

CIRCULAR No. 192-2015

Subject: "Protocol for Immediate Attention to minors, victims and witnesses in criminal proceedings".

TO THE JUDICIAL OFFICES OF THE COUNTRY

PLEASE BE ADVISED THAT:

The Superior Council of the Judiciary, in session No. 87-15 held on September 29, 2015, Article IV, agreed to communicate to the judicial offices of the country, the "*Protocol for Immediate Attention to minors, victims and witnesses in criminal proceedings*", which literally states:

Protocol for Immediate Attention to Minors, Victims and Witnesses in Criminal Proceedings

INTRODUCTION

The intervention of the professionals of the Department of Social Work and Psychology (DTSP) in various judicial processes has involved, in the criminal area, the provision of services to minors during the different judicial processes, in the area of sexual crimes and other forms of aggression; under the modality of immediate attention.

According to DTSP statistics in 2012, 3907 requests for immediate care were received and in 2013, 4922; these numbers reveal the demand, for this technical intervention and justify the importance of this Protocol.

The above, in response to the fact that Article 123 of the Childhood and Adolescence Code specifies that "*The Department of Social Work and the Department of Psychology (sic) of the Judiciary shall assist the offended minor and his family during the process (...)*". And in accordance with the right to assistance, taken up in the Fundamental Principles of Justice for Victims of Crime and Abuse of Power, approved by the United Nations since 1985.

Although there are departmental guidelines for this modality, the process of change through which it is going through has shown the need to homogenize and protocolize the way of working, so that any professional follows the same guidelines for action; therefore, a commission was formed to prepare this protocol.

The purpose of this document is to provide professionals in Social Work or Psychology with a conceptual and practical guide that allows for the provision of quality and non-revictimizing services to the users of the Judicial Branch; therefore, it sets forth the definitions that guide the intervention objectives and the actions to be taken during the different procedural stages.

Immediate attention to minors responds to requests for technical accompaniment, which are preferably programmed by the judicial authority or provided on an emergency basis, according to available resources.

This intervention should provide basic information about the judicial proceeding, in which initially a rapport is generated that allows a rapprochement with the minor and if required the necessary containment, within the framework of rights and duties within the policies to reduce revictimization, established by the Judiciary (National Commission for the Improvement of the Administration of Justice, CONAMAJ).

According to Lipowsky and Stern (1997; cited by Cantón-Duarte and Arboleda, 2000) the objectives of this intervention are the "instruction of procedures (...) and the roles played by the different people involved, familiarizing him with legal terms and concepts, teaching him adequate techniques of oral expression, helping him to understand the purpose of the criminal justice system, making him feel comfortable in the courtroom and making him aware of the importance of telling only the truth".

In accordance with the above, the objective of the intervention is to provide information, guidance and support, with the purpose of strengthening the minor being assisted during the judicial process.

This modality of care requires knowledge of basic aspects of the situation that generates the judicial intervention. The expert must direct his or her technical actions based on the knowledge of elements such as: the link with the denounced person, support networks, functional skills and evolutionary development; which allow offering a professional criterion to the judicial authority, which orally exposes the personal capacities and family conditions that must be taken into consideration at the time of the diligence.

#### Target

Determine the intervention of the Department of Social Work and Psychology of the Judiciary, in order to unify professional action in response to requests for immediate attention by the judicial authority in criminal proceedings; and thus, guarantee a quality service from a framework of technical procedures in accordance with policies to reduce secondary revictimization.

#### Scope and target population

This document is intended for DTSP experts, who must carry out this type of intervention with the population of minors in sexual crimes and other types of aggression, brought in the criminal field.

#### Personnel involved

The experts, professionals in Social Work and Psychology of the DTSP.

#### Material required

Single DTSP Referral Slip Immediate

Attention Slip Terms and Definitions

The following terms and definitions are relevant to this protocol:

-IMMEDIATE ATTENTION: This is an intervention that can be carried out by the Social Worker or the Psychologist, in one session and immediately in the following circumstances: people in a state of crisis, accompaniment and orientation during the judicial process.

-VICTIMOLOGY: For Aguilar (2006) "It is a science that focuses on the affected part of the crime, as well as on the victim's personality, the consequence of the criminal act and its possible solutions" (p: 98).

-VICTIM: According to the United Nations (n.d.), it is defined as natural or legal persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, financial loss or substantial impairment of fundamental rights, through acts or omissions that violate national or international criminal law or that otherwise constitute a gross violation of human rights, corporate conduct or unlawful abuses of power.

-VICTIMIZATION: Marchiori (2000) states that it is when the person's individual or collective security is diminished by having suffered physical, psychological, patrimonial or sexual harm, which, in addition, when accompanied by violence or personal experience with the alleged perpetrator, usually has effects that are sustained over time and may be physical, psychological, economic or social rejection.

-SECONDARY VICTIMIZATION: for Raposo (n.d.) is the victimization that derives from the victim's relationship with the legal system. It is accentuated when the person does not receive the necessary information to face the judicial process in its different stages, which can also affect the image of the national judicial system itself; exacerbating in the offended persons the suffering of the damage in their fundamental rights, in their human dignity and in the achievement of justice.

-RAPPORT: establishment of a warm and trusting relationship, which causes the minor to feel comfortable or familiar with others. It is stated to include three behavioral components: mutual attention, mutual positivity and coordination. Trust can be obtained through a variety of techniques, such as: games, television programs, interests, sports, hobbies, etc.

(Cantón and Cortés, 2000)

-SUPPORT: To favor, sponsor, help.

-FUNCTIONAL SKILLS: Refers to cognitive, behavioral, emotional, executive, among others. Also known as competencies that refer to the ability of people to generate and coordinate responses, flexible and adaptive in the short and long term to the demands associated with the performance of their life tasks and generate strategies to take advantage of the opportunities provided by the development contexts (Waters and Sroufe, 1983, cited by Masten and Curtis, 2000; recited by Rodrigo and Martin, 2009).

#### Difference between Immediate Care and Crisis Intervention

According to the techniques of the field of Psychology, a crisis intervention is a psychotherapeutic process, through a model of intervention that can even transcend the individual subject, this in order to identify the needs of a human being as immersed in a number of group realities, which could be used as resources to help the patient to cope optimally with the critical situations he/she is going through at a given time and restore his/her emotional balance.

What corresponds to the professionals in Social Work and Psychology who intervene in immediate care, is to identify if the person is in crisis, if so, he/she could not participate in the judicial proceedings to which he/she would be requested, because it would be counterproductive and revictimizing; This would be different from containing and supporting in states of slight anxiety, anguish and crying; for this reason, when faced with a crisis situation, it is advisable to immediately refer the user to a specialized care center, where he/she would even be accompanied to the place of intervention.

#### PRESENTATION

Users of the Judicial Branch have the right not to be revictimized and mistreated, so this protocol aims to ensure that the service provided by the Department of Social Work and Psychology (DTSP) contributes to humane and sensitive care for minors (PME).

This intervention is legally based on Article No. 123 contained in Chapter IV of the Code of Children and Adolescents, on the Rights of Access to Justice, which states: "The Social Work and Psychology Department of the Judiciary shall assist the offended minor and his family during the process. At the end of the process, the minor must be sent to the corresponding institution for due treatment".

The application of this protocol favors the reporting of sexual aggressions and other types of violence, from a legal perspective in which intimacy, privacy and the correct collection of information must be protected. Likewise, the use of the protocol aims to unify and control professional interventions to avoid failures or errors to the detriment of the minor user and the judicial system itself.

## FOREWORD

Since 1996, a team of social work professionals created and implemented the Program of Social Attention to Sexual Violence against Children and Adolescents, which was an initiative prior to the enactment of the Childhood and Adolescence Code in 1998.

This program was initially aimed at assisting minors or adults with disabilities, who were listed as offenders in sexual crimes. Subsequently, due to the enactment of other laws and the increase in crime itself, the scope of action was expanded to include other types of violence.

The professionals who work in this program intervene in different stages of the judicial process, from the initial stage in which the users have the first contact with the institution, i.e. the filing of the complaint, until the end of the process, through a debate or oral trial.

This protocol should be complemented with other existing regulations and instruments developed in the Judiciary such as: The Guidelines to Reduce the Revictimization of Minors in Criminal Proceedings issued by CONAMAJ in 2002, the Protocol for Legal Attention to Victims of Sexual Crimes and Domestic Violence Committed by Minors, the Protocol for Attention to Older and Younger Victims of Sexual Crimes and Commercial Sexual Exploitation Committed by Older Persons and other similar ones, issued in 2008.

The implementation of this protocol is also intended to avoid or minimize the secondary revictimization of the users, through the appropriate use of the forensic interview with minors, at the different stages of the judicial process in the criminal field.

It is therefore hoped that this instrument will serve as a useful guide for DTSP professionals working in this area of intervention. The scope of this type of intervention is considered to be the aspects included in the Immediate Attention Report Card, namely:

- ü To provide assistance in Prosecutor's Office, Trial, Recognition, Jurisdictional Evidence Advance and other instances in criminal courts, in which attention is required to users who are minors.

- ü Develop an environment of trust.

- ü Orient and inform about the work of the Public Prosecutor's Office and/or the corresponding criminal courts. ü Orient and inform about the work of Social Work and Psychology.

- ü Inform about the dynamics of the debate and the role of the judge(s), prosecutor and defense attorney. ü To explain the importance of telling the truth.

- ü To inform about the rights of minors.

- ü Provide support and containment (relaxation spaces, fear management, myths and others).

- ü Coordinate with the judicial authority in charge for the referral of the case to other institutions, when risk conditions are detected.

- ü Giving brief instructions to the parents or guardians of the minor about the judicial process.

- ü To clarify the aspects that do not involve intervention in this instance. ü It

- ü is not a psychotherapeutic or crisis intervention service.

- ü Care may be limited due to the emotional state of the minor.

ü Diagnostic impressions are not issued (the interview, behavioral observation and non-participant observation are techniques that allow us to offer a verbal criterion about the possibility or not of an approach; not an assessment to issue a diagnosis).

ü In order to respect the best interests of the minor, the intervention does not consist in influencing his/her speech (complaint, statement, retraction or withdrawal of complaint), nor in convincing him/her to participate in the judicial process.

ü It is not a resource for recreation or leisure activities. ü It is not a care service for minors.

## LEGAL BASIS

Intervention with users must be carried out in the light of the following legal instruments, which protect and legitimize the professional work during immediate care:

- Universal Declaration of Human Rights .
- Convention on the Rights of Minors.
- Ibero-American Convention on the Rights of Youth.
- Statute of Justice of the Rights of Users of Judicial Services.
- Childhood and Adolescence Code.
- Declaration of Basic Principles of Justice for Victims of Crime.
- Code of Criminal Procedure.
- Juvenile Criminal Justice Act.
- Law against physical punishment and humiliating treatment
- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Minors, to the United Nations Convention against Transnational Organized Crime.
- Inter-American Convention on International Traffic in Minors.
- Law of Penalization against Domestic Violence against Women Act.
- Law 7600: Equal Opportunity for Persons with Disabilities
- Brasilia Rules on Access to Justice for Persons in Conditions of Vulnerability
- Guidelines to Reduce the Revictimization of Minors in Criminal Proceedings issued by CONAMAJ
- Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belém do Pará).
- Memorandum No. 04-NA-FAAG-2014 "Practical guidelines for the investigation of matters entering as 911 reports. Role of the Department of Social Work and Psychology and the Office of Attention and Protection of Crime Victims and coordination with those offices. Addressing, attending to and investigating complaints against elderly persons. Referral to the Program of Attention to Child and Adolescent Violence of the Department of Social Work and Psychology".
- Circular 02-ADM-2009 of the Public Prosecutor's Office "General guidelines for the intervention, attention, accompaniment and follow-up of all victims of crime.

- Circular 15-ADM-2008 of the Public Prosecutor's Office "Practical Guide for the approach and effective investigation of the crimes established in the Law for the Criminalization of Violence against Women".
- Circular 22- ADM- 2007 of the Public Prosecutor's Office "Practical Guide for the reception of complaints from victims of sexual crimes, commercial sexual exploitation and crimes derived from domestic violence".
- Circular 22 -ADM-2008 of the Public

Prosecutor's Office. PROCEDURE

#### IMMEDIATE ATTENTION IN CRIMINAL PROCEEDINGS

During the judicial criminal process, the following procedures are identified in which specialized technical support is required from DTSP professionals:

1. Receipt of the Complaint at the Prosecutor's Office.
2. Acknowledgments.
3. Jurisdictional advances of evidence.
4. Oral trial or debate.
5. Interview in other offices or judicial instances in criminal courts.
6. Spoken Portraits.
7. Accompaniments for site reconnaissance.

#### 1- TECHNICAL ASSISTANCE IN RECEIVING THE COMPLAINT

The intervention of the DTSP professional in the reception of the complaint, obeys to a written request from the judicial authority in criminal proceedings; by means of the Single Referral Slip.

In turn, the administrative assistant will collect the data related to the judicial process in the immediate attention ticket; namely: file number, parties, cause, name and age of the person referred, relationship with the person reported. Subsequently, he/she informs the professional responsible for the intervention.

If the accompaniment is scheduled, the administrative assistant of the DTSP confirms with the judicial authority the attendance of the minor to the proceeding.

In order to carry out these technical accompaniments, the professional intervenes in three stages:

##### *1.1 Prior to the interview:*

To initiate such intervention, the judicial file or the referential complaint must be reviewed or coordinated to identify who is the person/institution that reports to the judicial authorities, as well as the context in which the alleged facts to be denounced arise or are revealed.

##### *1.2. Approach with the referred underage person*

First, the professional introduces him/herself, confirms the name with the referred minor and the person accompanying him/her and informs about the intervention, in an area with privacy conditions and basic furniture, preferably equipped for this type of care, in compliance with the stipulations of CONAMAJ.

##### *1.2.1 With the person in charge or accompanying person exploring:*

About relevant aspects of the psychosocial context in order to determine the conditions that affect the reception of the complaint, risk factors and protective factors.

Afterwards, the accompanying person or person in charge is asked to leave, in order to continue alone with the person referred to.

### 1.2.2 With the minor referred to

It should be noted that the professional should verify the aspects detailed below, according to the particularities of the case:

- Name of the person referred, age, sex.
- Interests or hobbies of the person referred to facilitate the establishment of rapport.
- Establish the Rapport Stage, familiarization with the environment and the people participating in the process. Address significant aspects for the minor that make him/her feel comfortable.
- Identify relevant considerations about PME's functional abilities, as well as language, religious beliefs, sociocultural deprivation.
- Knowledge of the minor about the judicial proceeding.
- Inform them of their rights and duties during the judicial process, the work carried out by the institution and the diligence to be performed.
- Family composition / custody arrangements.
- Names of family members and caregivers, when the PME refers to other figures of importance to him/her, pay attention to nicknames and repeated names, to differentiate them.
- Organization of the family or group of cohabitation, in terms of schedules and conditions of the PME's care.
- Family habits or aspects related to the alleged issues (e.g., showering as a family, parents allowing children to enter the bathroom when naked, physical play or tickling).
- The names given to body parts by the PME and the family.
- Relevant medical treatment or illnesses. If you have a prescription for medication, the schedule of intake and whether on the day of the interview you took it as prescribed.
- Substance abuse (treatment or rehabilitation).
- Knowledge of sex education or violence prevention programs.
- The motivation of the complaint is explored (parallel judicial processes).
- The relationship or link with the reported person.
- Reactions of the family group or persons in charge, upon learning of the apparent facts.
- Relevant aspects of the psychosocial context in order to determine the conditions that influence the reception of the complaint, risk factors and protective factors in the immediate and institutional environment (such as history of sexual abuse, domestic violence, disclosure of the apparent facts, to how many and which people have narrated them, among others).
- Other risk factors, which make necessary the intervention of the National Child Welfare Agency (relocation of the referred PME).
- If the procedure is to be carried out in a Gessell chamber, explain the characteristics of the resource.
- Explain the participation of the persons involved (the role of the professional in charge (social work/psychology), the role of the prosecutor, and when in a Gessell chamber, the role of the chamber operator).

- You are informed of the possibility of audio and video recording, where applicable.
- The use of the information you may provide is explained to you.
- Importance of telling the truth and detailing clearly and in the order you remember what you are going to tell.
- If they are over 12 years of age, criminal liability under the Juvenile Criminal Justice Act.
- Inform you about your rights and duties (see attachments).

### *1.3. Report findings to the prosecutor in charge.*

- At this point, the professional should try to find an adequate and private space to verbally inform the prosecutor about relevant aspects that may affect the interview, for example: relationship with the accused, the user's ability to locate him/herself in time, space, person, clarity of language, support networks, risks, among others.

### *1.4. During the interview of the alleged facts to be denounced*

- According to Circular 22-ADM-2008 of the Public Prosecutor's Office, it is the prosecutor's obligation to conduct the interview.
- The role of the DTSP professional at this stage is to assist, if necessary, in the reception of the complaint to avoid revictimizing elements and to provide emotional support to the minor; the questions are covered according to the provisions of the Code of Children and Adolescents and the guidelines on non-revictimization.
- The professional observes and takes notes of important aspects to provide feedback during the break to the prosecutor who is in charge of receiving the complaint.
- At the end of the intervention, thank the minor for the information provided and close the intervention.
- It is not the responsibility of the professional to carry out the care before or after the

### diligence. 2- TECHNICAL ACCOMPANIMENT IN RECONNAISSANCE:

The intervention of the DTSP professional in the recognition process is based on a prior written request from the Public Prosecutor's Office to accompany the PME, using the Single Referral Form.

The professional who assists or accompanies the PME must:

- Introduce yourself, confirm your name with the person referred or the person accompanying you and inform about the intervention, in an area with privacy conditions and basic furniture, preferably equipped for this type of care in compliance with the stipulations of CONAMAJ.
- To know basic information about the type of crime and the position of the minor in the judicial process (defendant or witness) in order to guide the approach.

Four stages are identified in this intervention:

#### *2.1. Prior to recognition:*

- Identify if there is any external condition that could affect or coerce their performance (pressure, threat, blackmail, among others).
- Recognize skills necessary for the diligence (schooling, laterality, reading and writing ability, visual ability or if he/she has verbal/visual limitations, e.g. if he/she cannot read and write, he/she can recognize through colors or objects).
- Identify any condition that limits the performance of the minor during the diligence, which must be previously communicated to the prosecutor in charge.



- Take actions to promote the stability of the PME, in case of identifying elements of emotional affectation (techniques to reduce anxiety, relaxation, breathing, etc.). (See appendix)
- Inquire if the PME knows the reason for which it has been called and explain the procedure to be developed for the recognition.
- To make known the rights of the referred user during the diligence (see annex).
- Explore family support and support networks.
- Inform about the persons involved and their role (prosecutor, defender, Department professional).
- Describe the physical conditions of the site where the survey is to be performed.

### *2.2. During the framing prior to recognition.*

- Assisting the PME during the framing by the prosecutor and the defense, prior to the start of the proceeding.
- The role of the DTSP professional at this stage is to assist technically, if necessary, to avoid re-victimizing elements and to provide emotional support to the PME.

### *2.3. During reconnaissance.*

- Accompany the PME to the place required for the examination.
- The participation of the DTSP professional is focused on providing accompaniment and, if necessary, support and containment.

### *2.4 At the end of the survey:*

- Perform the closing.
- It is not the responsibility of the professional to perform the care before or after the procedure.

## 3. TECHNICAL ACCOMPANIMENT IN JURISDICTIONAL ADVANCE

### OF EVIDENCE

This intervention arises from the request of the Criminal Court or Prosecutor's Office when it is required to provide care for a minor who must participate in this procedure. Such request must be previously sent by means of the single reference form once it is indicated by the office.

The Office's administrative assistant assigns the corresponding professional, following the established role; in addition, he or she reviews the DTSP's record of care in order to avoid, as far as possible, that the professional who carried out the expert appraisal performs the accompaniment.

Once the case is assigned, the professional proceeds to schedule it in the agenda and, if there is any DTSP background information, tries to review it.

The professional who provides technical accompaniment must have a private space with adequate conditions to approach the user (See Annex).

In addition, you should know information about the type of crime (review of the court file, coordination with the prosecutor in charge and/or with the person responsible for the minor).

Three stages are identified in this intervention:

### *3.1. Prior to advance payment:*

- Explore if you know what you have been called for and explain the procedure to be developed in the jurisdictional anticipation. Indicate the objectives and reasons why the proceeding is being carried out (for example: departure of some of the parties from the country, age of the victim, health condition, among others).

- Identify if there is any external condition that could affect or coerce their performance (pressure, threat, blackmail, among others).
- Recognize skills necessary for the diligence (schooling, laterality, reading and writing ability, visual ability or if he/she has verbal/visual limitations, e.g. if he/she cannot read and write, he/she can recognize through colors or objects).
- Any condition that may limit the performance of the minor during the procedure must be previously communicated to the prosecutor in charge.
- Take actions to promote the stability of the minor, if elements of emotional distress are identified (techniques to reduce anxiety, relaxation, breathing, etc.). (See appendix)
- To make known the rights of the referred user during the diligence (see annex).
- Explore family support and support networks.
- Indicate who the participants will be and their role (judge, prosecutor, defense counsel, defendant, judicial assistant, professional providing accompaniment).
- Clarify the doubts formulated by the minor and the person in charge.

### *3.2. During the statement:*

- Provide technical assistance to the minor during the declaration.

At that time, guidance and support is provided. If necessary, ask the judge for a pause during the hearing in order to provide such support.

### *3.3. Post-declaration:*

- Perform the closing.
- It is not the professional's responsibility to take care of the patient before or after the procedure.

## 4- TECHNICAL ACCOMPANIMENT IN ORAL TRIAL OR DEBATE:

This intervention arises from the request of the Trial Court or Prosecutor's Office when it is required to provide care for a minor who must participate in this procedure. This request must be previously sent by means of the single reference form once it is indicated by the office.

The Office's administrative assistant assigns the corresponding professional, following the established role; in addition, he or she reviews the DTSP's background in order to avoid, as far as possible, that the professional who carried out the expert assessment performs the accompaniment; if so, proceed in accordance with the DTSP's guidelines.

Once the case has been assigned, the professional proceeds to schedule it in the agenda and, if there is any DTSP background information, tries to review it.

The professional who provides the technical accompaniment must have a private space with adequate conditions to approach the minor (See Annex).

The professional who performs the technical accompaniment must know information about the type of crime (review of the judicial file, coordination with the prosecutor in charge and/or with the person responsible for the minor).

Three stages are identified in this intervention:

### *4.1. Prior to the debate:*

- Explore whether the minor is aware of the reason for which he/she has been summoned and explain the procedure to be followed.
- Identify if there is any external condition that could affect or coerce their performance (pressure, threat, blackmail).
- Recognize skills necessary for the diligence (schooling, laterality, reading and writing ability, visual ability or if he/she has verbal/visual limitations, e.g. if he/she cannot read and write, he/she can recognize through colors or objects).
- Any condition that may limit the performance of the minor during the procedure must be previously communicated to the prosecutor in charge.
- Take actions to promote the stability of the minor, if elements of emotional distress are identified (techniques to reduce anxiety, relaxation, breathing, etc.). (See appendix)
- To make known the rights of the referred user during the diligence (see annex).
- Indicate who the participants will be and their role (judge, prosecutor, defense counsel, defendant, judicial assistant, professional providing accompaniment).
- Clarify the doubts formulated by the minor and his or her caregiver.
- Report on the existence and use of technological resources during the deposition (computers, microphones, cameras, other evidence, etc).
- Instruct the minor to respond in a loud and clear tone of voice, directly into the microphone, and indicate why the oral evidence is recorded.
- Encourage the removal of blame for the consequences of the process and the decisions of the judges in the application of the law.

#### *4.2. During the statement:*

- Provide technical assistance to the minor during the declaration.

At that time, guidance and support is provided. If necessary, ask the judge for a pause during the hearing in order to provide such support.

#### *4.3. Post-declaration:*

- Perform the closing.
- It is not the responsibility of the professional to perform the care before or after the diligence. Attachment 1

## VICTIMS AND THE CRIMINAL PROCESS

When intervening to accompany a victim in an initial process, in which the victim needs to file a criminal complaint or testify in a judicial process, the general processes experienced by the victim in a criminal act should be considered. Ching (2012), cites Soria and Hernández (1994) to classify the following three stages:

- a. Shock: this first phase occurs immediately after the crime and can last from minutes to hours, but rarely exceeds 24 hours. Opposing emotions dominate the entire behavior of the victim, who shows great vulnerability, helplessness, isolation and emotional blockage.
- b. Reorganization: this phase is characterized by an attempt to understand the event; it lasts approximately from weeks to months and, during this period, the victim tries to unify what happened with his or her schemas.

personal, scale of values, previous expectations of behavior, self-perception, among others. Thinking moves between continuous ideas of what happened and attempts to find the cause. Fears of further aggression on the part of the perpetrator also play a powerful role.

c. Readaptation: In this last phase, its duration can last for months or years, during this stage the conflict is resolved by adopting a revision of its initial values and integrating what happened to the person's daily life.

Based on the above, it is necessary to consider that at the time of establishing a criminal complaint, the victim will generally be in the first two stages, so it is necessary to know and implement a series of techniques to reduce the impact of intervention at the judicial level and thus contribute to the reduction of secondary victimization.

Annex 2

## INFRASTRUCTURE

In the attention of users within public institutions, there are different regulations such as, for example, the General Law of Public Health, Law 7600 of Equal Opportunities for Persons with Disabilities, and of greater specificity, other entities such as the College of Psychologists of Costa Rica, have issued guidelines based on the need for adequate physical spaces in the different areas of this discipline, as well as the National Commission for Rehabilitation and Special Education and the Federated College of Engineers and Architects of Costa Rica, which created in 2010 the Integrated Guide for the Verification of Accessibility to the Physical Environment, in which they refer that: "accessibility to the physical environment is directly linked to the condition that a physical space or living environment must meet, so that it can be used by all people, regardless of their characteristics, abilities, skills and aptitudes, and implies that each person can reach, enter and use such space, in a context of safety, comfort and autonomy" (p. 24).

These regulations encourage that the environment where users are attended should be quiet, comfortable and provide minimum conditions of privacy, in order to create a comfortable environment for both the professional and the users. Likewise, the Professional Association of Psychologists of Costa Rica has referred to the characteristics that psychological care spaces should have, so that the main objective is "to provide at least a pleasant, comfortable, private and safe environment for users. It should be easily accessible to all people, especially those with reduced mobility" (p. 1) (Valerio, C. (s.f). Professional Association of Psychologists of Costa Rica).

In this regard, some recommendations given by the Prosecutor's Office of this College (2011) can be used as a parameter, citing Villalobos, A. (January, 2011), who mentions conditions that can generate an adequate environment, some of which apply to immediate care tasks, as detailed below:

- Establish appropriate temperature conditions, these can be between 22°-24° Celsius.
- Adequate ventilation to allow oxygen replacement.
- Absence of sonic contamination.
- Have the required material, for example: pencil, colored pencils, eraser, sheets, among others.
- Adequate lighting so that the person being evaluated can read without difficulty at any time of the day.
- The furnishings should be comfortable.
- Ensure that the user perceives an atmosphere of tranquility, being of vital importance to follow the recommendations that reduce anxiety or uneasiness, such as: explaining the purpose of the attention, names of the people who will be attended to.

- In the case of a person with some type of special need, foresee and provide the required physical space, making adaptations or modifications, for example: request spaces or offices on a second floor that allow access to guide dogs, wheelchairs, canes and other necessary elements or aids, by people who present difficulty or limitation for their mobility and displacement.

### Annex 3

Child Relaxation Techniques to be used in Immediate Attention (Information compiled by MPs. John Walter Acosta Peña, Forensic Psychologist)

Within the framework of compliance with the provisions of Article 123 of the Costa Rican Code of Children and Adolescents, it is the job of professionals in social work and psychology of the Judiciary to provide the respective accompaniment to minors before the judicial instances in which their participation is required in processes in which they appear as victims or witnesses in statements and acknowledgement of criminal acts, during the investigative process of the Public Prosecutor's Office or in trial.

In this area, it is to be expected that minors will experience stress and anxiety, feeling subjected to unfamiliar situations in which they may also be subject to both internal and external pressures.

For this reason, it is necessary for the accompanying professionals to be facilitating elements in the process, serving as support and containment figures in order to protect the best interests of minors, thus transcending a merely informative or expectant work.

The knowledge of basic relaxation techniques becomes a valuable tool that could be used according to the behavioral and emotional particularities of each subject under attention, with the purpose of calming and relaxing in such a way as to promote a space of tranquility and, in this way, reduce the eventual muscular and mental stress, providing a state of well-being that will help him/her to undertake the activity requested.

It is necessary to emphasize that the attitude of the accompanying person is fundamental, so it is necessary that he/she is also relaxed before performing the exercises; likewise, it should be taken into consideration that the minor should not be forced to perform relaxation exercises, since this is a voluntary activity; in addition, it is important, after the exercises, to allow a transition time to recover the normal state of activation.

Thus, some of these techniques are presented below, as follows:

**Contraction-distension:** Technique that consists of contracting a muscle or a group of muscles for a few seconds and then loosening the contraction progressively.

**Swinging:** Technique that consists of imitating the movement of a swing. It involves performing a back-and-forth motion from front to back, or from right to left. The part of the body that is being relaxed (e.g., arm, leg, head) should be relaxed and soft.

**Stretching-relaxation:** It consists of progressively stretching a part of the body, lengthening it as much as possible. This posture should be maintained for a few seconds and then gently loosen that part of the body. It is important to loosen it gently, letting it fall sliding, without hitting. Afterwards, this part of the body should be slightly swayed.

**Falling:** It consists of letting the force of gravity act on the body. After having lifted a part of the body, we let it fall slowly, slipping (without hitting). We let that part rest for a few seconds and then repeat the movement two or three times.

According to the stage of development, autogenic training techniques could be used, in which the body and mind are progressively relaxed through breathing exercises, for example by inviting the person to close their eyes, guiding them to breathe diaphragmatically in counts of inhalation, expiration from one to three and

focusing on the relaxation of each of their body parts (hands and arms, arms and shoulders, shoulders and neck, jaw, face and nose, chest, lungs and stomach, legs and feet); this could include "taking them" (imagining) to a place that they subjectively choose as a calming space, while transmitting positive affirmations.

For the performance of the techniques described above, an adequate space should be provided in terms of tranquility and privacy, otherwise, it could become an additional element of stress for the minor, making him/her feel uncomfortable due to the possibility of being observed by third parties.

Annex 4

## UNDERTAKINGS

Explain the importance of being truthful.

Point out that he or she is the one who knows the details and that the person attending him or her has no knowledge of them. Indicate to him/her that he/she has the right to respect the vocabulary he/she is used to using.

Mention that he/she has the right to use the time he/she needs to think and express his/her answers.

Clarify that when questions are repeated, it is because the interviewer did not understand or needs more information and not because he/she is not believed or is wrong.

You have the right to request that questions you do not understand be rephrased, using vocabulary appropriate to your age, personal characteristics and context.

Explain to him/her that he/she has the right not to remember some detail; and to express it at any time during the conversation, when he/she remembers it.

That he/she has the right to make mistakes and correct what has been said, as well as to add details that have not been asked. Indicate to the child that he/she can refuse to answer questions because he/she does not know the information.

Encourage the child to disagree with you and correct him/her when you misinterpret the information provided.

Indicate to him that he has the right to a water break, rest, relax, etc."