



Conscious project is co-funded by the Rights, Equality and Citizenship Programme of the European Union (2014-2020) under the agreement n. 810588

CONSCIOUS

An inter-systemic model for preventing reoffending by perpetrators guilty of sexual abuse and domestic violence

Start date of project: 22st October 2018.

Duration: 20 months

D 2.4 – Operational Protocol 1	
WP n° and title	WP 2 Networking & capacity building
WP leader	ASL Frosinone
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Planned delivery date	M 7 – 21 May 2019
Actual delivery date	M 7 – 21 May 2019
Reporting period	RP1

Dissemination Level		
PU	Public	X
PP	Restricted to other programme participants (including the Commission Services)	
RE	Restricted to a group specified by the consortium (including the Commission Services)	
CO	Confidential, only for members of the consortium (including the Commission Services)	

PROTOCOL 1

between

- *ASL Frosinone*
- *Ordine degli Avvocati di Frosinone*
- *Ordine degli Avvocati di Cassino*
- *Provveditore Regionale Amministrazione Penitenziaria Lazio, Abruzzo, Molise*
- *Il Garante delle persone sottoposte a misure restrittive della libertà personale del Lazio*
- *Centro Nazionale Studi e Ricerche sul Diritto di Famiglia e Minori*

WHEREAS

- The Conscious Project introduces in the intra and extra prison environment a model of treatment and support addressed to the perpetrators and creates an inter-systemic network of cooperation aimed to diminish domestic violence, gender-based or against minors, reducing the recidivism.
- The Project is co-financed by the Program Rights, Equality and Citizenship Programme of the European Union (2014-2020) and it is led by the Dipartimento Salute Mentale e Patologie da Dipendenza of the ASL Frosinone in partnership with the Garante delle persone sottoposte a misure restrittive della libertà personale del Lazio with the European Network for the Work with Perpetrators of Domestic Violence and with the Centro Nazionale Studi e Ricerche sul diritto della Famiglia e dei Minori.
- The approach of the Project includes treatment activities and prevention routes. An organised service at the ASL Frosinone will be started for perpetrators sent by professional lawyers, the court and law enforcement agencies, ASL employees.
- The endorser Institutions delegates will participate in formation activities and/or capacity building and mutual learning. The Project establishes the realization of an economic-financial impact assessment resulting from the implementation of the model within the national and european context, ascertaining the replica.
- A promotion releasing the aim of the Project will be also conducted by the courts of Frosinone and Cassino, involving the Ordine degli Avvocati di Frosinone and the Ordine degli Avvocati di Cassino.
- The Project sets out, furthermore:
 - to acquire and improve the professional proficiencies of the health workers and of the lawyers for the treatment of the perpetrators and their management for prevention.
 - to achieve new treatments services, available and accessible in the health and social services system.
 - to organize a Governance and activate operative synergies related to fighting violence and preventative measures by the social-health, legal, public safety system.
- The Questura di Frosinone, that has taken part in the ground workshops for the settlement of the Protocol with an expert representative, will proceed to an eventual official acceptance and subscription according to the procedural and administrative process, provided by its internal rules.
- The Procura di Frosinone, that has taken part in the ground workshops for the settlement of the Protocol with a specialist representative, expresses interest about the project initiatives, in accordance with its institutional mandate.

WHEREAS AND PURSUANT TO THE ABOVE SAID

Article 1- Operating area of the Protocol

The present Protocol has been approved and will be operative among the endorser subjects.

The aim of the Protocol is the exchange of information and data among the services of the law enforcement agencies, of the Justice and of the health social system in order to realize social-health treatments to prevent the recidivism and promote the social protection of perpetrators of domestic violence, gender-based or against minors.

Additional subscriptions will be considered by the endorsers on the base of specific requests and in regard to specific requisites, pursuant to article 2 of the present Protocol. The subsequent possible acceptance of the Questura di Frosinone to the subscription of the Protocol has been pre-accepted by all the endorsers.

Article 2- Involved subjects

The present Protocol provides for the subscription from public and private non-profit subjects that promote a culture of equality of gender, mentioned in their Charter or Act of incorporation.

Article 3 - Aims

The Operative Protocol is the instrument to promote a constant debate, in a system logic, on strategies to diminish acts of domestic violence, gender-based or against minors.

Specific aims of the Protocol are:

- To combat, from a precautionary viewpoint, the violent behaviors of the people that voluntarily will receive the specialistic treatment.
- To promote the establishment of the networks among the endorser Institutions for sharing the information, according to the privacy rights and the specific needs of the investigation phase.
- To promote the exchange of competences among the involved subjects and the mutual learning activities.

Article 4 - Activities

Every endorser subject, as far as it is concerned, that finds out about facts/ acts that could constitute any form of domestic violence, gender-based or against minors, commits to inform about the possibility to undertake the specialistic treatment, promoted by the Conscious Project.

The person concerned, at the end of the preliminary investigation, confirming the criminal offence report, in other words in case of acts of conflict and violence (separations, divorces, familiar conflicts, etc..) can express formal consent to the transmission of the information about the mentioned behaviors from the Lawyers and/or the Law Enforcement agencies, who have taken on the responsibility of the subject, to the specialistic treatment service of the ASL.

The information that may be useful for the beginning and for the good result of the specialized treatment are:

- Modality and contingencies of the violent behaviors (for example: information included in the admonition injunction by the Police Commissioner following the warning of stalking behaviors, in according to the art. 612 bis C.P.)
- Individual specific characteristics (for example: family relationships, personal story, etc..)
- Subscription to the treatment
- Recidivism of the violent behaviors and analysis of the recidivism risk.

The ASL of Frosinone will supply to all the endorsers of the Protocol the informative detailed material on the typology, modality and the timing regarding the specialized treatments.

Article 5 - Monitoring and Evaluation

The activities planned in the present Protocol, will be periodically monitored and evaluated.

On the basis of the results of this evaluation an eventual integration/modification of the present protocol will be arranged, by common accord among the endorsers, also in reference to further needs that could emerge during the partnership or to the need and the convenience of a more accurate definition of instruments and cooperation modalities.

Article 6 - Duration

The present Protocol is experimental and will last 24 months starting from the subscription date. It will be implicitly renewed at the expiry date, except for different agreements among the endorsers.

The present document is subscribed by

- ASL FROSINONE - Commissario Straordinario - dr. Luigi Macchitella
- ORDINE DEGLI AVVOCATI DI FROSINONE – Presidente Consiglio dell’Ordine
Avv. Vincenzo Galassi
- ORDINE DEGLI AVVOCATI DI CASSINO – Presidente Consiglio dell’Ordine
Avv. Gianluca Giannichedda
- PROVVEDITORE REGIONALE AMMINISTRAZIONE PENITENZIARIA LAZIO, ABRUZZO, MOLISE –
Provveditore – dr.ssa Cinzia Calandrino
- GARANTE DELLE PERSONE SOTTOPOSTE A MISURE RESTRITTIVE DELLA LIBERTÀ PERSONALE DEL LAZIO –
Garante Prof. Stefano Anastasia
- CENTRO NAZIONALE STUDI E RICERCHE SUL DIRITTO DELLA FAMIGLIA E DEI MINORI (CNSRDFM), avv.
Lello Spoletini