

MECHANISMS OF PSYCHOSOCIAL PROTECTION AND SUPPORT TO PROTECTED PERSONS IN THE PROTECTION PROGRAM WITH REFERENCE TO FAMILY AND CHILDREN AS CLOSE PERSONS OF PROTECTED PERSONS

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Introduction

In the last twenty years, we ourselves have witnessed the increasing humanization of criminal procedural law and criminal justice. These activities were focused primarily on the position of the defendant in criminal proceedings, but also on the witness of the last decade. Namely, if the witness is not provided with adequate protection, and there are possible threats and intimidation, the witness could be liquidated before or after the trial. In connection with the above, criminal proceedings are proceedings for the smooth flow of which the police and judicial authorities (prosecutor's office and the police) are responsible, which should be conducted in accordance with the Code of Criminal Procedure in order to defend the social order from crime (Criminal Procedure Code "The Official Gazette of the Republic of Serbia", No. 72/2011, 101/2011, 121/2012, 32/2013, 45/2013, 55/2014, 35/2019, 27/2021-decision US and 62 /2021-decision US). It enables the determination of responsibility for the commission of criminal acts, but also the punishment of those responsible for the commission of criminal acts, which means that punishment is the first form of adequate moral and material satisfaction for the injured or victims of crime (Dedović Adžajlić & Topić, 2016: 151).

The Concept of Psychosocial Support and its Practical Implications

Psychosocial support for vulnerable persons plays a key role in alleviating the emotional burden they may experience while testifying or participating in criminal proceedings. Some types of psychosocial support that can be applied are: a) providing information (providing witnesses with detailed information about the course of the criminal process and their rights can reduce anxiety and uncertainty; b) individual counseling (providing opportunities for individual sessions, counseling with a psychologist or therapist, which allows witnesses to express their emotions and receive support tailored to their needs); c) access to experts (ensuring access to experts, such as psychologists or social workers specialized in working with victims and witnesses, can be essential to providing targeted and effective support; d) protecting privacy (ensuring the privacy of witnesses during the criminal process, if possible, can reduce feelings of vulnerability and fear), d) education about stress reactions (providing information about typical reactions to stress and trauma can help witnesses understand their feelings and respond to them at healthy way) (https://www.cps.gov.uk/sites/default/files/documents/legal_guidance/best_evidence_in_criminal_proceedings.pdf).

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Theoretical Foundations of Psychosocial Support for Witnesses

Some of the key theoretical premises often used in the development of psychosocial witness support programs include:

- a) *Stress theory*- psychosocial support for witnesses is aimed at reducing stress and strengthening their coping capacities;
- b) *Trauma theory* - investigates the long-term effects of exposure to traumatic events. Witness support programs often rely on the principles of this theory to understand and mitigate the negative effects of trauma;
- c) *Attachment theory*- attachment theory focuses on the importance of interpersonal relationships and support in the process of coping with traumatic events. Providing a safe and supportive environment helps build positive relationships and foster emotional recovery;
- d) *Theory of developmental approach* - focuses on changes that occur during the life of an individual and different stages of development. Psychosocial support is adapted to the specific *needs of witnesses at different life stages*;
- e) *Theory of the therapeutic alliance* - emphasizes the importance of a positive relationship between the support professional and the witness as a vulnerable person. Building trust and cooperation is the key to effective support;
- f) *Self-help theory* - encourages individuals to actively participate in their own recovery process. Psychosocial support programs can include training and resources that enable witnesses to develop self-help strategies (Ardito & Rabellino, 2011: 9).

Right of Witnesses to Protection

It is customary to observe the state of human rights and freedoms in criminal proceedings from the perspective of the defendant. It is only recently that witnesses are being observed, who also need to be provided with adequate protection. Namely, from their procedural role may arise a danger to basic human rights proclaimed in the most important international and constitutional documents (Brkić, 2005: 475). It is a great injustice to oblige citizens to cooperate with state authorities in combating crime and without providing protection to expose them to the danger of becoming victims of new criminal acts, thus the state somehow offends the principle of equality of citizens, because it protects some from crime and exposes others (Brkić, 2005: 476). Accordingly, national legislations should find acceptable solutions for harmonizing the possible conflict of interests between individual rights and the legal interests of society (Vulević, 2023: 170).

The subjective right to witness protection can be protected by various legal mechanisms. The first group of vulnerable witnesses involves various forms of legal responsibility and witness protection in criminal proceedings. However, in contrast to this protection, there is also non-procedural Program protection of witnesses, which is based on measures of a physical and technical nature (Brkić, 2007: 217). In this paper, we will focus on this type of protection.

Human society has always been confronted with the problem of correct identification of certain occurrences since their “object of attack” pose a danger to the vital values of a society. Modern forms of crime usually involve organised forms of manifestation (Vulević, 2020: 143). Organized crime in Serbia arose in the early nineties of the last century. First of all, this phenomenon did not interest the state or the professional public because it seemed like a phenomenon that was not socially dangerous.



A special problem for prosecuting authorities is still the collection of material evidence related to crimes of organized crime, war crimes, corruption and terrorism, all because of the authenticity of these particularly serious crimes (Vulević, 2017: 8). Organized crime, especially in connection with the criminal offenses of drug abuse, illegal trafficking in weapons and people, is on the rise. The number of the most serious crimes committed is growing, and the difficulties in discovering and proving the commission of those crimes and the perpetrators are very great due to the increasingly perfect organization of criminal associations. Therefore, the criminal law tried to find new ways to effectively respond to this growing problem and to bring the perpetrators of these crimes to justice. In this regard, a certain member of a criminal organization, a presumptive perpetrator of criminal acts, will be offered a waiver of criminal prosecution, or possibly a reduced sentence and the status of a protected witness for their testimony (Pajčić, 2005: 42). In parallel with the above, witnesses are increasingly being forced to enter the Protection Program for their own safety, but also for the safety of their loved ones, their families as close persons. Program protection treatment is necessary in order to provide and ensure the witness and victim in terms of bodily integrity, health, property and the safety of persons close to them (Vulević, 2017: 9).

Risks, Threats and Secondary Victimization

In the criminal proceedings of a number of countries during the last decade of the 20th century, considerable attention began to be paid to the victims of particularly serious crimes, which was also extended to witnesses. States around the world establish specialized departments for the protection of participants in protection programs in cases of prosecution of serious forms of crime, or when there are clear indications that the cooperation of a particularly vulnerable witness with state authorities, through providing information to prosecution authorities or testifying in court, will endanger the life of the witness themselves or members of their family (Vulević, 2022: 8). There is a probability that witnesses hesitate to provide information and provide evidence to judicial and prosecuting authorities due to actual intimidation or threats to themselves or their family members (hereinafter: close persons) by members of criminal groups and associates, members of the military, paramilitary formations, etc. Members of criminal groups strive to “eliminate witnesses” behind their activities with the aim of “making them disappear”, and therefore an energetic reaction of state authorities is needed to find witnesses, to protect them, because the fear of retaliation is deeply rooted in the consciousness of potential witnesses (Vulević, 2022: 9).

Threatening and harming witnesses, as well as members of their families, comes from those who are particularly interested in preventing witnesses from testifying, because otherwise their status, financial and other interests would be damaged. Since such persons are a serious threat to members of criminal organizations, their security is continuously threatened and therefore it is necessary to provide them with serious protection by conventional security entities, which is, indisputably, the most comprehensive within the Protection Program (Marinković, 2014: 451). Specifically, as a result of intimidation, threats, coercion, various pressures on the witness who is not protected, there is a fear of testifying, the possibility of giving up the testimony, and even the possibility of giving a false testimony. According to the Directive of the European Parliament on the rights, support and protection of victims of crime, witnesses and victims of criminal acts should be provided with protection from secondary victimization, intimidation and retaliation, as well as appropriate assistance to facilitate their recovery and provide appropriate access to justice. Also, according to the same, it is necessary to provide measures to protect the safety and dignity of victims and their family members from secondary victimization, from intimidation and retaliation by the perpetrator of the crime (<https://eur-lex.europa.eu/legal-con->



tent/HR /TXT/PDF/?uri=CELEX:32012L0029&from=SK). At the same time, the citizens of the state union rightfully expect a decisive and adequate response to the threats of modern forms of endangering security and basic freedoms and rights recognized by law. If such an answer does not come, we risk the trust of citizens and the foundations of democracy itself (Gligorijević, Pećanac, Vulević & Maksimović, 2020: 593).

As criminal groups and organizations become more sophisticated, organized, and refined in committing crimes, law enforcement agencies are having increasing difficulty detecting, solving, and proving particularly serious crimes. In order to be as efficient as possible and to avoid criminal prosecution, criminals join together in increasingly large organizations that can be so powerful that the measures that can be taken in national frameworks to suppress them often cannot disable their criminal activity. They are becoming more and more massive and have large capital that allows them to use modern means of communication in their criminal activities, use the services of experts in certain fields, prepare actions professionally (Marinković, 2013: 356). In the enormous area of lack of material evidence, and for the reason that the actors of criminal groups destroy it, the prosecuting authorities have to rely on personal evidence, the “living word” of persons who have knowledge of organized criminal activities, which is the main characteristic of serious crimes and at the same time the motive for the entry of witnesses into the Protection Program. It is for this reason that the most important evidence is the personal evidence of witnesses (Ilić, Majić & Nikolić, 2006: 14).

Converting Ordinary Witness - Vulnerable Witness - Protected Witness in Criminal Proceedings

According to the Criminal Procedure Code of the Republic of Serbia (CPC, “Official Gazette of RS”, no. 72/2011, 101/2011, 121/2012, 32/2013, 45/2013, 55/2014, 35/2019, 27/2021-Decision US and 62/2021-Decision US) Art. 91 Paragraph 1, a witness is a person who is likely to provide information about the criminal act, the perpetrator or other facts that are established in the proceedings. According to Art. 105 of the same law, if there are circumstances that indicate that the witness would expose themselves or a person close to them to a greater danger to life, health, freedom or property by giving a statement or answering certain questions, the court may approve one or more measures by a decision on determining the status of a protected witness special protection (CPC, “Official Gazette of RS”, No. 72/2011, 101/2011, 121/2012, 32/2013, 45/2013, 55/2014, 35/2019, 27/2021-decision US and 62/2021-decision US). According to the Criminal Procedure Code of the Republic of Croatia (Criminal Procedure Code of the Republic of Croatia, National newspaper, 2011/121/2386), Art. 249, Paragraph 1, a threatened witness is a witness who, by giving a statement or answering a certain question, would expose themselves or a person close to them to serious danger to life, health, bodily integrity, freedom or property of a larger scale.

This legal definition shows which goods are protected (life, health, bodily integrity, freedom, property of greater value of a witness or a person close to them), but the same definition does not precisely show from whom or what the danger threatens, who endangers those vulnerable witnesses, who intimidates them and in what way. Starting with the mildest methods of trying to bribe (which is not dangerous for the witness, but it is dangerous for the interest of the community and the criminal procedure), then intimidation with the aim of making the witness change their testimony (for example, they say that he does not know anything about the event or that they do not remember) until the physical elimination of them or persons close to them. After the witness has already given their testimony, retaliation is possible, which also serves as a prevention and warning to witnesses who have yet to testify (Pajčić, 2005).



Psychosocial Character Support to an Endangered Witness and Their Family in the Protection Program

Psychosocial support plays a key role in the recovery process of witnesses and victims of crime, providing support that helps them overcome trauma and rebuild their lives. This support often requires collaboration between different professionals, including psychologists, social workers, legal advisors and other experts. Psychosocial support of witnesses and victims of criminal offenses refers to the provision of emotional, psychological and social support to persons who are witnesses or victims of criminal offences. This support aims to help these people cope with the stress, trauma and emotional consequences that may arise from their experience. Here are some key aspects of psychosocial support: a) emotional support, which involves providing sympathy and understanding for the emotions a person is experiencing, enabling the expression of feelings without fear of judgment and encouraging the expression of emotions. b) psychological support, providing information about the course of the criminal procedure so that the person can better understand what is expected from them, c) ensuring the professional help of psychologists or counselors who can work with people who have gone through traumatic experiences, d) helping in the development of strategies for dealing with anxiety, fear and other emotional challenges. Then, social support involves encouraging connections with supportive friends and family (<https://tpocambodia.org/wp-content/uploads/2014/08/In-pursuit-of-justice-FINAL-web.pdf>). The great stress of the witness from what they have experienced, the stress due to the fear of testifying, due to the great change in social life due to entering the Protection Program can lead to psychological problems. The fact that a certain person is included in the Protection Program leads, depending on the applied protection measures, to minor or major changes in their previous way of life, as a result of which it is necessary to provide adequate assistance to a certain person. Support of a psychological and social nature should help them face the new reality and successfully overcome the crises brought by an authentic life in the Protection Program, even if they have undergone certain traumatization and if they are afraid of testifying. Psychological support is not sufficient in itself for the successful implementation of the Protection Program. Accordingly, support to the witness must be accompanied by the provision of appropriate economic, social and even legal assistance that will enable the protected person to successfully integrate into the new environment.

Adequate application of a psychosocial approach in providing assistance and support to surviving victims and witnesses in the Protection Program can preserve their mental health and prevent retraumatization during testimony. The psychosocial approach implies a focus on both psychological and social processes. The witness, as well as the victim of the crime, is analyzed from the psychological, material and social side. In this regard, the existing resources that are involved in the application of the treatment of a protected witness, in addition to members of the protection unit, such as the judiciary, the prosecution, the police, and social protection institutions, should be used as adequately as possible, so that the witnesses are better prepared to testify and give the best possible testimony (Ibrahimfendić & Husić, 2018: 19). According to Art. 12. paragraph 2 of the Law on the Program for the Protection of Participants in Criminal Proceedings, the Protection Unit provides the vulnerable person with the necessary economic, psychological, social and legal assistance. According to Art. 12 paragraph 3 of the same law, all state bodies, organizations and services are obliged to provide assistance to the Protection Unit and, at its request, perform actions within their competence necessary for the implementation of the protection program. The aforementioned legal provision is in accordance with point 22 of the Annex to Recommendation 2005 (https://www.coe.int/t/dg1/legalcooperation/economiccrime/organisedcrime/Rec%20_2005_9.pdf), 9 which states that the main goal of the Protection Program must be to protect the life and ensure the personal safety of participants in criminal proceedings, i.e. vulnerable persons and persons close to them, in such a way that physical protection and appropriate



psychological, social, legal and financial assistance are provided (Ilić, Majić & Nikolić, 2006: 100). The psychosocial assistance provided to these persons is particularly important. More specifically, the psychological pressure of entering the program, changing residence, environmental changes, breaking up with the previous life, habits, friends, is so pronounced that the protected persons cannot bear all of this on their own.

Children as Close Persons in the Protection Program

Children who are included in the protection program, especially as close relatives of vulnerable persons as participants in criminal proceedings, deserve special attention and support in order to ensure their well-being and prosperity. Definition of children as close persons - In the context of physical and technical protection, children are often recognized as close persons if they are children who are witnesses of a criminal offense and if they are children of vulnerable persons who are included in the protection program. Regarding psychosocial support, children as close persons often go through emotional stress and trauma. Providing appropriate psychosocial support, such as counseling and therapy, can be critical to their emotional recovery. Children who are closed persons in the protection program have the right to safety, support and tailored assistance to ensure their healthy physical, emotional and social development. These measures help create an environment that supports children during a difficult time and allows them to build a positive path to recovery (<https://www.unicef.org/blog/strengthening-care-families-mental-health>). Despite the benefits for witnesses and their families, Witness Protection Programs cause far-reaching consequences for witnesses and enormous burdens for their children. When parents enter the Program, some bring their children with them, as close relatives, and some leave their children, e.g. with relatives (Mphaphuli, 2022:148). According to the United Nations Office on Drugs and Crime (https://www.unodc.org/documents/middleeastandnorthafrica/organizedcrime/Good_Practices_for_the_Protection_of_Witnesses_in_Criminal_Proceedings_Involving_Organized_Crime.pdf), children, as relatives of a vulnerable person, are difficult to adapt to a new environment and a new school environment, which to the feeling of isolation and loneliness. According to Demir, they live in isolation with a constant feeling of fear lest they say something they shouldn't by any chance, which could endanger the safety of the whole family (Demir, 2018). Separation and isolation exposes children to a life of stress and anxiety that could lead to long-term mental health problems if not dealt with properly (Hendrik, 2009: 18). Children admitted to the Protection Program had difficulty coping with isolation from family and friends. Such ways of separation resulted - in a feeling of loneliness. Some of the recorded behaviors include rebelliousness, arguing with parents, refusing children to go to school, running away from a safe space, and insisting on returning to regular life regardless of threats from criminal organizations. In addition, children who continued their regular life, outside the Program, e.g., if they stayed with their grandparents, often had difficulties, due to separation from their parents. On the other hand, protected witnesses were frustrated because their children were growing up apart from them, which, in some cases, led to witnesses leaving the Protection Program (Mphaphuli, 2022: 151). On the other hand, the protected witnesses were frustrated because their children were growing up apart from them, which led to the witnesses even leaving the Protection Program (Mphaphuli, 2022: 151). Children, although innocent, are often placed in the Witness Protection Program with their parents. For children, the inclusion of their parents in the same is fraught with difficulty and discomfort. In practice, children are unable to adjust to the Program after being suddenly excluded from their normal social life and familiar environment.

Children have to adapt overnight to a new social environment, which is very specific, then to a new school environment, a new society and environment because the curriculum and program differ from



what the child is already familiar with. Children become lonely due to distance from friends and family, and it is difficult for them to successfully establish and maintain new friendships due to the authentic rules of the Protection Program (Mphaphuli, 2022: 152). Kaur states that isolation results in boredom and loneliness (Kaur, 2011). Collet reveals that there is a direct link between social exclusion, stress and anxiety in children (Collet, 2020). He indicates that loneliness can cause health problems, both physical and psychological, but also an increased risk of depression and suicide in children. There is a correlation between childhood loneliness and challenges in child development, learning difficulties, low self-esteem, lack of optimism and poor health later in life (Mphaphuli, 2022: 154). Behavioral problems that have been reported include disruptive behavior at home, such as refusing to go to school, mood swings, and constant arguments with parents, siblings. It is also evident that the school performance of some children has declined since admission to the Witness Protection Program (Mphaphuli, 2022: 153). Kaur points to the impact of a vulnerable person's entry into the Witness Protection Program as the "rebirth" of witnesses and their close relatives, especially children, because they stop socializing with friends, their original identity is concealed, they get a new identity, they are placed far from home, in someone new unknown area (Kaur, 2011). In order to mitigate the impact of social uprooting and separation from social life on children, the interventions of social workers and emphasizing the necessity of enabling children to maintain contact with family members who are outside the Witness Protection Program are necessary. Psychosocial support is necessary to help children socially, emotionally, academically and in terms of adaptation due to difficulties and homesickness, where the emphasis is on developing their maximum potential. Such intervention may include counselling, therapy, access to health care, strengthening parenting competencies and establishing social support (Mphaphuli, 2022: 154). Children of witnesses and victims who experienced traumatic events in the war-torn area, and probably during the escape, are exposed to a high risk of developing serious cognitive-socio-emotional disorders. These risks are significantly more pronounced if parents are also affected, because parents who are traumatized by war are most likely not able to fulfill their parental duties (Fegert, Diehl, Hahlweg, Leyendecker & Prayon Blum, 2018: 2). In most cases, family dynamics have worsened because during the application of measures and treatments there is little privacy and private space, and the family's private space has been replaced by a safe space. Also, increased sensitivity is expressed through irritability, anger, fear, etc.

Comparative Legislation

The Witness Protection Program in South Africa and Family in the Protection Program

South Africa's Witness Protection Program, called the Office of Witness Protection, was established in 1999 under the Witness Protection Act 112 of 1998 (https://www.gov.za/sites/default/files/gcis_document/202107/44799gon586t.pdf). Witness protection plays a key role in the criminal justice system's efforts to fight crime, as witness testimony is a necessary part of the fact-finding process in court and links the perpetrator to the crime committed (Beqiri, 2018: 148). The aim of the Witness Protection Program was initially to look after the physical safety of witnesses in order to break up organized crime and little consideration was given to the impact of admission on witness children (Kiprono, Mwangi & Ngetich, 2015: 148). This resulted in isolation and separation of parents from children, as well as stress and anxiety in both parents and children. According to Coley and Kull, separation and social uprooting undermine emotional bonds, social skills, and cognitive, social, and emotional functioning, and also hinder children's success in school (Coley & Kull, 2016). It is very important that Witness Protection Programs provide support services that enable family preservation. The revised White Paper on Families (https://www.gov.za/sites/default/files/gcis_document/202107/44799gon586t).



pdf) emphasizes the importance of preserving the family through interventions that empower and strengthen the family, including ensuring that children are raised in a family environment. Families who are under protection and treatment in the Witness Protection Program receive psychological and social assistance in order to heal from the stress caused by entering the Witness Protection Program, from future witnessing or possibly from traumas acquired in the area affected by the war. The aforementioned assistance empowers witnesses to give effective testimony in court, avoids secondary victimization of witnesses by providing assistance and protection, reduces anxiety about participating in the trial, and finally works with the witness's family at home and in a safe space to ensure successful family reunification and integration in community when the witness finally leaves the Witness Protection Program (Dulume, 2017: 148). Such services include provision of psycho-social support and services, access to medical care and support for children's educational needs, skills development and rehabilitation, as well as assisting witnesses to prepare for court (https://www.unodc.org/documents/middleeastandnorthafrica/organizedcrime/Good_Practices_for_the_Protection_of_Witnesses_in_Criminal_Proceedings_Involving_Organized_Crime.pdf).

The Witness Protection Program in the Republic of Italy and Family in the Protection Program

In Italy, the Law on Justice Witnesses, no. 6 of February 21, 2018 (*Legge sui testimoni di giustizia della Repubblica Italiana*, n. 6 del 2018) considers the figure of witnesses of justice, i.e. those persons who, because of their testimony in the criminal procedure, especially organized crime, are in serious danger. Special protection measures are applied on a case-by-case basis, depending on the specific danger and the personal, social, economic, and family situation of justice witnesses and other protected persons. There can be no loss or limitation of the rights they enjoy except in exceptional situations, which makes this law an effective tool not only for the protection of justice witnesses but also their family nucleus (Russo, 2019: 189). Vulnerable persons who have provided information to the police or prosecution or testified at trial may be subject to a special Protection and Assistance Program intended for justice witnesses. However, it is not enough that the person in question (victim or witness) gave a statement, but it must have the character of "grounded internal reliability" and be relevant for conducting an investigation or for establishing relevant facts in a specific criminal proceeding. In addition, what determines the activation of the protective mechanism is the circumstance specified in the Law on the Witness of Justice is "a situation of serious, concrete and present danger, in respect of which the absolute inadequacy of the regular protective measures that can be directly adopted by the public security authorities is evident" (Russo, 2019 : 197). According to Art. 6 paragraph 1 of the Law on the Witness of Justice, the witness can stay in a safe space with their family if they wish, and their accommodation must be suitable to guarantee the safety and dignity of the witness (*Legge sui testimoni di giustizia della Repubblica Italiana*, n. 6 del 2018). Upon entering the Protection Program, data on their personal, family and property status is submitted to the Central Commission within 30 days, where the same commission then appoints a professional, specially trained person who is suitable to provide immediate and direct psychological support to the family, according to Art. 12 paragraph 3 of this law (*Legge sui testimoni di giustizia della Repubblica Italiana*, n. 6 del 2018).

Education and Training Regarding Psychological and Social Assistance

Education, seminars and trainings open up many issues related to providing assistance and support to witnesses, participants in criminal proceedings, finding the best ways to provide them with adequate assistance and psychosocial support. It is necessary to establish an institutional network to support the



target group consisting of witnesses, then surviving victims who live in their traumatic world, and on the other hand, professionals who work with them and whose mental health needs to be taken care of. First of all, it is necessary to create a more humane and efficient environment for providing assistance and support to protected persons (Ibrahimefendić & Husić, 2018: 15). Also, in order to see comprehensive psychosocial support and assistance to victims and witnesses, it is necessary to get to know all the services that participate in the application of trauma and stress treatment measures for them, if it is present. In addition, it is necessary to investigate the most effective ways of communication and ways of questioning protected persons in general, all in the interest of giving an accurate and complete statement before the judicial authorities and for the sake of elucidating the criminal offense and passing a conviction against the perpetrator of the criminal offense.

According to the Directive of the European Parliament on the rights, support and protection of victims of crime, every official participating in criminal proceedings who are likely to come into contact with victims and witnesses should be allowed to go training. Member States should provide training of this type for police and judicial officers. Likewise, training should be provided to lawyers, prosecutors and judges (<https://eur-lex.europa.eu/legal-content/HR/TXT/PDF/?uri=CELEX:32012L0029&from=SK>). When it comes to special measures for the rehabilitation of victims and witnesses, according to the opinion of the Council of Prosecutors, there should be a sufficient level of material, human and financial resources to ensure appropriate protection and assistance to victims and witnesses. According to the Council, professional training is of key importance and should include experiences on good practices and exchange of information in cases of potential psychological and social implications, where different examination techniques are considered. (<https://rm.coe.int/ccpe-opinion-no-9-serbian/1680a1e0a9>).

Conclusion

The Unit for Protection of the Ministry of Internal Affairs undertakes measures of psychosocial protection, where it has an operational role, because it is specialized in the implementation of treatment and in performing other tasks related to the measures of the Witness Protection Program. Members of the same unit should undergo special training, specialized courses, where they would become more familiar with the psychology of the witness, their profile, the mandatory conduct of an interview when a vulnerable person enters the Witness Protection Program, their protection measures and the legal aspects of this issue. The lack of knowledge regarding psychosocial support for children automatically leads to the absence of necessary elementary interventions. On the part of the social worker and psychologist employed in the specialized unit of the police, it is necessary for them to have an understanding regarding the needs of children as close persons, who are inevitably affected by the entry of their parents into the Witness Protection Program, where the result would be the restoration, unification and preservation of the family.

Our Law on the Program for the Protection of Participants in Criminal Proceedings does not contain sufficiently elaborated provisions on the psychosocial protection of vulnerable persons and persons close to them, and it is necessary to amend the existing law or to pass by-laws that would regulate this area more closely. Witness protection has been reduced to only two articles of the Law on the Program for the Protection of Participants in Criminal Proceedings in the Republic of Serbia. The conclusion is that very little attention is paid to children, as close persons, both in legislative and internal acts of institutions working on this target group. We conclude that the admission of parents to the Program interrupts the normal functioning of a family, causes stress on the emotional relationships of family



members and therefore negatively affects children as close people. In this regard, *de lege ferenda*, it would be desirable for the legislator, during the procedural reform, to regulate in more detail the range of actions and dedication of full psychosocial support to witnesses in the Witness Protection.

Training participants would become more confident in the future in recognizing signs of stress, traumatization, anxiety, etc. after completing the education and seminars. They would carefully treat traumatized persons during the duration of their status as a vulnerable person in the Witness Protection Program and when testifying in court. Also, these trainings would have an impact on raising the awareness of the handlers, the head of the Unit and the employees in other services with whom they cooperate regarding the treatment of vulnerable persons in the Witness Protection Program. Perhaps the inclusion of support and protection in the earlier phase of the treatment of the protected person could even improve their mental state and stability, as well as promote more intensive cooperation of witnesses with the police and judicial authorities.

In addition, it is necessary to connect and coordinate other services with the Unit for Protection, given the fact that fear, stress are elements that affect the stress disorder of the protected person and those close to them, in whom stress intensifies. These psychological groups should be a means of helping to share feelings of loneliness, isolation and a sense of belonging. However, the greatest responsibility in witness protection rests with the state, which has the obligation to provide comprehensive assistance, and not only psychosocial but also medical, legal and financial assistance, because for the protected person's sense of trust in the state authorities, it is necessary to provide complete protection and support to the same, and all for the reasons investigation of the criminal offense and conviction of the perpetrators of serious crimes.

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