



**INTERNATIONAL
JUSTICE MISSION**

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**Child Sexual Assault: Practice and Learnings
International Justice Mission**

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In 2016, the World Health Organization, in collaboration with UNICEF and UNODC, among others, developed a suite of strategies to address violence against children in the context of the Sustainable Development Goals anti-violence targets. The resulting “INSPIRE” package includes among its seven strategies “implementation and enforcement of laws.” International Justice Mission welcomes INSPIRE’s identifying the crucial role of functioning criminal justice systems to protect children from violence and to deter perpetrators of it. The following memorandum shares IJM practices, observations and learnings from its work confronting child sexual assault over the past fifteen years.

Scope of the problem: Sexual violence against children is a significant human rights abuse in virtually every country in the world. The World Health Organization rightly refers to it as a global epidemic, with poor children at greatest risk.¹ The global estimate of girls victimized by sexual assault is 20% and boys 10%, with many countries experiencing even higher levels of victimization.² In many countries, sexual abuse carries such stigma for the victims that the crime is neither acknowledged nor addressed. Moreover, justice systems in much of the developing world do not have the capacity to provide protection and justice for child victims of sexual assault. With no consequences or deterrence for perpetrators, sexual abuse of children continues and can become socially normative.

The nations of the world, recognizing the significant damage done to children, communities and nations from unchecked sexual assault have included in the Sustainable Development Goals a clear commitment to eliminate violence against children in all its forms, including sexual assault.³ The inclusion of anti-violence goals in the global development agenda offers a challenge and an opportunity to governments, civil society, and international institutions to undertake investments and initiatives to protect children and restrain those who perpetrate abuses against them.

The work of International Justice Mission, IJM: IJM collaborates with local law enforcement to bring protection and justice to victims of violent abuse, including victims of sex trafficking, labor slavery, and sexual assault in 17 field offices in Asia, Africa and Latin America. In four of its current field offices, IJM casework focus is sexual violence against children. Currently, IJM lawyers, investigators, and social workers provide direct services to child victims of sexual assault in Nairobi, Kenya; Chiang Mai, Thailand; Le Paz and El Alto, Bolivia; and in three provinces in Guatemala. In addition, IJM provided services to child sexual assault victims

¹ http://www.who.int/violence_injury_prevention/violence/world_report/en/summary_en.pdf

² http://www.who.int/violence_injury_prevention/violence/child/ispscan_report_june2013.pdf

³ See SDG 5.2, SDG 8.7, SDG 16.2

and assisted in prosecuting perpetrators of the crime in Rwanda from 2007 to 2015 and the Philippines from 2000 to 2016.

In its work to address sexual assault, IJM has served over 700 individual child victims by offering case management services and free legal assistance and securing trauma-informed psychosocial services for the survivors and their families. Simultaneously, IJM assists criminal justice officials in investigating and prosecuting suspected perpetrators, employing a “collaborative casework” approach. Collaborative casework involves IJM experts assisting local law enforcement officials on individual, real-time cases, providing them tangible, hands-on support. IJM has assisted in the prosecution and conviction of 585 perpetrators of child sexual assault in Asia, Africa and Latin America.

IJM’s collaborative casework model contributes to capacity development for local criminal justice authorities and brings relief and protection to individual child victims of sexual assault. In addition, collaboratively working cases through every stage of the judicial process provides a diagnosis of gaps and weaknesses in the criminal justice system. Once those gaps and blockages come to light, IJM and its local government partners implement strategies in their system reform programs to address them.

In the course of working alongside police, prosecutors, courts, and social welfare officials on hundreds of individual cases, IJM has seen that it is possible for even very poor countries to secure substantial improvement in criminal justice process and outcomes for child sexual assault cases. We have seen that it is possible for the number of successful prosecutions to increase and that child victims and their families can be restored and rehabilitated.

The following observations are based on IJM-assistance to both child sexual assault victims and criminal justice officials (police, prosecutors, courts, and social service agencies) in Rwanda, Kenya, Philippines, Bolivia, Guatemala, and Thailand.

Assessing Scope of the Crime: A robust and candid assessment of the scope and nature of sexual violence against children is a natural and effective way to bring the issue into prominence for civil society and government agencies and to encourage acknowledgement and ownership of the problem. Estimating the prevalence of child sexual assault is difficult, however, because of stigma against victims, social norms that do not view sexual assault as a crime, under-reporting of the crime, and lack of government capacity to collect crime data. Nonetheless, there have been important gains made over the past decade in gathering data on violence against children (including sexual assault) at a national level and using that information to inform national plans to combat it.

One model was developed by Together For Girls (www.togetherforgirls.org), a global partnership that provides expert resources to carry out national surveys and data collection on all forms of violence against children. The organization collaborates closely with all relevant national government ministries, including justice, health and education sectors. Together For Girls in collaboration with UNICEF conducts Violence Against Children (VAC) surveys that bring clarity and urgency to violence against children, including sexual assault. Engaging all relevant sectors of government, including police, prosecutors, and courts contributes to ownership by national governments and serves as a strong basis for developing national strategies to address the issue.

The inclusion of targets on violence against children in the SDG’s is an opportunity for international agencies such as UNICEF, UNODC, WHO and other partners to help build

government capacity to assess the scope of violence against children, as Together For Girls does in its VAC studies.

IJM has found in our child sexual assault casework that government record keeping is scarce and limited. In Guatemala, for example, IJM conducted a case file review of 61,082 cases of sexual assault filed during the period 2008-2012. Only 47,012 of the 61,082 sexual assault victims had their ages recorded. Of those whose age was known, 44% (20,590 victims) were children and 56% (26,422 victims) were adults. It is important to note that of the 14,070 victims whose age was not recorded, many were likely children.⁴

At a minimum, governments and donors should commit to equip and train national, state or department and local criminal justice officials to use a standardized, computerized format to register essential information on violence against children, disaggregated by age, sex, and geographic locale, and capture key indicators of government response.

In addition, Government data collection on child sexual assault cases could include the following indicators:

Indicators of criminal justice system professionalism: meeting standards for time frames (such as time between arrest and formal charge, time from the initial hearing to final hearing), number of and reason for trial adjournments, sentencing guidelines, charging guidance.

Indicators of child-friendly capacity: e.g. use of Gesell chambers,⁵ use of One-Stop Centers⁶ for evidence collection and forensic examination, crisis intervention services, referral to psychosocial services, witness protection, trauma-informed practices throughout the criminal justice process, number of times children are interviewed, proper processes within child welfare that utilize kinship care or foster care with therapeutic shelters as a last resort to minimize disruption of the child's environment.

Indicators of perpetrator restraint/accountability: time elapsed from report of sexual assault to investigation, arrests, restraint of suspects pending trial, percentage of cases going to trial, total length of time for criminal case.

Assessing Government Capacity: A crucial component of building a strategy to protect children from sexual assault and restrain and deter perpetrators of the crime is an assessment of current government capacity to respond to the crime. Using both quantitative and qualitative methods, researchers can identify where the justice system is functional, and where it is weak or

⁴ Guatemalan Criminal Justice System Performance Study, 2008-2012: Indicators of Practice, Process and Resolution within Cases of Child Sexual Assault (2013)
<https://www.ijm.org/sites/default/files/resources/Guatemala%20Public%20Justice%20System%20Performance%20Study.pdf>

⁵ A Gesell chamber is a comfortable, victim-friendly room where a child's testimony can be received and recorded so that the victim does not need to face the alleged perpetrator in the courtroom. An experienced social worker or psychologist questions the victims while judicial officials are able to observe from behind a one-way mirror. Resource: UNODC training manual on use of Gesell Chamber in Panama.
<https://www.unodc.org/ropan/en/IndexArticles/PANT37/2015/manual-de-utilizacion-de-camara-gesell.html>

⁶ One Stop Centers are first response facilities located in clinics, hospitals, or judicial buildings where women and child victims of assault can report the crime and receive assistance; forensic evidence is collected and formal testimony accepted.

nonfunctional. As noted above, International Justice Mission collaborated with the Government of Guatemala to analyze the justice system's performance in cases of child sexual assault.⁷ IJM found that over a 5-year period, of 61,082 cases of sexual assault filed, 36,166 cases of sexual assault were taken up by the Public Ministry (prosecution service). IJM analyzed 182 concluded child sexual assault cases (out of a total of 232 files) from the three provinces with the highest number of child sexual assault cases.

Analysis of the case files revealed that the majority (60%) of reported cases of sexual assault in the four-year period had not successfully completed the investigation phase by the end of the four-year period. Interviews with police and other justice system officials confirmed that police were poorly trained and motivated to investigate child sexual assault cases and that the police and prosecution service had little or no collaboration on sexual assault cases. Only 5.9 percent of reported cases actually reached a verdict. These and other findings from the study encouraged increased investment by the Government of Guatemala to improve police and prosecutor performance and prioritize sexual assault cases within the judiciary.

As governments, donors, and international agencies collaborate to build capacity to address sexual violence against children, it will be important to assess capacity and gaps in capacity of the criminal justice response to such cases. Ideally, researchers would evaluate case files as well as convening stakeholders to respond to the following:

- 1) What was the overall public justice system pipeline⁸ for child sexual assault cases within a given period? How did the public justice system perform during the investigation and prosecution of child sexual assault cases? How effective was the public justice system during the investigation and prosecution phases of child sexual assault cases?
- 2) How did the public justice system treat victims during the investigation and prosecution of child sexual assault cases? Did this treatment minimize re-traumatization? What services did the public justice system provide to child victims of sexual assault? How was the public justice system involved in coordinating services to child sexual assault victims?
- 3) What were the strengths of the public justice system response; where were there gaps or challenges in the public justice system response to sexual assault of children?
- 4) What were stakeholders'⁹ perceptions of and confidence in the public justice system's ability to address child sexual violence cases?
- 5) What was the political will for a criminal justice response to sexual crimes against children?

Committing to combat the crime: Once national governments become informed of the scope of the problem of violence against children and assessed their justice systems' capacity to protect children and restrain those who perpetrate crimes against them, many develop national plans to take on the issue squarely.

The Government of Tanzania, which completed a Violence Against Children Study in 2011, developed a three-year national plan to address its findings, 2013-2016.¹⁰ In December, 2016,

⁷ Guatemalan Criminal Justice System Performance Study, 2008-2012 Indicators of Practice, Process and Resolution within cases of Child Sexual Assault
<https://www.ijm.org/sites/default/files/resources/Guatemala%20Public%20Justice%20System%20Performance%20Study.pdf>

⁸ The "public justice system pipeline" refers to the government officials involved from reporting to sentencing; and how these actors are involved and interact with one another and the victim.

⁹ Stakeholders include public justice system actors and NGOs that (1) collaborate with the PJS in the investigation and/or prosecution of CSEC cases; and/or (2) directly provide services to CSEC victims.

the Government announced a follow-on five-year plan, developed in response to the Sustainable Development Goals on violence against children.¹¹ The Tanzania plan is noteworthy in its inclusion of tangible, measurable commitments and goals for its criminal justice system to combat violence against children.

For example, the 2016 plan includes the following commitments:

- Raising violence against children convictions from 7 percent to 50 percent
- Reducing the length of judicial proceedings for violence against children cases from 4 years to 12 months;
- Increasing One Stop Centers delivery of services from 4 to 26 locations¹²;
- Increasing the proportion of VAC survivors who experienced any violence and reported within 72 hours after an event from 30% to 65%;
- Rolling out and operationalizing Police Gender Children's Desk from 417 police stations to 600.

Child Friendly Criminal Justice Process: One of the most significant weaknesses in many countries' criminal justice response to violence against children is failure to observe victim-friendly procedures. In IJM's experience representing child victims in Latin America, Southeast Asia and Africa, we found that even in countries with perfectly adequate laws against child sexual abuse, government partners were not equipped, trained, or staffed to follow best practices to avoid re-traumatization of child victims. The lack of victim-sensitive approaches in the public justice system discourages victims, particularly those from poor, underserved, or marginalized communities, from engaging it. It accounts at least in part for substantial under-reporting of the crime of child sexual assault.

When victims of sexual assault do engage the criminal justice system, frequently their experience is re-traumatizing, from the first point of contact until the case is closed. For example, in Bolivia where IJM assists child victims of sexual assault, survivors are often required to return to the scene of the crime and give their testimony there, sometimes with the perpetrator present. Practice has improved in some cases -- the suspected perpetrator is sometimes kept in a nearby car -- but this crime scene investigation/hearing is still a standard part of the trial process. Such practices are invariably traumatic for child victims of sexual assault; governments should modify crime scene reconstruction procedures to exempt sexual assault victims from being present.

IJM learned in its case file review of child sexual assault cases prosecuted in Guatemala that on average, child victims were required to recount their story to approximately eight different professionals, each from a different criminal justice system institution. The case file review also showed that the mechanisms to avoid the re-traumatization of minors in the criminal process are under-utilized. Only 1.52% of CSA cases between 2008 and 2012 applied pre-trial testimony procedures. None of the 182 cases reviewed utilized the Gesell Chamber. One percent of cases used close captioned television (CCTV) to receive the testimony of victims of child sexual

¹⁰ Tanzania 3-year plan; http://www.togetherforgirls.org/wp-content/uploads/Tanzania_FINAL3_year_national_plan.pdf

¹¹ Tanzania 5-year plan; [http://www.mcdgc.go.tz/index.php/publications/more/national_plan_of_action_to_end_violence_against_women_and_children_in_/](http://www.mcdgc.go.tz/index.php/publications/more/national_plan_of_action_to_end_violence_against_women_and_children_in/)

assault, and only 5% of cases used a folding screen to avoid confrontation between the minor victim and the alleged perpetrator.¹³

IJM social workers in Chiang Mai, Thailand, who provide services to child victims of sexual assault, state that reporting to police can be deeply traumatizing and even dangerous. Many of IJM's clients are members of Hill Tribe minority groups who lack Thai citizenship. Victims are apprehensive about interacting with police or other government officials for fear of exposing their identity and being harassed. In addition, some of IJM's clients have experienced trauma and shame as a result of the lack of victim-friendly approaches employed by law enforcement; for example, many children are often asked by officials to repeat details of the abuse multiple times.

On a more positive note, given the opportunity, IJM's government partners have been eager to redress the problem. International Justice Mission shares trauma-informed approaches with the police, prosecutors, court personnel and social welfare officials when collaborating on child sexual assault cases. IJM also engages in extensive training for government officials, NGO's, and community leaders in a trauma-informed and child-friendly judicial process and in trauma focused care for child survivors of sexual assault.

According to the National Center for Trauma Informed Care¹⁴, a trauma-informed system 1) realizes the widespread impact of trauma and understands the potential paths for recovery; 2) recognizes the signs and symptoms of trauma in clients, families, staff, and others involved with the system; 3) responds by integrating knowledge about trauma into policies, procedures and practices; and seeks to actively resist re-traumatization. By being trauma informed, service providers create environments wherein survivors can heal and thrive.

In the Philippines IJM collaborated with the Department of Social Welfare and Development (DSWD) to ensure that service providers were equipped to work with trauma survivors in their care. At the direction of the DSWD Secretary, IJM, DSWD and the Consuelo Zobel Foundation developed a Trauma Informed Care Training Curriculum (TIC), a three-day program with follow-up over the course of six months. The curriculum, based on a needs assessment of DSWD capacity, was piloted before implementation. In July, 2015, the Trauma Informed Care Training Curriculum became an official DSWD curriculum. In its first year of implementation, 130 justice system participants were trained.

IJM and DSWD gained important insights from the TIC training program, including the need for the entire social welfare system to be trauma informed, the necessity of on-going training of participants in the social welfare system, and the importance of training service providers on how trauma impacts the brain to equip them to better understand trauma survivors in their care.

¹³ Guatemalan Criminal Justice System Performance Study, 2008-2012 Indicators of Practice, Process and Resolution within cases of Child Sexual Assault
<https://www.ijm.org/sites/default/files/resources/Guatemala%20Public%20Justice%20System%20Performance%20Study.pdf>

¹⁴ <https://www.nasmhpd.org/content/national-center-trauma-informed-care-ntic-o>

One of the most important insights from the program was that training contributed to a measurable increase in capacity for service providers. For example, an independent evaluation of the impact of the TIC Curriculum at a government aftercare shelter for girls found that an overwhelming majority of the participants developed a deeper understanding of the phenomenon of trauma and its effects on survivors and the people who work with them; staff retained a functional understanding of trauma and its effects on survivors and the people who work with them, six months post-training; there were discernable attempts by staff to apply the trauma concepts that they learned from the TIC training; staff were increasingly viewing their clients' baffling behaviors as potential reactions to trauma triggers; staff were more mindfully responding to clients' bewildering behaviors with trauma-informed approaches.

In Guatemala, IJM collaborated with UNICEF and with the Public Ministry (prosecution service) to develop child-friendly processes for police, prosecutors, and courts. In March 2013, the Attorney General approved the General Instruction No. 2-2013 for the attention and criminal prosecution for crimes committed against childhood and adolescence. In May 2013 the Supreme Court of Justice published Agreement No. 16-2013, which approves the Protocol to hear testimonies from child victims or witnesses in the legal process.¹⁵ Those standards are now required at the national level; IJM assisted with adoption and adherence by conducting trainings for prosecutors and judges throughout Guatemala.

IJM has found that a very common impediment to victim-sensitive criminal justice process is the failure of courts to handle child sexual assault cases on a continuous basis. Instead of prosecuting a case and remaining in court until it has been completed, cases stop and start with dozens of adjournments. Adjournments occur simply because a judge, prosecutor, or defense attorney fail to appear. IJM has found in the countries in which it operates that it can and does take literally years to reach a verdict in a case of child sexual assault. Such a lengthy process means that few cases reach conviction, which undermines the possibility of creating actual criminal deterrence for sex crimes against children. Moreover, the lengthy process creates physical and emotional burdens for victims and their families hoping to secure justice in their cases and discourages others from bringing cases forward.

Thus one of reforms most needed in child sexual assault cases is a mechanism for continuous hearings or fast track procedures. Some countries have designated women and children's courts which, in theory, can streamline a process. But the approach can backfire. One study of ten fast track courts established in the Indian state of Karnataka found that the new specialized courts in some cases had a lower conviction rate than ordinary courts.¹⁶

In 2013 Guatemala created a specialized court for cases of violence against women, sexual violence, and sexual exploitation for the purpose of hearing all such cases. Unfortunately, the new court did not have enough judges or staff to meet the demand and the concentration of cases created a bottleneck and considerable slow-down of the judicial process.

¹⁵ See Appendix 1 for an English language translation of the Guatemala protocols.

¹⁶ <http://clpr.org.in/the-myth-of-speedy-and-substantive-justice-a-study-of-the-special-fast-track-courts-for-sexual-assault-and-child-sexual-abuse-in-karnataka/> Note the robust findings and recommendations, pp 28-30.

The following IJM casework data shows the impact of creating a special court for sexual assault cases:

- In 2012: 46 IJM- assisted cases reached verdict.
- In 2013: 36 IJM-assisted cases reached verdict
- 2014: 15 IJM-assisted cases reached verdict
- 2015: 9 IJM-assisted cases reached verdict
- 2016: 19 IJM-assisted cases reached verdict
- 2017 to date: 21 IJM-assisted cases reached verdict.

Clearly, the establishment of the children’s court with only three specialized judges, had a dramatic impact on the number of cases coming to conclusion. By the second half of 2015, there were six specialized judges and by the end of 2016 there were 15 specialized judges, which is contributing to a gradual increase in cases coming to verdict, though the number of judges are far from adequate to address the need.

The UN system has been in the forefront of developing best practices and guidance for victim-friendly law enforcement and criminal justice in cases of violence against women and children, including sexual assault of children. An extensive resource may be found in UN Women’s “Essential Services for Women and Girls Subject to Violence” (2015).¹⁷ The guidance includes three essential services modules, of which one is specific to justice and policing. It provides detailed victim-sensitive standards on every aspect of the judicial process, from the first contact with police throughout and following a trial.

Another resource is The International Association of Chiefs of Police, which provides a model policy for police response to sexual violence against women and children.¹⁸

The National Child Traumatic Stress Network is an important resource on all aspects of trauma informed systems.¹⁹

UNODC’s Guidance in Matters Involving Child Victims of Crime provides a model of a trauma-informed criminal justice process for child victims. ²⁰

Care for Child Victims of Sexual Assault: IJM has provided legal and trauma-informed psychosocial services for over 700 child victims of sexual assault. In each case, IJM assigns a case manager who coordinates care and services for the victim and in many cases for siblings and other family members as well. IJM accompanies the victim throughout the legal process, and collaborates with child welfare officials and NGO partners on restoration and reintegration.

Children in orphanages or other institutions are often at particular risk for abuse. IJM’s Kenya team has received many case referrals from orphanages and represented victims and assisted

¹⁷ <http://www.unwomen.org/en/digital-library/publications/2015/12/essential-services-package-for-women-and-girls-subject-to-violence>.

¹⁸ <http://www.evawintl.org/library/DocumentLibraryHandler.ashx?id=93>

¹⁹ <http://www.nctsn.org/resources/topics/creating-trauma-informed-systems>

²⁰ https://www.unodc.org/pdf/criminal_justice/Guidelines_on_Justice_in_Matters_involving_Child_Victims_and_Witnesses_of_Crime.pdf

prosecutors in bringing perpetrators to justice. One way of keeping institutionalized children safe is by ensuring that orphanages have clear child protection policies.

IJM/Kenya's aftercare team has trained several orphanages on child protection policies and insisted that each orphanage have an up to date policy. The policy should include avenues for the children to report cases of actual abuse or attempted abuse. Additionally, government child welfare authorities must be equipped with the knowledge and resources to adequately supervise orphanages. In Kenya, the Children's Department is legally mandated with the responsibility to safeguard children in orphanages. They are to conduct random visits and assess whether the orphanages comply with the standards of care. However, due to resource constraints, this does not happen as frequently as needed.

IJM has a strong preference for child victims remaining in their homes when it is safe to do so. However, in the overwhelming majority of child sexual assault cases perpetrators are known to the child, and are often members of the child's family.²¹ For a home to be safe, it is crucially important that authorities investigate and apprehend individuals suspected of sexually assaulting a child and remove them from the home or community. In a minority of cases, when children cannot be protected at home, temporary shelter and transition services are needed. IJM works closely with child welfare officials to secure appropriate emergency placements, and works with local service providers to provide appropriate care, including Trauma-focused Cognitive Behavioral Therapy (TFCBT).

TFCBT is a form of therapy for victims of sexual assault and other forms of violence and abuse. It is one of the most rigorously researched and evaluated treatments for trauma, and has been found to be the most appropriate approach for child victims of sexual assault.²² IJM offers TFCBT to all its clients. IJM has found in the countries in which it operates that very few social workers, either in the private sector or in government agencies, have been trained in TFCBT or any other trauma-focused care model. Accordingly, IJM social workers train hundreds of practitioners in TFCBT, including those working in government social welfare agencies. In Kenya, for example, IJM social workers trained 80 to 100 counselors from both public and private hospitals on an adapted TFCBT method of counseling and provided mentoring sessions to counselors as well as group professional supervision. The majority of those trained incorporated TFCBT into their day-to-day counseling.

IJM measures the effectiveness of its aftercare for clients using a tool called "Aftercare Successful Outcomes" (ASO).²³ IJM social workers use a data collection form to assess their clients' progress in each of seven domains, including protection, mental health and well-being, economic empowerment and education, support systems, housing and health. An assessment is made three times: at the first contact with the client, at the end of the client's participation in IJM's aftercare program, and one year later. IJM began using the tool to evaluate its aftercare for child sexual assault clients in 2013.

One Stop Centers: The World Health Organization in its Guidelines for Medico-Legal Care for Victims of Sexual Assault²⁴ states: "In some countries, the health and medico-legal components of the service are provided at different times, in different places and by different people. Such a process is inefficient, unnecessary and most importantly, places an unwarranted burden on the

²¹ <https://www.rainn.org/statistics/perpetrators-sexual-violence>

²² <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4413451/>

²³ IJM's Aftercare Successful Outcomes measurement tool has been internally validated by IJM; external validation of the tool will be complete by the end of 2017. The tool will become publicly available in early 2018.

²⁴ http://www.who.int/violence_injury_prevention/publications/violence/med_leg_guidelines/en/

victim. The ideal is that the medico-legal and the health services are provided simultaneously; that is to say, at the same time, in the same location and preferably by the same health practitioner. Policy-makers and health workers are encouraged to develop this model of service provision.”

The so-called “One Stop Centers” are based on this model and represent one of the most important innovations in criminal justice for victims of sexual assault, including both women and children. One Stop Centers are first response locations that are created to provide immediate medical and legal services to victims of sexual assault. Ideally, One Stop Centers offer a full range of both trauma care and criminal justice services in a single location, which minimizes the number of times a victim must recount the abuse and maximizes collection of forensic and other evidence necessary to successfully prosecute cases. South Africa led in the creation of the One Stop Centers with its Thuthuzela Centers.²⁵ The model is now in use in both developed and developing countries and is considered a best practice by the United Nations.²⁶

IJM has had considerable experience with One Stop Centers, called “Modelo de Atencion Integral, MAI” (Models for Holistic Attention), in Guatemala. The first of the MAI’s was launched in 2008 and implemented from the Guatemala City Public Prosecutor’s Office. Services for women and child victims were added over the next several years, including trained medical personnel to provide immediate trauma care, perform forensic physical examinations and collect evidence; representatives from the Guatemalan Public Ministry (prosecution service) to receive the victim’s testimony and file a complaint; a police officer, and a legal representative for the accused. Today there are between 14 and 16 MAI centers; not all have all the services.

Gesell Chambers: A Gesell Chamber is a specially designated room that is equipped to allow for observation and/or receipt of children’s testimony with minimal invasiveness. The chamber usually consists of two rooms separated by a one-way mirror, with the room that is observed equipped for video and audio recording. The facility can also utilize closed-circuit cameras and microphones that allow individuals in one room to hear and to observe on a screen the taking of testimony in an adjoining room. The Gesell Chamber is used to receive testimony in a victim sensitive manner, allowing the victim to testify with both prosecution and defense counsel observing outside the presence of the victim.

There are Gesell Chambers in two of the four countries where IJM is currently working on child sexual assault cases: Bolivia and Guatemala. The introduction of the model in both countries has improved child victims’ experience of the criminal justice system considerably. Instead of appearing in a courtroom and confronted by the suspect himself, children instead provide their testimony in a safe and comfortable room with child-sized chairs, toys, and a social worker or psychologist trained in trauma-informed methods who receives their testimony. The Gesell Chambers not only minimize re-traumatization, but contribute to more effective criminal prosecution and perpetrator accountability because children are better able to remember and recount in a victim-friendly environment than in a hostile one.

Child Protection Police Units: IJM has found that police in the countries where we collaborate on cases of child sexual assault are under-resourced in virtually every aspect of basic policing. Police training in some of our countries of operation is a mere 1-3 months long and does not include specialized sex crimes training.

²⁵ https://www.unicef.org/southafrica/hiv_aids_998.html

²⁶ For more information on One Stop Centers, which are described by UN Women as a best practice, see <http://www.endvawnow.org/en/articles/1564-one-stop-centres-osc.html>

Many countries are creating specialized units to address crimes against women and children. IJM has worked closely with specialized anti-human trafficking units of the Philippines National Police which were inaugurated in 2007 in the Cebu Region. Today the “Women and Children Protection” units of the Philippines National Police, which address sexual assault as well as trafficking, are deployed nationally and have made significant inroads against child sex trafficking and other crimes.

IJM has also experienced special units that are less effective. A key problem with women and child units is that officers are rotated in and out and rarely gain the experience needed to be truly specialized. Another problem IJM encounters is that units that are *named* as specialized may not actually be designated to handle sexual assault or women and children’s issues exclusively. In one sexual assault unit with which IJM works closely, cases of child sexual assault lag and are uncompleted because investigators get pulled off of sex crimes to work on other kinds of criminal cases.

Another difficulty with police special units that investigate sex crimes is that there is a very high attrition rate, in part because officers are not being given staff care and suffer from constant interface with very difficult crimes. It is essential that governments and donors designate resources to preemptively address traumatic stress experienced by police and other officials within the criminal justice system who are exposed to sex crimes against children.

Conclusion: IJM has derived an important lesson from its service provision to child victims of sexual violence and its collaboration with justice officials to prosecute perpetrators. And that lesson is that in many countries, national child protection laws have almost no relevance to vulnerable children in underserved communities. We have also observed that there is no absence of excellent and detailed standards, guidance, and indicators for effective criminal justice response to violence against children and women. Rather, the substantial body of research and recommendations simply do not reach actual justice practitioners at the local level: the cop on the beat, the state medical examiner, the prosecutor who has hundreds of cases.

IJM has found that supporting justice officials on actual cases of child sexual assault is an effective means of building their professionalism, political will, and capacity to address terrible crimes against their nations’ children. IJM has found in its direct collaboration with police, prosecutors, court personnel, and social welfare officials that trainings and protocols have the greatest impact when they are an integral part of actual casework that brings real relief to individual children and real accountability to those who perpetrated crimes against them.

Appendix 1, Summary of Protocol # 16-2013, issued by the Supreme Court of Justice, Guatemala

The Supreme Court of Justice of Guatemala approved the Protocol for the reception of testimony from child victims and witnesses on May 8th, 2013. It was published in the state newspaper on May 16th, 2013. The purpose of this policy is to avoid re-traumatization of child victims, and to ensure the testimony of the crimes committed against them is documented in ways that can be later used at a court room. It mandates the use of the Gesell Chamber²⁷, Closed Circuit interview rooms, video-conference, and other tools to receive and document testimony

²⁷ The Gesell Chamber is an area equipped to allow observation of interviews with two rooms separated by a glass-sided view, with audio and video recording capabilities. It allows judges, prosecutors, and defense attorneys to observe interviews with minors conducted by psychologists

from children and adolescents. The Protocol is applicable to all judicial processes where a child or adolescent must give testimony.

Key mandates and principles of the Protocol:

One interview: Judges and prosecutors should require children to testify only once. On subsequent judicial hearings, judges will reproduce children's testimonies through video or audio, notwithstanding the right of victims to testify in person or to participate in the process.

Pre-Trial testimony: Judges shall authorize the reception of testimony from child and adolescent victims as Pre-Trial evidence to avoid re-traumatization and repetition of interviews. The Best Interest of the Child shall prevail. The judge presiding the hearing will prevent parties from asking inappropriate questions. Children should testify early in the process and when they have not had the opportunity to do so, judges will follow the principles and guidelines of the Protocol.

Personnel: The President of the Judicial Branch will appoint the necessary professional and technical personnel to manage the reception and processing of testimonies through the Gesell Chamber, closed circuit, video conferences and other tools as described by the Protocol. The Judiciary administration will be responsible for:

- Equipping and maintaining the interview rooms
- Scheduling of hearings and interviews
- Safeguarding testimonies and providing legal custody to audio and video material

Implementation and Plan: The Judiciary Unit of the Child in coordination with the School of Judicial Studies will implement a training program for all current and future judges. The Judiciary will allocate the necessary resources to implement new Gesell Chambers or appropriate interview rooms in provinces where currently there isn't one.

Guidelines: The Protocol contains detailed guidelines on:

- Who should interview child victims and the preparation required from interviewers
- Cultural and emotional issues to consider when interviewing children
- Conduct and attitude to be observed by interviewers and other participants
- Steps to establish "rapport" with child victims
- Preliminary preparation steps
- Conducting the interview
- Method of communication between interviewer and other participants
- Formulating appropriate questions
- Participation of parties (prosecutor, defendant, defense attorney, psychologist, judges)
- The use of the Gesell Chamber
- The use of alternative methods when the Gesell Chamber is not available
- Setting of interview rooms
- Follow up actions

Legal Framework: The Protocol includes a list of articles from several laws and international treaties that provide legal framework and justification for the use of the Protocol. The Protocol contains illustrations and graphics of the design of the Gesell Chamber.