



MEMO / 5 May 2015

## **Child-friendly justice: Perspectives and experiences of professionals**

### **1. Why was the research carried out?**

This research from the EU Agency for Fundamental Rights supports the European Commission's 2011 [EU Agenda for the Rights of the Child](#). The agenda pointed to the need to make justice systems more child-friendly. It also covers protection mechanisms established for children in the EU Victim's Directive, which all European member States need to transpose to national law in November 2015.

### **2. What does the research cover?**

The research provides a comprehensive understanding of the situation of children up to the age of 18, involved in civil or criminal judicial proceedings as victims, witnesses or parties.

It looks at the actual treatment of children within existing national frameworks and policies. It complements [the European Commission's work](#) on the statistical data, and national legal frameworks and policies that currently exists.

The research asked professionals during the individual and group interviews about practices, experiences, assessments and suggestions for improvements with regard to how children participate – in practice – in judicial proceedings, from what age, with what type of support, where do the hearings take place, how are professionals trained, etc.

This first FRA report collects the experiences, perspectives and views of professionals working with children involved in criminal and civil judicial proceedings to identify current practices and procedures, areas of improvement and promising practices. A second report will report on the experiences of children and will be published in 2016.

The questions were divided in key thematic areas on the basis of the guidance provided by the Council of Europe Guidelines on Child Friendly Justice addressing the right to be heard, the right to information, the right to protection and privacy, the right to non-discrimination, as well as the principle of best interests of the child and other key issues such as training and the multidisciplinary cooperation of professionals.

The exact questions are in the main report's annexes.

### **3. How was the research conducted?**

The key thematic areas were selected after consulting with experts and stakeholders and in accordance with the fundamental principles and main elements the [Council of Europe guidelines](#) on child-friendly justice.

The data were collected by face-to-face interviews, desk-research, and focus groups discussions with professionals who work with children before,



during, and after judicial proceedings. In total 570 judges, prosecutors, lawyers, court staff, psychologists, social workers, interpreters and police officers were interviewed from July 2012 to December 2012 10 EU Member States (Bulgaria, Croatia, Estonia, Finland, France, Germany, Poland, Romania, Spain and the United Kingdom). The face-to-face interviews lasted between 45-90 minutes Focus group discussions lasted between 1.5 and 2.5 hours.

Details on the methodology and information on target groups, samples, interview schedules, etc. can be found in the report annexes and online, which also include references to selected national legislation up to the first quarter of 2014, an overview of national policies and further reading material.

#### **4. What are countries doing to make justice more child-friendly?**

FRA has identified various promising practices across the countries covered by the research, such as:

- Child-friendly interview rooms in **Estonian** police stations come equipped with anatomical dolls that can be dressed and undressed to discuss sexual abuse cases, a tool that a number of countries use to make it easier for children to communicate during hearings, while in **Finland**, social workers often use 'Teddy Bear Cards' to help children articulate their emotions.
- In **France**, contact points have been established in several cities where children can access specialised lawyers for information about their rights, and advice and support on civil or criminal legal matters. Children can meet the contact points for free and confidentially, during flexible times and without previous appointment, as well there are hotlines and awareness-raising sessions in schools.
- In **Poland**, children under 15 years are interviewed in the 'blue rooms', equipped with toys, child-friendly furniture, and one-way mirrors for conducting interviews without having all relevant actors present in the same room as the child.
- In the **United Kingdom**, children have access to a number of materials in order to understand what it means to talk to a court. The booklets address different age groups and use age-appropriate language, puzzles, games etc. In addition, they are also available in different languages to reach migrant children as well.

#### **5. How representative are the findings?**

FRA ensured a common approach in its sampling, the selection of respondents, and interview and focus group questions as well as its data gathering. To facilitate the comparative analysis across Member States, FRA developed a 'reporting template' for all interviews and focus group discussions. The main national legislation and policies developments until the first quarter of 2014 were included to provide the most accurate and up-to-date information and analysis available.



The key findings can also serve as guidance for Member States not covered by this research.

## **6. How were the 10 EU Member States selected?**

The 10 EU Member States were selected to reflect a diversity of judicial systems and different practices regarding the involvement of children in justice in the EU.

Several criteria guided this selection: geographical spread, different judicial systems, population size, national differences, pre-identified promising practices, as well as the lack of good practices.

## **7. How many children are affected by criminal and civil proceedings in the EU?**

It is not possible to assess the precise number of children involved in civil and criminal judicial proceedings in the EU due to significant data gaps in Member States.

Eurostat estimates that 19% of the EU population is under the age of 18. This equates to 95 million children.

European Commission data from 11 Member States with a combined population of 20 million children, found 74,000 child victims of crime and 495,000 were affected by parental divorce in 2010. This means, that for an estimated population of 95 million children in the EU28, approximately 2,500,000 children could be going through judicial proceedings in the EU every year.

## **8. How will FRA follow up on the results of the research?**

FRA will promote the use of the research findings for policy change. This will be achieved together with other institutions such as the European Commission, the European Parliament, the Council of Europe. FRA will also work in close cooperation with the Member States and civil society organisations.

For further information:

**FRA's work on child rights can be found on the [FRA website](#) and in the child-friendly justice press pack.**

Alternatively, please contact the FRA Media Team:

Email: [media@fra.europa.eu](mailto:media@fra.europa.eu) / Tel.: +43 1 58030-642