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"The Other Side of the Story: Perpetrators in Change" (OSSPC)

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Public policy recommendations on the needs and importance of developing perpetrator programmes in the form of noncriminal justice intervention in Greece

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Time for Change: Evidence based research for new practice approaches (WP 2)

Document elaborated by:

The Union of Women Associations of Heraklion Prefecture (UWAH), Greece:
Dr. Nicholas Spetsidis, Sofia Thanasoula
European Knowledge Spot (EKS), Greece:
Regina Kalodiki, Konstantina - Androniki Kostami

Activity Coordinated by: **DASM (Cluj-Napoca, Romania)**





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1. Introduction

The European Project "The Other Side of the Story: Perpetrators in Change" (OSSPC) is a collaborative project, co-funded by the European Union in the framework of The Rights, Equality and Citizenship Programme (2014-2020). OSSPC aims to prevent further domestic violence and change violent behavioral patterns by increasing the capacity of frontline workers that will further teach perpetrators of domestic violence (DV) to adopt non-violent behavior in interpersonal relationships and understand the impact of domestic violence on them, their family and the community. Through literature review, desk research, focus groups and interviews with both victims and perpetrators of DV, partners from 5 countries (Greece, Cyprus, United Kingdom, Italy and Romania) attempt to delineate the existing situation regarding DV in order to elaborate a coherent and accurate set of public recommendations.

In Greece the perpetrators work is mainly focused on the mechanism of Penal Mediation at the extent of the legal procedural activities when the case is denounced at the Prosecutors' office (via the police filling) and the process is initiated by direct referral from the Prosecutors Office.

Restorative procedure of Penal Mediation for misdemeanors of DV has been introduced at the Greek penal system by Article 11(2b) of Law 3500/2006 entitled 'Tackling of Domestic Violence'. In this line, the public prosecutor examines the possibility and feasibility of Penal Mediation before following the penal procedure for DV crimes (crimes of simple bodily harm, threat, insult or coercion). In order for Penal Mediation to be implemented, the consent of both the victim and the perpetrator is needed. Subsequently, the perpetrator (a) pledges to never commit any crime of DV in the future ("provide his word of honor") and is removed from the victim's residency on the victim's request; (b) follows a State-assigned therapeutic counselling and treatment programme to address domestic violence, for a duration deemed necessary by the responsible therapists (up to 3 years); (c) the perpetrator should remove the negative consequences of his behavior and pay reasonable financial compensation to the victim.

The prosecutor may also require a medical report from the victim so as to investigate the merits of the complaint; examine witnesses, as well as family members, or order them to be investigated by competent investigating officers. In case the perpetrator complies with the terms of the Penal Mediation, then the case is closed and archived and prosecution is no longer possible. If the perpetrator violates the terms of the mediation, the prosecutor is informed of the violation (of the process), and has the right to interrupt the mediation and to initiate prosecution.

The cases of Penal Mediation in DV misdemeanors are referred either to specialized counselling entities of public or private sector (non-governmental organizations) such as the National Centre for Social Solidarity (E.K.K.A); the Institute for the Prevention and Treatment of Violence and the Promotion of Gender Equality (Via-Stop) and many other local entities all over Greece. In February





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2021, the Union of Women Associations of Heraklion Prefecture (UWAH) established collaboration with the local Prosecutor Office of the Court of First-Instance of Heraklion, in order to implement Penal Mediation in Crete.

Available data

Statistical data from the Police and Justice system are organised by the **Observatory of Gender Equality**, a mechanism set up in the General Secretariat for Demography and Family Policy and Gender Equality (G.S.D.F.P.G.E.) responsible for the coordination of data collection on all forms of violence covered by the Istanbul Convention. The observatory aims to present the data at national level and support Public Administration and Local Authorities to design, implement and evaluate policies concerning gender equality, through detailed gender-segregated data on equality issues. However, the data reported do not fully match with EIGE's proposed indicators, and standardisation, as they do not track and report data related to the gender and age of the victim, as well as the relationship between the victim and the perpetrator. However, this effort constitutes a significant reflection of the phenomenon of DV in Greece.

In a parallel process, the Hellenic Police (EL.AS) announced that the number of reported offences of Domestic Violence in **2018 were up to 4,722 offenses**, while in **2019** there were reported **5,220 cases**. In addition, the Court data for year 2018 revealed **4,779 prosecutions** against men (aged 18 and over) for committing a Domestic Violence crime (according to Law 3500/2006), **851 convictions and 623 cases that have been submitted in the process of Penal Mediation**. As aforementioned, these data do not fully align with EIGE's proposed indicators, as they do not record the gender and age of the victim, as well as the relationship between the victim and the perpetrator. Additional indicators (gender, age, etc.) would significantly contribute to a better understanding of the forms of crime and the taking of preventive and other measures to address them.

Concerning the cases of Penal Mediation that have been addressed to public and private entities, the last activity report of the National Centre for Social Solidarity (EKKA) in 2018¹ states that from 2017 to 2018, public prosecutors had addressed 239 cases to EKKA. Moreover, from 2015 to 2017, 38 cases had been addressed to the Non-Governmental Organisation Via-Stop². Organised,

¹ E.K.K.A, (2019). Operation Report 2018, Available at:

<http://www.ekka.org.gr/images/%CE%A0%CE%A1%CE%9F%CE%A5%CE%A0%CE%9F%CE%9B%CE%9F%CE%93%CE%99%CE%A3%CE%9C%CE%9F%CE%99%20%CE%95%CE%9A%CE%9A%CE%91/%CE%91%CE%A0%CE%9F%CE%9B%CE%9F%CE%93%CE%99%CE%A3%CE%9C%CE%9F%CE%A3%202018.pdf>

² Petropoulos, N., Fotou, E., Ranjan, S., Chatzifotiou, S., & Dimadi, E. (2016). Domestic violence offenders in Greece. Policing: *A Journal of Policy and Practice*, 10(4).





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evidence and data on actual practice with these cases is scarce and there is no information about the progress of Penal Mediations that have been undertaken.

Socio-demographic data could be extracted by the Petropoulos et al. (2016)³ research that analysed the DV data from 19 police directorates across Greece, and characteristics of DV perpetrators (13) under the Penal Mediation Program of Via-Stop.

According to this research, perpetrators, Greek citizens, were typically males (77%). The majority of them was between 30 and 45 years and had middle/higher socioeconomic status. Most of the offenders were employed (53%), the 39% of were unemployed and 8% were retired; while the majority of them (62%) were high school graduates. In this survey, a strong correlation was found between DV perpetration and active athletic background, as 46% of them used to be or are professional athletes or they train themselves at a high daily level. As for the marital status, 46% of the offenders were married, 31% were separated, 15% were divorced and 8% were in relationship, while 85% had children (85%), with a mean value of 1.8 children. Similar research has been initiated at Crete (under the collaboration of the General Attorney's Office with the UWAH).

A brief evaluation

Although Penal Mediation has been implemented in Greece for more than 12 years, there is no organised data so as to evaluate the process properly. The Hellenic Public Administration has not organised data available for research, and small-scale research at fragmented data has been carried out. So far, the research related to Penal Mediation in Greece has yielded important contributions on the shortcomings of the Penal Mediation provision in its current form.⁴

It is important to state that in Greece the perpetrators work is solely performed under the context of Penal Mediation and **is a mandatory process under the order of the Prosecutors' Office**. *There are no Perpetrator programmes based on voluntary participation, and lots of discussion is carried out whether the perpetrator is an "offender" or a "perpetrator".*

³ Petropoulos, N., Fotou, E., Ranjan, S., Chatzifotiou, S., & Dimadi, E. (2016). Domestic violence offenders in Greece. *Policing: A Journal of Policy and Practice*, 10(4), 416-431.

⁴ Sheetal Ranjan (2020) Domestic Violence Legislation in Greece: Analysis of Penal Mediation, *Women & Criminal Justice*, 30:1, 42-68, DOI: 10.1080/08974454.2019.1646192





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2. Defining the problem / identifying the needs

Lack of consistent data about the number of women, men and children affected by domestic violence constrains primary prevention of DV in at least three ways: 1) it contributes to the inability to gauge the magnitude of domestic violence in relation to other health problems; 2) it limits the ability to identify the most at-risk populations that might benefit from focused interventions or increased service provision; 3) it hinders the ability to monitor the incidence and prevalence of domestic violence which, in turn, restricts the potential to monitor and evaluate the effectiveness of prevention and intervention strategies and 4) it hinders the capacity to trace the impact ability of the policies to combat the phenomenon at national level. More field research needs to take place at national level so to trace the details of the phenomenon at the Hellenic Society, tracing the percentage of underreporting and the causes related to it, so to plan more effective and impactful policies at national and local level.

At social level, the problem of DV derives from personal (perpetrators'), family, and social beliefs and attitudes that allow and establish violent behaviours. More specifically, the majority of the perpetrators participating in Petropoulos et al. (2016)⁵ research had a prior history of abuse that was unreported to authorities. 38% of them reported that they had been witnesses of DV within their paternal families; while 46% reported incidents of bullying during their school years, identifying themselves as the 'bully'. 54% of the perpetrators had already broken the law at least once, mostly due to traffic violations and 38% of them had been convicted for an offence - mostly pertaining to debt and other non-violent petty crimes. Consistently with corresponding research and bibliography that indicate high prevalence of psychiatric disorders and substance abuse among DV perpetrators, 38% were diagnosed with a psychiatric condition and 38% were abusing alcohol and/or drugs.

As for the qualitative characteristics of the perpetrators of DV, and more specifically their attitude towards the violent incidence and the DV in general, most of the them claimed they were provoked by the victim before the assault and initially blamed the victim for the disintegration of the family, as well as their predicament, refusing to accept responsibility for their actions. Moreover, they did not view themselves as a perpetrator; rather they viewed themselves at the receiving end of sanctions because of the victim's actions⁶. More specifically, as for the reasons which caused the conflict that led to DV: 23% of offenders claimed financial reasons, extra-

⁵ Petropoulos, N., Fotou, E., Ranjan, S., Chatzifotou, S., & Dimadi, E. (2016). Domestic violence offenders in Greece. *Policing: A Journal of Policy and Practice*, 10(4), 416-431.

Petropoulos, N., Fotou, E., Ranjan, S., Chatzifotou, S., & Dimadi, E. (2016). Domestic violence offenders in Greece. *Policing: A Journal of Policy and Practice*, 10(4), 416-431.





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marital affairs and matters pertaining to the children, such as custody conflicts, 15% blamed alcohol, and 8% blamed psychiatric disorder or a fight as the cause of the abuse.

Regarding the Penal Mediation procedure and current situation in Greece, the implementation of restorative justice (RJ) in Greece faces a series of problems and contradictions.

More specifically, there is a lack of a wider public dialogue on mediation and Restorative Justice as well as the potential diffusion of roles between the public prosecutor and the mediator. Additionally, there is a lack of training among corresponding stakeholders and professionals, as well as absence of public institutions, capable of conducting the above-mentioned counselling programme.

Moreover, in the already existing public institutions there is lack of staff in combination with the absence of a common psychological approach and/or established protocol that would also regulate the co-operation between different services (e.g. mental health and/or addiction services)⁷. Another obstacle is the existing reporting system, the lack of coordination on the part of social services and the evaluation and follow-up strategies for assessing progress.

According to Artinopoulou, there is also a *lack of consistent legislative guidance, lack of public knowledge of the programme, unclear guidelines for all parties engaged/concerned, and poor infrastructure for support and follow-up*.⁸

The implementation of the Penal Mediation process, is also often hampered by perpetrator's own unwillingness to co-operate⁹. This unwillingness is related to attitudes and beliefs and to the long-term duration of the counselling programme.

In overall, the lack of organized data at the Penal Mediation process (only the mandatory procedure under the order of Prosecutors Office), illustrates the fragmented process, and the lack of concrete results at national level. Latest efforts at the extent of the implementation of the Istanbul Convention in Greece have been carried out by the Hellenic Ministry of Justice in order to deliver data at a universal manner at national level. In this context, the establishment of a department of domestic violence in the Hellenic Police (EL.AS.) was announced during the first months of 2019, that will also facilitate this process.

⁷ Pitsela A., Chatzisyrou T., Domestic Violence and Mediation in Greece:

Findings from the implementation of the restorative procedure (2013) *Interne journal of Restorative Justice*:15-1

⁸ Artinopoulou, 2015; Pitsela & Chatzisyrou, 2013; Wasileski, 2017

⁹ Gavrielides T., Artinopoulou V. (2010), Restorative Justice and Violence Against Women: Comparing Greece and The United Kingdom, *Asian Criminology* DOI 10.1007/s11417-011-9123-x





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Another significant issue prevailing by the therapeutic approach is the lack of standardized intervention protocols for perpetrators, the lack of quality assurance of the intervention, and the lack of impact monitoring of interventions at a global (national) level.

In therapeutic terms, the lack of assuring the accountability from the perpetrator's side as well as the long-term impact of the intervention is prevalent.

In procedural terms, in overall what is prevailing is the lack of a standardized process, the monitor mechanism and the low quality of the process in terms of documentation, both at therapeutic level and at perpetrators improved behaviour.

A very important element of the analysis of existing procedures is the entities approach towards the procedure; the engaged staff dealing with the procedure often use the term **"offender"** attaching the judicial properties to the person in process; whereas at European Perpetrators Work mainstreaming (as is also UWAH's approach) the term **"perpetrator"** is much more used to signify the process and the role within the incident, and also to signify the process of therapeutic treatment and avoid stigmatisation.

Following the research developed within WP 2, the following problems/needs were identified:

Results deriving from the research developed within WP2 are in line with the previous mentioned issues and needs regarding DV perpetration and Penal Mediation.

Outputs from victims' survey, (conducted by UWAH on 20 DV), indicate that the Criminal Justice System **did not hold the perpetrator accountable for his actions**, while only in 15% of the cases specialized support was offered to the perpetrators in order to change their abusive behavior. Yet, **no data are describing the outcome and quality of the process**.

Regular implementation of Penal Mediation, would also tackle the under-reporting of such cases; transfusing therapeutic characteristics/dimension to this procedure instead of the present existing punitive character/dimension. 40% of the victims participating in this survey, did not report the abuse to the police; while those who did, did it, in average, after 13 years of abuse. Noteworthy is that fact that *75% of the victims stated that the perpetrators would have been helped to change their behavior, if specialized help was offered to them*. Highlighting the need and usefulness of implementation of Penal Mediation, 35% of the victims stated that, if DV had stopped, they would remain in the relationship; 70% stated that things might have been different if help was provided to perpetrators; and 75% expressed the need for available specialized help/support for victims, perpetrators and their children.

Outcomes by interviews conducted with DV perpetrators indicate that violent behavior is possibly rooted on their childhood, as they raised according to patriarchal stereotypes and in some cases,





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they were victims and/or witnesses of DV in their parental family. Most of the perpetrators did not perceive their behavior as a “*problem*” to their lives, and in some cases not even as abuse; and they justified this behavior based on external factors, such as their wives, stress, society, etc. Interviewees also expressed the need for public services specialized in DV perpetration, as some of them had to refer to private psychologists in order to get help, which was perceived as “expensive” and of a low impact (lack of specialized professionals). Despite their initial reluctance, perpetrators who received help either through Penal Mediation or on their own initiative, seemed to be “relieved” by the process regarding the help provided.

The results from the focus group conducted with professionals working with victims as well as perpetrators of DV, indicated that there is a need for a ***more specialized training on interventions for perpetrators***, as well as ***better cooperation by all the engaged services*** (e.g. police, criminal justice system, victims support services and perpetrator programmes). Interventions should have a personalized approach, but professionals should always keep in mind the broader picture of domestic violence that relates to gender stereotypes, patriarchy, gender issues and toxic masculinities; taking at the same time into account additional issues such as juvenility and the role of the family.

Professionals identified the need for a separate approach for perpetrators carried out by specialized professionals who would not be engaged with victims’ support (causes/risks of professional bias).

Therefore, the need for a focused training on perpetrator’s treatment for professionals working on the field is highly recommended. Last but not least, focus group results revealed that there is an imperative *need for changes on the legal framework due to the fact that in practice, it does not protect the victims and does not make perpetrators accountable for their acts.*

3. Beneficiaries affected by the effects of the policy recommendations

The main beneficiaries who would be affected by the policy recommendations are the front-line workers dealing with Domestic Violence, either at counselling centers or professionals working at entities engaging with DV. The comprehension of change and its mainstream into the DV combat strategy would facilitate a sustainable and accountable framework for supporting victims and perpetrators at local and national level.

Professionals will eventually increase their capacity to provide specialized services of quality to the beneficiaries (i.e. victims or perpetrators). Local stakeholders, namely members of the Judicial System, would need to act at an organized process with indicators, quality assurance bottlenecks ensuring the benefit of outcome.





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Policy makers at local and national level will then be able to ensure the sustainability of the support system compiled by the efforts at a coordinated action towards victims and perpetrators. The need for a front-line services provision protocol with regards to the management of reporting and eventually victims and/or perpetrators prevails as a key element to the process.

4. Public policy recommendations (proposed solutions to solve the identified problems) and authorities/institutions they are addressed to

4.1. Public policy recommendations at local level

Proposed recommendations/solutions for the problems/needs identified at local level

- Increase the number of agencies with the **capacity and knowledge** to provide perpetrator Intervention Programmes in communities across Greece.
- Civil Society organisations specialised in the provision of support services to victims and professionals engaged to the issue of DV need to increase **their professional capacity on perpetrators treatment and include** the orders and procedures of Penal Mediation in their capacity building activities; define explicitly the need to avoid the stigmatisation of the perpetrator, the need of coordinated actions and of the mitigation of the “service-related risks” in cases of voluntary perpetrators work.
- Civil Society organisations to organise a capacity building mechanism for their staff to deal with the European dialogue on Perpetrators Work and **contribute to the development of a localised model** based on the needs stemming from the field. Developing more perpetrator programmes in combination with improvement of legislation and policies for mediation programmes and evaluation of existing programmes.
- **Capacity Building activities carried out by all engaged stakeholders**, under a commonly agreed protocol of actions, so as to shape a new support network for victims and perpetrators at local – regional level. Awareness and training of "intermediaries" and professionals in contact with women (e.g. police officers, judges, doctors, nursing staff, etc.), so that on the one hand they are able to detect violence and on the other hand to support women victims in many ways and levels, in order to report the abuse and to claim their rights, but also to prevent their secondary victimization.





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- Professional Associations (social workers, psychologists, doctors, and lawyers' clubs) to organize **seminars** in cooperation with specialized bodies within their geographical region/scope to inform professionals for cases where the mandatory reference duty should be exercised and set appropriate mechanisms for overseeing and assessing compliance with ethical rules.

4.2. Public policy recommendations at national level

Proposed recommendations/solutions for the problems/needs identified at national level.

- **Establish a comprehensive system for collecting data and monitoring domestic violence.** The General Secretariat for Demography and Family Policy and Gender Equality (G.S.D.F.P.G.E.), the Hellenic Police (EL.AS.), ELSTAT, hospitals, and other public bodies specializing in managing incidents of domestic violence need to adopt a common methodology for collecting statistics and working together to create a recording mechanism based on EIGE's indicators. Its use could play a catalytic role in supporting people who experience DV, since it would greatly facilitate cooperation between specialists, and therefore the quality of the services provided.
- **Review the existing legislative framework**

The Ministry of Justice in cooperation with the Ministry of Labour and Social Affairs and the G.S.D.F.P.G.E. needs to establish a committee to review existing legislation to identify ways to strengthen primary prevention measures and initiate legislative amendments so as to institutionalize Perpetrator's treatment carried out either under the framework of Penal Mediation (order for perpetrators treatment) or **at a voluntary basis**. At this extent the issue of **coordinated actions and Service-related risks mitigation** is needed to be taken into account ensuring the quality of the overall outcome.

The Ministry of Justice needs to organize the implementation of Penal Mediation procedure at regional and national level, defining the use of terms "offender" vs. "perpetrator".

The Ministry of Justice in cooperation with the Ministry of Labour and Social Affairs and the G.S.D.F.P.G.E. need to amend existing legislation with regards to Domestic Violence so to incorporate good practices at the fields of judicial processes improvement (simplification of judicial processes), perpetrators' treatment (including the voluntary participation of a perpetrator) and the simplification of the provision of state compensation to victims of sexual violence.





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- **Increase Funding.**

The Ministry of Finance in collaboration with the Ministry of Labor and the G.S.D.F.P.G.E. need to determine the funding needed to fully develop DV response in the short, medium and long-term; identify and develop a capacity and cost analysis related to the gaps that exist with regards to front-line human resources in the different institutions and organizations addressing DV.

- **Support the development of healthy community norms.**

The Ministry of Labor and Social Affairs and the G.S.D.F.P.G.E. shall develop and fund a national strategy to engage men and boys in violence prevention. The strategy should focus on cultivating male leadership and skill development around violence prevention and healthy male norms, and support research and evaluation. In addition, it shall expand the role of men to include caring for children and deconstruct the restrictions of traditional, narrow definitions of masculinity replaced with a broader vision of the human capacity of men in family life and society in general. The State shall also provide men with resources to educate their children about healthy relationships, sexism, homophobia and degrading language. Positive father involvement can improve the lives of men, women and children.

- **Support healthy, non-violent environments.**

The Ministry of Labour and Social Affairs and the General Secretariat for Demography and Family Policy and Gender Equality shall adopt an integrated strategy with a view to creating effective workplace domestic violence programmes. In that sense, it should be required that employers acknowledge that domestic violence happens and may impact the workplace and that they will do what they can to accommodate those experiencing it. In this direction, employers should work directly with their legal departments to develop policies and programs, using the latest information on legislation regarding intimate partner violence, leave for victims of domestic violence, non-discrimination laws, and existing DV and Perpetrator programs. Further, they should train supervisors to recognize and respond to signs of domestic violence. The training should also include issues of privacy and confidentiality.

- **Strengthen economic supports for families.**

The Ministry of Finance in collaboration with the Ministry of Labor and Social Affairs and the G.S.D.F.P.G.E. shall work in the direction of strengthening household financial security and work-family support and further promote social policies such as equal pay for equal work and subsidized childcare. These policies have previously been recognized as potential approaches to empower and support women by increasing economic stability and decreasing gender inequality.





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- **Strengthen Education and Training National Policies**

The Ministry of Labor and Social Affairs and G.S.D.F.P.G.E. in collaboration with the Greek Ministry of Education and Religious Affairs will need to discuss ways to integrate primary and secondary education programmes on gender equality and human rights courses. In the meantime, experts need to implement frequent updates/interventions for school students and participatory laboratories using specially designed material depending on children's age groups.

Possible themes for these laboratories could be emotional management without the use of violence, respect for the other sex, but also practical advice to seek assistance in case of violence. Primary and secondary school units need to inform students' parents on matters that have to do with gender equality and human rights, as well as to improve the competence of teachers to report incidents of domestic violence. In the same context, parents should be informed through special training seminars for the non-use of violence in the methods of education they use.

The General Secretariat for Demography and Family Policy and Gender Equality in collaboration with specialized civil society actors should strengthen the cross-sectional training of field professionals by exploiting tools produced under existing programmes. Particularly important is the education and awareness of the executives of the Hellenic Police, medical staff of hospitals, and judicial and prosecuting authorities.

The Ministry of Education and Religious Affairs should recruit psychologists and social workers in schools, who will work together with teachers to manage domestic violence incidents that arise. Corresponding recruitment of specialized professionals should take place in facilities where sports and recreational activities take place.

The Schools of the Police Academy (School of Officers, Police School, Faculty of Education and Training, National Security School) shall organize interactive seminars on gender equality, Penal Mediation and human rights legislation with the participation of professionals from different sectors, in order to achieve the familiarization of police executives with relevant issues.

The National School of Judges and Public Prosecutors shall include mandatory courses on gender equality and Penal Mediation for DV in their curriculum, and shall organize interactive intermittent seminars with the participation of professionals of different sectors in order to familiarize the new prosecutors and judges with the relevant issues.





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- **Strengthen the Role of Civil Society Organisations.**

The Ministry of Finance needs to coordinate funding for the engaged Civil Society Organizations specialized to the provision of counselling services with the use of an organized methodology based on quality assurance indicators, checks and controls of procedures and outcomes, in order to facilitate and institutionalize the collaboration of the Public Sector and Civil Society organizations that have a proven record on victims support and/or perpetrators treatment. Establishing a common framework for tracking, referral and hosting procedures, as well as the provision of counselling services and actions to refugee women victims or potential victims of violence and their children through a coordinated, interdisciplinary and cross-sectoral collaboration of public and non-governmental bodies, would ensure the complementarity of the structures (multi-agency approach), as well as the expansion of bodies active in the field of social solidarity and care

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