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COMPETENCY PROFILE FOR PROFESSIONALS WORKING WITH VICITMS OF CRIMES

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INTRODUCTION

Requirement for special training

International standards on protecting the rights of the child¹, as well as of people in a vulnerable position, note the need for specialised training of the professionals involved, which is to ensure that their rights have been observed, including the rights concerning the individual approach, taking account of the specifics and needs of the respective individual. These requirements are directly valid in our country too, some of them² being also introduced in our national legislation. It should be noted that the requirements in the Criminal Procedure Code (CPC) refer only to cases against offenders of minor age and do not refer to the participation in legal proceedings of child victims of crime in their capacity of witnesses. Most likely it is believed that their protection will be ensured by the mandatory participation of a psychologist or a pedagogue with minor witnesses under 14 years of age and their participation at the discretion of the investigating authority with minor witnesses aged 14 or older.

What does special training mean?

There are still no clear answers to this question. ‘Psychologist’ and ‘pedagogue’ are too “open” as professions, which poses a serious problem in relation to the expectations for specialised training.

As regards the ‘psychologist’ profession there is no clear standard and people who have completed a bachelor’s degree in any of the whole range of the so-called ‘humanities specialisms’ can get a master’s degree in psychology, with the exception of Sofia University *St. Kliment Ohridski*, where the only programme left “open” for non-graduates from the bachelor’s programme in psychology is precisely that of the specialism *Child and Adolescent Psychology*.

¹ The Convention on the Rights of the Child, Guidelines of the Committee of Ministers of the Council of Europe for Child-Friendly Justice, Directive 2012/29/EU, among others.

² CPC, **Art. 385**. “In cases of crimes committed by underage persons, pre-trial proceedings shall be conducted by appointed investigative bodies with appropriate training”.

When it comes to the ‘pedagogue’ profession, the situation is both different and similar. In our country the only standard existing in relation to a profession that has a bearing with children is for the teacher profession, which is defined as teacher legal capacity³, which is, however, taken to be pedagogical and in this sense, any specialist, be they a mathematician, chemist or historian, is considered a pedagogue. Obtaining a teacher legal capacity requires only 120 hours of studying pedagogy and psychology, usually the latter being general and pedagogical psychology. The remaining part of the studies is concerned with the methodology of teaching the respective subject.

There is this practice of specialist juvenile police officers or the so-called Child Pedagogical Room Inspectors participating in interviewing child witnesses of violence or crime. It should be noted, that their training to do this job includes a one-year programme of studies at the Ministry of the Interior Academy, which, however, covers the work with child offenders.

This situation generates a lot of challenges and a high risk of real shortage of knowledge, skills and attitudes to understand the needs of the child as regards communication, sharing, disclosing information, the specifics of child development, ways to adapt legal proceedings in a way that the child is heard and their testimony (statement) has value. In reality none of the above listed qualifications pertaining to specialised training, guarantee the existence of this kind of competencies.

Competency-based approach?

The competency-based approach presupposes that when curricula and training programmes are developed to cover a particular area of training in universities or other training organisations, the aim is to achieve a clear set of knowledge, skills and attitudes which correspond to the needs of the respective area of practical work. Today in Bulgaria training organisations do not always enjoy a clear status; they decide for themselves on the content, forms and methods of training; they accredit their own curricula or training programmes through their own representatives; they evaluate the end-of-training outcomes themselves. The competency-based approach is alternative to the one currently in operation; this second approach can be defined only as “the implication-based approach”. This is particularly true for specialisms with a broad

³ REGULATIONS on the State Requirements for Acquisition of Teacher Professional Qualifications, promulgated in the State Gazette (SG), Issue 89 of 11.11 2016, in force since school year 2017/2018, approved by virtue of Council of Ministers’ Decree No. 289, dated 7.11.2016

profile in the humanities which train professionals for the so-called non-regulated professions⁴. This approach requires a standard for a particular profession or specialised vocational training, which is essentially a set of competencies.

In reference literature in Bulgarian there are two words often used, both of them being translations of the same word – competency. We are talking of the same concept which acquires different but related meanings in different contexts. Some specialists believe that “a competency is an ensemble of behaviours (affective, cognitive, psychomotor) which allows the individual to engage effectively in an activity which is most generally considered a complex one”.⁵ A competency is the link between the individual’s capabilities and the requirements of the job they are doing.

Firstly, we say that an individual is competent when they are capable of mobilising their knowledge in pursuance of their professional activity. In other words, when we talk about competence or competencies we mean a range of knowledge, skills and attitudes to perform an activity up to a certain level/ standard. In this sense, the competency is also a standard for doing a particular job. **On the other hand, competence is also a value standard:**

- a professional is competent also in the sense that they have the right to engage in a particular activity i.e. we say: “this is within his competence”.
- the professional can use their capabilities solely within the frame of the activities for which they have been trained, as certified by a diploma, license, certificate, etc.

In this sense, it is important that structures working with children, together with training organisations, develop at least two competency profiles required when working with child victims of violence or crime. The proposed standards developed as part of this project are based on long years of experience of working with children, interinstitutional cooperation and developing competency profiles. It is our understanding that only clearly defined competencies should give powers to work on these cases.

⁴ Such are the professions ‘educator’, ‘social worker’ and ‘pedagogue’ since the job requirements are too open. The most regulated professions are in engineering ones and the medical professions.

⁵ For more details see Petrova-Dimitrova, N. **Training of Social Pedagogues – Competencies, Standards, Perspectives**// *Pedagogy* No. 1, 2011

COMPETENCY PROFILE

The competency profiles for professionals working with child or adult victims included in this document have been developed as part of the *Justice Befriends the Child – Training of Practitioners for Better Cooperation* Project, Contract No JUST/2014/JACC/AG/VICT/7465 in consultation with experts from the protection system, the police and the justice system participating in working groups and a professional discussion at the final conference in November 2017. The first profile (Annex 5.1.) includes a set of competencies which all professionals whose job requires contact with victims, irrespective of their professions, should acquire i.e. we are talking of ***a minimum standard for specialised training*** to be provided to investigating police officers, doctors, prosecutors, judges, sentence enforcement staff, etc. The second profile (Annex 5.2.) includes knowledge, skills and attitudes which social workers, psychologists and pedagogues working in specialised integrated services for child victims⁶ should have.

⁶ Such as Zona ZaKrila, social services at Community Support Centres (CSCs) with ‘blue rooms’ built in them, Crisis Centres, etc.

ANNEX No. 5.1. COMPETENCY PROFILE FOR A PROFESSIONAL WORKING WITH A VICTIM OF CRIME AND/OR VIOLENCE

Competency No. 1. Inform the victim of their rights

Is able to:

- inform the victim of crime and their family of the victim's rights; inform the victim of their right to participation and their right to be heard;
- present information in a way that is understandable to the victim and their close relatives or friends; use different forms for presenting information, such as video materials, special brochures, interactive techniques;
- act in compliance with the legislation;
- use legislative provisions in the interest of their work and in the interest of the victim, stand for the rights and interests of the victim of crime;
- use the specific, reference, supplementary legislation relevant to the victim;
- inform the victim of their right to individual assessment, the purpose and objectives of this assessment, the steps and content of the assessment process;
- advise the victim and their close relatives and friends about the measures and activities related to safeguarding the rights of the person;
- accompany the person throughout the process of providing the service.

Competency 2. Research into the emotional and mental, and the social state of the victim

Is able to:

- communicate, build a contact of trust, use various interviewing techniques;
- conduct a psychosocial interview;
- carry out clinical observation;

- recognise and take into account the stages of emotional, cognitive, psychosocial, behavioural development of the victim through the prism of the different theories of human development;
- recognise and take into account the manifestations of mental and social functioning of people, and their mental suffering;
- recognise and take into account the manifestations of the influence of family relations and interactions on the mental functioning of the person – the place of the person in the family, boundaries, roles, style of upbringing and types of relationship between spouses, parents and children, myths, taboos;
- apply recognisable theoretical knowledge in studying the mental and social functioning of the victim.

Competency 3. Recognise in the victims of crime the signs and symptoms of the violence they have experienced

Is able to:

- recognise the symptoms of various types of violence, the typology of violence/abuse inside and outside the family;
- identify symptoms of violence, the age-specific characteristics of the symptoms of the victim;
- recognise the effects of the experienced violence, the signs/manifestations of suffering in the communication and behavioural responses of the victim;
- recognise the specifics of disclosing the sexual violence experienced;
- recognise the loyalty of the victim to the perpetrator of violence;
- recognise the symptoms of neglect, intimidation, rejection, discrimination.

Competency 4. Carry out individual assessment and share its findings

Is able to:

- understand the different types of communication (verbal and non-verbal), grasp the meaning of the information, analyse speech content;
- consider the connection between the victim, the problem and the situation and identify problematic issues and difficulties;

- formulate hypotheses and conclusions about the meaning of the data, and about the links and relations, providing arguments based on recognisable knowledge;
- identify the needs, come up with specific needs arising from the situation in the specific case, depending on the victim's age, development and social situation, among others;
- focus their efforts on identifying the resources, both formal and informal;
- identify the victim's needs related to the latter's right to be heard;
- identify the risks of repeat or secondary victimisation;
- communicate the assessment findings in a language understandable to the victim and their family;
- set and agree objectives for the joint work;
- discuss with the team their ideas and hypotheses in relation to the case; come up with an expert opinion;
- if required, coordinate and participate as a partner in developing an integrated intervention plan, including access to other institutions and services;
- provide access to universal, social and rehabilitation services;
- provide access to medical, legal, psychological support and assistance, where necessary;
- draft and maintain relevant documentation on the case.

Competency 5. Facilitate an interview with the victim or witness of crime through specialised hearing (interviewing)

Is able to:

- prepare the setting for interviewing;
- meet the accompanying person;
- prepare the victim for the interview – familiarise them with the setting, introduce them to the objectives of the interview; build contact, trust and make them feel at ease; study the specific use of language by the person;

instruct them in accordance with their level of development about the rules for interviewing;

- apply specific interviewing techniques in a data- and fact-centred way – open-ended questions, encouraging free narrative, providing support to clarify details, to place the events in a time sequence, to distinguish between fact and fiction, non-verbal expression techniques;
- rephrase questions from other participants in the interview in a way which the victim understands, without any loss as to the purpose of the question;
- convey trust, is able not to contradict, ridicule, threaten or argue with the victim;
- know and apply best practices in child interviewing, based on international experience;

Competency 6. Partner with representatives of other institutions in order to safeguard the rights and interests of the victim/witness

Is able to:

- prepare written information, reports, opinions, exchange of correspondence;
- exchange information with partners;
- organise/participate professionally in multidisciplinary and inter-institutional meetings;
- understand the meaning of teamwork for enhancing the efficiency in resolving the case and participate in teamwork;
- act within the remit of their competence and respect the opinion of the other team members;
- agree on responsibilities;
- give effective feedback;
- distinguish one's personal position from the position of the institution they represent;

Competency 7. Professionalization

Is able to:

- think over their own practices, reflect over their meaning for the work;
- discuss their work with colleagues;
- participate in professional development and support initiatives, such as training, intervision, supervision, etc.;
- look for professional assistance and support;
- strive for one's own improvement and development;
- innovativeness;
- manifest commitment and responsibility.

Competency 8. Observe ethical rules and code of conduct

In relation to victims of crime:

Is capable of:

- being well-behaved, tolerant and well-intentioned with each victim of crime;
- using well their professional competence, as well as the professional powers of the institution they represent, in the interest of victims;
- not allowing any abuse of institutional rights and powers to the detriment of the rights and interests of the victims;
- being non-judgmental and respectful to human dignity;
- managing their own feelings and experiences when dealing with victims;
- being emphatic and supportive;
- being authentic – ability to establish genuine, human contact, with no facades.
- not commenting on people in a manner degrading their dignity;
- keeping professional secrets i.e. using the information obtained only for professional purposes;
- accepting the victim for what they are;
- being sensitive to the victim's needs;
- being impartial, neutral, with clear professional boundaries;

- being tolerant with and considerate in relation to the behaviour and rhythm of the victim;
- accepting and showing respect for diversity, showing non-discriminatory attitudes;
- being flexible and quick-witted in implementing the law in the interest of victims.

In relation to the partners in the context of a multidisciplinary approach:

- acting within their powers;
- respecting the personal and professional dignity of their partners;
- sticking to the common principles and objectives;
- being tolerant and cooperative with their partners;
- showing intolerance for judgmental, discriminatory, degrading to the victim's dignity behaviours and statements on the part of representatives of their own institution/service or partner institutions;
- not allowing any discrepancy between officially stated and actually set objectives of the work;
- not allowing double standards in relation to various institutions and authorities;

Attitudes, qualities:

Tolerant and cooperative with the partners

ANNEX No. 5.2. COMPETENCY PROFILE FOR A PROFESSIONAL WORKING WITH A CHILD VICTIM OF CRIME AND/OR VIOLENCE

Competency No. 1. Be versed in and understand child development, the cognitive, emotional and social characteristics of each age period. Recognise in the victims of crime the signs and symptoms of the violence they have experienced

Is able to:

- recognise and take account of the stages of the emotional, cognitive, psycho-social, behavioural development of the child;
- recognise and take account of the manifestations of children's psychological and social functioning and mental suffering;
- recognise and take account of the manifestations of the influence of family links and interactions on the person's psychological functioning – place of the person within the family, loyalty, relationships, etc.
- recognise the symptoms of various types of violence, identify symptoms of violence;
- recognise the effects of the violence experienced, the signs/manifestations of suffering in the communication and behavioural responses of the child victim;
- recognise the specifics of disclosing the sexual violence experienced;
- recognise the loyalty of the victim to the perpetrator(s) of violence;
- recognise the symptoms of neglect, intimidation, rejection, discrimination;
- know the advantages of the modern approaches to child interviewing, for example the international protocol for child interviewing, and cooperate for their use in the interest of justice and in the interest of the child.

Competency No. 2. Use verbal and non-verbal communication in a child-appropriate way

Is able to:

- communicate, establish and develop contact, use a language the child understands;
- read the child's non-verbal signals and body language and how they relate to the child's emotional state;

- use different forms for presenting information, such as video materials, special brochures, interactive techniques;
- inform the child and their family of their rights as a victim of crime; inform the victim of their right to participation and their right to be heard;
- present information in a way that is understandable to the victim and their close relatives or friends;
- inform the victim of their right to individual assessment, the purpose and objectives of this assessment, the steps and content of the assessment process.

Competency No. 3. Know and use the legislative resources on the rights of the child and child protection, criminal justice and other pieces of legislation promoting the best interests of the child

Is able to:

- know and implement/ advocate for the implementation of the legislative framework on the rights of the child/ human rights, protection for respecting human rights and protection for children at risk;
- know and implement/ advocate for the implementation of the provisions concerning criminal proceedings, especially the ones pertaining to the participation in them of children/ victims of crime;
- know and implement/ advocate for the implementation of the legislative framework on access to social services for people at risk;
- use legislative provisions in the interest of their work and in the interest of the victim, stand for the rights and interests of the victim of crime;
- use the specific, reference, supplementary legislation relevant to the victim;
- know, facilitate the use of or use the standards/ protocols for child interviewing.

Competency No. 4. Partner with representatives of other institutions in order to coordinate efforts for achieving justice and prevention of child victimisation

Is able to:

- agree objectives, actions, procedures with other parties to the crime – the child, the parents, the police, social services and others, by using the Coordination Mechanism framework

- in the case of suspected child abuse, cooperate for taking appropriate child protection measures and measures safeguarding the child from their first encounter with the system for safeguarding and protecting rights.
- In the case of a report (signal) about a child victim, take timely action and not delay the work on the case, undertake relevant action and hear the child victim and their close relatives or friends in the shortest possible space of time.
- organise/participate professionally in multidisciplinary and inter-institutional meetings with a view to:
 - discussing and agreeing on action towards the administration of justice and the protection of the child victim of crime;
 - a better coordination and minimising the risks of repeat and secondary victimisation of the child, as well as providing further protection against intimidation or retaliation;
- exchange information with partners:
 - share professional information, in the interest of the case and within their competence, with the bodies involved in the case;
 - upon the emergence of new or additional information on the case, be proactive and share it with the respective interested institutions working on the case, by way of good partnerships and willingness to solve the case quickly and with good quality.
- cooperate for developing coordination rules corresponding with the needs of the respective community/ municipality;
- understand the meaning of teamwork for enhancing the efficiency in solving the case and participate in teamwork;
- act within the remit of their competence and respect the opinion of the other team members;
- distinguish one's personal position from the position of the institution they represent;
- take action for guaranteeing the rights of the child victim and their protection before all institutions and bodies in compliance with the Bulgarian and international legislation.

Competency No. 5. Observe ethical rules and code of conduct in relation to victims of crime

Is capable of:

- being well-behaved, tolerant and well-intentioned with each victim of crime;
- using well their professional competence, as well as the professional powers of the institution they represent, in the interest of victims;
- not allowing any abuse of institutional rights and powers to the detriment of the rights and interests of the victims;
- being non-judgmental and respectful to human dignity;
- managing their own feelings and experiences when dealing with victims;
- not commenting on people in a manner degrading their dignity;
- keeping professional secrets i.e. using the information obtained only for professional purposes;
- being impartial, neutral, with clear professional boundaries;
- being tolerant with and considerate in relation to the behaviour and rhythm of the victim;
- accepting and showing respect for diversity, showing non-discriminatory attitudes;
- being flexible and quick-witted in implementing the law in the interest of victims;
- reporting to the respective institution in charge in case of registering a violation of these rules of ethical conduct for professionals interacting with child victims.

In relation to the partners in the context of a multidisciplinary approach:

- acting within their powers;
- respecting the personal and professional dignity of their partners;
- sticking to the common principles and objectives;
- being tolerant and cooperative with their partners;
- showing intolerance for judgmental, discriminatory, degrading to the victim's dignity behaviours and statements on the part of representatives of their own institution/service or partner institutions;
- not allowing any discrepancy between officially stated and actually set objectives of the work;
- not allowing double standards in relation to various institutions and authorities.