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Summary

In the article, the author revealed the most pressing issues regarding the survey of children victims of domestic violence and described in detail the procedure for interviewing minors. It has been established that the process of obtaining testimony from underage victims of domestic violence has certain difficulties. A list of grounds that are undesirable to use when communicating with children is identified, recommendations are provided for interviewing children victims of violence.

The main conclusions about the importance of the process of questioning children as one of the main evidence bases, which will allow a comprehensive, objective and unmistakable establishment of the truth in the case. The main types of violence against children, subjects who commit violence against children, dangerous consequences for the society where domestic violence against children is actively manifested are characterized.

It is established, on what features it is necessary to pay attention to process of interrogation of the child on what reliability of the received information depends. Attention is drawn to the fact that the procedure of interviewing children victims of domestic violence is regulated not only by national legislation but also by international law.

The author states that in accordance with international standards and world practice, the interview of a child who is a victim of violent crimes, domestic violence or has witnessed violence should be conducted in a friendly atmosphere for the child, where she feels protected and comfortable. The article describes the "green room" as a specially equipped room for interviewing such children.

Keywords: domestic violence, children's survey, "green room", violence against children .

Peculiarities Of Survey Of Children Victims Of Domestic Violence

The state of the study. Among the scientists who to some extent conducted research on children victims of domestic violence should be noted such as: D. Puras , O. Kalashnik , O. Kochemyrovskaya , T. Tsyuman , O. Kovaleva, V. Bondar, T. Wojciech , V. Melnychuk, V. Paul , E. Lukyanov, T. Matyushkova . However, these studies either partially reveal the specifics of the survey of children victims of domestic violence, or do not take into account the provisions of the updated legislation in this area. Today there is a need to study features of psychological and tactical methods that application the survey children who are victims of domestic violence.

In this regard, the **purpose** of this article is to identify the causes of violence against children, provide sound suggestions for improving techniques for effective and successful interviewing of children victims of domestic violence, to explain in more detail the algorithm of interviewing a child victim.

Presentation of the main provisions.

Violence - intentional physical or psychological influence of one person on another, against his will, which causes physical, moral, property damage to this person, or involves the threat of causing such damage for criminal purposes. Such influence on a person is carried out by committing certain intentional acts. The person who commits violent acts, is aware of their nature, anticipates the consequences of these acts and wants or knowingly allows them to occur¹.

Domestic violence - any intentional acts of physical, sexual, psychological or economic orientation of one family member in relation to another family member, if these actions violate the constitutional rights and freedoms of a family member as a person and a citizen, and inflict moral damage on him, harm to his physical or psychological health².

A special place among subjects who were victims of violence in the family have children. Violence and child abuse are becoming more common. This problem should be solved as each family individually and society of the whole. The state, headed by public authorities, should not stand aside, but protect this category of children. Children living in abusive families are inevitably injured. The consequences negatively affect the development of physical and psychological health.

Violence against children is physical, psychological, sexual violence or lack of upbringing and care for children by parents, guardians or strangers caring for children. Violence against children can include any act of violence, neglect, abuse or inability, unwillingness or inability to raise and care for children from parents or others, resulting in actual or potential harm to the child. It can be observed in the family, at the child's place of residence, on the street or in organizations, schools or communities with which the child interacts³.

Domestic violence against children includes 4 forms of violence: physical, economic, psychological, sexual.

Physical violence - infliction of physical injuries on a child by parents or their substitutes, educators or other persons, various bodily injuries that damage the child's health, disrupt his development and take his life. These actions can be carried out in the form of beatings, torture, pushing, in the form of blows, slaps, cauterization with hot objects, liquids, lighted cigarettes, in the form of bites and with the use of various objects as tools of superstition. In some families, various types of corporal punishment are used as a disciplinary measure, from nape and slap to beating with a belt. It is necessary to realize that physical violence is a physical attack (torture), it is almost always accompanied by verbal insults and mental trauma.

Sexual abuse of a child is manifested in the unlawful encroachment on the sexual integrity of a child (boy or girl) in order to satisfy sexual needs or gain benefits. According to Ukrainian law, any sexual act against a child is a criminal offense. Physical abuse is, in particular, the exposure of the external genitalia of the perpetrator or victim, kisses, obscene touches that cause sexual arousal, learning to masturbate.

The problem of psychological violence in the family is the most acute among children. This is largely due to their vulnerability and ignorance. Children's vulnerability to violence is due to their physical, psychological and social immaturity, as well as a dependent (subordinate) position in relation to adults, regardless of whether they are parents or guardians.

The most common types of psychological violence against children include:

- treatment of children as subordinates, slaves or servants;

¹ Shemshuchenko U., Legal Encyclopedia of 6 tons. Ukrainian Encyclopedia them. M.P. Bazhana, Kyiv 2002, Art. 720 - ISBN 966-7492-04-4. URL : <http://vocabulary.com.ua/13761106/legal/violence>

² <http://zakon4.rada.gov.ua/laws/show/2789-14>

³ Wikipedia . URL: https://uk.wikipedia.org/wiki/Violence_for_children

- punishment;
- use of their advantages - growth, size and strength;
- threats to leave, fall out of love with the child;
- the threat of severe punishment by God, the court, the police, the school, the special school, the shelter, relatives and the psychiatric hospital;
- constant emphasis on shortcomings;
- use of children in conflicts between parents;
- accusing children of conflicts between parents;
- accusing the child of all problems;
- accusing the child of all problems.

Economic violence is defined as a form of domestic violence that includes intentional deprivation of housing, food, clothing, and other property, funds or documents or opportunities to use them, leaving without care or custody, obstruction in obtaining the necessary treatment or rehabilitation services, prohibition to work, coercion, prohibition to study and other economic offenses⁴.

Most domestic violence is perpetrated by a husband against his wife. It is common for a father to abuse his or her minor children. However, violence can be perpetrated by both mother and father. If the mother herself is a victim of violence, she may commit negative, violent acts against her child as a compensatory mechanism for her humiliation by her husband. And in the future, children who grew up in an atmosphere of violence build their relationships with their parents on the basis of the same violence.

For society, it is dangerous because children who were victims or witnesses of violence in the family, transfer count this negative experience in their lives. Such a family raises a potential aggressor or victim for society - a person who considers it the norm that others can be humiliated and "if necessary" beaten.

In the event of an appeal, notification of a child in difficult life circumstances as a result of abuse or threat to his or her life or health, the Children's Service together with a unit of the National Police, a social worker or other social service provider (if there is a possibility of involvement), a representative of the health care institution, acting within its powers, immediately assesses the level of safety of the child. Other entities may be additionally involved in such an assessment within the scope of their authority.⁵

If during the assessment of the child's safety level the facts of threat to his life or health are revealed, such child should be immediately sent to a health care institution for medical examination of the child, provision of necessary medical care, if necessary treatment in hospital. According to the Cabinet of Ministers of Ukraine of 24 September 2008 g. N 866 on " On Activities of guardianship for the Protection of the child " issue should be resolved on the temporary placement of the child in a family of relatives, friends, family patronage educator .

Particular attention should be paid to the peculiarities of the method of interviewing a child who has experienced domestic violence. Due to the fact that the child is in a depressed, intimidated, stressful state after the violence against him, the person who interviews such a child must show him his attention and understanding. It is important to reassure the child that he or she will be assisted and that no one will accuse him or her of violence.

⁴ On Prevention and Counteraction to Domestic Violence: Law of Ukraine of December 7, 2017 № 2229-19

⁵ The procedure for ensuring social protection of children in difficult life circumstances, including children who have suffered from abuse "from 1.06.2020 №585

The process of interviewing children is a more complicated procedure than it seems from the outside. Given that children of different ages have certain levels of development; this can lead to misrepresentation. Therefore, it is important that experienced psychologists, representatives of social services for children and juvenile prevention workers are present during the interview of this category of persons. Information on domestic violence can be obtained from a variety of sources, but information obtained from a child victim is often the only main evidence in a case.

It is important to remember that communicating with a child separately from the parents increases the likelihood that the child will tell a police officer the truth about his or her past fears. In the event that a child's interview is conducted in the presence of parents, there is a risk that the child will say what his or her parents want to hear, rather than what actually happened

In the course of interrogation, it is necessary to pay attention to features of the child:

- how the child is exposed to suggestion;
- how easy it is to get a child confused;
- how often the child tells a lie;
- which survey strategy is the most effective;
- what exactly causes changes in testimony;
- why it happens that some talk more about their experience, and others - less .

The reliability of the information obtained depends on:

- the level of development of the child;
- features of the phenomenon;
- survey methods.

During the survey it is necessary to take into account:

- it is desirable to interrogate the child as soon as possible after the violence committed against him;
- keep in mind that the child's emotions are related to the trauma, and interview him constantly immersed in retrotrauma;
- the child better remembers non-verbal information that he can tell during the survey and which he needs to help verbalize;
- it is not necessary to avoid frequent surveys of the child, as this may lead to distortion of information;
- remember that stress affects the child's memory, so it is necessary to pay attention to how violence has affected the child's condition, as it will depend on the indications, and the effect of stress depends on the situation and affects the brain.

When communicating with children who have been victims of domestic violence, one of the main tasks of the interviewer is to establish a trusting relationship between him and the child . Given the child's mental instability and trauma, most children cannot tell adults what has happened to them because they will not be believed. The child always perceives the abuser as a stronger and more authoritative person, so he believes that the version of the aggressor will be perceived, but it is not. Another feature of communication is the manifestation of compassion. The child should feel that the person interviewing them really regrets what happened, that they are sympathized with and understood.

It is always important to remember that a child who has been abused often feels guilty about what happened to them. Therefore, an adult should not condemn a child, but on the contrary create safe and comfortable conditions when telling the child about the circumstances of the case, support and approve of the child's behavior, show a desire to find a way out of a situation of violence. If the interviewer helps to overcome the child's fears, it will allow to obtain as much information as possible about the negative events that happened to the child.

When communicating with a child who has suffered from violence, it is unacceptable ⁶:

- "Read notations";
- distract from talking to the child;
- promise a reward for providing information;
- to force to answer, to insist on telling the truth, even if they are sure that the child is cheating; require detailed information if the child does not tell everything that you think he knows for sure;
- to provoke the child by asking how she would like to punish the offender (s), which, in her opinion, should be a fair punishment for what was done;
- condemn any of the answers heard from the child. Correct the "wrong answer". In this case, additional questions will help;
 - make assumptions about who is to blame;
 - to show irritation, interrupt, adjust the child;
 - to ask the child why the criminal harmed her. The child does not realize this and often blames himself;
 - to give hope for what they are not sure of, for example, "nothing bad will ever happen to you again", or "such actions will never happen again";
 - Promise your child that you are not going to tell anyone about the things you hear from her. Information on the case may need to be passed on to other police agencies or bodies;
 - allow any manifestation of contempt for the victim. Show understanding and respect, perceive the affected child as he is.

In addition to national legislation, the procedure for interviewing children victims of domestic violence is also regulated by international law. Thus, according to paragraph 1 of Article 35 of the Council of Europe Convention for the Protection of Children against Sexual Exploitation and Sexual Violence of 25.10.2007, which was ratified by the Verkhovna Rada of Ukraine in 2012 and is part of national legislation, countries that have ratified the Convention must necessary legislative or other measures to ensure:

- conducting interviews of the child without unreasonable delay, immediately after the notification of the facts to the competent authorities;
- conducting surveys of the child, if necessary, in a specially equipped and adapted for this purpose room;
 - conducting surveys of the child by a person specially trained for such purposes;
 - conducting all interviews of the child by the same persons, if possible and where appropriate;
 - as few interviews as possible and to the extent that this is essential for the purposes of criminal proceedings;
- the possibility of accompanying the child by his or her legal representative or, where appropriate, by an adult of his or her choice, unless a reasoned decision is made in respect of that person.

We fully agree with T.A Malovana that during the interrogation of a child, the choice of the place of interrogation plays a very important role, as conducting an interrogation in the office of a police officer can have negative consequences both for the child and for the case as a whole. The child may be closed, not provide complete evidence that is important for establishing the truth in the case, and most importantly may receive additional psychological trauma, which will harm his physical and psychological health.. ⁷

⁶ V.Andreenkova, V. Baidyk, T.Wojciech, O.Kalashnik etc., Prevention and counteraction to manifestations of violence : activity of educational institutions, Educational-methodical manual, Kyiv 2020, FOP Nichoga SO, art. 196

⁷ T. Malovana, The place of interrogation of a child victim of a crime in criminal proceedings. Bulletin of criminal proceedings №3 / 2015 , p. 178-185

In accordance with international standards and world practice, the interview of a child who is a victim of violent crimes, domestic violence or has witnessed violence should be conducted in a friendly atmosphere for the child, where he feels protected and comfortable. Such a place is a specially equipped room, which is called - "green room". Such rooms are equipped, as required by international standards, with comfortable furniture for children, the necessary video and audio recording equipment, as well as methodological materials for working with children.

The main purpose of conducting the interview in such a room is to reduce re-traumatization of the child during the interview due to special techniques and comfortable atmosphere, as well as technical equipment that allows video recording of interrogation and further use this video for investigation without re-interrogation.

Conclusions

Thus, the survey of a child has a special, clearly formalized by law process. However, in addition to following the appropriate legislative procedure for interviewing children victims of domestic violence, it is necessary to have a sufficient level of communicative knowledge, be able to focus on age and psychological characteristics of the child victim when communicating with her, take into account the emotional stress with the trauma of our past. Conducting a survey requires tact, restraint, a culture of communication. Taking into account the specifics of the development of the child's psyche can significantly help in establishing the truth in the case.

It is necessary to focus on the place of the interviews, not to treat it formally, as this can help to establish psychological contact and obtain the necessary information, a place where the child will feel protected and comfortable. Such a place is a specially equipped room, which is called - "green room".

On how well will be established psychological contact with a child who has suffered from domestic violence are tactical and psychological techniques apply, on depends achieve the main goal - getting complete and accurate information and providing psychological assistance to child victims of domestic violence.

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