

# Child-friendly justice – Checklist for professionals



## What actions need to be taken for proceedings to be child-friendly?

### *Will the child be able to exercise his or her right to be heard?*

- Conditions need to be adapted to ensure a child is heard.
- Professionals should clearly acknowledge this right throughout the proceedings.

### *Is the child receiving professional and personal support?*

- Professional support might include social workers and psychologists.
- Person of trust.



### *How can the child be informed about the proceedings and his or her rights?*

- Through oral and written information.
- Information adapted to the child's age, maturity, level of understanding, and communication difficulties.
- Visual material.



### How can the child be prepared for the hearing?

- The support person should check that:
  - the child feels appropriately informed about their rights;
  - the child knows what to expect during proceedings.
- Preparation should take place shortly before the hearing.
- Preparatory child-friendly meetings and visits should be held.
- Their specific needs should be identified.



### What should the child be asked about before the hearing?

- Does the location and timing suit the child?
- Who should accompany the child as their person of trust?
- Are there people who should not attend the hearing?
- Do they need protective measures?
- Who should conduct the hearing?
  - Gender and profession are vital.



### What does checking such details with the child achieve?

- The child can influence how their hearing is conducted.
- The child can get to know the person conducting their hearing.

### What measures before a hearing help make it child-friendly?

- Issuing behavioural guidelines.
- A short waiting time after arriving and before the hearing.
- Having a child-friendly waiting area.



### What measures during a hearing help make it child-friendly?

- A child-friendly hearing room located outside the court.
- Child-friendly behaviour from everybody.
- A low number of people present at the hearing.
- The absence of defendant or other parties.
- One person hearing the child.
- Language adapted to the child's age and maturity.
- Utilising appropriate questioning techniques.
- Short hearings, with a maximum length of one hour.



**What measures after the hearing help make it child-friendly?**

- Providing feedback and information to the child about next steps.
- All professionals involved agreeing on the follow-up.



Child



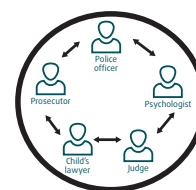
After trial phase

**What can be done to prevent several hearings?**

- Make video recordings available for collecting evidence (criminal cases).
- Cooperation and exchange of information among all professional groups involved.

**If one hearing is not sufficient, professionals should be aware, that during further hearings:**

- A trusting relationship with professional is even more important and the hearing should be done by the same professional.
- Questions should not be repetitive.
- Related information should be shared among professionals.



**What follow up is needed?**

- Further support for child and family.
- Information and explanation about decision and further potential support.
- Short times between hearing and decision; decision accompanied by information.



**What if no follow-up occurs?**

- Proceedings can be concluded only if follow-up is secured and reported.



Around 2.5 million children participate in judicial proceedings across the European Union (EU) every year, affected by parental divorce or as victims of, or witnesses to, crime. Although their effective participation in such proceedings is vital for improving the operation of justice, the treatment of children in justice systems remains a concern. The European Union Agency for Fundamental Rights (FRA) investigated to what extent children's rights to be heard, to be informed, to be protected, and to non-discrimination are fulfilled in practice. This included extensive interviews with both professionals and children involved in judicial proceedings. The first report presented professionals' views. The current report focuses on the perspectives of children, outlining their views on factors that impede their full participation and on efforts that can help overcome such barriers. Like the first report, it underscores that much remains to be done to make justice across the EU truly child-friendly.

## Further information

See FRA's reports and website on child-friendly justice:

- FRA (2017), *Child-friendly justice – Perspectives and experiences of children involved in judicial proceedings as victims, witnesses or parties in nine EU Member States*, Luxembourg, Publications Office;
- FRA (2017), *Child-friendly justice – perspectives and experiences of children and professionals*, Summary, Luxembourg, Publications Office (forthcoming in 24 EU languages);
- FRA (2015), *Child-friendly justice – Perspectives and experiences of professionals on children's participation in civil and criminal judicial proceedings in 10 EU Member States*, Luxembourg, Publications Office, and its summary, <http://fra.europa.eu/en/publication/2015/child-friendly-justice-perspectives-and-experiences-professionals-summary> (available in 24 languages);
- <http://fra.europa.eu/en/theme/rights-child>.



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