



CHILD

Towards a child-friendly justice

DRAFT POLICY RECOMMENDATIONS ON CHILD-FRIENDLY JUSTICE FOR CHILD VICTIM OF VIOLENCE AND FORENSIC INTERVIEW

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Women's Support and
Information Center
There is a way out of violence!

The CHILD Project is focused on the development of a judicial system adapted to child victims and witnesses of violence, particularly with regards to forensic interviewing and child protection. It aims to facilitate a stepwise and structured process for a better implementation of the existing legislative frameworks, especially based on the Directive 2012/29/EU in 9 EU countries (Austria, Belgium, Cyprus, Estonia, Greece, Italy, Portugal, Romania, Spain) and to move towards structural changes at national level and within the EU framework.

The project started with the Needs Analysis, carried out through:

- A Literature Review,
- Conducting national focus groups and interviews with professionals engaged in the judicial system and in child protection across all participating countries,
- Conducting transnational focus groups with professionals working in the judicial system and child protection.

Based on these activities nine National reports on the strengths and shortcomings of the existing frameworks on child protection and child-friendly justice on a national level and one Transnational report on the strengths and shortcomings of the existing framework on child-friendly justice in participating countries were delivered.

The above-mentioned reports highlight some good practices as well as drawbacks in child protection and child friendly justice that serve as a background for the following policy recommendations.

Policy recommendations on child-friendly justice for child victims of violence and forensic interviewing

UNDERLINING the principle of best interests of the child,
EMPHASISING the special vulnerability of the child victim of violence,
RECOGNISING the importance of the steps taken at the level of the European Union in victim's protection, in particular the Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA,
NOTING the progress of the implementation of the victims' rights during the last decades and existing challenges,
HAVING in mind that the protection of minor victims of violence needs a comprehensive approach,

THE CONSORTIUM DRAWS THE FOLLOWING RECOMMENDATIONS:

- A. Concerning the coordinated response: between police, justice and care actors for child victims of violence**
- To establish clear, legally defined responsibilities and coordination mechanisms among justice, police, health, social care, and victim support services coming into contact with child victims and witnesses of violence, with the aim of ensuring continuity of support and preventing secondary victimization.
 - To ensure that coordination mechanisms are activated immediately after first contact with authorities and are based on an early, individual child-specific needs assessment.
 - To introduce the role of a coordinator or case manager to ensure communication and coordination among all involved actors from justice, police, care and victims support services.
 - Proposition for the development of “task forces” for each case comprised by police, member of judicial system member from social services and from specialized child support agency; coordination upon “rotation” scheme at local level.
 - Protocol of confidentiality with regards to sensitive information sharing among engaged professionals
 - To elaborate clear and binding protocols on multi-agency coordination and action after VAC and, when possible, deadlines for such actions.
 - To extend multidisciplinary and interagency services (such as Barnahus-type assistance) and coordination (with access to all services in one place) for all violent crimes against children. Intersectional response should include specialized organizations (by the third sector) which would contribute with their specialty and added value to the efficacy of the system response.
 - To ensure adequate and sustainable public funding for an efficient functioning of child protection systems; collaboration of the Public Sector entities with specialized (and certified) child support organizations under specific *code of conduct* as a prerequisite for collaboration.
 - To require the adoption of national and regional action plans on coordination for child victims of violence, including:
 - clearly defined objectives,
 - measurable indicators,
 - regular monitoring and evaluation by multi-stakeholder bodies. To promote the recognition and accreditation of specialized competencies among “front line professionals” (of all

disciplines) with regards to strengthen child support / child friendly justice “in practice” at national / EU level.

- To increase the availability of specialized legal actors, including youth lawyers.
- To require that National Action Plans on coordinated responses to violence against children are periodically reviewed (at least every three years), setting out policies and institutional actions to improve coordination and inviting regions to develop corresponding action plans, including provisions for the allocation of resources for infrastructure and equipment within their institutional responsibilities.

B. PROTECTION MEASURES AND SUPPORT SERVICES FOR CHILD VICTIMS

- To ensure child appropriate protection measures for the child victim, depending on the specificities of each case and the child’s best interests, including measures such as anonymization of personal data in documents, use of videoconferencing for hearings, or issuing a protection order if necessary).
- To guarantee the early, mandatory, and individual assessment of the needs of child victims, conducted as soon as possible after first contact with authorities, and to ensure that the outcome of this assessment determines the protection measures, support services, and procedural adaptations provided.
- To ensure immediate and free access to comprehensive social, psychological and medical services, as quickly as possible after the incident. Specialized child psychological services should be accounted (as a right of the child) for each child victim of violence and should be free of charge (funded by the State or the social insurance scheme).
- To establish accessible, child-friendly, and confidential entry points to support, including national victims’ helplines (such as the EU-wide number 116 006) and clear referral pathways to specialised child services.
- To ensure equal access to protection and support services for child victims in rural, remote, and underserved areas. Health care Units at rural areas should include one trained professional on managing cases of violence against children and should be the “**focal person**” with central child support agencies at central level (big city / capital city of the prefect). Intensive training should be provided to the educators especially at remote/ rural areas for identifying a case of violence and organize a “confidentiality referral”; special focus should be given to the educators so not to proceed with any forensic action but only for referral. A small-scale task force (comprised by police person, health care professional and social services person) to handle a case of violence with the aim to organize a safe referral to the “central agencies” at the big city (and more specialized services) of the area.

C. REGARDING CHILD – FRIENDLY JUSTICE:

1. General issues:

- To ensure that all child victims and witnesses of violence are treated in a child-friendly, trauma-informed, and rights-based manner throughout all stages of judicial proceedings, including through age-appropriate language, child-friendly environments, and procedural adaptations tailored to the child's age, maturity, and circumstances.
- To ensure that procedural adaptations and safeguards are based on an early and individual child-specific needs assessment and are reviewed throughout the proceedings as necessary.
- To guarantee that child victims receive clear, accessible, and child-friendly information about:
 - the steps of the proceedings,
 - the roles of professionals involved,
 - decisions taken,
 - sentencing and execution of judgments.

2. Training, standards, and professional competence:

- To require mandatory and specialized training of engaged professionals (police, judicial actors, social services, child protection agencies) as an integral element of certification and accreditation process– see section A.)
- To ensure specific training on working with children in situation of heightened vulnerability, including migrant and unaccompanied children and children with disabilities.
- To promote the development and implementation of EU-level minimum standards for child-friendly justice, ensuring consistency across institutional frameworks, including standards on:
 - Existing EU and international child rights instruments,
 - coordination mechanisms among relevant authorities and services,
 - the revised EU Victims' Rights Directive (2025), and
 - the principles and objectives (trauma-informed and child-centred practices) set out in Directive (EU) 1385/2024, as an emerging framework for strengthening child-friendly justice, pending full implementation across Member States.

3. Access to justice & Legal representation:

- To guarantee automatic access to free legal aid and specialised legal representation, including ex officio lawyers with expertise in child cases, for all child victims of violence, regardless of the type of offence or proceedings.

- To ensure effective mechanisms to identify and address conflicts of interest between child victims and their legal representatives, through the involvement of independent specialised professionals where necessary.

4. Protection of privacy and media reporting

- To ensure strict protection of the privacy and personal data of child victims, including through effective, proportionate, and dissuasive sanctions for unauthorized disclosure of information or media reporting that may lead to identification or secondary victimization.

5. Access to Information

- To provide adequate child-friendly information during the process on steps that will be taken, participants as well as on sentencing and execution of the sentence.
- Introduction of extreme penalties for those parties who intentionally or unintentionally leak information about cases of child abuse to the media.

5. Trial phase and procedural safeguards

- To prioritize proceedings involving child victims of violence and to take measures to avoid undue delays, recognising the particular impact of prolonged proceedings on children.
- To promote the establishment of specialised courts or specialised judicial pathways for cases involving child victims of violence, or the designation of trained judges and prosecutors within existing courts.
- To ensure that child victims and witnesses are heard primarily through forensic interviews conducted according to evidence-based protocols, whenever this is in the child's best interests and appropriate to their developmental stage.
- To establish monitoring mechanisms to oversee the duration and child-friendliness of proceedings involving child victims, involving independent bodies where appropriate. Trials should be processed at a certain time frame with follow-up carried out through the annual reports and activity reports of the competent authorities.

6. Forensic Interviewing:

- 3.1. Professional Standards
 - To ensure that forensic interviewing is conducted only by professionals with certified specialized training and following evidence-based protocols and child-centered protocols (intensive training and universal accreditation), and to limit the number of interviews to what is strictly necessary, to avoid re-traumatization, with priority on the well-being and best interests of the child.

3.2. Timeliness and Preparation

To ensure that forensic interviews are performed as soon as possible, conferring high priority to the management of its organization. To ensure child-friendly communication,

to explain child victims in advance regarding the process of a forensic interview in a child-friendly manner.

3.3. Support During the Interview

- To allow the presence of a specialized professional (e.g., psychologist, criminologist, social worker, victim support staff, lawyer...) to ensure the well-being of the child before, during and after the interview.
- To respect child victims' privacy in sharing and displaying of forensic interviews.

3.4. Technical Requirements

- To ensure the availability of high-quality audio-visual equipment for recording and viewing forensic interviews, suitable for use during judicial proceedings while safeguarding confidentiality.

D. Concerning the training related to child protection and trauma-sensitive/child friendly approach:

- To establish a basic training for all professionals coming into contact with child victims of violence and forensic interviews (first contact authorities, professionals who assist or participate in the interview or other examinations, professionals who request the forensic interview, professionals who will use the results of the forensic interview, care and victim support services, etc.) should include:
 - Developmental psychology and child development considerations
 - Trauma-sensitive, child-friendly approaches
 - Violence against children and prevention of revictimization.
 - Safe environment creation, including referral protocols.
 - Children's rights, including rights to protection, support, and participation.
 - Awareness of EU-compliant reporting mechanisms and child-focused support services, including access to 116 006 helpline services.
- Specialized training for forensic interviewers should include:
 - strict selection processes, **specialized basic and continuous training for all professionals conducting forensic interviews¹**, including on the use of evidence-based forensic interview protocols and techniques and clear supervision systems.
 - Supervision systems and peer review.
 - Child-friendly communication, trauma-informed interviewing, and protocol adherence.

¹The duration to be decided during the elaboration of the Handbook for Professionals - Upgraded processes for Forensic Interview.

- Knowledge of legal procedures, children's rights, and protection measures as updated by the EU Directive, including video-recorded testimonies.
- Multi-sectoral case management meetings/training:
 - Coordination between social services, healthcare, law enforcement, and judicial authorities.
 - Training on integrated child protection approaches and EU-aligned service delivery standards.

E. Regarding data collection:

- To conduct prevalence studies on violence against children to gain insight in the extent of the issue of violence against children.
- To develop national harmonized and comprehensive data collection mechanisms on violence against children to collect comparable service data from those services that work with minor victims of violence, to gain an insight into those cases who seek help at professional services.
- To assign responsibility for collecting service data on violence against children on a regional or national level from the with minor victims of violence.
- To ensure that countries collect and analyze disaggregated data including at least the age and gender of the victim, age and gender of the assailant, the relationship between the victim and assailant, form of violence (one-off or continuous). Variables for a detailed analysis should include background characteristics and the previous victimization history and concurrent victimization of the victim, the existence of institutional linkages and previous history of violence of the assailants and the specific circumstances of the act. (United Nations Children's Fund, *International Classification of Violence against Children*, UNICEF, New York, 2023.)
- Judicial services should collect additional data on all cases of violence against children that were reported to the police and/or for whom a criminal procedure is ongoing with the aim to monitor and evaluate the child-friendliness of the judicial system. This data could include the type of violence, the protection measures/services provided to the victim, conviction or acquittal of the accused, place and date of the crime, date of the sentence and date of the final judgment. For each case prosecuted, indicate whether the forensic interview has been used.