



FRA Press Release

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Justice needs to be more child-friendly, finds FRA

Each year hundreds of thousands of children across the EU are involved in legal proceedings. Justice systems need to do more to cater to the needs of these children, finds the latest report from the European Union Agency for Fundamental Rights (FRA). Making justice more child-friendly is in the best interests of the child, improves child protection and their meaningful participation in judicial proceedings.

"We cannot allow children to be confused or stressed when they participate in judicial proceedings," says FRA's interim Director [Constantinos Manolopoulos](#). "The EU and its Member States have an obligation to ensure that child rights are respected and fulfilled. This is especially the case for judicial proceedings. Member States should also ensure that the Council of Europe guidelines on child-friendly justice are applied in daily practice by everyone involved."

Improving child rights' protection in judicial systems is addressed by the United Nation's Convention on the Rights of the Child (CRC), which all EU Member States have ratified. The Council of Europe produced special guidelines on child-friendly justice because this is an issue which affects many children. For example, around 74,000 children were victims of crime and 495,000 were affected by divorce in 11 EU Member States in 2010.

FRA research reveals that child participation practices vary widely not just across, but also within, Member States, and these practices are not always child-friendly. This points to a need for clear and consistent standards and guidelines which should be systematically monitored. The research also identified the need for awareness raising measures and the special training of professionals.

The key findings relate to specific child rights, for example:

- In recent years respect and fulfilment of the child's **right to be heard** has improved, particularly in criminal proceedings. In civil proceedings children are not always heard. Greater efforts are needed to ensure that children are heard in safe and child-friendly rooms, using techniques appropriate for a child's age and maturity. Children should be heard in as few hearings as possible involving a small number of well-trained professionals;
- National legislation often contains provisions on **the right to information**, but in practice there is significant variation in the way children are informed, when, by whom, about what and how. Regular, child-friendly information and material about child rights and judicial procedures, tailored to the child's age, throughout the proceedings, can improve their trust in justice;

- Most Member States have made significant efforts to guarantee the child's **right to privacy and their right to protection** from harm and re-traumatisation, especially in criminal proceedings. In practice, however, protective measures are often under-utilised. Separate rooms to prevent contact with defendants and the use of video recordings and video links by trained professionals in courtrooms and police stations should become standard practice in the EU to protect children adequately;
- Despite legal provisions on **equal treatment**, staff often lack the expertise to deal with children in vulnerable situations, such as those with disabilities or those with a minority ethnic background. There is a need to ensure that children's access to justice and their treatment in judicial proceedings is effectively monitored to prevent any discrimination. Access to legal aid and support for children in vulnerable situations should be facilitated.

The report also highlights a number of **examples of promising practices**.

To read the report and related material: *Child-friendly justice – perspectives and experiences of professionals*, see the [press pack](#).

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Notes to editors:

- FRA is mandated to provide evidence-based advice to EU and national decision makers, thereby contributing to more informed and better targeted debates and policies on fundamental rights.
- The findings are based on interviews with professionals who are in daily contact with child victims or witnesses in judicial proceedings in 10 EU Member States – Bulgaria, Croatia, Estonia, Finland, France, Germany, Poland, Romania, Spain and the UK.
- They also draw on the European Commission's analysis of [statistical data, legislation and policies collected from all EU Member States on children's involvement in judicial proceedings](#).
- The findings will also be discussed during two live Euranet Plus radio debates with Members of the European Parliament on 5 May.
- A report on the children's perspectives and experiences will follow.