

Contents

FOREWORD	3
INTRODUCTION	7
KEY FINDINGS AND FRA OPINIONS	11
1 RIGHT TO BE HEARD	19
CRIMINAL PROCEEDINGS	
1.1. Ensuring professionals are adequately equipped to work with children (process)	21
1.2. Adapting settings to children's needs (process)	28
1.3. Providing legal representation and legal aid to children (process)	34
1.4. Reducing the length of proceedings (process)	35
1.5. Deciding to hear the child (outcome)	37
CIVIL PROCEEDINGS	
1.6. Ensuring professionals are adequately equipped to work with children	39
1.7. Adapting settings to children's needs (process)	45
1.8. Providing legal representation and legal aid to children (process)	50
1.9. Reducing the length of proceedings (outcome)	51
1.10. Deciding to hear the child (outcome)	52
CRIMINAL AND CIVIL PROCEEDINGS	
1.11. Extent to which children's right to be heard is met in criminal and civil proceedings	54
1.12. Children's and professionals' perspectives	55
2 RIGHT TO INFORMATION	59
CRIMINAL PROCEEDINGS	
2.1. Ensuring that children are appropriately informed (process)	62
2.2. Providing information material adapted to children's needs	69
CIVIL PROCEEDINGS	
2.3. Ensuring that children are appropriately informed	70
2.4. Ensuring informational material is adapted to children's needs (process)	78
CRIMINAL AND CIVIL PROCEEDINGS	
2.5. Extent to which children's right to information is met in criminal and civil proceedings	78
2.6. Children's and professionals' perspectives	79
3 RIGHT TO PROTECTION AND PRIVACY	83
3.1. Keeping children safe from wrongs, including reprisals, intimidation and repeat victimisation	85
3.2. Protective support and guidance for children before, during and after hearings	92
3.3. Ensuring protection of children's identity and privacy	99
3.4. Extent to which children's right to protection and privacy is met in criminal and civil proceedings (outcomes)	101
3.5. Children's and professionals' perspectives	102
4 RIGHT TO NON-DISCRIMINATION	103
4.1. Ensuring the non-discriminatory treatment of children (process)	105
4.2. Extent to which children's right to non-discrimination is met in criminal and civil proceedings (outcome)	107
4.3. Children's and professionals' perspectives	108
5 PRINCIPLE OF THE BEST INTERESTS OF THE CHILD	109
5.1. Ensuring that the best interests of the child are identified and met (process)	110
5.2. Extent to which children's best interests are met in criminal and civil proceedings (outcome)	112
5.3. Children's and professionals' perspectives	113
IN CONCLUSION	115
CHECKLIST 1	117
CHECKLIST 2	119
REFERENCES	121

Figures

Figure 1: Most commonly involved professionals – criminal proceedings	21
Figure 2: Components of children’s positive assessments of professionals hearing them	22
Figure 3: Most commonly involved professionals – civil proceedings	39
Figure 4: Understanding of proceedings	60
Figure 5: Provision of information by professionals – coordinated support model	60
Figure 6: Importance of support received for feeling privacy was respected	84
Figure 7: Protection measures in criminal proceedings	89

Tables

Table 1: Process and outcome indicators on the right to be heard	20
Table 2: Populating outcome indicators on the right to be heard, by EU Member State, based on children’s interviews	54
Table 3: Right to be heard from children’s and professionals’ perspectives	55
Table 4: Promising practices on the right to be heard from children’s and professionals’ perspectives	57
Table 5: Process and outcome indicators on the right to information	61
Table 6: Populating outcome indicators on the right to information, by EU Member State	79
Table 7: Right to information from children’s and professionals’ perspectives	79
Table 8: Promising practices on right to information from children’s and professionals’ perspectives	81
Table 9: Process and outcome indicators on the right to protection and safety	85
Table 10: Populating outcome indicators on the right to protection and privacy, by EU Member State	101
Table 11: Right to protection and safety from children’s and professionals’ perspectives	102
Table 12: Process and outcome indicators on the right to non-discrimination	104
Table 13: Populating outcome indicators on the right to non-discrimination, by EU Member State	107
Table 14: Right to non-discrimination from children’s and professionals’ perspectives	108
Table 15: Process and outcome indicators on the principle of best interests	110
Table 16: Populating outcome indicators on the principle of the best interest of the child, by EU Member State	112
Table 17: The principle of best interests from children’s and professionals’ perspectives	113

