



# **CURRENT SITUATION CONCERNING CHILD ABUSE AND NEGLECT (CAN) IN GREECE**

**BALKAN EPIDEMIOLOGICAL STUDY ON CHILD ABUSE AND NEGLECT - BECAN  
UNDER THE AUSPICES OF THE EU [FP7-HEALTH-F2-2009-223478]**

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## **EXECUTIVE SUMMARY**

The Report on “Current Situation concerning Child Abuse and Neglect in Greece” was developed in the context of the project “**Balkan Epidemiological Study on Child Abuse and Neglect**” (BECAN) which is co-funded by the European Community’s 7<sup>th</sup> Framework Programme (Contract nr.: HEALTH-F2-2009-223478). The Report aims to present an overview of the situation regarding Child Abuse and Neglect (CAN) in Greece concerning (a) the magnitude of the problem, (b) the national legal framework related to CAN and (c) the child protection system in Greece, as well as to outline the identified limitations and gaps. The main findings indicate (1) the inaccurate estimation of the magnitude of the problem in Greece due to a great lack of primary data from epidemiological field studies and a lack of systematically collected data from organizations, (2) the insufficient legal framework concerning CAN, the lack of a law solely dedicated to CAN as well as the limited enforcement of the existing provisions, and (3) the non-existence of a structured Child Protection System in Greece, resulting in confusion regarding child care and child protection procedures in cases of CAN as well as focusing mainly on harm reduction and tertiary prevention practices instead of primary or secondary prevention practices.

### **What is the BECAN Project?**

The BECAN Project started in October 2009, it will last for 3 years and is being Coordinated by the Institute of Child Health, Department of Mental Health and Social Welfare, Centre for the Study and Prevention of Child Abuse and Neglect.<sup>1</sup> Furthermore, the consortium of BECAN project is constituted from organizations with long experience on the subject matter and expertise on conducting research on topics related to child protection, children’s mental health, domestic violence and CAN.

BECAN is an epidemiological study aiming to map child abuse and neglect (CAN) in the general population of 11, 13 and 16-year-old children that attend and those that have dropped-out of school and to identify the number of reported/detected cases of CAN being recorded in 9 Balkan countries (Greece, Serbia, Bosnia & Herzegovina, Croatia, Albania, Bulgaria, F.Y.R. of Macedonia, Turkey, Romania). Mapping of CAN will be achieved by applying two of the ICAST questionnaires (ICAST-CH for children and ICAST-P for parents, created by ISPCAN with the support of UNICEF) -which have been modified for the BECAN project- to matched pairs of children and parents. This study is certainly the largest in sample size ever conducted in the Balkan area (over 30.000 children and parents) and probably one of the biggest globally. The importance of its anticipated results as well as its innovative character is in virtue of the fact that, until now, there are no data available on the general population prevalence of CAN not only for the totality of the Balkans, but also at national level of individual countries. It is also believed that this study will provide the basis for the harmonization of CAN screening procedures in the Balkan area and offer valuable tools to relevant policy-making efforts in all participating Balkan countries.

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<sup>1</sup> More information about the project is available on the project’s website: [www.becan.eu](http://www.becan.eu)

## 1. CURRENT SITUATION CONCERNING CHILD ABUSE AND NEGLECT IN GREECE

### 1.1. The Magnitude of the Problem

The first time the problem of child abuse was brought to attention was in 1976 by Dr. Doxiadis (Doxiadis, 1989). Due to the lack of epidemiological studies in Greece, the frequency of Child Abuse and Neglect (CAN) in the general population can be estimated as 1-2% and projected to almost 100.000 annual births of children (Agathonos, 1998). As a result, 1.000 - 2.000 new cases are anticipated per year for all ages. As at international level it is estimated that 2 in 3 physically abused and neglected children are 0-5 years old, it is expected that in Greece 5.000-10.000 preschool aged children per year are victims of some or other form of abuse and/or neglect from their family or similar substitutes (Agathonos, 1998). UNICEF estimates that over 45.000 children are exposed to domestic violence in Greece (UNICEF, 2006).

In Greece there are no officially and systematically collected data at National level as there is no mandatory reporting and/or recording of CAN cases.

An indirect approach to a hospital population's incidence of child abuse and neglect was reported by Pallis, Agathonos and Osterweis (1981) in their study of parental contribution to children's (0-15 years old) health problems leading to visitation to a Paediatric hospital emergency outpatient clinic (Paediatric Hospital "Agia Sofia"). Findings suggest that the medical problems of 5% of the children were merely in virtue of actions or omissions of their parents and in 11% of the children the onset of the problem was caused or the magnitude of the original problem was multiplied by their parents (Pallis, Agathonos & Osterweis - Stagou, 1981).

The percentage of inpatient children at the Paediatric Hospital "Agia Sofia" from 1984-1992 who were diagnosed and recorded as child abuse cases ranged from 0.57% to 0.64% (0.62% on average). This low estimation seems to be attributed to the **lack of a mandatory recording system**, the **lack of institutions** for immediate protection and therapeutic intervention, as well as the **unwillingness of the medical staff to get involved in domestic violence cases**. As a result only the very severe cases are actually recorded as "abuse" (Agathonos, 1995). Other studies show that 0.60% of children who are inpatients in "Agia Sofia Children's Hospital" are identified as physically abused and/or neglected (Diareme, Tsiantis & Tsitoura, 1997; Tsiantis & Diareme, 2004).

Another earlier study by the Institute of Child Health (Agathonos & Fereti, 1992) of 743 students 18-20 years old, showed that 17% of the females and 7% of the males had experienced some form of unwanted sexual experience that had happened before they reached the age of 18 (all forms of sexual abuse, ranging from indecent exposure to incest). The frequency in respect to acquaintance of the child to the perpetrator was distributed equally: in 1/3 of the sexual victimization cases the abuse had been interfamilial, in 1/3 of the cases the abuse happened outside the "core" family but by a person familiar to the child and in 1/3 of the cases the perpetrator was a person unknown to the child. Another similar study

of the male population of police officers showed that 8% of the men reported adverse sexual experience that had happened before the age of 18 (Maragos, Nova & Agathonos, 1996).

Another study by the Institute of Child Health (ICH) in 1995 of 197 hospitalized physically abused and neglected children showed that the morbidity rate was 6% for the physically abused children and 17% for children having serious physical injuries (Agathonos & Maragos, 1995). The cases that were studied were cases referred to the scientific personnel of ICH from 1978-1988. It is mentioned in this study that 33% of the physically abused children were suffering -as a consequence of abuse- from temporary disability (e.g. bone fracture), while 9 children were suffering from permanent disability (e.g. deafness, cataract, paraplegia, face deformation, mental retardation after serious injury of the skull). The psychological consequences that are described in this study involved: depression, low self-esteem, difficulties in developing intimate relationships, aggression and deviant behaviour, and later violent behaviour. Serious learning problems and drop-outs from compulsory school education are also described.

Another prospective study by the Institute of Child Health in 1995 estimated 89 physically abused – neglected children from 2-12 years after the initial identification of the problem (Agathonos, Browne, Maragos & Sarafidou, 1996). As far as physical and mental health problems are concerned: 22% of them had neurological problems ranging from medium to high severity, 27% had mental retardation ranging from medium to high severity, and 45% had mental health problems ranging from medium to high severity. At the age of 11 years old most of them were already involved in thefts, vandalism and prostitution while 30% had exerted violence against adults (parents and/or persons outside of the family). Fifteen percent of the children of both sexes had experienced at least one incidence of sexual assault by a person at least 5 years older than them, inside or outside of the family.

During the school year 2007-08, the Institute of Child Health conducted an **epidemiological field research** -in collaboration with the Laboratory of Sociology of Youth, Leisure and Sport, Department of Sociology, University of Aegean- on a sample of 486 pupils in the 1<sup>st</sup> year of high school and their parents who were inhabitants of the islands with the largest populations of each Prefecture of the Northern Aegean Region (Lesvos, Limnos, Samos, Chios) and the Dodekanissa Prefecture of the Southern Aegean (Rhodes and Kos). Random sampling was conducted for all islands except for Lesvos and Kos (convenience sample). The aim of the research was to study the magnitude and characteristics of violence against children, in the context of their family and school. The data were collected through structured interviews with children –using the compiled ICAST-CH (Child Home) and ICAST-CI (Child Institution) questionnaires originally developed by ISPCAN and UNICEF- and through self-completed questionnaire or structured interviews with their parents/caregivers – using the respective ICAST-P (Parent) questionnaire. Results revealed that a high percentage of children were victims of mainly verbal and physical abuse, in the context of family as well as in the context of school. Hereby are mentioned some indicative percentages of children who stated that they had been subject to one of the following behaviours -at least one time in the past- in the

context of their family: loud and aggressive screams (33.1%), pulling their hair, pinching them or twisting their ear (29.4%), making them feel ashamed/ embarrassed in front of other people (16.8%), hitting by hand (26.7%) or with an object such as a belt, paddle or stick (4.5%), and locking them out of the home (5.9%). The respective percentages regarding behaviours that children reported to have been subject to in the context of school were: swearing (57.2%), being called rude or harmful names (38.9%) and deliberate insults (33.1%), hurting or causing pain (27.9%), slapping their face or head (21.3%), and sexual touching (4.7%). Regarding their parents/caregivers, even though 98.3% of them claimed that corporal punishment should not or most probably not be used as a method of discipline, when they were asked about the methods of discipline that they actually use they reported that they had twisted their child's ear (33.3%), pulled their hair (24.6%) or had pinched their child (12.5%), spanked him/her on the bottom with bare hand (57.3%) or with an object (13.3%), slapped his/her face or back of head (18.5%), and had shaken him/her (28.8%). Cumulatively, **83.1% and 71.3% of parents had used at least one type of psychological violence and at least one type of physical violence, respectively**, at some point in the child's life, as a method of discipline.

Other studies have approached CAN by studying particularly **corporal punishment**. One study (Bakoula, Kavadias & Matsaniotis, 1993) on a national sample of 8.158 children showed that 1 in 3 children were being beaten at least once a week, while 1 in 6 children were being beaten every day. Another sociological study by ICH on the use of corporal punishment in contemporary Greek families as a method of paedagogy (Feretis & Stavrianaki, 1997) involved 591 structured interviews with mothers of 6 year-old and 12 year-old school children, revealed that 65.5% of mothers had used physical punishment to discipline their children. The use of corporal punishment was higher for boys (71.3%) than girls (59.7%).

The issue of **sexual abuse** within the family has not been researched adequately. A previous study by ICH (Agathonos, Tsibouka & Zolota, 1999) on domestic sexual abuse which was conducted in 25 cases derived from the Greek Public Prosecutor's Office for Juveniles in Athens, showed that the majority of the victims were females: 21 girls and 4 males (ages: 3-15 years old, mean: 10.9 years). The duration of the sexual abuse until it was reported to the Public Prosecutor's Office ranged from 1 month to 8 years. In most of the cases (15 cases) the perpetrator was the father of the victim, while in 5 cases the perpetrator was another person who had a close relationship with the child (step father, mother's intimate partner, godfather, and cousin). The cases that were recorded more frequently to the Public Prosecutor's Office were families with low socio-economic level and rarely families of medium and high socio-economic levels.

## **1.2. Limitations and Gaps**

**Lack of research/studies and methodological problems**: There is great **lack of primary data** for the assessment of the magnitude of the problem at a National level in Greece as there are **no epidemiological field studies** on CAN, except for the one conducted by ICH in 2007-08. The existing studies concern either projection to the Greek children's population of

research data originating from other countries of Europe and North America or retrospective studies on adult population. For the first group of studies, there is a problem regarding the reliability of these studies (e.g. different cultural, demographic and economic characteristics, different traditions and form of family structures). This results in **inaccurate estimation of the real extent of the problem**. Regarding the second group of studies, except for the use of non-representative or non-randomized samples of the general (adult) population, there is also a well-known remedy of methodological issues raised on CAN research via retrospective studies on adults. For instance, there are several factors that may lead to an underestimated magnitude of the problem (e.g. defense mechanisms such as repression or denial) or to an overestimated problem in virtue of other psychological problems (e.g. projection, displacement, reaction formation).

All of the above, and mostly the lack of primary data from epidemiological-social field studies as well as the lack of systematically collected CAN data, cause multiple problems for the longitudinal mapping of the extent of the problem as well as for the explicit estimation of the characteristics of the phenomenon in our country. This lack of data causes multiple problems regarding the design of social policies and services as well as decision making for targeted interventions. Taking also into consideration the **limited financial and human resources** available for social, health and welfare services, the lack of adequate data that could contribute to prioritization of objectives and a more efficient use of available resources, this is considered to be not only an administrative problem but also an ethical one.

**Other problems regarding CAN in Greece:** there is no Registry for Reporting and Epidemiological Surveillance of CAN reported cases in Greece currently as well as no mandatory reporting and registering procedure. This results in the use of different classification criteria and assessment methodologies of CAN reports, either by professionals, between organizations/institutions and services involved, or sometimes even internally within the very same institutions. Furthermore, due to the lack of a coordinating and supervisory national agency, problematic practices have been developed along with the best ones. For example, in Greece each institution identifies a case of child abuse and/or neglect using its own criteria, provides services and implements therapeutic and social interventions according to its own priorities and judgment, while there are also some CAN cases that eventually are not able to receive any appropriate care. There is not any National Plan or Supervising Agency in the field of CAN which is also respectively a barrier for the implementation of internationally acknowledged “good practices”. Finally, there is great confusion regarding the services provided to the victims as well as the estimation of the extent and characteristics of the phenomenon of violence against juveniles in Greece.

## 2. NATIONAL LEGAL FRAMEWORK ABOUT CHILD ABUSE AND NEGLECT

There is currently no national law in Greece dedicated exclusively to child abuse and neglect. Existing legal framework regarding child abuse and neglect can be found in provisions included in the general Penal Code, or in other laws (e.g. Law combating domestic violence) and ratified Conventions which include provisions on violence against children. Below are presented, per category or type of legislative document, the existing provisions in Greece which are relevant to child abuse and neglect.

### 2.1. CONVENTIONS AND OPTIONAL PROTOCOLS

#### 2.1.1. The United Nations Convention on the Rights of the Child (UNCRC)

The Convention on the Rights of the Child (United Nations General Assembly, 1989), adopted by the UN General Assembly in 1989 was the first **legally binding** international instrument on the rights of children. It is currently one of the most widely ratified international human rights' instruments, as all United Nations member states, except for the United States and Somalia,<sup>2</sup> have ratified the Convention. Greece signed the Convention on January 26, 1990 and ratified it by law on December 2<sup>nd</sup> 1992 which, upon ratification, has the status of national law (Official Gazette of the Hellenic Republic, 1992).

The most important article of the Convention regarding CAN is **article 19(1)** where it is provisioned that the “***States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child***”. Moreover, “*such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement*” (article 19(2)).

“*A child temporarily or permanently deprived of his or her family environment, or [...] cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State [Article 20(1)] ...ensuring alternative care for such a child [Article 20(2)] ...such as, inter alia, foster placement, [...] adoption or if necessary placement in suitable institutions for the care of children... [Article 20(3)].*

**Article 34** is dedicated to the protection of children from **sexual abuse and exploitation**: “*the States Parties undertake to protect the child from all forms of sexual exploitation and sexual*

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<sup>2</sup> U.S.A. and Somalia have signed the Convention but not ratified it.



*abuse. For these purposes, States Parties shall in particular take all appropriate [...] measures to prevent:*

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity;*
- (b) The exploitative use of children in prostitution or other unlawful sexual practices;*
- (c) The exploitative use of children in pornographic performances and materials”.*

The “States Parties shall take all appropriate [...] measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form” (Article 25), “shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare” (Article 36) and “shall ensure that no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment” (Article 37a).

The States Parties shall also “**take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment;** [...] such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child” (Article 39).

According to **article 9(1)** the States Parties are allowed to separate a child from his or her parents, only “if such a separation is necessary for the best interests of the child” such as in case of “abuse or neglect of the child by the parents”.

On the basis of **article 2(1)** the “States Parties shall respect and ensure the rights set forth in the Convention to each child within their jurisdiction without discrimination of any kind, irrespective of [...] race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status” and to “undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention” (article 4). “For guaranteeing and promoting the rights set forth in the Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall **ensure the development of institutions, facilities and services for the care of children**” (Article 18(2)).

### **2.1.2. Optional Protocol to the UNCRC on the Sale of Children, Child Prostitution and Child Pornography (OPSC)<sup>3</sup>**

After receiving the first 10 ratifications needed for its entry into force, the Optional Protocol on the sale of children, child prostitution and child pornography (United Nations General Assembly, 2000) became **legally binding** on 18 January 2002. The Hellenic Republic has signed (September 7<sup>th</sup>, 2000) and lately ratified by law (December 2007) the Optional Protocol on the sale of children, child prostitution and child pornography (Official Gazette of the Hellenic Republic, 2007). Articles 34 and 35 of the Convention on the Rights of the Child

<sup>3</sup> The Hellenic Republic has also ratified the Optional Protocol on the involvement of children in armed conflict (Law 3080/2002/ FEK 312/ A/ 10.12.2002).

provision that **governments should protect children from all forms of sexual exploitation and abuse** and take all measures possible to ensure that they are not abducted, sold or trafficked. This Optional Protocol supplements the Convention by providing States with detailed requirements to end the sexual exploitation and abuse of children. It provides definitions for the offences of “sale of children”, “child prostitution” and “child pornography” (Article 2) and creates obligations on governments to criminalize and punish activities related to these offences. For instance, it criminalizes specific acts and requires punishment not only for those offering or delivering children for the purposes of sexual exploitation, transferring organs or children for profit or forced labour, but also for anyone accepting a child for such activities, including attempting to do so. The Protocol also protects the rights and interests of children victims. Governments must provide **legal and other support services to children victims**. Children must also be supported with necessary **medical, psychological and financial support to aid their rehabilitation and reintegration**. It should also be noted that according to article 8(4) governments “shall take measures to ensure **appropriate training**, in particular **legal and psychological training**, for the **persons who work with victims of the offences** prohibited under the Protocol as well as to:

- “*adopt or strengthen, implement and disseminate **laws, administrative measures, social policies and programmes to prevent the offences** referred to in the Protocol*” (Article 9(1)).
- “*promote **awareness** in the public at large, including children, through information by all appropriate means, education and training, about the preventive measures and harmful effects of the offences referred to in the Protocol [...] encouraging the participation of the community and, in particular, children and child victims, in such information and education and training programmes*” (Article 9(2)).
- “*take all feasible measures with the aim of ensuring all appropriate **assistance to victims** of such offences, including their **full social reintegration** and their **full physical and psychological recovery**” (Article 9(3)).*

### **The National Children’s Rights Observatory**

The National Observatory on the Rights of Children was established by law in 2001 (Official Gazette of the Hellenic Republic, 2001) under the jurisdiction of the General Secretariat for Youth, a division of the Ministry of Education. The Observatory’s Mission is to **monitor and promote the implementation of the Convention on the Child’s Rights provisions** in Greece. According to information derived from the website of the GSY<sup>4</sup> this is achieved by releasing regular reports that focus on the actual conditions and the situation of children in Greece and also by promoting scientific research as well as by assuming initiatives targeting the protection of children’s rights. The Observatory concerns all children under 18 years old and in particular children whose rights are violated in cases when they, inter alia, become victims of violence and exploitation inside and outside the family environment.

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<sup>4</sup> Information derived from:  
<http://www.neagenia.gr/frontoffice/portal.asp?cpage=RESOURCE&resrc=141&node=48&clang=1>

More specifically, the responsibilities of the Observatory, as described in its founding law 2909/2001, are the following:

1. organizing a **documentation center** for the collection and analysis of statistical, legislative, bibliographical and other related data at national and international level
2. **cooperating** with public institutions (governmental organizations), international organizations, such as UNICEF and UNESCO, and non-governmental organizations for information and knowledge exchange as well as for coordinating their actions.
3. **revising existing national legislation** regarding childhood and **submitting suggestions** to the central Government, through the Ministers of Education and Foreign Affairs, for undertaking legislative and administrative measures in order to be harmonized according to the international legal framework
4. promoting scientific **research** in order to identify critical social issues that concern childhood
5. undertaking initiatives for **raising public awareness** on issues related to the respect of the child's rights
6. designing and implementing **programs** within the framework of the formal educational system, aiming at informing children on the principles of the Convention and encouraging their active participation in the protection and promotion of their rights
7. developing a national **guide** on public and private services for children and continuous updating of it
8. submitting annually a **national action plan** for the child's rights and editing of a report per year regarding the implementation of the Convention to be submitted to the Inter-Ministerial Committee for Youth, as well as a respective report to be submitted to the UN "*Committee on the Rights of the Child (CRC)*" every 5 years as originally provisioned in the Convention

The Minister of National Education and Religious Affairs appoints a 5-member **scientific Committee** which is responsible for the achievement of the aims of the Observatory.

However, little of the above have been initiated. Sub-chapter 3.1.2. provides a short presentation of the National Children's Rights Observatory's achievements insofar in respect to the provisions described above.

### 2.1.3. Limitations & Gaps

All of the above provisions of the UN Convention are valid but they have to be incorporated in a National Action Plan for children's rights and children's rights policy. Although important steps have been made, the Convention has not yet been translated into concrete programmes and sectoral policies in Greece. The Greek legal framework for the protection of children needs to be harmonized according to the spirit of the Convention, improved, and the existing legislation needs to be enforced.

Greece submitted the **initial report** to the UN Committee on the Rights of the Child in 2000 (CRC, 2001a), with a five year delay. According to the UN Committee's concluding observations (CRC, 2002) "*while the report contained very useful information on the legislative framework relevant to the Convention's implementation, it lacked sufficient information on the effects to implement the Convention itself*". Also the "*report did not include a specific section on general measures of implementation*". The Committee recommended to Greece, inter alia, to:

- **Harmonize its legislation with the principles and provisions of the Convention**
- **Strengthen implementation of domestic legislation towards improved protection of children's rights**

Regarding data collection the Committee recommends to Greece to "*strengthen its efforts to **develop data collection systems and indicators** consistent with the Convention covering all children, with an emphasis on those who are particularly vulnerable, such as **child victims of abuse, neglect or ill-treatment***" (CRC, 2002, p. 5). The Committee also recommends to Greece to strengthen its efforts to provide **training for professionals** with responsibility for children's rights (such as teachers, health professionals including psychological care specialists, social workers, law enforcement officials, judges, lawyers and national ministerial and local government officials), **children, parents** and the **population in general** on the Convention and its principles (CRC, 2002, p. 6). Additionally, the Committee recommends to "*undertake **education and awareness campaigns** to inform, among others, teachers, parents and medical and law enforcement personnel about the harm of violence, including corporal punishment, and about alternative, non-violent, forms of educating children*" (CRC, 2002, p. 9).

More specifically regarding child abuse and neglect the Committee recommends to (CRC, 2002, p. 11):

- **Improve data collection** (accurate, up-to-date and disaggregated data) on abuse and neglect of children, including sexual abuse within the family
- Develop and implement a **national programme** for the **prevention and reduction of the incidence of child abuse and neglect within the family and within institutions**, inter alia by conducting awareness raising campaigns and providing adequate support to families at risk
- Develop and implement an effective **system for reporting and referral of cases** of child abuse and neglect and appropriate **measures for the protection** of child **victims** and the provision of **rehabilitative assistance** and the **prosecution and treatment** of alleged **perpetrators** of abuse and neglect
- **Strengthen the capacity of social services** across the country to **identify and treat instances** of child abuse or neglect, including physical and psychological recovery and social reintegration of the victims of rape, abuse, neglect, ill-treatment, violence or sexual exploitation

- *Take measures to prevent the criminalization and stigmatization of victims; strengthen the use of **child-sensitive methods of investigation and presentation of court evidence** and the availability of **expert multidisciplinary child assistance teams**, including psychosocial counsellors; and ensure that domestic legislation provides adequate protection for all children, both girls and boys, from sexual and other forms of abuse*
- ***Review all relevant legislation** to ensure that **all forms of violence against children**, however light, **are prohibited**, including the use of torture, or cruel, inhuman or degrading treatment (such as flogging, corporal punishment or other violent measures), for punishment or disciplining within the child justice system, the family, the schools or in any other context. Such legislation shall incorporate appropriate sanctions for violations, the provision of rehabilitation and compensation for victims (CRC, 2000, p. 131-132; CRC, 2001b, p. 163)*
- *The effective implementation of all such legislation to be carefully monitored, including the provision of necessary resources, education and training (CRC, 2000, p. 132; CRC, 2001b, p. 163).*
- *Undertake a **comprehensive study on the extent, nature, causes and consequences of violence against children**. This study should be widely disseminated and **used to formulate policy and programmes** (CRC, 2001b, p. 163).*
- *To conduct **research** aimed at revealing the hidden **socio-economic costs** of violence against children, e.g. the cost for providing psychiatric care for children victims as well as to better evaluate the effectiveness of existing prevention, protection and recovery programmes (CRC, 2001b, p. 167).*
- *Launch **public information campaigns** to raise awareness and sensitize the public promoting the unacceptability of all forms of violence against children; the **media** should be encouraged to play an active role in educating the public and raising awareness, ensure respect for the right to privacy of child victims and avoid disseminating positive images of any form of violence (CRC, 2001b, p. 164).*
- *Information about rights and protection from violence be available to children and **included in school curricula** [...] and adoption of anti-bullying and anti-violence policies in schools (CRC, 2001b, p. 164)*
- *To give particular attention to gender discrimination within the family and school (CRC, 2001b, p. 165)*
- *To implement **home visitation programmes** and introduce schemes designed to **identify children at risk of family violence** and **provide appropriate services to reduce those risks** (CRC, 2001b, p. 165)*
- ***Involve parents and students** in governing processes e.g. through student councils including in drawing up the rules and monitoring of discipline, can contribute to the design of effective prevention strategies and to the creation of a positive climate in*

*schools that discourages violence, both as a form of so-called discipline and among students (CRC, 2001b, p. 165)*

- *establishing effective **systems to monitor the treatment of children** and to **report and investigate cases** of suspected ill-treatment, including within the family and in schools – by a) training of professionals working with students (primarily teachers and health professionals) to increase their ability to detect symptoms and assess the possibility of ill-treatment, b) encourage schools and health services to detect and report evidence of violence against children and provide treatment for victims and perpetrators, c) monitor children's views and perceptions of their experiences, d) ensure that complaints receive a coordinated and multidisciplinary response, d) inspection of all schools and other institutions, permit unannounced visits, e) respond through support and assistance rather than only intervention or punishment, f) protect reporting professionals and others reporting or initiating complaints (CRC, 2001b, p. 165)*
- **Allocate resources** to programmes and measures designed to improve prevention, detection, protection and recovery children victims of family violence and in schools (CRC, 2001b, p. 168).

Regarding **sexual exploitation, trafficking and child prostitution** the Committee recommends (CRC, 2002, p. 20-21) among others to:

- *Undertake a **study on the causes and scope** of sexual exploitation and trafficking of children, including by gathering reliable data on their incidence*
- *Develop a **national plan of action** to address the sexual exploitation and trafficking of children covering, inter alia, all aspects of assistance to child victims, and ensure that the plan is implemented in all regions of the country, including the prosecution of persons responsible for such acts*
- *Strengthen the efforts to **identify and report** on practices of child sexual exploitation and strengthen cooperation with NGOs working in this field*
- *Strengthen the actions to **assist child victims** of such abuse, including the provision of counselling and health and social services*

as well as to develop laws, policies and mechanisms for all children and provide adequate resources to ensure the full implementation of juvenile justice standards and in particular articles 37 and 39 of the Convention (CRC, 2002, p. 22).

Furthermore, in 2001 the Greek **non-governmental organisations' report in application of the UN Convention on the rights of the child** was also submitted (Angelopoulou & Tsagari, 2001). In this report NGOs stress that in Greece, "**child abuse and neglect of all types is still regarded as a psychopathological and also as a social phenomenon but not yet as a public health issue**; this change in attitudes towards the subject is necessary, so that it can be addressed through a public health approach" (Angelopoulou & Tsagari, 2001, p. 10). It was also stressed that "official statistics **do not record deaths of children from non-**

**accidental injuries (abuse-neglect)**, except in the case of a child's murder" (Angelopoulou & Tsagari, 2001, p. 10).

Based on the concerns described above and recommendations to Greece by the UN Committee, which indicate a great lack of measures in all the relevant aspects of the subject matter, protection of the rights of the child and of children victims of abuse and neglect suffers in many sectors, e.g. data collection, reporting system, studies, training and education of professionals, public awareness and sensitization, child-sensitive judicial processes, national action plans, policies, legislation, protection, treatment and rehabilitation of victims, collaboration between the various institutions etc. The existing legal framework needs to be amended and improved in order to better correspond to the needs of abused children due to the great gap observed between the legal framework and everyday practice.

In July 2009 Greece submitted the combined **2<sup>nd</sup>** and **3<sup>rd</sup> Periodic Report** to the UN Committee (CRC, Second and Third Periodic Report, 2009). The conclusions of the Committee are not yet available but, according to the submitted report, it is stated that within the framework of the Operational Program "Health –Welfare" 2000-2006 various programs were implemented for training and awareness on issues related to violence such as domestic abuse, psychosocial support of children who are victims of violence, intervention techniques, victim support and much more. However, this initiative was by and large fragmentary and there is no provision of continuous and systematic implementation of such training and awareness initiatives targeting professionals that deal with abused children.

Regarding the **National Observatory on the Rights of the Child**, although it was established in May 2001, it was totally inactive for almost one year, until March 2002. Moreover, the Observatory's actions that have been undertaken until today are scarce. The only activity that could be traced included the organization of an international conference in Athens entitled "*The Rights of the Child in Greece of 21<sup>st</sup> century*" (November 22<sup>nd</sup> – 23<sup>rd</sup>, 2008), on the occasion of the celebrations for the "Universal Children's Day" of UN International Convention on the Rights of the Child in the 20<sup>th</sup> November.

## **2.2. NATIONAL LEGISLATION**

### **2.2.1. National Laws**

As already noted there is no law in Greece dedicated exclusively to child abuse and neglect. However, the following national laws contain provisions about child abuse and neglect:

**Parliament Law No. 3500/2006 on Combating Domestic Violence** (Official Gazette of the Hellenic Republic, 2006): the law 3500 was voted on the 24<sup>th</sup> of October 2006 and entered into force on January 24<sup>th</sup>, 2007. It aims to prevent and combat domestic violence, and protect the fundamental rights of women and children. Apart from the punishment of intimate partner violence, the law punishes **sexual abuse and sexual assault of minors by adults to whom they have been entrusted or whose care they are under**. It also includes an explicit

**prohibition of physical violence** against minors as a means of punishment (as a disciplinary measure) in the scope of child upbringing.

This law adopts a **wide definition of family**, protecting apart from women, a wider range of persons such as children, elderly persons etc. and extends the application of the law to the cohabitating unmarried couple (Article 1(2)). In article 1(3) it is stated that a **victim of domestic violence is also the juvenile in front of whom the violent acts are committed**.

In cases where the violent acts covered by the law<sup>5</sup> are committed against juveniles or in front of them the penalties are more severe. If physical injury or damage to health is induced against a juvenile in a methodic manner causing severe physical pain, physical exhaustion or mental anguish, the imprisonment penalty is at least 10 years (article 6(4)). In cases where a victim is caused physical harm in front of a juvenile, the minimum imprisonment penalty is 1 year (article 6(3)). In cases where there is insult of sexual dignity of a juvenile, the perpetrator is punished for at least 6 months of imprisonment (article 9(2)).

Article 4 states “**physical violence against children as a disciplinary measure in the context of their upbringing brings the consequences of Article 1532 of the Civil Code**”.<sup>6</sup>

Article 15 of the Law 3500 added a paragraph to article 735 of the Code of Civil Procedure regarding temporary measures providing the potential of enforcement by the court of specific restrictive conditions for immediate removal of the perpetrator from the home, aiming at the protection of the DV victim and other members of the family as well as prohibition to approach work and residence of the DV victim and schools of their children. Other provisions of the law include:

- If teachers (or primary or secondary education) are informed or realize that a crime of domestic violence is committed against a student, they have the obligation to inform the director of the school –without delay- who reports the crime immediately to the police (Article 23(1)). The same commitment applies to teachers of **private schools and all kinds of pre-school education units**.
- The Prosecutor has the right to start penal mediation in cases of minor offences of family violence. This applies not only for adult victims but also for minors in collaboration with their guardian -if the guardian is not the offender- who acts also as the child’s representative in the processes that have to be followed.

**Parliament Law No. 3328/2005** (Official Gazette of the Hellenic Republic, 2005): According to article 21(1) any form of corporal punishment on students in secondary schools is explicitly prohibited, if they misbehave.

**Parliament Law No. 3064/2002** (Official Gazette of the Hellenic Republic, 2002) **to combat human trafficking, crimes against sexual freedom, children pornography and in general financial exploitation of sexual life and assistance to the victims of such crimes:** This

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<sup>5</sup> The violent acts covered by this law are: domestic physical harm, violence and threat, rape and abuse of power to commit assault, and insult of sexual dignity.

<sup>6</sup> Article 1532 of Civil Code states that the consequences can be the removal of the custody of the child (completely or merely) from the parent who abuses his/her parental authority and assigning it to the other parent. If the other parent is also unable to take the custody of the child due to that reason then the custody is assigned (completely or merely) to a third person or a guardian.



law covered many gaps in the Penal Code and made improvements to some of its provisions. It added to the Penal Code a specific article (1) dedicated to **human trafficking**, included in some of its provisions all people and not only some specific persons (e.g. added in article 338 of the Penal Code about abuse of power to commit a lewd act not only against women with mental disorders –as it was before- but against any person), increased the penalties for specific crimes (acts of rape, sexual assault and seduction of children which lead to the death of the victim) and added the assault of minors and seduction of children (apart from rape) to the ex officio prosecution of crimes. One important provision added to article 348 of the Penal Code according to which: anyone who, as an occupation or act for profit, commits or facilitates **assault** of minors is punished with imprisonment and a monetary fine from 10.000 to 100.000 euro. A specific paragraph about **children pornography** has been added to article 348 of the Penal Code; article 349 has changed about **pandering** as well as article 351 about **human trafficking**. Under article 351 of the Penal Code, article 351A concerning lewd acts against minors with payment has been added. “Any lewd act committed by an adult with a minor or among minors with payment or other material exchange is punished as follows:

- If the victim has not reached 10 years of age, with at least 10 years of imprisonment and a fine (100.000 – 500.000 euro)
- If the victim is between 10 and 14 years of age, it is punished by at least 10 years of imprisonment and a fine (50.000 – 100.000 euro)
- If the victim is 15 years old and older, it is punished by at least 1 year of imprisonment and a fine (10.000-50.000 euro)

If these acts are committed habitually, this is an aggravating factor.

### 2.2.2. National Action Plans

**National Action Plan for the Rights of the Child:** in May 2007 the Minister of Health and Social Solidarity presented the core contents of the National Action Plan for the Rights of the Child. This was the first attempt in Greece to launch such an Action Plan. However, it has not been implemented yet and the announced Plan had many limitations regarding the protection of children. According to the suggestions of the Children’s Ombudsman that was sent to the Ministry, the Action Plan should have included, inter alia, the following:

- Systematic mapping of the current situation concerning the implementation of the Rights of the Child in Greece (research results, national and international reports, recommendations etc.), the characteristics of children and their needs
- Explicit reference to the institutions that will be responsible to implement the actions
- Explicit distribution of responsibilities among the involved institutions
- Timetable of actions
- Provision on resources and financing for the implementation of the plan
- Organization and staffing of welfare and mental health services with professionals with expertise in child and family protection, preventive, diagnostic, counselling, supportive and therapeutic intervention

- Improvement and development of special units for child and adolescent protection in need of special treatment (e.g. children victims of abuse, children with disabilities, mental health problems, etc.)
- Undertaking of measures for the effective functioning of adoption and foster families
- Training of teachers and awareness raising of parents on the Rights of the Child and their right to be protected from violence
- Activation of the family court

**National Action Plan on Reproductive and Sexual Health 2008-2012** (Ministry of Health and Social Solidarity, 2008): The National Action Plan on reproductive and sexual health aims, among others, to decrease domestic violence and sexual abuse. More specifically, it is provisioned for a) the implementation of a **national information campaign** on reproductive and sexual health aiming, inter alia towards the prevention of sexual abuse (Axis 2, Action 1), b) the **revision of the existing legal framework** aiming to establish stricter penalties for perpetrators of domestic violence, trafficking of children and women or other cases of sexual exploitation (Axis 1, Action 1), c) the development of a **monitoring registry** for domestic violence (Axis 3, Action 1) by the development of a pilot monitoring registry for domestic violence in two hospitals in Greece (from 2008-2009). From 2010 – 2012 it is provisioned to expand the implementation of the registry, d) **sensitization of professionals** on sexual health and domestic violence (to be implemented from 2009-2012) and e) **development of manuals for early diagnosis** of domestic violence.

However, nothing from the above provisions has started to be implemented.

### 2.2.3. Other provisions about CAN

**Civil Code:** Neglect falls mainly under provisions of civil law; more specifically, acts of violence committed by parents against children incur either forfeiture of the right of parental custody (article 1537 of the Civil Code) or deprivation of the exercise of that right (articles 1532-1533 of the Civil Code). Forfeiture takes place ipso jure if the parent has received an irrevocable sentence for a crime against the life, health or morals of the children, while deprivation of exercise of the right of parental custody always presupposes a court decision. In urgent cases, where there is immediate danger for the physical and mental health and integrity of the child, protection measures can be ordered by the Prosecutor (Article 1532). Furthermore, the child has the right to be represented in legal proceedings by the person(s) having parental custody (Civil Code, Article 1510).

**Penal Code:**<sup>7</sup> Penal Code contains provisions aimed at the protection of minors against violence inside and outside the family (physical and sexual abuse and incest), cause of damage to the minor's health, abandonment, neglect, maltreatment, exploitation and indecent

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<sup>7</sup> Penal Code. Retrieved 10 November 2009 from: <http://gort.gr/pk1.html>

acts against minors from public officials who provide services to minors or adults to whom it is entrusted the care of minors. More specifically:

Under article 312 of the Criminal Code, if there is no question of a more severe offence, any person who: (a) by continuous cruel behaviour, causes **physical injury** or **damage to the health** of a person under the age of 17 or unable to defend him/herself and is under the custody or protection of the perpetrator, or belongs to the perpetrator's household or has a relationship of work or service with the perpetrator or has been left in the perpetrator's authority by the person responsible for the minor's custody, (b) causes suffering, injury or damage to the minor's health by malicious **neglect of his/her obligations** towards them, is sentenced to imprisonment for at least 3 months.

Article 360 makes any person who, having the supervision of a minor (younger than 17 years of age) neglects his/her duty to prevent the minor from committing a criminal act or prostitution liable to imprisonment for up to 1 year. The sentence is increased to imprisonment for up to 2 years if the person who omitted his/her duties had the custody of the minor.

According to article 339 of the Greek Penal Code (**seduction of children**) "*one who commits a **lewd act** with a person under 15 years of age, or induces this person to commit or to be subjected to such an act through deception, is punished as follows:*

- a) *if the victim is under 10 years of age, with at least 10 years' imprisonment*
- b) *if the victim has completed 10 years of age, but is under 13 years of age, with imprisonment of up to 10 years*
- c) *if the victim has completed 13 years of age, with imprisonment"<sup>8</sup>.*

If any of the acts included in article 339 results in the death of the minor victim, the perpetrator will be liable to life sentence (article 340) (this provision was added to the Penal Code by the law 3064/2002, as before this change, the imprisonment was between 10 years and life sentence).

Under article 337 (**insult of sexual dignity**), any person who, by indecent gestures or propositions concerning lewd acts, grossly offends against the dignity of sexual life of a minor under the age of 12 is liable to imprisonment from 3 months to 2 years. In cases where the child is above 12 years of age, the perpetrator is liable to imprisonment up to 1 year or a monetary penalty.

Article 342 of the Penal Code (**abuse of power to commit a lewd act against minors**) applies to minor victims under the age of 18 and covers a wide range of perpetrators, including ascending relatives by marriage, foster parents, guardians or supervisors or any other caregivers, teachers or tutors, priests, and members of the family environment of the victim, punishing acts of indecency with a minor whom the above persons had in their supervision or care, even if temporarily.<sup>9</sup>

<sup>8</sup> not specified term

<sup>9</sup> Article 339 of the Penal Code protects minors from seduction independently of the relationship of the perpetrator with the victim while article 342 protects them from assault committed by perpetrators with whom the minors have a relationship of dependence and confidence.

It should be noted here that since 2002<sup>10</sup> (by the law 3064/2002) in the cases of rape (article 336 of the Penal Code),<sup>11</sup> seduction of children (article 339 of the Penal Code) and abuse of power to commit a lewd act against minors (article 342) the criminal prosecution is initiated ex officio. In the cases that fall under article 337 (namely, insult of sexual dignity) someone needs to press charges.

Moreover, according to the **Code of Penal Procedure** for the interrogation of a child victim of a crime against her/his personal and sexual freedom, an expert (child-psychologist or child-psychiatrist) should be assigned aiming to prepare the minor to be interrogated, as a witness, in collaboration with judicial employees and the investigators conducting the preliminary investigation. The Expert should also assess the perceptual competency and mental state of the minor and draw up a report to be included in the court file (Article 226A of the Code of Penal Procedure).

The crimes of **incest** and **sexual assault between relatives** by blood are punished on the basis of articles 345 and 346 of the Penal Code. Under these provisions, sexual intercourse between relatives by blood in the ascending or descending line is punished, for the ascendants, by imprisonment of up to 10 years, and for the descendants by imprisonment of up to 2 years. Sexual intercourse among siblings or half blood sister/brother is punished by imprisonment of up to 2 years. If the offence is committed among relatives in the descending line and –at the time of the commitment of the offence- the perpetrator has not reached the age of 17, the court has the power not to impose any punishment on such minors. Any other act of sexual assault between relatives is punished by imprisonment of up to 1 year.

Under article 347, paragraph 1b, **lewd acts between males** committed by a) an adult seducing a person under the age of 17 years old b) by abusing a relationship of dependence on the basis of providing any kind of service, is punishable by imprisonment of at least 3 months.

Article 336 (**Rape**) punishes a person who forces a person –by using physical violence or threat- to have sexual intercourse or other lewd act by imprisonment. If those acts are committed by two or more perpetrators (who are acting jointly) the persons are punished by at least 10 years of imprisonment.

According to the provisions of article 343 **public officials** who commit a **lewd act** with a person who is dependent on him/her by the service provided to the victim or exploits this relationship (paragraph a) and if **persons appointed or in any way working** in prisons or other places of detention, schools, educational institutions, hospitals, clinics, or any other kind

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<sup>10</sup> Before law 3064/2002 an ex officio criminal prosecution could be initiated only for cases of rape.

<sup>11</sup> Rape, which is a crime prosecuted ex officio, **is the only crime** where the prosecutor may abstain from prosecution or stop the penal prosecution (if s/he has started it) on the basis of a justified decision taking into consideration the victim's (or other authorized persons\*) statement that the publicity of the penal prosecution will result in serious mental harm of the victim (modified article via article 3 of the Law 3064/2002 and again re-modified from article 3 of the Law 3727/2008).

\* other authorized persons, according to article 118 of Penal Code, include (apart from the victim itself) the following: if the child is younger than 12 years old, the authorized person is his/her legal representative, and if the child is older than 12 years old, the authorized persons are both the child and his/her legal representative.

of infirmary and convalescent home, or other **institutions** intended to care for persons in need of help, commit lewd acts against persons admitted to such institutions, they are liable to imprisonment of at least 1 year (paragraph b).

Article 349 (**pandering - prostitution**) protects minors and makes liable to imprisonment for up to 10 years and a monetary fine (10.000 - 50.000 euro) any person who may incite or engage minors to corruption, debauchery, prostitution or facilitate such immoral states.

The punishment can be more severe if the offence is committed against a person younger than 15 years old or the act is committed by deceitful means or by an ascendant relative by blood or by marriage or by a foster parent, spouse, guardian, employee or other person to whom s/he has been entrusted with the upbringing, education/tutoring or supervision of the minor or to take care of, even temporarily.<sup>12</sup>

Article 351 aims at the protection of **minors** who are engaged or seduced by others for the purpose of **sexual exploitation**. Such offences against minors or if committed by an ascendant relative by blood or by marriage or by a foster parent, spouse, guardian, employee or other person to whom s/he has been entrusted with the upbringing, education/tutoring or supervision of the minor or to take care of him/her, even temporarily are punishable by imprisonment of at least 10 years and a monetary fine (50.000 – 100.000 euro).

Any person who incites a minor to beg or fails to prevent the minor from begging or vagrancy if the minor is in his/her custody or has a relation of dependence upon him/her, is liable to imprisonment for up to 6 months or a fine (article 409). Relevant to this provision is the provision of article 358 which, although not concerning only minors, provides for the imprisonment for up to 1 year of any person who maliciously violates an obligation to support a person ordered, even provisionally, by the court.

In general, prison sentences which the court may impose range from three months to five years, unless there is evidence of acts more severely punishable, such as sexual abuse, child murder, etc.

### **Presidential Degrees**

According to Article 97(1a) of **Presidential Degree 141/1991** (Official Gazette of the Hellenic Republic, 1991) the Hellenic Police has the duty to supervise and protect minors from any kind of moral, physical or psychological danger. Under this article, the Hellenic Police can carry out investigations in order to ascertain whether a minor is being abused, neglected or exploited and duly inform the responsible authorities or persons for the protection of minors (article 97(1d)). Furthermore, police officers should treat minors caringly and with affability, avoiding any action that could humiliate them and create bad feelings towards the police. The police should respond to requests –relevant to their responsibilities- which are made by the directors of primary and secondary education (article 97(1i)). Finally, they should intervene against persons who have the supervision of minors and neglect their duty to deter them from

<sup>12</sup> Article 349 of the Penal Code was changed by law 3064/2002. Before that change the penalties were lower.

the commitment of criminal offences or prostitution and should inform the responsible organizations for the protection of minors.

According to **Presidential Degree 201/1998** (Official Gazette of the Hellenic Republic. (1998) (article 13(8c)) addressing primary schools “corporal punishments are not permitted”. Thus **corporal punishment in elementary schools is explicitly prohibited**.

According to **Presidential Degree 104/1979**, addressing secondary schools, the approved sanctions are listed in article 27 but corporal punishment is not among them. However, as there was no explicit prohibition of all forms of degrading punishment or treatment of children in secondary schools and following the decision of the European Committee of Social Rights, legislation was introduced to **explicitly prohibit corporal punishment in secondary schools** (article 21 of Law No. 3328/2005).

#### **2.2.4. Limitations and Gaps**

It is true that Greece has adopted a series of laws regarding domestic violence, child sexual exploitation, child pornography and trafficking -mostly due to Greece’s international obligations arising from ratifications of agreements on children’s rights- but a special law dedicated exclusively to child abuse and neglect is nonexistent. It is evident that lawmakers aim to address this issue mainly under provisions of the Penal Code and that Greece does not yet have a comprehensive action plan for the protection of the Rights of the Child. In general, the legal system is quite vague regarding who is responsible to act in cases of CAN.

Apart from the fact that the passage of Law 3500/2006 is a very important step for the protection of victims of domestic violence, as this law came to fill in a great gap of Greek the legislation about domestic violence, there are also many weaknesses: firstly, article 4 of the Law mentions the consequences, that fall under the Civil Law, provisioned in the cases of “**physical** violence against a juvenile” (stating also that it is prohibited as a disciplinary measure!<sup>13</sup>). It is assumed that the Legislator wanted to provision in the law consequences in cases of psychical punishment of children in the context of their family; however the legislator uses the term “physical violence” instead of physical punishment; as the consequences mentioned in the law that derive from such acts fall under the Civil Code, it is evident that the legislator’s aim was to include in the law forms of physical punishment and not severe physical violence; thus it would be better to have been introduced in such a law the term “physical punishment”. Secondly, a juvenile is considered as a victim of domestic violence if the specific violent acts (domestic physical harm, illegal violence and threat, rape and sexual assault, assault of sexual dignity, fatal harm and intentional homicide) are committed in front of him/her and not for all violent acts committed in front of him/her. Furthermore, it was also rather “risky” to introduce Penal Mediation in the Greek criminal justice as there is no specialized organization to undertake the offenders’ therapy. The law also -apart from the fact that article 23 tries to “mandate” only the teachers to report cases of CAN, while it could

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<sup>13</sup> One could claim here that physical violence against juveniles is prohibited as a form of discipline but it could be allowed as a form of pedagogy or something else. This explanation in the law should be erased.

include in this article more specialties of professionals- does not include any penalties for a teacher who, even though suspects or is informed about cases of domestic violence, does not report them. In fact, any citizen who is aware that the offense of child abuse has been committed has the right to press charges, either to the Police or to the Public Prosecutor. However, no legal responsibility is imposed on a person –including professionals- who is aware of the offense but does not report it. In fact, **professionals** that have contact with children are allowed to report suspected cases of abuse but they are **not mandated** to report and the specific frame is obscure as there is neither designated procedure for reporting nor penalties for failing to report a case. Courts can give orders for appropriate measures only upon request, but professionals are not explicitly obliged to report and prosecutors to request for protective measures.

In addition there is no Public Agency exclusively responsible for either investigating cases of child abuse and neglect or enforcing and monitoring the implementation of the child protective measures ordered by the Prosecutor. However, it should also be noted that creating legislation to protect children victims without enough services to protect them is problematic (see the section below).

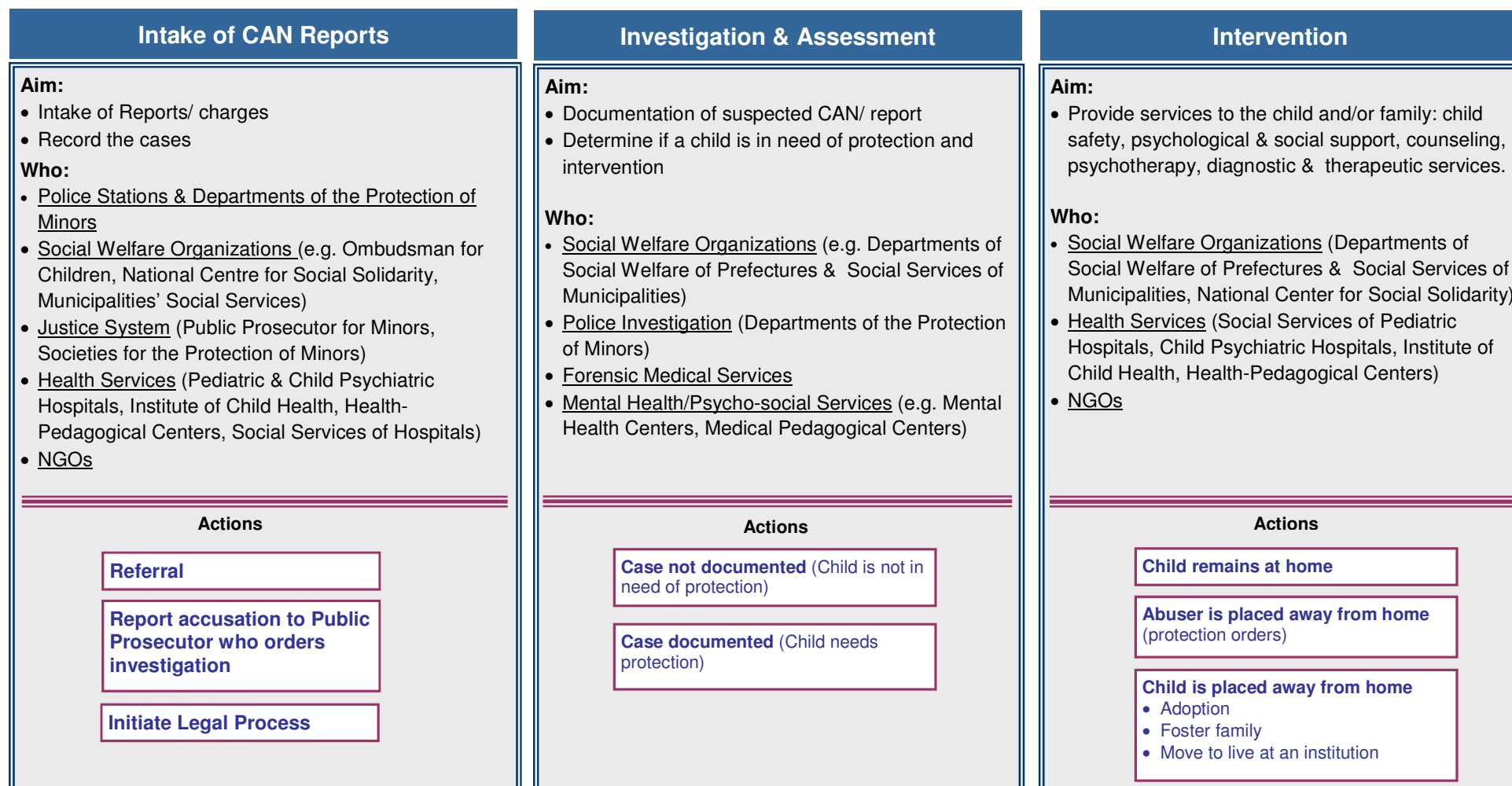
### 3. CHILD PROTECTION SYSTEM IN GREECE

No matter how strange it might seem, in Greece **there is no System of Child Protection**. Figure 1 aims to depict the process that is followed in cases of CAN. As it is obvious from the following figure, someone can report a case of CAN or suspected CAN to various organizations/institutions, such as: (1) Police, (2) Social Welfare Organizations (e.g. Municipalities), (3) Health Services and (4) NGOs. As a result, there is not a central institution where someone can report a case; on the contrary he/she can go anywhere as everyone accepts accusations about CAN.

All of these institutions can report the accusations to the Public Prosecutor for Juveniles. Prosecutors must investigate all reports regarding incidents of abuse and neglect of children and the Public Prosecutor is the only one who has the authority to order investigation/assessment; this **investigation** may be ordered to be done either by the **Police**, professionals of **Forensic Medical Services and/or Mental Health/Psychosocial Services** and/or by the **Municipalities' Social Services**. If a case is documented it starts the legal process. The measures that can be ordered by courts are three: (1) the child remains home, (2) the offender is taken away from home (protection orders), and (3) the child is taken away from home. In other words, courts can order partial or full deprivation of custody, placement of the child in care of another person, foster family or state institution. Courts can also appoint a legal guardian for the child when parents lose parental custody. However, there are very few institutions that host children and adoption and foster families are still underdeveloped in Greece.

Figure 1. Child Protection System in Greece

## Child Protection System - Greece





### 3.1. Short description of main responsibilities of related organizations

The organizations that are involved in prevention and intervention in cases of CAN belong to a) the **Health and Social Welfare System**, b) the **Justice** and the **Public Order** (Citizen Protection) System, as well as to **Non Governmental Organizations**. However, there is no effective coordination and cooperation among organizations that either belong to the same System or to different Systems; there is also not a central agency responsible for coordination and monitoring of various (public) organizations offering services to victims of CAN. In addition, this multidisciplinary approach results in the existence of data regarding CAN –when they are recorded- to be scattered in various organizations as well as to be heterogeneous. The collected data are heterogeneous due to the fact that they are collected based on the needs and responsibilities of each organization. As a result each organization collects data using different patterns and processes. A service that belongs to the Health System, for example such as a Paediatric Hospital may not record data about the perpetrator while this data may be recorded by a district's attorney office. The responsibilities of relevant organizations concerning CAN<sup>14</sup> are presented briefly below. The institutions have a key role either to intake CAN reports or mainly to investigate and assess CAN cases are the Social Welfare Organizations and Social Services of Municipalities, Health, Child Health and Child Psychiatry Services, as well as the Police and Forensic Medical Services. Other organizations related to CAN, out of those that are described below, have usually a more peripheral role as regards to CAN.

**Social Welfare Organizations:** This category includes the Directorates of Social Welfare of the Prefectural Self-Administrations, the Social Services of Municipalities and Prefectures as well as the Social Care Services that are supervised by the Ministry of Health and Social Solidarity.

The responsibilities of the **Directorates of Social Welfare** which function in every Prefecture are, inter alia, the protection and education of families, children, people with special needs and various vulnerable population groups through various activities and implementation of social programs. The following units belong to the Directorates of Social Welfare of each Prefecture: a) the Department of Social Aid, b) the Department of Social Services, c) the Department of Supervision and Audit, and d) the Department of Social Research. Among the responsibilities of the departments of the provision of Social Services include the implementation of programs for the protection of mothers and children of pre-school and school age (e.g. allowance for the protection of children). The departments of Social Work and Research are responsible for:

- Counselling and psychological support for vulnerable population groups, children and adolescents with behaviour problems, people with difficulties in domestic and interpersonal relationships, abused people, etc.
- Conducting social investigation for the implementation of welfare programs
- Admission of children in child care centres
- The adoption of minors
- Investigation and recording of, after carrying out the social investigation, identified problems (e.g. family living conditions)

<sup>14</sup> Information is derived from descriptions of services provided by the organizations available from the officially published information on their own websites.

- Realization of visits and continuous monitoring of private social services (e.g. child protection institutions)
- Co-operation with social institutions in Greece.

The responsibility of the **Social Services of the Municipalities** is to provide special aid, information and support to children, adolescents and adults (who belong to their prefecture) aiming to promote the quality of life and the primary and secondary prevention of citizens' mental health. Lawbreaking by minors and child abuse are included among their responsibilities. They also have the responsibility to conduct research regarding child abuse and neglect and to provide support and protection in collaboration with the district's attorney office for juveniles. They also maintain constant collaboration with other organizations – mental health centres, psychiatric clinics, etc. – where they refer various cases that require special treatment. Social Services accept accusations, report cases of CAN and are the authorized services which conduct the social investigation. The staff of Social Services of the Municipalities conduct visits in homes where, inter alia, child abuse or neglect is suspected.

The **National Centre for Social Solidarity** (E.K.K.A.) is supervised by the Ministry of Health and Social Solidarity and aims to coordinate the network of social support for people, families and population groups who undergo a situation of crisis or emergency. It provides counselling and information services on welfare issues, psychological support, temporary hosting, and mediation for access to services of social solidarity which are provided by other governmental organizations and NGOs. It operates a 24 hour SOS line and conducts interventions on the spot for the confrontation of crisis cases on. The target group of this organization is, inter alia, children and adolescents who are abused and/or neglected. More specifically, EKKA's network of services includes:

- **Telephone Line for Immediate Social Aid "197"** which a) operates 24 hours, 7 days a week, b) provides counselling, psychological support and information, c) provides immediate social intervention, and d) refers cases to the EKKA's network of services or other organizations for further help.
- **Social Support Centres:** which are established at the Prefectures of Athens and Thessaloniki, operate on a daily basis and a) receive and assess the cases, b) provide psychological support and information, c) refer cases to their Short-Term Shelters, d) intervene in homes or other places in order to provide immediately the needed services and e) provide information on all issues regarding welfare and social solidarity.
- **Crisis Management Service**
- **Immediate Social Intervention Service**
- **Short-term Shelters.**

Furthermore, the **Children's Ombudsman** was established by law 3094/2003 and has the right to receive reports and complaints about child abuse and neglect. This office also has the responsibility of bringing information and awareness of child abuse to Greek society and to special groups who take care of children. It has the responsibility to investigate accusations about

actions that infringe upon the rights of the child. More specifically, the mission of the Children's Ombudsman is to protect and promote the rights of the child. It investigates accusations from juveniles, parents, relatives or other people regarding violations of the rights of children, visits places with children, monitors the implementation of the United Nations Convention on the Rights of the Child and makes legislative and organizational suggestions to the Government. It also tries to influence the attitudes and perceptions of citizens, by informational and awareness raising activities regarding their responsibilities towards juveniles.

Services of **Health, Child Health** and **Child Psychiatry**: in the majority of physical and sexual abuse cases, both the medical examination of the child and the documentation of the abuse are necessary. Such examinations are conducted in Child Health Hospitals and/or departments of Child Health in Hospitals in Greece. Apart from this responsibility, these structures are places where there is high possibility to screen for cases of child abuse and neglect during routine medical examinations. The services that belong to this category are, for example, the General Children's Hospital 'Agia Sofia', the General Children's Hospital 'P&A Kyriakou', the Child Psychiatric Clinic of the University of Athens, the Community Centres of Mental Health, the Institute of Child Health, etc. Furthermore, the mental health services for children and adolescents which function within hospitals and community centres play an important role in diagnosis of and therapy for problems that juveniles and their families face. More specifically, a central role in therapy, counseling and/or assessment of child abuse victims have the following services (which however are mainly located in Athens, the capital of Greece, and Thessaloniki – the 2<sup>nd</sup> bigger city in population – except for the Mental Health Centers, which are more located in several prefectures of Greece):

- **Child (and/or Adolescent) Psychiatric Clinics (CPC) of Hospitals**, either affiliated to Universities or not (e.g. the Child Psychiatric Hospital of Attica (former "Ntaou Pentelis" Psychiatric Hospital), CPC of "Agia Sofia" Children's Hospital, CPC of Children's Hospital "P&A Kyriakou", CPC of "Tzaneio" General Hospital of Piraeus, Psychiatric Clinic for Adolescents of "Sismanoglio" General Hospital of Athens, Department of Adolescent Psychiatric of "Gennimatas" Hospital of Athens, CPC of "G. Papanikolaou" Hospital of Thessaloniki and of "Ippokratio" Hospital of Thessaloniki)
- **Medical Pedagogical Centers (MPC)** which mainly belong to the Child Psychiatric Hospital of Attica (Medical Pedagogical Centers of Attica, Nea Smirni, Pallini and Lykovrisi) or to other Hospitals of the National Health System (ESY) (e.g. MPC of North Greece, MPC of Ippokratio Hospital of Thessaloniki)
- **(Community) Mental Health Centers [(C)MHC]** for adults and some of them for children and adolescents which either belong to the National Health System (CMHC of Pagrati, MHC of Peristeri, MHCs of Attica, MHCs of Thessaloniki, Vollos, Ioannina, Kavala, Larissa, Katerini, Patra, Samos, Serres, Tripolis, Chalandri, Chalkida, Chania) or the Mental Health and Research Center of Greece (e.g. MHC of Aigaleo, Attica, Piraeus, of

to Universities or to University affiliated Hospitals (e.g. CMHS of Vironas, Zografos, three CMHCs of Thessaloniki, MHC of Aleksandroupolis, Hrakleion) .

Furthermore, the Child Psychiatric Hospital of Attica has hosting **shelters** for Adolescents and pre-adolescents located in Athens.

The **Institute of Child Health**, which was founded in 1965 by Spyros Doxiadis, offers specialized services on prevention and public health and develops research and education activities in the scientific field of child health. Particularly, the activities include the following:

1. Multidisciplinary constitution aiming at an integrated treatment of child health
2. It is a point of reference in Greece due to its specialized services
3. It holds close contact and collaboration with institutions abroad

The Institute of Child Health (ICH) is a governmental agency supervised and funded by the Ministry of Health and Social Solidarity. Since 1977, the Department of Mental Health and Social Welfare (former, Department of Family Relations) has been carrying out research and action research, and offers continuing education programs for professionals and specialized services to families and institutions. The Department's main aim is to study domestic violence against children, as well as to prevent children's victimization.

Due to its specialization, the Department has been functioning since 1988 as the **Centre for the Study and Prevention of Child Abuse and Neglect** according to the decision of the Vice Minister of Health and Social Solidarity (protocol number 2350/14-11-88). In particular, the urgent social-political demand to eliminate intra-family violence against children has led the specific Department to conduct quantitative and qualitative research, focusing on primary, secondary and tertiary prevention. More specifically it carries out the following activities:

- Primary, secondary and tertiary prevention programs
- Education and sensitization of professionals encountering child abuse and neglect in their everyday practice
- Sensitization of the public and modification of relevant social attitudes and behaviours
- Bringing together research data and social policy through cooperation with the Ministries of Health and Social Solidarity, Justice and Internal Affairs so that legislation/institutional measures are adopted, and
- Collaboration with European Institutions on carrying out international research projects on the violations of children's rights
- Since 2007 the Department of Family Relations has been renamed the Department of Mental Health and Social Welfare

**Legal and Public Order Services:** the District Attorney's Offices are the responsible authorities which accept accusations and undertake the investigation and penal prosecution of accusations regarding child abuse and neglect. The *Supervisory (Commissary) Juvenile Services* and the *Juvenile Protection Associations (JPA)* belong to the Ministry of Justice, Transparency and Human Rights. The ***Supervisory (Commissary) Juvenile Services of***

**the Juvenile Courts** (Law 378/76, Official Government Gazette 171/A, Presidential Decree 49/79, Official Government Gazette 11/79/A) are regional services of the Ministry of Justice that operate in the seat of each court of first instance wherever there is a juvenile court, and are supervised by the Juvenile Judge. They constitute the primary non-intentional service for juveniles' treatment who have committed criminal acts or are in danger of becoming perpetrators or victims of criminal acts. The **Juvenile Protection Associations (JPA)** (Law 2724/40) is comprised of institutions having the legal status of "Legal Persons of Public Law", under the supervision of the Ministry of Justice, Transparency and Human Rights. They function in the seat of each court of first instance and their aim is to prevent juveniles from committing crimes, displaying antisocial behaviour or are in danger of becoming perpetrators or victims of criminal acts due to inappropriate or absence of a family environment, or other unfavourable social conditions or reasons. If the necessary resources have been covered, the Associations establish Juvenile Housing Facilities which offer hospitality and comprehensive support in a family atmosphere to the children they protect. These Juvenile Housing Facilities are offered by JPA in Athens, Piraeus, Iraklio (Crete), Karditsa, Alexandroupolis, Kozani, and Volos.

However, it should be mentioned here that there is no public prosecutor for juvenile victims but only for offenders, which results in cases and testimonies being undertaken by general public prosecutors, who are not specialized in approaching juveniles.

Furthermore, to the legal system belong the **Forensic Medical Services** which are the responsible authorities for the documentation of child physical or sexual abuse cases. There are 13 such services located in big cities (e.g. Attica, Piraeus, Thessaloniki, Lamia, Larissa, Patra, Crete).

The **Police Authorities** also undertake actions for the protection of abused people (women and children). They accept accusations and –following the prosecutor's order- investigate accusations regarding abuse and neglect. They also record the testimonies. According to the Press Release of the Hellenic Police Force Headquarters,<sup>15</sup> among the responsibilities of the staff of the Hellenic Police is dealing with cases of family violence, human trafficking, child abuse etc. In May 2005, the Guide 'Dealing with Family Violence'<sup>16</sup> was distributed to the Police Stations. The guide was released for both the protection of human rights (especially of women and children within the family) and the sensitization of police officers.

Furthermore, the Directorates of Juvenile Protection belong to the Ministry of Citizen Protection which operate in Athens, Thessaloniki, Patra and Iraklio.

It should be mentioned that there are no specialized police officers in the Police stations that can handle cases of child abuse, as in other countries, e.g. in Cyprus where the testimonies

<sup>15</sup> [http://www.ypes-dt.gr/index.php?option=ozo\\_content&lang=GR&perform=view&id=2079&itemid=360](http://www.ypes-dt.gr/index.php?option=ozo_content&lang=GR&perform=view&id=2079&itemid=360)

<sup>16</sup> Hellenic Police Force Headquarters Administrative Sector Division of Organization and Legislation. (2005). Dealing with Family Violence. Athens: Hellenic Police Force Headquarters (Available at: [http://www.astynomia.gr/images/stories/Attachment13519\\_dwfiv.pdf](http://www.astynomia.gr/images/stories/Attachment13519_dwfiv.pdf))

of victims of abuse are undertaken by specially trained officers of the Police and in specially designed places.

**Non-Governmental Organizations:** as there is great lack of governmental social and support services for CAN in Greece the NGOs are trying to cover this gap. The NGO “**The Child’s Smile**”, for example, offers child protection, provides services, and offers housing and legal protection to children all over Greece via the, free 24 hours/ 7 days a week, National Helpline “1056” and other facilities/services. It accepts accusations about child abuse and neglect, offers counselling to children, adolescents, and parents and conducts in situ interventions in cases under crisis and/or danger. The accusations that it receives are conveyed to the responsible public prosecutor’s offices. Other NGOs that provide services for CAN are: ARSIS, EPSYPE, the Support Center for Children and Family, the Children’s SOS Villages in Greece, the ELIZA Association, etc.

For example, **ARSIS** offers support services to young people older than 15 years old, facing difficulties such as poverty, lack of family support, loneliness, abuse and neglect, exploitation, release from prison etc.

Finally, apart from the Child’s Smile National Helpline and the Helpline of E.K.K.A, there is also another National, but not for free helpline, the “**115 25**” (“**Together for Children**” Helpline) which operates daily from 9.00 to 21.00 aiming to provide help to children and adolescents.<sup>17</sup>

Another new helpline (for free) that operates in Greece also is the **European Helpline of Support to Children and Adolescents “116 111”**, from Monday to Friday from 14.00 to 20.30.<sup>18</sup>

### 3.2. Identified Problems

According to the needs assessment study conducted in 2008 by ICH (Nikolaidis, Petroulaki, Tsigoti, Fatsea, Milioni, & Skiadopoulos, 2008) with the participation of 19 organizations related to CAN, it was identified that there is great **overlap in the responsibilities** of these organizations involved in child abuse and neglect. This is also something that has been noted by the UN Committee on the Rights of the Child (CRC, 2002, p. 4) regarding specifically the overlap of duties between the National Observatory on the Rights of Children and the already existing Ombudsman’s Office and the National Human Rights Committee.

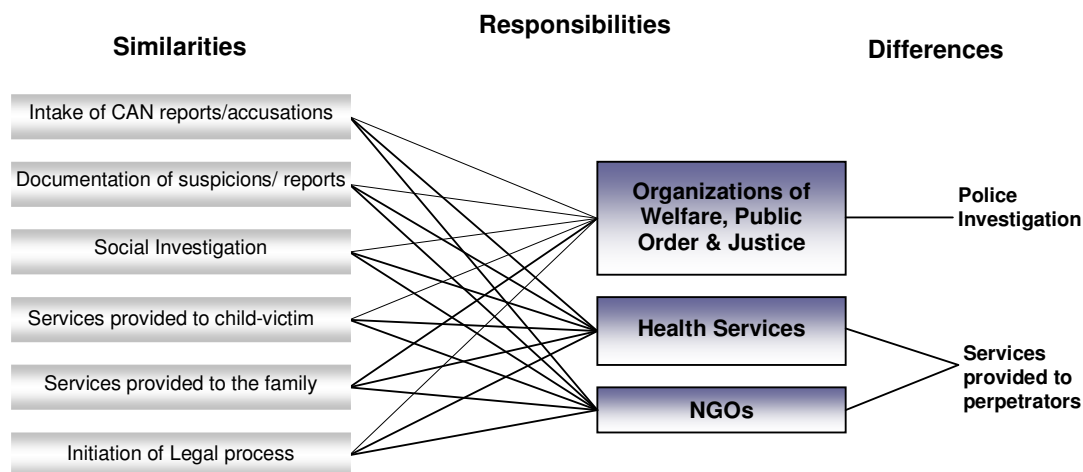
This needs assessment study also revealed that there are deficiencies regarding the data that these organizations record about cases of CAN as well as the data that is collected are not uniform, as there is not a common protocol that the organizations can use, even in

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<sup>17</sup> More information can be found here: <http://www.mazigiatopaidi.gr/main.php> (in Greek and English)

<sup>18</sup> More information can be found here: <http://www.tilefonikigrammi.gr/default.asp> (in Greek), <http://www.tilefonikigrammi.gr/british.asp> (in English) and <http://www.tilefonikigrammi.gr/france.asp> (in French)

organizations that belong to the same services system, e.g. the Health System or the Legal System. The following figure presents the similarities and differences regarding the responsibilities of organizations that belong to different services systems (Nikolaidis, et al., 2008):



**Figure 2.** Similarities and differences of the responsibilities between three systems that provide services to CAN.

There is great overlap of their responsibilities while in a well organized system of child protection their duties should be characterized with no overlap with an increase in the effectiveness of their services. There is no coordination of the child protection system in Greece and there are no organizations with specific “specialized” responsibilities. It was also observed that there are no uniform criteria for investigation and diagnosis of CAN cases, which negatively affects the effectiveness of the provided services. This also leads to organizations that do not cooperate with each other.

In the same needs assessment study the professionals were asked to evaluate the scientific competency of professionals that deal with cases of CAN who work in the following systems: a) Health System, b) System of Welfare and Child Protection, c) System of Public Order, d) Justice System and e) NGOs. The following table presents the mean rate of this evaluation for professionals that work in those systems.

**Table 2.:** Mean rate of the evaluation of professionals’ scientific adequacy working in different services systems, according to the subjective estimation of the professionals that participated in the study (scale: 1= low, 2= below medium, 3= medium, 4=above medium, 5= high)

Scientific Adequacy of Professionals working at the:	Mean Rate
Health System	2.9
System of Welfare and Child Protection	3
System of Public Order	2.2
Justice System	2.6
Non-Governmental Organizations	3.2

The results indicate that the scientific adequacy of professionals that deal with cases of CAN –according to the professionals’ points of view- was assessed as inadequate in all systems. The assessed professional’s scientific adequacy ranged from “medium” to “below medium”, while the highest assessment was noted for professionals that work in NGOs and the lowest assessment was noted for professionals in the Public Order System (police officers). These results indicate the **great lack of training and education of professionals** that deal with victims of child abuse and neglect. When it comes to police officers we should mention that there is almost no provision for training and education on this issue.

The **Social Services** functioning at the Prefectural level are not sufficient and/or specialized, in order to cover the needs and in most of the cases they are not in a position to help. The current ratio is 1 social worker to 70,000 inhabitants, while abroad the respective numbers are 1 to 2,500 (Angelopoulou & Tsagari, 2001, p. 11).

Furthermore, the existing SOS helplines, should ensure the provision of solid follow-up and referrals that will be able to offer specific help and effective intervention, customised to the needs of each case (Angelopoulou & Tsagari, 2001). Children whose parents have **no social insurance**, have **no access** even to **basic health care**. This proves once again that social policy is “family-centered” and not “child-centered” as it should be. Not every child benefits from the existing programmes of social welfare. There is **no immediate intervention** from the social welfare services in case of neglect or abuse. The latter might also imply a **lack of collaboration between law enforcement and social services** involved in such cases (Angelopoulou & Tsagari, 2001, p. 16).

The UN Committee on the Rights of the Child stresses also that the “**National Welfare Organization** which coordinates child welfare services has not yet become fully operational” (CRC, 2002, p. 15) as well as that “there is insufficient number of social workers, lawyers, speech therapists, psychologists and other specialists working within the welfare system and available to support children and their families”.

Last but not least, regarding the institution of foster care in Greece and despite the relevant recommendations of the UN Committee on the Rights of the Child, there is an immobility regarding the development and implementation of foster care programs versus placing children in organizations which often results in institutionalization and asylumisation.

#### 4. CONCLUSION

It should be stressed that apart from the achievements insofar, it is evident that the children’s rights protection movements and International Conventions such as the CRC as well as the current structure of child protection systems at international level have not yet influenced as much as needed the Greek decision-making centers.

There **are no child protection services** and **no central agency** designated to supervise the various state provided services. Contrary to that, several government agencies are responsible for providing social services to families and children and there are, in general,



several child protection organizations and institutions, of various legal status types, character and orientation. There is no coordination and cooperation among all institutions that are involved in child protection and, thus, the Judicial authorities, health services, police and social services, due to their inability to coordinate their interventions, often leads to the re-victimization of the already victimized children and their families who also run from organization to organization without receiving the necessary help. It is a fact that, there is **no discrete Child Protection System** in Greece with specifically defined regulations and services for both the beneficiaries and the staff; there are very few shelters for abused children, as well as few specialized therapeutic and support services for children victims and their families.

Regarding the professionals that are in contact with children, on the one hand, the current legal framework is obscure, as they don't know which cases they should report to the authorities, which are these authorities and under which conditions they are obliged to report. Furthermore, as there are **no guidelines or a common protocol** to be followed, professionals are very reluctant to report cases and they are also **not mandated to report cases of CAN**. Furthermore, due to this gap, often professionals have to try to find ad hoc resources (e.g. personal contacts) in order to "do their job", namely to protect children and offer them the necessary assistance. On the other hand, it should be stressed that **professionals** in all sectors are **not specially trained on CAN issues**.

In other words, the problems of either policy making or policy implementation and the current situation regarding child protection in Greece is rather complex, contradictory, and the problems are, often, difficult to be solved. The major problems in dealing with cases of CAN in Greece can be summarized as follows:

- The magnitude of the problem of CAN in Greece is yet unknown due to the lack of primary data, epidemiological studies and systematic collection of data regarding detected/reported CAN cases
- Lack of staff in the relevant institutions, as well as the unclear duties among the professionals and/or institutions
- Lack of professionals' training and supervision
- No monitoring systems for CAN cases; no surveillance center or registry for CAN cases
- There are no regulations regarding monitoring and evaluation of institutions and professionals who are involved in child protection
- Lack of uniform criteria for screening, diagnostic and classification criteria, and criteria regarding handling of cases; lack of a common protocol and guidelines; each institution or professional uses their own criteria
- Lack of legal immunity for professionals (professionals can be subjected to suits by offenders, and thus discouraged to report any alleged cases) which often leads to developing a defensive stance at their work and resulting to low morale, as they feel helpless in front of the complicated and bureaucratic "state system"

- Existence of very few shelters for abused children
- The insufficient legal framework; the lack of family courts and the underdeveloped institution of foster care.

Any efforts towards dealing with the current inadequacy in the field of child abuse and neglect should emphasize on: a) the establishment of mandatory reporting of child abuse and neglect by all related professionals and organizations but accompanied by penalties in case of failure to report a case of CAN, b) the need of evidence-based social policy and practices, existence of guidelines and a common protocol for screening, diagnosis and handling of CAN cases to be followed by professionals, as the “common sense” or “good willing” of professionals is not any more sufficient and most of the times may be harmful, c) the need of inter-disciplinary and inter-professional coordination and cooperation and d) the need to define specifically the role of various organizations that are currently involved in child protection (leading to the development of Child Protection Services and subsequently to a discrete Child Protection System) followed by the establishment of a National central agency (Surveillance System) which will undertake the coordination and monitoring of the System and, more specifically, to be able to provide support and supervision, assess the quality of services, continuing education to professionals as well as to collect all reported/detected data regarding cases of CAN that will have been reported to these organizations to only one central database. Last but not least, the Greek legal framework must be harmonized according to the Directives and Guidelines of U.N., W.H.O, European Commission and Council of Europe, the soonest possible.

## Bibliography

- Agathonos, H., & Fereti, I. (1992). A retrospective study of child sexual abuse experiences among Greek college students. Proceedings of the Ninth International Congress on Child Abuse and Neglect, Chicago, 31 August - 2 September 1992.
- Agathonos, H., Tsi bouka, V. & Zolota, K. (1999). Reveal of domestic sexual assault to the justice system: demographics and social statistics. *Child and Adolescent: Mental Health and Psychopathology*, 1, 66-84.
- Agathonos-Georgopoulou E. (Eds). (1998). Guide for identification and dealing with child abuse and neglect. Athens: Institute of Child Health
- Agathonos-Georgopoulou, H. (1995). A comparison of child abusing and nonabusing families in Greece: Identification of predictive characteristics for screening and intervention. Ph.D. Thesis, University of Birmingham.
- Agathonos-Georgopoulou, H., & Maragos, C. (1995). Child abuse in the family as problem of health. In J., Kyriopoulos, E., Georgousi, B., Margaritidou, H., Symeonidou (Eds.), *Health, Social Protection and Family*. Athens: Centre for Health and Social Sciences.
- Agathonos-Georgopoulou, H., Browne, K., Maragos, C., Sarafidou, J. (1996). High risk factors for child abuse and neglect: their contribution in secondary prevention. *Hellenic Paediatric Society*, 59, 428-439.
- Angelopoulou, N. & T sagari, M. (Eds). (2001). Non-governmental organisations' report in application of the UN Convention on the rights of the child. Retrieved November 4, 2009 from: [http://www.greekhelsinki.gr/bhr/english/organizations/ngo\\_crc.doc](http://www.greekhelsinki.gr/bhr/english/organizations/ngo_crc.doc)
- Authors not listed. (2009). Convention on the Rights of the Child, Second and Third Periodic Report of Greece. Retrieved November 4, 2009 from: [http://diktuo.files.wordpress.com/2009/10/23-report\\_mfa.pdf](http://diktuo.files.wordpress.com/2009/10/23-report_mfa.pdf)
- Bakoula, C., Kavadias, E. & Matsaniotis, N. (1993). Contradictions in the Greek family related to children's upbringing – Pan-Hellenic Research. Paper presented at the 31<sup>st</sup> Panhellenic Pediatric Conference, Chalkidiki, Greece.
- Diareme, S., Tsiantis, J., Tsioura, S. (1997). Cross-cultural validation of the child abuse potential inventory in Greece: A preliminary study. *Child Abuse and Neglect*, 21, 1067-1079.
- Doxiadis, S. (1989). Children, society and ethics. *Child Abuse and Neglect*, 13, 11-17.
- Fereti, I., & Stavrianaki, M. (1997). The use of physical punishment in the Greek family: selected socio-demographic aspects. *International Journal of Child and Family Welfare*, 2, 206-216.
- Hellenic Police Force Headquarters Administrative Sector Division of Organization and Legislation. (2005). Dealing with Family Violence. Athens: Hellenic Police Force Headquarters (Available at: [http://www.astynomia.gr/images/stories/Attachment13519\\_dwfv.pdf](http://www.astynomia.gr/images/stories/Attachment13519_dwfv.pdf))
- Maragos, C., Nova, C., & Agathonos, H. (1996). Knowledge and attitudes of police officers on issues of child abuse and neglect. *Social Work*, 11, 211-224.
- Ministry of Health and Social Solidarity. (2008). National Action Plan for Public Health: National Action Plan on Reproductive and Sexual Health. Athens: Ministry of Health and Social Solidarity. Retrieved November 5, 2009 from: [http://www.yyka.gov.gr/future/anakoïnseis-egkyklioi/ethniko-s3a7edio-drasis-gia-ti-dimosia-ygeia/ethniko-schedio-drasis-gia-tin-anaparagogiki-kai-seksoyaliki-ygeia-2008-2013-2012/at\\_download/file](http://www.yyka.gov.gr/future/anakoïnseis-egkyklioi/ethniko-s3a7edio-drasis-gia-ti-dimosia-ygeia/ethniko-schedio-drasis-gia-tin-anaparagogiki-kai-seksoyaliki-ygeia-2008-2013-2012/at_download/file)
- NGO Report in Application of the United Nations Convention on the Rights of the Child. (2001). Retrieved October 29 from: [www.crin.org/docs/resources/treaties/crc.29/greece\\_ngo\\_report.pdf](http://www.crin.org/docs/resources/treaties/crc.29/greece_ngo_report.pdf)
- Nikolaidis, G., Petroulaki, K., Tsirigoti, A., Fatsea, E., Milioni, F., & Skiadopoulos, K. (2008). Study on the development of epidemiological tools for continuous surveillance of the incidence of child abuse and neglect. Athens: Institute of Child Health.

- Official Gazette of the Hellenic Republic. (1991). Presidential Degree 141/1991: Responsibilities of institutions and duties of staff of Ministry of Public Order and organizational issues. National Printing Office [FEK 68/A/ 30.04.1991].
- Official Gazette of the Hellenic Republic. (1992). Law 2101/1992: Ratification of the International Convention on the Rights of the Child. National Printing Office, FEK 192/A/ 2.12.1992.
- Official Gazette of the Hellenic Republic. (1998). Presidential Degree 201/1998: Organization and Function of Elementary Schools. National Printing Office [FEK 161/A/ 13.07.1998].
- Official Gazette of the Hellenic Republic. (2001). Law 2909/2001: regulation of issues regarding access to tertiary education and other provisions. National Printing Office, FEK 90/A/ 2.05.2001, article 4).
- Official Gazette of the Hellenic Republic. (2002). Law 3064/2002: combat human trafficking, crimes against sexual freedom, children pornography and in general financial exploitation of sexual life and assistance to the victims of such crimes. National Printing Office [FEK 248/A/ 15.10.2002].
- Official Gazette of the Hellenic Republic. (2005). Law 3328/2005: Interdisciplinary National Academic Recognition and Information Center and other provisions. National Printing Office [FEK 80/A/ 1.04.2005].
- Official Gazette of the Hellenic Republic. (2006). Law 3500/2006: For Combating Domestic Violence and Other Provisions. National Printing Office [FEK 232/A/ 24.10.2006].
- Official Gazette of the Hellenic Republic. (2007). Law 3625/ 2007: Ratification, implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and other provisions. National Printing Office, FEK 290/A/ 24.12.2007.
- Pallis, D. J., Agathonos, H., & Osterweis-Stangos, L. (1981). Do parents contribute to their children's health problem? *The Greek Review of Social Research*, 41, 51-55.
- Tsiantis, I., & Diareme S, P. (2004). Physical Abuse of the Child. Athens: Child and Adolescent Mental Health Information Centre. Retrieved November 4, 2009, from <http://www.childmentalhealth.gr/Wc2529f0589f04.htm>
- UN Committee on the Rights of the Child (CRC). (2000). Report on the twenty-fifth session [CRC/C/100]. Geneva: UN. Retrieved November 2, 2009, from <http://tb.ohchr.org/default.aspx?ConvType=20&docType=36>
- UN Committee on the Rights of the Child (CRC). (2001a). State Party Report: Greece [CRC/C/28/Add.17]. Retrieved October 30, 2009, from <http://www.unhcr.org/refworld/docid/3cb443b8349.html>
- UN Committee on the Rights of the Child (CRC). (2001b). Report on the Twenty-eighth Session [CRC/C/111]. Geneva: UN. Retrieved November 2, 2009, from <http://tb.ohchr.org/default.aspx?ConvType=20&docType=36>
- UN Committee on the Rights of the Child (CRC). (2002). UN Committee on the Rights of the Child: Concluding observations: Greece [CRC/C/15/Add.170]. New York: UN. Retrieved October 30, 2009, from <http://www.unhcr.org/refworld/docid/3d60c63019.html>
- United Nations Children's Fund (UNICEF). (2006). Behind closed doors: The impact of domestic violence on children World Report on Violence against Children. New York: UNICEF. Retrieved November 4, 2009 from <http://www.unicef.org/protection/files/BehindClosedDoors.pdf>
- United Nations General Assembly. (1989). *Convention on the Rights of the Child*. [Document A/RES/44/25 (12 December 1989)]. New York: United Nations.
- United Nations General Assembly. (2000). Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography [A/RES/54/263]. New York: United Nations.