

# Attention of the Civil Society to Victims of Crime Professional experiences

María del Rosario Torres Mata

María del Rosario Torres Mata is the founder and president of the Asociación de Fe y Esperanza para las Víctimas del Delito (Association of Faith and Hope for Victims of Crime). She has been the Commissioner of the Executive Commission for Attention to Victims, at the National level and in charge of the Area of Attention to Victims and First Contact, Concern for the creation of specific protocols for victims in keeping with international standards in the matter.

## Dialogue

**Interview to:** Sra. Rosario Torres Mata, fundadora de la Christian, Association of Faith and Hope for Victims of Crime, A.C.

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This Civil Association came into being in 2004 as the result of the murder of the founder's son. The offices of this institution are located on Paseo del Cid No. 312, Colonia Nuevo Paseo, San Luis Potosí, San Luis Potosí, Mexico.

**Dr. Aída Valero:** Good morning, Mrs. Rosario Torres. I thank you for giving us the opportunity to interview you and learn about your professional and personal experiences in attention to victims of crime. Can you tell us what the Association you founded and of which you are the president does? How are we with respect to attention to victims?

**Rosario Torres Mata:** Things don't move forward; we're stuck and I always point out that we have great responsibility

to the victims in sensitizing society. This is part of us, our matters, our disgraces and also institutions, because there's a lot to be done, but it's possible to do it all.

What motivated me was firstly the kidnapping and murder of my son in 2004. It was a terrible murder; well all murders are terrible, aren't they? But it was so savage with all aggravating instances: my son was "disappeared" for 14 days and murdered.

**Dr. Aída Valero:** How old was he?

**Rosario Torres Mata:** He was fifteen. We were a Mexican family. We worked so our children could have what we hadn't had, so they could study. My son was fifteen; he was the third child; they chose this child; they kidnapped him. He was "disappeared" for fourteen days [the Dr. comments "what anxiety"]. Two minors and two adults. There are people who do this for a living. These people sold drugs.

The parents sent the minors out to sell drugs. They live within this world.

**Dr. Aída Valero:** Were you able to identify the victimizers?

**Rosario Torres Mata:** Ah, yes [expression of pain]

**Dr. Aída Valero:** I know they were even sentenced

**Rosario Torres Mata:** Yes, the adults 66 years. The judge said 76 years and they sought protection (amparo) and the sentences were lowered to 66 years. I had to work harder on the case of the minor because that was the period when the Ley Federal del Menor (Federal Law for Minors) went into effect. The sentence he was given was six years, and the minimum age to be tried as an adult was 18 years. In San Luis Potosí those young people who were 16 were tried as adults. And so I run into the problem of this young person who masterminded the crime was sentenced to only six years. He had made a project; he planned it; they planned it. That is important because it can be seen how they had planned it a month earlier.

**Dr. Aída Valero:** You mean it was committed with all aggravating circumstances: premeditation, malice of forethought and advantage...

**Rosario Torres Mata:** Yes all. And then I find a serious legal problem. You know justice at that time... the victim did not have the right to intervene in the process. Everything was only the Public Prosecutor. So I run into this problem that he was only

going to get six years, that is if we even managed to get him sentenced, because there are lots of loopholes. Yes, so then I run into this and the first thing I say is, what's going to happen? Six years and if the Public Prosecutor enters into the suitability of the measure and he's out in three and for good behavior in one year (expression of impotence) at the most. Then, I say, this little guy on his psychological exam they gave him was very cunning. He's a kid that was brought up that way and who will continue to kill; he will continue doing harm to society. So then I run into this problem and the first thing I do is: right to the root: I go to the Human Rights Commission. In the Human Rights Commission at that time there was a person who denied the rights of the victim. On top of being forgotten as victims! Forgotten about completely in those times, in 2004, and he tells me, "Well here we only defend the accused." And I say to him, "But there is a program of pro-victims in Mexico." So he says, "well, go there." And me, me crying! Believe me the anguish and impotence of saying, "my son was killed with fourteen blows of a hammer." I mean, it was a terrible thing. My son didn't deserve that. He was fifteen, a child of his home, then, living this situation. I began to work with the Congress of San Luis Potosí and they tell me, "Nothing can be done. It's a federal law and we have to obey." I didn't know anything about laws.

**Dr. Aída Valero:** What did you have to do to learn?

**Rosario Torres Mata:** By trying and failing and the desire and challenge we have to achieve this justice so that society

itself sees that yes, there is justice and that it can be done! I have to set an example by legal means, that's all. That was what motivated me. I had a commitment to society and to victims also and to my son, because in the end, I wanted my son's death to be of use.

**Dr. Aída Valero:** So this dramatic event is what motivated you to form the association?

**Rosario Torres Mata:** Yes, I thought, 'I have to become involved as part of society so that things will change and so that victims find the justice we are searching for, justice.' I'm involved and they say to me, 'it can't be done, it can't be done.' They had meetings every day. We, the victims, are treated as delinquents. I think they think of us as delinquents. It was a big meeting room, I remember perfectly, with ten people working there, professors, deputies who were there in the Commission of Justice of Human Rights, working with the Law which was going to go into effect in San Luis and I stood there, but they didn't even let me in. I was very shy about these matters; I didn't go into places where they didn't let me. I was afraid to go into a court. I thought, 'no, here they're going to stop me. What will they do to me?' But when something like this happens, you lose all sense of shame, my suffering was worse than all of the shame in the world and I'm still like that. It's a matter which is difficult. It hurts me and the impotence of fearing that if I said anything, something might happen to me.

**Dr. Aída Valero:** So there was fear. The situation of all victims is fear.



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**Rosario Torres Mata:** Yes, and I had to rid myself of that fear. Fear was not going to stop me from achieving the justice I was searching for. And yes, I freed myself [you can hear a sigh]. So when I see... it is very hard to remember!...when I stop being so sensitive, I won't be any good at working with victims because we have to be sensitive in order to help the next person. Without sensitivity nothing can be done! Then I begin to hear, 'that's all,' 'well, it can't be done and it can't be done.' And that's the way it was day after day. They looked at me, you know, like I stank, thinking, 'what's she coming to watch over us for.'

**Dr. Aída Valero:** And even more so due to the matter of gender, right?

**Rosario Torres Mata:** Yes, because then this was very noticeable, "that woman,

what's she doing here." And then one day I met a professor who said to me, "I have studied all of the States and in all of them the sentence is six years. The only one that isn't is Tabasco, 15 years for victimizers." So, I brightened up and said to myself, "Fifteen years, thank you, deputies!" And I added, "Excuse me. In San Luis we can get more years for the people who killed my son!" And they just looked like this (surprised face) and from there I went by myself and cried and begged the Congress. "Please, do something for these children; organized crime is going to take them in!" And why? Because there are no penalties. Instead of studying a profession, they are going to become professional criminals, because they are offered money and told, "look, nothing will happen to you, and if it does, you get out quickly."

**Dr. Aída Valero:** Of course, they get out quickly

**Rosario Torres Mata:** Exactly, they tell them, "you'll get out quickly and you're going to get more money from the kidnapping. Let's do it!" And the kid, with many needs, not well oriented, goes along and says, "well, that's right! And if things go well, I'll have my money without having to study for so long, and when I finish studying, I can't even find a job."

**Dr. Aída Valero:** And that mentality is the most serious problem of young people and adolescents today.

**Rosario Torres Mata:** That is another subject, prevention. That is another matter. And so seeing this, I took that up and began. I began my own movement with my

family, with Christian's friends. He had a lot of friends, kids liked him a lot. The kids were 14, 15 years old and went into the street with me demanding justice.

**Dr. Aída Valero:** What sensitivity and their parents who let them!

**Rosario Torres Mata:** They went with me demanding justice for Christian, crying! And they went to public plazas collecting signatures so that the new Law of Minors would not take effect because a murderer-kidnapper was going to go free, with impunity for the death of their friend. This and much more. Well, there were various packages of petitions. On each page was a list of thirty signatures with the names and addresses of the people and I took this to the deputies. "This is what society wants. Society does not want him freed!" But it is a federal law. But it can be adjusted to the needs of each state. And here the state needs more actions against victimizers or longer sentences, whatever you want to call it, so that the kid is afraid of harming society. If not, they are awarding him with this. They didn't pay attention. When I was a teacher in a tele-secondary school (for 25 years) and a teacher turns into a leader in the community because people seek them out, saying, "Teacher, look, I'm in the hospital and they leave me money..." And I was going to get them out. So God let me carry out this great work.

**Dr. Aída Valero:** I think you have a little bit of a social worker in you...

**Rosario Torres Mata:** Right, yes, I think so because they would say to me, "Teacher, they're charging me this much for the

water" and there they came, "we don't have paved streets." And then more "teacher, the school needs a fence." And I helped them. Well, let's go. Everything solved. There were a lot of people who looked up to me and I had a great following. What I did were good things, so these same people helped me and when I needed their help they realized it and went with me and asked, "what do you need teacher?" And I told them, "I need to go with the deputies so they will listen to me." And they said, "come with us." And then I started going out, but I saw the need. I had good relations with institutions at that time because of this thing with my son, because they found him! And the director of the Investigating police, who was from Mexico, Victor Hugo Ramos, he's a good policeman and he said to me, "Teacher, I see you are very helpful. The only thing that is going to help you is for you to help other people. You enjoy it! Why don't you form an association? [Dr. Aída: so that's the origin. Because I doubt you are going to fight alone even though you had Christian's friends. But to form it, that is going to help you a lot to exteriorize what you have inside.] In fact he is a psychologist. He told me; "so now what do I do?" At first I couldn't even figure out how to start the association. I didn't know, but I started going out and the deputy told me, "so it's going to be twelve years, professor, of internment for the minor," because I was asking for twelve, at least. I went home in peace, but people watched television and the programs and they were calling me at 11 or 12 at night. "Teacher, turn on the television," because I was very happy because the law was going to be updated to twelve year, which is not a lot, but it's

something. Then they were calling me, "Teacher, turn on the television, there is Deputy Pedro Pablo." So I turned on the television and to my surprise I see that "tomorrow the new law takes effect and it will be six years. Still with lies, betraying me. What do you think about that?"

And at that moment [Dr. What a lack of ethics!] I suffered a lot. The truth is these setbacks and worse to come home, to your home, my home and my children, the father, my husband ask "how did it go, mama?" "Fine, my son, yes, everything is ok." Arrive like a clown putting on a smile, which is not how I felt. It was horrible. This makes a person stronger and so I asked myself, "What do I do now?" They tell me, "We'll go with you, teacher." I was on the phone to those I could call and I went to the Congress with about one hundred people who I got together in half an hour.

**Dr. Aída Valero:** How wonderful! What ability to convene!

**Rosario Torres Mata:** Yes that's very cool. God and my son..., and I said, "Son you left me here for some reason, tell God to let me..." I became very spiritual and now I say, "You're not with me, but I have you here (she points to her heart) and you are with me in spirit." I don't have your physical body to hold, but I feel you and you want me to continue with this. Look, you have guided me well and I tell him, "When you don't want me to continue, send me a signal." He hasn't sent any. What I do get are many victims. So, in spite of everything I became very harsh. I even have photos where I am confronting the congress and I did not let them pass the law: I did not let them! They postponed the

vote for a week which was a mistake because eight days later I took five hundred people, young people. [Dr. Aída, "that's good!"]. I remember they went by and said, "Look at those pretty girls," all of them were friends from school who said, "Don't let that law pass, don't let it pass!" To make a long story short, we went in at eight in the morning. I was prepared. I took sandwiches and soft drinks, lunch for the people who were thirsty and hungry or else they wouldn't go. That's the truth. I don't know how God helped me.

**Dr. Aída Valero:** That's why political parties sometimes do that to gather enough people together.

**Rosario Torres Mata:** Yes, but since God illuminated me to think of everything, I mean, I was totally blocked. I don't know. I've always said it's not me, it's the words of my son which he gives me and I just throw them out [she point so her mouth]. ... A week later, there it was. They were going to pass the law because the son of a wealthy family had killed a girl. I took up her case later. He was economically and politically very well positioned [Dr. Aída: that counts a lot]. They came and arranged things in the Congress so that their son would enter and leave automatically since he had been in interment for six years. So he said, "Leave it at six and my son gets out." Just look at how all society is affected for saving one delinquent! And they did pay attention to me. At that moment I did not desist. We were there from eight in the morning until eight at night and there was nothing else we could do. Twelve years. But my sacrifice was not a victory because later Human Rights lodged a complaint:

unconstitutional because a minor could not be kept interred for twelve years. But my son could die due to this person's actions; my family was destroyed; friends stopped studying; they couldn't keep on studying until the next year; I had to be in therapy. Everything that contributed was not just mama, papa, brothers; it was close relative, friends and society itself.

**Dr. Aída Valero:** That's what I call secondary victims. They live the effects of the victimization of the person who is no longer here. And all that is left for relatives as a consequence!

**Rosario Torres Mata:** Besides a commitment to remove fear from society because they are very much afraid and I say to them, 'you don't need to be afraid. It's difficult and a great responsibility for me, but look, thank God I managed!' But then my cross to bear with Human Rights which ruled the action unconstitutional. So I had to come here to the Supreme Court: I came to tell Olga Cordero (she was the one I saw), the minister sent me to see Minister Cossío and I told him, "Look, here are the statistics of what happened in San Luis" and I told him about it and he was very interested... The case was analyzed and it took three months and they approved what I had proposed: twelve years. Everyone says to me, "You're not going to beat Human Rights. Why are you going to Mexico City?" I hadn't been before. Look, I arrived like the "India María". I tell them and they laugh a lot because I arrived to the Zocalo and found a room in the first hotel I saw. It's money they made me spend. I had to sell some land in order to continue. Well I brought fifteen people

from the Association with me and I paid their expenses, but we did get results. Twelve years it is!

Now they are 18. But what I couldn't do was classify crimes because it's not the same to steal because a person is hungry as to kill. So I don't agree that they keep a boy who stole some candy or bread locked up, right? That child deserves all the opportunities. That is how the Association was born. Later on families who were torn apart by crime, like mine, sought us out. Up to now I have been able to help a lot of people. Now we take on cases of kidnapping and murder.

**Dr. Aída Valero:** In fact, my next question is what other types of crime does the association deal with?

**Rosario Torres Mata:** All kinds. I deal with any person who comes to me and says that he/she is a victim. First, I have to believe them and second, I have someone check the file. I used to do this myself, thank God now a lawyer does it. He checks the file and I ask him whether the person is really a victim, because they cannot expect backing from my Association if they are not victims. I forgot to tell you. I do not defend accused parties, only victims, victims whose Human Rights have been violated. That's what I defend. Now I have chosen the people. I do not advertise.

**Dr. Aída Valero:** Yes. Your association is very discreet.

**Rosario Torres Mata:** I change places constantly because criminals don't like what I do. I move for security because I have received threats before. Now there

are a little fewer. The delinquents who killed my son because they seek legal protection (amparo) and I answer. Any legal document I answer and answer because it's not just a more or less important whim, it's not because I'm stubborn. I am a precedent. Yes me, Association, founder...there is not more or less justice. In fact, the judge said, "these twelve years are enough." So they are not helping the criminal who leaves prison without justice being handed down. Nor are they helping another person who is alone, carrying out his trial. So there is more impunity!

So I have a commitment to these victims: to fight to the end so that the sentence they were given is completed! Besides this, the judge believes it was enough. I did not say that myself. A judge said that. So, if they remove the sentence of the judge or a minister, if they said, "the boys after twelve years are ready to be incorporated into society." But you are going to let them out sooner. So they are not complying with the order of the judge. I have to go that far.

**Dr. Aída Valero:** The other problem, Mrs. Torres, is institutions of re-education themselves. There are none. There is contamination of behavior in adolescents and adults which is impressive. What re-education? They are kept for 72 hours after they are picked up in the area of admission while their legal situation is determined. Then they go to the Center of Observation and Classification where they are supposed to be kept a maximum of three months, but in reality they are there for six, seven or more months. And they are not separated according to their criminal profile or danger, when they are being

accused of very different crimes, all criminals together.

**Rosario Torres Mata:** That's what I say. There is a minor, for example who had not been sentenced and who at 18 committed X crime but he was not picked up until he was 25 or 30. And he is with a minor who is 14 because the maximum age is 14, then 15, 16 and 17. Imagine the contamination!

**Dr. Aída Valero:** And there's another problem that I don't know whether you've seen, Mrs. Torres. It is the violence used by adolescents nowadays to commit crimes. The amount of cruelty is astonishing. There is a lot to be done studying family dynamics and other aspects.

**Rosario Torres Mata:** Of course. They are the ones who kill most cruelly. That is where prevention comes in. We have to become involved as parents, because they say it is school, but it is not school. This is seen at home. If a child has values taught to him at home, he is not going to go out and do harm. If we teach him he has to work at home, give him chores, the child is not going to go out and do harm. We parents are responsible for our children and I will go even further. The law should change and make parents responsible. When parents are made responsible, this situation will end because the parent will say, "no, I will take care of my child because if not, I will be punished." It is a duty. How can it be that parents are not punished? They send their children out to sell drugs. Punish them.

**Dr. Aída Valero:** Yes, there are cases of criminal families.

**Rosario Torres Mata:** Those parents should be punished! The child was taught to harm society and now I will harm you to punish you because of what you did to this child. Nothing happens! The laws are there! That's why the parents involve their children and continue involving them and nothing happens! And they say, "No, my child is going to be put away for two years, one year, or more. I will get you out in the end." [Dr. Aída: That's right. It's terrible! They get them out! How? Who knows how.

**Dr. Aída Valero:** Yes, there is a lot of corruption. Moving on to another matter. What is the make up of your association? What kind of professionals do you have working for you? What structure do you have? What are your objectives?

**Rosario Torres Mata:** Look. In the Civil Association I do not spend my time looking for funds. Either I spend my time taking care of victims or I'm at a computer looking for donors. My association is poor, very poor economically, but very rich in taking in victims. We barely have two lawyers. I do not have enough human resources because they are never going to come to this Association which is always nagging at institutions.

**Dr. Aída Valero:** What a contradiction because you are taking responsibility away from the State and institutions which should be taking care of victims.

**Rosario Torres Mata:** The State, in fact, I will go even farther. What I have seen at the Federal level is that here they have acknowledged the victim and I will



get to that. Now I am talking about the State and the beginning of the Association. Now we have two lawyers. Now, since I came to the Human Rights Commission, there is a person who is President of the Association whose term will be up. I am the founder and I am honorary president. I have a secretary and volunteers with various schedules. There are about ten volunteers because they have to work and go to different areas.

**Dr. Aída Valero:** That's what helps you give attention to victims.

**Rosario Torres Mata:** Yes, they help us with the work. But I do the accompanying, from the denouncing, investigation, in those times there was no denouncement if it was a weekend. "Well, come back on Monday," for a murder or rape. Hey! What happens to the person who is all covered with blood because he was assaulted? [Dr. Aída: Yes, it's a shame.]. So, logically people started seeking out the Association. I was very harsh then. I stood firm. At first it was me alone, then with others. The doors were opened because that is success: people working together. And we achieved, for example, investigations or processes which have been the most successful where I have worked from the beginning, the denouncement, to the investigation.

**Rosario Torres Mata:** You have to watch all these aspects. Any mistake may cost a lot, because the accused may be let go because of that precedent. Why do you think I don't want their precedent to be detained? If not, soon all of those accused by the founder and all the others will be free. So we have to be very careful with the

precedents. It is difficult, but not impossible. I never tire. I can spend the whole day standing and helping the victim and I don't get tired. If I'm not doing anything, I get tired. It motivates me a lot to help the victim because I see my reflection in a mirror of the pain which I felt and the impotence of those times when I was not listened to. After that, well I'm happy that there are more sensitive people within some institutions which dole out justice. Not everyone! But I have won over many people who are like the law says, "the law should be a balance; the accused here and the victim here," and we have two articles in Article 20 of the Constitution. We have very little. We do not have the right to intervene in the process, not yet. Now we can, without a Public Prosecutor, intervene.

**Dr. Aída Valero:** What important achievements!

**Rosario Torres Mata:** But that is at the Federal level, it has really been an achievement of the Minister of the Interior, Miguel Ángel Osorio Chong, by presidential mandate. We cannot say to the governing class, "you are responsible for providing me with security." But what are you, society, doing? You have to get involved. I'm always judging people saying, "He doesn't do anything." And, what are you doing, not with society but with your own family? What are you doing? We don't do it; we judge, but the truth is I'm really happy because now there is an Executive Commission. We have a house for victims. But who gave it to us? Credit to those who deserve it. So, in the same way we say bad things, we also have to say what's positive! I'm not a great fan, it's just that if there had not been any

intervention by the Minister of the Interior, because he's the one who formed the Executive Commission, he's the one in charge of security, we would not have a Commission at the Federal level, but of course, he didn't do it alone. It was a presidential mandate, by Enrique Peña Nieto. We also have to give him credit. We cannot be too drastic and say that because what's his name did it, but what did society do? How did we help? At home we must all help: the father, the mother and the children. We can't let the father do everything because he goes out to work, although nowadays it is both parents who go to work, but before the father went to work and you were in charge of most of the education of the children. Now we both go to work, but do we involve our children? Do we teach them to behave, to have values, to study or if that's not enough, to work in the afternoon and study in the morning? It means becoming involved in society, we cannot only become involved...First we have to analyze things. How much have we done to change this world? Have we given our grain of salt? Yes or no? Analyze yourself. Not all the governing class is evil, just as not all institutions are good. It is the people within them, but we have to sensitize these people and demand they do their job, that's all, and if we do not demand, they don't really work.

**Dr. Aída Valero:** In fact, one of my questions is, what do you think about the justice system in Mexico today?

**Rosario Torres Mata:** The justice system has a long way to go. We need to become involved as a society, because when

we become involved things will change and if we are not involved, if we don't want to, as we have said, they administer the country, but we also need to actively participate. And what is the good part? Criminals don't like me. Just ask them and they will say that I am the worst woman in the world! [Dr. Aída: How scary!] But let's see, a victim, talk to him... When you affect someone's interests and they speak ill of you, let's rummage around a person because they spoke ill, really, believe me, we need not make public policies so that the Executive Commissions come to the state level and the governing class should have budgets for these Commissions, because since there is no punishment, there is nothing. They don't do anything. In San Luis Potosí the Commission has just come into being but because the victims demanded it, we demanded of our governing class what we should have by law. They aren't giving us a present; the law says we should have an Executive Commission.

**Dr. Aída Valero:** It is now a legal figure which protects us.

**Rosario Torres Mata:** Because in the end the Association is going to do something that institutions should be doing. What do we have to do? Make the institutions which are supposed to be responsible for providing us security and justice, work. Because we're not going to do everything, but yes, get involved. How are we going to get them involved? Working, too.

**Dr. Aída Valero:** Victims who seek you out are not only victims of kidnapping. What crimes have been committed against people you attend to?

**Rosario Torres Mata:** Since the beginning I have even had cases of bullying. I had one case, which back then was not called bullying in Mexico, it was just harassment. Since it was the Law of the Strongest there was no punishment. All that they could get was reparation for damages, but since there was no one to pay, well no one paid! As simple as that! Now there is an Executive Commission that would have a say. So, I've had bullying, rape, violation of other party's rights, lot of these, kidnappings, murders, very ugly murders, the most serious crimes. Recently I have also had matters of gender equity. I have matters of women. I don't like to get involved with this because I see that there are many institutions and a lot of resources and they don't do their job. So, why should I do it? But I cannot close the door on a victim who needs help. They knock on the door and say to me, "help me." So I also have women who have suffered abuse.

**Rosario Torres Mata:** For me it is more important to accompany victims, when they make their statements, watch over the process and answer. Because Times are cruel and if not, time goes by and well, the truth is I can't. I don't have enough time.

**Dr. Aída Valero:** One question about how to make resources reach you for the hard work you have to do.

**Rosario Torres Mata:** Right now Manuel is helping me a lot. I didn't have Manuel before. He can help me with this because I can't, I just can't. I have to open doors for victims. I have not returned to the operative aspect that I was doing before.

**Manuel:** I think that what nourishes is the technical part, the life experience part which is very explicit and speaks for itself. And it is on a par with what the Teacher says. I think that what is worthwhile and what nourishes our work is the experience and there is a large dimension between the technical part of how you structure the part which the Teacher is talking about in order to have an impact on the structure of the institutions. Because there is really a lot out there, but you don't know about the programs, and if you don't know where money is spent...

**Rosario Torres Mata:** One becomes lost because the truth is and either I look for funds or I attend victims and there are even may civil association which do not do anything and which have resources and I wonder what they do. Because all they do is raise money and I don't. For me it is really very cruel to see the victims.

To conclude, Mrs. Rosario Torres Mata is thanked for the attention she has provided the National School of Social Work by telling us her experiences.