

The background is a vibrant, abstract composition. It features several large, dark blue puzzle pieces scattered across the frame. Some of these pieces are being held by stylized hands: a grey hand on the left, a pink hand at the top right, and a pink hand at the bottom right. The background is a light peach color, decorated with various geometric shapes including blue circles, red diamonds, and small red dots. There are also larger, curved shapes in shades of pink, orange, and red. The overall aesthetic is modern and collaborative.

ITALIAN MULTIDISCIPLINARY COOPERATION SYSTEM

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Glossary

Augmentative and Alternative Communication – A set of communication methods used to supplement or replace speech or writing for individuals with impairments in spoken or written language. This includes gestures, sign language, picture boards, and electronic communication devices.

Case Management System – A digital system used to manage, store, and provide access to case-related data. In the context of Diana, it ensures the secure handling of case information for legal and administrative purposes.

Criminal Trial Online – A method of conducting criminal proceedings based on the computerisation and digitalisation of documents and procedures, aimed at ensuring greater efficiency of the judicial system as well as a faster resolution of cases.

EU Victims' Rights Directive – A European Union directive that establishes minimum rights and standards for victims of crime across EU member states. It ensures that victims receive appropriate support, protection, and access to justice.

General Data Protection Regulation – A comprehensive data protection law enacted by the European Union to regulate the collection, processing, and storage of personal data. It grants individuals greater control over their personal information and imposes strict compliance requirements on organisations handling such data.

Multidisciplinary Team – A collaborative team of professionals from different fields, such as legal, medical, psychological, and social services, who work together to address complex cases. MDTs are commonly used in cases involving vulnerable individuals, such as victims of crime or persons with disabilities.

Definitions, Acronyms and Abbreviations

ACRONYMS / ABBREVIATIONS	DESCRIPTION
AAC	Augmentative and Alternative Communication
AI	Artificial Intelligence
AoPs	Access Points
API	Application Programming Interface
Art.	Article
AT	Assistive Technology
CAF	Centro Aiuto Minori e Famiglie (Child and Family Assistance Center)
CIE	Carta di Identità Elettronica (Electronic Identity Card)
CMS	Case Management System
CNR	Comunicazione della Notizia di reato (Criminal Report)
CNS	National Service Card
c.p.p.	Criminal procedure code
CRS	Regional Service Card
DGSIA	Direzione generale per i sistemi informativi automatizzati (General Directorate for Automated Information Systems)
DianaIT	Italian version of Diana
GDPR	General Data Protection Regulation
ICT	Information and Communication Technology
ISCOM	Higher Institute of Communications and Information Technologies
LLM	Large Language Model
NDR portal	Portale delle Notizie di Reato (Portal for crime reports)
NGO	Non-Governmental Organization

PPT	Processo Penale Telematico (Criminal Trail Online)
SIPPI	Sistema Informativo Prefetture e Procure dell'Italia (Information System for Prefectures and Public Prosecutors' Offices in Italy)
SPID	Sistema Pubblico di Identità Digitale (Public Digital Identity System)
TLS	Transport Layer Security

Introduction

The adaptation of the National Multidisciplinary Cooperation System to the Italian national context represents a crucial challenge, involving not only the analysis of the structure and regulations of the Italian legal system but also the system's ability to integrate with supranational practices and principles, in order to ensure that the proposed innovations can be implemented effectively and sustainably. These operations aim to bridge the gaps and inefficiencies of the Italian system related to the protection of vulnerable victims (acknowledged in the national case study analysis³), while complying with the country's specific legal and technological characteristics.

This report, therefore, illustrates the methods of adapting the individual assessment process and the procedural accommodation described in the Multidisciplinary Model and the Diana System to the Italian context and it is divided into two parts.

The first part is dedicated to *Individual Assessment and Procedural Accommodations for Child Victims with Intellectual and Psychosocial Disabilities in Italy*. This section discusses the adaptation of the national context to the procedures for assessing the needs of vulnerable victims and for applying the most appropriate procedural accommodations for each specific case. In particular, the following gaps in the Italian system have been identified:

- The law does not set a notion of “victim in condition of particular vulnerability”, but merely instead outlines criteria for judicial actors to assess a victim's potential vulnerability;
- these criteria are limited and exclude other cases of fragility and vulnerability not expressly established;

³ Lupo, Giampiero. and Pacifico, Giada. 2024. “Italy Nation Briefing Paper” available at: https://validity.ngo/wp-content/uploads/2024/06/CNR_NBP_EN_FINAL.pdf (accessed January 2025).

- the law does not formally regulate the methods through which the individual assessment should take place or the coordination methods between all the actors involved;
- Since the assessment of the victim's vulnerability can be carried out by multiple parties within the same procedure, there is a risk of conflicting evaluations;
- the Italian judicial system does not have a specific authority responsible for assessing the needs of minor victims;
- although the Italian system is structured to ensure close collaboration between the judiciary and support services (especially social services), this communication often breaks down or is not conducted properly;
- the Italian judicial system already includes several procedural accommodations to be applied when it is determined that the victim is in a condition of particular vulnerability. However, these measures don't differ depending on the specific vulnerability that emerges in the case at hand – such as age, gender, or disability – because the comprehensive category of "particularly vulnerable victim" is used.

As outlined in the following sections, the adaptation of the Diana system to the Italian context will address the identified issues. It is clear that the proposed adaptation inevitably requires regulatory changes: it is necessary for the legislator to intervene by amending the legal framework in order to address the gaps identified in the legal system regarding support for vulnerable victims.

The second part is dedicated to the *Adaptation to the Italian national context of the Digital Information System for the Model Multidisciplinary Cooperation System*. The system designed, named Diana, has been envisioned as a multi-functional, multi-role application for victim data collection, procedural accommodation definition, risk assessment, data management, expert system information through an AI chatbot, and for the provision of a secure chat for operators.

The Diana system, adapted to the national context, will provide numerous functions and services, including:

- Data Gathering: the Italian version of Diana (from now on DianaIT) will be based on the acquisition of data through the Access Points available to system operators (as police, prosecutors, support services) and will allow also the possibility for the victim to directly access the system and deposit their data directly on the platform. In particular, Victims will be able to access the website or app via SPID⁴ or CIE⁵. For justice professionals, the DianaIT access point will be guaranteed by the systems already developed and in place: for police forces the system in use is the NDR portal (in Italian: *Portale delle Notizie di Reato*); the Prosecutor's office will be able to access the system directly through the console used for connecting to the Courts' case management system (CMS). Lawyers will access it via the Telematic Services Portal of the Ministry of Justice. This is made possible by Diana's interoperability. Access will be more complex for support services, which use very different database management systems: for these services, it is unlikely that interoperability with the DianaIT CMS can be implemented. Instead, it is more appropriate to use a specifically designed access point for these entities.

⁴ Public Digital Identity System: for more information, see Part 2, Section 2.1.1. - Diana: Data Gathering.

⁵ Electronic Identity Card: for more information, see Part 2, Section 2.1.1. - Diana: Data Gathering.

- **Case Management System:** The data acquired by DianaIT access points will be accessible in different ways and at different levels by professional users using the system, including victims. The data filed may also include documents in pdf format or other formats (especially for documents related to evidence, which can be added during the different phases of the proceedings to support the judicial procedure).
- **Risk and Procedural Accommodation Assessment:** the data collected by the DianaIT will be used for these two types of assessments. The first will be based on factors such as gender, age, disability with the aim of suggesting the most appropriate procedural accommodation to prevent the risk of secondary victimisation for the victim. The second will be based on indicators such as the type of crime, the relationship between the victim and the offender, the motives behind the crime, etc., and will provide a risk assessment related to recidivism, as well as recommended measures to prevent the risk of repeated victimisation.
- **Expert System and ChatBot:** The Diana app provided to the general public and to crime victims in particular will offer simplified legal information through an AI-based chatbot. This will include, for example, information on available procedural accommodations, support services, or the nearest police stations (through geolocation features), as well as details on ongoing proceedings (e.g., case number, competent court, and date of the next hearing).
- **Internal Encrypted Secure Chat:** The Diana system will include the implementation of an internal chat (in "one-to-one" or "group" mode) to facilitate the rapid and continuous exchange of information among all authorities involved in victim support and protection procedures. Communications will be supervised by a designated individual (the "responsible for the vulnerable victim assessment process" or "victim navigator") and will be protected with end-to-end encryption technology.

- Assistive technologies integrated to the system: In order to comply with the Italian laws related to inclusivity of ICT technology for people with disability, DianaIT system, will be equipped with different assistive technologies and inclusion methods.
- Cybersecurity: the stored data will be made secure by applying blockchain technology.

01

**PART 1
INDIVIDUAL NEEDS
ASSESSMENT AND
PROCEDURAL
ACCOMMODATIONS FOR
CHILD VICTIMS WITH
INTELLECTUAL AND
PSYCHOSOCIAL DISABILITIES**

1.1. Individual assessment

Article 22 of Directive 29/2012 introduces the need to establish promptly an individual assessment of the victim, in order to identify their specific needs during the criminal proceeding. In Italy, this Directive was implemented with Legislative Decree 15 December 2015, n. 212,⁶ which amended the criminal procedure code and introduced the art. 90-quater c.p.p.⁷ This rule, entitled "condition of particular vulnerability", describes the criteria according to which subjects who participate in the criminal process and come into contact with the victim (judge, public prosecutor and judicial police) must ascertain if the victim is in this condition. The law involves both subjective criteria which concern the personal characteristics of the victim (such as age, infirmity, psychosocial disability or economic, emotional or psychological dependence on the perpetrator of the crime) and objective criteria which concern the nature of the crime (crime committed with violence, racial hatred, in contexts of organised crime, terrorism or human trafficking or for purposes of discrimination). The list is not exhaustive, and the assessment must be carried out on a case-by-case basis, by considering all those symptomatic indicators of the victim's vulnerable condition. When this situation is ascertained, multiple institutions and procedural accommodations are implemented aimed at preventing the victim in a particularly vulnerable condition from being exposed to the risks of secondary victimisation. This general rule is

⁶ Legislative Decree 15 December 2015, n. 212 (Implementation of Directive 2012/29/EU of the European Parliament and of the Council, of October 25, 2012, establishing minimum standards on the rights, support, and protection of victims of crime, and replacing Framework Decision 2001/220/JHA) is available at: <https://www.gazzettaufficiale.it/eli/id/2016/01/05/15G00221/sg> (consulted in January 2025).

⁷ Art. 90 quater c.p.p. states: «For the purposes of the provisions of this code, the condition of particular vulnerability of the victim is inferred not only from the age and state of physical or mental infirmity, but also from the type of crime, the methods, and the circumstances of the act being prosecuted. In assessing this condition, account is taken of whether the act was committed with violence against the person or with racial hatred, whether it is related to organized crime or terrorism, including international terrorism, or human trafficking, whether it is characterized by discriminatory purposes, and whether the victim is emotionally, psychologically, or economically dependent on the perpetrator of the crime».

coordinated with other more specific provisions: among these, for example, art. 351, paragraph 1-ter, c.p.p.⁸

In Italy, therefore, art. 22 of the directive was implemented by introducing an evaluation which, although not described in the national legislation, in practice develops on two levels: first, the specific protection needs of the victim are determined; second, the procedural accommodations that should be applied in the course of criminal proceedings are identified, with the aim to meet the needs detected and avoid the risks to which the most vulnerable victims are frequently exposed.

In relationship to the norm some considerations are worth mentioning. The first one concerns the fact that there is no precise definition of victim with special protection needs: art. 90-quarter c.p.p. does not set a notion, but merely establishes the criteria above mentioned. These criteria, if on the one hand are an adaptation to some of the indications provided by art. 22 of the Directive, on the other hand they are limited and exclude other cases of fragility and vulnerability not expressly established. This gap can be addressed through the Diana system⁹, which is designed to take into account numerous vulnerability factors, including those not explicitly contemplated by national legislation.

The second consideration concerns the practical formalities and procedures to be used to assess particular vulnerabilities. On this point, art. 90-quarter c.p.p. does not indicate a clear procedure and leaves the judgement to the discretion of the judicial policy, the public

⁸ Art. 351, paragraph 1 ter, c.p.p. states: «In proceedings for the offenses provided for in Articles 572, 600, 600-bis, 600-ter, 600-quater, 600-quater 1, 600-quinquies, 601, 602, 609-bis, 609-quater, 609-quinquies, 609-octies, 609-undecies, and 612-bis of the Penal Code, the judicial police, when it must take preliminary statements from minors, avails itself of the assistance of an expert in psychology or child psychiatry, appointed by the public prosecutor. It follows the same procedure when it must take preliminary statements from a victim, even if an adult, in a condition of particular vulnerability. In any case, it ensures that the particularly vulnerable victim, when providing preliminary statements, has no contact with the person under investigation and is not called upon to provide preliminary statements multiple times, unless there is an absolute necessity for the investigation». See Part 2, Section 2.1.3. Diana: Risk and Procedural Accommodation Assessment – Red Flags.

⁹ See Part 2, Section 2.1.3. Diana: Risk and Procedural Accommodation Assessment – Red Flags.

prosecutor and the judge. This regulatory gap is worrying especially in light of the importance that the evaluation of the victim's condition of particular vulnerability assumes in the context of criminal proceedings: the victims who find their self in this case are entitled to additional rights, guarantees, options and possibilities that are not provided for generic victims. The introduction of the individual assessment model outlined by the Diana System into national law will help address this issue.

1.1.1. Timing of individual assessments and the notion of criminal proceedings

The criminal procedure code does not formally regulate individual assessments but simply dictates some rules: the public prosecutor (during the preliminary investigation) or the judicial police (when receives the complaint or when is official delegated by the public prosecutor to take the victim's statements) or the judge (during the trial) conducts their own assessments with the assistance of a child psychologist or a psychiatrist qualified expert.¹⁰ The expert provides a report about the psychological status and makes recommendations. The assessment is carried out by the first person who comes into contact with the victim (therefore, this aspect varies case by case) and is often carried out several times by different subjects. The law does not provide for a specific person required to coordinate the evaluation, process the results. In the absence of specific legislation on this point, everything varies depending on the specific case.

The Italian procedural system does not define a rigid chronological relationship between the assessment of the victim's vulnerable condition and the implementation of the procedural measures envisaged for their protection. This circumstance varies case by case: for example, this assessment can be carried out by the judicial police¹¹ who receive the

¹⁰ Art. 362, paragraph 1-bis, c.p.p. also provides for the involvement of an expert in child psychology or psychiatry when obtaining information from minors. In any case, the expert may be involved either as a court-appointed expert or as a technical consultant.

¹¹ Italian legal system distinguishes between administrative police and judicial police; the first deals with compliance with the law and protects public order and communities' safety; the second must take notice of the crimes, prevent them from leading to further consequences, search for the perpetrators, carry out the necessary actions to ensure the sources of evidence. At each Public Prosecutor's Office there are judicial police sections, including various bodies of the Italian police forces, and judicial police services available to the Italian judicial authority for investigative activities. Police forces

complaint and, during the subsequent investigations, the public prosecutor can request the testimony of the vulnerable victim during the probative evidence hearing¹². This assessment, however, extends for the entire duration of the proceedings: consequently, even when carried out during the preliminary investigations, the vulnerable victim will benefit from the procedural measures specifically provided for by the criminal procedure code also during the subsequent phases of the trial.

The role of the judicial police is crucial, as it generally serves as the first point of contact for the victim with the judicial system. The judicial police, which collects the report, is entrusted with the delicate task of identifying vulnerability factors that increase the likelihood of reoffending against the victim, potentially reaching ever higher levels of danger. For this reason, the judicial police (as well as other procedural actors throughout the process) should not limit themselves to considering only the factors outlined in art. 90-quarter c.p.p., but should also take into account additional circumstances that allow for a quick assessment of the victim's level of vulnerability. Such elements, when identified, can guide the operator toward a proper approach with the victim, and increase awareness of the need to activate protective measures (e.g., social services, suggesting placement in a shelter, conducting interviews with the aid of a psychological expert, etc.). These may include, for example, the following: inconsistent behaviour toward the perpetrator (e.g., the victim files a report and then withdraws it, or continues to see and communicate with the perpetrator), lack of a support network, limited economic opportunities, social isolation, membership in minority social groups, etc.

are distinguished according to whether they are a civil or a military police force. The State Police (dependent on the Ministry of the Interior) which manages public order and security and the Penitentiary Police (dependent on the Ministry of Justice) which manages prisons are civilian police forces. The Carabinieri (dependent on the Ministry of Defence) which deals with maintaining public order and security and the Guardia di Finanza (dependent on the Ministry of Economy and Finance) which deals with prevention and repression of currency, financial and tax crimes are military bodies.

¹² The examination of the vulnerable witness can take place through the institution of the “probative evidence hearing” (in Italian: *incidente probatorio*), which allows the declarations of the vulnerable subject during the investigation phase or the pre-trial hearing, without the necessity of waiting for the traditional hearing. The institution, governed by art. 392-398 c.p.p., has a significant importance, appreciable in light of the structure of the Italian criminal trial, which consists of three stages: preliminary investigations (during which the public prosecutor carries out the investigative acts, usually in secret); the pre-trial hearing (which has a “filter” function, preventing the continuation of the criminal process when the elements acquired do not allow a reasonable prediction of conviction to be formulated); the hearing, during which the evidences are taken (including the testimony) in the cross-examination. As a rule, therefore, the vulnerable victim should be heard during the third phase which could take place even years after the crime occurred, due to the excessive length of criminal trials in Italy. The early taking of statements from vulnerable individuals, therefore, helps to avoid the risk of secondary victimization, because otherwise, the victim would be forced to relive and recount the traumatic experience years later, possibly after having already overcome the trauma.

1.1.2. Identifying risks, vulnerabilities and barriers

As anticipated, art. 90 quater c.p.p. lists the criteria that must guide the actors of the judicial system who come into contact with the victim in assessing his possible condition of vulnerability. The norm defines the "condition of particular vulnerability" on the basis of subjective and objective criteria: the former concern the personal characteristics of the victim (such as age, infirmity, psychosocial disability or economic, emotional or psychological dependence on the perpetrator of the crime); the second relate to the nature of the crime (crime committed with violence, racial hatred, in contexts of organised crime, terrorism or human trafficking or for purposes of discrimination). However, this is a non-exhaustive list, and in fact, it would be advisable to expand it, as it does not consider other fundamental factors that could be strongly indicative of the victim's vulnerability.

Among these, at least three types of vulnerability factors could be distinguished:

Factors relating to victim	Factors related to the victim-offender relationship	Factors depend on the victim's social context
Having witnessed or experienced abuse during childhood	Inconsistent behaviour or attitude toward the offender (e.g., the victim files a report and then withdraws it, or continues to see and communicate with the offender)	Belonging to minority social groups (groups discriminated against because of ethnicity, nationality, religion, gender, sexual orientation, gender identity, disability)
Physical or psychosocial disability	Change in relationship status or imminent breakup of the relationship	Social isolation
Abuse or dependence on alcohol or other drugs	Separation or divorce	Absence of a supportive family network

Limited economic opportunities	Shared custody of children	Living in rural or isolated areas
		Cultural acceptance of violence as a way to resolve conflicts
		Lack of victim support services or difficulties in accessing them

1.1.3. Workflow for assessing and addressing needs and barriers

It is common for crime victims to use the police forces as their first point of access to the judicial system. The victim, in fact, most often files a report in the Judicial Police (P.G.) offices, sometimes accompanied by a lawyer (if they already have a trusted defender) or by a support service worker (if they have already used such a service, for example, by visiting a domestic violence centre). The P.G. officer must immediately communicate the report of the crime, even orally, to the on-duty public prosecutor and subsequently transmit it without delay¹³: this activity can be carried out more quickly with Diana's support, which enables the immediate sharing of relevant information and procedural documents among the various stakeholders¹⁴. At the same time as acquiring the news of the crime, the officer must carry out the necessary investigations, i.e., gather essential evidence and conduct necessary and mandatory checks.

¹³ The reference provision is Article 347, paragraph 3, of the Code of Criminal Procedure, which states: «If the crime in question is one of those listed in Article 407, paragraph 2, letter a), numbers 1) to 6), of this Code, or one of the crimes provided for in Articles 572, 609-bis, 609-ter, 609-quater, 609-quinquies, 609-octies, 612-bis, and 612-ter of the Penal Code, or Articles 582 and 583-quinquies of the Penal Code in the aggravated cases referred to in Articles 576, first paragraph, numbers 2, 5, and 5.1, and 577, first paragraph, number 1, and second paragraph, of the same Penal Code, and, in any case, when there are reasons of urgency, the communication of the news of the crime is made immediately, also orally. The oral communication must be followed without delay by the written communication, including the information and documentation required by paragraphs 1 and 2».

¹⁴ See Part 2, Sections 2.1.1. – Diana: Data Gathering, and 1.3. – Diana: Case Management System.

The Criminal Report (in Italian, *comunicazione della notizia di reato* – C.N.R.) must include the following essential elements:

A detailed account of the events that occurred

Attach previous reports, complaints, interventions, social services reports

Attach any “corroborating” elements (medical certificates, police notes, potential witness identification, etc.)¹⁵

Attach any photographic documentation to facilitate a correct assessment of the facts

Document the possible existence of vulnerability factors that may guide the evaluation referred to in art. 90-bis c.p.p.

Inquire whether civil proceedings and/or separation proceedings are underway, providing the case number and the competent court

The Diana system described in Part 2 (see Section 1), will be integrated into the systems already in use by the law enforcement agencies and the Public Prosecutor's Office, with the aim of enabling the immediate sharing of all this information.

If the initial assessment is inevitably carried out by the Judicial Police (which has the first direct contact with the crime victim and collects their initial statements) with the support of the expert, if necessary, it will then be the responsibility of the Public Prosecutor to finalise the assessment and determine whether, in the specific case, the indicators referred to in art. 90-quater c.p.p. are present, and consequentially the victim can be classified as a particularly vulnerable person. These assessments are of fundamental importance because, in the case of a positive outcome, they allow the vulnerable victim to benefit from

¹⁵ These documents can be provided by the victim themselves (who, for example, presents medical reports of previous injuries to the judicial police), by public healthcare service operators (who are required to submit the so-called "report" when they become aware of a crime that is prosecutable ex officio), or by the judicial police themselves (who can trace, for example, previous reports, notes, etc.).

"substantial" protection, which involves the application of procedural measures in an exceptional and derogated manner compared to the ordinary regime (for example, the possibility of being definitively examined during the probative evidence hearing). This protection is certainly additional to the merely formal protection, represented by a set of rights and opportunities for communication and knowledge of the ongoing criminal proceedings. If the Public Prosecutor requests a pre-trial hearing in front of a Judge, the latter will also make its own assessment regarding the particular vulnerability of the victim. The layering of assessments carries the risk of conflicting judgments: to avoid this, it would be advisable to create protocols between the Prosecutor's Office and the Court (related to the timing, methods, and criteria for conducting the evaluation), in order to agree on uniform evaluations that do not waste resources and energy.

Step 1 – Identifying risks, vulnerabilities and barriers

As previously mentioned, the Italian judicial procedure leading to the implementation of specific procedural protections for the most vulnerable victims consists of two phases: the first involves identifying the vulnerability traits in the victim; the second involves the application of the protective measures prescribed by law.

Focusing on the first phase, to carry out the evaluation on the particularly vulnerable condition correctly, the judge, public prosecutor or judicial police can involve experts in psychology or psychiatry.¹⁶ However, it is merely a possibility: in this, Diana can certainly be of help, ensuring the involvement and exchange of information among various parties (such as judges, court staff, lawyers, support officers, as well as victims)¹⁷. Therefore, while the assistance of an expert may be the best tool to avoid errors in classifying the victim as vulnerable, it is still possible to approach the victim even in the absence of an expert. This gives rise to the risk of errors and conflicting judgments: it could happen that an individual,

¹⁶ See note 10.

¹⁷ See Part 2, Sections 2.1.2. – Diana: Case Management System, and 2.1.5. – Diana: Internal Encrypted Secure Chat.

despite needing special protection, is not recognised according to the traits described in art. 90-quarter c.p.p., resulting in the denial of necessary procedural protections; conversely, a person who is not truly vulnerable could be identified as particularly vulnerable, leading to the granting of unnecessary guarantees. While the second possibility may not raise particular concern (as it would only result in extended trial timelines), the denial of necessary protections for a vulnerable individual could cause harm to that person. In this context, the assistance of an expert (not only psychologists or psychiatry, but also teachers, speech therapists and others whose opinion might be relevant for the process) in the assessment of the victim's vulnerability will be made mandatory, also to allow the determination of child's communication and information needs. Diana, facilitating communication between stakeholders and activating its "red flags" system could contribute to more consistent evaluations (see Part 2, Section 1.4).

Step 2 – In-depth assessment of the child

The Italian judicial system does not have a specific authority responsible for assessing the needs of minor victims: this is a task that falls to each individual who, from time to time, comes into contact with the victim (judicial police, public prosecutor, judge) and who may seek assistance from an expert in psychology or child psychiatry (which is not necessarily the same person who intervened during Step 1). As for the rest, the Italian legal system remains silent, not specifying the methods through which this assessment should take place, the specific process to follow, or the coordination methods between all the actors involved in the evaluation. This results in the risk of conflicting assessments. Through the application of the Multidisciplinary Model¹⁸ and the support of Diana technology, the Italian procedure will be modified and supplemented, with the creation of a task force consisting of both procedural (police officers, lawyers, prosecutors, judges, etc.) and non-procedural (such as

¹⁸ Antofie, Andrada. and Ivankovic, Aleksandra. and De Martin, Antonio. and Lupo, Giampiero. and Pacifico, Giada. 2024. "Model Multidisciplinary cooperation System – Part 1: Individual Assessment and Procedural Accommodations for Child Victims with Intellectual and Psychosocial Disabilities". To be published.

victim assistance services) actors, who can coordinate swiftly and throughout the duration of the criminal proceedings to best identify the specific protection needs of the victim. This task force will be coordinated by a single entity/individual – who could be referred to as the "responsible for the vulnerable victim assessment process" or "victim navigator" – to ensure the proper execution and continuous updating of the individual evaluation. The need to establish a task force made up of different professionals becomes even more apparent when the victim presents multiple vulnerability factors: for example, a foreign minor with intellectual or psychosocial disabilities and special assistance needs (such as the use of AAC); in this case, the participation of psychologists, psychiatrists, social workers, cultural mediators, legal experts, speech therapists, and other types of therapists might be necessary: in this regard, Diana would facilitate the involvement of support and healthcare services and anti-violence centres.¹⁹ It is also essential to ensure continuity in the composition and activity of the task force throughout the entire procedure: by consistently interacting with the same individuals, the victim will develop a relationship of trust with them, which could be disrupted if the team changes, if there is prolonged discontinuity in their activities, or if the minor is not adequately involved in the process. In evaluating the vulnerability of the victim, the task force must consider heterogeneous elements, not limited to those listed in art. 90-quater c.p.p. (which, as mentioned, provides only a merely illustrative list), but also considering:

- child's existing support and care team and the possibility to include them in the process of identifying and responding to the needs, as a matter of preference;
- child's cognitive abilities and related implications (which questions the child can or cannot respond to, how to formulate questions when interrogating the child etc.);
- any sensory triggers and the needs to adapt the physical environment to the needs of the child;

¹⁹ See Part 2, Section 2.1.2. – Diana: Case Management System.

- accessibility needs in general, and communication needs in particular, including the support arrangements in response to those needs;
- family situation and related vulnerabilities (for example, are parents going through a contentious divorce which might affect custody issues and the potential procedural implications – e.g., need to change the address for correspondence, but also practical, such as the primary support person; substance abuse by family members and related risks and implications etc.);
- financial issues and their potential consequences;
- specific environmental needs/risks (e.g., living in rural area without easy access to transport, living in institution, having been victimised by neighbours etc.);
- healthcare schedule, care arrangements and daily/weekly routine;
- any assistive technology used and the specific technical requirements in that regard;
- any gender specific needs (e.g., fear or different communication needs depending on the gender of the interlocutor – is it recommended to interact only or preferably with experts of a specific gender etc.);
- any other issues of note that might be relevant for the child's interaction with the criminal justice.

Step 3 – Ensuring continued updates to the individual assessment throughout the criminal proceedings

The most appropriate way to keep the individual assessment of the specific protection needs of the victim constantly updated could be to create a dedicated victim's file. The Italian judicial system includes three types of files: the prosecutor's file,²⁰ which contains the records of activities carried out by the prosecutor and the judicial police during the preliminary investigations; the defence file,²¹ which holds the evidence collected by the defence on behalf of their client; and the trial file, which contains the acts strictly indicated by art. 431 c.p.p. (including, for example, records of non-repeatable acts carried out by the prosecutor, judicial police, and defence, as well as records of actions taken during the probative evidence hearing).²²

²⁰ The prosecutor's file is governed by art. 433 c.p.p., which states: «Acts other than those provided for in Article 431 shall be transmitted to the prosecutor along with the records collected at the preliminary hearing, together with the minutes of the hearing. Defence lawyers have the right to view and extract copies of the acts collected in the file prepared in accordance with paragraph 1 at the prosecutor's office. The prosecutor's file and the defence file also include the documentation of the activities referred to in Article 430 when the parties have used it to make requests to the trial judge, and the judge has granted them

²¹ The reference norm is art. 391-octies c.p.p., which states: «During the preliminary investigations and at the preliminary hearing, when the judge must make a decision with the involvement of the private party, the defence lawyer may directly present evidence in favour of their client. During the preliminary investigations, the defence lawyer who is aware of a criminal case may present the defence evidence mentioned in paragraph 1 directly to the judge, so that the judge may consider it, even in cases where the intervention of the represented party is not required for the decision. The documentation referred to in paragraphs 1 and 2 is inserted in the part of the electronic file reserved for the defence lawyer. Documents drafted and filed in paper form are kept in original or, if the defence lawyer requests their return, in copies, at the office of the preliminary investigations judge. The public prosecutor may review and copy this documentation before a decision is made, upon request from the other parties or with their involvement. After the closure of the preliminary investigations, the defence file is included in the file referred to in Article 433. The defence lawyer may, in any case, present evidence in favour of their client to the public prosecutor».

²² In accordance to art. 431 c.p.p., «Immediately after the issuance of the decree ordering the trial, the judge, in the presence of the parties, proceeds to form the trial file. If any party requests it, the judge sets a new hearing, no later than fifteen days, for the formation of the file. The trial file contains: a) Acts related to the procedural validity of the criminal action and the exercise of civil action; b) Minutes of non-repeatable acts carried out by the judicial police; c) Minutes of non-repeatable acts carried out by the prosecutor and the defence lawyer; d) Documents obtained abroad through international rogatory and the minutes of non-repeatable acts carried out in the same manner; e) Minutes of acts taken during the pre-trial hearing; f) Minutes of acts, other than those referred to in letter d), taken abroad as a result of international rogatory, to which the defence lawyers were given the opportunity to assist and exercise their rights under

The victim's file, introduced by the Diana system, will include all relevant documents for assessing the victim's vulnerability, constantly updated by the taskforce coordinator: for example, medical documentation, social services reports, documentation related to the victim's financial condition; any judgments related to separation, divorce, or custody of minor children, etc. The file, digitally shared through the "Diana" system, will be accessible only by the members of the evaluation team and the person responsible for the assessment. Only in strictly necessary cases, where this is functional to the proper defence of the accused or to the application of procedural accommodations required during the criminal proceedings, could some information in the file be shared with other legal actors. The impossibility of sharing certain information with the defence remains unchanged: for instance, if the vulnerable person has changed their residence address because they are a victim of stalking by their former partner or because they have suffered domestic abuse by a parent, the new address cannot be shared with the defence.

Italian law; g) The general certificate of the criminal record and other documents indicated in Article 236, as well as, when proceeding against a stateless person, a person whose nationality is unknown, a citizen of a non-EU country, or a citizen of an EU member state lacking a tax code or who is currently or has been in the past also a citizen of a non-EU country, a copy of the fingerprint card with the indication of the unique identifying code; h) The body of the crime and items relevant to the crime, unless they must be kept elsewhere. The parties may agree to include in the trial file acts contained in the prosecutor's file, as well as documentation related to the defence investigation activity».

1.1.4. Collaboration paths in a multi-stakeholder system

When a child victim is involved in a criminal procedure, a constant dialogue should be established between the judicial system and social services.

In particular, social services play multiple roles in the criminal justice system and mainly carry on the following activities: detection, reporting, protection, evaluation and treatment²³.

In addition to social services, numerous NGO work in the Italian territory for the support of children victims of crime as the following: CAF (Centro Aiuto Minori e Famiglie), Dalla Parte

²³ When the local services (social services, education professionals, healthcare providers etc.) detect an ongoing danger or a serious risk for the child coming from the family environment, they have the possibility of immediately removing him/her from the family on a temporary and urgent basis, based on art. 403 of the civil code. When there is no serious danger or high risk, the local service operator who detects cases of abuse, violence and mistreatment of the child, is required to make a report to the territorially competent social services. Then the operator will collaborate with the social services to prepare integrated interventions suitable for the child and to his family. This will make it possible to activate a possible mobilisation of the resources of the family and the child and to formulate a report, in the event of the commission of crimes. Social services may detect, if they emerge, the events or indicators of serious events that require a report to the competent Judicial Authority. The report to the juvenile judiciary activates the process of protection of the child because it allows the judiciary to instruct the competent territorial services and the police forces to carry out an initial investigation (legal, social and psychological) and to adopt urgent measures to protect the child (such as, for example, temporary removal from the family with placement in a foster family or, if this is not possible, in a community). From this moment, the municipal social service (identified on the basis of different skills and constituted by child neuropsychiatry centres, family counselling centres, mental health departments of the provincial health authorities) is responsible for the control and protection of the child. In the cases of violence by parents, the social services, considering both the legal and psychological needs of the child, carry out also a diagnostic assessment of family relationships and a prognostic assessment regarding the recoverability of sufficiently adequate parental capacity of the adult involved in the criminal proceedings. The assessment may also influence decisions on procedural accommodations made by the judges and prosecutors. This assessment, despite having a clinical component (as it is usually carried out by the psychologist of the family consultancy), does not have therapeutic objectives but aims to verify whether the maltreating parent can accept the help offered and begin to take responsibility for the damage caused to the child. The assessment of the child victim aims to define the psychological state of the child and it is implemented on three levels: 1) assessment of the child's conditions; 2) evaluation of the affective context of reference; 3) evaluation of the social and family context. At the end of this evaluation, the social service will prepare a treatment path for the child and the family. In case of a positive prognosis, the treatment will include both interventions aimed at the child (including psychological support, intra-family foster care, etc.), and interventions aimed at the parents (among which, parental support counselling and various types of welfare and social support). This in order to allow on the one hand, the processing of the trauma suffered by the child and on the other, the repair of family relationships. In case of a negative prognosis, the treatment will aim to encourage the replacement of parental references, also activating a process for recovering from the loss. On this point, Lupo, Giampiero. and Pacifico, Giada. 2024. "Italy Nation Briefing Paper" available at: https://validity.ngo/wp-content/uploads/2024/06/CNR_NBP_EN_FINAL.pdf.

dei Minori, Prometeo Association, etc.²⁴ Some efforts in order to implement effective models have been done in few cases. For instance, Defence for Children Italia in cooperation with the Department of Juvenil Justice and the Ministry of Justice are working on a project for the application of Barnahus model in Italy. Some experimentations regarded also the MARAC model: for instance, the significant number of women victims of violence recorded in the Trentino area has led the Autonomous Province of Trento to carry out in-depth studies, including legal ones, to make support interventions appropriate in order to verify the applicability in Italy of the MARAC experience.

Assistance services are provided and administered by the Municipalities, according to the Italian Constitution. In particular, individual municipalities are responsible for planning and implementing local social services, providing economic subsidies and controlling their quality. In large municipalities, social assistance is managed in an associated manner, through the creation of agreements or consortia between municipalities, mountain communities and local health authorities. Legislative competence regarding social services lies with the regions, based on art. 117 of the Italian Constitution, in compliance with the determination by the State of the essential levels of benefits.

It is evident that the Italian system is designed to ensure constant communication between the two main support systems for vulnerable victims: the judicial system and the social assistance system. However, in practice, it often happens that this dialogue is interrupted, slowed down, or does not properly take place²⁵. This is because social services mainly communicate through written reports concerning the minor under their care, in which they, for example, inform the judge about various aspects, such as the child's academic

²⁴ For the official website of these associations, follow these links (consulted on 11 June 2024): <https://www.associazionecaf.org/>; <https://www.associazioneprometeo.org/>; <https://www.dallapartedeiminoriadv.it/chi-siamo>

²⁵ Lupo, Giampiero. and Pacifico, Giada. 2024. "Italy Nation Briefing Paper" available at: https://validity.ngo/wp-content/uploads/2024/06/CNR_NBP_EN_FINAL.pdf.

performance, the child's commitment in recreational activities, the psychological balance of the child. Sometimes, however, it happens that social services do not report or report incorrectly: this creates delays or flaws in the process. These shortcomings are primarily due to the fact that, although they may cooperate, the two systems remain separate and have different organisational structures, timelines, and working methods. This issue will also be resolved through the rapid sharing of information via the Diana system and the creation, as envisaged by the model, of a support team for vulnerable individuals, which would not only cooperate in the initial phase of identifying their specific protective needs but also during the phase of applying the most appropriate procedural measures (See Part 2, Section 1.6).

1.2. Setting procedural accommodations to adjust proceedings to child victims

The Italian judicial system already includes numerous procedural accommodations that are applied when a condition of particular vulnerability is established for the victim. For example, in order to guarantee the psycho-physical balance of the child and the authenticity of the evidence, the examination of the vulnerable witness takes place through the institution of the “probative evidence hearing” (in Italian: incidente probatorio), which allows the declarations of the subject during the investigation phase or the pre-trial hearing, without the necessity of waiting for the traditional hearing. Additionally, the examination of the child takes the form of the so-called “protected hearing”, as it takes place in particular times, places and with specific methods aimed at avoiding the risk of traumatisation and of secondary victimisation of the subject.

For this reason, although the criminal procedure code provides that the exam must be conducted by the president who can make use of the help of a family member of the child or of an expert in child psychology, in normal practice it is the psychologist who formulates the questions and conducts the exam. As a further protection measure, the child is heard in a different place from the court (e.g., specialised care facilities or even at the child's home). If heard in the specialised care facility, the child is examined in a room equipped with a one-way mirror, with a video recording system and an internal intercom: while the psychologist is inside the room with the child, the other actors involved (judge, prosecutor, lawyers) are beyond the mirror and can intervene by communicating the questions to the expert who will then translate them to the child in a language that is understandable and appropriate to his/her age and psychological conditions; the child can respond to the expert's questions in various ways (for example, with words, gestures, drawings).

Furthermore, the child's statements are documented with means of phonographic or audio-visual recording:²⁶ this not only allows for accurate observation of the exam, but above all allows to avoid repeated examinations of the child, subjecting him to renewed stress. According to art. 190-bis c.p.p., in proceedings for particular crimes²⁷ when it is requested the examination of a child witness who has already testified in the probative evidence hearing and in the cross-examination hearing, the examination is permitted only if it concerns facts or circumstances different from those covered by the previous declarations or if the judge or some of the parties deem it necessary based on specific needs; this rule applies in all proceedings when the witness examination concerns an injured person in conditions of particular vulnerability.

For what regards accommodations relating to gender and disability, in the Italian criminal trial, these categories of subjects are unified under the common label of “vulnerable victim” (art. 90-quarter of the criminal procedure code). There is, therefore, no specification between the rights of children, women and people with disabilities given that these subjects are relevant, in the presence of the conditions required by law, due to their common situations of fragility.

The Multidisciplinary Model designed, supported technologically by DianaIT will enable the implementation of new procedural accommodations (which must be incorporated in the legal framework by the legislator)²⁸, including:

²⁶ Art. 134, paragraph 4, c.p.p., allowed, even outside of the cases of absolute indispensability, the audio-visual reproduction of the statements of the offended person in a condition of particular vulnerability; the “Cartabia Reform”, extending the audio-visual and phonographic reproduction of the procedural documents to all cases in which this is permitted by law, has repealed this rule, which no longer has any reason to exist, as this form of documentation is now the ordinary one.

²⁷ Child prostitution, child pornography, possession or access to pornographic material, virtual pornography, tourist initiatives aimed at the exploitation of child prostitution, sexual violence, sexual acts with children, corruption of children and group sexual violence.

²⁸ See Part 2, Section 2.1.3. – Diana: Risk and Procedural Accommodation Assessment – Red Flags.

- All interviews with victims of sexual violence, gender-based violence or violence in close relationships, unless conducted by a prosecutor or a judge, being conducted by a person of the same sex as the victim, if the victim so wishes;
- All interviews with the victim being conducted by the same persons unless this is contrary to the good administration of justice;
- Measures to avoid unnecessary questioning concerning the victim's private life not related to the criminal offence (for example, by prohibiting questions about the victim's intimate life unless they are strictly relevant to the crime);
- Use of AAC technologies in criminal proceedings, when a victim with a disability deems it necessary;
- Provision of information to the child victim with disability in clear and accessible language, either orally or in writing;
- Availability of court documents in a format that is adapted to the communication needs of the child (e.g., use of pictograms or easy-to-read language).

1.2.1. Accessibility and procedural accommodations

The Italian legal system does not provide specific procedural accommodations for children victims with intellectual and/or psychosocial disabilities. This is because the generic category of "particularly vulnerable victim" is used, with no distinction based on the specific vulnerability factor that arises in the case at hand. This prevents the proper individualisation of the procedural accommodations to be applied to each case. As previously mentioned in the earlier paragraph, the Multidisciplinary Model and the DianaIT system will allow the implementation of additional procedural measures, specifically tailored to the vulnerability indicators of the victim, enabling a more detailed and individualised assessment. In order to implement the model, a legislative intervention will be required, as the legislator will need to introduce new accommodations and clarify the application of existing ones based on the type of

vulnerability each victim presents. Among these, for example, the following may be implemented:

- If it is necessary to hear the minor more than once, each interview should be conducted – as far as possible – by the same person: this will allow the minor to build a trusting relationship with the interviewer and feel comfortable during each interview;
- The interview of a child victim of crimes related to sexual freedom, gender-based violence, or domestic violence should, whenever possible, be conducted by a person of the same sex as the victim;
- Where a child with a disability requires it, the use of AAC technologies should be implemented within the criminal proceedings.

1.2.2. The role of families in the criminal justice system

The family plays a fundamental role in juvenile proceedings (i.e., those concerning a defendant aged between 14 and 18 years). Parents, in particular, provide emotional and psychological support and are responsible for safeguarding the minor's personality from the negative effects of participation in the criminal process. Their involvement is contemplated at every stage of the juvenile proceedings and can only cease once the defendant reaches adulthood. A similar role is also played by the so-called "holder of parental responsibility" – identified according to the provisions of the civil code – who provides defensive assistance and can exercise procedural rights and powers.

In contrast, in ordinary proceedings, the family's role is more limited. Family members may, first and foremost, join the proceedings as civil parties to seek compensation for damages resulting from the crime (a typical case is homicide, where direct victims are prevented from participating in the process in this capacity). To protect family relationships, a regime of incompatibility with testifying is also provided: Article 199 of

the Criminal Code exempts, under certain conditions, close relatives of the defendant from the obligation to testify.

Involving families in the proceeding can also be considered a form of procedural accommodation. In any case, situations of conflict of interest between the child and the family may arise: in this eventuality, the judge appoints a “special curator” (usually a lawyer)²⁹.

²⁹ Lupo, Giampiero. and Pacifico, Giada. 2024. “Italy Nation Briefing Paper” available at: https://validity.ngo/wp-content/uploads/2024/06/CNR_NBP_EN_FINAL.pdf.

1.3. CAB contribution to the Italian Model for Individual Needs Assessment and Procedural Accommodations

The establishment and the relative meetings of the Child Advisory Boards (CAB) in Italy, which involved adolescents (including those with disabilities), allowed us, on one hand, to discuss some key topics related to the LINK project and, on the other hand, to obtain fundamental suggestions for applying the model related to individual needs assessment and procedural accommodations within the Italian context.

The CABs created in Italy involved male and female students from three Italian high schools.³⁰ The group discussions, facilitated by CNR experts, allowed the students to express themselves freely on LINK's themes and created a moment of engagement that they explicitly appreciated.

Regarding the adaptation of the multidisciplinary cooperation system concerning Individual Needs Assessment and Procedural Accommodations, the following topics expressed during the CAB discussions supported the adaptation of the model within the Italian national context.

A fundamental theme that repeatedly emerged during the CABs discussions was discrimination. Many adolescents felt that public institutions, including those within the justice system, apply different treatments based on personal or group characteristics. One form of discrimination frequently discussed by CAB participants was age-based discrimination. Participants expressed the opinion that access to Italian justice can be hindered by age, making it more difficult for both minors and the elderly. The challenges minors face in accessing justice are often due to a lack of credibility, due to the fact that adults, as a rule, tend to give more weight to statements made by another

³⁰ "Giuseppe Palmieri" Classical and Musical High School, via Università 12, 73100, Lecce (LE), Italy; Francesco Ribezzo" State High School, via Fabio Filzi 48, 72021, Francavilla Fontana (BR), Italy; "Ciardo Pellegrino" Artistic and Choreutic High School, via Vecchia Copertino 6, 73100, Lecce (Le), Italy. 20 children in total have been involved: 12 females, 8 males.

adult. Some CABs participants stated that the voice of an adult often carries more authority with public institutions than that of a minor, leading to requests from minors frequently being ignored.

Gender-based discrimination was also reported by CABs participants as being present within public and judicial institutions. Several participants believe that gender equality has not yet been fully achieved, and women still face greater challenges in accessing justice. Some even reported experiencing gender-based discrimination at school: certain teachers displayed discriminatory attitudes toward female students, who were not permitted to dress or behave in the same way as their male peers and were subjected to much stricter rules.

Episodes of discrimination based on country of origin were also reported and strongly condemned by CABs participants, even within the justice system. For example, one participant felt that suspects in any kind of crime are more likely to be convicted if they are foreigners than if they are Italian. This provides an important insight for the multidisciplinary model regarding justice bias and discrimination. Another participant, engaged in civil service, reported feeling discriminated as a woman of non-Italian origin, further highlighting the intersection of origin and gender in experiences of discrimination.

Another significant issue, offering valuable suggestions for adapting the model, concerned discrimination based on the use of technical language. Adolescents identified the inability to understand information provided by public institutions as a major barrier to accessing services. Participants stressed the fundamental importance of adapting the language used by public institutions to the age and characteristics of the information recipients (e.g., simpler and more accessible language when interacting with children, the elderly, or people with disabilities). The high complexity of the technical language is perceived as a form of discrimination, particularly affecting

individuals in certain age groups (minors and the elderly) or those with lower levels of education. A possible solution, aligned with the adaptation of the model at the Italian level, suggested creating a dedicated section within each public institution (including justice institutions) solely for interacting with children and adolescents. This reinforces the need to personalise language based on the interlocutor's cognitive abilities, age, any disabilities, and trauma, providing crucial guidance for the multidisciplinary model.

CABs participants also highlighted potential strategies to mitigate discrimination in public and justice institutions. Some emphasised the importance of greater intervention from adults (such as teachers), who should actively step in to prevent and address any instances of discrimination. Others noted that since most discrimination issues stem from cultural factors, efforts should be made to address them through education and information. Additionally, other CABs participants stressed the need to reduce social disparities, as those who face the most obstacles in accessing public services are typically from the most disadvantaged social classes.

Another important topic that significantly impacted the adaptation of the multidisciplinary model regards the availability of psychological support for children and adolescents engaging with public and judicial institutions. CAB participants frequently highlighted a lack of adequate psychological support for adolescents in public institutions. For instance, they specifically reported the absence of a school psychologist, a gap acutely felt during the current school year, particularly after the loss of a classmate. Participants strongly emphasised that, especially in the school environment, teachers should focus not only on academic performance but also on the psychological well-being of students, who often experience marginalisation. For CAB participants, it is essential to establish a dedicated professional who can facilitate relationships among young people, as well as between young people and adults—for example, a psychologist who is consistently present within institutions that interact with adolescents. Beyond specialised personnel, it was stressed that public officials

themselves should receive training in pedagogical and psychological areas if their work involves young people. This type of training would enable them to recognise signs of distress in the children entrusted to them and to intervene appropriately, ensuring a more sensitive and effective response to their needs.

Another important topic concerns the barriers victims face in reporting abuse. For the CAB participants, distrust in institutions, fear of negative consequences or retaliation, trauma-induced difficulty in expressing what they experienced, fear of prejudice and social judgment (especially affecting women), and fear of lacking sufficient evidence and therefore not being believed are among the most common reasons for choosing not to report abuses.

Some participants highlighted that many women who experience violence are afraid to report it due to the potential social consequences. They feel that the legal tools intended to protect victims often fail to function properly and are inadequate to ensure their rights and protection. For some participants, the slowness of the judicial response also hinders access to the justice system and the State's ability to protect victims of crime.

The importance of the diffusion of accessible legal information has been a topic on which participants focused on and that provided fundamental suggestions for the national adaptation of the model. Participants stated that there is an information gap for crime victims: often, victims of a crime do not know what to do or whom to contact in order to access the judicial system. For what regard young people, these information gaps should be addressed by the two main institutions adolescents interact with: school and family. In this regard, the participants reiterated the need to implement active citizenship programs in schools, as it is the school's duty to educate not only future workers but also — and above all — future citizens. In this context, participants

underlined the important role of service supports and associations for diffusion accessible legal information.

Finally, an important topic, often overlooked when devising strategies to improve the inclusivity of justice institutions, concerns the architectural barriers that render legal venues sometimes inaccessible. Participants stated that, at times, public infrastructures are not accessible for people with physical disabilities. This intervention highlights how the inclusivity of access to public services, including justice (as emphasised in the multidisciplinary model), is fundamentally predicated on the physical accessibility of buildings.

02

PART 2
DIGITAL INFORMATION
SYSTEM FOR THE MODEL
MULTIDISCIPLINARY
COOPERATION SYSTEM

2.1 Proof of concepts: new solutions for victims with disabilities' participation in criminal justice

In the following sections, the adaptation of the proposed design of the blueprint of the Digital Information System for victim support to the Italian national context is described. The designed system, called Diana, has been envisioned as a multi-function, multi-role application for victim data collection, procedural accommodation definition, risk assessment, data management, expert system information through an AI chatbot, and for the provision of a secure chat for operators. The Italian version of DIANA (from now on DianaIT), includes several functions and services, as the ones described in the multidisciplinary model, adapted to the context and legislation of Italy.

2.1.1. Diana: Data Gathering

DianaIT will be based on the acquisition of data on victims of crime who access the system or come into contact with the different access points. The DianaIT version will use the data acquired for activating the most important functions of the system, from risk assessment to management of individual cases during the various stages of the procedure.

DianaIT will be based on the acquisition of data through the Access Points available to system operators (as police, prosecutors, support services) and will allow also the possibility for the victim to directly access the system and deposit their data directly on the platform. For some actors, Access Points are provided by the same systems operators use during their work (as the one in use by judges) because interoperable with DianaIT CMS, as we will see later.

On the basis of this access points that will allow the victims' data acquisition are the following:

Citizens/Victims: a dedicated application function that a victim can access through a direct authentication on the site or app. In order to allow to a highly secure authentication, given the sensibility of data exchanged in DianaIT the registration and

authentication will be based on the SPID system, the Public Digital Identity System (in Italian Sistema Pubblico di Identità Digitale) which is the unified access system using digital identity for online services provided by the Italian public administration and participating private entities.³¹ In order to facilitate the inclusion and participation of children and of children with disability another method of authentication will be available. This implies the use of Electronic ID Card.³²

Following authentication, a questionnaire will guide the victim in providing the essential data. These data, in addition to contact information, will also cover a description of the crime suffered and all relevant information for the risk assessment and individual assessment related to procedural accommodations.

Professionals: for justice professionals including the **police forces**, the DianaIT access point will be guaranteed by the systems already developed and in place. The project will foresee the implementation of the interoperability between e-justice systems and DianaIT through an API.³³ In particular, for police forces the system in use that is the

³¹ The Public Digital Identity System (SPID) is a digital identity consisting of a pair of credentials (username and password), strictly personal, which allows access to online services provided by public administrations and participating private entities. The Public Digital Identity System involves several actors: a) Identity Providers (IdPs), private entities accredited by AgID (Agency for Digital Italy) to create and manage users' digital identities; b) Service Providers (SPs), Public or private organizations that, by enabling access to their online services through digital identity, allow fast, secure, and protected access to services; c) Users (citizens and businesses) who possess their own digital identity, certified by one or more providers, to access online services from public administrations and participating private entities. More information is available at: <https://www.spid.gov.it/domande-frequenti/#cose-spid> (consulted in January 2025).

³² The Electronic Identity Card (CIE) is the identity document for Italian citizens issued by the Ministry of the Interior and produced by the Poligrafico and Zecca dello Stato. Thanks to sophisticated security and anti-counterfeiting features, it allows the verification of the holder's identity and access to online services provided by Public Administrations both in Italy (see list) and in European Union countries (see list). In addition to verifying the identity of the holder, the CIE also includes an electronic component that—thanks to the use of the most advanced available technologies and in compliance with European regulations—represents the digital identity of the citizen. Citizens can access participating online services using their CIE credentials in a simple and fast manner. All Italian citizens can request the Electronic Identity Card at any time from their municipality of residence or domicile, or, for Italian citizens living abroad, from their relevant consulate. For more information: <https://www.cartaidentita.interno.gov.it/la-carta/> (consulted in January 2025).

³³ An application programming interface (API) refers to a set of procedures designed to enable communication between different computers, software, or software components.

NDR portal (in Italian: *Portale delle Notizie di Reato*) is utilised by Polizia and Carabinieri, to file complaints and receive data on victims, and to transmit these data to the competent prosecutor offices. When a victim accesses a police office for filing a complaint and a request of support and protection, the data filed also contribute to the population of the DianaIT database. The data included in the file should regard the following information, useful also for the successive risk assessment.

- Contact information
- Account of the events that occurred, including the identification of potential "sentinel" crimes (e.g., minor injuries, threats);
- Previous reports, complaints, interventions, requests for warning or injunctions by the Police Commissioner, or reports from social services;
- Investigative materials or evidence (medical certificates, police annotations, identification of potential witnesses, photographic documentation etc.);
- Requests for coercive personal precautionary measures for the offender indicating the concrete elements from which they are inferred;
- Information on civil proceedings (either concluded or ongoing) related to status, family, and minors (including matters such as inability, interdiction, guardianship, paternity denial, separation, divorce, issuance of protection orders against domestic abuse, child custody, etc.).

Also, the **prosecutor office** may receive complaints from victims. In this case complaints are filed with all the relative information through the Consolle in the criminal database called SICP (in Italian, Sistema Informativo della Cognizione Penale). The system allows to manage all stages of the proceedings and of the trial at all the different levels of the judgment up until the Court of Appeal. SICP also includes an advanced system for automatic assignment of files upon registration with the Prosecutor's Office. It also constitutes the database from which criminal statistics are extracted. Data populated in SICP will also contribute through the API to populate DIANA database.

For what regards **support services** (including psychologist, speech and other types of therapists, medical professionals, behavioural scientists, legal experts, social workers, cultural mediators etc.) and **anti-violence centre**, it is evident that they have at their disposal a plethora of different database management systems, from more to less developed and complex, that do not communicate with one another and are used for managing data of citizens and victims who come into contact with them to access their services. It is plausible that, in some cases, the records are paper-based. For these actors, therefore, it is not realistic to think of implementing interoperability between the various systems with DianaIT CMS. Instead, it would be more appropriate to require to support service operators the use of a dedicated DianaIT access point specifically designed for managing the mentioned data.

Another important point of access to the DianaIT database will be at use by the lawyer authorised by the victim. In Italy the PPT (Criminal Trial Online, in Italian Processo Penale Telematico) has allowed the digitalisation of a set of document fluxes from actors external to the justice system as lawyers. The access is allowed by the Telematic Services Portal of the Ministry of Justice. The system can be utilised by lawyers for a set of services as filing the recusal of the judge, a request for transmission of documents to a different public prosecutor, the appointment of the trusted defence lawyer or the deputy defence lawyer; it can also be utilised for filing complaints on behalf of their client. In this last case, thanks to the interoperability with DianaIT, the data filed with the complaint will also populate DianaIT database.

On the basis of this for all the actors supporting victim's access to justice, when victims of crime come into contact with one of the actors in the system, they will be asked to provide their contact details and details of the crime they have suffered, which will then be stored in the application or through the app in use by the operator (police, lawyers and prosecutors), or directly through Diana dedicated Aop. The idea is that the data

stored in DianaIT database can be available to all support operators in order to reduce double filing and the resulting risk of secondary victimisation.

The data acquired in the DianaIT database through the different points of access will include:

- Contact details:
 - First name and surname;
 - Address;
 - ID number.
- Description of crime suffered.
- Investigative materials or evidences (medical certificates, police annotations, identification of potential witnesses, photographic documentation etc.).
- Phase of the proceedings.
- Risk assessment factors:
 - Manner of the offence (time, place, object, nature, species, means used to commit the crime);
 - Motives for crime (for example, crime committed with violence against the person, in a domestic environment, with racial hatred, for the purpose of discrimination, etc.);
 - Criminal record of the offender;
 - Previous complaints filed by the victim.
- Factors related to procedural accommodation assessment:
 - Disability;
 - Gender;
 - Age.

2.1.2. Diana: Case Management System

The data acquired by DianaIT access points will be accessible in different ways and at different levels by professional users using the system, including victims.

Professional users (as judges, court staff, support service officers, lawyers, as well as victims will be able to access data (in different manners based on the type of access) following their authentication and identification. The access and circulation of data and documents between the mentioned actors allows the exchange of data useful for the various procedures of support and protection of the victim. The data filed may also include documents in pdf format or other formats (especially for documents related to evidence, which can be added during the different phases of the proceedings to support the judicial system). The data stored will be kept on a central server. Given that DianaIT will involve the justice professionals of the justice system and will allow the interoperability of their system in use with DianaIT CMS, it is plausible that the entity that maintains and updates the server will be DGSIA (Direzione generale per i sistemi informativi automatizzati; General Directorate for Automated Information Systems) a department of Italian Ministry of Justice which oversees the programming, design, development, management, and monitoring of IT, telecommunication, and telematic solutions and systems for the judicial offices. As anticipated, the authentication of users will be based on various methodologies and will depend on the role performed by the actor requesting access to DianaIT, as described below.

Victims of crime	Digital and personal identity of the citizen, provided by the Public Administration to use digital services in a personalized and secure way and in particular SPID system. The Public Digital Identity System (in Italian Sistema Pubblico di Identità Digitale) is the unified access system using digital identity for online services provided by the Italian public administration and participating private entities. Alternatively, individuals without SPID could authenticate using CIE.
Police	Authentication to the NdR Portal which is in use by the Judicial Police and connected to DianaIT database. Credentials provided by Ministry of Justice for accessing the NdR Portal. ³⁴
Prosecutor's office, Judge and Court's staff	Authentication to the Judges or Court Staff Consolle of the PPT which is in use by the judicial personnel and connected to DianaIT database. Credentials provided by Ministry of Justice for accessing PPT based on smart card with authentication certificate and digital signature.
Support and healthcare services	Digital identity of private and public entities, provided by the Public Administration to use digital services in a personalized and secure manner and in particular SPID system (see above).
Anti-violence centres	Digital identity of private and public entities, provided by the Public Administration to use digital services in a personalised and secure manner and in particular SPID system (see above).
Lawyers authorised by the victim	Authentication to access to the Telematic Services Portal of the Ministry of Justice connected to DianaIT for all data relative to victims' complaint filing. To access the portal, "strong" identification is required using a cryptographic token (e.g., smart card, USB stick, etc.) containing an authentication certificate. The token is issued by: 1. A central or local public administration, referred to as the National Service Card (CNS); or the Regional Service Card (CRS); 2. An accredited certifier authorised to issue digital signatures. Additionally, professionals (lawyers and court auxiliaries) must be registered in the General Register of Electronic Addresses.

³⁴ All offices of the Judicial Police, as well as all Public Administrations drafting crime reports, must appoint an Internal Representative for the Crime Report Portal by completing the form titled "Request for Certificate for Office Representative". The completed form, signed by the Head of the office/section, must be submitted to the territorially competent Public Prosecutor's Office. The appointed Representative must, concurrently with the communication of the appointment, input their details into the form provided by the Ministry of Justice. The Representative will receive an email at the address provided during registration containing a digital certificate, which must be installed on their workstation. During the installation, the password previously indicated in the registration form will be required.

After installing the certificate, the Office Representative must issue digital certificates for personnel responsible for entering preliminary notes into the Crime Report Portal (NDR). If the Representative is also required to access the Portal, they must issue an additional operational digital certificate for themselves.

2.1.3. Diana: Risk and Procedural Accommodation Assessment – Red Flags

The data stored in the DianaIT CMS, as previously described, will be used for two fundamental functions of the application: on the one hand, the automatic evaluation necessary for the activation of any procedural accommodations; on the other hand, the risk assessment related to recidivism.

The two assessments mentioned will be based on the data acquired relative to several aspects of the victim, of its familiar and social condition and of the crime suffered. In the case of procedural accommodations evaluation, specific factors will affect the activation of specific accommodations to the procedure. In the case of risk assessment, a set of selected factors will assess the risks that the victim will suffer the same or new crimes.

The first assessment - concerning the application of procedural accommodations - will be based on the following fundamental factors:

Gender

Age

Disability (Definition of the type of disability and assistive technologies or AAC required for victim participation in the proceedings)

Personal, social, family and emotional background of the victim (for example, having witnessed or experienced abuse during childhood, absence of a supportive family network, social isolation, living in rural or isolated area, belonging to minority social groups)

Context in which the victim has suffered the crime (domestic, family, work, etc.)

Risk of secondary victimisation (factors related to the relationship between the victim and the perpetrator, including the imminent breakup of a relationship or the victim's economic dependence on the offender).

Based on these factors, the system will suggest the type of procedural accommodation to be applied in the various stages of the procedure and by all the actors involved, from the police acquiring the report, up to the prosecutor who collects the victim's testimony.

The risk assessment will be based on the analysis of the statistical data stored in DianaIT, using artificial intelligence. The data stored in the server in anonymised form will be the fuel for this function of DianaIT.

The system will bring to light specific patterns and significant relationships between risk factors and events of victimisation, as well as repeated or secondary victimisation. Based on such analyses applied to individual cases, it will be possible to assess the level of risk to which the victim is exposed. The activation of protective measures will depend on this assessment. More practically, the victim accessing the system through the different AoPs previously described will provide a set of information relative to their social and familiar condition; DianaIT, on the basis of the mentioned factors will alert the victims and the professionals interacting with them of the mentioned types of risks aside suggesting specific protection measures.

The risk assessment will be based on the following key factors:

Type of crime

Manner of the offence (time, place, object, nature, species, means used to commit the crime)

Motives for crime (for example, crime committed with violence against the person, in a domestic environment, with racial hatred, for the purpose of discrimination, etc.)

Subjection — past or ongoing — of the offender to precautionary measures (this information will be available by accessing the data contained in the SIPPI system)³⁵

Type of disability and its manifestation (sensory, intellectual or psychosocial disability, etc.)

Type of relationship between the offender and the victim (e.g., marriage, cohabitation, kinship, partnership, neighbourhood, professional relations, etc.)

Change in relationship status or imminent breakup of the relationship (including separation, divorce or shared custody of children)

Family, social, professional and emotional background of the offender and the victim (including having witnessed or experienced abuse during childhood, absence of a supportive family network, social isolation, living in rural or isolated area, belonging to minority social groups, cultural acceptance of violence as a way to resolve conflicts)

Lack of victim support services or difficulties in accessing them

Abuse or dependence on alcohol or drugs

Victim's inconsistent behaviour or attitude toward the offender (e.g., the victim files a report and then withdraws it, or continues to see and communicate with the offender)

³⁵ The Italian *Sistema Informativo Prefetture e Procure dell'Italia* is a data management system for precautionary measures. Born as a data collection application, it has evolved over time to become a true "general register" of precautionary measures. The system had intrinsic limitations consisting of poor interoperability, failure to manage the flow of information with judicial administrators and the absence of a document manager.

2.1.4. Diana: Expert System and Chatbot

The DianaIT online version or cell phone app dedicated to citizens and basically victims of crime will provide access to useful simplified legal information. The information will generally cover the existing rules on victim protection and support, and related procedures. In particular, the information available will cover:

The procedure for filing a complaint or participate in a proceeding

Procedural accommodations available

Protection services available

Support services

Essential procedural information (such as case status, registration number, competent court, date of the next hearing, etc.)

In order to foster accessibility and inclusion, the information will be provided in a conversational manner through an AI based chatbot. The chatbot will be based on Large Language Technology (LLM). The expert system will be based on official and verified sources of information as the Italian Constitution, the civil and criminal law and the criminal procedural law.

In addition, by providing victims' position or address, through the geolocation function, the application will provide information on the closest support service, police office of prosecutor office.

Additionally, by cross referencing the data available in the Italian criminal trial online CMS and the Telematic Services Portal of the Ministry of Justice some information provided will regard the phase of the criminal proceeding or the date of the next hearing or audition.

Furthermore, DIANA, having access to the data contained in the SIPPI system, will be able to provide the victim and the social services with information on the status of the

precautionary sub-proceeding.³⁶ This aspect is crucial because, in the event of a change in the preventive measure imposed on the offender (who is released because, for example, the house arrest measure has been revoked), the victim must be aware that they can no longer rely on that measure, which until then had prevented the offender from moving about freely.

2.1.5. Diana: Internal Encrypted Secure Chat

The Italian version of DIANA will include the implementation of an internal chat that will support the coordination between actors that are involved in the victims' support and protection procedures. This will allow the exchange of communications in "two-on-one" or group chat between the mentioned entities. An advantage of this service is the support for an effective and traceable exchange of communications and documents among practitioners. For instance, a continuous communication between support services and judges or police forces managing the cases is often necessary in order to monitor the conditions and necessities of the victim during the procedure. As clarified in Part 1 (see § 8. - Collaboration paths in a multi-stakeholder system), when a minor is placed in the care of social services, they are required to update the judge on various aspects, including the child's academic performance, participation in recreational activities, and psychological well-being. The current communication method between social services and the court consists of written reports, which often do not arrive or are delayed. This feature of the Diana system will address these gaps in the system by encouraging quick and continuous communication among all members of the individual assessment team for the child's needs.

³⁶ Pursuant to art. 299, paragraph 2-bis, c.p.p., decisions regarding the revocation, substitution of a precautionary measure with a less severe one, or the application of a precautionary measure with less restrictive modalities, when related to measures such as removal from the family home, prohibition of approaching places frequented by the victim, prohibition or obligation of residence, house arrest, custodial detention, and custodial detention in a healthcare facility applied in proceedings involving crimes committed **with violence against the person**, must be immediately communicated, by the judicial police, to social services and to the victim, and, if appointed, to their defence counsel.

Additionally, the chat will provide for supervisors (the "responsible for the vulnerable victim assessment process" or "victim navigator") to screen communications and assess whether all procedures have been correctly followed and whether victims have received appropriate protections, especially from secondary and repeated victimisation and procedural accommodations. Communications will be secured through an encryption method based on end-to-end encryption technology. This method ensures that data is encrypted from the moment it leaves the user's device until it is received and decrypted by the server. This protects sensitive data during transmission. The system will utilise TLS (Transport Layer Security) to encrypt data in transit and "encryption at Rest", thus storing sensitive data in an encrypted format on the server using strong encryption algorithms like AES-256. The secured communications comply with GDPR³⁷ and with the Code on the Protection of Personal Data.³⁸

³⁷ This refers to the General Data Protection Regulation, i.e. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016, on the protection of natural persons with regard to the processing of personal data, and on the free movement of such data, and repealing Directive 95/46/EC. The regulation is available at the following link (accessed in January 2025): <https://eur-lex.europa.eu/legal-content/IT/TXT/?uri=celex%3A32016R0679>

³⁸ Legislative Decree No. 101 of August 10, 2018, titled "Provisions for aligning national legislation with the provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council, of April 27, 2016, on the protection of natural persons with regard to the processing of personal data, as well as on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)." The legal text can be consulted at the following link (accessed in January 2025): <https://www.garanteprivacy.it/documents/10160/0/Codice+in+materia+di+protezione+dei+dati+personali+%28Testo+coordinato%29>

2.1.6. Diana Inclusivity: Assistive technologies integrated to the system

In order to comply with the Italian laws related to inclusivity of ICT technology for people with disability³⁹, DianaIT system, will be equipped with different assistive technologies and inclusion methods.

Regarding the inclusion of children and victims with a lack of knowledge of legal terms, information provided through the application will be simplified and based on the use of accessible language.

As regards disability, the aim of the system-integrated or system-compatible assistive technologies will be to allow access and use of the system also for users with different types of disabilities.

The following is a non-exhaustive list of assistive technologies supporting different types of disabilities that will be compatible or integrated with DianaIT.

Vision Impairment

Diana users may experience difficulties due to a wide spectrum of vision impairments. In order to support their inclusion and participation, the application will be integrated with a speech to text technology that will convert automatically in speech all the text appearing in the application.

Physical Impairment

Some physical impairment may affect the person's ability to write, access and sign documents and other items presented digitally. Diana will support the integration with technologies as word prediction software that can assist individuals with physical disabilities as for instance by reducing the keystrokes required to type. This is particularly helpful for individuals with

³⁹ In Italy, the reference law for Digital Accessibility is Law No. 4 of January 9, 2004 (the Stanca Law), which contains provisions aimed at promoting and simplifying access for users, particularly individuals with disabilities, to IT tools. The law can be consulted at the following link (accessed in January 2025): <https://www.normattiva.it/atto/caricaDettaglioAtto?atto.dataPubblicazioneGazzetta=2004-01-17&atto.codiceRedazionale=004G0015&atto.articolo.numero=0&qId=4e61c537-d785-4ef8-b0ae-92acc63de978&tabID=0.900776670159511&title=lbl.dettaglioAtto>

	limited dexterity or strength. Many modern computers, tablets, and smartphones include built-in word prediction features. Diana can also be integrated or compatible with speech recognition technology, which allows users to control their computer and input text using their voice. This technology can assist individuals who find it challenging to use a standard keyboard and mouse.
Learning/Intellectual Impairment	Diana can be integrated or compatible with AT that support learning/intellectual impairments that may affect users' ability to understand information provided, communicate effectively, and remember critical information. The application may support the integration or compatibility with speech synthesis and communication app supporting symbol grids and Picture Exchange Communication System. Speech synthesis will include the use of symbols and pictures alongside text provided by Diana. This can help users with intellectual disabilities to understand legal documents and communications more easily. Additionally, Diana will include visual reminders tools, like alarms with icons or apps that use pictures to signal tasks, that help users to stay on track with dates or appointments (as auditions or hearings). Visual reminder tools will incorporate also memory aids that may help users remember important information and can assist individuals in recalling details about their case, the sequence of events, or instructions provided by the application. The integration with Text-to-Speech and Speech Recognition tools already mentioned can be also useful for the inclusion of people with learning/intellectual impairments since they may aid comprehension for those struggling with reading or support the input of a text to a computer. The DGSIA and the Agency for Digital Italy will monitor the compliance of DianaIT with the mentioned laws, will carry out periodic monitoring of the compliance of DianaIT website and mobile applications in terms of accessibility, also making use of the Higher Institute of Communications and Information Technologies (ISCOM).

2.1.7 Diana: Cybersecurity

The sensitivity of the data processed by the application and exchanged between actors accessing DianaIT requires a special attention to the security of the technology used. This concerns on the one hand, data stored in the case management system and, on the other hand, information exchange and document flow. Both functions, in fact, can be exposed to illegal attacks from the outside or unauthorised access, putting at risk the users of the application and their data.

Given that the system will be interoperable with the e-justice tools used by certain internal and external actors in the judicial system—namely judges, court clerks, and lawyers—it is clear that DianaIT's security will also rely on the security systems of the mentioned tools.

For the CMS, the stored data will be made secure by applying blockchain technology. Blockchain technology may enhance database security by providing a decentralised, transparent, and tamper-resistant framework for storing and managing data.

The blockchain features improving security applied to DianaIT are:

- **Decentralisation:** Decentralisation regards the **distributed Ledger**. Instead of storing data on a single server or centralised database, blockchain technology distributes data across multiple nodes (computers) in a network. Each node has a copy of the entire blockchain, reducing the risk of a single point of failure.
- **Immutability:** Immutability refers to the tamper-resistant feature of block-chain, because once data is recorded on the blockchain, it becomes extremely difficult to alter. Each block of data is linked to the previous one through cryptographic hashes, creating a chain of blocks. If someone tries to change any data in a block, it will invalidate the hashes of subsequent blocks, alerting the network to the tampering.

- **Transparency and traceability:** Transparency and traceability is ensured by the open ledger. In many blockchain systems, the ledger is public, meaning that anyone can view the recorded transactions. This transparency can deter fraud and enhance trust in the system. Even in private blockchains, where access is restricted, the traceability of transactions is maintained among authorised participants.
- **Access control:** access control will be guaranteed through permissioned blockchain. In a permissioned blockchain, access to the network is restricted to authorised users. This ensures that only trusted parties can participate in the data management process, reducing the risk of unauthorised access.

As regards document flow, including chat and data exchange, in order to ensure a secure and reliable exchange of documents, DianaIT will involve a combination of technologies designed to protect integrity, confidentiality, authenticity, and availability of exchanges.

The following technologies will be integrated:

- **Data encryption** (see section 1.2.4).
- **Secure File Transfer Protocols** that establish an encrypted link between a web server and a browser, ensuring that all data passed between them remains private.
- **Content Filtering** that monitors and control the transfer of sensitive documents based on pre-defined policies, ensuring that sensitive data is not accidentally or maliciously shared.
- **Endpoint Protection** that can be deployed on endpoints (e.g., computers, mobile devices) to monitor and control document exchange activities, preventing data breaches.

- **Virtual Private Networks (VPNs)** that can create a secure tunnel between the user's device and the internet, ensuring that all data, including documents, is encrypted during transmission, even over unsecured networks.

The security measures here indicated comply with European ⁴⁰ and Italian ⁴¹ cybersecurity regulations.

⁴⁰ Regulation (EU, Euratom) 2023/2841 of the European Parliament and of the Council of 13 December 2023 laying down measures for a high common level of cybersecurity at the institutions, bodies, offices and agencies of the Union, available at: https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=OJ%3AL_202302841 (accessed in January 2025).

⁴¹ The relevant legislation is provided by Law No. 90 of June 28, 2024, which contains provisions on strengthening national cybersecurity and cybercrimes and can be consulted at the following link (accessed in January 2025): <https://www.gazzettaufficiale.it/eli/id/2024/07/02/24G00108/SG>

2.2 CAB contribution to the Italian application of DIANA system

The establishment and relative meetings of the Child Advisory Boards (CAB) in Italy, actively involving adolescents (including those with disabilities), proved invaluable not only for favoring discussions on core themes of the LINK project, but also for gathering crucial insights and fundamental suggestions for adapting the DIANA system to the specific Italian context.

The Italian CAB engaged male and female students from three high schools.⁴² Facilitated by CNR experts, these group discussions created a space where students could freely express their views on LINK's themes, an opportunity they explicitly appreciated for its engaging nature.

The following key topics, repeatedly raised during the CAB discussions, were instrumental in shaping the DIANA system within the Italian national framework:

The Italian CAB provided critical insights into how young people perceive the intersection of technology and the justice system, highlighting both optimism and significant concerns. Firstly, CAB participants expressed optimism regarding the use of ICT and AI in justice. They believe technology can improve the relationship with public institutions by enabling, for example, remote work, which can enhance employees' quality of life. Furthermore, participants saw clear utility in developing an effective system for the automatic and efficient assessment of risk for crime victims. Some stated that the State often underestimates known risks for victims, intervening only in extreme cases; one participant vividly cited the tragic example of a woman who was a victim of stalking and, despite previous reports, was eventually killed by the perpetrator. The young participants also showed enthusiasm for new technologies improving adolescents' lives, such as the ability to do homework on a computer,

⁴² See note 30.

eliminating the need to carry heavy books. However, they also acknowledged the negative consequences, noting a significant drop in concentration during the COVID-19 pandemic due to prolonged remote learning via computers.

Another crucial point raised by the CABs concerns the discriminatory potential of introducing technology into justice services. Participants highlighted that the widespread availability of technological tools is not universal. They pointed out that access to high-performance computers, webcams, or fast internet connections is not guaranteed for everyone, a gap many had to fill at significant economic cost during the COVID-19 pandemic's remote activities. Furthermore, another discriminatory potential regards technological literacy which is not uniformly distributed across the population needing access to digitised justice services. In this regard, CAB participants underscored the importance of training to spread technological literacy, noting that the rapid development of new technologies has not been matched by adequate training for the people expected to use them, especially in professional settings.

Regarding the application of AI technology in justice, CAB participants displayed a positive but cautious attitude. They highlighted both the opportunities and limitations: while AI offers immediate answers and speeds up tasks like homework, summaries, and translations, its overuse can hinder learning and knowledge acquisition. Moreover, CAB participants suggested that AI technologies might help make judicial decisions more "impartial," though they acknowledged considerable risks. For instance, some expressed skepticism about the reliability of AI-generated responses, noting frequent errors, leading them to use AI only as a starting point. This provides important insight for systems like Diana regarding the risks of AI hallucination. Another risk discussed was the spread of personal data and the protection of privacy. One participant voiced fear of being "blackmailable" due to the sharing of highly personal images (e.g., photos, selfies) on social media, citing the example of children's photos shared by parents.

This offers crucial insight for systems like Diana, the multidisciplinary model, and the training guide regarding the paramount importance of privacy and data protection.

2.3 Conclusions

The adaptation of the Model to the Italian national context, as proposed, would enable the digitisation of numerous operations related to the support and protection of victims: among these, access to legal information, coordination of the parties involved in the procedures for assessing the protection needs of victims, the identification of procedural accommodations to mitigate risks of secondary victimisation, and the assessment of recidivism risks. In particular, the implementation of the model would address the gaps in the Italian judicial system (as outlined in the introduction and specified in Part 1). Obviously, this will require the intervention of the Italian legislator, who must introduce the system into the national legal framework and regulate it to ensure its effective implementation.

In this way, not only would the support functions and access to justice for the most vulnerable victims (particularly children and children with intellectual and/or psychosocial disabilities) be enhanced, but procedural timelines would also be accelerated, addressing the delays that inevitably occur due to poor communication between the entities that come into contact with the victims (particularly between the judicial system and social services), the risk of repeated and conflicting individual assessments, and the absence of a legally clear and defined procedure through which these evaluations should be conducted.

Moreover, thanks to its high level of interoperability, the Diana system is well-suited to adapt easily to the existing technological context in the field of Italian justice, which is sufficiently developed in this regard.

Finally, the system is compatible with the main regulations – both European and Italian – regarding digital accessibility, personal data protection, and cybersecurity.

03

PART 3 CASE STUDY

3.1 Case study

3.1.1 Reporting the incident

A girl named Paola has experienced the crime punished by art. 609 quarter of the Italian penal code (sexual acts with a minor). The accused is her grandfather, who frequently visits the home where she lives with her parents. Paola is fifteen and has a disability: she has a visual impairment. After consulting with her mother, Paola decided to file a complaint against her grandfather. Having no prior experience with such situations, neither she nor her mother knew how to proceed. However, they were aware of an anti-violence centre in their neighbourhood, well-publicised through flyers distributed across various local venues and shops. They decided to visit the centre to gather information.

At the anti-violence centre, Paola and her mother were welcomed by Sandra, a staff member, who invited them to sit at her desk and listened attentively to Paola's story. Understanding the seriousness of the situation and believing there were grounds for a formal complaint, Sandra set out to ensure all necessary steps were taken to support and protect the victim. First, she explained the entire process, as well as the available support and protection services, in simple and accessible language. She also introduced Paola to the "Diana" system, explaining its features, particularly the assistive technologies designed for individuals with visual impairments. With general consent from Paola and her mother to proceed with the complaint, Sandra asked Paola's mother to sign a form regarding data usage and privacy protection, in compliance with GDPR regulations.

3.1.2 Individual assessment

At the end of the data collection process, the system generated two alerts. The first highlighted the need for procedural accommodations (such as probative evidence hearing with the application of protected listening procedures and use of AAC technologies) for Paola due to her minor age and disability. The second concerned the risk of crime recurrence, given that the abuse had occurred within a family setting. Based on this, the system suggested the application of the precautionary measure of house arrest (considering the severity of the crime committed).

3.1.3 Legal proceedings

After completing the procedure, Sandra accompanied Paola and her mother to the police station to file the complaint. Upon arriving at the police offices, previously notified through Diana's secure chat function, they were received by a police officer experienced in handling cases involving disabilities. Thanks to Diana's database, which is integrated with the police CMS, the officer already had most of the required information to complete the internal form and forward the complaint documentation to the competent prosecutor's office via the NDR system. As a result, the police meeting did not require a redundant data-entry process.

Upon receiving the news of the crime, the public prosecutor initiated the preliminary investigations, during which — taking into account the victim's state of vulnerability and the procedural accommodations suggested by the Diana system — requested a pre-trial hearing from the Judge for Preliminary Investigations to hear Paola using protected methods. The judge scheduled the hearing, and Paola was interviewed by a psychologist in a child-friendly room, with the use of assistive technologies suggested by the Diana system.

From that point on, Paola could track the stages of the legal proceedings via the app and request additional information through the chat feature.

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