“. Pursuant to this constitutional definition, children in Croatia enjoy special protection. In addition, constitutional provisions provide that “no one shall be subjected to any form of abuse ...” (Article 23), and a constitutional right to a life without violence is elaborated by special regulations.

In addition, the fact that Croatia has signed the Convention on the Rights of the Child has significantly influenced the development of the legislation designed to protect the welfare of children, their education and development. As particularly significant, we highlight the *Family Act* (Official Gazette, 116/03, 17/04, 107/7), the *Act on the Protection against Family Violence* (Official Gazette, 116/3, 137/09), *Social Welfare Act* (Official Gazette 73/97, 27/01, 59/01, 82/01, 103/03), *Juvenile Courts Act* (Official Gazette 111/98, 27/98, 12/02), the laws

¹ Eurostat (2010) Data on population by gender and age on the 1st of January every year; retrieved on 02.04.2010. from http://nui.epp.eurostat.ec.europa.eu/nui/show.do?dataset=demo_pjan&lang=en

in the field of education², as well as the law governing the criminal-legal protection of children³.

The Croatian Government adopted a series of strategies, programs and protocols relevant to the welfare and best interests of children that represent a value framework for action and guidelines for implementation of relevant laws. We emphasize *the National Action Program for Children* (1998), *National Strategy for Protection from Domestic Violence and Rules of Procedure in Cases of Family Violence*, *Program of Steps to be Taken to Increase Security in (Zones Surrounding) Educational Institutions*, *Activity Program for Preventing Violence among Children and Youths*, *Rules of Procedure in Cases of Violence among Children and Youths*, *National Action Plan for Youth*, *National Plan for Keeping Down Trafficking of Children and National Strategy for Prevention of Behavioural Disorders of Children and Youth from 2009 till 2012*.

As a result of the National Action Program for Children in the Republic of Croatia from 1998, *Priority Activities for the Wellbeing of Children from the Year 2003 until the Year 2005* and *National Action Plan for the Rights and Interests of Children from the Year 2006 until the Year 2012*, have been implemented, which will be discussed more later, as they are part of a current strategy.

In addition, since 1999⁴, the Republic of Croatia is among the countries of the European Council who banned physical punishment of children for educational purposes. During 2009, under the guidance of the Ministry of Family, Veterans' Affairs and Intergenerational Solidarity, a national campaign against physical punishment of children was promoted, whose aim was to promote the upbringing of children without physical punishment and degrading treatment, and to provide support to parents to use appropriate educational non-violent upbringing methods. Due to the importance of this campaign, it will be mentioned later in other parts of this review.

In the text that follows we will specifically review the bodies that monitor the execution of the rights and interests of children, parts of the relevant laws and other strategic documents which are relevant for the protection of children from abuse and neglect.

2. Bodies that monitor the realization of the rights and interests of children

As a signatory of the Convention on the Rights of the Child, with the aim of realizing the rights and interests of children, the Croatian Government on October 1st 1998 established the *Council for Children*. The task of the *Council for Children* (Official Gazette, No. 132/98, 102/00, 44/01, 36/02 and 23/04) is to permanently monitor the implementation of the National Program for Activities for Children in the Republic of Croatia, to coordinate and harmonize the work of government and all other bodies in the implementation of planned measures and

² The Preschool Education Act (Official Gazette No. 10/97), Primary School Act (Official Gazette No. 69/03 – purged text), Secondary School Act (Official Gazette No. 69/03 – purged text), Educational on the Language and Script of Ethnic Minorities Act (Official Gazette No. 51/00). Criminal Code (Official Gazette No. 110/97, 27/98, 129/00, 51/01, 111/03, 105/04)

³ Criminal Code (Official Gazette No. 110/97, 27/98, 129/00, 51/01, 111/03, 105/04), Criminal Procedure Act (Official Gazette No. 62/03 – purged text), Youth Court Act (Official Gazette No. 111/97, 27/98, 12/02), Misdemeanor Act (Official Gazette No. 88/02, 122/02, 187/03), Fight against Narcotics Abuse Act (Official Gazette No. 107/01, 82/02, 163/03)

⁴ Family Act from 1998. (Official Gazette No. 162/98), applied since July 1st 1999., states that: “Parents and other family members must not use degrading procedures and emotional or physical violence or abuse with the child”

activities. The Council has 19 members, 11 of which are representatives from relevant government administration bodies, the Office for the Human Rights; 4 are from scientific and professional institutions, 3 representatives from NGO's that provide care for children and a representative of the Croatian Journalist Association.

Ministry of Family, Veterans' Affairs and Intergenerational Solidarity (hereinafter referred to as: "MFVAIS") was founded in 2003 and in its objectives and organization focuses its attention on the protection of children's rights and wellbeing. Description of the scope of this Ministry clearly states "the protection of children whose parents do not properly care for them" and "harmonization of monitoring the enforcement of the assumed obligations in accordance with the signed international convention on the protection of the interests and rights of children" (Article 16. The Act on the Structure and Scope of Ministries and State Administration Organizations, 2003). Since its establishment this Ministry has taken over the duties of the *State Office for the Protection of Family, Maternity and Youth* which operated from 1994 till 2003. Throughout the text that follows, the initiatives, activities and publications of the *Ministry of Family, Veterans' Affairs and Intergenerational Solidarity* are mentioned. This illustrates the importance this Ministry has in promoting and protecting the best interests of children.

Within the *Ministry of Family, Veterans' Affairs and Intergenerational Solidarity* is the Department for Children as well, which drafts legislative bills and proposals of other regulations, improves the organization, scope, and the work of institutions, conducts accepted national programs, strategies and policies, prepares reports in accordance with the Convention on the Rights of the Child, reviews international regulations and adjusts the Croatia legislation with the assumed international obligations and pursues internal and international cooperation. The Department for Children takes part in educating the professionals working with children, accesses, monitors and evaluates the programs and projects of children's institutions and monitors and pursues scientific and research projects directed towards strengthening of children. Among other things, the Department for Children proposes and implements measures to suppress violence against children and performs other tasks for the wellbeing of children.

Ministry of Family, Veterans' affairs and Intergenerational Solidarity is the publisher of the journal "Dijete i društvo" (eng. Child and Society) which is being issued for eleven years now. This journal is primarily intended for experts and promotes all topics that are significant for the implementation of the Convention on the Rights of the Child in Croatia. The journal is published in 3,000 copies that are distributed to services and institutions that are dealing with children.

Office of the Ombudsman for Children was founded in 2003⁵ with the task of monitoring the implementation of the fundamental documents of Croatia and assumed international documents and regulations pertaining to the rights of children. Specifically the Office⁶:

- monitors the compatibility of laws and other regulations in the Republic of Croatia regarding the rights and interests of children with the provisions of the Constitution of the Republic of Croatia, the Convention on the Rights of the Child and other international documents to the rights and interests of children, the execution of the obligations of Croatia arising from the Convention on the Rights of the Child and other international agreements, and the application of all regulations related to the

⁵ Act on the Ombudsman for Children (Official Gazette No. 96/03)

⁶ http://www/dijete.hr/indeks.php/hr/pravobranitelj_mainmenu

- protection of the rights and interests of children;
- monitors the violation of individual children's rights and studies the occurrence and types of violations of children's rights in general;
- intercedes for the protection and promotion of the rights and interests of children with special needs, proposes undertaking measures for building a coherent system of protection and promotion of children's rights and prevention of adverse effects that endanger their interests;
- informs the public about the state of children's rights, informs and advises children on how to achieve and protect their rights and interests, works with children, encourages them to speak out and respect their opinions, initiates and participates in public activities aimed at improving the condition of children and proposes measures to increase their influence in society;
- participates upon request in the proceedings that precede passing the bills pertaining to children's rights or governing the issues of importance to children and may encourage the introduction of new laws and amending of current laws and other regulations pertaining to the rights and protection of children

The Office of the Ombudsman is autonomous and independent in its work. It has gained a reputation in Croatian society, due to its active and prominent action on behalf of children, their rights and well-being. Activities of the Office are best represented in the Annual Work Report prepared for the Croatian Parliament, which is accessible on the Office website. In the introductory part of *The Report on the work of the Ombudsman for Children in 2008* it is clearly stated that there is an urgent need to devote greater attention to the prevention of violence among children, as well as violence against children in the family, and violence in the family and society in general.

We should also mention *The Coordination of the Croatian Associations for Children* – a network of 25 non-governmental organizations that monitor the implementation and enforcement of child protection plans and decisions of the Croatian Government, which are relevant for children. The Coordination for children creates an alternative report on the implementation of the *Convention on the Rights of the Child*.

UNICEF Office for Croatia plays a significant role in promoting the best interests of children, including the protection of children from abuse and neglect (Dojčinović, 2009.). Among most important projects of UNICEF, we would like to excerpt the campaign for prevention of bullying in schools which was in action during 2003 and resulted in a program: "For Safe and Inspiring Environment in Schools" As a further development of this program, UNICEF has, in cooperation with Brave Phone, in 2008 designed the campaign "Stop the Chain" to prevent the violence committed using electronic media (mobile phones, Internet and other modern technologies). Web site www.prekinilanac.org has also been started and it contains materials used in the campaign that can be used as instructions intended for pupils, parents and teachers. UNICEF has also started significant activities regarding the best interests of children in institutional care. In 2005, the campaign "Every Child Needs a Family" started, which resulted in a series of activities for improvement of the foster care in Croatia. The program for work with families at risk, which we will discuss later on, was also developed as a result of this campaign. In the end of 2006, UNICEF started a campaign "The First Three are Most Important!", and in 2009 "The First Three are Even More Important!" We find that the most important aspect of all UNICEF's campaigns is that, through cooperation with public bodies, they try to achieve maximal sustainability of all activities that are result of their well designed and relevant campaigns. It is also important that the campaigns are not "one-time basis" events, but that UNICEF continues to support and

develop their positive effects.

3. National Plan of Activities for the Rights and Interests of Children from the Year 2006 until the Year 2012

As it is mentioned in the introduction of this document, the purpose of making the National Plan of Activities for the Rights and Interests of Children from the Year 2006 until the Year 2012 (hereinafter referred to as National Action Plan) is to improve the quality of life of children in the Republic of Croatia.

The National Action Plan defines 14 areas of action: (1) upbringing and education, (2) health, (3) nutrition, (4) role of family in raising and upbringing children, (5) social welfare, (6) children with behavioural disorders, (7) children of ethnic minorities, (8) children - trafficking victims, (9) children with special needs, (10) abused and neglected children, (11) children affected by war and the consequences of war, (12) cultural activities and leisure time for children, (13) media, (14) strengthening the application of assumed international obligations in the Republic of Croatia concerning children's rights.

For each area of action appropriate measures were introduced. In total 105 measures were introduced and their implementation involves all competent government administration bodies, local and regional institutions and civil society organizations that operate programs to improve the status of children and to protect their rights in the Republic of Croatia. For each measure, activities necessary to achieve the goals, indicators of implementation, the required funding, the deadline to achieve the goals, and the program holders have been defined. Out of the 105 measures, 14 apply specifically to the protection of children from abuse and neglect.

During the creation of the measures in the area of abuse and neglect of children, the conclusions reached at the conference “Violence against Children in the Family – the recommendations from the experts to the Government of the Republic of Croatia” (Ajdukovic, 2001) were taken into account, as well as the resolutions of the UN Committee on the Rights of the Child in 2004⁷. As for the abuse and neglect of children, the Committee in item 49 welcomes the adoption of the *Act on the Protection against Family Violence*, which prohibits physical punishment in the family, the introduction of various other legal instruments, the purpose of which is to prevent and fight against family violence (e.g. *Criminal Code, Family Act*). In the same document the Committee states that they are concerned about the rate of incidents of violence in the family. In item 50 the Committee recommends that Croatia as a member state should:

- a) carry out a comprehensive study on abuse, especially sexual abuse in the family and in schools, in order to evaluate the extent, causes, scope and nature of the abuse;
- b) strengthen awareness-raising campaigns and educational campaigns with the participation of children to prevent and fight against the abuse of children, promote positive, non-violent forms of discipline and respect for the rights of children, at the same time informing the public of the negative consequences of physical punishment;
- c) assess the work of existing bodies and provide training of professionals who deal with these types of issues;
- d) strengthen measures for encouraging the reporting of cases of child abuse and prosecute offenders of such crimes;

⁷ The Committee reviewed the second periodic report on the implementation of the Croatian Convention on the Rights of the Child, (CRC/C/Add. 23) on its 981st and 982nd session (see CRC/C/SR. XX), held of September 20th, 2004 and adopted the following conclusions during the 999th session which was held on October 1st, 2004.

- e) provide care for child victims of violence, provide them with the resources for physical and psychological recovery and reintegration.

The goals in the area *Abused and Neglected Children* which are mentioned in the *National Action Plan* are:

- to systematically raise public awareness of the importance of protection of children from abuse and neglect and reduce the number of cases of abuse and neglect of children,
- to develop the culture of responsible parenthood through strengthening of parental competences for upbringing and protection of children from abuse and neglect,
- to improve the system of protection of children from abuse and neglect,
- to strengthen the professional awareness in protecting children from abuse and neglect (in healthcare, education system, social welfare, police, judiciary and in other areas that deal with the protection of children)
- to strengthen the prevention and timely identification of cases of child abuse, as well as the responsibility for fast and effective application and undertaking of the measures stipulated in such cases by The Family Act and Criminal Code,
- prevention and protection of children from all forms of neglect (emotional, health, medical, educational),
- prevention and protection of children from all forms of abuse (psychological, physical, sexual),
- prevention and protection of children from Internet-related harassment

In accordance with these objectives, the following measures were defined:

1. To create and adopt a National Strategy for the Protection of Children against Abuse and Neglect
2. To draft the proposals of amendments of the current laws in order to improve the protection of children from abuse and neglect
3. To create prevention and intervention programs for protection of children from abuse and neglect
4. To improve the protection of children in child care homes, particularly of children with developmental difficulties, from all forms of abuse and neglect
5. To improve the protection of children in educational institutions from all forms of abuse and neglect
6. To create a curriculum and introduce a new course „Violence against and among Children“ to undergraduate and post-graduate courses of respected faculties
7. To create a Catalogue of Knowledge for professionals who deal with tasks of protecting children from abuse and neglect
8. To create a program of permanent education for professionals who deal with tasks of protecting children from abuse and neglect
9. To create and adopt Rules of Procedure in Cases of Abuse and Neglect of Children
10. To adjust the systematization and number of professionals who deal with protection of children from abuse and neglect to the registered rise in number of disclosed and reported cases of child abuse and neglect and create satisfactory working conditions
11. To conduct scientific research of conditions, tendencies, territorial distribution, forms and other characteristics of abuse and neglect of children in the Republic of Croatia
12. To develop and determine the system of educational values in Croatian society
13. To create programs for child protection from dangers they are exposed to through the use of computers, Internet and other means of remote communication
14. To create a National Plan against Sexual Exploitation of Children

The implementation of these measures and related activities is two to three years behind the scheduled deadline. Even though there is a clear political willingness, objective difficulties in the achieving of these measures are present, such as: insufficient funds to implement certain measures (e.g. measure number 10) and insufficient human resources (for example, achieving measures number 1,2,7,8, and 9 should largely include the same professionals who are already actively included in various areas of child protection). Some measures are vaguely defined or they overlap with other measures of the *National Action Plan* (e.g. measure 12). Some of the measures presume the existence of more clearly defined standards and criteria of efficiency of preventive and interventional activities, which is currently being developed (e.g. measure 3). Some of the measures are related to the areas where it is not possible to expect significant progress without ensuring a greater number of professionals in the area and creating the conditions for their work (e.g. measure 10), which is almost impossible during the recession and limited public sector employment.

II. LEGAL FRAMEWORK IN THE FIELD OF ABUSE AND NEGLECT OF CHILDREN IN THE FAMILY

Legal regulations in the field of child abuse and neglect in the family comply with the *Convention on the Rights of the Child*, particularly with the Article 19 by which the signatory states (including the Republic of Croatia) are obligated to take all necessary measures to protect the child from all forms of physical and psychological violence, neglect, or negligent treatment. This provision protects the dignity of the child and the child's physical and personal integrity. In the following text, we will briefly state the basic elements of laws significant to the definition and the social response in cases of child abuse and neglect in the family.

1. Family Act

Considering the developmental needs of each child, Croatian legislation has incorporated a range of child rights and duties, and duties and rights of parents, all to ensure a stimulating environment for child growth and development (Korac Graovac, 2008).

The Family Act from 1998 (Official Gazette No. 162/98) is the first law in Croatia which is consistent with the established principles of the *Convention on the Rights of the Child*. This *Family Act* made a substantial change in respect to family violence. Article 118 which banned violent behaviour of adult family members, and Article 362 which regulated criminal punishment in such cases⁸, gave a strong incentive for the creation of the *Act on the Protection against Family Violence* which passed in 2003⁹. It also influenced the modifications and amendments within other laws that are concerned with children, such as the *Primary School Act*¹⁰.

Clear commitment to the fight against family violence directed towards children has consequently continued in the current *Family Act* enacted in 2003 (Official Gazette No. 116/03). Here we will look only at those articles that are directly related to the protection of children from family violence.

Family Act (Official Gazette No. 116/03), Article 88, states that:

Parents and other family members may not subject the child to degrading treatment, psychological or physical violence, or abuse.

⁸ Family Act (1998)

Article 118. "Violent behaviour by a spouse or any other adult family member is forbidden"

Article 362. "If a spouse or any other adult family member had behaved contrary to Article 118. of the Family Act and had acted violently, they will be punished for such violation and imprisoned for 30 days."

⁹ Since 2003, Article 118. and Article 362. are no longer included in the Family Act, considering that in the same year the *Act on the Protection Against Family Violence* (Official Gazette No. 116/2003) has been enacted, regulating those issues.

¹⁰ In *The Amendments of the Primary Education Act* (Official Gazette No. 59/01.) Article 23 has been added which clearly defines the obligation of the educators to become actively involved in protecting children from abuse: "Teachers and counsellors are required to take measures to protect the rights of the child, and on any violations of these rights, particularly the forms of physical or psychological violence, sexual abuse, neglect negligent treatment, maltreatment or exploitation of a child or a student, immediately notify centres for social care or other competent bodies."

The Family Act also regulates that parents are obligated to protect their child from degrading treatment and physical punishment by other individuals.

In Article 108 of the *Family Act* it is stated: “Everyone is bound to inform a centre for social care about the violation of a child's rights, and in particular about all forms of physical and psychological violence, sexual abuse, neglect or negligence, abuse or exploitation of the child”. Upon receiving such notification, the Centre for Social Care shall immediately investigate the case and take measures to protect the rights of the child, and if the notice of the maltreatment of the child was received from another body or institution, is obligated to inform the other body or institution of the steps that have been undertaken.

In case of violation of the child’s rights, the competent authorities may impose one of the measures to protect the personal interests of the child, that range from preventive measures to the measure of removal of the child from the family.

The Legislator has given the responsibility of applying preventive measures stipulated by the Family Act to the Centres for Social Care, and thus gave them the ability and the obligation to intervene in the process of protecting the children and their best interests, using the measures for their protection. Specifically these are: (1) warning to the parents about their neglects regarding proper care and upbringing of a child (Article 109) and (2) supervision of the parental care (Article 110). Both the rights and interests of the child to live with his parents are dependent on the implementation of these measures. The separation of the child from his family has been prevented by the measures of warning and supervising and in that way his right to grow up in his biological environment and his rights to safety and upbringing within his own family have been protected. By imposing these measures, the child remains in his family, and their purpose is to assist parents in the upbringing and taking proper care of their children (Korac Graovac, 2008).

Both measures are imposed by the Centre for Social Care when it is determined that: (1) the neglects that the parents have made in taking care of their child are not very severe and that (2) the parents’ undesirable behaviour can be averted by giving advices, supervision, warning to the parents not to repeat their mistakes, monitoring of the parents’ behaviour, assisting the parents in situations that they don’t know how to deal with, etc. These measures are usually imposed when parents use physical punishment in the upbringing of their child, act violently toward their partner, or neglect the child's basic needs.

If a parent neglects the raising and upbringing of a child to a major extent or there is a danger to the proper raising of the child, the court will take away a child in a non-litigation procedure and take away the parent's right to live with and up bring his/her child. The court will also entrust the care and upbringing of child to another person, an institution or another legal entity that carries out the activity of social care. It is deemed that a parent neglects the raising, upbringing and education of a child to a major extent if, for example, the parent shows insufficient care for the child’s diet, hygiene, clothing, medical assistance, regular school attendance, doesn’t prevent the child from being in some harmful associations, from going out at night to forbidden places, from vagrancy, begging or stealing and if the parent did nothing to protect his child from other people’s harmful acts (Article 111).

In a non-litigation procedure the court will deprive a parent who abuses or severely violates parental responsibility, duties and rights of the right to parental care. The parent abuses or

severely violates parental responsibility, duties and rights if he or she: (1) exerts physical or psychological violence against the child, including exposing the child to violence among the adult members of the family, (2) takes sexual advantage of the child, (3) exploits the child by forcing him to work too hard or to do the work unsuitable for his age, (4) allows the child to consume alcohol, drugs, or other narcotic substances, (5) encourages the child to a socially unacceptable behaviour, (6) has abandoned the child, (7) does not care for a child with whom he or she does not reside, for more than three months, (8) in a period of one year does not create suitable conditions for living together with the child with whom he or she does not reside, without having any particularly justified reason for this, (9) does not care for the basic life necessities of a child with whom he or she lives or does not comply with the measures that have been previously imposed by a competent body for the sake of protecting the child's rights and well-being, (10) in some other way severely abuses child's rights. The right to exercise parental care will be restored by a court decision when the reasons because of which the right was taken away have ceased (Article 114).

2. Criminal law

2.1. Criminal Code

In order to protect children and minors, Criminal Code (Official Gazette No. 110/97) incriminates violence against children in Article 213.

Article 213.

- (1) A parent, adoptive parent, guardian, or another person who severely neglects his duties of educating or taking care of a child or a juvenile shall be punished by imprisonment, lasting for six months up to three years.*
- (2) The same punishment as referred to in paragraph 1 of this article shall be inflicted upon a parent, adoptive parent, guardian or another person who maltreats a child or a juvenile, forces him to work in a way that is unsuitable for his age or to work excessively, to beg or who, for a personal gain, induces him to behave in a manner which is harmful for his development or dangerous in any way.*
- (3) If a serious physical injury is inflicted to a child or a juvenile, or his health is severely impaired, or a child or a juvenile has engaged in begging, prostitution, or other forms of asocial behaviour or delinquency as a result of the criminal offence referred to in paragraphs 1 and 2, the perpetrator shall be punished by imprisonment for a period of one up to five years.*

An article that regulates violent behaviour in the family was added in the *Criminal Code* in the year 2000 (Official Gazette No. 129/2000).

Article 215.a

A family member who, as a result of his or her violent, abusive or particularly insolent behaviour, puts another member of the family into a humiliating position shall be punished by imprisonment for six months up to five years.

Changes were also introduced regarding the problem of unreported criminal offences, therefore, an item was added in the Article 300 which obligates professionals to report all crimes committed against a child or a juvenile.

2.2. Juvenile Courts Act

The Juvenile Courts Act (NN 111/97, 27/98, 12/02) is directly related to the Criminal Code and contains regulations defined by material criminal law, criminal procedure and execution of sanctions in specific cases when perpetrators are young people (juveniles and younger adults) and in cases of criminal law enforcement protection of children and juveniles.

The Juvenile Courts can trial adult persons for 27 criminal offences against children or juveniles as stated in the Criminal Code (article 117 of the Juvenile Courts Act). Here we will state only few. These are already mentioned Violent Conduct within a Family (article 215a) and Neglect and Maltreatment of a Child or a Juvenile (article 213). These are also offences against sexual freedom and sexual morality, such as rape, enforcement to sexual intercourse, sexual intercourse by the abuse of position, sexual intercourse with a child, fornication, pandering, exploitation of children or juveniles for pornography, introducing children to pornography and incest.

Proceedings in cases of criminal law enforcement for protection of children and juveniles at the Juvenile Courts are guided by article 37. of this Act, by which:

Judges for juveniles at district and county courts and state attorneys who act at these courts (state attorneys for juveniles) must have prominent affection for the upbringing, needs and achievements of young people, and have basic knowledge in Criminology, Social Pedagogy and Social Care for young people.

This Act also defines the obligations of Juvenile Courts and State Attorneys' Offices that act on these courts to have experts: social pedagogues – defectologists, social workers and psychologists. These circumstances additionally ensure that an exceptional care will be taken for children and juveniles who are victims of a criminal offence. Specifically, this is defined in article 119. of this Act, where it states that the judge for children and juveniles has to take “exceptional care for a child who is a victim of a criminal offence, taking into account his/her age, personality traits, education and living circumstances, to avoid possible negative consequences to his/her upbringing and development”.

This Act also states that the questioning of a child or a juvenile must be conducted with the assistance of a pedagogue, psychologist or other expert, and it can be conducted two times at most. Questioning of a child or juvenile witness can also be recorded by technical devices for audio and video reproduction, and children and younger juveniles can be questioned in their home or in a centre for social care, instead of the courtroom. We find article 126. exceptionally important, since it states that the criminal proceeding for offences defined in article 117. of this Act is considered urgent. The purpose of these provisions is to reduce secondary traumatization of children and juveniles during criminal proceedings. This Act is compatible with the Criminal Code in the procedural provisions.

3. Act on the Protection against Family Violence

Act on the Protection against Family Violence (Official Gazette, No. 116/03; 137/09), which is a part of the misdemeanour legislation, regulates the notion of family violence, protection against the family violence, and types and purpose of criminal sanctions which range from protective measures, prison sentence, fines, and other types of criminal sanctions.

This Act defines family violence as: every use of physical force or psychological pressure against the integrity of a person; every other behaviour of a family member which can cause or potentially cause physical or psychological pain; causing feelings of fear, violation of dignity or personal endangerment; physical attack regardless of whether or not it results in physical injury, verbal assaults, insults, cursing, name-calling or other forms of severe disturbance, sexual harassment; spying and all other forms of disturbing; unlawful isolation or restriction of freedom of movement or communication with third persons; damage or destruction of property or an attempt to do so. With this disposition the Act on the Protection against Family Violence forbids physical punishment of children in the family.

The purpose of the Act on the Protection against Family Violence is preventing, suppressing and sanctioning all forms of violence in the family, by applying the appropriate measures against the offender, and mitigating the consequences of already committed acts of violence by providing protection and assistance to the victims of violence. The purpose of regulating, imposing and applying of criminal sanctions is the protection of families and family members who are endangered and exposed to violence, complying with the rules of the legal system and prevention of further violence in the family, by the appropriate sanctioning of the offender.

In addition to the sanctions, the Act on the Protection against Family Violence provides a range of protective measures, whose purpose is to prevent family violence, provide the necessary protection of health and safety for a person who is exposed to violence, and eliminate the conditions that favour or induce the perpetration of a new offence. Protective measures are applied in order to eliminate threats to persons exposed to violence and other family members.

Regarding the obligation to report, The Act on the Protection against Family Violence is very clear; in Article 8 it is stated that all health care workers, professional workers in the activities of social welfare, family prevention and care and education, and professional workers employed by religious institutions, humanitarian organizations, civil society organizations dealing with children and families, are required to report any committed acts of family violence that they come to know about during the performance of their duties to the police or the State Attorney's Office.

Although the Act on the Protection against Family Violence from 2003 did not specifically regulate the position of children in court proceedings, in Article 18 (under new act in Article 20) it was clearly indicated that a violent act that occurred in the presence of a child or a juvenile, or a violent act directed towards a child or a juvenile is a felony. In the accompanying article *The Assessment of the Situation and Basic Questions that need to Be Regulated by the Law* from 2003, the sanctioning of family violence committed in the presence of children was explained:

Violence in the family presents a threat to family stability and has a negative effect on all family members, especially children who, being the witnesses of violence, suffer from permanent, immeasurable and irreparable consequences, and at the same time learn from the violent model that violence is an acceptable way of dealing with stress and problems or how to control another person, which leads to a continuous cycle of violence.

In the Act on the Protection against Family Violence from 2009, in Article 6, special attention is devoted to the position of children in the court and in paragraph 3 it is stated that “In cases where a criminal proceeding is required and the victim is a child, the court is obligated to inform the centres for social care without delay in order to implement all necessary measures for the protection of child’s rights and well-being” and in paragraph 4 “The interests of the

child exposed to family violence have a priority in all procedures.” We consider this a significant improvement with respect to the children's protection.

In addition to this Act, a number of other documents have been issued, which according to the present professional knowledge, provide a good framework and prerequisites for effective protection from family violence (Ajdukovic, D., 2010). This primarily involves the strategic documents such as *National Strategy of Protection against Family Violence from 2008 to 2010* (Official Gazette, No. 126/07). The Croatian government passed the first national strategy in this field in 2004. In addition, a number of regulations have been enacted such as *Rules of Procedure in Cases of Family Violence*¹¹ (Government of the Republic of Croatia and the Ministry of Family, Veterans' Affairs and Intergenerational Solidarity (2006., 2005)), *Regulations on the Method and Location of Psychosocial Treatment* (Official Gazette, No. 78/06), *Standards for the Implementation of Psychosocial Treatment of Offenders of Family Violence* (Official Gazette, No. 78/06). The *Directory of Institutions, Organizations and Other Institutions that Provide Help, Support and Protect Victims of Domestic Violence* (MFVAIS, 2008) is regularly updated.

3.1. Rules of Procedure in Cases of Family Violence

Given the great importance of the *Rules of Procedure in Cases of Family Violence* (hereinafter referred to as *Rules of Procedure*) a special attention will be given to it. *The Rules of Procedure* contain a number of precisely defined measures, which competent authorities must follow when providing assistance and protection to a person exposed to any form of family violence. Additionally, in accordance with the *Rules of Procedure*, all competent authorities must treat victims of violence with respect and ensure a gender sensitive approach. When the victim of the violence is a child, it is mandatory to act according to the best interest of the child, which includes taking into account the child's age, the level of child's psychophysical development, his/her physical and mental health..

As stressed by Ajduković, D. (2010) the purpose of the *Rules of Procedure* is to provide the conditions for an effective, integrative and harmonized functioning of the competent authorities in order to improve the protection and assistance available to victims of family violence, and to help the offenders to stop with their violent behaviour by changing their value system in order to encourage non-violent conflict resolution, to develop the respect for gender equality and to increase the safety of family members. Therefore, the *Rules of Procedure* stipulate the obligation of establishing cooperation between the competent authorities through: monitoring and reporting on the implementation of the *Rules of Procedure*, cooperation and information exchange among local self-administrative units and cooperation with other authorities and institutions who deal with the problem of family violence.

The National Strategy of Protection against Family Violence also enacted the obligation of drafting standardized forms for reporting on the implementation of the Rules. This is the obligation of the Ministry of Family, Veterans' Affairs and Intergenerational Solidarity. Appropriate forms were made for the police, centres for social care, health care and educational institutions, judicial bodies, coordinators for gender equality in the governmental

¹¹ Government of Croatia and the Ministry of Family and Veterans' Affairs and Intergenerational Solidarity (2005.) National Strategy for the Protection Against Violence in the Family from 2005 to 2007 and Protocol of Procedure in Cases of Family Violence; Ministry of Family and Veterans' Affairs and Intergenerational Solidarity; Zagreb, Croatia.

administration offices on the regional level, civil organizations that protect the victims of family violence and work with offenders of crimes related to family violence.¹²

Based on the data from these forms, the Ministry of Family, Veterans' Affairs and Intergenerational Solidarity has prepared a *Report on the Implementation of the Rules of Procedure in Cases of Family Violence during 2007 and 2008* (MFVAIS, 2009.)¹³, which provides a good overview of the activities and the current situation. This allows the conclusion that in the last few years great progress has been made in at least two aspects: 1) establishing the necessary framework for a better response of the society towards family violence and 2) improvement in coordinated community response to cases of family violence.

The data from this report, relating to violence against children in the family, will be presented in the section of the text which refers to the extent of abuse and neglect of children in Croatia.

As stated by D. Ajduković (2010.), the analysis of the *Report on the Implementation of the Rules of Procedure*, the practice-based experience and the alerts about the oversights in its implementation, suggest that the implementation of the *Rules of Procedure* should be improved and updated. Partially, this refers to the creation of organizational, technical and human prerequisites and support for compliance with the requirements arising from the Rules of Procedure, but mainly it refers to the need for a more effective cooperation between different sectors and services. Furthermore, there are no standardized health record which makes obtaining reliable data on the treatment and hospitalization of the victims of family violence impossible.

A significant contribution to the improvement of cooperation among systems that are responsible for the implementation of the Rules of Procedure would be to provide the *Manual on Implementation of the Rules of Procedure in Cases of Family Violence* (Ajduković, D., 2010) to all, which is presently being printed by UNDP in Croatia and the Society for Psychological Assistance in Zagreb.

4. Review of Legislation

The Republic of Croatia is one of the contracting states of the Convention on the Rights of the Child and other important international instruments in the field of child's rights. The Republic of Croatia has made a respectable legal framework which prohibits physical punishment, child abuse and neglect.

The protection from family violence in Croatia in terms of legislation is regulated by high standards. This primarily refers to the provisions of the *Family Act, Act on the Protection against Family Violence and Criminal Code*. The experience with the implementation of these laws and new professional knowledge, as well as changes in the values of our society are reflected in the improvement and changes in the laws, which is proved by enactment of the new Act on the Protection Against Family Violence, at the end of 2009, only six years since the first enactment of such law in our society.

¹² The forms are available on the Internet webpage: www.mobms.hr/obavijesti/sprjecavanje-nasilja-u-obiteljji.aspx.

¹³ Ministry of Family, Veterans' Affairs and Intergenerational Solidarity (2009) Report on the Implementation of the Rules of Procedure in Cases of Family Violence retrieved on 02.05.2010. from <http://www.mobms.hr/media/8464/usvojeno%20izvjesce%20o%20provedbi%20protokola%202007-2008.pdf>

This brief overview of the existing regulations shows significant changes in the laws and legislation since 1998:

- Family violence, including violence among adult members of the family, is consistently labelled as **SOCIALLY INAPPROPRIATE BEHAVIOUR** and as a **BEHAVIOUR THAT IS THREATENING TO CHILDREN'S DEVELOPMENT**
- It is clearly determined that it is the duty and responsibility of those working with children to report cases of abuse and neglect to the competent authorities, and to act with special care towards children exposed to family violence during the criminal proceeding.

The trend of improving the legal resolutions has continued. Thus the *Amendments of Youth Court Act* (Official Gazette No. 12/02) has been passed, which further elaborated provisions on the special treatment of children and juveniles who have been harmed by a criminal act, the number of testimonies to which a child can be subject has been restricted, and the possibility of recording the child's testimony has been suggested. In the *Criminal Procedure Act* (Official Gazette No. 152/08) the court's treatment of children who were victims of violence has improved. In November 2009, after only six years, new Act on Protection against Violence in the Family (NN 137/09) was adopted, but almost immediately its amendments were announced. This shows readiness to adjust the legislation to "good practice", but also creates confusion among experts who are not of legal profession, and who need to act in concordance with these legislative procedures.

As it can be seen, there are several laws that regulate the protection and treatment of children exposed to abuse and neglect in the family. In addition, there is a certain overlap between the crimes and minor offences related to the area of family violence, and violence against children as well (Ivanišević Indić i Čačić, 2010.). Existing unclear definitions of physical punishment and abuse of children lead to practical difficulties in understanding the boundary between these behaviours. As forewarned in the *Report of the Work of Ombudsman for Children for 2008* (Office of the Ombudsman for Children, 2009), this leads to discrepancies in legal proceedings among judicial institutions.

The Ombudsman warns (Office of the Ombudsman, 2009:100) that in spite of good legislation of corporal punishment and abuse of children in Croatia, in recent textbooks about criminal law we can see the justification of corporal punishment of children. For example, in the textbook *General Part of Criminal Law* (Novoselec, 2007) it states that: "parents have a duty and a right to up bring their children, so their right to physically punish their young children should also be recognized if they don't do it in a humiliating manner and don't cause physical injuries... Parents can also delegate the right to such (limited) physical punishment to another persons, e.g. grandmother, babysitter, kindergarten personnel etc." In the book *Comments on the Juvenile Courts Act and Criminal Offences against Children and Juveniles* (Hirjan and Singer, 2002), authors state that the educational value of physical punishment is questionable, especially if it offends the dignity of a person. But after that, they put physical punishment in the context of „pedagogical traditionalism“ and state that, if we accept the attitude that physical punishment is allowed, it should be objective and reasonable in its methods, intensity and frequency considering its educational purpose. Both of these texts, significant for the education of lawyers and the work of people who work in the system of justice, give support to making excuses for physical punishment in the upbringing. This undoubtedly contributes to discrepancy of the practices and weaker protection of children

Also, although a child is defined by the Convention on the Rights of a Child as a person who is under the age of 18, Croatian legislation (Criminal Code, Juvenile Courts Act and Act on Criminal Proceedings) differentiates the term child as a person under the age of 14, a younger juvenile as a person who has turned 14, but is under the age of 16, and senior juvenile as a person who has turned 16, but is under the age of 18 (Juvenile Courts Act (Official Gazette No. 111/97; 12/02; Article 4, paragraph 2 and 3). In family law, a child is a person under the age of 18 and who has not been married before the adulthood and who is not a parent (Family Act (Official Gazette No. 116/03; Article 120; Paragraph 1, 2, 3 and 4). This discrepancy also creates problems in the practice.

Therefore it is necessary to consider the possibility of unifying the legislation concerning violence against children, including corporal punishment, abuse and neglect of children; and to defining these terms more specifically.

We also support the Ombudsman's warning (Office of the Ombudsman, 2009:100) that, because of these circumstances, judicial bodies should pay more attention to equalising their practices with the Convention on the Rights of a Child and the Croatian legislation in cases of corporal punishment of children, as well as to raising the consciousness and educating experts in this field.

Finally, we wish to emphasize the benefit of the feedback that Croatia receives from the international bodies regarding the implementation of the *Convention on the Rights of the Child*, including the protection from abuse and neglect in the family. Thus the *Conclusions of the UN Committee on the Rights of the Child on the second periodic report of Croatia*, were not only widely available to the professionals, but it was also very clear in what way some of the recommendations given in the Conclusions were applied in the preparation of the *National Plan of Activities for the Rights and Interests of Children from the Year 2006 until the Year 2012*. Such transparency is extremely important.

III. THE SCOPE OF FAMILY ABUSE AND NEGLECT OF CHILDREN IN CROATIA – OFFICIAL DATA OF NATIONAL INSTITUTIONS

Since we do not have the data from systematic epidemiological research of abuse and neglect of children in the family in Croatia, and there is no uniform system for recording and reporting these cases, the scope of violence against children in the family could be estimated based on:

- a. multiple independent official data sources: police reports, reports of social care institutions and reports of judicial authorities
- b. scientific studies and professional papers
- c. evaluation and review of the work of NGO's that provide care for abused and neglected children

In this text we will dedicate special attention to the official data and data collected and obtained through scientific research.

In Croatia there is no uniform system for the recording of the data on cases of abuse and neglect of children. Ministry of the Interior (i.e. police), Ministry of Justice, Ministry of Health and Social Welfare, Ministry of Science, Education and Sports, Ministry of Family, Veterans' Affairs and Intergenerational Solidarity, Ombudsman for Children and various NGO's are all responsible for tracking cases of child abuse and neglect.

For the purpose of creating a uniform system of collecting data on cases of abuse and neglect in families the Croatian government on September 15, 2005 adopted the Rules of Procedure in Cases of Family Violence by which the responsibility for data collection and implementation of the protocol is put under jurisdiction of the Ministry of Family, Veterans' Affairs and Intergeneration Solidarity. The Rules regulate the handling and reporting of cases abuse in the family for the Ministry of the Interior (i.e. police), centres for social welfare, medical, educational and training institutions, and judicial bodies. In November 2009 The Ministry of Family, Veterans' Affairs and Intergenerational Solidarity issued a report on the implementation of the Rules of Procedure in Cases of Family Violence for the years 2007 and 2008¹⁴.

1. Police

1.1. Responsibilities of police defined by Rules of Procedure in Cases of Family Violence

The purpose of the Rules of Procedure in Cases of Family Violence in the jurisdiction of police is to protect the victims of domestic violence and to work on counteracting domestic violence for the purpose of preserving the existence and health of families, preventing the intergenerational transmission of violence, to prevent other undesirable behaviour (murder, suicide, delinquency and etc.) and directly contribute to gender equality in the Republic of Croatia.

¹⁴ Ministry of Family, Veterans' Affairs and Intergenerational Solidarity (2009) Report on the Implementation of Rules of Procedure in Cases of Family Violence for the years 2007 and 2008; retrieved on 01.26.2010 from <http://www.mobms.hr/media/8464/usvojeno%20izvjesce%20o%20provedbi%20protokola%202007-2008.pdf>

The Rules require that the police are on alert at all times in cases of family violence and must act swiftly and go directly to the scene of the event, execute an investigation and immediately take measures to protect victims and prevent further acts of violence. It is also recommended that when possible, at least two officials, preferably of different sexes, are present during the intervention. The police are obliged to allow the victim to give evidence freely and in particular take account of the victim when it comes to under aged persons. They should include in the work specialized juvenile delinquency experts who coordinate and lead the police team to prevent further domestic violence. Victims of domestic violence should be informed about their rights and of the possibility of moving into a safe house for victims of violence or into homes for children and adult victims of domestic violence. If the victim requests that from police, they are obliged to ask the social care centres to take measures themselves to transport the individual to appropriate accommodation, while maintaining and assuring confidentiality of the address of the accommodation.

The police are obliged to inform the competent centres for social care of everything performed and recognized in cases of domestic violence and keep information about the offences, offender and the affected person, as well as proposed and undertaken police protective measures in the Record of Offences of Violent behaviour in the family.

1.2. Data on crimes against children and minors

In the Report on the implementation of Rules of Procedure in Cases of Family Violence, the Ministry of the Interior reported that during the year 2007, 1,798 cases of Violent Conduct within a Family were recorded according to Article 215a of the Criminal Code. Among the effected persons 92 were minors. In 2008 1,647 crimes were reported under Article 215a, 86 of which were minors.

According to Article 213 of the Criminal Code (Neglect and Maltreatment of a Child or a Juvenile) in 2007 there were 2,055 cases reported, in 2008 1,762 cases, and in 2009 1,478 cases were reported (Figure 1.).

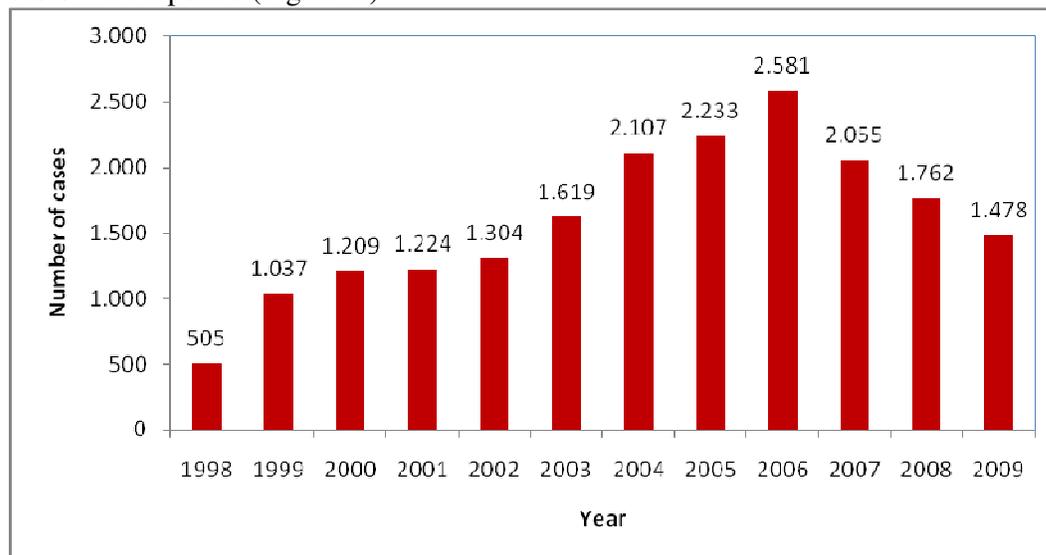


Figure 1. The number of reported cases of neglect and abuse of children and minors under Article 213 of the Criminal Code from 1998 to 2008¹⁵

¹⁵Ministry of the Interior (2009) Overview of crimes; retrieved 01.26.2010. from http://www.mup.hr/UserDocsImages/statistika/2009/Kaznena_djela_10.pdf

Figure 1 reveals a trend, namely a continual increase in the number of reported cases of abuse and neglect of children and minors up until 2006, however it also reveals a decline in the number of reported cases through 2009 (16.1% less than in 2008). In 2008, 1647 cases of violent conduct within a family¹⁶ and a total of 5,201 cases of criminal acts against minors were reported. There was a drop of reported criminal offences against children and juveniles in 2009 (4.811 cases, i.e. 7,5% less than in 2008), as well as most of specific criminal offences. Number of reports of abusive behaviours where the perpetrator is an adult (1.283 reports) has declined by 18,2% compared to 2008.

It is necessary to pay special attention to this decline of criminal offences for the violence in the family and abuse and neglect of children to evaluate if this decline is a result of increased reporting of such offences to minor offences courts or a fact that family violence has declined.

1.3. Information on violations against children and minors

In the Report on the Implementation of Rules of Procedure in Cases of Family Violence in 2007 and 2008, the Ministry of the Interior reported that in 2007 for the misdemeanour offence of domestic violence regarding Article 4, Act on Protection against Family Violence 17, 931 offenders were reported and 7,032 offenders were arrested and brought in. As a result of the crimes committed, a total of 22,158 individuals were harmed, 4,187 (18,8%) of which were minors. In 2008, 20,566 perpetrators were reported. 20, 566 individuals were harmed as a result of the reported violent crimes. The demographics of the victims of domestic violence in 2008, according to age and gender are shown in Table 1.

Table 1 The demographic structure of the victims of domestic violence in accordance with Article 18 regarding Article 4. Act on Protection against Family Violence in 2008, according to age and gender

2008	Children aged 0-14			Minors aged 15-18			Total number of minors	Total number of victims
	F	M	total	F	M	total		
Number of victims	1.342	1.297	2.639	731	567	1.298	3.937	20.566
% according to age group	50,85	49,15	100,00	56,32	43,68	100,00	----	----
% of all victims of violence	6,53	6,31	12,83	3,55	2,76	6,31	19,14	100,00

Minors (a total of 3,937 cases) constitute 19.14% of all victims of domestic violence and it is observed that there is a greater gender difference in the number of victims of violence in the age group from 15 to 18 than in the group of minors younger than 14. Girls in this age group are more likely than boys to be exposed to violence.

¹⁶ Ministry of the Interior, Republic of Croatia (2009) Overview of basic security indicators and results of work in 2008; retrieved on 01.26.2010. from http://www.mup.hr/UserDocsImages/statistika/2009/pregled_08.pdf; pg. 50

It should be noted that 5 offenders were reported in 2007 and 17 offenders in 2008, under Act 19¹⁷ regarding Act 5¹⁸. Act on Protection against Family Violence, which is binding on all healthcare workers, professional workers involved in the activities of social care, family prevention and care, education and professional workers employed by religious institutions, humanitarian organizations, civil society organizations in the scope of children and families to report any occurrence of cases of domestic violence, that they are informed of during the performance of their duties, to the police or State Attorney's Office.

2. Ministry of Justice

2.1. Responsibilities defined in the Rules of Procedure in Cases of Family Violence

Judicial authorities have an obligation to act promptly in cases of domestic violence. The courts are obliged to inform the competent centres for social care on the start of the proceedings and make effective sentences. It also emphasizes the importance of getting acquainted with the victims and informing the victims of their rights and options available for protection from violence. Ministry of Justice reported that in each case where minors are present, close cooperation with social welfare services is being achieved.

2.2. Data on crimes against children and minors

According to data from the State Attorney's Office, 1,123 crimes were recorded in 2008, according to Article 215a, Violent Conduct within a Family, of the Criminal Code. 1,285 perpetrators of domestic violence, according to Article 215a of the Criminal Code, were reported. According to the data from the Report on the Work of the State Attorney's Office for 2008, there was a total of 2,568 casualties of which 925 (36.02%) were minors.

Table 2 Demographic structure of the victims of domestic violence referred to Article 215.a of the Criminal Code according to data from reports on the work of the State Attorney's Office in 2008¹⁹

	Minors			Adults			Total
	M	F	Total	M	F	Total	
Number	445	480	925	251	1.392	1.643	2.568
% according to age group	48,11	51,89	100,00	15,28	84,72	100,00	----
% of all victims	17,33	18,69	36,02	9,77	54,21	63,98	100,00

From table 2 it can be observed that there is a smaller difference in the number of male and female victims among minors than adult victims.

In the report regarding the work of the State Attorney's Office in 2008 it states that in 2008, due to criminal acts against children and minors, 2 individuals were reported for a serious

¹⁷ In the new Act on the violence in the family Article 21.

¹⁸ In the new Act on the violence in the family Article 21.

¹⁹ State Attorney's Office of Croatia (2009) Yearly report on the of the State Attorney for the year 2008; retrieved on 01.26.2010. from <http://www.dorh.hr/fgs.axd?id=1051> pg.144.

homicide attempts, 14 individuals were reported for the unlawful seizure of freedom, 7 individuals for assault in the performance of service, 312 charges against sexual freedom and sexual moral, 1,171 cases of child rearing responsibilities and 692 cases of abuse and neglect of children. In total, in 2008 for Criminal Offences against Marriage, Family and Youth (excluding crimes listed in the Article 215.a of the Criminal Code) 2,085 individuals were denounced of which 1,336 were accused and 1,084 convicted.

We don't have the data of minor offence courts about the number of children who were victims of violent behaviour in the family as described in Article 4. of the Act on Protection against Family Violence.

3. Ministry of Health and Social Welfare

Within the Ministry of Health and Social Welfare, the data obtained by the centres for social care and medical institutions are processed separately.

3.1. Responsibilities of social care centres as defined by the Rules of Procedure in Cases of Family Violence

The aim of the Rules of Procedure regarding the centres for social care is the improvement of the family violence victims' protection, prevention of violence and development of measures for protection of rights and for the welfare of persons exposed to family violence. Employees in social care centres are obliged to act promptly in cases of violence in the family, if they have knowledge or have obtained reasonable doubt of such cases, they should without delay inform the police regardless of whether another competent body had already done so, provide all received information regarding the case and write an official note containing all the available information about the victim, the offender and the committed violence. Employees in centres for social care must establish contact with the victim as soon as possible, inform him/her of their rights, about competence and procedures of the centre for social care and the measures that the centre for social care intends to undertake. In any criminal or misdemeanour proceeding, centres for social care are obliged to carefully consider whether the rights and interests of the child are fully observed. Centres for social care have the right to implement measures of legal protection of the family for the purpose of protecting the victim and, in urgent cases, such as the need to eliminate the imminent threat to life or health of the family member – victim of family violence, to pass a verbal decision for the immediate protection of the victim, particularly if the victim is a child, and order the enforcement of the decision without delay.

3.2. Data from the Centres for Social Care in 2007 and 2008

In the Report on the implementation of Rules of Procedure in Cases of Family Violence, centres for social care have provided data cumulatively for 2007 and 2008. Data on the source of information about committed acts of family violence are in Table 3.

Table 3 Sources of information regarding incidents of family violence in 2007 and 2008 that were obtained by the centres for social care

	Number of notifications	Information source					
		Victim	Police	Physician	Witnesses	School	Other
Number	22.120	1.584	18.320	194	582	558	882
%	100,00	7,16	82,82	0,88	2,63	2,52	3,99

Table 3 shows that the majority of cases of family violence were reported by the police, followed by the reports of victims. 4,683 of the reported cases were committed against children and 16,683 against other members of the family and the centres for social care referred 2,179 notifications of committed violent acts to the police.

According to the data regarding the victims of violence, it is determined that during 2007 and 2008, domestic violence was committed upon 24,497 individuals, of which 5,912 were minors.

Table 4 The demographic structure of victims of domestic violence in 2007 and 2008 according to the data obtained by centres for social care

	Minors aged 0-7			Minors aged 7-18			Total of minors	Overall total
	M	F	Total	M	F	Total		
Number	1.076	1.108	2.184	1.803	1.925	3.728	5.912	24.497
% in category according to gender	49,27%	50,73%	100,00%	48,36%	51,64%	100,00%	-----	-----
% according to number of minors/adults	18,20%	18,74%	36,94%	30,50%	32,56%	63,06%	100,00%	-----
% according to all cases	4,39%	4,52%	8,92%	7,36%	7,86%	15,22%	24,13%	100,00%

As can be seen, there is an inconsistency among data on the total number of reports of violent acts and on the number of children and juvenile victims. We presume that this is due to the starting difficulties in the collection of data by forms that were used for the first time in 2007 and 2008.

Of all the cases of family violence, centres for social care reported 11,405 cases of emotional violence, 10,861 cases of physical violence and 1,824 cases of economic violence.

3.3. *Responsibilities of health care facilities as defined in Rules of Procedure in Cases of Family Violence*

The aim of the procedures defined by the Rules of Procedure in Cases of Family Violence for health care institutions is providing the victim with adequate health care with intention of preserving physical and psychological health of the victim, and treatment of obtained injuries and psychological trauma.

According to the Act on Protection against Family Violence, health care professional while at work are required to report any incidence of family violence that they have knowledge of, and to maintain permanent contact with the social service and the police. The Report of Injury/Illness as a result of family violence must also be referred to the local branch of the Croatian Health Insurance Office.

3.4. *Data from the health care facilities in 2007 and 2008*

In the Report on the implementation of Rules of Procedure in Cases of Family Violence, it is mentioned that, as a result of lacking a standard procedure for recording data, there is a problem with summing up the number of cases provided by different institutions that are responsible for hospitalization of victims. Therefore, the results submitted by different institutions are listed separately in this Report.

The Croatian Health Insurance Office does not have data from which one could conclude whether the services provided were given to victims of family violence, but can only account for the services provided to individuals that obtained injuries from another individual. It can be seen that there is a problem of reporting the cases as requested by the Rules of Procedure in Cases of Family Violence, because (as shown in Table yy) during 2007 and 2008 doctors reported 194 cases of family violence to social care centres.

The rest of the data related to family violence was obtained from four psychiatric hospitals. According to their reports about the cases of family violence, 275 offenders were processed during 2007 and 288 offenders in 2008.

4. Ministry of Science, Education and Sports

4.1. *Responsibilities of educational institutions as defined in the Rules of Procedure in Cases of Family Violence*

The aim of the protocol for educational institutions is raising awareness of educational institutions' employees in instances of family violence and taking measures for identifying and reporting problems and helping the child. If a child is injured to the extent which requires medical attention or examination, employees in educational institutions are required to contact emergency medical assistance immediately or escort the child to a medical institution, as long as it does not cause further harm to the child. They should promptly notify the headmaster of the institution, who should report the case to the police and the centre for social care. In cases of prolonged or particularly severe abuse, the headmaster should consult a professional counselling service of the educational institution, experts from social care centres, and, if necessary, other professional services about the treatment and assistance to victims of family violence.

4.2. Information on the activities of educational institution in 2007 and 2008

Data shown in the Report on the implementation of Rules of Procedure in Cases of Family Violence for 2007 and 2008 refer to the school year 2007/2008²⁰, which is the reason why it is difficult to compare them with the data obtained by other institutions. 46 cases of family violence have been recorded in 22 schools. In 16 of the cases, the circumstances were such that medical assistance or medical examination was needed. Headmasters were notified of 53 cases of violence in the family, and in 33 cases reports were sent to the police and centres for social care. In 26 cases, as a result of especially severe forms of violence in the family, a consultation was carried out with professionals in counselling services at school and professionals from social care centres.

5. Conclusion

In the review of institutions dealing with issues of family violence, it is evident that there is no uniform monitoring system for abuse and neglect of children. In addition there is a problem of having no comparable data available for different institutions, because they differ in the ways they process data and time periods in which they process data, and some institutions do not submit required reports. It is surprising that there is a relatively small number of cases of family violence which are reported by educational and health care institutions, because these institutions are in daily contact with children and families and have the greatest ability to recognize and respond to violence.

On the other hand, there are efforts in Croatia to protect victims of violence and to prevent further domestic violence. Police, judiciary and social care centres have a 24-hour work day to be able to intervene in cases of domestic violence at any time. Legislation binds all institutions to respond promptly and employees in the institutions to report every form of violence in the family to the police. The Ombudsman for Children has been actively working since 2003 with other institutions, both locally and nationally. There are also constant campaigns against family violence and violence against children; furthermore there is a relatively strong network of NGOs that are dealing with these issues.

In summary, in the Republic of Croatia there is a need for a separate system of tracking abuse and neglect of children in the family and improvement of the existing system of collecting data on family violence in a way that the data are identical and comparable and that they are collected during the same time period. It is also necessary to actively campaign for the health and educational workers to increase their sense of personal responsibility and commitment to resolving the problem of abuse and neglect.

²⁰ In Croatia the school year starts in September and lasts until June.

IV. THE SCOPE OF FAMILY ABUSE AND NEGLECT OF CHILDREN IN CROATIA – DATA BASED ON SCIENTIFIC RESEARCH AND PROFESSIONAL PAPERS

1. Bibliography of published papers

Analysis of published papers relating to physical punishment, abuse and neglect of children in Croatia shows that in the past 25 years (1985-2009) more than 100 articles have been published in journals as well as six books by Croatian experts on this subject. In the review of these papers and books (Attachment 1) only those that are directly concerned with violence, abuse and neglect in the family are included. The papers that deal with violence between children and those that are concerned with a broader area, such as the application of family law enforcement measures for the protection of children, are not included. Also, the translations of international authors and works of Croatian authors published abroad, whose number is small, are not included.

During the same period 15 doctoral dissertations and master thesis were published in this area. It is interesting that of the total number of doctoral dissertations and master thesis in the field of violence against children, 80% of them were published in the period from 2001 to 2009, indicating an increasing interest in researching the issues of abuse and neglect of children in recent times.

Also, if we look the list of published papers and books in Attachment 1, we can see that in the period between 1985 and 1999 there was 1 book and 35 papers published in journals or almanacs. Compared to this 15-year period, between 2000 and 2009, there were 5 books and 81 papers of Croatian authors published. In the last 10 years, most texts concerning this theme field were published in the journal *Child and Society* (25 works), than in various almanacs (18 works), in scientific journals (14 works) and in the *Annual of Social Work* (8 works) In psychological journals there were only 4 papers published about violence, abuse and neglect of children, and 10 papers were published in other journals that cover the field of law, theology, pedagogy and social research.

Insight into the published texts shows that 65% of them describe the patterns, consequences and legal regulation in cases of violence against children in the family, while 35% of them are based on empirical data – statistical parameters and research results. Content analysis of papers shows that a great number of published articles are often connected to one larger study, which is usually made for the purpose of a research project or for the preparation of doctoral dissertations. Therefore, even though the number of published works in this area is quite large, the number of scientific researches on separate and relevant patterns is in fact small.

2. Scientific research

In the text that follows we will single out the most recent studies whose results could be a useful base-line and provide a comparative framework for the planned epidemiological research within the BECAN project. We will show the results of five studies, in order of the year in which the data was collected.

2.1. *Intergenerational transmission of physical abuse of children (data collected in 1997 and 1998)*

The research deals with the examination of physical abuse of children in the family, exposure to violence between parents and inter-generational transmission of child abuse in the family (Pećnik, 2001²¹). 1,146 students from the University of Zagreb participated in this research, of which 850 (74.6%) were female and 289 (25.4%) were male. The average age of the participants was 20.7 years.

Data collection was conducted during 1997 and 1998. Data were collected in groups, usually of 30 to 40 students, during their regular class time with the presence of researchers. The participants were informed about the purpose and practical value of the research and the confidentiality and anonymity of the results.

The questionnaire on abuse in childhood was designed for the purpose of this research and it is made of four separate parts/sections: the questionnaire regarding physical punishment (7 items), the questionnaire regarding physical injury resulting from physical abuse (6 items), the questionnaire regarding sexual abuse (6 items), and the questionnaire regarding the exposure to violence between parents (8 items). Each of these questionnaires includes a scale regarding the frequency of exposure to a particular form of violence on a 5-point rate scale (from “never” to “very often/several times a month”), the scale according to the age at the time of the event, and a scale for offenders.

If we look at the number of participants who at least once experienced at least one of the behaviours listed in the Questionnaire on abuse in childhood, we obtain the information that 93.4% of the participants experienced physical punishment/abuse in childhood, 27.2% had physical injury resulting from physical abuse, 40.3% were exposed to a violence between their parents, and 7.3% have experienced sexual abuse. Comparison by gender shows that the physical consequences as a result of physical abuse were more commonly reported among the male students, while the exposition to the violence between their parents and sexual abuse were more commonly reported among the female students.

Given the form of violence, the participants most frequently experienced a slap, being hit by an object, and a pulling of hair, while the majority of students did not experience the remaining four forms of a physical abuse.

²¹ Ninoslava Pećnik, PhD, psychologist, is a professor at the Department of Social Work, Faculty of Law, University of Zagreb

Table 5 Frequency of different types of physical violence towards students during their childhood (N=1,146)

Form of violence	Frequency of Physical Violence Toward Children (%)				
	Never	Almost never/1 or 2 times	Sometimes/ few times a year	Often/ once a month	Very often/ few times a month
Slap	17,9	44,9	29,3	5,1	2,8
Hit with an object	34,4	40,3	20,0	3,6	1,6
Pulling of hair	63,7	23,5	10,4	1,7	0,8
Strong push	86,8	8,5	3,6	1,0	0,2
Blow with fist or foot	87,2	8,8	3,2	0,3	0,5
Violent shaking	87,9	7,9	3,2	0,8	0,2
Beating	96,1	2,6	1,0	0,3	0,1

The most common consequences of physical punishment and abuse are the bruises, which 7.8% of the participants experienced several times a year or more. Cuts and nose bleeding were experienced by 1.4% of the participants several times a year or more frequently, 6.8% experienced this once or twice during their childhood, while 74.3% of the participants never experienced such injuries.

Severe consequences (burns, sprains, broken teeth and fractures) were much less frequent and most of the participants had never experienced them (99.4%, 99.5%, 99.4%, 99.8%, respectively).

The duration of exposure to various forms of physical punishment and abuse ranges on average between 3 and 4 years, and the perpetrators are most often the parents; only 4.5% of the participants mentioned brothers, sisters, grandfathers, grandmothers or someone else. It was shown that mothers are more often the perpetrators of “the easier/softer” physical punishment and abuse (slaps, hitting with an object, pulling of the hair, violent shaking), while fathers use “severe” punishments (strong push, blows with fists and feet, and beating). Of the 1,070 participants who had experienced physical punishment and/or abuse, 42% had experienced some form of exposure to violence between their parents, and 8% experienced sexual abuse.

Based on this research, the author wrote the book “Intergenerational transmission of child abuse” (Pećnik, 2006), in which she provides the results from six smaller studies under her supervision on the samples of primary and secondary school aged children. The results of these studies have shown that between 71% and 86% of students experienced some form of physical violence by their parents and between 11% and 32% of them had some type of injury, mostly in a form of bruise, as a result of that violence.

2.2. Exposure to traumatic events in childhood and psychosocial functioning of young people (data collected in 2006.)

The aim of this research was to study the connection between the exposure to traumatic events in childhood with some aspects of psychosocial functioning of children and young people, which include pessimism, social loneliness, loneliness within the family, loneliness in love (intimate) relationship, anxiety, self-esteem, insecure attachment, and school success (Profaca, 2008²²). The data were collected within a large research project of the Child Protection Centre of Zagreb.

The analysis of the results included data on 4,177 graduates of secondary schools in the Republic of Croatia, age 17 to 20 of which 1,636 (39.17%) were boys and 2,541 (60.83%) were girls. The participants were students from high schools (39%), vocational (trade) schools (58.9%) and art schools (2.1%).

The study was conducted during the year 2006. Research was anonymous and voluntary, it was conducted in classrooms during their classes and the duration of the time given for the filling out the questionnaires was 45 minutes. In accordance with the *Code of Ethics of research with children*, the participants received phone numbers of counselling centres and organizations from which they could seek support and assistance if they found the questionnaire disturbing.

It was a retrospective study in which the participants (respondents) were asked to recall of the events in their childhood where the age boundaries for the childhood were not defined.

For the purposes of this research two scales were used: Physical abuse scale and a Sexual abuse scale, taken from *the Questionnaire about abuse in childhood* (Karlović, 2001)²³. The Physical abuse scale contains items that are related to the behaviour of father, mother and other adults, and includes the following behaviours: slapping, hitting with the hand, beating with an object, beating that caused bruises, throwing on the floor, pushing and causing the physical injury. For each of these statements the frequency of the behaviour has been assessed by using a four-level scale: never (0), once or twice (1), several times (3) and often (4). The possible range of the results was from 0 to 18.

The Sexual abuse scale contains 12 statements relating to: sexual intercourse in front of the child, showing pornography to a child, masturbating in front of the child, touching the body in an unpleasant way, touching the genitals of a child, touching the genitals of the adult, kissing intimate body parts, placing the genitals of the adult in the mouth of a child, sexual intercourse with an adult, touching the child's breasts, kissing the child's breasts, making unpleasant sexual remarks in front of the child. Each claim is assessed on a 4-level scale: never (0), once (1), twice (2), three or more times (3). The possible range of the results on the scale was from 0 to 36. The study also used other questionnaires that are thematically unrelated to the issue of abuse and neglect of children and therefore, the details of those questionnaires will not be reviewed.

²² Bruna Profaca, PhD, psychologist, is employed with Child Protection Centre of Zagreb

²³ Karlović, A. (2001). *Evaluation of the Questionnaire on Abuse in childhood*. Undergraduate dissertation: Zagreb: Faculty of Philosophy, Psychology department.

In table 6 the average results and standard deviations on the scales of physical and sexual abuse of boys and girls have been shown.

Table 6 The results for the research participants (N = 4,177) on the scales for physical and sexual abuse. Number of participants (N), mean (M), standard deviation (SD)

Form of Abuse	Gender	N	M	SD
FATHER - <i>physical abuse</i>	M	1.636	1,36	2,06
	F	2.541	1,20	1,95
MOTHER - <i>physical abuse</i>	M	1.636	1,22	1,93
	F	2.541	1,38	1,90
OTHERS - <i>physical abuse</i>	M	1.636	0,33	1,41
	F	2.541	0,22	0,95
FATHER - <i>sexual abuse</i>	M	1.636	0,05	0,40
	F	2.541	0,04	0,38
MOTHER - <i>sexual abuse</i>	M	1.636	0,02	0,20
	F	2.541	0,04	0,30
OTHERS - <i>sexual abuse</i>	M	1.636	1,31	4,11
	F	2.541	0,86	3,07

Considering that the highest score on the scale for physical abuse is 18 and 36 for sexual abuse, it can be observed that the average values of the respondents on both scales are relatively low.

The inter-correlation between the scales of abuse shows that the participants who were physically abused by the father were more often physically abused by the mother ($r = 0.494$) and by other adults ($r = 0.379$) as well, while there was no major correlation with the exposure to a sexual abuse. The Pearson's correlation coefficient between the sexual abuse by the father and the sexual abuse by the mother was 0.389.

Table 7 shows the percentage of participants who were victims of abuse. The results presented are those in accordance with the "more lenient" abuse criterion and those in accordance with the "more severe" abuse criterion. The stricter criterion indicates a higher intensity and frequency of the experienced abuse, while the lenient criterion indicates lower intensity and frequency of the experienced abuse. When it comes to a sexual abuse, the stricter criterion includes only a sexual experience with a contact, while in accordance with the more lenient criterion even an inappropriate exposure to the sexual contents is considered an abuse (Buljan Flander, 2007.).

Table 7 The prevalence of different forms of abuse among the participants (N = 4,177) (includes abuse by the parents or other adult family members)

Form of abuse	Stricter Criterion	More Lenient Criterion
Physical Abuse	15,9%	30,5%
Emotional Abuse	16,5%	48,3%
Sexual Abuse	13,7%	18,1%
Witnessing Family Violence	4,8%	16,8%
Neglect	2,5%	11,5%

According to the data provided it could be perceived that the most common form of abuse is the emotional abuse followed by a physical and sexual abuse. Unfortunately, the study did not clearly define the stricter and the more lenient criteria, although, by looking at the results for the more lenient criteria, we can draw a conclusion about the minimal number of the participants who experienced some form of abuse.

2.3. *The frequency of physical punishment by mothers against the preschool age children (2007)*

The research study which collected the data on the use of physical punishment in the upbringing of children was undertaken in 2007. The data was collected for the doctoral dissertation of Eva Anđela Delale (Delale, 2009.; Delale and Pećnik²⁴, 2010.), whose aim was to examine the interrelationship of corrective and preventive upbringing practices of mothers of preschool children. 329 mothers participated in the research study. The average age of mothers participating in the research study was 35.31 years (age ranged from 25 to 50 years). The average age of the children that the mothers reported on in the research study was six years and eight months. The study involved an equal number of mothers of the boys (52.7%) and the mothers of the girls (47.3%). The research was anonymous and voluntary and was applied on the convenience sample from the City of Zagreb.

The data, used to estimate the use of physical punishment in upbringing of a child were collected by the use of the *Scale of corrective parental methods* which was designed on the basis of *The Inventory of the dimensions of the disciplining* (Straus and Fauchier, 2007.). At the beginning of the testing the mothers were asked to give one example of highly inappropriate behaviour of their children in the past year and then to assess the frequency of their own response behaviours, i.e. their own reactions to the child's inappropriate behaviour. Mothers were assessing above mentioned behaviours and the reactions by circling one of the proposed answers on a 7-item scale, and the answers had the following meanings: never (N), not last year, but the year before (1), several times a year (2), several times a month (3), several times a week (4), every day (5), and several times every day (6).

The self-assessment results of the frequency of punishment collected by the use of the *Scale of corrective parental methods* are listed in Table 8. Although the scale contains 15

²⁴ Eva Anđela Delale, PhD, psychologist, is a researcher at the Department of Social Work ,Faculty of Law, University of Zagreb

statements, we will here only show the results focused on punishment (psychological and physical aggression by parents).

The data in Table 8 show that the average frequency of mothers' different forms of punishment ranges from $M = 0.1$ ($SD = 0.52$) to $M = 3.4$ ($SD = 1.23$). The form of punishment used the least is rinsing the mouth of a child or putting something spicy in a child's mouth, which was done by 6.7% of mothers. The most common form of punishment was raising their voice and yelling at the child with an average frequency of $M = 3.4$ ($SD = 1.23$), which shows that mothers, in response to a child's inappropriate behaviour, use this form of punishment several times a month. Only 2.7% of mothers stated that they never acted this way towards their child, therefore, almost all the mothers raise their voices and yell at their children, and more than three quarters of mothers (76%) raise their voices and yell at their child several times a month.

One half of the mothers who were part of this sample said they had never shaken or grabbed their child, while half of the mothers had responded to their child's behaviour in such a way. Even more mothers (67.2%) have never used a wooden spoon, stick or belt, but one fourth of them have done this several times a year. However, 36.8% of mothers had struck, slapped, or hit their child on the buttocks several times a year, 20.3% had done so several times a month or more often, while 25.2% of mothers have never hit their child on the buttocks.

Overall, the statements of the mothers on the frequency of using particular corrective methods indicate that, on the average, 6-year olds included in the research, experience shouting several times a month and being hit on the buttocks several times a year.

The study established a positive correlation between parental punishment practices and methods of parenting alternative to punishment ($r = 0.34$, $p < 0.01$). Mothers who stated that they punished their children more, at the same time stated that they used the alternative methods of punishment more often. At the same time, the correlation between punishment and stimulating is negative and low ($r = -0.22$, $p < 0.01$). Therefore, the mothers who more often punished their children while reacting to their inappropriate behaviours less often used the preventive methods of stimulating desirable behaviour of children.

The possibility of generalizing the results from this study is limited by the use of the convenient sample and the use of a self-report method, which is, in such types of research studies, associated with disadvantages, such as (dis)honesty of the participants, cognitive distortions or ignorance of their own behaviour. However, even though physical punishment of children is illegal (Family Act, Official Gazette, 162/89), this study shows that such physical punishment is still part of parental behaviour towards children. The results of this study show a risk of an increased application of other inadequate treatment, such as psychological rather than physical punishment. High frequency of shouting indicates the danger that inadequate methods of physical punishment are being replaced by inadequate forms of psychological punishment, instead of using methods of parenting alternative to punishment.

Table 8 The average frequency of the use of punishments as the corrective parental methods by the mothers based on their self-assessment and the distribution of their responses (in percentages*)

Corrective Parental Methods		Never	Not last year, but the year before (1)	Several times a year (2)	Several times a month (3)	Several times a week (4)	Everyday (5)	Several times a day (6)	M (SD)	N
<i>Psychological Aggression</i>	How often do you raise your voice or yell at the child?	2.7	0.9	15.8	29.5	31.0	12.5	3.0	3.4 (1.23)	314
	How often have you told them that they are lazy, disorganized, reckless or something similar?	39.2	9.1	26.7	11.9	6.7	2.1	0.3	1.4 (1.43)	316
	How often have you tried to make the child feel ashamed or guilty?	42.6	11.9	25.8	9.1	4.6	1.2	0.3	1.2 (1.29)	314
	How often have you been restrained; acting cold or refusing to cuddle and kiss the child?	55.0	10.9	17.0	6.4	2.7	2.1	0.3	.9 (1.28)	311
<i>Physical Punishment</i>	How often did you hit the child on the bottom, slap or hit the child?	25.2	12.8	36.8	16.4	3.6	0.3		1.6 (1.17)	314
	How often have you shaken the child or grab them to get their attention?	50.5	13.7	18.2	6.7	2.1	2.4	1.2	1.0 (1.36)	312
	How often do you use a wooden spoon, stick or a belt?	67.2	10.0	13.1	4.6	1.2	0.3		.6 (1.00)	317
	How often have you rinse your child's mouth with soap, put something spicy or peppery on their tongue or something similar?	90.0	4.9	1.2	0.3			0.3	.1 (.52)	318

*The difference to a total of 100% response rate for every parental response represents the percentage of mothers who did not respond to certain individual question

2.4. Psychological abuse and neglect of children in the family – attribution of guilt consequent to the experienced abuse and the problem of adjustment during adolescence (research study undertaken in the year 2008)

The paper deals with studying the attribution of guilt for psychological abuse and neglect and offers a range of data on the prevalence of other forms of abuse and neglect (Ždero, 2009)²⁵. This review will focus its attention to the selection of the sample and research instruments, and also to the obtained results that indicate the prevalence of abuse and neglect.

For the purpose of this research, the convenience sample consisted of 924 students of 11th and 12th grade from secondary schools in Split. Most of participants were 18 years old (52.3%) and there was also a lot of 19 year-olds (29.3%). Out of the total number of participants, 509 (55.1%) were girls and 415 (44.9%) were boys.

Data were collected in the first half of 2008. To meet the ethical principles in collecting the data, the attention was paid to two facts; that the respondents have been informed about the purpose and aims of the research and that they gave their consent for participating in the research.

The study used the *Questionnaire of childhood abuse*, which includes five scales of abuse - emotional abuse, physical abuse, neglect, witnessing family violence and sexual abuse. The questionnaire is based on the questionnaire *The Comprehensive Maltreatment Scale for Adults* (Higgins & McCabe, 2001). The task of the participants was to assess how often they experienced the behaviours described in each of the statements at the age of 14. The questionnaire contains three parts - behaviour of the father toward the child and other family members, behaviour of the mother toward the child and other family members, and behaviour of other adults that lived with a child. Other questionnaires were also used in this study, which are not of the primary focus of this review.

The largest number of participants considered that they have experienced some form of psychological abuse (19.7%). On the subscale for mental abuse on the *Questionnaire of childhood abuse*, through all ten items, over 10% of respondents reported that they have occasionally or frequently experienced abuse by the father. The most common forms of psychological abuse by the father were: shouting at the child for no reason (33.8%), excessive suppression and restriction (28%) and harsh criticism/comparison with other children (26%). As well as with the fathers, the most common forms of abuse used by the mothers were: shouting at the child for no reason (42.9%), excessive supervision and restriction (24.2%) and harsh criticism/comparison with other children (23.6%).

Neglect of some form was experienced by 18.3% of the participants. The most common forms of neglect are: refusal to talk to the child, both by the father (19.6%) and by the mother (16.4%), inattention or ignoring the child by the father (14.8%) and by the mother (10.5%). Other forms of neglect have the prevalence rate of less than 5%.

As for physical abuse, 12.2% of participants reported that they have experienced it. Among the forms of physical abuse in the subscale for negligence on the *Questionnaire of childhood abuse*, the most common were: slapping, punching or hitting an object and 30.5% of participants stated that their father sometimes or often slapped them, 29.6% of the participants

²⁵ Vedrana Ždero, MSc, psychologist, is employed with Mirta, NGO from Split.

that they experienced this behaviour from their mother, while 8.4% stated that they experienced this behaviour from another adult member of the family that lived with them. Being punched or hit with an object by the father was experienced by 7.2% of the participants, 6.2% of them were punched or hit with an object by the mother and 3.6% of them by another adult member of the family that lived with them.

When it comes to the experience of witnessing family violence, 16% of the participants witnessed criticism, insults, threats, excessive restrictions, or shouting with no reason at others by the father. 10% of the participants reported that they experienced the same behaviour committed by their mother. The obtained results show that 9.7% of the participants sometimes or often witnessed their father beating, hitting or injuring another family member. 5% of the participants admitted that they experienced the same behaviour by the mother and 3.3% witnessed by another adult family member.

Instead of using a specific subscale for sexual abuse, a direct question about the participants' experience with any forms of sexual abuse was used. The results showed that 1.8% of the participants feel that they were victims of sexual abuse.

When you look at the obtained results and compare them with respect to gender and forms of abuse and neglect experienced by the participants, they show that fathers abused the boys to a greater extent than the girls, both psychologically and physically, and that other adults abused the boys physically more than the girls. There were no other statistically significant gender differences.

2.5. Differences between boys and girls with regard to the relationship of abuse, psychopathic tendencies and antisocial behaviour (research conducted in 2009)

The latest research data on the exposure of children and youth to family violence were collected as part of a complex study, whose aim was to examine the relationship between the psychopathic tendencies and antisocial behaviour of boys and girls, their families' characteristics and victimization (physical and sexual abuse and witnessing violence between parents). The study was conducted for the doctoral dissertation of Silvija Ručević²⁶ which is in its final stage.

The study included 1,727 students (48% boys and 52% girls) from various schools, who attend grades 7 and 8 in primary schools and grades 9 to 12 in high schools (gymnasiums and vocational schools). The age range of participants was from 13 to 20 years ($M = 16.14$, $SD = 1.45$).

The survey included two groups of young people: (a) young people from the general population, attending regular educational system ($N = 1,346$) and (b) young people in conflict with the law and who were sentenced by the court or those who due to their misbehaviour were separated from their families and placed in the correctional institutions ($N = 381$). The research in schools was conducted in six major Croatian cities - Zagreb, Rijeka, Pula, Split, Zadar and Osijek. Although it was a convenience sample, additional steps were carried out to ensure the socio-demographic diversity of the participants. Thus, the study included schools from the city centres, as well as the schools attended by children and young people from the

²⁶ Silvija Ručević, MSc, psychologist, is an assistant at the Department of Psychology, Faculty of Philosophy, University of Osijek

suburbs. In addition, both gymnasiums and vocational schools of various orientations and lengths of duration (three and four years) were selected. The research on a sample of young people who due to their conflict with the law or unacceptable behaviour were placed in different institutions for a treatment was performed in all such institutions in Croatia (in total: 10 institutions). The study included all juveniles who were in this period found in the treatment of these institutions and who agreed to participate in the study.

The data were collected during 2009. Prior to the beginning of the study, the approval and permit for research from authorized ministries were obtained, respectively, Ministry of Health and Social Welfare, Ministry of Justice and Ministry of Science, Education and Sport. In accordance with the *Code of Ethics of research with children*, only those participants who signed a consent form for the continuation of research were included in the study. The consent form explains the purpose of the research guarantees the anonymity of the participants and explains the participants' right to discontinue their participation in the research at any time. In accordance with the Croatian Code of Ethics of research with children, the parental consent is not required for the participation of children older than 14, but it is necessary to inform the parents in writing about the study. However, for children younger than 14, students in primary schools, a signed consent from the parents was required.

The study used a number of instruments and for the purposes of this review we will show data collected by the use of the revised *Questionnaire of childhood abuse*, which was taken over from Pećnik (2001). In this study the subscales from the *Questionnaire on physical punishment and abuse* and *Questionnaire on physical injuries resulting from physical abuse* were used, and then unified in the questionnaires which were named *Questionnaire on physical abuse* (13 statements), *Questionnaire on exposure to violence between parents* (8 statements) and *Questionnaire on sexual abuse* (6 statements). Only the frequency of the violence experienced in childhood was investigated. Measures of the internal consistency obtained in this study for certain forms of victimization range from 0.85 to 0.91. The correlations between certain forms of abuse vary from 0.14 (correlation between sexual abuse and exposure to violence between parents) to 0.46 (correlation between physical abuse and exposure to violence between parents).

Considering that this is the latest research in the region of Croatia, the data presented show the distribution of responses related to the experience of violence during childhood. As can be seen from the table 9, the majority of participants experienced slaps during their childhood – as much as 80.2% of them. That is followed by being hit with an object (whip, stick, belt, wooden spoon), which was experienced by 55.1% of the participants, and pulling of the hair and ears, which was experienced by 42.2% of participants.

Table 9 Experience with abuse in childhood (N = 1,727). Percentage (%) of the responses, mean (M) and standard deviation (SD)

How often have you, as a child, experienced any of the listed hereafter from one of your family members?	NEVER = it never happened to me (0)	RARELY = it happened once or twice in my childhood (1)	SOMETIMES = it happened sometimes, few times a year (2)	OFTEN = it happened regularly, approximately once a month (3)	VERY OFTEN = it happened several times a month (4)	M	SD
a slap	19.8	42.5	25.6	6.3	5.8	1.36	1.05
a hit with an object (whip, stick, belt, wooden spoon)	44.9	32.4	14.1	4.2	4.4	0.91	1.07
Intense shaking	78.2	11.9	5.4	2.1	2.4	0.38	0.87
Forceful pushing	70.5	16.2	7.2	2.5	3.6	0.52	0.99
a punch or a kick	78.2	9.7	6.7	2.1	3.4	0.43	0.95
Pulling of the hair/ears	47.8	29	13.2	5.7	4.4	0.90	1.10
Hard beating (beat-up)	89.2	5.2	2.3	1.4	1.9	0.22	0.73
Bruises	79.2	10.6	4.6	2.5	3	0.39	0.92
Cuts, scratches, bleeding from the nose	83.3	8.7	3.6	2.1	2.4	0.32	0.84
Broken or damaged tooth	92	5.2	1.3	0.5	1	0.13	0.53
Sprain	91.5	4.8	1.9	0.9	0.9	0.15	0.58
Burns	92.3	4.7	2	0.6	0.4	0.12	0.48
Broken bones	95.5	2	1.4	0.5	0.5	0.08	0.44

The distribution of answers to these questions, or in other words, the distribution of the violent actions of the parents, shows that the usage of methods of physical punishment of children was relatively widespread among the parents, but that those methods were rarely used. However, approximately 10% of the participants often or very often experienced such violent behaviour by parents. If we take into account the data that even 10.8% of participants experienced severe beatings, in other words were beaten up, and that 21.8% of them experienced punches or kicks, and violent shaking, then the campaign conducted by the Ministry of Family, Veterans' and Intergenerational Solidarity, which promotes not using physical punishment in the upbringing of children, is necessary.

Regarding the exposure to violence between parents (Table 10), the most common experience here as well, is the exposure to slaps between the parents. Specifically, this was experienced by 15% of the children/youth participating in this research. This is followed by the throwing of objects at other parent (15% of children/youth have experienced this) and forceful pushing of the other parent (18.5% of children/youth have experienced this).

Table 10 Experience with exposure to physical violence between parents in childhood (N = 1,727). Percentage (%) of the responses, mean (M) and standard deviation (SD)

How often during their mutual conflict did one or both of your parents did the following:	never	rarely	sometimes	often	very often	M	SD
Throw something at the other parent	85	9.2	3.2	1.1	1.3	0.24	0.68
Forcefully pushed the other parent	81.5	10.9	4.7	1.7	1.3	0.30	0.75
Slapped the other parent	85	7.8	3.8	1.4	1.7	0.26	0.75
Hit or kick the other parent with fist or foot	91.4	3.5	2.8	0.9	1.1	0.16	0.63
Hit the other parent with an object	93.2	3.2	2	0.5	0.9	0.12	0.54
Beat up the other parent	95.1	2.2	1.4	0.3	0.8	0.09	0.47
Threatened the other parent with a weapon	95.8	2.2	0.9	0.3	0.5	0.07	0.40
Used a weapon against the other parent	97.6	1	0.3	0.2	0.5	0.04	0.35

As can be seen from the Table 11, sexual abuse was experienced by the least amount of children/juveniles in this study. It should be noted that, as far as the experience with sexual abuse, data of whether the offender was a member of the family or another adult was not collected.

Table 11 Experience with exposure to physical violence between parents in childhood (N = 1,727).
Percent (%) responses, mean (M) and standard deviation (SD)

How often as a child did you experience the following from an ADULT?	never	rarely	sometimes	often	very often	M	SD
I was exposed to showing of genitals of an adult	92.7	5	1.1	0.5	0.7	0.12	0.50
I was forced to expose genitals to an adult	97.1	2.1	0.3	0.3	0.2	0.04	0.29
I was kissed by an adult in a sexual way	85.9	9.9	2.4	1.2	1	0.23	0.58
I was forced to touch my own or an adults' genitals using my hand or mouth	97.3	1.4	0.6	0.3	0.4	0.05	0.36
An adult touched my genitals, in a sexual way, using their hand or mouth	93.1	4.4	1.6	0.4	0.5	0.11	0.50
I was forced to participate in oral, vaginal or anal intercourse	98.2	1	0.2	0.3	0.3	0.04	0.32

Further analysis (Table 12) showed that, compared to girls, boys were more often exposed to physical abuse ($t = 4.02$, $p < .001$), sexual abuse ($t = 2.36$, $p < .01$) and victimization in general ($t = 2.90$, $p < .05$), while no significant difference between their exposure to physical conflict between parents ($t = 0.57$, $p > .05$) was found. In addition it should be noted that, although an equal number of boys and girls, 88% of them, reported at least one form of physical violence of parents, young men on average reported more frequent and a higher number of different types of violence than girls.

Table 12 Descriptive statistics for the Questionnaire on abuse for boys and girls

Forms of violence	Boys		Girls		t-test
	M	SD	M	SD	
Physical Abuse TR = 0-65	6.54	7.64	5.28	7.09	4.02***
Sexual Abuse TR = 0-30	0.60	1.65	0.44	1.73	2.36**
Violence between parents TR= 0-40	1.22	3.34	1.38	3.91	0.57
Victimization (Total) TR=0-135	8.34	10.26	7.10	10.27	2.90**

* $p < .05$. ** $p < .01$. *** $p < .001$.

Ručević (2010.) warns that the *Questionnaire on physical abuse* combines physical punishment/discipline and physical abuse, and that previous studies have indicated that parents are more likely to physically punish boys than girls. It is also interesting that all the young men who had experienced at least one form of sexual abuse (201 of them) marked the item “an adult kissed me in a sexual way”. In addition, 146 (73%) of them wrote that it involved an “adult female”. Regarding girls who reported the experience of sexual abuse, 38 (39%) of them responded positively to the same question without specifying the gender of the offender. As stated by Ručević (2010.), it is possible boys’ and girls’ assessments relate to different experiences, as well as to different meanings of the experience.

The comparison between children/young adults from the general population and the young people separated from families and placed into institutions due to their delinquent and unacceptable behaviour, shows that young people who are in institutional treatment programs are statistically more often exposed to all forms of victimization. Furthermore, they were 2.4 times more likely to have experienced physical abuse, 4 times more sexual abuse and 4.6 more conflicts between parents.

This research gave insight into very important information about the distribution of violence against children. However, it should be noted that the data were collected from a convenience sample and are based on retrospective statements regarding the experiences of abuse during childhood. Taking that into consideration, this data do not provide epidemiological results that can provide answers to questions about incidence and prevalence of child abuse in the family. Also, variables related to emotional, that is psychological abuse and neglect, are not included in this study.

Although this study was not planned as an epidemiological one, these findings will undoubtedly provide a relevant comparative framework for the epidemiological research that is being planned within FP7 BECAN project.

2.6. Review of research on violence against children in Croatia in the observed period

If we look at the Attachment 1, in which a list of the published studies in the field of violence against children is provided, we can note these positive aspects:

1. There is an increase in the number of studies
2. The research concepts are more complex. There has been a widening of the research area in a way that the perceived violence experienced in childhood is measured not only as the criterion variable, but also as the predictor variable (Profaca, 2008) and the mediator variable (Ručević, 2010).
3. Samples are larger and more diverse

Despite the previously mentioned positive trends in the field of researching family violence against children, the existing studies in Croatia still have standard weaknesses of research in this area that lead to diverse research results, which are:

1. The focus is on retrospective studies, although the violence experienced in childhood is usually underestimated.

2. Most of the studies are focused on the prevalence, which makes it difficult to compare findings with the official statistics.
3. There is unevenness among the studies in the definition of violence against children, that is, physical punishment and child abuse. Existing conceptual ambiguity which appears in the definition of violent behaviour and its forms of appearance resulted in a lack of generally accepted operational definition of broader concept of violence against children, which makes the comparison of the results impossible.
4. The questionnaires used are usually not adequately psychometrically evaluated (exclusive focus on internal reliability), are not applied to different samples, are used inconsistently (changing the scale of the responses from study to study, even if the same questionnaire is used), during translations/adaptations of international instruments reductions are being carried out which makes comparison impossible. More attention is given to psychometric criteria and less to cultural sensibility with these reductions
5. The samples do not correspond in the best possible way with the objectives of the research.
6. “Clinical fallacy” and “representative sample fallacy” are often present in research practice. Clinical fallacy is related to inadequate generalization of clinical samples to the whole population. On the other hand, the assumption that the larger samples from a population are superior to small clinical samples (representative sample fallacy) is unjustified if the two groups are significantly different.
7. When performing statistical analysis, researchers do not take into account the effect of sample size and the distribution of the results. Physical and sexual violence in population samples almost always appear as rare events, but statistical analyses are not adjusted to deal with this.

Of course, for each child who has experienced violence, the fact that research findings vary depending on the methodology used is not important, but at the level of monitoring trends and the effectiveness of interventions in society, it is extremely important to have starting points and methods that are methodologically clear and professionally agreed upon.

To conclude, the methodological difficulties in researching violence against children are evident in the inconsistent definitions of concepts, diverse measuring instruments and a variety of different samples, which make the comparison of data impossible.

What can the methodological weaknesses of research in this area be attributed to?

1. Some of the methodological challenges, such as the definition of violence against a child as a target of measurements and the choice of good measurement algorithms, are not resolved globally.
2. Researches in Croatia still play an important role in raising awareness and therefore less attention is paid to methodological purity in relation to the importance of the outcome, which warns of new manifestations of violence against children and their distribution.

3. In Croatia, in generally, there is no tradition of dialogue about methodological issues, and therefore there is also none regarding methodological challenges in specific areas of research such as this one.

Review of these studies has re-opened the question about the need for a clear definition of the construct of punishment/discipline, experience with violence and abuse. Although each form of violence in upbringing is prohibited in Croatia according to the Family Act from 1998, the same law mentions the difference in the intensity of violation of parental responsibilities and rights of the child, and accordingly provides measures of different intensity. The Criminal Code (Article 213.) also differentiates the harshness of abuse. Pećnik (2003, 2006) states that in literature, the distinction is present in intensity between physical punishment and physical abuse, but there are also studies that suggest that physical abuse and physical punishment are not on the same continuum of parental behaviour.

Although it is suitable for scientific studies to express the level of exposure to family violence as a continuous variable (frequency of experienced violence, severity of violence, etc.), that is not sufficient to compare and evaluate the effectiveness of social reaction. If we want to get an insight into the effectiveness of social system in recognizing and legally protecting children from abuse, it is necessary to define the concept of violence and abuse as a multidimensional one, i.e. as a weighted combination of frequency, severity, duration and immediate consequences of violence, which previous studies did not include.

V. SYSTEM OF PROTECTION OF CHILDREN FROM ABUSE AND NEGLECT IN THE FAMILY

1. Introduction

The system of protection of children against abuse and neglect should include efficient prevention, good legislation, early recognition and adequate reaction to the cases where the development of children in the family is at risk, as well as efficient interventions with children who are victims and parents who are perpetrators of abuse in order to prevent recidivism and reduce developmental risks for victimized children.

Legislation and the *Rules of Procedure in Cases of Family Violence* are undoubtedly the strongest support in Croatia. The responsibilities of certain public bodies that work with children who are victims of family violence – police, judiciary, social care, education – have already been specified. Although each public body can additionally enhance its work, there has already been great progress in this field in the last two years. More will be stated on the subject in this chapter.

The inquiry in the preventive activities and programmes in this field has shown that, although competent ministries, e.g. Ministry of Science, Education and Sports, Ministry of Health and Social Welfare and Ministry of Family, Veterans' Affairs and Intergenerational Solidarity, invest large resources, there is very little information on their efficiency. Additionally, many of those programmes are not based on the existing knowledge on designing an effective prevention. Taking into consideration the need for a socially responsible investment of resources and for ensuring a professionally responsible activities for preventing violence against children, the Ministry of Family, Veterans' Affairs and Intergenerational Solidarity has initiated the drafting of the *Guidelines for the Implementation of Prevention and Intervention Programmes for Protection from Abuse and Neglect* as an activity in the scope of the *National Plan of Activities for the Rights and Interests of Children from 2006 until 2012*. We expect that these Guidelines will initiate positive changes in preventive and treatment work, just as the *Rules of Procedure in Cases of Family Violence* have initiated in the field of immediate procedure in cases of family violence against children.

Although it is necessary to draft the *Guidelines for the Implementation of Prevention and Intervention Programmes for Protection from Abuse and Neglect*, there already exist high quality preventive programmes in Croatia, which meet the standards of effective prevention. For example, the program of *The Parents' Association Step by Step* that consistently promotes and implements CAP (Child Assault Prevention) program which is focused on prevention of sexual abuse of children. It is also important to mention the activities of The Brave Phone – phone line for abused and neglected children that offers a variety of coordinated activities – informing the public and raising the public awareness on the issue of violence against children, educating experts, free counselling phone lines. The work of these organizations will be further discussed later on.

Regarding the immediate preventive work of the government bodies, the Ministry of the Interior sets an example of good practice by being continuously involved in the implementation of campaigns with the aim of informing children and youth about security issues on the Internet. On the first web page of the ministry there is a link „Be careful on the Internet“, which instructs citizens, primarily children and parents, about self-protective

behaviour in this field. The administration of crime police has drafted a proposal of a project “Strengthening the capacities in the field of suppressing sexual abuse and sexual exploitation of children and minors, and providing help for vulnerable victims of crime”, which will be financed by the European Commission with 800,000.00 EUR as a part of an aid programme “IPA 2009” for the future members of the European Union, and will include a number of activities that relate to the prevention of child abuse over the internet and mobile phones. The beginning of the project is scheduled for December of 2012. and the participation of the Office of the Ombudsman for Children, national institutions, health care institutions, Internet and mobile telephony service providers, owners of social networks and relevant civil society associations is expected.

2. Chain of social reaction in cases of abuse and neglect of children in the family

Chain of social reaction in cases where abuse and neglect of children in the family is suspected begins with the intervention of the police or the social care centre. Regardless which of these two services becomes informed of abuse and neglect of children, they have to inform the other to initiate an effective social reaction. In the next few steps, an important role in the protection of children who are victims of abuse and neglect in the family belongs to the State Attorney's Office and courts (courts for youth, family courts, minor offence courts), as well as to the health care and social institutions that provide psychosocial interventions or care for children who are victims of abuse and neglect in another way. In this chain of action civil society associations also play a significant role. This chain is organized as a system of cooperation and two-way communication, where actions of one of the competent services do not exclude the action of another, rather they supplement it. In so doing, all experts, in each link of the action chain, have to treat victimized children with special care.

Guidelines for successful cooperation between the police and social care centres are described in the following section. As stated by Odeljan and Matijević (2010), “police officials should use a sensitive approach to help the child and facilitate the procedure for him/her, and avoid any actions that could additionally traumatize the child. In all actions undertaken by the police, a special attention should be paid to the protection of interests of children and minors, as well as to the protection of their privacy.”

If it is necessary to act quickly and take care of a victim of family violence, especially a child or a minor, or perform an informational interview with a child or a minor, the police should immediately ask for the arrival and intervention of a social care worker for the purpose of protecting the wellbeing of a child, bearing in mind that their stay in the police station should be as brief as possible. The experts from social care centres can give a verbal order and immediately take measures to protect the child. Specifically, they can give a verbal order to take the child away from the family or to place both the child and the mother in a shelter.

For the purpose of a haste reaction in cases where the protection of children against abuse and neglect is required, centres for social care have established a pre-alert system (passive attendance of social care workers – 24 hours). Thereby, upon undertaking adequate measures of child protection, the team approach and haste actions of police and social care workers are ensured. In all other cases the police is also obliged to inform the authorized centre for social care or attendant social care workers about any violence committed against a child or a minor, to take urgent measures of legal protection of children. The police are conscientious in the performance of their duties.

After gathering all necessary data about the facts, the police can refer a criminal or minor offence motion or simply notify the State Attorney's Office about the determined facts. Then competent authorities, the State Attorney's Office or Minor Offence Court, continue the procedure according to the relevant regulations. In that period, the social care centre is obliged to deliver all relevant documentation for the clarification and proof of criminal activity, at the request of the State Attorney's Office or the Minor Offence Court. The documentation can include the social care worker's report, psychologist's assessment, the report of the head of implementation of surveillance on the enforcement of parental care and other documents concerning the implementation of undertaken measures. Simultaneously, the centre for social care can undertake measures of protection of children that are within its jurisdiction pursuant to the Family Act. The state attorney can send a proposal to the authorized social care centre to undertake measures within their jurisdiction and ask for a report on these measures, even in cases where it has been evaluated that there are no criterions for the motion of a criminal procedure, but there exists a reasonable suspicion of family violence. The state attorney can also put in motion a minor offence procedure if it has been determined that no crime was committed, but some elements of a minor offence, from Article 4. of the Act on the Protection against Family Violence, would have been present if the proceedings had not already been motioned by the police.

Therefore, from all of the above, it is evident that social care system, specifically the social care centres, has a crucial role in the protection of children against abuse and neglect in the family.

3. Centre for Social Care – the central institution for providing the direct care for abused and neglected children

As described in the *Family Act* (Article 108) and in the Rules of Procedure in Cases of Family Violence, all the information and knowledge about violence and abuse and/or neglect of children should be reported to the Centres for Social Care, who are obligated to immediately investigate the case and take measures to protect the child. When the Centre for Social Care estimates that the best interest of the child is threatened, depending on the level of threat, it issues and implements preventive measures such as cautioning parents about mistakes and shortcomings in their care for and upbringing of a child or surveillance of the enforcement of parental care (Article 109 and 110 of the Family Act). If the parent's right to live with his child and to raise him/her has been taken away by the court, due to negligence in the upbringing of his/her child, the Centre for Social Care organizes and monitors the implementation of these measures, particularly accommodating the child into a foster family or into the institutions/care home for children. In the tables that follow, the data obtained from system of social care on the number of measures issued from 2003 to 2008 to protect the rights and welfare of child are listed.

Table 13 Number of **measures of warning about mistakes and shortcomings in the care for and upbringing of a child** (Family Act, Article 109), issued in the period from 2003 to 2008

Warning about mistakes and shortcomings in the care for and upbringing of a child	2003.	2004.	2005.	2006.	2007.	2008.
Total number of issued warnings about the mistakes and shortcomings in the care for and upbringing of a child	3.948	4.341	4.463	5.434	4.776	5.215
Number of children whose parents received this measure	5.327	5.976	6.272	7.272	6.410	7.735

Considering that in 2000, there were 3,119 measures issued, we can see that this measure started being implemented more frequently and that in the past few years this measure has been applicable in average on 7,000 children per year.

Table 14 Number of **measures of surveillance of the enforcement of parental care** (Family Act, Article 110) imposed in the period from 2003 to 2008

Surveillance of the enforcement of parental care	2003.	2004.	2005.	2006.	2007.	2008.
Total number of decisions on the surveillance of the enforcement of parental care, in cases where the parents live together	1.452	1.454	1.418	2.049	1.678	1.500
Total number of decisions on the surveillance of the enforcement of parental care, when the parents live separately	809	890	807	964	960	1.140
➤ Number of measures imposed only on one parent	383	412	388	423	469	510
➤ Number of children whose parents received this measure	1.232	1.538	1.482	1.962	1.854	1.858

From the data shown, we can see that the number of children in whose cases the measure of surveillance of the enforcement of parental care was applied has almost stabilized on an annual level from 2005 to 2008; hence, there is no tendency of increase, which was a characteristic of the previous three-year period.

Table 15 Number of imposed **measures of taking away from a parent the right to live with and bring up the child** (Family Act, Article 111) in the period from 2003 to 2008

Taking away the right to live with the child	2003.	2004.	2005.	2006.	2007.	2008.
Total number of proposals for taking away a parent's right to live with and bring up his/her child	522	500	548	484	583	576
Total number of children whose parents' right to live with them and bring them up was taken away	774	660	776	767	997	941
➤ Number of children under age 5, whose parents' right to live with them and bring them up was taken away	212	167	186	182	210	217
➤ Number of children age 5-10, whose parents' right to live with them and bring them up was taken away	243	174	230	212	249	274
➤ Number of children aged 10-14, whose parents' right to live with them and bring them up was taken away	204	210	220	233	285	275
➤ Number of children aged 14-18, whose parents' right to live with them and bring them up was taken away	115	109	140	140	253	175

As it can be seen, in the past five years, there has been an increase in the number of children who are separated from their family because of endangered development and now that number has stabilized between 900 and 1,000 children per year.

The data on the number of children who are separated from families and of children placed in foster homes or children's shelters/institutions are listed in Table 16. As it can be seen, in the last six years the number of children entrusted to the care of children's shelters/institutions and foster homes, has declined by approximately 25%.

Table 16 Number of children without adequate parental care placed in care homes for children or with foster families in the period from 2003 to 2008

Number of children and juveniles placed in:	Period											
	2003.		2004.		2005.		2006.		2007.		2008.	
	N	%	N	%	N	%	N	%	N	%	N	%
State homes	1.111	27,20	1.073	27,46	1.001	27,05	989	28,35	942	29,20	827	27,88
Homes whose founder is not the state	487	11,93	503	12,87	455	12,29	346	9,91	203	6,29	199	6,70
Foster families	2484	60,85	2331	59,66	2244	60,64	2153	61,72	2080	64,49	1940	65,40
Total	4.082	100,0	3.907	100,0	3.700	100,0	3.488	100,0	3.225	100,0	2.966	100,0

If we take into account that the ministry responsible for social welfare plans has, related to the deinstitutionalisation plan, anticipated a desirable ratio of accommodation in the institutions and outside the institutions as 20:80 - (Žic-Grgat and Jelavić 2005), it can be seen that this ratio has not been reached.

The *National Plan of Activities for the Rights and Interests of Children from the Year 2006 until the Year 2012* sets a framework of values for the placement of children in foster families. It emphasizes “The need to protect the best interests of children in all areas of care and well-being of children; promoting the overall progress of children; the protection of the family; support to children without parental care; fighting against all forms of child discrimination, particularly against those from ethnic minorities and vulnerable groups; increasing public awareness on the fight against poverty; as well as the necessity to ratify key Convention documents ...” (pg. 144). Also the first measure in the field of social welfare is “To improve fostering as the most appropriate form of care outside own families, for children without adequate parental care.” (pg. 190).

Table 17 Number of imposed **measures of deprivation of the right to enforce parental care** (Family Act, Article 114.) in the period from 2003 to 2008

Deprivation of the right to give parental care	2003.	2004.	2005.	2006.	2007.	2008.
Total number of proposals given to the Centre for Social Care for deprivation of the right to enforce parental care	168	152	149	212	275	186
Total number of children against whose parents the process of deprivation of the right to enforce parental care has commenced	208	208	216	339	128	125
➤ Number of children under 5, against whose parents the process of deprivation of the right to enforce parental care has commenced	88	81	69	107	446	322
➤ Number of children between 5 and 10, against whose parents the process of deprivation of the right to enforce parental care commenced	83	72	66	105	145	114
➤ Number of children between 10 and 14, against whose parents the process of deprivation of the right to enforce parental care commenced	33	36	54	62	140	106
➤ Number of children between 14 and 18, against whose parents the process of deprivation of the right to enforce parental care commenced	20	19	27	65	103	63
➤ Number of proposals of the Centre for Social Care due to the abuse of parental rights and responsibilities	22	27	26	/	58	39
➤ Number of proposals of the Centre for Social Care due to a coarse neglect of parental rights and responsibilities	127	125	123	/	293	238

As it can be seen from Tables 13 to 16, the most commonly imposed preventive measure is the one in which the child remains in the family and the parents are provided with support and assistance to improve their parental functioning.

The Report on the Work of the Ombudsman for Children for 2008 (2009.) lists the most common objections to the functioning of social care centres that are associated with their lack of involvement and passivity in determining the best interests of children and in the use of advisory work and other interventions. But in the same part of the report it is also stated that “a large number of problems in the work of Centres for Social Care has continued to be related to the insufficient number of professionals, lack of educational and professional support from the competent authorities, which in some cases leads to a lack of engagement and to superficial and incorrect assessments” (pg. 17)

For these reasons in particular, UNICEF and the Department of Social Work at the Faculty of Law in Zagreb, in cooperation with the Ministry of Health and Social Welfare, started a

training program for the better implementation of supervision over the exercise of parental care and for assessing levels of risk and strengths of families in which children's development is compromised. This program will be discussed further on in the text.

4. Other public institutions and civil society associations

4.1. Preschools and Schools

According to the Act on the Protection against Family Violence (Official Gazette 137/09., Article 8) the professionals in educational institutions are obliged to report to the police or to the Municipal Attorney's Office any act of family violence that they obtain knowledge of during the performance of their duties. If an individual fails to comply with these obligations, it will be deemed that they have committed an offence and will be fined accordingly (Article 21). As Čolovic Rodik stated (2010), the co-ordinators have been appointed in schools and preschools to act in cases of violence among students, but not in cases of family violence that they have knowledge of. In these situations, most frequently other professionals react (psychologist, pedagogue), since it is common practice for teachers or educators to pass them the information regarding their suspicion of abuse and/or neglect of children. In such cases, the headmaster of the preschool or school must submit a report to the police and inform the competent centre for social care. But the data shows (Table 3) that the proportion of reported cases of family violence against children by schools is only 2.5%.

Educational institutions must act with particular urgency if they are aware that a child's life is at risk, if there are physical threats, in cases of sexual violence, and in cases of long-term and continuous violence in families where the child is a victim or a witness. However, the data on the number of reports coming from the schools show that this system is quite inert in responding to violence against children in the family and to family violence in general.

4.2. Civil Society Associations

In addition to the regular work of social care centres, in the field of providing help and support to the children who are victims of abuse and neglect, a variety of other activities takes place at the national level and in local communities, in which civil society associations play a crucial role. In order not to omit some of these activities and initiatives, the most important civil society organizations dealing with this issue and their web pages have been listed.

1. The association **Child First** was founded in 1994. In the beginning, their work mainly involved the implementation of psychosocial programs for refugee children and their parents, while today they are devising and implementing a number of psychosocial and educational programs and projects that are based on the needs of children, and which in addition to children, actively involve parents and staff from educational system and the social welfare system. Their Centre for Children and Family provides individual and group counselling work for children and parents. The association Child First is prominent in the work of the Council for Children of the Government of Croatia and the Coordination of the associations for Children on promoting and protecting the rights of children.

<http://www.djeca-prva.hr/> <http://www.djeca-prva.hr/>

2. MiRTa is a nongovernmental, non-profit citizens' organization that operates in the area of the City of Split and in the Split-Dalmatia County since 1994. It was founded by professionals trained to work with people, but they have been joined by professionals from other professions. The association organizes and conducts conferences, trainings, workshops, courses and panel discussions for children and adolescents, parents and other family members and all others who deal with problems of children and adolescents. Since 1997 the association MiRTa started the project "Child Abuse - Family Violence". In 1997 the Association has opened a counselling centre for children who are victims of violence and their families. Work with clients is done either over the telephone or through a personal contact, as individual or group work. Thanks to the work of the Association, the public talk on the issues of family violence and child abuse, in Split and its surroundings, has become more open.
<http://www.mirta.hr/index.htm>
3. The Parents' Association STEP BY STEP was founded as a non-governmental, non-profit association in 1996, upon the initiative of a group of professionals gathered around the international project "Step by Step". Since its foundation it was primarily focused on the educators and teachers for whom it organized a large number of seminars, training them for applying the methodology centred on a child in their work (Program Step by Step). In 1999 the Parents' Association "Step by Step" commenced the application of CAP (Child Assault Prevention) program in Croatia, which is focused on preventing child abuse. In the cooperation with the International Centre for Child Assault Prevention (ICAP) from the U.S.A., many seminars were held for those working and assisting the CAP program, mostly for the counsellors working at elementary schools and day care centres. The CAP program is one of the most eminent programs in the world in the area of primary prevention of child abuse. Croatia has become, along with 25 U.S.A. states, the 14th state in the world which actively applies this program and the program is applied in most of the regions/counties in Croatia. <http://www.udrugaroditeljakpk.hr/>
4. The Brave Phone – the phone line designed for the abused and neglected children, is a non-governmental, non-profit organization founded in 1997, and registered in 2000. Its main goal is to provide assistance and support to the victims of abuse and neglect, and to inform the public and raise public consciousness about this problem. In addition to the education of professionals who work in this field, The Brave Telephone provides free counselling services for children and parents, and since 2003 it also offers a free phone line to the public. Additionally, since 2001 this organization started a preventive program called: "Child's House Borovje" where children take part in the preventive workshops in order to develop and stimulate their communication skills, their peaceful conflict resolution skills, and etc.
<http://www.hrabritelefon.hr/>
5. The association "Tić" has been founded in 1998 in Rijeka. The Association assembled the professionals who work with children and in the year 2000, a Counselling Centre "Tić" has been opened, which provides free services to all users. The primary activity of the counselling centre is providing professional treatment for children – victims of abuse (sexual, emotional and physical) and neglect, and counselling for the non-abusive parents, child guardians and foster parents, as well as for those families where there is a risk of family abuse. In the course of work of the association "Tić" a need for the institutionalization of the professional work and treatment of abused and

neglected children became obvious, and therefore, in the year 2007, a Group Day Home “Tić” has been founded as a public institution of social care. Today, “Tić” incorporates a half-day stay program, counselling centre and preventive activities aimed at timely identification and prevention of abuse and neglect of children and at increasing awareness and sensitivity of the general public regarding problems of abuse and neglect and adequate resolutions of such problems.

<http://www.tic-za-djecu.hr/>

6. The Coordination of the Associations for Children in Croatia is a non-governmental and non-profit organization which operates since the year 2004 and includes 25 associations throughout Croatia. The Coordination is a member of the international network of the associations for children, called Regional Network for Children in Central and Eastern Europe, Commonwealth of Independent States and Baltic States (RNC). The Coordination upholds and promotes the best interests of the children and their wellbeing, and its members are the associations which work with the children that have been united in order to accomplish their common goals in designing and applying the policies toward the children, improving the quality of their life and their living conditions, their upbringing and education, and promoting and protecting children’s rights. In cooperation with UNICEF, the Coordination of the Associations for Children is conducting a project of monitoring the contributions of organizations of civil society to the execution of the National Plan of Activities for Rights and Interests of Children from 2006 until 2012.

<http://www.kud.hr/>

5. The Child Protection Centre of Zagreb

Significant progress in helping abused children was achieved by the opening of the Child Protection Centre of Zagreb (hereinafter referred to as the Protection Centre) on December 12, 2002. The Protection Centre is jointly funded by the Ministry of Health and Social Welfare and the City of Zagreb.

The primary purpose of the Protection Centre is to provide psychological, social, psychiatric, special education and paediatric help to children that have experienced a variety of traumatic events, as well as to their parents in helping them to deal better and more effectively with the consequences of these experiences. This primarily involves sexually, physically and emotionally abused and neglected children and children at risk from trauma. In addition to providing diagnostic and therapeutic treatment, the experts in the Protection Centre offer individual and group counselling and support to children and parents. Within its areas of activity, the Protection Centre also organizes and conducts educational seminars, provides supervision and training for professionals working in institutions directly involved with issues of abuse (www.polikinika-djeca.hr).

As a part of the diagnostic and therapeutic work with children and families, professionals in the Protection Centre:

- Carry out extensive individual diagnostics of problems of children who were sent for a treatment. The treatments are carried out by a multidisciplinary team which includes psychologists, psychiatrists, paediatricians, special educators and social workers for all children that may have been abused or neglected.

- Plan optimal treatments for every child and parent, which will help the child with all his/her issues, in which process all members of the multidisciplinary team participate, as well as the child's parent.
- Collaborate with other institutions for the benefit of the child (school, day care, centres for social care, police, child care homes, etc.)
- Provide psychological, psychiatric and/or special pedagogical individual treatment designed according to child's needs.
- Organize and carry out group work with children and their parents and provide partner and family psychotherapy

During the seven years of operation, the Protection Centre has been involved in the processing of about seven thousand children and their families. More than 70% of children were included in the multidisciplinary treatment involving four or five team members. Over 30% of children were referred by social care centres, one-third of the children were brought by their parents upon their own initiative, and the rest of the children were referred by a doctor, school, preschool, children's shelter and etc. Although the founder of the Protection Centre is the City of Zagreb, about 40% of the children included in the treatments come from other parts of Croatia.

The main reasons for the referral of children are: suspected physical, emotional and sexual abuse, neglect, witnessing of family violence, difficulties in contact with the parent with whom the child is not living or particularly difficult divorce of parents, exposure to some other traumatic event, difficulties in the process of mourning, behavioural problems, attention and hyperactivity disorder (ADHD) and exposure to peer violence (Gojković and Profaca, 2010). It is interesting that these authors, who are also employees at the Protection Centre, state that 39% of the children they work with have witnessed family violence and that so far this is the most common form of exposure to violence they have encountered in their work.

Within the Protection Centre, there is a department for scientific work and research, whose aim is to study various aspects of abuse and neglect from a scientific point of view and to inform the general public of their results. As it is stated on their Internet webpage, the employees of the Protection Centre, in the department of scientific work and research, conduct case studies and analysis of the provided interventions, and scientific research in the field of abuse and neglect.

The first comprehensive study by the Protection Centre was conducted from April till June 2003. The sample included over 5000 children. The study was conducted in order to determine the prevalence and some characteristics of violence among children, which is recognized as a big social and public health problem in Croatia. The survey showed that 27% of the children in the sample experience some form of violence in the school (verbal and physical) on a daily basis or almost every day, while 16% of children act violently towards other children almost every day. Other researches of the Protection Centre will be mentioned in other parts of this report.

6. Overview of the system for the protection of children from abuse and neglect

In the past ten years there has been a significant improvement of legal regulations, in the sensitization of the public and professional opinion on the issue of child abuse in the family, and a growing number of civil society associations have implemented various preventive and treatment programs.

However we still can not be satisfied with these achievements. Almost ten years ago M. Ajduković (2003.) stated that:

- Systems that work with abused children have been overwhelmed by cases. The length of waitlists for treatment is such that professionals typically only “survive” their daily routine, and the space and time for introducing the innovations in their work is almost non-existent. There are no appropriate conditions present for supervision within the welfare system.
- The process of identifying and intervening with children exposed to violence often includes professionals who are not sufficiently trained to work with this population and that do not have satisfactory understanding of the world of abused children.
- The range of interventions available to the children -victims of violence is very narrow and the treatment for offenders is almost non-existent.

This assessment has been repeated in the *National Plan of Activities for the Rights and Interests of Children from Year 2006 until Year 2012* which states that the increase in the number of discovered cases of abuse and neglect of children and the imposed measures to deal with them “have neither been followed by appropriate measures for adjusting the organization and number of professionals, who deal with the protection of children from abuse and neglect, with the volume and the characteristics of the problem, nor the professionals were provided with the opportunity for continuous education that would assure their knowledge, skills and capability for interdepartmental approach in preventing and solving cases of abuse and neglect of children. Because of the aforementioned, the discovered and reported cases of abuse and neglect are often not followed by timely measures that would provide children-victims of violence with care, physical and psychological recovery and re-socialization” (2006, p. 224).

The Protection Centre in Zagreb conducted a study in 2008, which involved medical doctors working with children, and their results justified the assessment that the experts working with children exposed to abuse and neglect are not sufficiently trained to work in the field. 78 paediatricians (30.83% of the total number of paediatricians in Croatia) and 512 school doctors, general practitioners (20.29% of the total number in Croatia) were involved in the study. Most doctors (57 % of paediatricians and 54 % of doctors of other specialties) state that they have very rarely suspected a child to be abused and neglected, while 39 % of paediatricians and 21 % of other doctors have sometimes done so. One paediatrician and 22 % of other doctors have never suspected abuse or neglect in their work. Considering the official data on the number of children in social care centres as a result of abuse and the data on the prevalence of violence against children, it is surprising that such a large number of physicians who work with children claim that almost none of their patients are exposed to family violence. We believe that these results indicate that most of these doctors are not sensitive enough or trained to work in this area. This is in line with their estimates. In fact only about one quarter of all physicians who participated in the study (23% of paediatricians and 25% of other professions) indicated that they know enough about the problem of child abuse (Buljan Flander, Ćorić, and Štimac, 2008).

But what is encouraging is that on the basis of these results, The Protection Centre in Zagreb in cooperation with the Ministry of Health and Social Welfare and the City of Zagreb held a training session for 155 paediatricians and school doctors in 2009. More will be mentioned about the training session in the next section.

The question about the qualification of other profiles of experts who work with children remains opened.

The latest estimates also indicate that most difficulties occur in the area of interventions with children who are victims of family abuse and parents who are in risk of becoming the perpetrators of abuse or they have already been identified as such. Therefore the social care workers state that, in order to be able to provide better service for children and their parents when violence has already been identified, it is necessary to provide (data by Ministry of Health and Social Welfare regarding the draft of Guidelines for the Implementation of Prevention and Intervention Programmes):

- more institutions, such as The Protection Centre, throughout Croatia, that is, extending the scope of the existing Centre
- more specialists of child and adolescent psychiatry
- psychotherapy for children and young people who are victims of violence
- additional programmes for helping and supporting families that the measures of legal protection of the family are implemented on, such as schools for parents and support groups for parents and children.

Everything stated above indicates that drafting the National Strategy for the Protection of Children against Abuse and Neglect is one of the priorities in order to ensure professionally responsible, efficient and coordinated practice. It is also one of the duties which derives from the National Plan of Activities for Children.

7. The latest activities in the field of improving care for abused and neglected children

In the past three years several important programs have been initiated that are directly or indirectly related to the empowerment of professionals and the expenditure and improvement of services for abused and neglected children and their families. Here we look at the most important projects that took place at the national level. Among the numerous local programs, as an example we can mention the project "Lets give support to supervision over the exercise of parental care - support the family," which took place in Koprivnica in 2008 and 2009, with families against which a measure of the supervision of carrying out of the parental care in accordance with the Family Act has been commenced due to the threat to their children's well-being. The project was conducted in collaboration with the Centre for Social Care Koprivnica, the city of Koprivnica, Koprivnica-Križevci County and the Association for Helping Children and Youth "Friend" and financed by a loan from the World Bank for the Program of Innovations and Learning that took place as a part of the project for Development of Social Welfare (Erenčić Auer and Gregor, 2009).

The most important projects that took place at the national level over the past three years and are linked with improving care for children exposed to abuse and neglect in the family or the prevention of this phenomenon are:

1. National Campaign against Corporal Punishment of Children (Ministry of Family, Veterans' Affairs and Intergenerational Solidarity)
2. Project "Prevention of the Separation and Early Interventions with the Families at Risk" (UNICEF Office for Croatia, Ministry of Health and Social Welfare and the Department of Social Work at the Faculty of Law)

3. Training of the paediatricians and school doctors of medicine (The Child Protection Centre in Zagreb and the Ministry of Health and Social Welfare)
4. The project "Improving Inter-sector Cooperation in Suppressing Family Violence"(The Society for Psychological Assistance, in cooperation with Government bodies in charge of the implementation of Rules of Procedure in Cases of Family Violence)

7.1. National Campaign against Corporal Punishment of Children

The European Campaign of the European Council for the Abolition of Physical Punishment of Children began in June 2008. in Zagreb, and it was initiated by the Deputy Prime Minister and Minister of Family and Veterans' Affairs and Intergenerational Solidarity at the time, the current Prime Minister, Jadranka Kosor, and the Deputy Secretary General of the European Council, Maud de Boer-Buquicchio. The message of the Campaign is "Raise your hand against the corporal punishment of children".

On this occasion, the European Council's brochure "Abolishing the Corporal Punishment of Children: Question and Answers" was translated into Croatian. The brochure, which also includes a section on the Croatian legislation, is available on the internet website of the Ministry of Family, Veterans' Affairs and Intergenerational Solidarity.

The Republic of Croatia was honoured with the campaign starting in Zagreb, as it is one of 18 state members of the European Council, which has legally regulated the issue of prohibiting corporal punishment of children. 24 representatives of the European countries were attending the promotion of the Campaign.

The National Campaign against Corporal Punishment of Children was introduced in Ministry of Family, Veterans' Affairs and Intergenerational Solidarity -in January 2009, and the results of the campaign were presented to the public on December 16th, 2009. It should be noted that Croatia was one of the few countries that launched their own campaign. As stated in the relevant documents, the purpose of the implementation of the National Campaign was to draw attention to the presence of child abuse and physical punishment as an ultimately socially unacceptable form of behaviour that has lasting consequences on the child and the society as a whole, through a series of organized activities, focused on the general public, children, parents, educational and public institutions, government bodies, local and regional governments, judicial authorities, civil society organizations and professionals.

The goal of implementing the national campaign through media appearances, newspapers, professional and educational meetings designed for children, parents and professionals is raising the level of personal and common responsibility for the healthy development of children (childhood without beating) and sensitizing the general public in order to encourage active participation in preventing all forms of violence against children. In addition to the local administrations and governments, family centres that organized various meetings and themed events contributed significantly in the implementation of the national campaign. Detailed description of actions undertaken by family centres was published in the journal "Child and Society" (Stričević, 2009.).

Recognizing the importance of supporting the implementation of such campaigns, the local radio and television stations announced public competition for the production of radio and

television shows on the topic “Prevention of corporal punishment of children” and in this regard on December 16th, 2009 the appropriate awards were granted.

Detailed chronological description of all activities included in the National Campaign against Corporal Punishment of Children was published in the journal “Child and Society” (Grozđanić, 2009.).

7.2. Project “Prevention of Separation and Early Interventions with Families at Risk”

Croatia did not systematically invest in the development of high quality and effective early interventions with families who, due to their psychosocial difficulties and problems and exposure to various social risks, are unable to provide appropriate care for their children and the children have therefore been exposed to different forms of abuse and neglect in different intensity. Therefore, the *National Plan of Activities for the Rights and Interests of Children from the Year 2006 until the Year 2012*, in the part related to social welfare, emphasized the following goals: (1) improvement of all forms of social and legal protection of children’s rights and interests, (2) ensuring the most adequate conditions for development of children in socially excluded groups, and (3) preventing institutionalization.

Consequently, in the campaign “Every Child Needs a Family” UNICEF devoted adequate attention to the conceptualization of early interventions and improvement of supervision over the exercise of parental care, which is the measure in the Family Act that should provide individualized support and assistance to families in need. These activities took place within the project “Prevention of Separation and Early Interventions with Families at Risk”.

The purpose of the project was to provide appropriate specialized support to professionals in the social care system to improve their services and support given to families at risk for being separated from their children, in order to avoid separation, and at the same time to protect the children from violence or neglect.

The project resulted in the book “The Child’s Right to Life in the Family: Professional Assistance to Families with Children and Supervision of the Exercise of Parental Care as a Process of Support to Families for Simulative Parenting” (Ajduković and Radočaj, 2008). The book lists a series of activities that provide better quality of services in the implementation of this important measure of the Family Act. There is also a CD enclosed, which includes 20 social work instruments for the assessment of family strengths and risks that can help professionals to make effective decisions and to better monitor the effects of measures aimed at families with children at risk. The book and the instruments are on the websites of the UNICEF Office for Croatia.

In order to acquaint the professional public with new ideas for working with families at risk, in autumn 2008, UNICEF organized a two-day regional seminar for staff in social care centres, children’s shelters (institutions) and family centres. 280 experts participated in the educational seminars. The six-month follow-up showed positive effects of the project regarding the promoting of the user’s perspective, which was reflected by (1) better and more accurate solutions, (2) involvement of parents in the process of planning the programs, (3) better supervision programs which have become more individualized targeting the solution of specific problems, (4) focus on power (strength) in the family and its environment, not just on the risks and failures in the family. In addition to the positive changes, the employees of centres for social care expressed their concerns about a number of difficulties in the

implementation of the supervision measures over the exercise of parental care that are associated with workload and the routine approach to work, both on the individual and organizational level. We will illustrate this with a few quotations:

- *We do not have the habit of using these materials.*
- *It is hard to change the former practice which was wrong, that is it was superficial.*
- *We are still working according to the old routine, and for change to occur there is a lack of motivation and support.*
- *Time and favourable conditions which are necessary to change the paradigm of work were absent*

7.3. Training for paediatricians and doctors of school medicine

During 2009 six two-day seminars were conducted for doctors from all over Croatia, titled *Prevention and Intervention in the Area of Abuse and Neglect*. The Child Protection Centre of Zagreb led the education in cooperation with the Ministry of Health and Social Welfare and the City of Zagreb. In total, 155 participants took part in these seminars.

The goals of education were (1) to give information on the occurrence of abuse and neglect of children and adolescents (its prevalence in the world and in Croatia, the forms of abuse and neglect and their effects on child development), (2) to raise the issue of abuse and neglect of children in family and among peers and the possible prevention and intervention work with children and families, (3) to familiarize with the ways of communicating with children and families, (4) to familiarize with the role of physicians in the context of a multidisciplinary approach toward abused children (professional and legal aspects).

The seminars have helped to establish better cooperation between physicians and professionals from the Protection Centre. The multidisciplinary approach to working with abused children and their families is encouraged, and particularly the role of the physician in establishing the cooperation with other and similar institutions in this field. (Buljan-Flander, 2009.).

Although this education was high quality, it did not include all doctors who it was intended for. This raises the question of introducing the education for working with children exposed to violence as an obligatory part of licensing experts such as teachers, paediatricians, general practitioners, social care workers...

7.4. Project “Building the capacity for coordinated response to domestic violence in the community”

The Society for Psychological Assistance (SPA), a Croatian civil society organization, received funding for suppressing family violence in Croatia after applying to the program competition MARTA, issued by the Ministry of Foreign Affairs of Netherlands. The project is being implemented in collaboration with experts from NGO Movisie from Utrecht. The project is compliant with the National Strategy against Violence in the Family of the Croatian Government for the period from 2008 to 2010 (Official Gazette, 126/07), according to which ministries have the obligation of training workers within their jurisdiction.

It is a complex project that began in March 2009. Here we will look at two educational programs which are an integral part of this project.

Inter-sectoral training of civil service employees (police, social welfare, healthcare, judiciary, and educational institutions) and non-governmental sectors

Training is organized for 12 counties because it proved extremely useful for promoting joint response in cases of family violence. The participants attend the seminar for 3+1 days. It is intended that each seminar held in a county is attended by 45 participants: 15-20 from the police, 10-15 from social welfare, 6-8 from the judiciary, and 4-6 from civil society organizations. Until February 2010, seminars were conducted in 4 counties covering 180 participants. During the seminar, special attention is paid to children exposed to violence between parents.

Due to this program, additional 600 employees will be enabled to work in this field which will contribute significantly to the implementation of the *National Strategy for Protection against Family Violence*. This project is being realized in collaboration with the Police Directorate, the Ministry of Health and Social Welfare, the Ministry of Justice, Ministry of Family, Veterans' Affairs and Intergenerational Solidarity, the High Court of Minor Offences, Judicial Academy and the Society for Psychological Assistance.

Experiences in the program "Improving Cross-sector Cooperation in Suppressing Family Violence" show that, after the participants from the systems that must work together at the local level recognize each other as experts, recognize the limitations and capabilities of each system and increase mutual trust, the exchange of information becomes easier and more effective and work on combating family violence more efficient. This is essential for the effective implementation of the *Rules of Procedure in Cases of Family Violence*.

Although the focus of these seminars is not exclusively on children, as a result of them everyone who was affected by family violence can get better and more coordinated service.

Training of experts for the implementation of psychosocial treatment of perpetrators of family violence

Within this project, 30 experts from all over Croatia have already been trained, and 30 more will complete the training during 2010. Along with 60 experts already educated by the Society for Psychological Assistance, the necessary resources will be ensured for at least 120 perpetrators of family violence, who will be included in the psychosocial treatment in order to change their violent pattern of behaviour.

VI. FINAL REVIEW

The Republic of Croatia has a satisfactory legislation regarding the prevention and restraining of abuse and neglect of children: corporal punishment, as a method of discipline, is forbidden by the Family Act, which regulates the measures of legal protection of the family against parents who physically punish their children. Act on the Protection against Family Violence regulates criminal sanctions, while the Criminal Code enacts criminal liability in situations where the violence and consequences exceed corporal punishment and become child abuse.

The analysis of practice and available data shows that, although there is a political determination to protect abused children in a best possible way and to prevent the occurrence of such behaviour, there is still room for improvement in some areas, described in detail in this report. We will repeat only a few:

1. Violent behaviour towards children is regulated by several laws and, although it is an unacceptable form of behaviour, sometimes it is difficult to determine when it becomes abuse. Therefore it is necessary that judicial bodies pay more attention to the harmonization of their practice with the Convention on the Rights of the Child and the Croatian legislation in cases of corporal punishment of children, as well as to raising awareness and educating all experts who work with children. It is necessary because in Croatian society, even among some respectable experts, there is still a tolerant attitude toward traditional use of corporal punishment in the upbringing of a child.
2. The possibility of combining the legislation regarding violence against children, including corporal punishment, abuse and neglect of children, should also be considered, as well as specifying the definitions of these behaviours.
3. There is no specific and detailed system of tracking corporal punishment, abuse and neglect of children. Furthermore, some difficulties exist concerning the comparison of the existing data that stem from different ways of processing data and time periods in which they process them. In addition, some institutions do not submit required reports and some (e.g. Minor Offence Court) have no capacity for keeping record of statistical indicators regarding children who are abused in the family.

In the Republic of Croatia, there is a need for a separate system of tracking abuse and neglect of children in the family as a separate issue, and improvement of the existing system of collecting data on family violence in a way that the data are identical and comparable and that they are collected during the same time period.

4. Due to the disparity in the methodology used in the existing studies, it is necessary to conduct an epidemiological research with a representative sample of children regarding their exposure to corporal punishment, abuse and neglect in the family. It is also necessary to encourage a dialogue between researchers about the possibilities of improving the methodology of research in this field.
5. It is necessary to develop and expand the extent of quality prevention and intervention programmes for victimized children and their parents. In order to ensure professionally responsible, effective and coordinated practice, it is necessary to create the National Strategy for the Protection of Children against Abuse and Neglect.

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