



**IMPLEMENTATION OF THE LAW ON
PROTECTIVE HEARING**
THE EXPERIENCE OF VITÓRIA DA
CONQUISTA (BAHIA)
POLICY BRIEF

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PROJECT ANALYST
Carolina Rodrigues Salles Smid

PROJECT ANALYST
Paola Barbieri

PROJECT ASSISTANT
Hugo Peixoto Leão

UNITED NATIONS CHILDREN'S FUND (UNICEF)

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Editorial Team
Coordination
Benedito Rodrigues dos Santos, Helena Oliveira Silva, Niklas Stephan, Ludmila Viegas

Author
Flavia Yuri Oshima

Editorial production

Graphic design, formatting and illustrations
Hendol Hilarino Alves da Silva

Review and proofreading
**Paola Barreiros Barbieri, Hugo Peixoto Leão,
Claudia Ventura Caçador Carvalho, Janáina Plessmann**

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ACRONYMS

CIDCA	Integrated Child and Adolescent Rights Center
CMRPC	Municipal Joint Management Committee of the Social Care and Protection Network for Child and Adolescent Victims or Witnesses of Violence
ECA	Statute of the Child and Adolescent
OAB	Brazilian Bar Association
SGDCA	Child and Adolescent Rights Guarantee System
UESB	State University of Southwest Bahia

INTRODUCTION

Since the adoption by the United Nations General Assembly of the Convention on the Rights of the Child in 1989, Brazil has developed an internationally acclaimed framework of laws for the protection of child rights that has been recognized by UNICEF and other child protection organizations as one of the world's most comprehensive. The most recent addition to this framework is Law 13.431/2017, known as the Law on Protective Hearing, which came into force in 2018.

Notwithstanding the UN Convention on the Rights of the Child and Brazil's Statute of the Child and Adolescent (ECA), it became apparent that the Brazilian Child Protection System (referred to in Brazil as the Child Rights Guarantee System (SGDCA)) needed further improvement, in view of the revictimization suffered by child victims or witnesses of violence when cases were reported to the police and referred to the courts.

Law 13.431 further reinforces the protective nature of Brazil's legal framework by introducing mechanisms to prevent violence and standard procedures to ease the suffering of child victims or witnesses of violence under the Child Rights Guarantee System.

This document presents an example of successful implementation of Law 13.431/2017, showing that it is possible, provided there is political will, an alliance with participants at different administrative levels, and local governance mechanisms uniting the efforts of all participants of the SGDCA. There follows a brief presentation of the municipality of Vitória da Conquista in Bahia, which has made significant progress in implementing the Law on Protective Hearing.

THE CHALLENGE THAT GAVE RISE TO THE LAW ON PROTECTIVE HEARING 13.431/2017

The suffering of child victims or witnesses of violence seeking access to the justice system has drawn attention globally and is addressed by United Nations Economic and Social Council (ECOSOC) Resolution 20/2005. Although Brazil's framework of child protection laws is aligned with the UN Convention on the Rights of the Child, it had not as yet put the terms of this resolution into effect.

Brazilian laws guarantee child victims or witnesses of violence an array of services primarily aimed at protecting their rights and promoting their well-being. In practice, each of these services may potentially increase the suffering of such child victims and witnesses through a process known as revictimization.

By being obliged repeatedly to recount incidents of violence suffered or witnessed, the child is subjected to re-experienced anguish. Moreover,

exposure to often inappropriate questions and comments from adults can interfere with the child's account of the event. Such duress causes many victims to give up on pursuing a complaint and to not avail themselves of services aimed at promoting their health, well-being, and protection.

Furthermore, absence of a clear pathway to expedite access to the various service providers of the Child Rights Guarantee System, coupled with challenges related to the slowness of the Justice System, ends up leading to revictimization for children or adolescents that can extend for years. Indeed, on average, it takes 5 years from the moment in which a crime is reported to start the trial.

During this interim many victims or their families simply give up. The apparent inertia and lack of appropriate means for taking testimony from children has been among the factors leading

to low conviction rates for such crimes. Ultimately, this contributes to perpetuation of impunity and an ongoing vicious cycle of violence.

This is the background that led to the drafting and enactment of Law 13.431/2017, known as the Law on Protective Hearing, and its enabling Decree 9.603/2018. The central objective of the law is to implement the child rights guarantee system for victims or witnesses of violence and to create mechanisms to prevent and curb revictimization and institutional violence.

LAW 13.431/2017 ON PROTECTIVE HEARING AND DECREE 9.603/2018

Article 14 – *Policies implemented in the justice, public security, social assistance, education, and health systems shall adopt articulated, coordinated and effective actions aimed at providing shelter and comprehensive care for victims of violence.*

The law provides a systemic perspective on services provided to child victims or witnesses of violence, through integrated and humanized care, without revictimization and with full protection of their well-being. The central purpose of the law is to eliminate fragmented and compartmentalized action and the lack of interinstitutional and intersectoral coordination in addressing this complex and challenging demand.

By promoting governance focused on intersectoral and integrated care for children throughout their sojourn within the Child Rights Guarantee System, the

Law on Protective Hearing streamlines and makes more efficient the action of protection (and, when necessary, law-enforcement) agencies. Thus, it ensures that, while holding accountable and prosecuting perpetrators, collateral damage is not caused to child victims or witnesses.

The experience of Vitória da Conquista demonstrates that to ensure comprehensive, prompt, and empathetic care and shelter for child victims and witnesses of violence, free of the risk of revictimization, it is essential to have active participation on the part of all agencies of the Child Rights Guarantee System in the design and implementation of an integrated workflow and service protocols.

Effective implementation of Law 13.431/2017 requires improvement of care structures as well as adaptation of service workflows and protocols to optimize the performance of agencies at both the municipal and state levels.

From that point on, institutions need to maintain dialogue and work in a harmonious, coordinated, and efficient manner, focusing on what is best for the child. This shift in perspective necessarily requires a review of processes within agencies, which must adapt to operating in a way that facilitates integrated service workflows (rather than merely attending to their own internal institutional dynamics).

The Law on Protective Hearing and its enabling decree establish guidelines for provision of integrated services to child victims or witnesses of violence. These guidelines encompass the creation of governance mechanisms, the design of service workflows and protocols, and procedures for specialized hearing and special testimony.

SPECIALIZED HEARING



Specialized hearing is a procedure carried out by component agencies of the child protection network in the fields of education, health, social assistance, public security, and human rights. Its aim is to ensure monitoring of the victim or witness of violence, and aid in overcoming repercussions of the violation suffered. The procedure limits the role of care providers to hearing only what is strictly necessary for purposes of protection and service provision. The premises of specialized hearing include respecting a child's wish to remain silent and avoiding questioning about the violence experienced or witnessed. All participants in the Child Rights Guarantee System are required to keep in mind that there will be a time and place for the victim or witness of violence to speak about their experience.

SPECIAL TESTIMONY



Special testimony is a procedure for hearing a child victim or witness of violence by a police or judicial authority, for purposes of producing evidence. Under this procedure, the child speaks with a professional trained to broach such issues with children, using the Forensic Interview protocol. This interview takes place in a child-friendly space, separate from the courtroom, where only the child and interviewer are present. The judge, prosecutor, and defender (or the defendant's lawyer) do not directly address the child at any point.

This testimony is transmitted via closed-circuit television to the courtroom. Questions are forwarded electronically to the interviewer, who couches them in appropriate language, within parameters of the protocol. The deposition is recorded and can be reviewed whenever necessary (to prevent the child from having to repeat it) and may also serve as evidence for any potential future inquiry.

HOW SPECIALIZED HEARING, SPECIAL TESTIMONY, AND INTEGRATED SERVICE WORKFLOWS PREVENT REVICTIMIZATION

Without an integrated service workflow, in each of the many appointments that children attend, they will have to explain from the beginning what happened to them and why they are there. Even unintentionally, participants in the organizations that attend to these children may cause revictimization.

The design of an integrated service workflow and care protocols allows each service provider to provide continuity to service initiated at another stage, without posing revictimizing questions, thanks to the specialized hearing technique. During interaction with children, each participant in the system knows only to ask the minimal questions necessary for their work at that stage of the workflow. All are aware that the complete account of what occurred will be recounted and recorded during special testimony, at an appropriate venue and with professionals trained in the forensic interview protocol to talk with children about the incident in a safe and protected manner, respecting their age and stage of development.

THE 10 MAIN CONTRIBUTIONS OF LAW 13.431/2017

The Protective Hearing Law contributes toward addressing violence against children by:

1

Characterizing modalities of violence: physical, psychological, sexual – and institutional violence. Institutional violence may occur if the child is not adequately attended under the **Child Rights Guarantee System**.

→ *By addressing three main aspects, namely: Defense of Rights, Promotion of Rights, and Social Accountability; the System seeks to resolve potential obstacles or difficulties and ensure comprehensive child protection (Childhood Brasil 2022).*

2

Innovative protection instruments: by establishing specific rights and guarantees, such as protection against suffering during interventions in cases of violence.

3

Distinguishing between Specialized hearing, which is conducted by the Protection Network agencies (health, education, social assistance, and security); and **Special Testimony**, which is conducted by the Courts. This distinction delineates the competencies and responsibilities of each service provider.

Special Testimony is the procedure for listening to a child victim or witness of violence under the auspices of a police or judicial authority (TJDFT 2020).

4

Detailing of Specialized hearing and Special Testimony procedures, guided by the most advanced methodologies available. This ensures both the safety and protection of the child, and transparent and unbiased investigation in relation to the defendant, thus avoiding the risk of mistrial.

5

Stipulating that the child remain in a welcoming environment, where a specialized professional can take testimony, which is recorded and transmitted to an adjacent chamber. In this chamber, the judge, prosecutor, and/or defender do not ask questions directly to the child, but rather, to the accompanying professional who will ask them in accordance with the protocol. The deposition is recorded and can be accessed by other participants in the Rights Guarantee System, when strictly necessary.

6 Enabling early production of evidence* in order to reduce the number of times that girls or boys need to recount an incident. This is mandatory when the child is up to 7 years old, and for all cases of sexual violence. For other forms of violence and age groups, it is recommended but not obligatory.

7 Establishing guidelines for integration of care policies. This may be required (by court order) so as to guarantee rights. It is recommended that such integration be carried out through establishment of Integrated Care Centers, as occurs in various countries. Few such centers exist in Brazil, however.

8 Deepening the specific but complementary responsibilities of health, social assistance, and public security agencies. This reinforces the important oversight role of Guardianship Councils. In this sense, the law seeks not only to inhibit criminal acts, but also to assess the protective capacity of families and the role of the State in supporting them.

9 Inducing states to create specialized agencies for attending to child victims of violence, such as dedicated police departments and juvenile courts. The United Nations Committee on the Rights of the Child recommended that Brazil establish specialized courts as far back as 2003, but few have so far been established.

10 Reinforcing judicial secrecy in cases of violence against children, establishing a penalty of imprisonment from one to four years and a fine, for those who violate the confidentiality of the Special Testimony.

Source: Childhood Brasil. 2020 *Construindo uma Cultura de Prevenção à Violência Sexual* (4ª ed.).

*Anticipated evidence production is a procedure of voluntary jurisdiction, which may or may not be of a precautionary nature. In this procedure, only the collection of evidence occurs, without attributing value to it. The aim is solely the production of evidence and its delivery to the interested party. In the case of anticipated evidence production under the Law on Protective Hearing, it is understood that collecting the testimony of the victim or witness of violence swiftly and in a protected environment, as occurs with the special testimony in the context of anticipated evidence production, ensures the quality of the evidence and also protects the child, who will then no longer need to repeat their testimony.

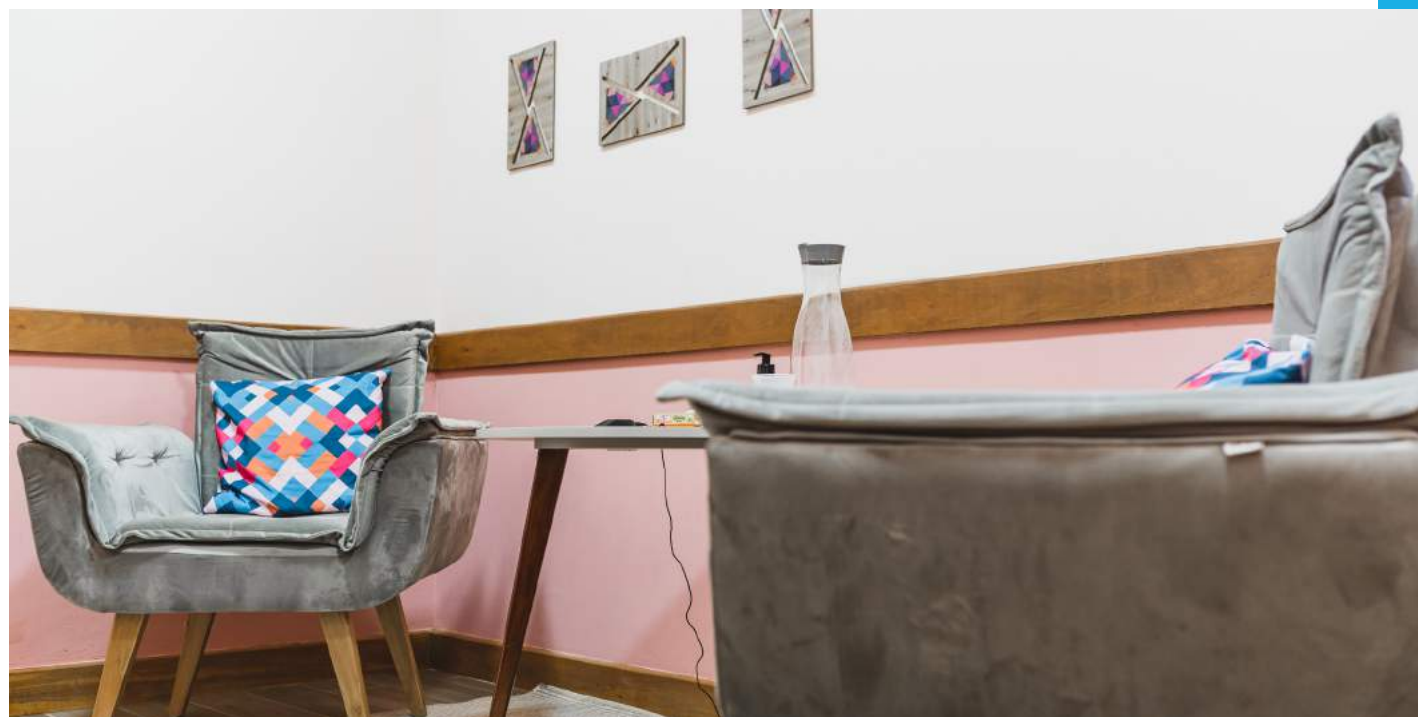
**IMPLEMENTATION
OF LAW 13.431/2017
IN VITÓRIA DA
CONQUISTA**



The municipality of Vitória da Conquista has made significant progress in implementing Law 13.431/2017. In line with the strategies provided for in the law and its enabling Decree 9.603/2018, the Municipal Joint Management Committee for the Social Care and Protection Network of Child and Adolescent Victims or Witnesses of Violence (CMRPC) was established. A survey was conducted to identify bottlenecks in the child protection network. The committee then proceeded to design integrated service workflows, provide facilities for taking of special testimony, and finalizing its Unified Integrated Service Protocol. In just over a year since the complex was inaugurated, 67 special judicial testimonies in anticipation of evidence and 19 special police testimonies have been taken. In practical terms, this means that a child's account of events witnessed or experienced is heard only once; in a suitable environment, without risk of exposure to embarrassment or revictimizing comments. A child's involvement with the protection services network up until taking of testimony has been reduced to roughly 40 days; in contrast to the 3 to 5 years it typically

took for a judicial hearing to be scheduled prior to implementation of the Law on Protective Hearing.

The journey of Vitória da Conquista toward implementation of Law 13.431/2017 began with an awareness-raising event organized by the municipal administration in partnership with Childhood Brasil, a child's rights advocacy institution. At this event managers of all component agencies of the Child Rights Guarantee System and the Municipal Child Rights Council were invited to discuss how best to implement the Law on Protective Hearing and the role of each agency in assembling a unified integrated service workflow. **The mobilization initiated by the municipal administration was key to ensuring the attendance of managers from all relevant agencies at the event.**



Immediately following this awareness-raising event, the municipal authorities, the Office of the Public Prosecutor, the Juvenile Court, and the Secretariat for Social Development established the Municipal Joint Management Committee of the Social Care and Protection Network for Child and Adolescent Victims or Witnesses of Violence. This committee, comprised of representatives from all agencies within the Child Rights Guarantee System and of organized civil society, was formalized by municipal decree, and its executive secretariat appointed a full-time manager to handle schedules and follow up on implementation of its decisions.

The establishment of the Joint Management Committee is the first step towards integration in compliance with the law. This should extend to all services offered to children and their families. The participation of representatives of all agencies involved in the committee's decisions reinforces their collective legitimacy.

One of the committee's first decisions was to commission a diagnostic assessment of the services provided in Vitória da Conquista to child victims or witnesses of violence. This survey assisted the committee in identifying the most urgent gaps, in the drafting of a short, medium, and long-term action plan through consensus among its component agencies.

The Law on Protective Hearing aims to promote reorganization and integration of agencies that comprise the child care and protection network. To this end, it is essential that each institution examine and restructure its internal service workflow, so as to bring it into alignment with the network's unified service workflow. The representative of each such agency was given the opportunity to present the operational dynamics of his agency and identify potential obstacles to change, and to obtain a better understanding of services provided by other members of the network.



Members of the Joint Management

Committee include: the Municipal Secretariat of Social Development; Municipal Secretariat of Education; Municipal Secretariat of Health; and representatives of the Municipal Child Rights Council; Guardianship Councils; Juvenile Court; Criminal Courts; Criminal Prosecution Service; Prosecution Service for Childhood and Youth; Public Defender's Office for Childhood and Youth; Labor Prosecution Service; Brazilian Bar Association (OAB); Civil Police of the State of Bahia – Juvenile Unit; Military Police of the State of Bahia; Federal Highway Police; an NGO for defense and promotion of child rights in the municipality; and the Child and Adolescent Defense Center of the State University of Southwest Bahia (UESB).

The institutions listed are the providers of all services for child protection and prevention of child rights violations in Brazil. Though organizations may vary from one country to another, the Brazilian experience has shown that to achieve effective intersectoral collaboration, it is crucial to promote involvement of protection agencies in the fields of Health, Education and Social Assistance, of Organized Civil Society, of the Judiciary and of Law-Enforcement.



The committee's next step toward implementation of the law was construction of an integrated service workflow and, subsequently, an integrated service protocol. The aim is to ensure integration and swift delivery of the services, while protecting the child from revictimizing situations. To assist with the drafting of service workflows at the regional level, agencies that had participated in the National Pact for Implementation of Law 13.431/2017 **jointly developed a model National Workflow, in which they defined how actions could be shared and distributed, in accordance with local availability. Thus each municipality defines its own service workflows based on the capacity and local availability of service providers in its region. The dynamics of assembling local service workflows provides all participating agencies with an overall view of the system and a better understanding of how services are to be delivered.**

At the outset of the implementation process, the municipal administration chose to invest in a dedicated venue for protective hearing. Thus, the Protective

Hearings Complex was built on a vacant lot adjacent to the facility where a number of child rights protection services are located. The building of this complex, and training in protective hearing and the forensic interview protocol (the method used for listening to children) took place concurrently as the work of diagnosis and drafting of the service workflow and protocol proceeded.

For the integrated service workflow to function smoothly and without risk of revictimizing the child, it is indispensable that all staff at each organization know what they should and should not do, while providing service. This is governed by a set of rules known as the service protocol. **While the service workflow shows the path to be followed through the municipal network, the protocols indicate what must be done at each point along the way.**

It should be stressed that the municipal administration of Vitória da Conquista and the managers of local-government departments that led this process were not alone on this journey. UNICEF, Childhood Brasil, the National Council of

Justice, and the Ministry of Women, Family and Human Rights provided valuable support and guidance to the local authorities throughout the process. UNICEF and Childhood Brasil have maintained permanent technical and financial support for training in the municipality. **Moreover, exchanges with other municipalities and organizations that have deeper knowledge of the law and practical experience of its implementation are of great value and should be encouraged.**

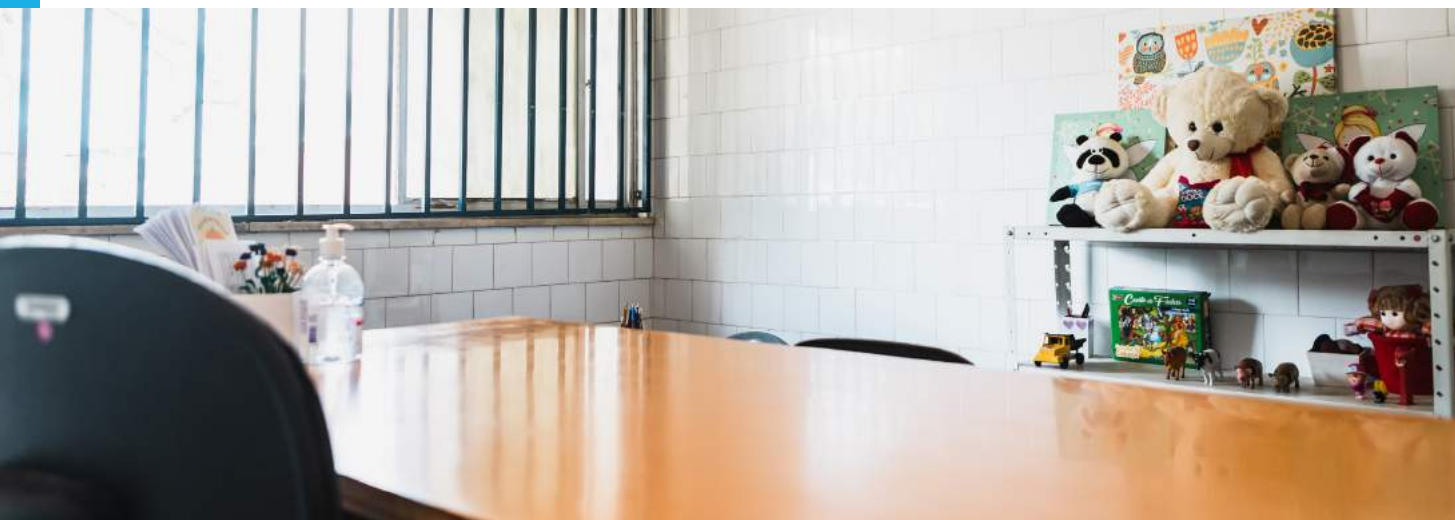


Compliance with the provisions of Law 13.431/2017 entails a continuous and ongoing process. Though social and economic contexts vary from one place to another and the experiences of one municipality may not be exactly applicable elsewhere, nonetheless, lessons learned from the experience of Vitória da Conquista may contribute toward enriching debate and helping avoid pitfalls, thereby facilitating planning for other Brazilian municipalities in their efforts to implement the Law on Protective Hearing.

Beyond fulfilling the legal and moral obligations of municipalities and states

toward children, implementation of Law 13.431/2017 provides an opportunity to enhance intersectoral collaboration among municipal, state and federal-level agencies, and to foster improvements in the culture of public management, potentially benefiting society as a whole. Lessons learned during the process of integrating services and actions promoted by the Law on Protective Hearing may be of benefit during the implementation or reformulation of other municipal-level laws, which can be enhanced through integrated action among agencies.

“The experience of Vitória da Conquista demonstrates that, once a municipality embraces the wellbeing of children as an absolute priority, ensuring their protection against violence becomes a legal, ethical, and humanitarian imperative. Such obligations are not limited to the municipal sphere, and require ongoing processes of coordination with state and federal-level authorities,” says Benedito Rodrigues dos Santos, professor and associate researcher at the Center for Childhood and Youth Studies of the University of Brasília.



**CHALLENGES AND LESSONS
LEARNED** from the
experience of Vitória da
Conquista in implementing
Law 13.431/2017.

VITÓRIA DA CONQUISTA:

CHALLENGES AND LESSONS LEARNED





The experience of implementing Law 13.431/2017 and Decree 9.603/2018 in Vitória da Conquista offers a series of lessons on the different aspects of providing services for child victims or witnesses of violence under the Child Rights Guarantee System.

CHALLENGE:

ACCESS TO SERVICES

LESSONS LEARNED AT THIS STAGE:

Even before enactment of Law 13.431/2017, the initiative of Vitória da Conquista in establishing an Integrated Center for Child Rights demonstrated that the **physical concentration of child protection services** enhances communication among agencies, thereby also helping to reduce the risk of revictimization, and enables swifter provision of service. For more effective integration, however, service workflows and protocols need to be established.

If it proves unfeasible to concentrate all services in one location, **means must be found to facilitate public access to such services** and ensure that difficulties in moving around town do not pose an impediment for families.

CHALLENGE:

AWARENESS BUILDING AND LAUNCHING OF THE PROCESS OF IMPLEMENTATION OF LAW 13.431/2017

LESSONS LEARNED AT THIS STAGE:

It is important to have technical and operational support focused on Law 13.431/2017 from the outset of the process. Collaboration can be sought from national and state-level managers, from other municipalities that are further ahead in the process, or from specialists and organizations such as UNICEF and Childhood Brasil.

It is essential to enlist **local participants who are sensitive and committed to the cause of protecting children.** They will play a leading role in inspiring and advancing the process, from initial awareness building to final implementation.

Closely coordinated action among organizations such as the Judiciary, Public Prosecutors, Public Defenders, Law Enforcement, Rights Councils, Guardianship Councils and Organized Civil Society helps mobilize decision-makers to the cause.

Political will on the part of all involved in the process is indispensable, for seeking partnerships and building consensus, and also for securing necessary investments.

The interaction of local authorities with state-level managers in the Judiciary, the Public Prosecution and Public Defenders services and Law Enforcement was a strategic asset during renegotiation of roles and restructuring of agencies involved throughout the entire process.

CHALLENGE:

PROMOTE INTERSECTORAL COLLABORATION AMONG COMPONENT AGENCIES OF THE CHILD RIGHTS GUARANTEE SYSTEM

LESSONS LEARNED AT THIS STAGE:

Establishment of a Municipal *Joint Management Committee*, as a governance mechanism outlined in Decree 9.603, is an essential step prior to the implementation and long-term planning stages, in alignment with provisions of the Law.

It is essential that the participation of representatives from all component agencies of the Child Rights Guarantee System are guaranteed.

→ *The Joint Management Committee is a working group that brings together representatives from the various agencies that compose the Child Rights Guarantee System, as well as all local institutions that work to guarantee the rights of children. It is responsible for coordination, mobilization, planning, monitoring and evaluation of actions of the intersectoral protection network, and also for contributing toward definition of service workflows and improving coordination among its component agencies.*

It is necessary to appoint a full-time Executive Coordinator to the Municipal Joint Committee, skilled in dealing with issues related to the implementation of Law 13.431/2017. Moreover, from the outset, the committee needs to maintain a dedicated administrative and technical support staff, with knowledge of the legislation and experience in the provision of child protection services, to assist in organizing and leading the process.

It is crucial to ensure a **smooth transition between the phases of awareness building and enlistment of participants**, so as to facilitate selection of members of the Joint Management Committee.

Formal inauguration of the committee by municipal decree serves to protect it from possible administrative changes or shifts in government priorities and enhances the legitimacy of its deliberations. Following inauguration and consolidation of the committee, the next step is to enshrine it in law.

Foster permanent interaction with representatives of each agency to ensure their active participation in the committee and maintenance of close ties with other participants in the institutions they represent. This helps ensure that decisions agreed upon in committee are complied with by staff of the represented agencies. If necessary, support should be provided to the representative for agency-level awareness-building. Meetings should take into account the different organizational cultures among the committee's component agencies.



CHALLENGE:

PRIORITIZE AND ORGANIZE THE COMMITTEE'S ACTIONS TO ENSURE EFFECTIVE COMPLIANCE WITH THE LAW

LESSONS LEARNED AT THIS STAGE:

Organize actions to ensure that all the following steps are covered:

Step 1: Creation of joint committees

Step 2: Network diagnosis (it is essential to have a thorough understanding of the network, its strengths and challenges, prior to designing service workflows and protocols)

Step 3: Design of **Workflows** → *The workflow defines integrated actions and bodies responsible for care services. It should be designed taking into account services available in each region.*

Step 4: Development of **Protocols** → *Protocols specify what should be done at each stage of the workflow.*

Step 5: Monitoring and evaluation

CHALLENGE:

REACH AND PROVIDE TRAINING FOR ALL NETWORK PARTICIPANTS

LESSONS LEARNED AT THIS STAGE:

Maintenance of a **continuous training program** for participants of the Child Rights Guarantee System helps to prevent revictimization, foster commitment and mitigate the effects of high turnover at organizations such as the Guardianship Councils that lack tenured staff.

Incorporate training on Protective Hearing as a **prerequisite for all new staff prior to assuming their positions**. Vitória da Conquista has provided such training for school staff, as a means of preventing revictimization.

CHALLENGE:

DESIGN OF THE SERVICES WORKFLOW AND PROTOCOL

LESSONS LEARNED AT THIS STAGE:

Design of the integrated service workflow and of the unified service protocol were the most challenging stages when building consensus in the Committee. These stages **require the component agencies to reorganize their internal dynamics and to remain open to review and readjustment, thereby enabling agencies to work together as a network.**

It took four months to complete and approve the service workflow. The protocol, in view of its more complex nature, took over a year to complete and secure unanimous validation. Only by maintaining dialogue and persistent advocacy among stakeholders as to the importance of changing institutional viewpoints and of working in concert with a focus on what is best for children was it possible to complete these tasks.

CHALLENGE:

TRAINING OF INTERVIEWERS IN THE NEW PROTOCOL

LESSONS LEARNED AT THIS STAGE:

In addition to training in **Forensic Interview Protocol for all participants**, the work of forensic interviewers is subject to continuous technical supervision. This allows for immediate clarification of doubts and has proven very effective in making each interview a new learning opportunity for interviewers at the Protective Hearings Complex. Such supervision is especially important for professionals who are new to this field.

The **training of judges**, public prosecutors and police officers in the Brazilian Forensic Interview Protocol, and also on the new institutional aspects introduced by the Law on Protective Hearing, has enabled them to better understand the dynamics of special judicial testimony and to respect the rules of conduct in conversations led by a forensic interviewer.

CHALLENGE:

APPROPRIATE FACILITY FOR TAKING SPECIAL TESTIMONY

LESSONS LEARNED AT THIS STAGE:

It is essential to have a specific facility for taking **special testimony** from children. Design of the facility should ensure that the child **never crosses paths with the perpetrator**, and that the child's privacy is respected at all times. The entire facility, its entrance hall, waiting room and hearing chamber, should be agreeably decorated in a child-friendly and non-intimidating style.

CHALLENGE:

HAVING A POLICE PRECINCT PREPARED FOR CASES INVOLVING CHILDREN

LESSONS LEARNED AT THIS STAGE:

The importance of having a **police precinct** with staff capable of dealing with the specificities of cases involving children.

If the municipality has no specific police facility dedicated to crimes involving children, or when it does not have a Juvenile Court, criminal cases involving children should be concentrated in a specialized court where staff are aware of the care that must be taken when dealing with children.

CHALLENGE:

SECURING INVESTMENTS NECESSARY FOR IMPLEMENTATION OF THE LAW

LESSONS LEARNED AT THIS STAGE:

Willingness on the part of managers of child protection agencies to engage with **new municipal administrators** who take office after each election. This advocacy must continue from one administration to the next. Building of a service that is prized by the local community, respected by staff, and lauded by broader public opinion (as is the case of Vitória da Conquista) is the best way to protect investments and ensure continuous improvement.

Partnerships need to be established to secure financing for investments that the municipality cannot afford on its own. For example, Vitória da Conquista received support from external sources, for ongoing expert field consultations, for training courses, and for oversight of forensic interviewers.

REFERENCES:

Brasil. 2017. Lei 13.431/2017 de 4 de abril de 2017.

https://www.planalto.gov.br/ccivil_03/_ato2015-2018/2017/lei/l13431.htm

Brasil. 2018. DECRETO Nº 9.603 de 10 de Dezembro de 2018.

http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2018/decreto/d9603.htm

Childhood Brasil. 2020. *Guia de referência - Construindo uma Cultura de Prevenção à Violência Sexual* (4ª ed.). – São Paulo: Instituto WCF/Brasil, 2017.

Childhood Brasil. 2022. *O que é o sistema de garantias*

<https://www.childhood.org.br/o-que-e-o-sistema-de-garantias/>

Tribunal de Justiça do Distrito Federal e dos Territórios. 2020. *Escuta Especializada X Depoimento Especial*.

<https://bit.ly/47VeJTI>