

United Nations Study on Violence against Children

Response to questionnaire received from the
Government of the Kingdom of the NETHERLANDS

Answers to UNSG questionnaire on violence against children

by The Netherlands

I. LEGAL FRAMEWORK

Answers to question 1 to 4

General:

Children are protected by law. In principle, no one may ever use force against them. A whole range of legislation, contained in the Criminal Code, the Civil Code and Acts of Parliament, protects children against sexual abuse, prostitution, pornography, physical abuse and neglect. Corporal punishment is banned in the Netherlands, and capital punishment has been abolished.

The Advice and Reporting Centres for Child Abuse and Neglect (AMK) play an important role in the battle against child abuse, which is defined in law as *any form of threatening or violent interaction of a physical, mental or sexual nature, which may be inflicted actively or passively by parents or other individuals on whom the minor is dependent or from whom the minor is not free, which causes or threatens to cause serious physical or mental harm to the minor*. These centres can be found all over the country and can be reached at a single phone number 24 hours a day. Callers may remain anonymous. The centres' tasks are specified by law, as are their powers and scope for action, both of which are relatively extensive. Once it has been notified of an incident, a centre may institute inquiries, call in assistance, notify the Child Protection Board or the police, and advise both professionals and members of the public. Though rules of confidentiality apply to doctors and other professional care workers, the relevant legislation allows them to report cases of suspected child abuse to the Advice and Reporting Centres. If they are afraid that in doing so their relationship with the child or its parents may suffer, they may remain anonymous. Some rules relating to privacy do not apply if it is in the interests of the child to use certain information without the consent of the person concerned.

If the situation is so serious as to put the development and upbringing of the child at risk, the court may issue a child care and protection order removing the child from the authority of the parents or carers either temporarily or permanently, or requiring the parents to accept help with the upbringing. The Child Protection Board is called in when the Advice and Reporting Centres for Child Abuse and Neglect or other care organisations, or sometimes the police or other parties believe a child is in immediate danger. The Board defends the interests of a

child whose development and upbringing is at risk, and creates conditions to prevent or put an end to the threat faced by the child. It has a number of statutory duties, and carries out inquiries, advises the court in legal proceedings, and proposes appropriate measures or sanctions. The Board may exercise its powers to protect the rights and interests of the child either on request or of its own volition. It works closely with youth care and criminal law agencies and organisations. Its tasks are specified in various provisions of law, the most important of which are contained in the Civil Code, the Criminal Code and the Code of Criminal Procedure.

At school

Safety at school and preventing bullying are important government priorities. The government wants every child to have a good education in safe, clean and congenial surroundings, free from the fear of bullying. It is first up to the schools themselves to ensure a safe climate. But they cannot do so alone. They need to work with all the parties in their immediate environment if they are to solve the problems that confront them and they need to have a comprehensive network of services to support them. In the past few years, the Ministry of Education, Culture and Science has tried to equip schools to cope more adequately with problems themselves.

Studies show that many schools, having been confronted with incidents in which safety is threatened, decide to adopt more structural policies. To enable them to do so, a professional support structure has been set up for schools by the APS school advisory centre. The Youth, School and Safety Knowledge Transfer Centre is active in preventing sexual harassment, and operates a helpline linked to *Pestweb*, a website providing children with information and on-line advice on the subject of bullying.

Pupil guidance helps make schools safe, and measures have been taken to promote it. Investments in the network of school support services have also been agreed. The Education Inspection Act has been amended at parliament's request. Now, serious cases of physical violence or psychological threat can be reported to 'confidential inspectors', who can call the school to account for its policies.

Although much has already been achieved, there is room for improvement in the following areas:

- keeping track of trends (including violence against teachers)
- strengthening cooperation between the parties involved

- encouraging schools not only to devote attention to safety, but also to pursue structural policies instead of merely responding to incidents.

In May 2004, the Minister of Education, Culture and Science submitted a plan of approach to parliament on the subject of safety in schools and problem pupils. The plan announces a number of preventive, curative and punitive measures to promote safety at school.

At work

In February 2002, the Netherlands ratified ILO Convention 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labour. National legislation was already largely in line with the provisions of the convention. However, to meet its commitments, the Netherlands had to make a few amendments in the fields referred to in article 3b.

The legal provisions governing work done by young people and children are contained in the Working Hours Act 1995, the Child Labour Regulations (1995) and the policy rules on light, non-industrial, auxiliary work (1999). The Working Conditions Decree also contains a number of provisions governing the safety, health and wellbeing of children in the work place.

Children below the age of 16 are in principle banned from working. Children in the 13 to 15 age group may work under certain very strict conditions. The Working Hours Act also allows for an exemption from the ban on child labour if an alternative sanction is imposed on a child. In this context, children from the age of 12 may be required to do light, non-industrial, auxiliary work or work of an educational nature or take part in a learning project.

At no time may children's safety be endangered or the work have an adverse effect on their physical or mental development. What is more, the exemptions referred to in the Act clearly state what type of work is allowed and from what age, and specify that it may never be performed during school hours. The Child Labour Regulations contain instructions on frequency of work, maximum daily and weekly working hours, minimum daily and weekly periods of rest, breaks, guidance and supervision as well as giving a further indication of the work permitted. Most of the standards in these regulations originate in EU directive 94/33 on the protection of young persons at work.

Children from the age of 13 are allowed to do light, non-industrial, auxiliary work, in other words they can lend a helping hand. Children from the age of 15 are allowed to do light non-

industrial work, which does not involve activities that are too onerous, hazardous or harmful to health. Hazardous activities include work with or on machines entailing the risk of injury or of being trapped or crushed. Activities harmful to health include those a) where the child may come into contact with hazardous substances and b) for which the child would have to wear protective garments. In any event, children are not allowed to work as cashiers, on a conveyor belt or in a warehouse loading or unloading trucks, for instance.

Young persons of 16 and 17 years of age are in principle allowed to work. However, a number of high-risk activities may only be carried out under expert supervision. A number of activities are banned for young persons; 16 and 17 year olds are not allowed to work nights, for instance.

The Labour Inspectorate supervises compliance with the Working Hours Act and the regulations governing working conditions.

Answers to questions 5 to 19

Abuse

The Criminal Code prescribes penalties for all forms of abuse. For abuse in its least serious forms, a three-year custodial sentence may be imposed. However, anyone abusing their own child is liable to an extra year in prison. Since there is too little data available, a study is soon to be launched into the frequency and nature of child abuse in the Netherlands. The results may persuade the government to develop or step up policy.

At its most serious, abuse or neglect may lead to the death of a child. However, articles regularly appear in professional journals suggesting that in several dozen cases a year neither is recognised as the cause of death during autopsy. The result is not only that the response to the case itself is inadequate, but also that no steps are taken to prevent other children from becoming the victims of abuse or neglect. For this reason, the Dutch government plans to amend the Burial and Cremation Act so that it will require a professional forensic pathologist and, a paediatrician to be involved in the procedure following the death of a minor. The only exception will be when a child dies of a specific illness.

Genital mutilation

Genital mutilation is regarded in the Netherlands as a form of abuse. Special public prosecutors, whose remit includes sexual offences and domestic violence, are responsible

for prosecuting both the offenders and the parents who allow their child to be mutilated in this way. The requirement of double criminality – i.e. that the offence must also be punishable in the country in which it is committed – is soon to be dropped, so that genital mutilations performed in the country of origin, during a holiday for instance, can be prosecuted in the Netherlands. The government is planning to appoint an advisory committee on female genital mutilation to come up with proposals for a monitoring system that will not only have a preventive effect but will also enable incidences of female genital mutilation to be detected more rapidly.

Corporal punishment

The Civil Code specifies that parents have both the duty and the right to care for and bring up their minor children. According to the law, care and upbringing implies responsibility for ensuring children's mental and physical wellbeing and for promoting the development of their personality. Though many parents believe that they are entitled to administer corporal punishment, the right to do so is no longer enshrined in law. To make it quite clear that this practice is no longer permissible, the government is planning to add a passage to the Civil Code banning the use of violence in any form in bringing up children.

Incorporation of this provision in the Civil Code implies that contravention will not lead to prosecution, unless, of course, the use of violence takes on proportions that fall under the Criminal Code. However, the government assumes that the criminal courts will take up the matter, and will more readily regard some forms of behaviour as parental abuse.

Restraining order

Most violence against children is committed at home. Central government therefore launched a special, multi-year project to encourage and enable local authorities and organisations to devote far more attention to preventing domestic violence. In principle, existing legislation presents a wide enough basis for a whole range of measures. However, in the course of the project it became evident that the police needed a mechanism enabling them to intervene before a situation has taken such a serious turn that it has claimed victims, and action under the criminal law is called for. In cases in which a prosecution has not yet been launched, or the person in question cannot be held in pretrial detention, the police will soon be able to apply to the assistant public prosecutor for a restraining order banning the potential culprit from the family home if they have reason to believe that he will use violence against his family members, including the children. The main advantage of this measure is that the children, usually with the mother, will no longer have to find refuge elsewhere, and can stay in their own, familiar environment while care is arranged.

Honour crimes

Domestic violence is sometimes committed as a form of honour crime, particularly in traditional ethnic minority communities. Though honour crimes fall within the parameters of the existing criminal law, the government apparatus is not equipped to prevent this type of domestic violence. The government is now exploring ways of remedying this.

Sexual intercourse with a child below the age of 12

Anyone who performs an act with a child below the age of 12 including or constituting sexual penetration is liable to a term of imprisonment not exceeding 12 years. The criminal justice authorities can prosecute such offences without a complaint having been made.

Which party took the initiative, and whether or not the victim gave permission is irrelevant, nor does it matter whether or not the offender knew the child was below the age of 12.

Anyone forcing a child below the age of 12 to have intercourse with him is also guilty of rape.

Sexual intercourse with someone aged between 12 and 16

1. Any person who performs an indecent act including or constituting the extramarital physical penetration of a minor who has reached the age of twelve but has not yet reached the age of sixteen, is liable to a term of imprisonment not exceeding eight years or a fifth-category fine.
2. A prosecution may be brought only following a complaint, except in the cases described in Article 248 and 249, and cases in which the victim of the offence provides sexual services for payment.
3. In addition to the legal representative in civil cases, referred to in Article 64, paragraph 1, the Child Protection Board is entitled to lodge a complaint as referred to at 2.
4. Other than is laid down in Articles 64 to 66, the victim of the offence may lodge a complaint at any time within the period of limitation referred to in Article 70 (2).

Sexual abuse involving abuse of authority

Anyone sexually abusing a minor who is his child, foster child or ward or who is in his care, is receiving training from him, or is under his supervision, or who is his servant or subordinate is liable to a term of imprisonment not exceeding six years and a sizeable fine.

This provision thus applies not only to parents and foster parents who sexually abuse their children, but also to doctors, teachers, prison staff and the staff of child protection institutions, orphanages and hospitals, and anyone else entrusted with the care of minors. Sexual abuse refers to all sexual acts that are contrary to the social and ethical standards generally accepted in Dutch society. It includes acts of a sexual nature that are offensive to a child's sexual sensitivities, for instance getting him/her to pose for pornographic photographs. Physical contact between the offender and the victim need not have taken place.

Minimum age for sexual activity

The sexual abuse of a young person below the age of 16 is an offence. However, not all sexual relations can be regarded as abuse. Teenagers below the age of 16 having normal sexual relations are not committing an offence.

Generally speaking, sex with a person over the age of 16 is not an offence, unless it takes place under duress, the offender is the minor's parent, teacher, doctor etc, or the minor is working as a prostitute.

No distinction is made between the sexes or sexual preferences.

Minimum age for marriage

In order to marry, both partners must be eighteen years of age. However, this does not apply if they have reached the age of 16 and the girl submits a doctor's certificate to the effect that she is pregnant, or that she has given birth to a child. Under article 31 of Book I of the Civil Code, the Minister of Justice may give permission for young people below the age of eighteen to marry, provided there are grave reasons for doing so.

Internet providers and child pornography

The government is currently working on legislation which, in certain cases, can make Internet providers liable for the child pornography shown on and distributed through computer networks. Similar rules are also being drafted within the EU.

Under the provisions of criminal law, the public prosecutor or examining magistrate will have the opportunity to make certain data inaccessible, putting an end to offences or preventing offences from being committed. It is now common practice for providers to remove certain sources, or make them inaccessible, in response to a complaint or other notification. Some

providers scan the titles of messages to see whether they may contain pornography. Internet providers are usually keen to cooperate.

Indecent assault

Anyone forcing another through violence or the threat of violence to commit or submit to indecent acts is guilty of indecent assault and is liable to up to eight years' imprisonment and a sizeable fine.

Anyone persuading a child younger than 16, or a person not capable or entirely capable of making their wishes known (e.g. someone who is learning-disabled) to submit to indecent acts, or to perform them with a third party is liable to up to six years' imprisonment.

Sexual abuse of underage prostitutes

Anyone sexually abusing a male or female prostitute aged between 16 and 18 can face a prison sentence of up to four years. Though the ban on prostitution has been lifted in the Netherlands, this statutory provision makes it possible to counter prostitution among young people of 16 and 17.

Sex tourism

The provisions of Dutch criminal law also apply to Dutch nationals and nationals of other countries resident in the Netherlands who commit sexual offences with minors abroad. Suspects also face prosecution even if they took up residence in the Netherlands after the offence was committed.

Sexual abuse and sexual harassment at school

Since the Sexual Abuse and Harassment in Schools (Prevention) Act came into force on 28 July 1999, teachers have to report suspected cases of sexual abuse to the competent authorities, which in turn will contact the 'confidential inspector' who will decide whether to report them to the police or the criminal justice authorities. The aim of the act is to protect children against sexual abuse.

Long limitation period for sexual offences

The limitation period for sexual offences only starts on the day that the victim reaches the age of majority. This measure was considered necessary because it is difficult for children to stand up to the person who abused them, and on whom they are often dependent in all kinds of ways. Victims are thus given the opportunity to take action against their abusers when they are ready to do so.

Public Prosecution Service guidelines

The Public Prosecution Service guidelines help promote an appropriate, professional approach to cases of sexual abuse and domestic violence throughout the country. They are drafted at national level. Since they contain instructions on investigations, prosecutions and enforcement of penalties, they also deal with police work.

Elements include:

- Rules on the procedure for drafting and submitting official reports, arresting suspects, bringing them before the public prosecutor and placing them in pre-trial detention, and on scope to prosecute a suspect without a complaint being filed.
- Rules on recording the facts (building the case file), enabling the police to draw up an official report and investigate a case with all the relevant information on the offence and the context in which it was committed at their fingertips. Vital facts include information on the gravity of the injuries, and witness statements on the gravity, frequency and duration of the acts of violence, the context in which they were committed and whether children were present. It is also crucial to have enough information of this kind to enable proceedings to be instituted in cases where the victim decides not to press charges.
- Rules on action to be taken on receiving reports and complaints from care organisations.
- Rules on agreements and communication with care organisations on the wishes and needs of victims and their possible role as witnesses, and on the suspect's needs.
- Rules on the role of the public prosecutor vis-à-vis the victim, where this is not covered by the general guidelines on treatment of victims.

Courts tasked with addressing violence against children

Violence against children falls under the provisions of criminal law. Parents who abuse their children also appear before the ordinary criminal courts if they are required to account for their deeds. If the abuse is so serious as to threaten the child's upbringing, making it unacceptable for the parents to maintain full responsibility, the court may order that the child be placed under a child care and protection order. To this end, every court has a children's judge, who is invested with special powers under civil and criminal procedural law. Their place in the organisation varies. In some courts they form part of both the criminal law and the civil or family law sector, in others they form part of either the civil or the family law sector.

In response to requests from other professionals, such as the Child Protection Board, the Public Prosecution Service or the family supervision agency, the children's judge decides which child care and protection order is the most appropriate in the circumstances. The child

may be placed under a supervision order, which means that a family supervisor is appointed to help the family and take decisions that are in the interests of the child. Or the judge may decide to divest the parents of their parental responsibility, with or without their consent.

Answers to questions 20 to 25

Generally speaking, organisations working in the youth care sectors are expected to have an independent complaints committee, to which parents, carers and children can turn with their problems. Complaints can also be addressed to a case manager or confidential counsellor.

Complaints procedures in young offenders' institutions

The Young Offenders' Institutions Framework Act regulates complaints procedures in youth custodial institutions. Formal complaints against decisions of the governor can be lodged with the independent complaints committee. The procedure leads to a binding decision, against which either party may lodge an appeal with the appeals committee of the Central Council for the Application of Criminal Law. A mediation procedure is available for complaints not directly arising from a decision taken by the governor. In this case, a member of the independent supervisory committee deals with the complaint and tries to find a solution. If the complaint has to do with the use of violence, the young person may also choose to report the incident to the police with a view to criminal proceedings or he may institute civil proceedings if he wishes to sue for compensation.

The Act gives young offenders the right to lodge complaints independently, but their parents, guardian, step-parents or foster parents may also do so on their behalf. The complainant is entitled to assistance from a legal aid lawyer or other person authorised by the complaints committee. The legal aid lawyer provides services on the basis of an assignment. The Young Offenders' Institutions Framework Act contains no special provisions on violence against young people.

If the complaints committee decides in favour of the young person, the governor's decision will be reversed. If that is no longer possible, the committee may award financial or other compensation. If a member of staff is found guilty of using violence against an inmate, measures may be taken under employment law. He may also be prosecuted, and sued for compensation under civil law.

II. INSTITUTIONAL FRAMEWORK AND RESOURCES TO ADDRESS VIOLENCE AGAINST CHILDREN

Answers to questions 26 to 34

The Ministry of Health, Welfare and Sport, the Ministry of Justice and the provincial authorities share responsibility for policy on violence against children. The provincial authorities are responsible for implementing it. For instance, they are responsible for running the Advice and Reporting Centres for Child Abuse and Neglect, which the two ministries fund. These Centres are part of the Youth Care Offices which are active in every province. Youth Care Offices are the main portal to youth care services, not only for abused and neglected children but also for children in need of mental health care, for care within the criminal law context and family supervision, and shortly for care for learning-disabled children.

Since 1983, the Dutch government has pursued an active policy to counter sexual violence and, since 1995, domestic violence. By subsidising non-governmental organisations, the government contributes to developing training courses. But innovation is still needed. Growing demand for help from, for example, refugees, immigrants and older women leads to the need for new methods that are diverse and accessible to all.

NIZW

The Netherlands Institute for Care and Welfare (NIZW) is an independent organisation dedicated to quality and innovation in the care and welfare sector. Increasingly, it is providing information and support services for institutions outside the sector, like social services, employment services, housing associations, the police and schools.

The NIZW has set up a national expertise centre on child abuse, which is largely funded by central government. The centre's aim is to encourage and equip professionals, government authorities, policymakers and the general public to prevent child abuse or, where that is impossible, to read the signs and call in help. The centre fulfils this task through information provision, exchanging expertise, knowledge development, and advising policymakers.

TransAct

TransAct, the Dutch centre for gender issues in health care and the prevention of sexual and domestic violence, is the product of a merger between five former NGOs with many years' experience in this field. TransAct provides advice and information for counsellors, institutions and policymakers. TransAct is funded by central government, and from revenue from

courses and consultancy work. It employs 40 members of staff and has contracts with 60 freelance trainers.

RAAK action group

RAAK's aim is to adapt, improve and supplement the methods of organisations that work with parents and children in such a way as to demonstrate that an effective strategy to prevent child abuse is possible. The Ministry of Health, Welfare and Sport has agreed to supply RAAK with a grant.

Advice and Reporting Centres for Child Abuse and Neglect

As explained above under I, the government-funded Advice and Reporting Centres for Child Abuse and Neglect have been in operation since 1 January 2000. The Centres' tasks and responsibilities are specified by law. From 1 January 2005, they will fall under the provincial or regional Youth Care Offices.

Domestic violence advice and support centres

As part of its strategy to prevent domestic violence, including violence against children, central government has released funds for the establishment of advice and support centres. In practice, these centres will refer cases of child abuse to the Advice and Reporting Centres for Child Abuse and Neglect. Very complicated situations may also arise in which the child does not suffer abuse, but is, for instance, witness to abuse of one of its parents or a brother or sister. Rapid action is called for here too, and even a child who has not himself been abused may need help. The support centre can refer parties to the agency best suited to help them.

Working together to prevent domestic violence

The advisory and support centres for domestic violence are front offices. Their back offices comprise various organisations, or regional consortiums mostly headed by local authorities, and involving the police, the Public Prosecution Service, social services and others whose work brings them in contact with the victims or perpetrators of domestic violence. The government is providing multi-year support to set up these consortiums through the Association of Netherlands Municipalities.

JONG

The government launched the JONG project on 1 January 2003 with the aim of achieving more coherence in youth policy, and to identify problems. Coherence is also important in efforts to prevent child abuse. The project brings together the Ministries of Health, Welfare &

Sport, the Interior & Kingdom Relations, Justice, Education, Culture & Science, and Social Affairs & Employment. It will run until 31 December 2005.

Tackling waiting lists for youth care services

The government has set up a task force to investigate the reasons for long waiting lists for youth care services and to advise the government on ways of tackling this problem.

Preventing sexual abuse of children

A few years ago, the government launched a number of activities to prevent the sexual abuse of children. They are set out in a National Action Plan. The final report on the implementation of this Plan, which was sent to parliament is attached.

In response to a motion submitted by parliament, the State Secretaries for Justice and Health, Welfare and Sport pointed out that there was scope for a children's ombudsman in the Netherlands. However, no further action has been taken.

There are no particular parliamentary structures to address violence against children, nor have there been any recent initiatives from parliament on this subject.

III. ROLE OF CIVIL SOCIETY IN ADDRESSING VIOLENCE AGAINST CHILDREN

Answers to questions 35 to 37

The government provides project or multi-year grants to support initiatives by organisations, professionals and universities that aim to prevent child and sexual abuse. The instruments they produce are particularly useful, since they are geared to specific target groups and include training sessions for professionals, methods to help children protect themselves, information campaigns, and protocols for sectors of society where people work with and for children.

An example is the initiative launched by RAAK, referred to in part II.

The media regularly focus on the issue of child abuse, usually in the form of government press releases, and in response to incidents.

IV. CHILDREN AS ACTORS IN ADDRESSING VIOLENCE

Answer to questions 38 to 40

The Youth Care Act strengthens the position of clients, i.e. young people and their parents or carers.

Before making a referral, the Youth Care Office discusses the problems that have arisen with the young person and their parents. Together they decide on the kind of support needed and draft a plan. All the parties involved therefore know from the start what to expect, and what will be expected of them. Clients have to agree to the plan, and have access to the files. In the case of clients who are younger than 12 or not legally competent the parents or carers have to give their permission. Where they are over the age of 12, but younger than 16, both the young person and the parents or carers have to agree. If the Youth Care Office decides that young people need help, they are entitled to it, both from the provincial authorities and, for care falling under the Exceptional Medical Expenses Act, from their health insurer.

Like care providers, the Youth Care Offices have to have an independent confidential adviser to support clients in exercising their rights. The offices also have to have a complaints procedure and a complaints committee (see answer to questions 20/21), and, like the care providers, a clients' council to represent clients' interests and give them advice.

V. POLICIES AND PROGRAMMES TO ADDRESS VIOLENCE AGAINST CHILDREN

Answers to questions 41 to 44

Domestic violence

In the course of 2000, the Minister of Justice, responding to a request from parliament, announced that central government needed to take firmer action against domestic violence by adopting an integrated approach, which had proved in practice to be the most effective. Central government also wished to set an example. In October 2000, a national project aimed at preventing and combating domestic violence was launched under the auspices of the Ministry of Justice and with the participation of the Ministries of the Interior & Kingdom Relations, Health, Welfare & Sport, Social Affairs & Employment and Education, Culture & Science. Dozens of implementing organisations, professionals, researchers and individual experts contributed to the final report, which the government adopted and submitted as a memorandum to parliament on 12 April 2002.

Over the next four years, an interministerial consulting body will supervise implementation of the activities set out in the memorandum and, where necessary, take the initiative to develop new policies. A cooperative link will be maintained with the network of national organisations set up during the project.

Sexual abuse

In response to the first UN world congress against the commercial sexual exploitation of children in Stockholm in 1996, the government published a paper on a broad strategy to tackle the sexual abuse of children. The paper led to a national action programme, which was submitted to parliament on 19 April 2000. Its aim was a coherent approach, and less fragmentation. With this programme, the government also wants to achieve closer cooperation between government agencies, civil society and non-governmental organisations. The main conclusions contained in the final report submitted to parliament on 11 November 2002 (see annex) are as follows:

- better assistance for the victims of sexual offences
- enabling people working with children to identify the signs of abuse early on and report them
- professional development of police, Public Prosecution Service and care services
- fewer sexual abusers reoffending
- more scope to increase children's ability to protect themselves.

The action programme has led to many improvements, but the problem has not been solved yet. The government therefore continues to work closely together with civil society to take action to prevent the sexual abuse of children. In 2003, for instance, programmes were developed for use during police training to enable police officers to identify the symptoms of sexual abuse. These programmes are now in use. Similar programmes are currently being developed for other professional groups. They are expected to be ready in late 2004.

VI. DATA COLLECTION, ANALYSIS AND RESEARCH

Answer to questions 45 to 53

The Dutch government will soon be commissioning a study into the nature and extent of child abuse in the hope of gaining sufficient information to step up its policies. The researchers will collect information on the frequency of child abuse in the Netherlands, the forms it takes (physical, mental or sexual), the victims (sex, age, cultural background), the

offenders (sex, age, relationship to victim), the situations and circumstances in which child abuse occurs (at home, at school, crèche, clubs, public space), and the relationship between the nature and extent of child abuse and features of the victims, the offenders and the situations/circumstances in which it occurs.

There are some indications as to the occurrence of violence against children. Studies conducted by the Ministry of Justice in the past few years show that domestic violence, child abuse and sexual abuse of children are not uncommon. In fact, more than 40% of Dutch adults, both men and women, were once the victims of domestic violence, and 11% suffered physical injury. In more than 20% of these cases, people were the victims of violence for many years. The figures for young people are as follows. One in nine children between the ages of five and ten is the victim of physical violence at home. In the ten to twenty age group, that figure is one in five. Of the victims of sexual abuse at home, 45% are below the age of 18 at the time the abuse first occurs.

It is difficult to collect data on the sexual abuse of children outside the home, since it usually occurs in illegal and unofficial circles. In the past few years, however, the police have been carrying out more frequent inquiries into child pornography. Between 1996 and 2000 the number of investigations rose from 40 to 130.

Domestic violence and sexual violence have very serious, negative effects on children's development. An estimated 30% of the children who end up in shelters have been either the witness or victim of violence at home. Studies show that in the Netherlands 100,000 children a year witness domestic violence between their parents, and that 40% of them are at great risk of developing behavioural problems. Some of these children will later be violent towards their partners or relatives. The government has awarded grants to a number of organisations to enable them to devise strategies to treat children who have witnessed violence between their parents.

In 2002 the Advice and Reporting Centres for Child Abuse and Neglect were approached regarding concerns about 25,374 families, 8.9% more than in 2001. In 7,212 of these cases, families were reported for abusing their children. In the other 18,162 cases child abuse was suspected, and the centres were asked for advice. Of course, these figures do not give an accurate picture of the extent of child abuse in the Netherlands.

VII. AWARENESS, ADVOCACY AND TRAINING

Answer to questions 54 to 56

The projects referred to at V above have given rise to intensive communication on these subjects. The government has initiated or funded websites, many booklets have been produced and distributed and materials have been developed for a national campaign against child abuse, which have been distributed to the regions for use at the most appropriate time. A similar approach will be adopted for a national campaign against domestic violence, for which a toolkit will be developed.

A regional campaign against child abuse was conducted in the period between October 2003 and February 2004, lasting approximately six weeks in each region.

To prevent sexual abuse and other forms of violence against children, training in self-defence strategies is important. The Ministry of Justice has supported the development and organisation of this kind of training, in which children learn both social skills and ways of defending themselves physically against threats to their person. Training is given at primary school to pupils in the two senior years. More children take part every year. 4,500 children took part in the 1999 to 2000 school year. The following year that figure had doubled.

There are also training programmes for medical professionals, in which attention is devoted to death from non-natural causes among minor children. This is a joint initiative of the Ministries of Justice, the Interior & Kingdom Relations, and Health, Welfare & Sport.

The Ministry of Education, Culture and Science has developed a course to enable teachers in primary, secondary and vocational education to recognise the signs that children and young people are the victims or witnesses of domestic violence. The course also looks at the action schools can take when domestic violence is suspected.

On the instructions of the Ministry of Health, Welfare and Sport, a code for reporting child abuse has been developed which enables organisations and professional groups to draft guidelines, tailored to their own specific situation, on the action to be taken when child abuse is suspected. A procedure has been developed which ensures that the professional groups working with children are aware of this instrument and put it to use. It should ensure that attention remains focused on this problem.