



EVALUATION OF THE ACTIVITY OF THE LOCAL COMMISSIONS FOR THE PROTECTION OF CHILDREN AND YOUNG PEOPLE

**EXECUTIVE
SUMMARY AND
RECOMMENDATIONS
OF THE 2023 ANNUAL REPORT**

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***“Whereas mankind owes to the child
the best it has to give (...)”***

(In Preamble of the Declaration of the Rights of the Child, 1959)



The Annual Report of the Evaluation of the Activity of the local Commissions for the Protection of Children and Young People (CPCJ) is elaborated and published by the National Commission for the Promotion of the Rights and the Protection of Children and Young People, and a national reference document both for the public at large and for the CPCJ. The report presents, analyzes and provides reflections upon the results of the prevention and protection actions implemented by the CPCJ every year.

The CPCJ are official entities of non-judicial, multidisciplinary nature with functional autonomy, aiming to promote the rights of children and young people and to prevent or intervene in situations of children in danger, while fostering synergies at the local level by involving the representatives of the various key sectorial areas, local authorities, security forces, the Public Prosecutor's Office and non-governmental organizations.

As a collegial body, it meets monthly in its extended format, focusing mainly on actions of preventive nature, and weekly in restricted format, as to address, discuss and deliberate over concrete situations of children in danger.

In 2023, there were 312 CPCJ nationwide, i.e., in mainland Portugal, the Autonomous Region of the Azores and the Autonomous Region of Madeira.

The present document is the English version of the executive summary and recommendations of the 2023 Annual Report, and also includes: the framework of the Portuguese system for the protection of children and young people and for the promotion of their rights; the composition of the CPCJ, their competences and operation. The tables, charts and figures herewith are numbered as in the full report

The full 2023 Report in Portuguese is available [here](#).

EXECUTIVE SUMMARY



PROCEDURAL VOLUME AND HANDLING

In 2023, the CPCJ handled 84.196 promotion and protection processes, an increase of 7,7% in comparison with 2022. These figures confirm a growing trend that has been observed since 2020.

Of the 84.196 processes handled, 32.432 were carried over from 2022 and 51.764 were initiated in 2023 (9.142 reopened - *i.e.*, processes concerning the same child that were closed at a certain point in time, but had to be reopened due to the occurrence of situations involving new protection needs - and 42.622 newly opened, *i.e.*, processes opened in 2023 for the first time).

For higher accuracy, it shall be noted that 4.685 Promotion and Protection Processes (PPP) shall be subtracted to the total of 84.196 processes accounted due to procedural duplication, *i.e.*, due to the accounting of the same process more than once as a result of: either having been opened by a CPCJ and then “transferred” to another because the child changed his/her residency to a geographical area under the competence of another CPCJ; or because it corresponds to processes concerning the same child that were closed at a certain point in time, but had to be reopened more than once due to the occurrence of situations involving new protection needs, and are indicated below as “reopened (+1)”.

Thus, it can be concluded that a total of 79.511 children and young people were monitored in 2023, which corresponds to an increase of 6,7% *vis-à-vis* 2022.

PROCEDURAL HANDLING



PROCEDURAL DUPLICATION



COMMUNICATIONS OF DANGER

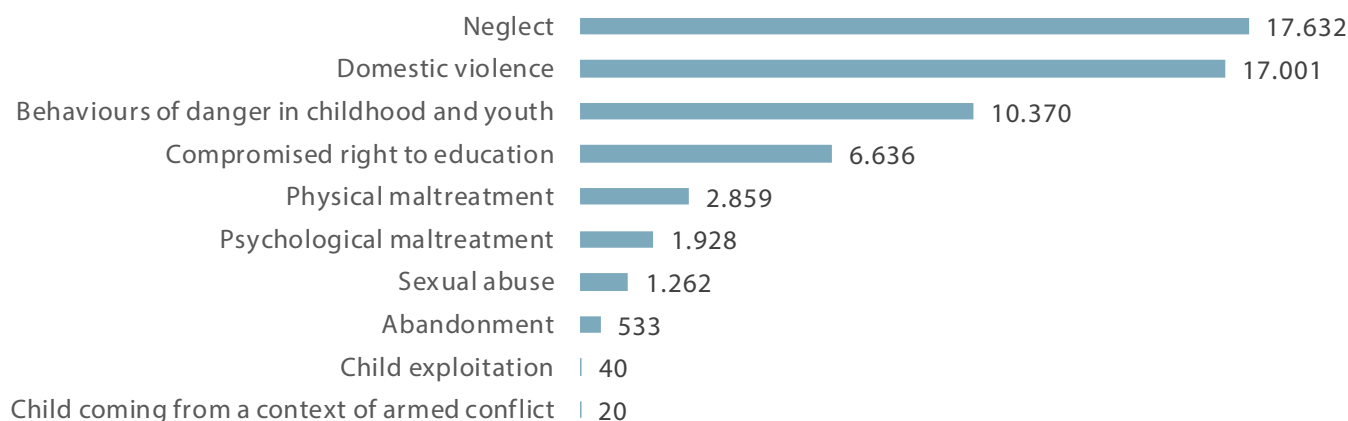
In 2023, the CPCJ received 54.746 communications of situations of danger. It should be noted that each child may be at the centre of several of communications, hence the higher number of reports than of processes initiated during the year. This figure represents an increase of 10,5% compared to 2022.

The institutions that reported situations of danger the most are security forces and school establishments, the same as in 2022.

The categories of danger that were reported the most were “neglect”, followed by “domestic violence”, reversing the trend of previous years.

As of the age groups, most communications of danger (26,8%) refer to children aged 15 to 18 years old, followed by children aged 11 to 14 years old (25,7%). Children aged 0 to 5 years old come in third place and are at the centre of 23,5% of the communications received. The distribution of communications of danger amongst boys and girls is relatively homogeneous (53,54% involving boys and 46,46% involving girls).

CATEGORIES OF DANGER REPORTED



DIAGNOSIS OF DANGER

Even though the law sets a 180-day deadline for the conclusion of the diagnosis of the situation of danger, an average of 170 days were needed to do so in 2023.

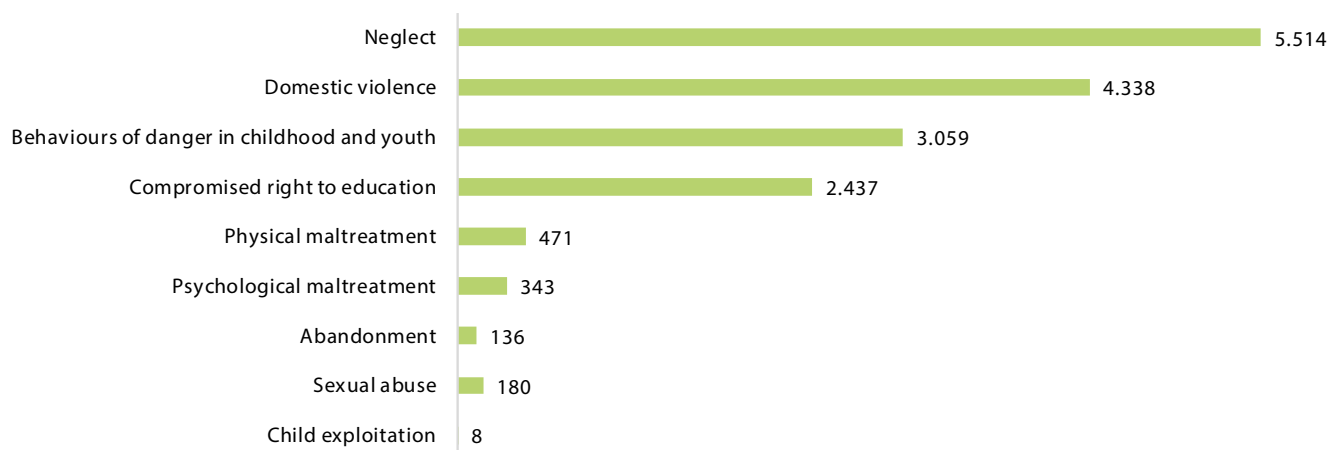
In the year under review, there were 47.537 Promotion and Protection Processes whose final opinions of the diagnostic assessment phase were issued, *i.e.*, 3.639 more than in 2022.

In 14.284 Promotion and Protection Processes - *i.e.*, for 14.284 children and young people -, the implementation of a promotion and protection measure was proposed.

The children at stake, whose situation was diagnosed as one of danger and whose corresponding opinion pointed out to the need of protection, are mostly boys, in a ratio of 7.676 (53,74%) to 6.608 of girls (46,26 %), and predominantly aged between 11 and 14 (26,20%).

For each child there is more than one situation of danger diagnosed. The most frequently diagnosed are 'Neglect', in 5.514 Processes of Promotion and Protection (33,45%), and 'Domestic Violence', in 4.338 Processes of Promotion and Protection (26,31%).

CATEGORIES OF DIAGNOSED SITUATIONS OF DANGER



PROMOTION AND PROTECTION MEASURES

In 2023, 954 precautionary measures were applied, 86 more than in the previous year. Support with the parents was the prevailing precautionary measure (64%), accounting for 87% of all precautionary measures applied, alongside other measures carried out in the natural environment of the child.

As of non-precautionary measures - *i.e.*, those applied upon completion of the diagnostic assessment -, 31.147 promotion and protection measures were applied (1.740 more than in 2022) regarding 30.336 cases involving 28.799 children/young people.

Considering the total of measures applied, the majority concerned boys (54%), children aged 15 to 17 years old (27%) and 11 to 14 years old (26%).

Compared to 2022, there was an increase in the application of three types of measures (support with parents, support with other family members, and foster care) and a decrease in three other types (entrustment to a suitable person, support to life autonomy and residential care); and

The measure of placement in foster care had the most significant increase - of 96,3%, *i.e.*, 26 more placements than in 2022) -, despite being a measure that is still residually applied as a whole (0,4%).

There is a clear prevalence of measures carried out in the natural environment of the child compared to measures of placement of the child in alternative care (foster family and residential care), with a ratio of 28.868 (92,68%) of the former to 2.279 (7,32%) of the latter.

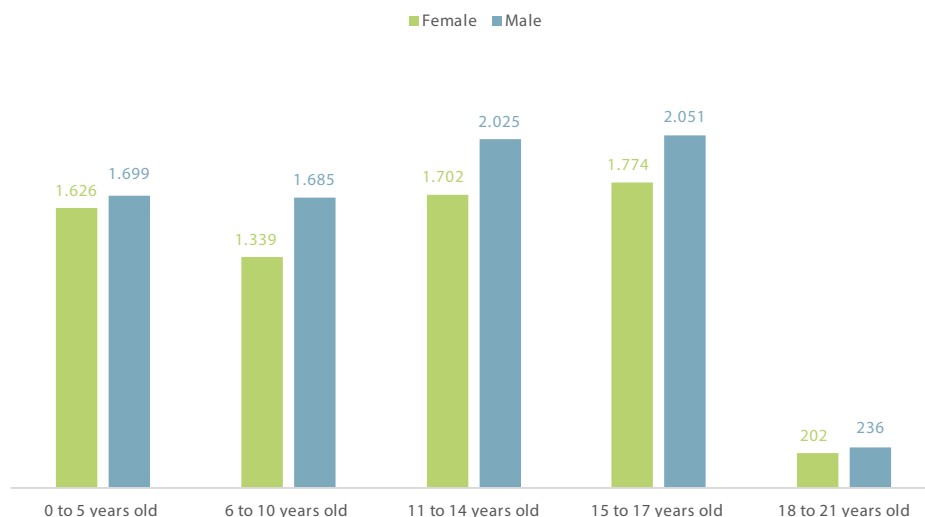
There is also a clear prevalence of the measure of support with parents (83,39%).

Of the children and young people subject to promotion and protection measures, 2.665 had foreign nationality, most of them coming from the American continent (51,52%), 99,87% of which particularly from Brazil.

In 2023, 947 children and young people (3,29%) had some type of disability or incapacity, mostly mental or intellectual (28,72%).

In addition, 345 children and young people (1,20%) were subject in a court process ongoing simultaneously, mostly corresponding to civil guardianship procedures (88,41%).

CHARACTERIZATION OF THE CHILDREN UNDER PROMOTION AND PROTECTION MEASURES IN 2023 BY AGE RANGE AND SEX



CESSATION OF THE INTERVENTION OF THE CPCJ IN 2023

46 564 PROMOTION AND PROTECTION PROCESSES

In 2023, the CPCJ ceased their intervention in 46.564 processes, *i.e.*, 3.893 more processes than in 2022, which corresponds to an increase of 9,12%, as presented in the following table:

Phase of the process*	Number of promotion and protection processes	%
Preliminary analysis (e.g. Filing or referral; Non-existence of legitimacy to intervene pursuant to Article 3; Referral to Court - Joinder of judicial proceedings under the terms of Article 81; Communication to the entity with competence in matters of childhood and youth (Article 8); Improper opening of proceedings due to incorrect information provided in the reported communication of danger; Return to an entity with competence in matters of childhood and youth (Article 7); The Child/ Young person moved abroad).	6.927	15
Diagnostic assessment (e.g. Referral to the Public Prosecutor's Office - Failure to give consent; The young person reached the age of majority and did not request the continuation of the intervention; The child or young person moved abroad; Referral to Court - joinder of judicial proceedings under the terms of Article 81; Referral to the Public Prosecutor's Office - Withdrawal of the consent to intervene)	11.133	24
Deliberation and contractualization of the agreement** (e.g. The situation of danger no longer exists; The reported situation of danger is not confirmed as such; Referral to the Public Prosecutor's Office - Lack of Promotion and Protection Agreement; Referral to the Public Prosecutor's Office - Withdrawal of the consent for intervention; The young person reached the age of majority and did not request the continuation of the intervention).	16.498	35
Implementation and monitoring (e.g. Cessation of the measure - the situation of danger no longer exists; Referral to the Public Prosecutor's Office - Repeated non-compliance with the Promotion and Protection Agreement; Cessation of the measure - the duration of the measure or of its extension has elapsed and the situation of danger no longer persists; Cessation of the measure - the young person reached the age of majority or, as legally foreseen in specific situations, reached the age of 21 or 25 years old, up to which the young person can benefit of the extension of the intervention; Referral to the Public Prosecutor's Office - withdrawal of consent for intervention; Referral to the Public Prosecutor's Office - Lack of Promotion and Protection Agreement; Referral to Court - joinder of judicial proceedings under the terms of article 81; Referral to the Public Prosecutor's Office - the duration of the measure or of its extension elapsed and the situation of danger still persists; Referral to the Public Prosecutor's Office - unavailability of resources to implement the promotion and protection measure; The child/young person moved abroad)	12.006	26
TOTAL = 46 564 Promotion and Protection Processes		

* As foreseen in the [Law on the Protection of Children and Young People in Danger](#), approved by Law No. 147/99, of September 1, amended by Law No. 31/2003, of August 22, Law No. 142/2015, of September 8, Law No. 23/2017, of May 23 and Law No. 26/2018, of July 5.

** Given the non-judicial nature of the process, both the parents and the child (aged 12 and above) must consent in signing such an agreement for the promotion and protection measure be implemented and prior to the onset of the implementation.

GENERAL FRAMEWORK



“It remains compelling to proclaim and publicize, insisting as many times as necessary, so that what is stated in the law becomes the conviction/action that the child is a Subject of rights, full holder of all human rights - of those based on the dignity of the human person, as well as of those specific to the condition of being a child in development -, who, as the corresponding physical and psychological growth takes place, gradually and progressively acquires autonomy, which is essential to the realization of the child’s humanity, understood as the whole that forms the child as a person.”* (Ribeiro, 2010, p. 12)

The approval of the [Law on the Protection of Children and Young People in Danger](#), approved by Law No. 147/99, of September 1, and subsequent amendments, henceforth referred to as the LPCJP**, established a new paradigm for child protection and the promotion of children’s rights in Portugal.

This new way of looking at children, no longer as minors but as full subjects of rights, is deeply rooted in principles and values that derive from international conventions and declarations, such as the Declaration of Geneva of 1924, the Universal Declaration of Human Rights of 1948, the Declaration of the Rights of the Child of 1959 and the Convention on the Rights of the Child of 1989.

The child is recognized as an independent, full and dignified individual, despite being in a process of development, maturation and gradual autonomy until the age of 18, when the time of being a child comes to an end. During this period, children must be seen as active subjects in the construction of their life, influencing and being influenced by the contexts or in which they find themselves.

The LPCJP also launches a new system of child protection that operates from the perspective of children’s rights by considering risk and danger as a violation of the latter, but also by emphasizing the inevitable universal promotion of rights among the whole community and all children, a task that is also everyone’s responsibility.

This new system is therefore community-based, integrative, democratic, universal, positive, participatory, close at hand, and of joint responsibility. The aim is to guarantee each child the best conditions of education, health, culture, equality and sociability for the sake of the child’s development and for the common good in the future, but, above all, in the present.

This new system is endowed with the mission to “contribute to the effective realization of the Human Rights of each and every child” (Leandro, 2015, p. 14) because they are, in fact, very special Human beings. Therefore, they have all the Human rights and some more, which are specific and inherent to their condition as developing beings.

And it has the vision that this realization can (and must) be carried out uninterruptedly, both timewise - since the time of the child pushes this urgency -, and transversally - as caring for the children of the communities is everyone’s responsibility.

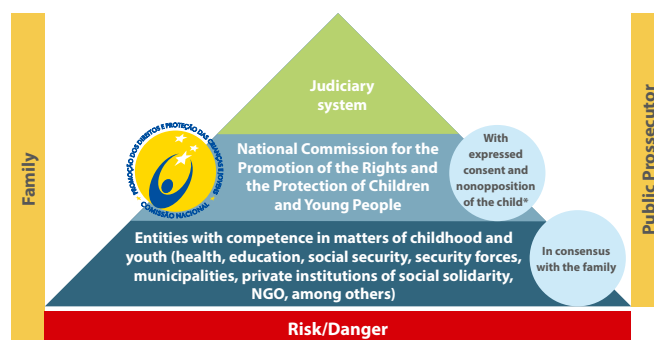
As such, the Portuguese system for promoting and protecting children’s rights advocates a subsidiary, gradual intervention, of progressive specialization, concerned with interfering in the private sphere to a minimum, concerned with non-stigmatization, with dependency, and with effectiveness/proximity.

It integrates the family, the community/society as a whole and each citizen. It also includes the State and its several services, which are transversal in the pyramid of subsidiarity that usually represents the system graphically.

* Highlights by the author.

** As of the acronym in Portuguese for Lei de Proteção de Crianças e Jovens em Perigo.

Figure 1| The pyramid of subsidiarity: the graphic representation of the Portuguese Promotion and Protection System



The community is at the base of this pyramid and includes: all citizens; extended family; neighbours; cultural, recreational and sports associations; and community support centres, among others.

The child is part of the community, which is responsible for spreading a culture of promoting and protecting children's rights and a culture of support to the families (Montano, 2010).

The base of the pyramid also integrates the Entities with Competencies in Matters of Childhood and Youth (ECM-IJ), such as schools, health centres, social security, police authorities, municipalities; private institutions of social security, non-governmental organizations, and others alike, which intervene in the context of risk and danger and play an essential role in supporting families and children, and in detecting situations and monitoring implemented measures.

The local Commissions for the Protection of Children and Young People (CPCJ) are placed at the second level of the pyramid.

The CPCJ operate according to their attributions of restorative nature on one hand, while addressing concrete situations of danger, as well as according to attributions of preventive character on the other, given their specific competencies of the extended format of the CPCJ. The activity of the CPCJ is supported and monitored by the National Commission for the Promotion of the Rights and the Protection of Children and Young People (CNPDP-CJ) and supervised by the Public Prosecutor's Office.

Within the scope of the restricted format, the legitimate intervention of the CPCJ in specific situations of danger presupposes the consent of the child's parents or legal representatives on the application of a promotion and protection measure that was previously agreed with them, as well as the consent of the child, should the child be aged 12 or above, or who is aged below 12 but has the maturity and capacity to understand and is actively involved in the process. The child may object to the intervention. In chapter 4 [of the annual report], the composition, competencies, organization and operating mode of the CPCJ will be further detailed.

The top of the pyramid is occupied by the Courts, which intervene when: the organizations that act in the previous levels of intervention failed to remove the situation of danger; or the child objects to the intervention; or the parents or legal representatives of the child do not give or withdraw their consent, among other situations provided for in Article 11 of the LPCJP.

The Courts are assisted by multidisciplinary teams that provide advice on the diagnostic assessment of the reported situations and on monitoring the implementation of the promotion and protection measures that were decided, among other tasks.

Regardless of the level of the pyramid, the intervention is necessarily twofold: both promoting and protecting the child's rights.

In fact, today's demands go beyond protection and include the need to guarantee that all children live and grow up in conditions of effective equal access to all rights. This means that this is always an unfinished task, and that, even when the intervention is not addressing the universal promotion of rights but specific situations of danger instead, it is imperative to keep this duality, of both the preventive and the protective dimensions of children's rights, in mind.

As such, the annual report at hand is elaborated under the provisions set out in Article 32 of the LPCJP, and aims to systematize this vision of the two dimensions of the intervention carried out by the CPCJ in Portugal in 2023. In other words, to systematize the information on the promotion and protection of children's rights, as well as on the intervention carried out by the organizations that work directly with the CPCJ in this regard, namely the CNPDPCJ and the Public Prosecutor's Office.

Information sources

As in previous years, this report results from the analysis of quantitative and qualitative data systematized by the CNPDPCJ within the scope of its activity with the CPCJ.

It also derives from the analysis of the information on the Promotion and Protection Processes (PPP) uploaded by the CPCJ in the IT application used nationwide by the CPCJ: the "System for the IT management of the Promotion and Protection Process and for the management of the CPCJ". This IT application is exclusively accessible to CPCJ members, as well as to technical support and administrative support elements of the CPCJ, to whom personal credentials are provided. It enables up-to-date recording of information of the CPCJ and of its members. It also records all the information regarding the PPP, namely information: on the communication of danger and its assessment; on consent/non-consent and opposition/non-opposition; on diagnostic assessment (with summary); on proposed measure(s) and on the intervention plan for implementing the measure, among other aspects. This information is available to each CPCJ and to each professional who hold responsibility for the case.

This report also draws upon the information provided by the CPCJ in their annual replies to the "Questionnaire on the composition, operating mode and activity of the CPCJ - 2023", sent out by the National Commission via hyperlink by e-mail in the beginning of 2024, to which 311 CPCJ replied (except for Penedono, a new CPCJ whose intervention is yet to start since it still awaits the publication of the ordinance that will provide the corresponding legal support). This questionnaire (available in the annex of the full report, only in Portuguese [here](#)) is composed of six topics:

- Topic 1 – Identification of the CPCJ (with information on characterization and facilities);
- Topic 2 – Composition and operating mode;
- Topics 3 and 4 – Monitoring the CPCJ (with information on the articulation with the Public Prosecutor's Office and with the CNPDPCJ);
- Topic 5 – Civil sponsorship; and
- Topic 6 – Processes on Arts and Entertainment.

The qualitative information was subjected to content analysis and the quantitative data were subjected to a descriptive statistic analysis with MS Excel (Microsoft 365).

Organization

This report is structured in five chapters:


1. "The preventive intervention and the promotion of rights in 2023", focused on the discussion of the activities carried out by the CPCJ aimed at preventing, promoting and publicizing children's rights;
2. "The protective intervention of the CPCJ in 2023", in which the procedural activity of the restricted format of the CPCJ is discussed;
3. "Other attributions of the CPCJ in 2023", in which other activities carried out during the year, namely of cultural, artistic or of advertising nature, are analyzed;
4. "Composition and operating mode of the CPCJ in 2023", in which the composition, competences, organization and operating mode of the CPCJ are discussed; and
5. "Support and monitoring of the CPCJ in 2023", in which the support provided to the CPCJ during the year under review is approached.

A final conclusion is drawn and recommendations are issued in the end, based on the systematized data, with a view to improving the reported activities in particular, and the system in general.

4.

COMPOSITION AND OPERATING MODE OF THE CPCJ IN 2023





"It is very useful to the child, to the family and to the community that the concept of the CPCJ is understood and supported; and it is of the most elementary justice that the whole country recognizes, respects and considers the committed and quality work of the CPCJ, often carried out in difficult conditions, without prejudice to the constant effort to improve."

(Leandro, 2017, p. 7)

4.1. BRIEF OVERVIEW

Pursuant to Article 12 of the Law on the Protection of Children and Young People in Danger LPCJP, the CPCJ are official entities of non-judicial nature with functional autonomy that aim to promote the rights of the child and of the young person and to prevent or put an end to situations that may affect their safety, health, training, education or integral development. The CPCJ carry out their responsibilities in compliance with the law and deliberate with impartiality and independency.

Regarding the territorial competence of the CPCJ, Article 15 of the LPCJP establish that a CPCJ intervenes: in the area of the municipality in which their facilities are headquartered; or in the parishes of their area of competence, should the municipality have two CPCJ or more, as provided for in Article 15(2)(a).

As of the material competence of the CPCJ, Article 8 sets out that the CPCJ intervene when the action of the front-line entities with competence in childhood and youth is no longer adequate and sufficient enough to remove the danger in which children and young people find themselves, namely the situations foreseen in Article 3, regarding the legitimacy of intervention.

In Portugal, there are four municipalities with more than one CPCJ, each of which is endowed with specific territorial competences, namely:

- a) Lisboa (Central, Northern, Western, Eastern);
- b) Porto (Central, Western, Eastern);
- c) Sintra (Western, Eastern); and
- d) Vila Nova de Gaia (Northern, Southern).

Currently, there are no intermunicipal CPCJ set up in Portugal despite such establishment exists as a possibility, as foreseen in article 15(b) of the LPCJP.

In 2023, through [Ordinance no. 77/2024/1, of 4 March](#), a new CPCJ was set up in the municipality of Penedono, in the district of Viseu, whose monitoring is carried out by the Regional Technical Team for Central Portugal.

Thus, in 2023, there were 312 CPCJ set up across Portugal, specifically:

- 282 CPCJ in mainland Portugal;
- 19 CPCJ in the Autonomous Region of the Azores; and
- 11 CPCJ in the Autonomous Region of Madeira.

This information can be found on the website of the CNPDPCJ at <https://www.cnpdpcj.gov.pt/onde-estao>, alongside with the contact details and address of each CPCJ, among other elements.

The CPCJ are a mirror of the community in which they operate, reflecting its concerns and responsibilities regarding children and young people. The CPCJ are the network that involves children and families on a daily basis, and the political and legal embodiment of the community to legitimately protect and promote the rights of their children (Guerra, 2016).

The CPCJ comprise interinstitutional and multidisciplinary representation, shared by public and private organizations. At the same time, they are deeply democratic, as its members are representatives of those multiple entities whose mandates are time-limited. This concept also guarantees a vehicle for the concerns of the community to be taken onboard by the CPCJ, and in-depth knowledge to be exported by the latter into the community, fuelled by children's rights.

The CPCJ operate in an extended and in a restricted format. Pursuant to Article 17 of the LPCJP, the extended format of the CPCJ is composed by representatives of the following entities or citizens:

Table 18 | Composition of the extended format of the CPCJ

-
- a) A representative of the Municipality, to be appointed by the City Council, or of the Municipalities, to be appointed by the City Councils in the situations foreseen in Article 15(2)(b), or a representative of the Parishes, to be appointed by the latter in the situations foreseen in Article 15(2)(a), who shall be selected from among people with a special interest or aptitude in the area of children and young people in danger;

 - b) A representative of the Social Security, preferably appointed from among technicians with a background in social work, psychology or law;

 - c) A representative of the services of the Ministry of Education, preferably a teacher with special interest and knowledge in the area of children and young people in danger;

 - d) A representative of the Ministry of Health, preferably a doctor or nurse, who is also, whenever possible, a member of the Support Centre for Children and Young People at Risk;

 - e) A representative of the private institutions of social solidarity or other non-governmental organizations that provide children, young people and families social responses of non-residential nature in the region that lies under the competence of the local Commission;

 - f) A representative of the public body responsible for matters related to employment and vocational training;

 - g) A representative of the private institutions of social solidarity or other non-governmental organizations that provide children and young people social responses of residential nature in the region that lies under the competence of the local Commission;

 - h) A representative of existing parents' associations in the region that lies under the competence of the local Commission;

 - i) A representative of associations or other private organizations that carry out sports, cultural or recreational activities for children and young people in the region that is under the competence of the local Commission;

 - j) A representative of existing youth associations operating in the region that lies under the competence of the local Commission, or a representative of the youth services;

 - k) A representative of each security force that, under the tutelage of the Ministry of Internal Affairs, operates in the region that lies under the competence of the local Commission;

 - l) Four elected citizens, preferably with special knowledge or skills to intervene in the area of children and young people in danger, appointed by the municipal assembly, or by the municipal assemblies or parish assembly, in the situations foreseen in Articles 15(2)(b) and 15(2)(a), respectively;

 - m) Technicians who may be co-opted by the local Commission, with a background in social work, psychology, health or law, or citizens with a special interest in problems related to childhood and youth.

Pursuant to Article 20 of the LPCJP, the restricted format of the CPCJ is always composed by an odd number of members - five as the bare minimum, all of whom shall integrate the extended format of the local Commission.

As such, the restricted format of the CPCJ is composed by its president and representatives of the Municipality, Social Security, services of the Ministry of Education and of Health Services, should none be chairing the Commission.

The extended format of the CPCJ may also appoint other members to integrate its restricted format, while also observing the criteria of interinstitutional and multidisciplinary representativeness (namely concerning the areas of social work, psychology, law, education and health), in which case one of whom must be a representative of the private institutions of social solidarity or of non-governmental organizations.

The competences of CPCJ, in its extended and restricted formats, are listed on Table 29 (*cf* Articles 18 and 21 of the LPCJP).

Table 29 | Competences of the CPCJ

Extended format	Restricted format
<ol style="list-style-type: none"> 1. The extended format of the CPCJ is competent for developing actions to promote children's rights and for preventing situations that endanger the child and young person. 2. The competences of the extended format of the CPCJ include: <ol style="list-style-type: none"> a) Informing the community about the rights of children and young people and raise its awareness as to support them whenever they experience special difficulties; b) Promoting actions and cooperating with the competent entities, in order to detect facts and situations within its territorial jurisdiction, which may affect the rights and interests of the child and of the young person, jeopardize their safety, health, training or education or that show to be detrimental to their development and social integration; c) Informing and cooperating with the competent authorities in determining the needs, and in identifying and mobilizing the resources to promote the rights, the well-being and the integral development of the child and young person; d) Cooperating with the relevant entities in studying and in elaborating innovative projects within the scope of the primary prevention of risk factors and in the support provided to children and young people in danger; e) Collaborating with the relevant organizations in the establishment, operation and formulation of social development projects and initiatives at the local level in the area of childhood and youth; f) Promoting and giving advice on programmes aimed at children and young people in danger; g) Analyzing half-yearly information provided by the restricted format of the Commission regarding the promotion and protection processes that were initiated and the progress of ongoing ones, without prejudice of the provisions of Article 88 of the LPCJP; h) Providing the support and cooperation requested by the restricted format of the Commission, namely concerning the availability of resources needed by the latter to fulfill its functions; i) Elaborating and approving the annual plan of activities; j) Approving the annual activity and evaluation report and send it to the National Commission for the Promotion of the Rights and the Protection of Children and Young People, to the municipal assembly, and to the Public Prosecutor's Office; k) Collaborating with the Social Network in the elaboration of the local social development plan in what regards the area of childhood and youth. 	<ol style="list-style-type: none"> 1. The restricted format of the Commission is competent for intervening in situations in which a child or young person is in danger. 2. The competences of the restricted format of the Commission include: <ol style="list-style-type: none"> a) Assisting and informing the people who seek the Commission; b) Deciding on the opening and initiation of a promotion and protection process; c) Assessing, on a preliminary basis, the situations reported to the Commission, and deciding whether or not to close them immediately whenever there is an overt lack of need to intervene; d) Carry out the initiation of the processes; e) Requesting the participation of the members of the extended format of the Commission in the processes mentioned in d), whenever necessary; f) Requesting the opinion of and cooperating with technical experts, or other people and public or private organizations; g) Deciding on the implementation, monitoring and review of promotion and protection measures, except for the measure of trust to a person selected for adoption, foster family or institution with a view to adoption; h) Carrying out the acts of initiation and monitoring of the promotion and protection measures that might be requested within the scope of the collaboration with other CPCJ; i) Informing the extended format of the Commission, every six months, on the opened promotion and protection processes and on the progress of ongoing ones, without identifying the subjects involved.

When the service of the commissioners on a full-time basis does not guarantee compliance with the benchmarks set out by the CNPDPCJ, technical support is provided under the terms of Article 20(6) by the entities mentioned in Article 17(1) (a), (b), (c) and (k), namely: Municipality/Parishes; Social Security; Services of the Ministry of Education; and Ministry of Internal Affairs.

Exceptionally, due to a clear lack of human resources and depending on the qualification of the protective response, the CNPDPCJ may also sign a protocol with the entities represented in the extended format of a local Commission aimed at allocating technicians to support the activities of the restricted format of that Commission, under the terms of Article 20-A of the LPCJP.

Regarding the organization and operating mode, and as previously referred, the CPCJ work in two formats, whose competences and composition were already presented.

It is also noteworthy to mention that the extended format meets in plenary sessions or in working groups to debate and analyze specific issues.

Under the terms of the LPCJP, the periodic meetings of the extended format of the CPCJ take place as often as necessary for it to fulfill its duties (at least once a month), and it presupposes that its members are required to work effectively for a minimum of eight hours a month, which shall count as regular working time by the institution they represent.

In turn, the restricted format of the CPCJ operates on a permanent basis.

Its members or technical support elements work full-time (35 hours per week) or part-time (variable time allocation), in accordance with the reference criteria established by the CNPDPCJ.

The plenary sessions are convened by the president (at least fortnightly) to distribute, among its members, all types of due diligence to be made, including those regarding promotion and protection processes that are ongoing in the CPCJ at stake.

Pursuant to LPCJP, the CPCJ is chaired by one of its members, elected by the plenary of the extended format.

The president is responsible for representing the CPCJ, chairing the meetings of both the extended and the restricted format of the local Commission, and for coordinating its work. The president is also competent for: promoting the implementation of the deliberations; coordinating the work of the CPCJ with a view to elaborating the annual activity plan and the annual report; submitting the annual activity plan and the annual report to the extended format of the CPCJ for approval; authorizing the consultation of the proceedings; and for making the communications foreseen in the LPCJP.

When carrying out these duties, the president appoints a member of the CPCJ as secretary of the local Commission, who replaces the president in case of absence or impediment.

The operating mode of the CPCJ is supported by the Municipality, under the terms of Article 14 of the LPCJP. For this purpose, cooperation protocols may be signed with the State entities and services that are represented in the National Council of the CNPDPCJ. Under the terms of Article 14(5), Municipalities can sign protocols with other services represented in the CPCJ.

This support encompasses logistical, financial and administrative dimensions.

Logistical support comprises the necessary means, equipment and resources to ensure the good functioning of the CPCJ, namely, facilities, IT, communication and transportation.

Financial support includes the operating fund aimed at covering occasional and small expenses resulting from the work of the CPCJ with children and young people, with their families or with the adults who legally responsi-

ble for the children. It also includes funds for buying insurance to cover the risks that may occur to the members of the CPCJ while carrying out their duties, as provided for in Article 17(1)(h), (i), (j), (l) and (m).

Administrative support consists of the loan of an administrative official, in accordance with the terms of reference to be defined by the National Commission.

The criteria underlying the allocation of support to the operation of the CPCJ should be set by considering the resident population aged below 18, the procedural volume of the CPCJ, and the adequate stability of the protective intervention, under the terms to be defined by the National Commission.

4.2. DATA CONCERNING 2023

4.2.1. COMPOSITION AND COMPETENCES OF THE CPCJ

The information below refers to the data registered in the “System for the IT management of the Promotion and Protection Process and for the management of the CPCJ”, complemented with the information provided by the CPCJ in the replies to the annual Questionnaire sent out by the National Commission on the composition, operating mode and activity of the CPCJ regarding 2023. This fact justifies the identification of residual discrepancies in some data.

In 2023, there were, in total, 4.393 members of CPCJ, of which 1.815 integrated the restricted format. This figure represents almost half of the members of the extended format (41,41%), and are tasked with responsibilities of a specially protective nature within the CPCJ.

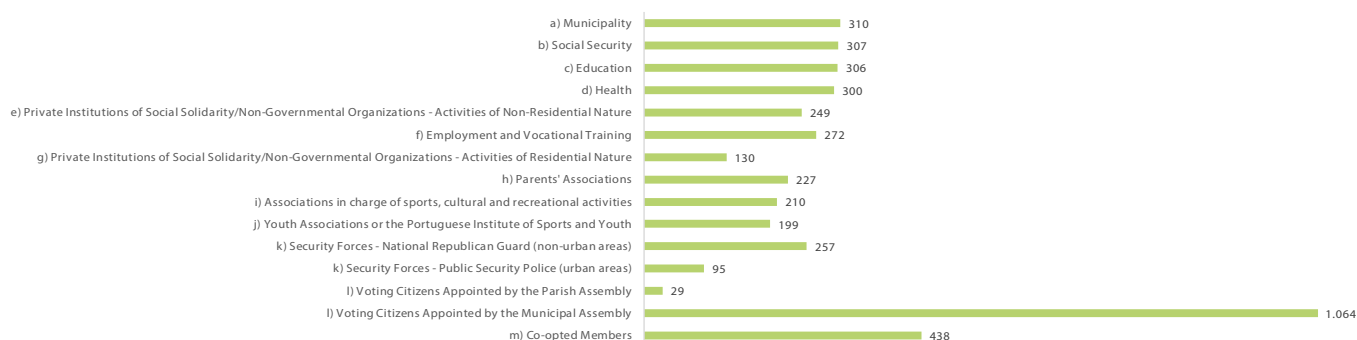
Of the total number of members, 438 are co-opted members (9,97%), *i.e.* professionals chosen in an individual basis with training in social service, psychology, health, or law, or citizens with a special interest in children and youth problems.

Finally, it should also be noted that 134 CPCJ (43,09 %) reported having Technical Support under the terms of Article 20(6) of the LPCJP. The entities that provide this kind of support the most are (in decreasing order of technical support provided): municipalities; Ministry of Education; private institutions of social solidarity/non-governmental organizations - activities of non-residential nature; Social Security; and the Security Forces - National Republican Guard, to name the most represented ones. In terms of technical expertise, the professionals that provide this support the most come mainly from the areas of education, social service and psychology.

Extended format

Chart 37 provides information on the distribution of members of the extended format of the CPCJ according to the operation areas of the entities which they represent, as well as the figures regarding designated citizens and co-opted members.

Chart 37 | Total number of members of the CPCJ according to the areas or types of entities represented, designated citizens and co-opted members (extended format)

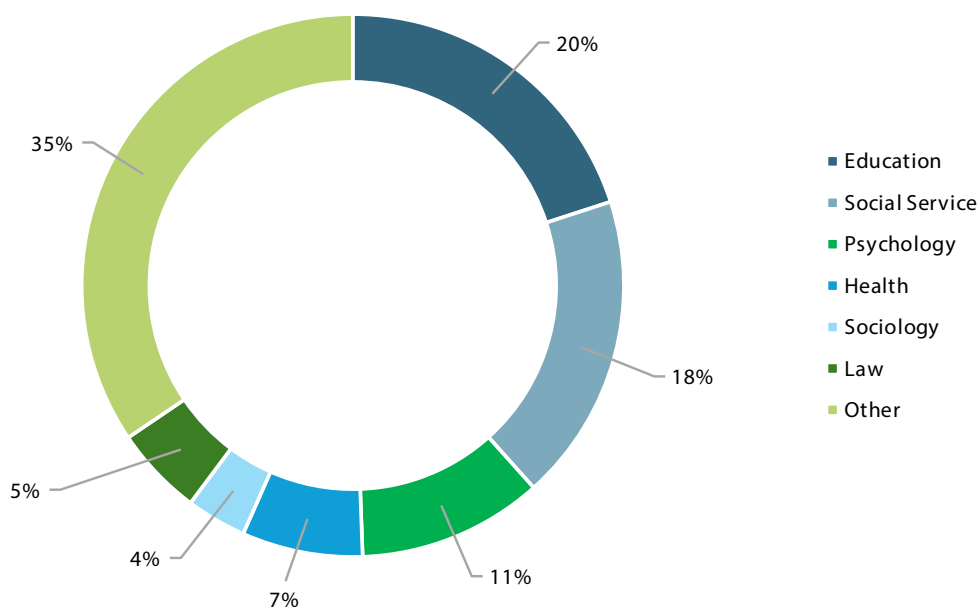


Source: System for the IT management of the Promotion and Protection Process and for the management of the CPCJ.

In terms of allocation, on average, the members of the extended format (exclusively) are assigned to the CPCJ 7,99 hours per month, which is close to the legal requirements.

Regarding the technical characterization, 20% of the members have a degree in Education or Pedagogy, followed by members trained in Social Service, Psychology, Health, Sociology and Law (the least prevalent). However, the majority of the members (35%) is trained in areas other than those predefined, as shown in Chart 38.

Chart 38 | Distribution of members by area of technical training (extended format)

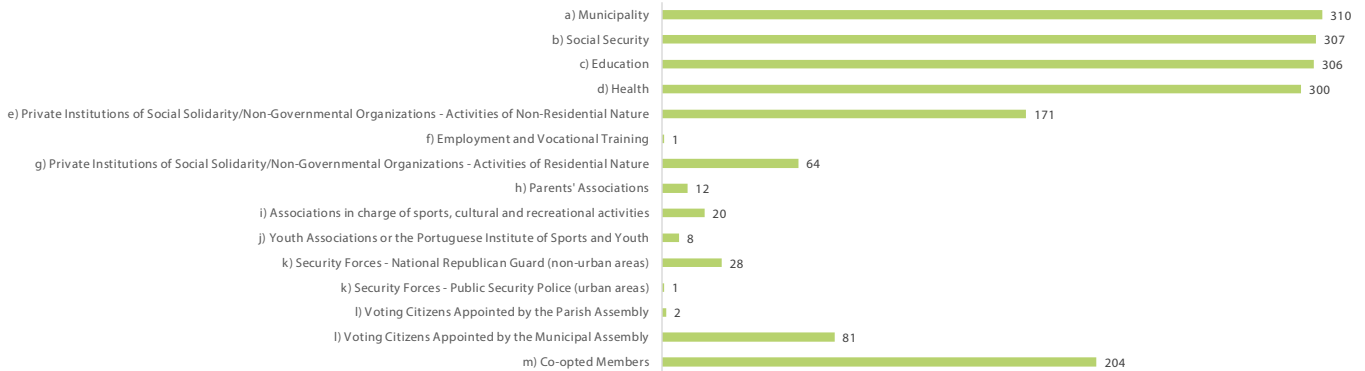


Source: System for the IT management of the Promotion and Protection Process and for the management of the CPCJ.

Restricted format

Chart 39 shows the distribution of the members of the restricted format of the CPCJ by represented entities, appointed voting citizens and co-opted members.

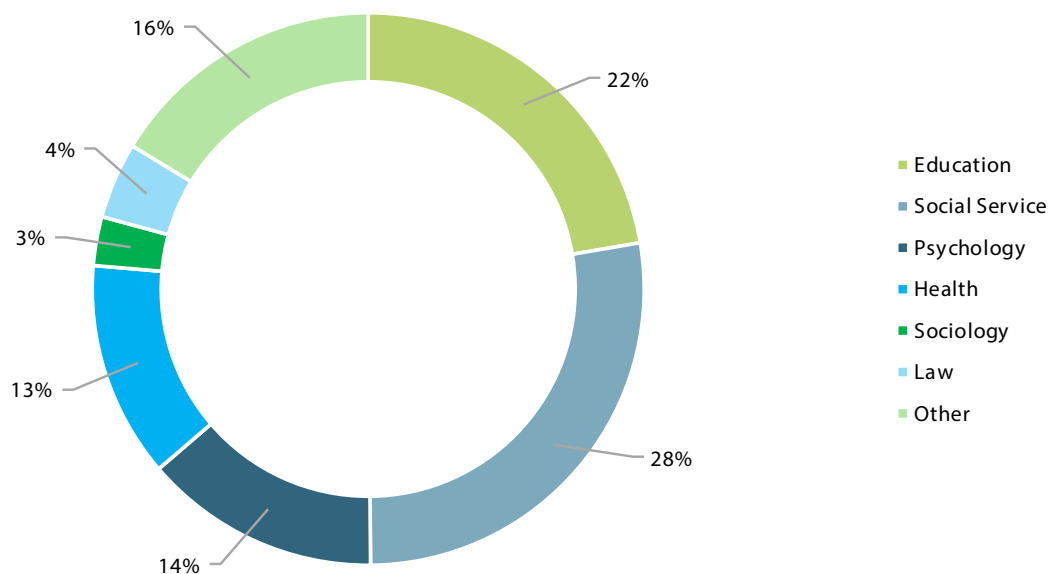
Chart 39 | Total number of members of the CPCJ according to the entities represented therein, elected citizens and co-opted members



Source: System for the IT management of the Promotion and Protection Process and for the management of the CPCJ.

In terms of allocation, on average, the members of the restricted format are assigned to the CPCJ 15,08 hours a week.

Regarding the technical characterization, almost 30% of the members have a background in Social Service, followed by Education and Psychology. Similarly to the extended format, there is a large number of members with training other than the typified, as shown in Chart 40.

Chart 40 | Distribution of members by area of technical training (restricted format)

Source: System for the IT management of the Promotion and Protection Process and for the management of the CPCJ.

Multiple representations

The analysis of the available data shows the existence of people who are members of more than one CPCJ, which may be an added value, a way of making the most of their knowledge at the technical and territorial levels, and of mobilizing intermunicipal synergies. However, in some instances, it can be an additional challenge, especially when the member at stake is simultaneously president or secretary of the CPCJ, thus, taking on (exclusive) competences laid down by the law that are left unfulfilled as a result of the situation itself.

Table 30 summarizes the total number of institutional representatives, and of the voting citizens and co-opted individuals who were appointed members to more than one CPCJ.

Table 30 | Total number of institutional representatives, and of the voting citizens and co-opted individuals who were appointed members to more than one CPCJ

	Operational area of institutional representatives, and of the voting citizens and co-opted individuals who were appointed members	Number of CPCJ with members who accumulate functions as president or secretary
Members of two CPCJ Total = 100 members	b) Social Security c) Education d) Health e) Private Institutions of Social Solidarity/Non-Governmental Organizations - Activities of Non-Residential Nature f) Employment and Vocational Training j) Youth Associations or the Portuguese Institute of Sports and Youth k) Security Forces l) Voting Citizens Appointed by the Municipal Assembly m) Co-opted Members	Presidents Total = 12 CPCJ Secretaries Total = 14 CPCJ
Members of three CPCJ Total = 27 members	b) Social Security d) Health f) Employment and Vocational Training j) Youth Associations or the Portuguese Institute of Sports and Youth k) Security Forces	Presidents Total = 4 CPCJ
Members of four CPCJ Total = 11 members	b) Social Security f) Employment and Vocational Training j) Youth Associations or the Portuguese Institute of Sports and Youth	Secretaries Total = 1 CPCJ
Members of five CPCJ Total = 2 members	j) Youth Associations or the Portuguese Institute of Sports and Youth	-----

Source: System for the IT management of the Promotion and Protection Process and for the management of the CPCJ.

The analysis of the table above, allows one to conclude that 200 of the 311 responding CPCJ have one member in common (64,31%). In 94 CPCJ, some members integrate the extended format only, with shorter allocation times, while in 104 CPCJ there are members who integrate both the restricted and extended formats. There is also one person who is a member of the extended modality of one CPCJ and a member of both formats of another CPCJ.

Of the members who integrate two CPCJ, one member is president of two different CPCJ. There are also four members who act as president in one CPCJ and as secretary in the other. Finally, there is one person who takes on the role of secretary in both CPCJ upon having been appointed as a member in representation of an institution in the first place.

The analysis of the table also leads to the conclusion that 27 members are institutional representatives in three different CPCJ. In other words, 81 CPCJ share the same member - the representative of the Social Security, in particular -, in a tripartite approach: in 69 CPCJ, as part of the extended modality; in 12 CPCJ, both in the extended

and restricted formats.

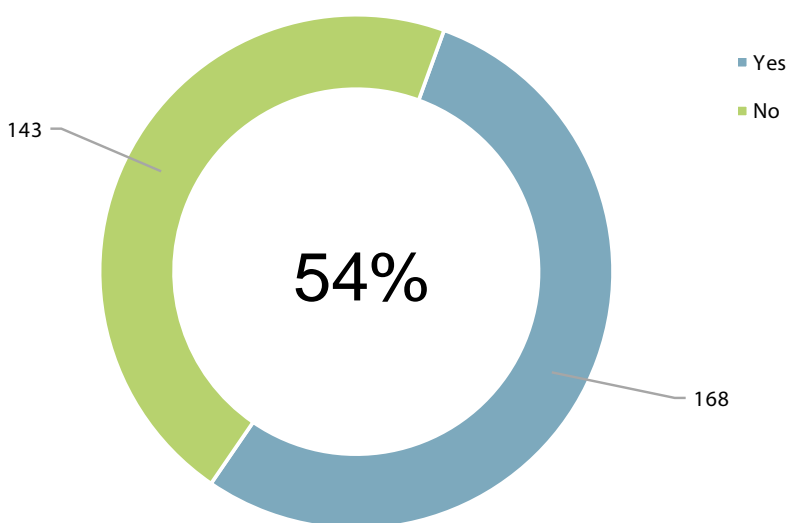
The analysis also shows that 44 CPCJ have the same professional in common, in a quadripartite approach: in 35 CPCJ as part of the extended format; in 9 CPCJ in both the extended and restricted formats.

Finally, two members represent Youth Associations or the Portuguese Institute of Sports and Youth in the extended format of 10 CPCJ (each member acting as an institutional representative in five CPCJ).

Lack of representation

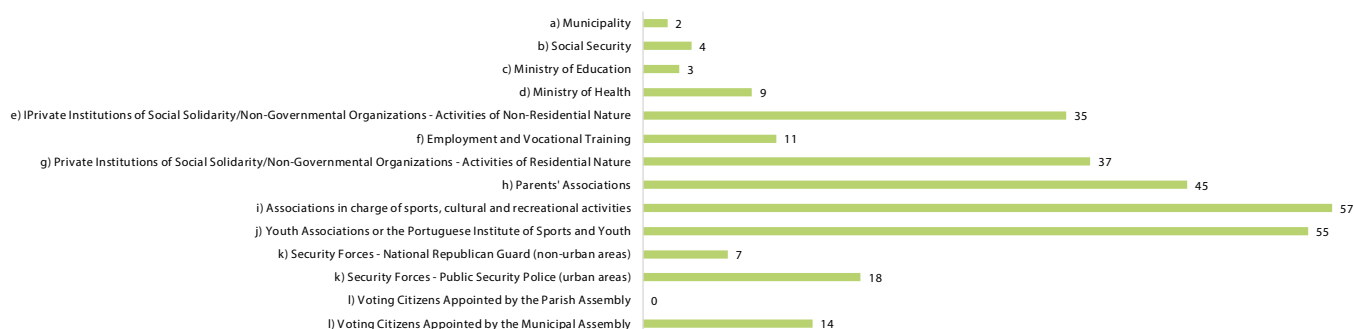
The analysis of the replies to the annual questionnaire sent by the CNPDPCJ to the CPCJ leads to the conclusion that 168 of the 311 responding CPCJ (over 50%) under evaluation reported lacking a member in the representation of the entities foreseen in Article 17 of the LPCJP, as of the chart below. This figure surpasses by 16 CPCJ the figure ascertained in 2022.

Chart 41 | Total number of CPCJ lacking representation of the entities foreseen in Article 17 of the LPCJP



Source: Replies to the annual questionnaire on the composition, functioning and activity of the CPCJ in 2023.

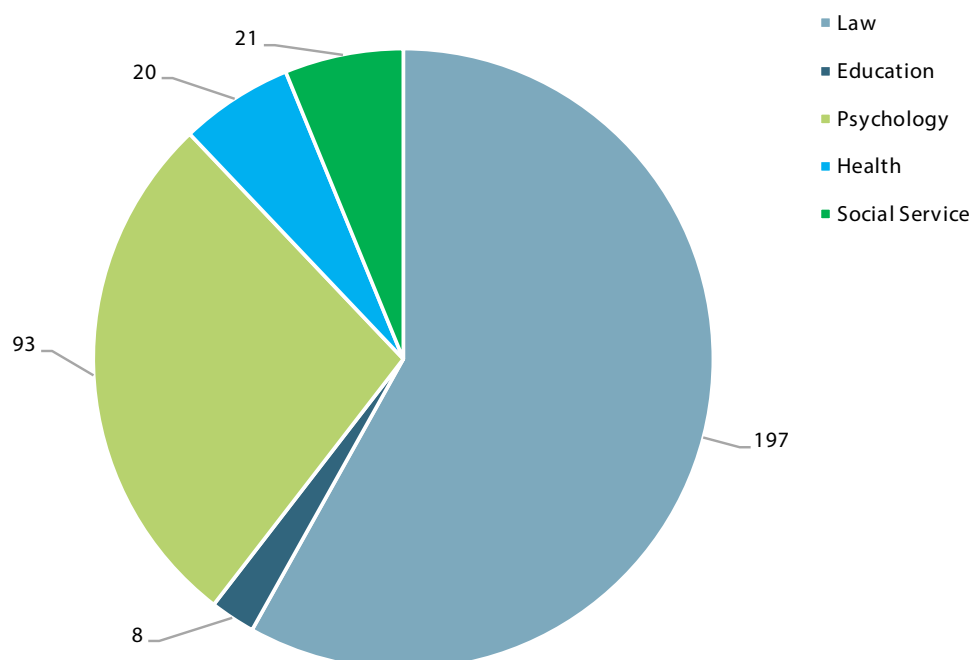
The three entities or types of entities whose lack of representation in the CPCJ was identified the most are the following, in decreasing order: Youth Associations or the Portuguese Institute of Sports and Youth (lacking representation in 64 CPCJ); Associations in charge of sports, cultural and recreational activities (lacking representation in 59 CPCJ); and Parents' Associations (lacking representation in 45 CPCJ). On the other hand, the entities that have been referred the least regarding this issue are: Municipalities; the Ministry of Education and the Social Security. These figures are very close to those ascertained in 2022 and are systematized in chart 42.

Chart 42 | Entities that lacked to ensure representation in the CPCJ in 2023

Source: Replies to the annual questionnaire on the composition, functioning and activity of the CPCJ in 2023.

Furthermore, the LPCJP establishes the multidisciplinary nature of the composition of the CPCJ, i.e., in addition to the compulsory members, the CPCJ must include professionals with training in social service, psychology, health, law or citizens with a special interest (and - could also be said - with competence and/or experience) in childhood and youth matters [Article 17(1)(m) of the LPCJP].

However, it is not always possible to observe such multidisciplinary and interdisciplinary dimensions or ensure that the needs of each CPCJ are met. In other words, this need may not be guaranteed in absolute terms.

Chart 43 | Technical areas needed

Source: Replies to the annual questionnaire on the composition, functioning and activity of the CPCJ in 2023.

It should be emphasized that the total number of CPCJ shown in the chart above surpasses 311, since each CPCJ could indicate one or more areas in need of being strengthened. As of the chart at stake, Law was the technical area that was lacking or being needed the most, followed by Psychology. In 2022, Law had also been the technical area that was mentioned the most as being in lack or in need by 189 CPCJ, followed by Psychology, mentioned by 80 CPCJ. It should also be noted that, in 2023, there were 339 technical areas accounted as being in lack, which suggests a slight worsening comparatively with 2022, which registered a total of 306.

SUMMARY OF CHAPTER 4


Generally speaking, the following shall be highlighted:

- In 2023, there were 4.393 members, of which 1.815 (*i.e.*, 41,41%) integrated the restricted format of the CPCJ;
- Of the 4.393 members, 9,97% are co-opted members. Altogether, the co-opted members and the voting citizens appointed to the CPCJ by the Parish and Municipal Assemblies constitute the largest number of members in a CPCJ (34,85%);
- 134 CPCJ (*i.e.*, 43,09%) reported to benefit from the Technical Support provided within the scope of Article 20(6) of the LPCJP, particularly of that provided by the: Municipalities; Ministry of Education; and by private institutions of social solidarity and non-governmental organizations that carry out activities of non-residential nature;
- In terms of allocation, on average, the members that integrate exclusively the extended format are allocated 7,99 hours a month to the CPCJ, which is close to what is stipulated by law; the members that integrate exclusively the restricted format are assigned 15,08 hours a week to the CPCJ.
- Regarding the technical characterization of the members of the restricted format, almost 30% have a degree in Social Service, followed by members with a degree in Education and Psychology;
- There are members who integrate more than one CPCJ (as it is the case in 64,31% of the CPCJ), sometimes accumulating the roles of president or secretary;
- There are 168 CPCJ (*i.e.*, 54,02%) that reported lacking some members, namely representatives of associations in charge of sports, cultural and recreational activities, youth associations or the Portuguese Institute of Sports and Youth, as well as of parents' associations;
- Law was the technical area indicated by the CPCJ as being lacking or being needed the most, followed by Psychology;
- 66 CPCJ (*i.e.*, 21,22%) reported that the meetings of the extended format take place less frequently than stipulated by the LPCJP, which represents a worse situation compared with 2022;
- 306 CPCJ (*i.e.*, 98,39%) reported to have Internal Regulations approved in plenary by the extended format, 297 CPCJ (*i.e.*, 95,49%) reported to have drawn up an Annual Activity Plan and 141 CPCJ (*i.e.*, 45,34%) reported to have drawn up or to be currently drawing up a Local Plan for the Promotion and Protection of the Rights of Children and Young People;
- Regarding the restricted format, the majority of the CPCJ meet fortnightly (*i.e.*, 63%);
- Only 223 CPCJ (*i.e.*, 71,7%) replied that all members and technical support professionals are managers of promotion and protection processes;
- Upon the combination of all data, in 2023, there would be 523 professionals managing promotion and protection processes in the CPCJ (429 members and 94 technical support professionals);
- The large majority of CPCJ (*i.e.*, 93,89%) resources to criteria for distributing processes among the professionals; the type of situation of danger and situational awareness or previous intervention/interventions are the two criteria that were indicated most frequently.

- In 2023, 270 CPCJ carried out acts of collaboration;
- In 2023, the CPCJ referred that resourcing to a telephone line was the main strategy used to ensure permanent operation; only one CPCJ referred that there was no strategy in place for that aim;
- The majority of presidents of CPCJ come from entities such as municipalities (44,05%), the Ministry of Education (21,22%), and the Social Security (13,83%);
- The majority has training in Pedagogy (32,48%), Social Service (21,22%) or Psychology (17,04%) and work full-time at the CPCJ (39,87%);
- The majority of secretaries are members appointed by the Ministry of Education (34,52%) or the Municipalities (23,23%);
- In terms of technical expertise, the majority of the secretaries has training in Pedagogy (37,94%), Social Service (21,54%) or Psychology (13,50%) and work full-time at the CPCJ (28,39%);
- Regarding CPCJ logistical, financial and administrative support, the replies to the questionnaire show that 118 CPCJ do not have facilities with due access by people with reduced mobility;
- Only 71% of the CPCJ mentioned that it is possible to access the premises out of working hours;
- The majority of CPCJ referred that their facilities are shared by its members and 19% reported having facilities and work areas shared with other services;
- Independent waiting rooms adapted for children and young people, as well as hearing rooms, continue to be a matter for investment;
- The majority of CPCJ consider that their office furniture, rooms and reception areas are adequate, as well as the stationary, office supplies, consumable items, maintenance and cleaning; three CPCJ referred that the municipality does not provide them cleaning services;
- 42 CPCJ reported neither having a reserved and secure archive with restricted access, nor exclusive toilets for their members and technical support professionals;
- 46 CPCJ reported not having a paper shredder available;
- 33 CPCJ reported that the number of computers is insufficient for the number of members and technical support professionals and/or in view of the procedural volume; one CPCJ referred that its software is incompatible with the system, and 11 CPCJ refer that the bandwidth of the Internet is not enough;
- Most CPCJ reported having a direct phone number and/or the possibility of forwarding calls;
- A third part of the total number of CPCJ reported not having a printer and photocopier or a multifunction printer for exclusive use;
- In the large majority of situations, the car to be used by the CPCJ tends to be available and de-characterized, although there are 13 CPCJ that report otherwise;
- There are also 76 CPCJ that reported that the operating capital is not directly handled by them; and
- There are also 11 CPCJ that referred not having a complaints book.

RECOMMENDATIONS



A person with red hair, wearing a white patterned sweater and dark pants, is running through a field of tall, golden-brown grass. The person is on the left side of the frame, moving towards the right. The background is a vast, open field with a hazy horizon under a bright sky.

"We need this vision, to understand that, within ourselves, pulses the ability to make the world a better place for ourselves and for our children. We need to believe that it is worth thinking big... dreaming. To dream, as someone dreamed, that one day we could reach the Moon, not because it was economically profitable, but because it was there and, certainly, the view would be fabulous. It's the right to dream.

The essence of this right is, similarly to others, a power/duty.

We have been granted this right, but we have a responsibility to exercise it for ourselves and for others. And I think I am not exaggerating when I say that all rights stem from this right to dream. We protect life, physical integrity, freedom, identity and heritage, the State, only and just only because without that we cannot dream, and betting on dreaming is never a hyperbole."

(Carvalho, 2010, p. 213)

This report comes to an end with the right to dream, to daydream...

... Wakefully awake ...because we need to be vigilant and attentive to each one of us and to the system as a whole. This alertness is embodied in this kind of work, in which we are willing to know and to reflect upon the data in order to set objectives, whose achievement also implies an active, continuous and humble stance before an always unfinished task.

... And agreed upon, negotiated... because this action is, in fact, concerted.

In the functioning of the system, there is a mechanism that must complement another, which may be more fragile or whose action is insufficient. Everyone is essential and everyone is invited to participate actively.

Therefore, assuming the usual structure of the pyramid of subsidiarity, the CNPDPCJ understands that,

At the level of the community in general:

- The information and awareness-raising actions on children's rights and against violence in general are to be maintained and possibly increased. This action could be more and more continuous over time, multi-method and across different territories, in order to create a more unison message. A community (including children and young people) that is informed is a community that is more awake, more agile and more adamant while defending its children. It is urgent to insist on a culture of positive parenting in which resorting to violence is unacceptable; and
- National and local resources are to be disseminated to support childhood, families and children and young people in danger. Once again, the access to information empowers, brings closer and reduces the risk and the impact of possible harm.

At the level of the Entities with Competence in Childhood and Youth:

- The culture of children's rights is to be strengthened by investing, in an increasingly intentional way, in the rights that are less well enjoyed, of which the right of children to participate is highlighted. This culture implies respect for children as full subjects of rights and their active involvement in the definition, implementation and evaluation of the responses of the entities towards them;
- The CNPDPCJ and the CPCJ are to have more information and coordination resources, for the sake of a network that is close to the family and the child in the intervention within the scope of risk and danger; and
- The Local Plans for the Promotion and Protection of the Rights of Children and Young People are to be accounted in all territories, based on specific and participatory local diagnoses, while also supporting national and international strategic guidelines.

At the level of the CPCJ:

- Internally, the CPCJ are to continue to invest in their vitality.

This implies each member to be aware of the importance of their role, which has neither physical nor temporal boundaries. Being a member or professional of a CPCJ is something that does encompass a transformational character, which produces impact and that that citizen carries on to other contexts.

Investing in the vitality of the CPCJ also means complying with the legal terms regarding the frequency of the meetings and the fulfilment of the responsibilities of the CPCJ in its two formats.

Investing in this area also means weaving internal collaborative networks that are attentive to one another's work and to each member or professional, a role that must be especially modelled by the colleague who plays the role of president.

It is also about cyclically mapping out needs and resources for increasingly capable teams. In particular, emphasis

is placed on the importance of training, to which all members and professionals are entitled, as well as on the importance of the existence of resourceful, well-equipped CPCJ that are provided with the essential conditions to carry out their work.

These resources – also and foremost human resources –, have the right (just like the children they work with) to fulfill their working time assigned to the CPCJ, an aspect that can be difficult to achieve when their duties are split between several areas or CPCJ.

- Externally, the CPCJ are to continue to invest in providing a service that is: swift regarding the diagnosis of situations of danger; discreet; effective; and collaborative with other entities.

This implies collaborative work with entities, families, and especially with children and young people, respectful of their rights, particularly of their right to participate.

It also implies the continuous and necessary work of global investment in the Measure of Family Fostering, especially with the youngest children, in order to comply with the law and meet those children's needs best.

It implies, as well, the fulfilment of the principles already listed in the 2022 report, namely:

- a) Respect for the dignity and for the rights of all people;
- b) Constant professional, technical and scientific updating for greater competence;
- c) Responsibility and awareness of the consequences their work may produce on children, young people, families and on the society at large; and
- d) Integrity, preventing and avoiding any conflicts of interest that may arise while performing their duties.

At the level of the CNPDPCJ:

In respect for its mission to contribute to the planning of State intervention and to the coordination, monitoring and evaluation of the actions of public entities and the community in the promotion of the rights and the protection of children and young, it is essential that the CNPDPCJ:

- Continues to disseminate the National and European Strategies for the Rights of the Child to the CPCJ and the community, as well as information and campaigns on the rights of the child;
- Continues to invest in the articulation between the several entities (through the Regional Technical Teams) to ensure compliance with the law and with the recommendations issued for the adequate performance of duties by the CPCJ;
- Continues to promote the right of the CPCJ to participate in the evaluation and in the improvement of the operation of the system, namely through regional and district meetings and through their participation in this report, for instance;
- Improves and universalizes the training system offered to the CPCJ, possibly by thematic areas, in order to ensure that all members have at least basic training in the first year of their mandate;
- Ensures uniform procedures and tools, as well as technical recommendations and guidelines, especially in new situations of danger;
- Continues to invest in assessing and intervening in the psychosocial risks of professionals that are part of the restricted format of the CPCJ; and
- Develops a model for evaluating the quality of the CPCJ with the support of a broad technical-scientific consortium built for this purpose.

... because, as of the enlightened words of Paulo Freire, "To hope is not giving up... it is to join others to do things in another way!" ...

... and because, in the meantime, we have firmly developed the hopeful awareness that "after all, the village is us!" (Lúcio, 2010, p. 197).

#PROTEGER CRIANÇAS COMPETE A TOD@S



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