

CHILD ABUSE AND NEGLECT – PREVENTION AND CRIMINAL LAW RESPONSE

ABSTRACT: Child abuse and neglect are phenomena that have been at the center of public and professional debates on the protection of children's rights over the past several decades. The introductory part of the paper provides a conceptual definition of abuse and neglect, addresses the determination of age limits in relation to children, and examines the effects that abuse and neglect have on children. The second part discusses various approaches to identifying the modalities of child abuse and neglect, including the standard of gross neglect. The third part focuses on preventive activities and provides an analysis of the advantages and disadvantages of home monitoring of a child's family from (pre-)birth. The criminal law response to child abuse and neglect is accompanied by a research component in which the author analyzes available official statistical data and draws conclusions regarding the overall number of criminal offences involving child abuse and neglect. The paper also offers suggestions for possible improvements in the field of prevention and reviews collected judgments, as well as the difficulties associated with assessing insufficiently valid data for drawing more general conclusions. The concluding discussion presents proposals for improving the current state of child protection from violence, particularly through preventive measures, trained professionals, and the establishment of a comprehensive system for protecting children from victimization.

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Keywords: *child abuse and neglect, preventive measures, protection system.*

1. Introduction

Since the beginning of the 21st century, we have witnessed the existence of numerous studies related to child abuse and neglect. Regardless of the published results of these studies, newly accumulated knowledge in this area, and adopted international standards in domestic legislation and practice, we are still without a generally accepted definition and a conceptual definition of this phenomenon (Pavlović, 2013). If we add to previous, the ever more current discussion about the concept of a child, and the responsibility of children in criminal law, but also the concept of a victim in domestic legislation and practice (Kolarić, 2026), new and more new questions arise, while there are still no answers. Often irreconcilable views are whether the age limit of criminal responsibility of children should be raised or lowered above or below 14 years of age, how to distinguish between a child and a minor perpetrator of a criminal offense, or a child and an adult perpetrator of a criminal offense. None of these dilemmas diminishes the positive obligation of the state to participate in the protection of children's rights. The beginning of resolving these previously given issues would be trust in the system institutions, inter-institutional cooperation and, in parallel, the reform of certain legal solutions (Pavlović, 2026).

Only by posing the problem of child abuse and neglect and defining the terms we do arrive at what is the basic idea of this paper, which is prevention and criminal law reaction. A child can often find himself/herself in the role of both a victim of neglect and abuse, and at the same time a perpetrator of a serious criminal offense. The indisputable criminological connection between a child and the community from which he/she comes (biological family, guardianship, foster family) and delinquent behaviour does not mean that there is no civil and criminal liability of parents. Only by working on each specific case, it is possible to determine where bad parenting ends, and the criminal liability of parents for the child's illegal actions is determined.

In the Republic of Serbia, there are good results in the field of tertiary prevention and the state's response/reaction after the child abuse and neglect occurs, through the work of safe houses, emergency care shelters for child victims, daycare centres for children and children's shelters, or through the work and activities of school teams in preventing adolescent (peer) violence in schools. All of the mentioned are to be commended. Likewise, through

the work of the non-governmental sector, accredited and implemented programmes for the protection of children from violence are present and in practice. However, the problem is that the non-governmental sector is not spread evenly throughout the entire territory of the Republic of Serbia with its activities, and it still carries out its activities mainly according to the project financing model. On the other hand, a well-networked system of social protection services does not provide a sufficiently efficient and sufficient range of services. Systemic and organized prevention in identifying families at risk and working with these families is what should be the priority and further developed. Without timely detection of a neglected and abused child, all criminal legal responses/reaction will be in vain, we are obliged due to the events from the recent past and multiple murders (Pavlović, 2024) committed by children (persons under 14 years of age) or young adults, to work both preventively and to have a ready institutional response within the protection system that we strive for. It means that the effectiveness of protection does not depend primarily on criminal legal protection (and threatened punishment) which is *the ultima ratio* social reaction when the consequences have already occurred, but rather prevention and protection must be based on the created conditions for the realization of social obligations in order to protect the rights of the child, and therefore in the context of protection from abuse and neglect.

2. Defining child neglect and abuse

Defining neglect and abuse is not simple due to the diverse modalities of violence against children, as well as the fact that the behaviours covered by this framework are determined by biological, social and (criminal) legal aspects (Pavlović, 2013). According to Stojaković and Mandić (1984), child abuse can be viewed from three similar perspectives: 1. medical, which includes physical and mental trauma that violence leaves as a consequence, 2. criminal legal perspective through legal incrimination under Article 193 of the Criminal Code (2005) “Neglect and abuse of a minor” and other related criminal offenses, and 3. social protection perspective, appreciating the measures taken by society for the benefit of the victim.

In relation to the concept of a child, we could say that it is a person under the age of 18, and this is fully in line with the standards of convention solutions and the Criminal Code (Stojanović, 2019). However, the relativization of this concept is visible in some other regulations, such as those in the field of family law, labour law, or human rights.

Thus, Article 23 of the Family Law (2005) allows a minor over the age of 16 to marry, based on a court's permission and a statement of physical and mental maturity. The Labour Law (2005) requires that a person entering into an employment contract must be at least 15 years of age, while according to health care regulations, a child can be examined without the knowledge of the parents after the age of 15 (although the parents still have the obligation to take care of the child and his or her health).

This relativisation leads to the need to re-examine crimes against sexual freedom in the context of its established limits. The issue is further complicated by comparative solutions and situations imposed by life. Thus, in Spain, sexual intercourse with a child who has reached the age of 13 is permitted, while in Finland or Russia this age limit is 16 years, and in Turkey it is even 18 years of age (Pavlović, 2013).

But in practice, the word abuse creates even more dilemmas, regarding its phenomenology, namely physical, sexual and psychological violence. Abuse (i.e. violence against children) does not only involve contact behaviours, in order to be considered a criminal offense. Most authors agree that non-contact behaviours can also be incriminated as acts of abuse. For example, parents walking around naked in front of their children or lascivious sexualised speech can be acts of abuse (Pavlović, 2013). If we add to this the vocabulary that professionals (i.e. lawyers who practice criminal law) use in public discourse, the problem of defining abuse gains even more weight. In the context we are discussing, the following terms are also used: gross neglect, neglect of parental rights and duties, abuse, aggressive behaviour towards a child, child exploitation, beaten up child syndrome, child victims of human trafficking, child abandonment, and others. Determining whether any of these or similar behaviours is abuse or not, according to Stringer (2012), depends on whether the action itself or the consequences that may occur subsequently are considered. This author emphasizes that it depends on the level of repetition and severity of the abuse, as well as the age of the child.

Such considerations necessarily belong to more criminological, victimological or psychological solutions, but the criminal law concept of child neglect and abuse is also derived from them. In positive national criminal legislation, Article 193 of the Criminal Code (2005) emphasizes the act of gross neglect, the status of parents, guardians and those who have a duty to care for the child, as well as those who force the child to work for profit (Pavlović, 2026).

Despite mentioned, this article does not define what abuse is, but rather emphasizes gross neglect and spoiling of a child. What is clear, is that this

criminal act is viewed/considered as a criminal act against the family. In Article 134 of the Criminal Code (2005), the legislator partially defines the concept of abuse and torture, through the framework of violation of human dignity and discrimination. However, even with the above-mentioned acts of commission in connection with abuse and torture, we do not get a complete definition, but its parts are found in the criminal acts of aggravated murder, murder of a child during childbirth, serious and minor bodily injuries, the criminal act of rape, sexual intercourse with a child, inducing a minor to participate in sexual acts, and others, as well as the criminal acts of domestic violence and human trafficking.

Additional clarification on the issue of determining child neglect and abuse is provided by the World Health Organization's definition. According to the WHO, abuse includes all forms of physical and/or emotional abuse, sexual abuse, neglect or negligent treatment, as well as commercial or other exploitation, which result in actual or potential harm to the child's health, survival, development or dignity, in the context of relationships of responsibility, trust or power (World Health Organization¹).

With the explanation from *the General Protocol for the Protection of Children from Abuse and Neglect*, we also come to the integration of the concepts of emotional abuse and neglect. This is emotional abuse, which according to Išpanović-Radojković and Ignjatović (2011) represents "repeated behaviours of parents or guardians, whether in the form of actions or inactions, that cause or reinforce feelings of worthlessness, rejection or inadequacy in the child, cause the child psychological suffering and can cause serious and lasting impairment of the child's emotional, cognitive or social development" (p. 42). According to these authors, emotional abuse implies a behavioural pattern of an adult towards a child, which is constantly present or repeated, but in any case, it cannot be considered incidental.

At the end of this analysis, we should note that certain authors use neglect and negligence/carelessness as synonyms. Thus, Stringer (2012) states that neglect is a case when parents or guardians do not take sufficient care of the physical, psychological and emotional development of a child. However, the authors Išpanović-Radojković and Ignjatović (2011, p. 38), quite rightly, in addition to physical and emotional neglect and negligence/carelessness, they also add the often health negligence and educational neglect. According to media reports, dental care for a child has been neglected, and the experiences from the pandemic caused by the Covid-19 virus have only reopened problems and dilemmas regarding the immunization of children. The fact is that our criminal legislation does not pay enough attention to the development of

perinatal medicine and has not yet paid enough attention to protection from neglect and violence against the unborn child, whose legal subjectivity has already been recognized in comparative legislation (Pavlović, 2022).

Let us add educational neglect and abuse of children, which refers to supporting a child's curiosity, his/her educational needs and allowing a child to spend an unjustified amount of time online/networking. According to Pavlović, the victimisation to which children are exposed through hate speech on the Internet is precisely the result of neglecting the child (Pavlović, 2024a).

The imperative to understand the concept of child abuse and neglect is not merely theoretical in nature, but also has practical implications, because in the future, it is precisely through a defined framework that violence against children could be defined preventively and with the aim of preventing child victimisation. The standard of gross neglect, as stated in the Criminal Code, implies specific endangerment. Parents or guardians do not have to know what the criteria are that determine gross neglect, but rather, disregard for the best interests of the child is more than a sufficient element for the existence of gross neglect, and thus the child's neglect and abuse (Pavlović, 2026, p. 49).

3. Modalities for preventing child neglect and abuse

Almost daily changes in the social climate, frequent scientific (and media) reports on child victimisation and the commission of serious crimes against life and body have created the conditions for the creation and implementation of new models of violence prevention directed towards children. Other countries experiences show us that the creation of such programmes is necessary, but we should not forget the *sui generis specificities* that belong to each community, so direct implementation is not the best way, but only a good basis for work on detecting, preventing and deterring all forms of violence against children (Pavlović, 2013).

While dealing, for the most part, justifiably, with ways to prevent and sanction physical punishment of children, insufficient attention is often paid to other forms of victimisation. In countries such as the USA, preventive activities are therefore mandatory, introduced through appropriate legislation. Measures are established that are intended for the general public, but also for professionals who work with perpetrators of criminal acts and victims of violence (Pavlović, 2013). As with the definition of neglect and abuse, preventive measures are divided into different categories, which are grouped into primary, secondary and tertiary prevention, i.e. general prevention relating to families at risk and preventive measures that are taken after

victimisation (Petković & Pavlović, 2016). A very acceptable division is also made (MacLeod & Nelson, 2000), which implies proactive programmes for families in which violence has not been registered, or reactive programmes for children and families where victimisation has been recorded.

In this context, we distinguish between activities aimed at children, at non-violent parents, and preventive activities aimed at all abusers (Pavlović, 2013). The idea of social welfare services functioning at full capacity as institutions where programmes for new and young parents are developed, family centres are formed, and the like, deserves special attention and further work should be done on its development. The development of protection programmes that are accredited and implemented will be most useful if they can be implemented in every community and for all victims (and abusers), while their usefulness must be constantly monitored, so that the results can be also visible. In terms of prevention, we will devote our attention to one of the programmes for the prevention of physical neglect and abuse, or violence against children, bearing in mind the fact that a review of the case law of the Basic Courts in the Republic of Serbia has registered this as the most common form of (gross) neglect of children.

Home visiting programmes have existed in our country in their most basic form through teacher visits to the environment which the child comes from, up to the barriers to such activities that have been set up by invoking privacy and privacy protection. The consequences that we have repeatedly mentioned are a call for the resumption of such activities.

Home visits are preventive models introduced before World War II, in the 1930s in Denmark, with the aim of reducing the mortality rate among newborns (Giardino & Knipping, 2010). This form of home visits was introduced in the USA only in the 1960s (Kempe, Silverman, Steele, Droegemueller & Silver, 1962).

Professionals in the field of prevention and health care start home visiting during a woman's pregnancy and continue them after childbirth. This creates family mentors in the field of reproductive health, prenatal and postnatal difficulties. This is not just about health, psychological and social services, but also provides the family with basic knowledge about children's needs, potential, development dynamics and more. However, the fact is that home visiting programmes as a preventive tool do not produce spectacular results. Thus, according to a study cited by Petković and Pavlović (2016), it is emphasized that the decrease in victimisation in families that were included in the home visiting programme is not necessarily related to the visiting itself, because similar data are also found in groups of families that were not included

in this programme (Gessner, 2008). The key conclusion from the study by Duggan et al (2004) is that despite home visits, there was no reduction in risk factors. The fact that most abusers are unwilling to use social services is additionally depressing. Thus, the rate of revictimisation is at the same or similar level, regardless of the home visiting programme and activities related to the programme itself.

From the still unpublished results of the research realised in the period 2020-2025 and the final judgments regarding the criminal offense of Neglect and Abuse of a Minor under Article 193 of the Criminal Code (2005), and from the database of the Basic Courts in Subotica, Sremska Mitrovica, Zrenjanin, Novi Sad and Sombor (a sample of 129 judgments was reviewed), we note that 72% of the cases involved recidivism, and that these cases mostly involved children under the age of 7, but it was not possible to state from the sample itself whether any preventive programme was implemented or not for the perpetrators of the crimes. Given that these are mostly summary criminal proceedings where the reasonings of the court decision were omitted, most of the data was therefore not available to the researcher.

However, regardless of the questionable effectiveness of home visits, as well as the fact that unfortunately not all families are covered by this programme, the fact is that many families at risk can be identified through this type of work, if this was not already the case. The financial aspect that this preventive model implies should not deter us from its further implementation. This concept has an irrefutable assumption that early childhood is a risky period in which a child is easily victimized and which therefore requires special support for parents or guardians and supervision of their relationships with the child. The importance of monitoring is not in question, but rather it is a protective factor against early victimisation and abuse and neglect and taking appropriate measures if necessary. Prevention programmes, based on home visits or other forms of work with children and perpetrators, also differ in their duration, while the goal is always the same. Although the majority of cases remain undetected, this does not diminish the need to implement all available prevention models.

In relation to the continuation of family monitoring and other forms of work with perpetrators and victims, it is clear that, in addition to comparative experiences, reformed models of assessing the risk of neglect and abuse of children should be considered, bearing in mind the fact that until the forbidden consequence occurs, violence against children often remains “within four walls”, so this is a problem that requires special attention and resolution. The former model of monitoring the family which the child comes from should be

discussed in a modern form and the possibilities of its re-actualization should be considered, in order to maintain the prevention model in continuance.

4. Criminal response to child neglect and abuse

Data on child abuse and neglect were for a long time kept in the general report of the Supreme Public Prosecutor's Office (formerly the Republic Public Prosecutor's Office), and only since 2023 these data have been separated through the Periodic Report on the Public Prosecutor's Office's actions regarding criminal offenses under Article 184 Mediation in prostitution, Article 193 Neglect and abuse of a minor, and Article 388 Human trafficking committed to the detriment of minors of the Criminal Code. This Report was presented and is being prepared with the support of the OSCE Office in Belgrade. Although it concerns children and families, this special report does not provide data from Article 193, paragraph 1, Neglect and abuse of a minor, although gross neglect and neglect of a child by a responsible person who does not carry out their duties of caring for and raising a child is of exceptional importance for taking measures in order to prevent child victimisation.

According to Pavlović (Pavlović, 2026) and in accordance with the data publicly available on the VJT website, in the period from January 1st, 2023 to December 31st, 2023, and according to a special periodic report of the VJT, in relation to the criminal offense under Article 193, paragraph 2 of the Criminal Code (2005), a total of 53 persons were reported in the Republic of Serbia, with 62 minors as victims. In relation to this number of reported persons, 36 procedures were conducted in which evidentiary actions (and investigations) were carried out, after which 30 indictments were filed, and 15 convictions were issued. Two acquittals were issued. Two convicts were sentenced to 6 months in prison with a probationary period of 2 years, one person was sentenced to 10 months of house arrest and a ban on approaching and communicating with the injured party for 2 years, one person was sentenced to 3 months in prison with a probationary period of one year, and one person was sentenced to 4 months in prison with a probationary period of 2 years. During the same period, the court sentenced another 6 persons (in different proceedings) to prison sentences ranging from 4 months to 10 months with probationary periods of 1 year, then 1.5 years to two years. At the same time, one person was sentenced to 4 years in prison with a probationary period of 11 months and the security measure of expulsion of the foreigner from the country, while one person was sentenced to an unconditional prison sentence of 1 year and 6 months (Supreme Public Prosecutor's Office, 2023).

As stated in the Periodic Report for 2024 (Pavlović, 2026), in relation to the criminal offense under Article 193, paragraph 2 of the Criminal Code, a total of 35 persons were reported, with 47 minors as victims. There were also 42 procedures in which evidentiary actions (and investigations) were carried out, after which 15 indictments were filed, and 10 convictions were issued. There were no acquittals in 2024 either, while prison sentences ranging from 3 months to 8 months were imposed, with probation periods of one to two years, while one person was sentenced to a security measure of mandatory psychiatric treatment and custody in a health institution (Supreme Public Prosecutor's Office, 2024).

During 2025, according to the Special Report of the Criminal Procedure Code (Pavlović, 2026), and in relation to the criminal offense under Article 193, paragraph 2 of the Criminal Code, a total of 68 persons were reported, with 70 minors as victims. 64 procedures were also conducted in which evidentiary actions (and investigations) were carried out, after which 8 indictments were filed, and 4 convictions were issued. 4 suspended sentences were issued, two of 4 months in prison with a probationary period of 1 and 2 years, as well as two suspended sentences of 3 months in prison with a probationary period of 1 year. There were no acquittals (Supreme Public Prosecutor's Office, 2025).

At the time of writing this paper, we did not have access to, nor data were publicly published on the misdemeanour punishment of perpetrators of some of the acts of child neglect, such as the misdemeanour punishment of parents for not attending school, begging of children, etc., which could make this elaboration more complete. The entirety of the observation of the acts of commission in the case of child neglect allows us to see whether the protection of the best interests of the child is complementary, coordinated and proportionate, which is the only way to prevent their (further) victimisation.

The criminal legislation of the Republic of Serbia has mainly focused on the incrimination of the criminal offense of Neglect and Abuse of a Minor, with minor changes in the last few decades. The problem with this criminal offense is that it is included in the group of criminal offenses against marriage and family, which exist in different social circumstances, but also the family, whose role has changed significantly compared to the moment when the incrimination was committed (Pavlović, 2026). The consequences for children due to changes in the family and around the family (and not only these changes) are going to be increasingly visible. Family and social values are also changing due to the increasing influence of technological achievements in our lives, changes in standards and the achieved level of human rights, etc. Although the paper itself gives increased importance to the

criminological and victimological approach in dealing with the titled topic, this does not mean that we are currently advocating the thesis of forming a special group of criminal offenses against children. Adopting such a position would require numerous amendments to the Criminal Code, which is not realistic at this time. Until we enter into such a reform, we accept the existing system of the Criminal Code, which is based on the protection of certain legal assets, which in this specific case is the family, and not the personal status of the victim (child).

This criminal offense has unjustifiably been left out of the public's focus of interest. One of the reasons could be the introduction of the criminal offense of domestic violence, which partly includes the act of committing abuse and neglect (Jovanović, 2010), partly because of the standard that is not fully defined (gross neglect), and partly because a causal connection is required between neglect and a state of neglect, which is generally very difficult to prove. The criminal offense under Article 193 neglect and abuse of a minor has two paragraphs. The first refers to neglect, or gross neglect of a child (*delictum proprium*). The obligation of care and upbringing includes parents, guardians, adoptive parents and other persons who have this duty. The penalty is imprisonment for up to three years.

The second paragraph of Article 193 of the Criminal Code refers to the abuse of a minor by a parent, adoptive parent, guardian or other person who abuses or forces the minor to work excessively or to work not appropriately for the minor's age, or to beg, or who, out of selfishness, forces the child to perform other actions inappropriate for his or her age. The acts of commission referred to in this paragraph are punishable by imprisonment from three months to five years. After reviewing the relevant literature and a certain number of published studies, we did not see any mention in court practice of actions against a member of a foster family and of forcing children from foster families in rural households to work excessively, which is an issue that will require special criminological and victimological treatment in some of the research works (Pavlović, 2026).

In order to make it easier to identify and qualify this criminal act as the criminal act of neglect and abuse of a minor under Article 193 of the Criminal Code (2005), it is necessary to work further on the education of both the detection authorities, the prosecution authorities and the court in the coming period. The interpretation and methodology of the law, along with the direct application of the Convention on the Rights of the Child and the relevant protocols, mean that when analysing the factual situation, modern standards for the protection of the rights of the child must be taken into account, which

means ensuring the minimum conditions for physical, psychological and social-health development, because without their presence we are already talking about gross neglect of the child. As John Stuart Mill would say, according to *the harm principle*, a criminal legal reaction is always justified when there is a concrete or foreseeable harmful consequence for the child, even if such a consequence has not occurred.

5. Final considerations

Considering the number of 178 child victims of violence in the period from 2023 to 2025, for the criminal offense of neglect and abuse of a minor under Article 193, paragraph 2 in connection with paragraph 1 of the Criminal Code (data from the Criminal Investigation Department, Public Prosecutor's Office), we cannot derive any general data on the number of abused and neglected children in Serbia in the specified period. This number is not final, because the number of prosecuted perpetrators of this criminal offense for the basic form of gross neglect (violence) against children is not officially available. Even using a comparative method, it is not possible to obtain more approximate data because individual/particular social welfare institutions do not have accessible electronic databases on the basis of which all active cases in the specified period could be found. In this way, the number of cases of violence against children is dictated by some other data sources, which are not covered by scientific methods, but often depend on cooperation with employees of Social Work Centres or media reports.

The criteria for the perception of violence against children are not uniform, which is an additional problem. Numerous stereotypes and prejudices are present, which further complicates the finding of data, but also the reporting of these criminal acts. One of the stereotypes is that early (underage) marriages (Krstinić, Počuča & Šarkiće, 2024) among the Roma population are part of their culture and tradition, and not a distorted picture of reality and abuse (mainly) of girls by family members or other persons (Jovanović, 2022). The frequency of victimisation in neglect is not a verifiable category, because shelters often do not have complete data on the children who come to them. Regardless of the territory of the social welfare service, the dynamics and methods of work indicate that cases of child neglect are discovered only after receiving a report from close relatives or the school. It would not be correct to say that this practice is the result of employee disengagement, but rather that it often depends on the limited human resources employed in institutions.

In this way, we can say that the presented figures on the number of legally binding decisions are figures that are available, but not total figures. The general conclusion would not change with these numbers, but it would perhaps provide different data on how many children and of what age are at risk. The processed verdicts are the best indicator of the inability of researchers to present data on the vulnerability of children of certain ages due to the rules on anonymisation. Therefore, we cannot relate the age of the child in any way to the occurrence of physical, psychological abuse or neglect.

By reviewing the relevant literature and reviewed judgments, one gets the impression that the detection of violence against children *ex officio* is quite rare, without a complete strategy and established criteria. This applies not only to the police, but also to the Centres for Social Work and schools. However, the fact that the situation is not so bad in relation to child abuse and neglect in Serbia can be illustrated by the claim that measures of protection against domestic violence (Family Law (2005) and the Law on Misdemeanours, 2013) provide certain possibilities for effective protection. In order to determine the true state of affairs, it is necessary to analyse the current needs, possibilities of the proclaimed and realised level of protection of children as victims of violence – neglect and abuse.

In relation to the criminal legal reaction and the decisions made in the reviewed cases, as well as the statistics from the report of the Supreme Public Prosecutor's Office, we cannot take a more general position on what sanctions the courts imposed within the prescribed maximum and minimum. In fact, in the case of neglect and abuse of a minor under Article 193, paragraph 1 of the Criminal Code, we get the impression that the Public Prosecutor's Office is satisfied with the decisions made, because in most criminal cases it waived the right to appeal.

Based on the empirically unreliable research method in social welfare institutions (simple interview with employees), we can conclude that in practice, severe forms of child victimisation from abuse and neglect have not been registered. However, unregistered violence does not mean that it does not exist, but that there may not be a good enough mechanism for its detection. If we leave such an arbitrary conclusion aside in a scientific paper, its presentation is a warning that the problem of recording, recognition and processing has been mapped and needs to be solved. Issues of preventive efforts, failure to recognise violence or insufficiently harmonised legal regulations are some of the elements that remain as the author's realistic position. Only through long-term planning in the field of preventing child victimisation from abuse and neglect we will achieve a satisfactory goal, which is the protection of children

and the creation of a healthy society. This goal can be achieved not through individual activities of entities responsible for preventing child abuse and neglect, but exclusively through institutional responses and a uniform system of protection. In this protection from victimisation, more effective preventive work and ongoing education of professionals should contribute to reducing the number of neglected and abused children to a minimum.

Conflict of Interest

The author declares no conflict of interest.

Funding

This research received no external funding.

Data availability statement

The original contributions presented in the study are included in the article and/or supplementary material. Further inquiries may be directed to the corresponding author(s).

Informed Consent for Participation in the Study / Institutional Review Board Statement

Not applicable.

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ZLOSTAVLJANJE I ZANEMARIVANJE DECE – PREVENCIJA I KRIVIČNOPRAVNA REAKCIJA

APSTRAKT: Zlostavljanje i zanemarivanje dece predstavljaju pojavu koja je poslednjih nekoliko decenija u centru javnih i stručnih rasprava o zaštiti prava deteta. U uvodnom delu daje se pojmovno određenje zlostavljanja i zanemarivanja, ukazuje se na određivanje starosnih granica kod dece, kao i na efekte koje zlostavljanje i zanemarivanje imaju na decu. U drugom delu

rada ukazuje se na različite mogućnosti utvrđivanja modaliteta zlostavljanja i zanemarivanja dece, uz standard grubog zanemarivanja. Preventivne aktivnosti jesu treći deo rada, gde se daju analiza, prednosti i nedostaci kućnog praćenja porodice deteta od (pre) rođenja. Krivičnopravna reakcija na zlostavljanje i zanemarivanje dece praćena je i istraživačkim delom, gde autor, kroz dostupne zvanične statističke podatke, vrši njihovu analizu i daje zaključke u vezi sa ukupnim brojem krivičnih dela zlostavljanja i zanemarivanja dece, daje predloge mogućeg poboljšanja u oblasti prevencije i osvrt na prikupljene presude i poteškoće u oceni nedovoljno validnih podataka za opštije zaključke. U zaključnom razmatranju daju se predlozi za unapređenje postojećeg stanja u zaštiti deteta od nasilja, posebno preventivnim merama, edukovanim profesionalcima i stvaranjem sveobuhvatnog sistema zaštite dece od viktimizacije.

Ključne reči: zlostavljanje i zanemarivanje dece, preventivne mere, sistem zaštite.

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