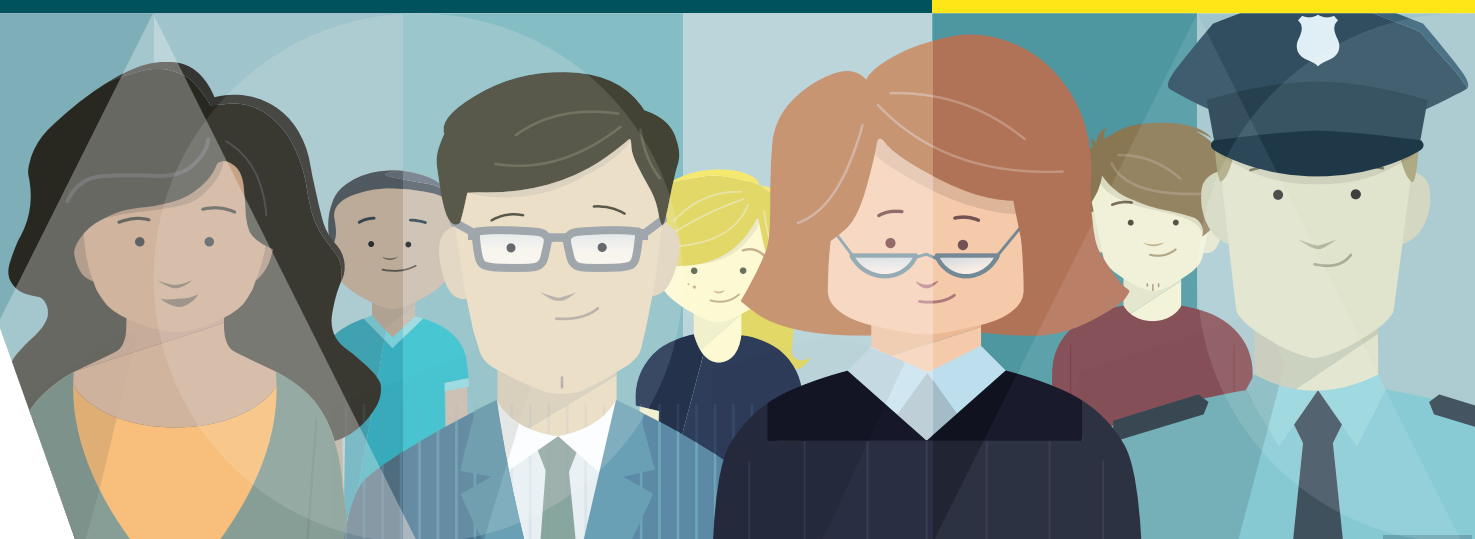


EQUALITY



# Child-friendly justice

Perspectives and experiences of professionals on children's participation in civil and criminal judicial proceedings in 10 EU Member States

Annex 2  
Indicator overview tables and national legislation and policies



This Annex complements the report *Child-friendly justice – Perspectives and experiences of professionals on children’s participation in civil and criminal judicial proceedings in 10 EU Member States*, published by FRA in 2015 (ISBN 978-92-9239-661-9).

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FRA – European Union Agency for Fundamental Rights  
Schwarzenbergplatz 11 – 1040 Vienna – Austria  
Tel. +43 158030-0 – Fax +43 158030-699  
Email: [info@fra.europa.eu](mailto:info@fra.europa.eu) – [fra.europa.eu](http://fra.europa.eu)  
[fra.europa.eu](http://fra.europa.eu) – [info@fra.europa.eu](mailto:info@fra.europa.eu)

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# Annex 2: Indicator overview tables and national legislation and policies

## Overview of structural and process indicators

To provide an overview of the findings by country, FRA created tables showing the structural and process indicators used in the analysis of the evidence collected through its research on child-friendly justice. The information contained in the overview tables relates to FRA's analysis of the outcome of the European Commission's study on national legislation for the structural indicators, and FRA's analysis of the professionals' interviews and focus group discussions for the process indicators.

Where indicators are populated using results from qualitative research they should be read as indicative of a situation. In this respect, the overview tables below identify as 'usually implemented' legal provisions (structural indicators) or practices (process indicators) for which most professionals interviewed indicated that they were implemented. When respondents considered that these were only partly implemented, for example only existing on a local or regional level, the table identifies them as 'partly implemented'. When respondents considered that provisions were only rarely or not at all implemented and no systematic practices could be identified, the table identifies them as 'not implemented'.<sup>1</sup>

The overview tables use the following symbols to indicate whether professionals considered legal provisions or practices as usually, partly, or not implemented, and to signal instances which cannot be ascertained due to insufficient data:

✓	provision usually implemented
○	provision partly implemented
×	provision not implemented
n/a	not available due to insufficient data

The following scales and colour codes are used for each chapter.

### Chapter 1: Right to be heard

Structural and process indicators assess the situation based on the evidence provided on a 0–6-point scale:

0–2: white

2.5–4: grey

4.5–6: dark grey

### Chapter 2: Right to information

Structural indicators assess the situation based on the evidence provided on a 0–2-point scale:

0–0.5: white

1: grey

1.5–2: dark grey

Process indicators assess the situation based on the evidence provided on a 0–5-point scale:

0–1.5: white

2–3.5: grey

4–5: dark grey

### Chapter 3: Right to protection and privacy

Structural indicators assess the situation based on the evidence provided on a 0–3-point scale:

0–1: white

1.5–2: grey

2.5–3: dark grey

Process indicators assess the situation based on the evidence provided on a 0–4-point (criminal law) and a 0–2-point (civil law) scale:

0–1: white

1.5–2.5: grey

3–4: dark grey

0–0.5: white

1: grey

1.5–2: dark grey

<sup>1</sup> For a detailed description of the data analysis and an explanation of how the overview tables showing the structural and process indicators and their population were compiled, please refer to the methodology section in Annex 1 in the main report.

## Chapter 1: Right to be heard

Table A2.1: Criminal law – populating structural indicators on the right to be heard

STRUCTURAL INDICATORS – CRIMINAL LAW	BG	DE	EE	ES	FI	FR	HR	PL	RO	UK (England and Wales)	UK (Scotland)
General statutory provisions to fulfil the right of the child to be heard	x	x	✓	✓	✓	✓	✓	o	✓	x	✓
Legal obligation to ensure children are heard in the most favourable settings and under the most suitable conditions having regard to their age, maturity and level of understanding and any communication difficulties they may have, including provisions for specialised courts and prosecutors' services	x	✓	o	x	x	✓	✓	x	✓	x	x
Legal obligation to provide training to professionals having direct contact with children in communicating with them at all ages and stages of development, as well as with children in situations of particular vulnerability, including the existence of a mandatory training requirement as a prerequisite for taking up a post where contact with children is likely	o	✓	✓	✓	x	✓	✓	x	x	✓	x
Legal obligation to obtain a comprehensive understanding of the child and assess their legal, psychological, social, emotional, physical and cognitive situation via multi-disciplinary co-operation	✓	✓	x	✓	✓	✓	✓	✓	x	✓	✓
Statutory provisions for providing free legal aid to children including access to legal representation, under the same or more lenient conditions, than for adults	✓	o	✓	✓	o	✓	x	✓	✓	x	x
Statutory provisions for the right of a child to reduce the length of proceedings involving children and to have the matter determined without delay by a competent, independent and impartial authority or judicial body	o	o	x	✓	o	x	o	x	o	✓	x
<b>Total</b>	3	4	3.5	5	3	5	4.5	2.5	3.5	3	2

Note: ✓ = usually implemented, o = partly implemented, x = not implemented



Table A2.2: Civil law – populating structural indicators on the right to be heard

STRUCTURAL INDICATORS – CIVIL LAW	BG	DE	EE	ES	FI	FR	HR	PL	RO	UK (England and Wales)	UK (Scotland)
General statutory provisions to fulfil the right of the child to be heard	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Legal obligation to ensure children are heard in the most favourable settings and under the most suitable conditions having regard to their age, maturity and level of understanding and any communication difficulties they may have, including provisions for specialised courts and prosecutors' services	✓	✓	✗	✓	✗	✓	✗	✓	✗	✓	✓
Legal obligation to provide training to professionals having direct contact with children in communicating with them at all ages and stages of development, as well as with children in situations of particular vulnerability, including the existence of a mandatory training requirement as a prerequisite for taking up a post where contact with children is likely	✗	✗	✓	✓	✓	✓	✗	✓	✗	✓	○
Legal obligation to obtain a comprehensive understanding of the child and assess their legal, psychological, social, emotional, physical and cognitive situation via multi-disciplinary co-operation	✓	✗	✓	✗	✗	✓	✗	✓	✗	✓	✗
Statutory provisions for providing free legal aid to children including access to legal representation, under the same or more lenient conditions, than for adults	✓	✓	✓	✓	✓	✓	✓	✓	○	✓	✓
Statutory provisions for the right of a child to reduce the length of proceedings involving children and to have the matter determined without delay by a competent, independent and impartial authority or judicial body	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗
<b>Total</b>	5	5	5	5	4	6	3	6	2.5	6	3.5

Note: ✓ = usually implemented, ○ = partly implemented, ✗ = not implemented

Table A2.3: Criminal law – populating process indicators on the right to be heard

PROCESS INDICATORS – CRIMINAL LAW	BG	DE	EE	ES	FI	FR	HR	PL	RO	UK (England and Wales)	UK (Scotland)
Training and specialisation of professionals involved	✗	✓	✓	○	✓	✓	○	✓	✗	✓	✓
Guidelines and tools for professionals involved	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓
Procedures to provide support to a child before, during and after hearings	✗	✓	✓	○	✓	○	○	○	○	✓	✓
Existence of screens, separate rooms, child-friendly facilities with technological equipment	○	✓	✓	✓	✓	✓	✓	✓	○	✓	✓
Controlled contact with other parties in the judicial proceeding	✗	○	○	✓	✓	○	○	✓	✗	✓	✓
Measures in place to avoid undue delay	✓	✗	✗	✓	✓	✗	✓	✗	✗	✓	✓
Prioritising cases involving children (insufficient data)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Reducing the number of hearings (insufficient data)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
<b>Total</b>	2.5	4.5	4	4	6	4	4.5	4.5	2	6	6

Note: ✓ = usually implemented, ○ = partly implemented, ✗ = not implemented, and n/a = unavailable due to insufficient data

Table A2.4: Civil law – populating process indicators on the right to be heard

PROCESS INDICATORS – CIVIL LAW	BG	DE	EE	ES	FI	FR	HR	PL	RO	UK (England and Wales)	UK (Scotland)
Training and specialisation of professionals involved	✗	✗	✓	✓	✓	✓	✗	✗	✗	✓	✓
Guidelines and tools for professionals involved	✗	✗	○	✓	✓	✗	✗	✓	✗	✓	✓
Procedures to provide support to a child before, during and after hearings	✗	✓	✗	✗	✓	✓	✗	✗	✗	✓	✓
Existence of screens, separate rooms, child-friendly facilities with technological equipment	✗	✓	○	✓	✓	✓	○	✓	✗	✓	✓
Controlled contact with other parties in the judicial proceeding	✗	✓	✓	✓	✗	✗	✓	✓	✓	○	✗
Measures to avoid undue delay	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗
Prioritising cases involving children (insufficient data)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Reducing the number of hearings (insufficient data)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
<b>Total</b>	1	4	4	5	5	4	2.5	4	2	5.5	4

Note: ✓ = usually implemented, ○ = partly implemented, ✗ = not implemented, and n/a = unavailable due to insufficient data

## Chapter 2: Right to information

Table A3.1: Criminal law – populating structural indicators on the right to information

STRUCTURAL INDICATORS – CRIMINAL LAW	BG	DE	EE	ES	FI	FR	HR	PL	RO	UK (England and Wales)	UK (Scotland)
Legal obligation to ensure that children are informed in the most appropriate way, having regard to their age, maturity and level of understanding and any communication difficulties they may have, including provisions for specifying the responsible authority, persons, time, content and format of information provided	x	o	✓	x	✓	✓	✓	o	✓	✓	✓
Legal obligation to ensure that children are informed in the most appropriate way, having regard to their age, maturity and level of understanding and any communication difficulties they may have, including information in a child-friendly manner	x	✓	✓	x	x	x	x	x	o	✓	x
<b>Total</b>	0	1.5	2	0	1	1	1	0.5	1.5	2	1

Note: ✓ = usually implemented, o = partly implemented, x = not implemented

Table A3.2: Civil law – populating structural indicators on the right to information

STRUCTURAL INDICATORS – CIVIL LAW	BG	DE	EE	ES	FI	FR	HR	PL	RO	UK (England and Wales)	UK (Scotland)
Legal obligation to ensure that children are informed in the most appropriate way, having regard to their age, maturity and level of understanding and any communication difficulties they may have, including provisions for specifying the responsible authority, persons, time, content and format of information provided	x	✓	x	x	x	✓	x	✓	x	✓	✓
Legal obligation to ensure that children are informed in the most appropriate way, having regard to their age, maturity and level of understanding and any communication difficulties they may have, including information in a child-friendly manner	x	✓	x	x	x	x	x	x	x	✓	x
<b>Total</b>	0	2	0	0	0	1	0	1	0	2	1

Note: ✓ = usually implemented, x = not implemented

Table A3.3: Criminal law – populating process indicators on the right to information

PROCESS INDICATORS – CRIMINAL LAW	BG	DE	EE	ES	FI	FR	HR	PL	RO	UK (England and Wales)	UK (Scotland)
Clear responsibilities on who informs	0	✓	×	×	×	×	0	×	0	✓	✓
Multi-disciplinary approach of information and support	0	0	×	0	✓	✓	0	0	×	✓	0
Guidelines and protocols on how to inform, when and on what	×	0	×	✓	✓	×	×	×	×	✓	✓
Existence of information material adapted to children’s needs	0	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Availability of adapted information services providing information and advice to children	×	✓	×	×	×	✓	×	×	×	✓	✓
<b>Total</b>	1.5	4	1	2.5	3	3	2	1.5	1.5	5	4.5

Note: ✓ = usually implemented, 0 = partly implemented, × = not implemented

Table A3.4: Civil law – populating process indicators on the right to information

PROCESS INDICATORS – CIVIL LAW	BG	DE	EE	ES	FI	FR	HR	PL	RO	UK (England and Wales)	UK (Scotland)
Clear responsibilities on who informs	✓	✓	✓	×	✓	✓	✓	✓	×	✓	✓
Existence of information material adapted to children’s needs	×	✓	×	×	✓	0	✓	✓	×	✓	✓
<b>Total</b>	1	2	1	0	2	1.5	2	2	0	2	2

Note: ✓ = usually implemented, 0 = partly implemented, × = not implemented

### Chapter 3: Right to protection and privacy

Table A4.1: Criminal law – populating structural indicators on the right to protection and safety

STRUCTURAL INDICATORS – CRIMINAL LAW	BG	DE	EE	ES	FI	FR	HR	PL	RO	UK (England and Wales)	UK (Scotland)
Legal obligation to keep the child safe from harm and to protect children when involved in judicial proceedings specifying procedural safeguards	✓	✓	✓	✓	✓	✓	✓	✓	×	✓	✓
Statutory provision for the right to privacy and confidentiality at all stages of the proceedings, including state regulations of media	0	✓	0	✓	0	0	0	✓	0	0	0
Legal prohibition to publish information or personal data of children, and a legal obligation for police, other officials, judges and legal practitioners working with children to abide by strict rules of confidentiality, except where there is a risk of harm to the child	✓	✓	✓	✓	×	0	0	✓	✓	×	✓
<b>Total</b>	2.5	3	2.5	3	1.5	2	2	3	1.5	1.5	2.5

Note: ✓ = usually implemented, 0 = partly implemented, × = not implemented





Table A4.2: Civil law – populating structural indicators on the right to protection and privacy

STRUCTURAL INDICATORS – CIVIL LAW	BG	DE	EE	ES	FI	FR	HR	PL	RO	UK (England and Wales)	UK (Scotland)
Legal obligation to keep the child safe from harm and to protect children when involved in judicial proceedings specifying procedural safeguards	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Statutory provision for the right of privacy and confidentiality at all stages of the proceedings, including state regulations of media	✓	○	✓	✓	✓	✓	○	✓	✓	✓	✗
Legal prohibition to publish information or personal data of children, and a legal obligation for police, other officials, judges and legal practitioners working with children to abide by strict rules of confidentiality, except where there is a risk of harm to the child	○	✓	✓	✓	✓	○	✓	✓	○	○	✓
<b>Total</b>	2.5	2.5	3	3	3	2.5	2.5	3	2.5	2.5	2

Note: ✓ = usually implemented, ○ = partly implemented, ✗ = not implemented

Table A4.3: Criminal law – populating process indicators on the right to protection and safety

PROCESS INDICATORS – CRIMINAL LAW	BG	DE	EE	ES	FI	FR	HR	PL	RO	UK (England and Wales)	UK (Scotland)
Data protection measures to ensure children's identity and privacy is protected	✓	✓	○	✓	○	✓	○	✓	✗	○	✓
Special procedural safeguards	○	✓	✓	✓	✓	✓	✓	✓	○	✓	✓
Preventing contact with alleged offender and regulate contact with parents as alleged perpetrators	○	✓	✓	✓	✓	✓	✓	✓	○	✓	✓
Availability of protective support and guidance of children before, during and after proceedings	✗	✓	✓	✓	✓	✓	✓	✓	✗	✓	✓
<b>Total</b>	2	4	3.5	4	3.5	4	3.5	4	1	3.5	4

Note: ✓ = usually implemented, ○ = partly implemented, ✗ = not implemented

Table A4.4: Civil law – populating process indicators on the right to protection and safety

PROCESS INDICATORS – CIVIL LAW	BG	DE	EE	ES	FI	FR	HR	PL	RO	UK (England and Wales)	UK (Scotland)
Data protection measures to ensure children's identity and privacy is protected	o	✓	✓	✓	✓	✓	✓	✓	o	✓	✓
Special procedural safeguards	x	✓	o	✓	✓	✓	o	✓	x	✓	✓
Preventing contact with alleged offender and regulating contact with parents as alleged perpetrators (insufficient data)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Availability of protective support and guidance of children before, during and after proceedings (insufficient data)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
<b>Total</b>	0.5	2	1.5	2	2	2	1.5	2	0.5	2	2

Note: ✓ = usually implemented, o = partly implemented, x = not implemented

## References to selected national legislation

### Bulgaria

#### A. Criminal legislation

- Criminal Procedure Code (Наказателно-процесуален кодекс), 29 April 2006
- Criminal Code (Наказателния кодекс), 1 May 1968
- Protection of Persons Threatened in Connection to Criminal Proceedings Act (Закон за защита на лица, застрашени във връзка с наказателно производство), 25 May 2005

#### B. Civil and family legislation

- Civil Procedure Code (Граждански процесуален кодекс), 1 March 2008
- Family Code (Семеен кодекс), 1 October 2009
- Child Protection Act (Закон за закрила на детето), 13 April 2000
- Regulations for the Implementation of the Child Protection Act (Правилник за прилагане за Закона за закрила на детето), 25 July 2003
- Persons and Families Act (Закон за лицата и семейството), 10 September 1949
- Protection from Domestic Violence Act (Закон за защита от домашно насилие), 29 March 2005

### Croatia

#### A. Criminal legislation

- Criminal Code (*Kazneni zakon*), 1 January 1998
- Criminal Procedure Act (*Zakon o kaznenom postupku*), 1 September 2011
- Police Duties and Powers Act (*Zakon o policijskim poslovima i ovlastima*), 2009

#### B. Civil and family legislation

- Civil Procedure Act (*Zakon o parničnom postupku*), 8 October 1991
- Family Act (*Obiteljski zakon*), 2003
- Juvenile Courts Act (*Zakon o sudovima za mladež*), 1 September 2011

### Estonia

#### A. Criminal legislation

- Criminal Code (*Karistusseadustik*), 1 September 2002
- Code of Criminal Procedure (*Kriminaalmenetluse seadustik*), 15 May 2013
- Administrative Procedure Act (*Haldusmenetluse seadus*), 1 January 2002
- Victim Support Act (*Ohvriabi seadus*), 1 February 2004
- Witness Protection Act (*Tunnistajakaitse seadus*), 21 July 2005

#### B. Civil and family legislation

- Code of Civil Procedure (*Tsiviilkohtumenetluse seadustik*), 1 January 2006
- General Part of the Civil Code Act (*Tsiviilseadustiku üldosa seadus*), 6 December 2010
- Family Law Act (*Perekonnaseadus*), 27 June 2012
- Child Protection Act (*Eesti Vabariigi lastekaitse seadus*), 21 March 2011

**Finland****A. Criminal legislation**

- Criminal Procedure Act 689/1997 (*Laki oikeudenkäynnistä rikosasioissa 689/1997/Lag om rättegång i brottmål 689/1997*), 11 July 1997
- Criminal Code (39/1889) (*Rikoslaki*), 19 December 1889
- Pre-Trial Investigation and Coercive Measures Decree (575/1988) (*asetus esitutkinnasta ja pakkokeinoista/förordning om förundersökning och tvångsmedel*), 17 June 1988
- Pre-Trial Investigation Act (449/1987) (*esitutkintalaki/förundersökningslag*), 30 April 1987

**B. Civil and family legislation**

- Code of Judicial Procedure (4/1734) (*oikeudenkäymiskaari/rättegångs balk*), 1 January 1734
- Child Custody and Right of Access Act (361/1983) (*laki lapsen huollosta ja tapaamis-oikeudesta / lag angående vårdnad om barn och umgängesrätt*), 8 April 1983
- Child Welfare Act (417/2007) (*lastensuojelulaki/barnskyddslag*), 13 April 2007
- Child Maintenance Act (*Laki lapsen elatuksesta/Lag om underhåll för barn*) (704/1975), 5 September 1975

**France****A. Criminal legislation**

- Criminal Code (*Code pénal*), 1 March 1994
- Code of Criminal Procedure (*Code de procédure pénale*), 2 March 1959
- Act on the enhancement of the balance of the Criminal Procedure (*Loi tendant à renforcer l'équilibre de la procédure pénale*), 5 March 2007

**B. Civil and family legislation**

- Civil Code (*Code civil*), 21 March 1804
- Code of Civil Procedure (*Code de procédure civile*), 1 January 1976
- Decree on the hearing of the child (*Décret relatif à l'audition de l'enfant en justice*), No. 2009-572, 20 May 2009

**Germany****A. Criminal legislation**

- German Code of Criminal Procedure (*Strafprozessordnung*), 12 September 1950
- German Criminal Code (*Strafgesetzbuch*), 15 May 1871
- Youth Courts Act (*Jugendgerichtsgesetz*), 4 August 1953
- Act to Harmonise Protection for Witnesses (*Zeugenschutzgesetz*), 11 December 2011

**B. Civil and family legislation**

- German Civil Code (*Bürgerliches Gesetzbuch*), 18 August 1896
- German Code of Civil Procedure (*Zivilprozessordnung*), 5 December 2005
- Federal Child Protection Law (*Bundeskinder-schutzgesetz*), 22 December 2011
- Law on the Procedure in Family Matters and in Matters of Voluntary Jurisdiction – Family Court Act (*Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit*), 17 December 2008

**Poland****A. Criminal legislation**

- Code of Criminal Procedure (*Kodeks postępowania karnego*), 6 June 1997
- Criminal Code (*Kodeks karny*), 6 June 1997

**B. Civil and family legislation**

- Code of Civil Procedure (*Kodeks postępowania cywilnego*), 17 November 1964
- Civil Code (*Kodeks cywilny*), 23 April 1964
- Family and Guardianship Code (*Kodeks rodzinny i opiekuńczy*), 25 February 1964

**Romania****A. Criminal legislation**

- Law No. 15/1968 regarding the Criminal Code (*Codul penal*), republished on 16 April 1997
- Criminal Procedure Code (*Codul de Procedură Penală*), 30 April 1997
- Law No. 211/2004 regarding some Measures to Ensure the Protection of Crime Victims (*Legea nr. 211/2004 privind unele măsuri pentru asigurarea protecției victimelor infracțiunilor*), 27 May 2004
- Law No. 678/2001 regarding the prevention and fight against the human trafficking (*Legea nr. 678/2001 privind prevenirea și combaterea traficului de persoane*), 21 November 2001

**B. Civil and family legislation**

- Law No. 287/2009 on the Civil Code (*Legea nr. 287/2009 privind Codul Civil*), 17 July 2009
- Civil Procedure Code (*Codul de procedură civilă*), 26 July 1993
- Romania, Law No. 272/2004 concerning the protection and promotion of the rights of the child (*Legea nr. 272/2004 privind protecția și promovarea drepturilor copilului*), 21 June 2004

## Spain

### A. Criminal legislation

- Royal Decree of 14 September 1882 laying down the Criminal Proceedings Act (*Real Decreto de 14 de septiembre de 1882 por el que se aprueba la Ley de Enjuiciamiento Criminal*), 14 September 1882
- Organic Act 1/1996 on the Legal Protection of Minors, (*Ley Orgánica 1/1996, de 15 de enero, de Protección Jurídica del Menor*), 15 January 1996
- Organic Act 5/2000 of 12 January 2000 on the Criminal Responsibility of Minors (*Ley Orgánica 5/2000, de 12 de enero, reguladora de la responsabilidad penal de los menores*), 12 January 2000
- Law 35/1995 of 11 December on aid and assistance to victims of violent crimes or violations of sexual freedom (*Ley 35/1995, de 11 de diciembre, de ayudas y asistencia a las víctimas de delitos violentos y contra la libertad sexual*), 11 December 1995

### B. Civil and family legislation

- Civil Code<sup>2</sup> (*Código Civil*), 24 July 1889
- Act 1/2000 of 7 January on Civil Proceedings (*Ley 1/2000, de 7 de enero, de Enjuiciamiento Civil*), 7 January 2000
- Charter of Citizens' Rights before the Judiciary (*Carta de Derechos de los Ciudadanos ante la Justicia*), 16 April 2002
- Child protection acts – there are several child protection acts, as child protection is regulated in Spain at the level of many of the autonomous regions; there are also autonomous regions that issued acts involving guarantees for the rights of children and adolescents

## United Kingdom

### A. Criminal legislation

#### a) England and Wales

- Youth Justice and Criminal Evidence Act 1999, 27 July 1999
- Criminal Justice Act 1988, 29 July 1988
- Criminal Justice and Immigration Act 2008, 8 May 2008
- Criminal Justice and Court Services Act 2000, 30 November 2000

#### b) Scotland

- Criminal Procedure (Scotland) Act 1995, 8 November 1995
- Vulnerable Witness (Scotland) Act 2004, 14 April 2004
- Criminal Justice and Licensing (Scotland) Act 2010, 6 August 2010

### B. Civil and family legislation

#### a) England and Wales

- Children Act (England and Wales) 2004, 15 November 2004
- Children Act (England and Wales) 1989, 16 November 2004
- Civil Procedure Rules 1998, 75th update, 30 July 2014
- Family Procedure Rules 2010, 6 April 2011

#### b) Scotland

- Children's Hearing (Scotland) Act 2011, 6 January 2011
- Age of Legal Capacity (Scotland) Act 1991, 25 July 1991
- Children (Scotland) Act 1995, 19 July 1995
- Protection of Children (Scotland) Act 2003, 12 February 2003
- Act of Sederunt (Sheriff Court Ordinary Cause Rules), 1993

<sup>2</sup> Spain, Civil Code (*Código Civil*) R.D 24 julio 1889, Due to historical reasons some regions in Spain have their own legislation on private law that co-exists with the Civil Code, but may be slightly different in some areas of private law, like family law. This legislation is called *Derechos Forales* and exists in Galicia, the Basque Country, Navarra, Catalonia, Baleares, Aragon, Valencia and some parts of Extremadura.

**HELPING TO MAKE FUNDAMENTAL RIGHTS A REALITY FOR EVERYONE IN THE EUROPEAN UNION**

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**FRA - EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS**

Schwarzenbergplatz 11 – 1040 Vienna – Austria  
Tel. +43 158030-0 – Fax +43 158030-699  
[fra.europa.eu](http://fra.europa.eu) – [info@fra.europa.eu](mailto:info@fra.europa.eu)  
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