

5TH INTERNATIONAL STUDENT CONFERENCE ON LOCAL SAFETY AND SECURITY



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REDUCING THE MORTALITY RATE OF CHILDREN AND EFFECTIVE SUPPRESSION AND PREVENTION OF CRIMES AGAINST HUMAN HEALTH

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Sustainable Development Goal 1: No Poverty

CHILDREN AND CRIMINAL PROCEEDINGS



- About 2.5 million children take part in EU-wide litigation each year.
- European Union Agency for Fundamental Rights (FRA) indicates that children's access to justice remains a challenge, especially when it comes to children affected by poverty, children without parental care and children in conflict with the law.

WHAT CAN BE DONE?



- Achieving equal access to justice requires legal reforms that should ensure not only that legal services are available to children, but also that there are proactive public policies and resources designed to meet the needs of children in the justice sector.
- In recent years, Montenegro has made significant progress in strengthening the normative and institutional protection of children's rights, with a focus on strengthening the juvenile justice system, treating child victims/witnesses of crime and improving legislation governing family relations.

ESPECIALLY VULNERABLE CATEGORIES OF CHILDREN

- All children are de jure equal, the actual protection of their rights depends on many factors, such as socio-economic status, origin, nationality, belonging to a particular culture, etc.
- From the point of view of practice, certain categories of children (children affected by poverty, children from rural settlements, children of Roma and Egyptian nationality, migrant children, children involved in living and working on the streets) are particularly vulnerable and unequal in practice.
- It is necessary to continue working on changing the perception of the child's position in society.

HOW TO REDUCE THE DEATH RATE AND CRIMES AGAINST CHILDREN?

- It is necessary to strengthen the base of specialized staff and volunteers. This problem can be partially overcome by further strengthening trust and cooperation with non-governmental organizations and citizens.



INTERNATIONAL DOCUMENTS PROTECTING CHILDREN



- The state has signed and ratified a number of international conventions relating to children, including the Convention on the Rights of the Child.
- Article 19 of the Convention says that Contracting Parties shall take appropriate legal, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligence.
- Increased attention to victims of crime in recent years has motivated many countries to reconsider the mechanisms they apply in different segments of society in charge of providing assistance and protection to victims of crime, especially when it comes to children.

PREVENTION OF MISTAKES OF MEDICAL WORKERS

- Medical mistakes are possible in the treatment of patients, which are usually involuntary. The new age has been severely damaged by a virus Covid-19 whose danger we are not fully aware of, we must mention new diseases and an old danger called AIDS. People have all these viruses, they do not protect themselves and do not protect others from themselves. We should also focus on doctors who are burdened with numerous patients, stress and work in haste and therefore make mistakes with serious and less serious consequences. Some of the crimes against health can only be done by doctors and medical workers. Other crimes are done by people that don't take necessary precautions and spread the disease on others, voluntary or involuntary.
- Criminal procedural law must recognize the real perpetrators of the crime and strengthen special and general with appropriate criminal sanctions.
- The focus should also be on the doctor-patient relationship. The meaning of the word "patient" speaks volumes about desirable behavior. The patient must be patient and wait for medical help. Also, the doctor must act professionally and ethically in order to provide appropriate help. It is a description of an ideal situation, but unfortunately, life is not perfect.

In the structure of criminal offenses committed by adults (known perpetrators), the most numerous are criminal offenses against human health:

- **Statistics over the years:**
- Year **2018**. in Montenegro we had **190** reported crimes against human health: **74** convicted of which **3** were female and **71** male convicts.
- Year **2019**. in Montenegro we had **260** reported crimes against human health: **82** convicted of which **1** was female and **81** male convicts.
- Year **2020**. in Montenegro we had **1682** reported crimes against human health: **712** convicted of which **64** were female and **648** male convicts.
- In **2020**. we had an increase in crimes against human health due to global epidemic of Corona virus.

THE INFLUENCE OF THE POLICE ON THE PREVENTION OF THESE CRIMES



- Clarification and prevention of crimes are the two most important tasks of the police, in which victims of crime play an important role. Without the information provided by the victims, many crimes would not have been known to the police, and without the help of the victims, many perpetrators would not have been discovered.

COOPERATION BETWEEN POLICE AND VICTIMS

- Victims meeting The police has a fundamental role to play in all activities aimed at supporting victims. As mentioned above, the police are often the first and only representative of the society with which the victim comes into contact.



- In many European countries, the police have a broad responsibility to provide information to victims of crime. One such example is the Netherlands, which has specific guidelines on police contact with victims of crime. They state that the police must inform the victim of the available forms of support and assistance at the time the crime is reported and, when appropriate, mediate in contacting the victim service.

THE ROLE OF THE COURT FOR THE PROTECTION OF VICTIMS (ESPECIALLY CHILDREN)

- The duty of the court is in each individual case to evaluate all the evidence presented and make a decision on the guilt or innocence of the suspect. It is essential that the injured party, as a prosecutor (or witness), does not feel unsafe about appearing in court. In that way, more victims would help solve these crimes, and feel free to report a crime against human health without fearing the consequence and threats that may come from guilty parties.
- It is also important to ensure that they are not retraumatized by the inadequate treatment of judges, as well as prosecutors, lawyers, experts and other participants in the proceedings. This can be ensured through the legal regulation of witness protection.
- By creating such a safe environment, other victims will be motivated to report crimes related to human health and crimes against children thus contributing to its prevention.

HEALTH CARE AND VICTIMS



- Despite the well-documented interrelationship between mental and physical condition, crime victims generally receive only half the help they need. Physical survival is generally provided in the hospital, but the victim is often left behind to deal with psychological consequences on its own. That is why it is crucial that employees in the health care system understand the reactions and needs of victims of crime in order to avoid worsening the already uncertain situation.
- The Covid-19 epidemic has taught us that in the future, special attention must be paid to the category of crimes against human health. Of course, this is primarily a criminal offense. Transmission of a dangerous contagious disease is regulated by the Criminal Code of Montenegro. A criminal offense is committed by anyone who does not act according to regulations, decisions, or orders to combat or prevent infectious diseases.
- It is equally important to understand the crime of failure to comply with health regulations during an epidemic. A fine or imprisonment of up to three years is the punishment for this crime against health.
- Tougher penalties can reduce the commission of these crimes and criminal law should increase attention to this problem!

Conculsion

- Children are an extremely vulnerable category that needs the greatest possible protection and the best possible access to safety. As stated above, it is necessary to acquire, strengthen and strive to ensure that the link between citizens and NGOs never breaks. Emphasis should be placed on the protection of children, but also on all preventive measures that should be provided before in order to avoid unwanted situations.
- As for the reduction of crime in health care, it is necessary to strive to maintain a more realistic relationship with doctors, patients and others. An overview of the strictest possible insight into medical diplomas and the ability of doctors to start working. In addition to all professional skills, social skills are extremely needed for strengthening the relationship between doctors and patients. Patients often suffer from lack of information therefore they end up in unwanted situations. It is almost impossible to teach people responsibility, so it is necessary that the legal system always implements its measures and therefore educates people about the consequences of their actions.

THANK YOU FOR YOUR ATTENTION

