

**LEGISLATIVE MEASURES FOR THE PROTECTION OF
CHILDREN FROM FAMILY VIOLENCE. THE CASE OF
THE GREEK LEGISLATION**

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**Family Violence:
Dealing with a major problem**

- **United Nations**
- **Council of Europe**
- **European Commission**
- **Independent Institutions**
- **International Conventions and charters**

Family violence as a priority issue

- NGOs (human rights, child protection, gender equality, family support, support of youth, support of vulnerable social groups)
- Social Policy
- Health Education
- Criminal policy
- Legislation at national level

THE NEW LAW N3500/2006

- The phenomenon of family violence
- the need for legislative intervention
- The law's philosophy
- The basic articles

The six chapters of the new law

- A' General definitions
- B' Civil Law Regulations
- C' Criminal Law Articles
- D' Criminal mediation
- E' Procedural Measures
- F' Provisions for Victim Support

Characteristic innovations

- The adoption of a wider definition of the family
- The prohibition of corporal punishment
- The protection of children from testifying in court
- The recognition that a child who is witnessing violence without being directly victimised is also a victim of family violence
- The obligation of teachers to report child abuse

The pathway to recognition : Two forms of violence against children

- Corporal Punishment as a method of child discipline
- The child – victim of domestic violence

The necessary steps

- The study of the phenomenon, research, quantitative and qualitative data.
- Working with movements and initiatives in other countries; best practices.
- Dissemination : scientific community, mass media
- Synergy with various sectors, creation of networks

The child – victim of domestic violence

- “The minors are treated as victims of family violence even when they are not directly victimised but are simply witnessing the violent event”.
(article 1 paragraph. 3)

Introductory report of the Law 3500/2006 "For addressing family violence"

Research data shows that :

- In the majority of cases children are witnessing the suffering and humiliation of their mother
- In 90% of the cases, they are in the same or in an adjacent room
- Often, in their attempt to intervene and protect her, they become also victims of violence and abuse

Effects of domestic violence on children

- Physical trauma
- Anxiety
- Depression
- Confusion / Insecurity
- Anger / Aggression
- Tendency to self isolation / Feelings of guilt
- Imitation of aggressive behaviour

Special care is necessary for :

- The living conditions of children, when they are forced to leave their home and change school
- The secure communication with the father, when this is considered beneficial to the child
- The treatment of the traumatic experience

PREVENTION

- Constant flow of knowledge and information for victimisation risks according to children's stage of development.
- Awareness raising and familiarisation with the principles of human rights and gender equality.
- Rejection and negative portrayal of violence wherever it may occur.

PROTECTION

- Every child has the right to normal physical and mental development and the potential to form healthy relations based on mutual respect and equality in adult life
- Every child who grows up in a violent family environment has the right to be protected and supported by the relevant services according to his/her needs

The Institute of Child Health Research Project

**«The use of corporal punishment in
child upbringing in the
contemporary Greek family. A
sociological study in the Athens
area»**

I. Fereti and M. Stavrianaki (1997)

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Corporal punishment and primary prevention

- ▶ Prevention of child abuse
- ▶ Prevention of other forms of family violence
- ▶ Prevention of violence in the wider social setting

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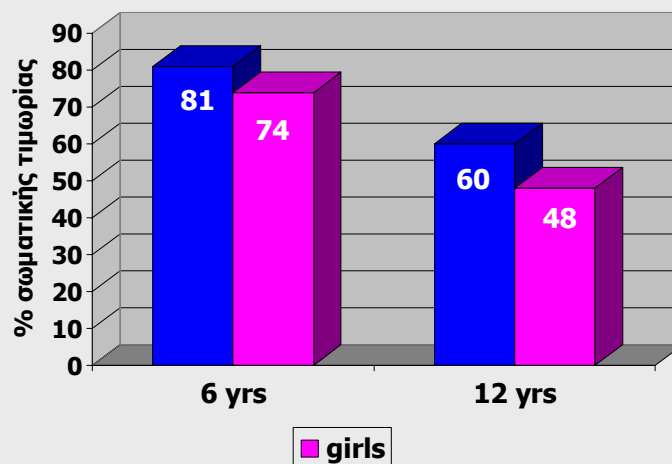
The Sample

	total (n:591)	Gender		Age	
		Boys (n:293)	Girls (n: 298)	6 yrs old (n:293) 1st grade	12 yrs old (n: 298) 6th grade
Use of cp	387 (65.5%)	209 (71.3%)	178 (59.7%)	228 (78%)	159 (53.5%)
Non-use of cp	204 (34.5%)	84 (28.7%)	120 (40.3%)	65 (22.2%)	139 (46.3%)

Sample 591 families of 1st and 6th grade pupils of primary schools (12 public and 3 private) Total no of children: 293 boys and 298 girls in the Athens area

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Corporal punishment in relation to child's gender and age



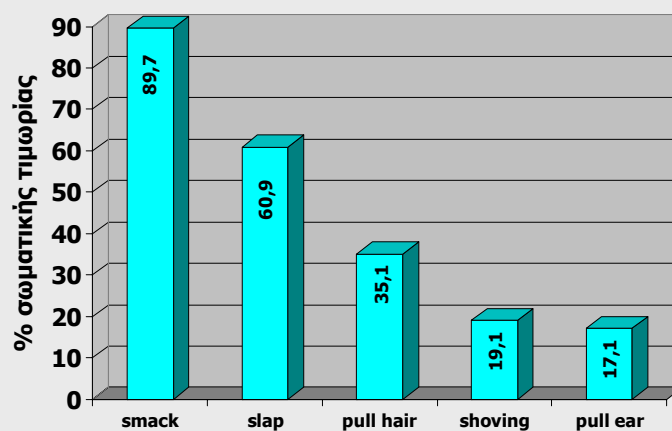
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Use of corporal punishment in relation to child's gender and behaviour

	v.disobedient	disobedient
boys	82.4%	64.6%
girls	17,6	37,4

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Forms of corporal punishment



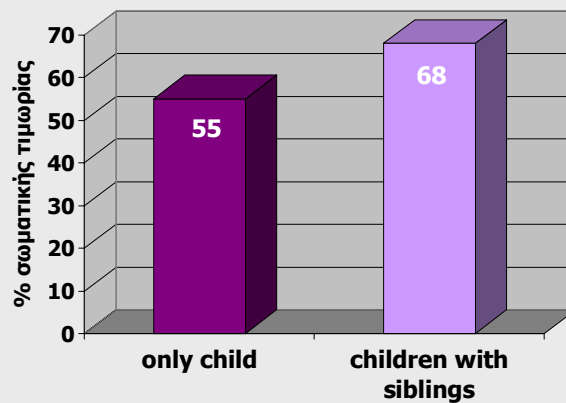
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Corporal punishment and physical injury

- 4% (21 cases) of the children in the sample, whose parents use corporal punishment, have suffered minor injury (scratches, nose bleeding etc)
- 1.2% (7 cases), have suffered serious injury resulting in hospitalisation, stitches etc

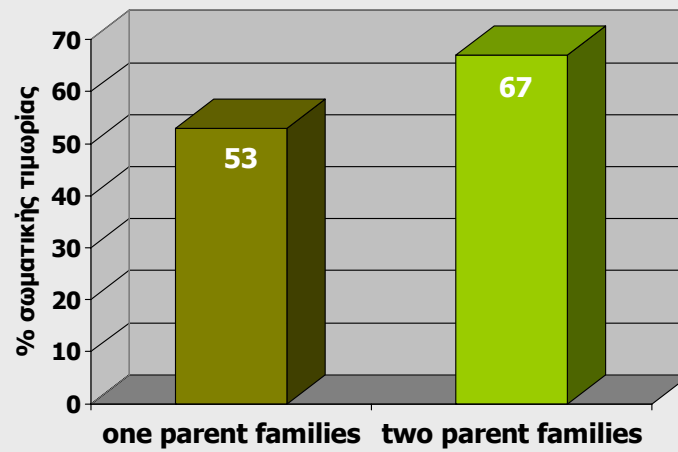
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Corporal punishment in families with one or more than one children



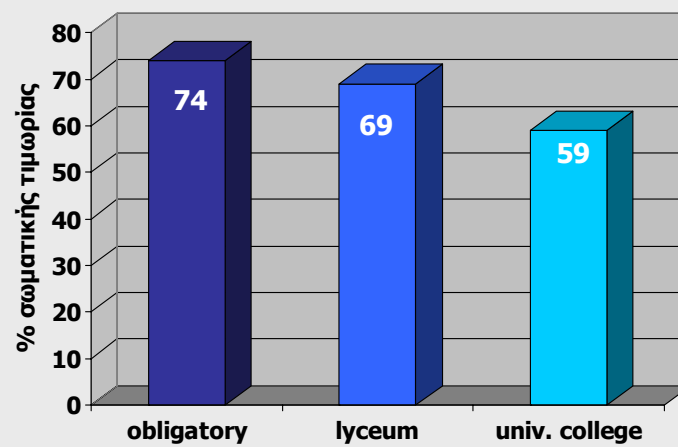
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Corporal punishment in single parent families and two parent families



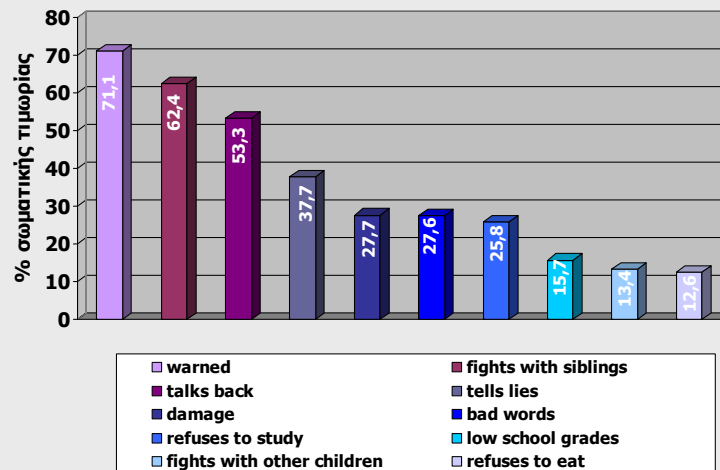
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Corporal punishment and the mother's level of education



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Reasons for which parents use corporal punishment



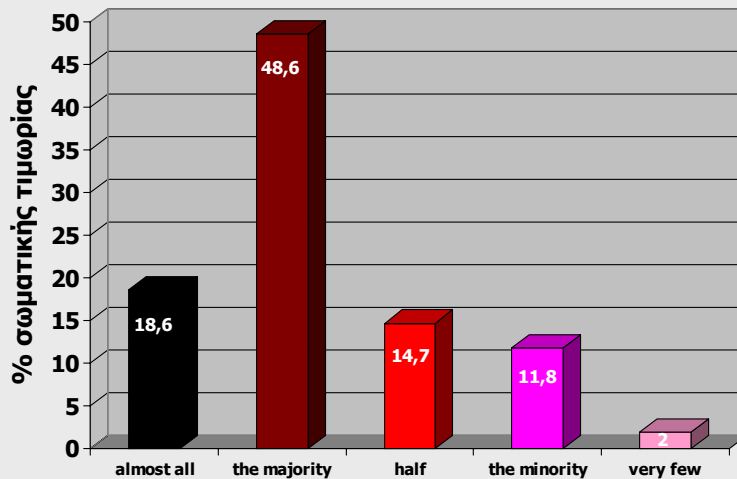
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Factors which facilitate the use of corporal punishment

1. Feeling of ownership of children by parents.
2. Tension and stress due to situations and problems irrespectively of children's behaviour.
3. Lack of support by other individuals when there is need in aspects of child care.
4. The belief that corporal punishment is "something" which almost all or the majority of parents use.

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What percentage of the parents use corporal punishment according to your view?



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Effectiveness of corporal punishment

- 90% of children repeat the behaviour which led to corporal punishment
- 44% of those within a very short period of time

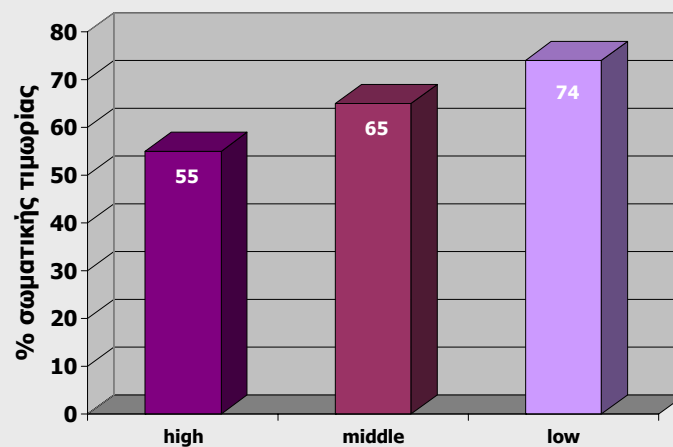
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Legislation and social attitudes

- The majority of parents reported that they knew that corporal punishment is not allowed in schools (87%)
and
- they agree that corporal punishment should also be prohibited at home in Greece as it is the case in other countries (78%)

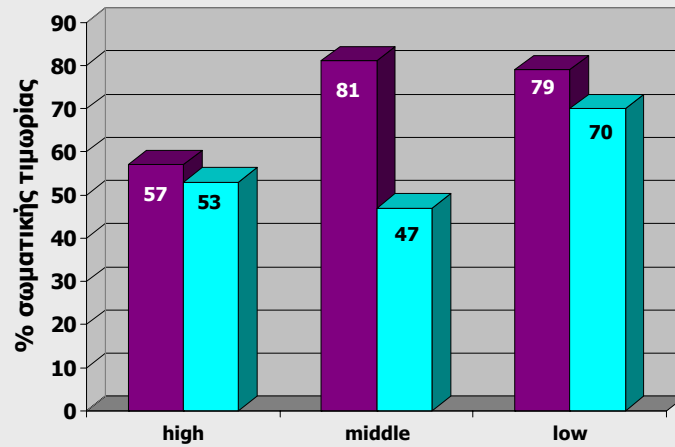
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Corporal punishment and family socioeconomic status



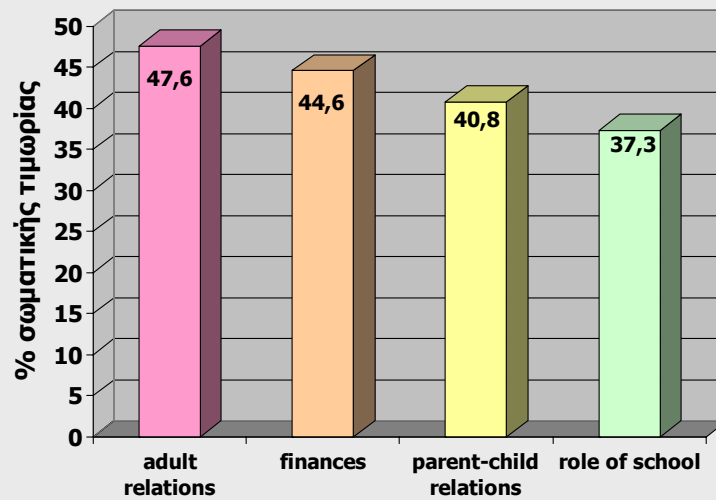
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Corporal punishment in relation to socioeconomic status and child's age



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What facilitates child upbringing?



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In very high percentages (>90%) parents believe that with the use of corporal punishment the child can:

- Become aggressive
- obstinate
- indifferent to punishment
- run away
- develop various forms of antisocial behaviour

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Parents believe that the use of physical violence can:

- cause injury
- make the child feel unwanted
- lead to depression and emotional problems
- undermine parent–child relationship
- delay curiosity and mental development
- instill fear
- lead to the cycle of violence

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From research to action

Research project protocol B.1.10 page 14

Usefulness of the research

.....The research results can form the basis of applied family violence prevention programs as well as alternative forms of discipline and child upbringing according to the principles of human rights and children's rights.....

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The first Institute of Child Health Initiatives

- Working with EPOCH, Children are Unbeatable Alliance and Global Initiative to End Corporal Punishment for the elimination of corporal punishment of children.
- Production of two television spots/messages against corporal punishment with the National Observatory of Children's Rights and the General Secretariat of Youth.
- Systematic work with mass media (TV, radio, daily press and special magazines)
- Creating a "Network"
- Participating in committees, study groups, conferences and seminars in Greece and abroad

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The “Network”

- Ministry of Education
- Ministry of Health and Social Solidarity
- Ministry of Education
- General Secretariat of Youth
- General Secretariat of Adult Education
- Citizen’s Ombudsman
- Institute of Child Health
- Institute of Social Protection and Solidarity
- Hellenic Society of Pediatrics
- UNICEF, Greek Committee

The scope of the “Network”

“The elimination of social acceptance and the legal ban of corporal punishment in Greece so that children are brought up in a way where dialogue, participation, respect for rights and dignity are central issues according to contemporary approaches and methods of upbringing.”

For an effective application of the new legislation:

- National Action Plan
- Improvement of existing services
- Prevention programs
- Establishment of new structures adjusted to the contemporary needs and changes of Greek society taking into account multiculturalism and new family forms
- Reevaluation of beliefs and social attitudes

Prevention and Treatment

- Family violence, a real and complex phenomenon, needs to be addressed in its entirety without ideological prejudice, extreme or one-dimensional theoretical approaches and monolithic professional interventions.
- Violence should be approached from an integrated multidisciplinary standpoint starting from the processes of socialisation and education