



**Fostering Child-Friendly Legal Environments  
through collaborative networks**

# **Training Package for Trainers**

**Deliverable D2.2**



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## Introduction

This *Train of Trainers (ToT)* training package is designed to equip future trainers with the knowledge, skills, and tools necessary to deliver effective and impactful trainings to lawyers on child-friendly justice, with a special focus on children who are victims of crime. It brings together essential content areas, adult learning principles, and participatory training methodologies to ensure that training sessions are engaging, practical, and tailored to the needs of professionals working in this sensitive and vital field.

This Train of Trainers training package is the outcome of a collaborative effort among five partner organisations from Greece, Bulgaria, Slovenia, and Hungary, developed within the framework of the **FOSTER – Fostering Child-Friendly Legal Environments through Collaborative Networks** project, co-funded by the Justice Programme of the European Union (JUST-2023-JACC-EJUSTICE/ 101160568).

The [Centre for European Constitutional Law – CECL](#), project coordinator, is a leading public benefit foundation and research institute, based in Greece. Its areas of focus include Justice and Fundamental Rights, Democracy and Public Institutions, and Social Policy and the Welfare State. CECL is a training provider with extensive experience in the training of judges, prosecutors, lawyers, and other legal professionals, closely collaborating with the Greek School of the Judiciary, Bar Associations, and other professional associations at the national and European level. CECL also hosts the national focal point for FRANET, the multidisciplinary research network of the European Union Agency for Fundamental Rights (FRA), and is a member of the Greek National Human Rights Institutions (NHRI).

The [Society of Social Psychiatry P. Sakellaropoulos – SSP. P. Sakellaropoulos](#) is a non-profit non-governmental scientific organisation, which was founded in 1986 and provides high quality mental health services in Greece as part of the National Plan for Mental Health “Psychargos” of the Ministry of Health. It focuses on prevention, timely intervention, human rights promotion in mental health, advocacy and networking and it operates 35 mental health units in 5 Prefectures, including mobile mental health units and day centers for children and adults, rehabilitation units. It also provides training to professionals, including teachers, judges, prosecutors, legal experts, police officers, journalists in the framework of community awareness rising.

The [Center for the Study of Democracy – CSD](#) in Bulgaria, which has been long engaged in advancing child rights, with a focus on protecting the rights of child victims of crime. Over the years, CSD has conducted comprehensive research, developed policy recommendations, and implemented training programmes aimed at improving the treatment of children within the justice system. The Centre has been instrumental in promoting a child-sensitive and trauma-informed approach to legal proceedings, advocating for reforms to align national practices with international standards.



[The Centre for Social Sciences Institute of Legal Science \(CSS\)](#) in Hungary, CSS is a research centre for the legal sciences, conducting theoretical, empirical and comparative researches. The Centre also carries out basic, applied and comparative research in these fields and conducts its scientific work independently of political influence, and

The [Institute of Criminology \(IK\)](#) at the Faculty of Law in Ljubljana is an organisation founded in 1954 as the first criminological institute in the former Yugoslavia. Since its establishment, its primary activities have included research, teaching, information dissemination, and the organization of a library and documentation service.

Judicial training plays a crucial role in strengthening the capacity of legal professionals to uphold justice in a manner that respects the rights and well-being of children. Through this material, trainers will explore the principles of adult learning and how these shape effective training approaches, especially in professional legal contexts. Emphasis is placed on participatory methods and digital training tools, reflecting the evolving needs of modern learning environments.

The content of this ToT also provides comprehensive guidance on substantive topics such as:

- **Child-Friendly Justice** and the specific needs of **child victims of crime**;
- The **protection of children's personal data** and the **ethical responsibilities of lawyers**;
- Fundamentals of **child psychology** and **child-sensitive communication** techniques;
- And the **importance of multi-agency cooperation** in handling cases involving children.

The ultimate goal is to enable future trainers to design and facilitate meaningful training sessions that not only convey essential legal knowledge but also promote a child-centered, rights-based approach to justice, and to contribute in the development of a more responsive and empathetic justice system for children.

### **Important Note to Trainers**

While this *Train of Trainers training package* focuses primarily on adult learning methodologies and the essential components of designing and delivering effective training for legal professionals, it is important to highlight the complementary role of the “**Training Package for Lawyers**”, also developed under the **FOSTER – Fostering Child-Friendly Legal Environments through Collaborative Networks** project.

We strongly encourage all future trainers to consult and integrate the content of the Training Package for Lawyers into their training sessions. It offers more in-depth information on key thematic areas, including:



- The rights of child victims of crime,
- Child psychology and child-friendly communication,
- The importance of multi-actor cooperation in child protection systems.

By combining the methodological guidance of this ToT package with the substantive expertise provided in the lawyers' training package, trainers will be better equipped to deliver comprehensive, child-sensitive, and impactful training experiences.



# 1. Core principles of adult learning

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## 1.1 From Traditional to Participatory Training

Traditional training often involves a one-way transfer of knowledge from the trainer to a passive audience. In this model, the trainer is the expert, and the participant is expected to absorb information, a method that treats learners as empty vessels to be filled.

In contrast, **participatory training** shifts the focus to the learner. It centers on their experiences, needs, and active engagement. Rather than just acquiring facts, participants reflect on their own professional realities, critically examine their attitudes and practices, and apply new insights directly to their work.

This learner-driven approach encourages:

- Critical thinking and open dialogue
- Challenging pre-existing beliefs
- Practical application of knowledge in the workplace

Participatory methods are not one-size-fits-all. They are adaptable to specific cultural, professional, and legal contexts.

## 1.2 Core Principles of Participatory Learning

Effective participatory training is:

- **Learner-centred:** Training is built around the learner's needs and experiences.
- **Experience-based:** Knowledge is created through real-life application and reflection.
- **Open-ended:** The learning process is continuous and adaptive, not fixed to one outcome.

This kind of approach fosters confidence in legal professionals by recognising and leveraging the expertise they already bring into the training room.

## 1.3 Adult Learning in Practice: Kolb's Learning Cycle



David Kolb’s experiential learning model is widely used in adult education. It identifies four stages that together create an effective learning process:

- Concrete **Experience** – engaging in an activity (e.g. role play, simulation)
- **Reflective Observation** – reflecting on the activity
- Abstract Conceptualisation – forming conclusions or theoretical understanding
- Active Experimentation – applying what was learned in new contexts

Training is most impactful when it includes all four stages. Adults learn not just by being told, but by doing, thinking, discussing, and applying.

1.4 Matching Methods to Learning Goals

Trainers should select methods based on the type of learning they want to achieve. Below is a simplified guide:

Learning Objective	Method Examples
Knowledge acquisition	Brainstorming, short lectures, group discussions
Understanding	Group work, questioning, debates
Application	Case studies, role plays, moot courts
Analysis	Simulations, problem-solving tasks
Synthesis	Project work, collaborative exercises
Evaluation	Self-assessments, debriefings

1.5 Key Adult Learning Principles for Trainers

Keep the following principles in mind when designing participatory training for legal professionals:

- Adults need to know why they are learning something: Always connect training content to real-life challenges participants face.
- Adults learn through experience: Draw on participants' professional backgrounds. Use their insights to make sessions relevant and dynamic.
- Adults are problem-solvers: Use practical scenarios and case studies that require decision-making and reflection.
- Adults need relevance and immediacy: Focus on skills and knowledge they can apply immediately in their work.
- Learning is active: Build in time for reflection, discussion, and feedback to deepen understanding.



This participatory approach is especially important for training on children’s rights, where ethical sensitivity, cross-disciplinary collaboration, and context-specific reasoning are vital. Empowering professionals to reflect, question, and co-create knowledge ensures they can uphold children's rights effectively within the framework of EU law.

## 2. Participatory Training Methods

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Participatory methods not only enhance engagement but also empower legal professionals to reflect, collaborate, and apply EU law in sensitive areas, like protecting the rights of children who are victims of crime. Below are a few practical training techniques you can use, each accompanied by a ready-to-use example for your sessions.

### 2.1 Icebreaking Activity

**Purpose:** Icebreakers are short, interactive activities used at the beginning of a training session to create a relaxed and open atmosphere. They help participants get comfortable with each other, set the tone for the training, and begin to reflect on the topic in a low-pressure way.

**Description:** Participants in legal training may come from different professional and national backgrounds. Icebreakers help to reduce initial barriers, encourage participation, and create a foundation of trust—essential when discussing emotionally charged topics like child victims.

**Example:**

“What motivates you to work on cases related to children’s rights?”

- Ask each participant to answer in one word.
- Write the words on a flipchart or virtual board.
- Use this as a jumping-off point to highlight the emotional and legal dimensions of the topic.

What do you find most rewarding about	What is the most important skill a lawyer	What is a piece of advice you wish you had received before handling
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representing victims?	child	should have when working with children?	your first case involving a child?
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### 2.2 Snowballing

**Purpose:** Snowballing is a progressive group discussion technique where participants first think individually, then discuss in pairs, then small groups, and finally as a whole group. It allows for reflection, confidence-building, and deepening of ideas in a structured way.

**Description:** This method encourages everyone to contribute—starting in a safe, low-pressure setting—and gradually brings in more perspectives. It’s especially useful for sensitive or complex issues, such as legal dilemmas in child victim cases.

**Example:** “Who Should Speak for the Child?”

- Step 1: Individually reflect—Who should decide how a child testifies in court?
- Step 2: Pair up to compare answers.
- Step 3: Join another pair and identify common themes.
- Step 4: Full group shares insights—discuss legal standards and practical realities across MS.

How can lawyers ensure that they are not re-traumatising a child victim during legal proceedings?	If a child victim clearly expresses a wish not to testify against a parent they love, should you respect their wishes, or should you prioritise the legal process and the need for evidence? Why?	Imagine a child discloses abuse during a confidential interview with you, but they beg you not to tell anyone. How do you balance your duty of confidentiality with your responsibility to protect the child?
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### 2.3 Participatory Presentation

**Purpose:** A participatory presentation blends short informational segments with interactive elements like questions, polling, or short discussions. Instead of talking *at* the participants, the trainer involves them in thinking and responding throughout.

**Description:** It keeps energy high and allows participants to connect new information with their existing knowledge and experience. It also enables the trainer to adjust content based on audience responses.

**Example:** Directive 2012/29/EU – Key Provisions for Child Victims

- After 5–10 minutes of presenting key articles, ask: “How does this look in your country?”, “What challenges exist in your jurisdiction?”



- Use tools like Mentimeter, Slido, or colored cards for quick feedback.

Do you have any experience with this (legislation) provision?	How comfortable do you feel when questioning a child in court? (Scale 1-5)	Have you ever encountered a case where you felt the child's best interests were not protected?
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### 2.4 Debate

**Purpose:** A structured argument between two groups on opposing sides of a statement. Participants are assigned to positions, prepare their arguments, and then engage in a timed debate.

**Description:** Debates push participants to think critically, articulate arguments, and see issues from multiple perspectives. This is especially useful in legal training, where ethical and procedural dilemmas are common.

**Example:** "Children Should Always Be Heard in Court – No Exceptions."

- Divide the group into two sides.
- Each side prepares arguments.
- After the debate, reflect together on: EU and international standards,

Practical considerations (age, trauma, procedural safeguards)

The testimony of a child victim should be given the same weight as that of an adult witness.	Parents should always be present when their child is questioned.	Child victims should always have independent legal representation, separate from their parents or guardians.
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### 2.5. Role Play exercise

**Purpose:** Role play involves acting out real-life scenarios by assigning participants roles (e.g., judge, lawyer, child, psychologist) and giving them a situation to respond to. It can be scripted or semi-open-ended.

**Description:** It builds empathy and helps participants experience legal situations from different viewpoints. It also reinforces legal standards and procedures in a memorable, practical way.

**Example:** "The First Police Interview"



- Scenario: A 12-year-old has witnessed a violent crime. How should the first contact with the police be handled?
- Assign roles and act out the scenario.
- Reflect on what went well and what could be improved.
- Link to standards from Directive 2012/29/EU and UNCRC.

"Establishing a trust relationship with a child victim"	"Clarifying a child victim's procedural rights"	"First contact with a vulnerable child"
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## 2.6. Practical Demonstration

**Purpose:** A demonstration is a live or recorded example of a technique, process, or tool. It shows how something should be done, which can then be discussed or practiced by participants.

**Description:** Seeing best practices in action helps participants understand not just *what* to do, but *how* to do it. This is especially important when working with vulnerable children, where tone, environment, and technique are critical.

**Example:** "How to Use a Child-Friendly Interview Room"

- Show a video or live demo of an interview using a soft, safe space with trained personnel.
- Discuss: What elements made it child-sensitive?
- Optional: Have participants practice with feedback.

How to inform child victims about their procedural rights		
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# 3. Training methods in digital environment

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The shift to online training has opened up new possibilities in the way we deliver legal education. Trainers can now reach participants across borders, reduce travel costs, and adapt learning to people's schedules. For many, this has meant broader access to EU law and faster responses to emerging needs, especially in the field of children's rights, where situations often demand quick upskilling.



But while the benefits are clear, anyone who has facilitated a digital session knows that it comes with its own set of challenges — not only technical, but human and emotional. Moving a training about children who are victims of crime into a virtual space demands extra care, sensitivity, and creativity.

One of the first difficulties trainers face is the lack of in-person connection. When participants aren't in the same room, it's harder to read the room. Eye contact, body language, and spontaneous conversations — all the subtle signals that create trust and engagement — are often lost or flattened. This can be especially problematic when discussing emotionally heavy subjects like trauma, abuse, or justice system failures involving children. These topics require an atmosphere of trust and empathy, and in the online world, that takes more time to build.

Then there's the challenge of attention and energy. Online environments can easily lead to passivity. When cameras are off and microphones muted, it's tempting to multitask or tune out. Long presentations, even with great content, feel heavier online than in a classroom. For topics that demand active reflection and exchange — like balancing the legal rights of children with procedural safeguards — this creates a real barrier to learning.

We also can't forget digital fatigue. Participants may already be spending most of their day on screens. Adding a legal training session into that mix means competing with short attention spans, distractions at home or work, and even feelings of isolation.

In addition, trainers often find themselves asking: Can I still use the same methods online? Activities like role play, group discussions, or case simulations are central to adult learning. But online, they require different tools, pacing, and structure. For example, small group work now depends on breakout rooms — which need clear instructions and extra facilitation. Even a simple brainstorm needs to be supported by digital tools like Jamboards or polls, which not everyone may be comfortable using.

You need to be extra cautious when teaching about sensitive topics in an emotionally distant format. When the subject involves children who have suffered violence or trauma, emotional responses are inevitable — even among experienced professionals. In a physical room, we can notice when someone needs a break, or offer informal support during a coffee break. Online, those signs are easier to miss, and participants may not feel comfortable speaking up.

So, what does all this mean for you, as a trainer? It means that online training isn't just about transferring your in-person methods to a screen. It's about rethinking how to build connection, hold attention, and create space for meaningful learning — even at a distance.

### 3.1 Virtual Icebreakers



**Why it works online:** In virtual spaces, people tend to feel more isolated or hesitant to speak up. Icebreakers help create early engagement and make participants feel seen and heard. They also set a tone of openness and psychological safety, which is essential when discussing difficult issues like child victimisation.

**How to use it:** Use the chat box, emojis, or breakout rooms for quick sharing activities. Keep it light but relevant to the training theme.

Example exercise – “Justice Through a Child’s Eyes”:

- Ask participants: “If you were 10 years old and needed help from the justice system, what’s one thing you would want adults to do?”
- Share responses in chat or verbally.
- Use the answers to frame the rest of the session: What does a child-centred system really mean?

### 3.2 Polling and Instant Feedback Tools (Mentimeter, Slido, Zoom Polls)

**Why it works online:** Polling helps keep participants involved and gives everyone a voice — especially those who may be reluctant to speak. It’s quick, anonymous, and effective for gathering instant feedback or checking understanding.

**How to use it:** Use polls during or after content delivery to test knowledge, spark discussion, or explore diverse views.

Example exercise – “At What Age Should a Child Testify?”:

- Create a multiple-choice poll with age options (e.g., 6, 10, 14, 16).
- Share the anonymous results with the group.
- Use the outcome to open a discussion on maturity, trauma risk, and EU legal protections (e.g., the Victims’ Rights Directive).

### 3.3 Breakout Room Group Work

**Why it works online:** Small groups help participants connect more deeply, speak more freely, and collaborate on complex issues. Breakout rooms simulate the small-group energy of in-person training, making it easier to explore legal challenges in depth.

**How to use it:** Give each group a clear task and timeframe. Provide a shared document or slide for them to work on collaboratively.

Example exercise – “Design a Child-Friendly Justice Process”:

- Assign each group a stage of a criminal case (e.g., reporting, interviewing, courtroom, post-trial support).



- Ask them to develop recommendations that align with EU child protection standards.
- Have each group present their findings in the main session.

### 3.4 Scenario-Based Analysis with Visual Aids (slides, whiteboards, or Jamboards)

**Why it works online:** Well-crafted scenarios help bridge theory and practice. Visual tools allow participants to analyse a case collaboratively, even at a distance.

**How to use it:** Present a written or visual case study. Use a shared space (like Google Jamboard or a collaborative doc) for analysis.

Example exercise – “Spot the Red Flags”:

- Present a scenario where a child is interviewed multiple times by different professionals, resulting in retraumatisation.
- Ask: What went wrong? What could have been done better?
  - Collect responses on a virtual whiteboard.
  - Debrief with legal references and practical standards for child-sensitive interviews.

### 3.5 Video-Based Reflection

**Why it works online:** Videos are emotionally engaging and visually rich. They illustrate both good and poor practices in a way that text alone cannot. In online settings, they help restore some of the emotional connection that’s often lost through screens.

**How to use it:** Play a short video clip of a real or simulated interview or courtroom interaction involving a child. Pause for reflection and group discussion.

Example exercise – “Evaluating an Interview”:

- Show a 3-minute clip of a child being questioned by a judge and lawyer.
- Ask participants to observe and note: Was the child treated with respect and sensitivity? Were procedural safeguards followed?
  - Discuss in breakout groups and share observations.

### 3.6 Online Role Play (Structured, Optional)



**Why it works online:** Even in a virtual setting, role plays can immerse participants in real-life dilemmas. They develop empathy and reinforce both soft and legal skills. Online role plays work best with strong facilitation and a safe, supportive tone.

**How to use it:** Set up roles and give clear instructions. Limit the time, provide a debrief, and allow participants to opt out if they feel uncomfortable.

Example exercise – “Virtual Hearing with a Child Victim”: Participants take on roles: judge, lawyer, child, support person. Simulate a court hearing conducted via video link.

→ After the role play, lead a structured reflection: Did the child feel protected and heard?; What improvements could be made in practice?

→ Connect the exercise to legal safeguards under EU law.

### 3.7 Wrap-Up Reflections (Char or Quick Survey)

**Why it works online:** Wrap-ups help consolidate learning and offer closure. Online environments benefit from structured checkouts to ensure participants leave with a clear sense of takeaway and accomplishment.

**How to use it:** End with a reflection prompt in chat, or use a form with 2–3 quick questions.

Example prompts:

- “What’s one insight you’re taking back to your practice?”
- “What challenged your thinking today?”
- “How will this change how you approach child victims?”

## 4. EU Judicial Training Strategies

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### 4.1 Why Judicial Training Matters?

The consistent and effective application of EU law across all Member States is fundamental to ensuring legal certainty, mutual trust, and access to justice throughout the European Union. For this to be achieved, legal practitioners—including judges, prosecutors, and lawyers—must possess a sound and up-to-date understanding of EU law.



The Lisbon Treaty granted the EU competence to support judicial cooperation in civil and criminal matters by facilitating training for the judiciary and judicial staff. Since then, judicial training has become a strategic tool to:

- Strengthen the correct and uniform application of EU law,
- Build mutual trust in cross-border judicial proceedings,
- Support the development of the European Area of Freedom, Security and Justice.

#### 4.2 Evolution of EU Judicial Training Strategies

Judicial training has evolved significantly over the past decade, guided by clear strategic objectives set by the European Commission. Key milestones include:

- European Judicial Training Strategy 2011–2020: Marked a turning point by setting quantitative and qualitative goals, notably training at least 700,000 legal practitioners by 2020.
- New Judicial Training Strategy 2021–2024: Adopted on 2 December 2020, this comprehensive package aligns with the Digitalisation of Justice initiative and aims to modernise the training landscape further. It emphasises increased participation of all justice professionals, digital and blended learning tools, integration of cross-cutting issues such as the rights of the child, gender and digitalisation.

#### 4.3 Key EU Stakeholders in Judicial Training

- European Commission: Defines strategies and provides funding through programs like Justice and Citizens, Equality, Rights and Values (CERV).
- European Judicial Training Network (EJTN): Coordinates training initiatives, develops methodologies, and fosters cross-border exchanges.<sup>1</sup>
- European Union Agency for Fundamental Rights (FRA): Supports training with thematic focus areas including children's rights and non-discrimination.<sup>2</sup>
- National Judicial Schools and Training Institutes: Implement EU strategies at the domestic level, adapting them to local legal systems and needs.

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<sup>1</sup> The EJTN Handbook on Judicial Training Methodology is one of the most authoritative resources. It offers a comprehensive framework for planning, delivering, and evaluating judicial training. It is available in all EU languages and widely endorsed by the European Commission. See: [EJTN website](#).

<sup>2</sup> See: [FRA website](#)



The [EJTN Handbook on Judicial Training Methodology](#)<sup>3</sup> is one of the most authoritative resources. It offers a comprehensive framework for planning, delivering, and evaluating judicial training. It is available in all EU languages and widely endorsed by the European Commission.

Other valuable resources include:

- [EJTN Distance Learning Handbook \(2020\)](#)<sup>4</sup>: Offers guidance on designing and managing remote training.
- [EJTN Guidelines for Evaluation](#)<sup>5</sup>: Provide tools to assess the quality and impact of training programs.
- [EJTN's Medium to long-term evaluation of judicial training](#)<sup>6</sup>: a guide to evaluating the effectiveness of judicial training programs.
- [Good Practices](#)<sup>7</sup> section on the **European e-Justice Portal**: Showcases successful training examples from across the EU.

#### 4.4 Judicial Training Methodologies

Modern judicial training moves away from lecture-based delivery and focuses on learner-centred approaches that emphasise:

- Interactivity and participation
- Practice relevance
- Real-life case studies
- Cross-border scenarios.

#### 4.5 Relevance to Children's Rights in EU law

In the context of child-related legal issues—such as child protection, cross-border custody, migration, or juvenile justice—training is not just about legal knowledge, but also about:

- Ensuring **child-sensitive practices**
- Respecting procedural safeguards
- Applying international law and soft law standards

<sup>3</sup> European Judicial Training Network, [Handbook on Judicial Training Methodology in Europe](#) (2016)

<sup>4</sup> European Judicial Training Network, [Judicial Training Methods: Distance Learning Handbook](#) (2020)

<sup>5</sup> European Judicial Training Network, [Judicial Training Methods: Guidelines for Evaluation of Judicial Training Practices](#) (2017)

<sup>6</sup> Marco Fabri (ed), [Medium- to Long-Term Evaluation of Judicial Training](#) (European Judicial Training Network 2023)

<sup>7</sup> See: the [e-Justice](#) portal.



## 5. Child-friendly justice and children – victims of crime

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### 5.1 The Role of Judicial Training and Legal Professionals

Justice systems are intended to protect rights, ensure accountability, and offer redress. But for children—especially those who are victims of crime—interacting with the justice system can be intimidating, confusing, and even traumatic. Traditional legal procedures are often not designed with children in mind, and when children are treated as passive subjects rather than rights-holders, the result can be further harm, or secondary victimization.

Child-friendly justice offers a response to these challenges. It is not a special or parallel form of justice, but a rights-based approach that ensures every interaction with the legal system respects the child's dignity, autonomy, and development. For lawyers—whether they are advocates, prosecutors, defence counsel, or legal guardians—this framework has immediate practical relevance. Lawyers are among the first and most influential actors that children encounter in the justice process. Their actions can support a child's access to justice or create barriers that silence and retraumatise.

This chapter explores the meaning of child-friendly justice, the foundational principles that underpin it, and the role of lawyers and judicial training in making this vision a reality, particularly in cases involving child victims of crime.

### 5.2 What is Child-Friendly Justice?

Child-friendly justice is a justice system that is designed, operated, and evaluated from the perspective of the child. It ensures that legal proceedings involving children are adapted to their age and maturity, respect their rights, and promote their well-being. The concept is anchored in the UN Convention on the Rights of the Child (CRC) and further elaborated by the Council of Europe Guidelines on Child-Friendly Justice. It applies to all stages and types of proceedings—criminal, civil, administrative—and to all children, whether as victims, witnesses, offenders, or parties in family law cases.



At its core, child-friendly justice is guided by four foundational principles<sup>8</sup>:

1. **Participation:** Children have the right to express their views freely in all matters affecting them and to have those views taken seriously. Legal professionals must create safe and supportive environments in which children can be heard.
2. **Best Interests of the Child:** The child's best interests must be a primary consideration in all legal decisions. This requires careful, individualised assessments, not assumptions based on age or category.
3. **Dignity:** Children must be treated with respect and sensitivity. Their privacy, emotional well-being, and need for safety must be considered at every step.
4. **Non-Discrimination:** Every child must have equal access to justice, regardless of gender, disability, ethnicity, immigration status, or social background.

These principles are not abstract—they are meant to guide legal practice and professional behaviour. Their implementation depends on how lawyers and judges interpret their roles in relation to children.

### 5.3 Child-Friendly Justice for Child Victims

When children become victims of crime—whether of violence, abuse, exploitation, or trafficking—the harm they suffer is often compounded by their interaction with the justice system. Recounting traumatic experiences in a courtroom, facing questioning from multiple professionals, or enduring delays and procedural complexity can increase a child's distress. Without proper safeguards, the judicial process itself may cause as much harm as the crime it seeks to redress.

Child-friendly justice provides a framework to minimise these risks. It promotes measures such as early access to information, the right to legal assistance, child-sensitive interviews, protective measures during trial, and post-trial support. But these measures can only be effective if the professionals applying them understand both the legal and psychological needs of the child.

### 5.4 The Role of Lawyers in Implementing Child-Friendly Justice

Lawyers play a central role in making child-friendly justice a reality. Their responsibility goes beyond legal representation—they are often the first point of contact between a child and the justice system, and the way they communicate, prepare, and advocate can shape the child's entire experience of justice.

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<sup>8</sup> Council of Europe, Child-friendly justice, available at <https://www.coe.int/en/web/children/child-friendly-justice>



A child-friendly lawyer understands that effective representation of a child is not only about legal accuracy, but also about communication, trust, and empowerment. When representing child victims, this means:

- Communicating in child-appropriate ways: Legal language must be translated into terms the child can understand. This helps children know what to expect and reduces fear or confusion.
- Ensuring informed consent and participation: Children must be kept informed of the legal process and given real opportunities to express their wishes and concerns.
- Building trust: Many child victims have experienced betrayal or harm from adults. The lawyer's ability to build rapport and provide reassurance is crucial to their willingness to engage with the legal system.
- Protecting the child's rights throughout proceedings: This includes advocating for procedural adaptations (such as closed hearings, video testimonies, or the presence of a support person) and ensuring that the child is not subject to aggressive or inappropriate questioning.
- Balancing legal strategy with the child's well-being: Lawyers may need to assess whether pursuing certain lines of questioning, or appealing a decision, serves the best interests of the child in both legal and emotional terms.

Lawyers play a vital role in ensuring that child-friendly justice is not only a principle but a lived reality. As the legal professionals most directly responsible for advising, informing, and advocating for clients, lawyers are uniquely positioned to protect children's rights at every stage of the legal process. For children who are victims of crime, lawyers are often the first and most consistent adult presence guiding them through a justice system that can feel intimidating, foreign, or unsafe.

A child-friendly lawyer recognizes that children are not merely passive recipients of protection, but active rights-holders who deserve to be heard, respected, and involved in decisions that affect them. This requires more than legal skill; it demands the ability to communicate effectively with children, to build trust, and to advocate in a way that is both rights-based and trauma-informed.

When representing child victims, lawyers must be able to explain legal procedures in language a child can understand, help them prepare for difficult moments—such as giving testimony—and ensure that they feel informed and supported throughout the process. The lawyer's role also includes identifying when procedural adaptations may be necessary to protect the child from retraumatization, such as requesting testimony via video link, avoiding unnecessary repetition of interviews, or coordinating with psychosocial support services.

In addition to working directly with children, lawyers must also be advocates within the system. This means challenging practices that risk harming children, pushing for procedural fairness, and ensuring that the child's views and best interests are presented clearly and convincingly. It also involves recognizing when legal strategy



must be tempered by ethical judgment—such as advising against pursuing legal avenues that might expose a child to unnecessary harm or delay.

Lawyers working in areas beyond criminal justice—such as family law, child protection, immigration, or civil compensation—are equally central to the implementation of child-friendly justice. Whether advising a child in care, representing them in a custody dispute, or supporting an unaccompanied minor in an asylum procedure, lawyers must be equipped to apply the same child-sensitive principles. This includes ensuring that the child’s views are meaningfully heard, that their rights are actively upheld, and that legal action does not inadvertently contribute to their vulnerability.

Even when lawyers are representing adult clients, their decisions and conduct may still affect children—particularly in family disputes, domestic violence cases, or cases involving children as witnesses. Integrating a child-friendly lens into all areas of legal practice is therefore essential. It requires a conscious commitment to respecting the rights of the child, even when they are not the primary client, and understanding how legal processes and decisions shape children’s lives.

To embed these practices systematically across the profession, child-friendly justice must be an integral part of legal education and professional training. It is through structured, high-quality training that lawyers gain not only the technical knowledge but the sensitivity and confidence required to work effectively with and for children. Training also offers space for critical reflection, enabling lawyers to examine their assumptions, adapt their communication, and approach each child not as a legal problem to be solved but as a person to be respected.

### 5.5 Judicial Training as a Catalyst for Change

Law school provides little preparation for the emotional, psychological, and practical complexities of working with children. Judicial and legal training fills this gap. It ensures that lawyers and judges understand not just the law, but the child behind the case file.

Training provides essential insights into child development, trauma, and communication. It equips legal professionals with tools to interact effectively with children, to assess their capacity and willingness to participate, and to support them in navigating the justice system. It also encourages reflection on the ethical dimensions of legal work with children—particularly the tension between representing a child’s wishes and promoting their best interests.

Importantly, training challenges professionals to unlearn assumptions that may limit children’s participation or reinforce harmful practices. It asks them to reconsider the traditional image of the passive child and to embrace a model in which children are informed actors in their own lives.

In a training-of-trainers setting, the challenge is twofold: not only to convey information, but to model child-friendly practice. Trainers must foster open



dialogue, promote critical reflection, and help their peers build the confidence and competence to engage with children in ways that are legally sound, developmentally appropriate, and emotionally safe.

In a train-the-trainers context, equipping professionals with this understanding is more than capacity-building; it is culture-changing. It is a way to embed the principles of participation, best interests, dignity, and equality into the very fabric of legal practice—ensuring that justice for children is not only done, but done in a way that honours who they are.

## 6. The Rights of Child Victims of Crime

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### 6.1 The Four Guiding Principles of the United Nations Convention on the Rights of the Child

The United Nations Convention on the Rights of the Child (UNCRC) is based on four principles that shape the interpretation and implementation of all other rights:

- Non-discrimination/equality (Article 2)
- The best interest of the child (Article 3)
- The right to life and development (Article 6)
- The right to be heard (Article 12)

### The Right to Be Heard

- Every child who is capable of forming their own views has **the right to express those views freely** in all matters that affect them. The child's views must be given appropriate weight based on their age and maturity (Article 12/1).
- The child shall be afforded **the right to be heard in any judicial or administrative proceedings** affecting them (Article 12/2).



- This can be done either directly, or through a representative or an appropriate body, in accordance with the procedural rules of national law.
- Expressing views is a choice of a child, not their obligation. States must ensure that the child receives all necessary information and guidance to make decisions that align with their best interests.<sup>9</sup>
- This right is among the four guiding principles of the UNCRC because it recognises children as subjects of rights.<sup>10</sup>

## 6.2 European Union (EU) Directive 2012/29

*Directive 2012/29/EU establishes minimum standards on the rights, support, and protection of victims of crime across the EU. It ensures that victims are recognised, treated with respect and dignity, and receive appropriate information, protection, and support tailored to their individual needs. The Directive grants rights such as the right to be informed, to participate in criminal proceedings, and to access victim support services. It also provides special protection for vulnerable victims, including children and victims of sexual violence.*

### Right to understand and be understood

- States have to ensure the victims **understand and are understood from the first contact with a competent authority** in the criminal procedure, including where information is provided by the authority. **(Article 3/1)**
- **Communication** with the victim must be conducted in a **simple and accessible language** – special consideration must be paid to the age of the child victim in order for the right information to be respected and also to ensure the supportive environment in legal proceedings. **(Article 3/2)**
- If a victim requires assistance to understand or be understood, Member States shall allow them to be **accompanied by a person of their choice** during their first contact with a **competent authority**, unless such accompaniment would be contrary to the interests of the victim or would interfere with the conduct of the proceedings. **(Article 3/3)**
  - As such, the right to information and the **child's evolving capacity to participate in a legal proceeding** is respected.

### Right to information and translation

<sup>9</sup> General comment no. 12 (2009), The right of the child to be heard, available at: <https://digitallibrary.un.org/record/671444?v=pdf> (Accessed 5. 6. 2025).

<sup>10</sup> General comment no. 12 (2009), The right of the child to be heard, available at: <https://digitallibrary.un.org/record/671444?v=pdf> (Accessed 5. 6. 2025).



- From their first contact with authorities, victims must be promptly **provided with essential information**, including (Article 4/1):
  - types of support available (medical, psychological, accommodation),
  - procedures for filing complaints and their role in the process,
  - how to access protection measures,
  - how to get legal advice, aid, and other forms of assistance,
  - access to compensation,
  - availability of interpretation and translation services,
  - special measures for victims from other Member States,
  - how to complain if rights are not respected,
  - contact details for communication about their case,
  - restorative justice services,
  - information on reimbursing expenses incurred in the process.
- The level of detail provided in the information **should be tailored to their needs and personal circumstances** (thus keeping in mind the child's age and their capability of participating in the legal proceeding). Additional information can be provided to the victim at later stages if needed. **(Article 4/2)**
- If a victim does not understand the language of the competent authority, they must be provided with **free interpretation services** in the criminal proceeding upon their request. Such action must be requested and **free of charge**. This applies, at a minimum, during any questioning or interrogation by investigative or judicial authorities, including police questioning, as well as for their participation in court hearings and any necessary interim interviews. (Article 7/1)
- In addition, victims are entitled to receive, upon request, **translations of essential information related to the exercise of their rights** in criminal proceedings, in a language they understand, also free of charge. This includes, at a minimum, **any final decisions that conclude criminal proceedings and a brief summary of reasons**, except in the case of a jury decision or a decision where the reasons are confidential. (Article 7/3)

## Participation in Criminal Proceedings

### Right to be Heard and Provide Evidence

Victims must be **allowed to be heard** and **provide evidence** in a criminal proceeding. For child victims, their **age and maturity must be considered**,



ensuring their right to information and evolving capacity to participate (Article 10/1).

### **Protection in Restorative Justice Services**

States must ensure safeguards are in place to protect **victims, especially children, from secondary victimisation and retaliation when engaging in restorative justice services (Article 12/1).**

Restorative services are only to be used if they are in **the victim's best interest, with the following safeguards:**

- Voluntary participation: **victims must freely and voluntarily consent to participate, with the option to withdraw** at any point,
- Full and unbiased information: victims must be provided with **unbiased information** about the process and potential outcomes,
- Acknowledgement of the offender: the **offender must acknowledge the basic facts** of the case.

### **Right to Legal Aid**

Victims involved in criminal proceedings as parties are entitled to **legal aid/representation** (Article 13).

### **Protection from Secondary Victimisation**

Without favouring the defence, victims and their family members should be **protected from secondary and repeat victimisation, intimidation, retaliation, and risk of emotional and psychological harm.** Their dignity should be protected during testimonies and questionings (Article 18).

### **Privacy protection**

Appropriate measures must be in place to protect the **privacy of the victim** and their family. Special consideration should be paid to children, and states may take all lawful measures to **prevent public dissemination of any information** that could lead to the identification of a child victim (Article 21/1).

### **Individual Assessment of Victims to Identify Specific Protection Needs**

- To ensure the victim's protection and a safe environment in legal proceedings, they must be subjected to an individual assessment to



determine any **specific protection needs**. Based on this assessment, victims **might be granted special measures due to their vulnerability to secondary and repeat victimisation, intimidation and retaliation** (Article 22/1).

- The assessment shall especially consider: (i) the personal characteristics of the victim, (ii) the type or nature of the crime and (iii) the circumstances of the crime (**Article 22/2**).
- All child **victims are presumed to have special protection needs** due to their increased vulnerability. To determine the extent of these needs and the specific measures required for their protection, child victims must undergo an individual assessment mentioned above (Article 22/5).

### Specific Measures for Child Victims<sup>11</sup>

When a child is a victim of a criminal offence, the following measures should be ensured to provide appropriate care and support:

- During **criminal investigations**, child victims must have access to the following measures (Articles 23/2 and 24):
  - Child-friendly environment: interviews should be conducted in **premises adapted** for this purpose,
  - Qualified Professionals: interviews must be **carried out by or through a trained professional** trained to work with child victims,
  - Consistency in interviewers: if possible, the **same individuals** should conduct all interviews,
  - Gender-sensitive approach: in cases of sexual violence, gender-based violence, or domestic violence, the interviews are conducted by a person of the same gender as the child, if the child requests it and it does not disrupt the criminal proceedings,
  - Audiovisual recording of interviews: all interviews can be audiovisually **recorded**, and recordings may be used as evidence in court.
- During **judicial proceedings**, child victims should be provided with the following measures (Article 23/1):
  - Avoiding contact with offenders: measures to prevent **visual contact between the victim and offender**,

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<sup>11</sup> This chapter of the Directive addresses measures for the protection of all victims with special protection needs. In this guide, we focus specifically on children.



- Remote testimony: measures to ensure that victims can provide testimony **without being present** in court, particularly through the use of suitable communication technology.
- Limiting intrusive questioning: measures should be taken to avoid unnecessary questioning about the **victim's private life** that is not related to the criminal offence, and
- Exclusion of the public: measures to allow hearings to take place **without the presence of the public** to protect the child's privacy.
- In addition, Member States must ensure the following for child victims (Article 24):
  - **Appointment of a representative:** competent authorities appoint a **representative to the child** during criminal investigations and proceedings, if:
    - those with paternal responsibility cannot represent the child victim due to a **conflict of interest with** the child, or
    - the child victim is unaccompanied or has been separated from the family
  - Right to legal representation: if a child has the right to legal representation, they are also entitled to **legal advice and representation in their own name** in proceedings where a conflict of interest exists or may arise between them and the those with parental responsibility. **(Article 24/1c).**

## 7. Protection of Children's Personal Data and Ethical Responsibilities of Lawyers

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### 7.1 The interplay between legal framework and ethics

Children's personal data is considered sensitive due to their vulnerability and limited capacity to understand the implications of data processing. Data related to children involved in legal proceedings (whether as victims, witnesses, offenders, or parties) must be protected with special care. The protection of children's personal



data and the ethical responsibilities of lawyers intersect in a crucial way, especially in an increasingly digital world. Lawyers play a vital role in ensuring the protection of children's data both through direct legal representation and broader advisory roles.

Many jurisdictions provide for closed legal proceedings (hearings) in cases involving children to protect their privacy. Confidentiality and personal data protection in judicial procedures—especially those involving children—are critical concerns under EU law, including the General Data Protection Regulation (GDPR) and Directive (EU) 2016/800 on procedural safeguards for children in criminal proceedings. Lawyers have to combine compliance with existing regulations with a child-centred approach in their practice, always prioritising the welfare and dignity of the children they represent.

However, the protection of children's personal data is not just a legal obligation but an ethical issue. Lawyers must always act with integrity, independence, and respect for the rule of law. When representing or interacting with children, extra caution and ethical rigor is required. Violating children's data protection rights or ethical boundaries damages the public's trust in legal institutions. Lawyers play a critical role in defending children's rights. Upholding ethical duties ensures that children are treated with the respect, dignity, and care the legal system owes them. Good practice isn't just about legal compliance; it's about doing what is right for the most vulnerable clients.

According to article 16 UNCRC, *"No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation. The child has the right to the protection of the law against such interference or attacks"*.

## 7.2 General Data Protection Regulation

The Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC, the so-called **"General Data Protection Regulation" (GDPR)**, applies to all processing of personal data, including within judicial procedures.

Children's data receive heightened protection due to their vulnerability (Recital 38):

***"Children merit specific protection with regard to their personal data, as they may be less aware of the risks, consequences and safeguards concerned and their rights in relation to the processing of personal data. Such specific protection should, in particular, apply to the use of personal data of children for the purposes of marketing or creating personality or user profiles and the collection of personal data with regard to children when using services offered directly to a child. The consent of the holder of parental responsibility should***



*not be necessary in the context of preventive or counselling services offered directly to a child”.*

**Article 8 GDPR** sets specific rules for processing children’s data, requiring parental consent in many cases and emphasising clear, age-appropriate communication regarding data use.

### 7.3 Confidentiality and Privacy

Generally speaking, client confidentiality is a cornerstone of legal ethics<sup>12</sup>. When dealing with children, lawyers must be especially vigilant in safeguarding personal data, particularly in family law and juvenile justice cases. This core ethical duty applies both during and after the representation, and it extends to all communications, documents, and personal data.

Lawyers shall ensure that the best interests of the child are a primary consideration in all actions and decisions involving children, in accordance with Article 3 of the UNCRC. Lawyers must assess how legal proceedings affect the child’s well-being, and they must advocate for outcomes that serve the child’s long-term welfare, development, and safety. For example, **they should always advocate for closed hearings when necessary to protect a child’s identity**. They should also ensure third parties (expert witnesses, interpreters etc.) understand and comply with confidentiality rules. Where multiple parties (e.g., parent and child) are involved, lawyers must ensure that the **child’s legal interests are not compromised**.

Lawyers should **keep all information about the child or case strictly private**. Lawyers should also collect only what is strictly necessary, and **use children’s data only for specified legal purposes**. They should also take all the appropriate measures required for the protection of data. In particular, based on the European legal framework:

- Collect only what is strictly necessary.
- Use data only for specified legal purposes.
- Limit access to data to those directly involved in the case.
- Store case files securely; use encryption and restricted access.
- Do not keep personal data for longer than necessary.
- Avoid discussing identifiable case details in public settings.
- Inform children and guardians about how their data is used.
- Anonymise identifying details when sharing legal documents or precedents.

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<sup>12</sup> See *Model Code of Conduct for European Lawyers 2021*, Council of Bars and Law Societies of Europe – The voice of European Lawyers, available at [https://www.ccbe.eu/fileadmin/specialty\\_distribution/public/documents/DEONTOLOGY/DEON\\_CoC/EN\\_DEONTO\\_2021\\_Model\\_Code.pdf](https://www.ccbe.eu/fileadmin/specialty_distribution/public/documents/DEONTOLOGY/DEON_CoC/EN_DEONTO_2021_Model_Code.pdf).



Lawyers must **refrain from any media involvement or publicity that exposes a child's identity or case**. They must also discourage the media from disclosing identifying details of the child. **Any public commentary must prioritise the child's privacy and dignity**<sup>13</sup>.

### Informed Consent and Communication

When interacting directly with children, lawyers must explain legal processes in a manner appropriate for the child's age and comprehension level. Furthermore, lawyers have to ensure informed consent (or parental consent, depending on the child's age and legal status) for sharing or using any personal data. Lawyers must assess whether a child has the capacity to consent to data sharing or understand their rights. If not, consent must be obtained from a legal guardian or representative, ensuring the child's best interests.

## 8. Child psychology and child friendly communication

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### 8.1 Understanding Child Psychology

Developmental psychology aims to understand physical, cognitive, emotional and social changes throughout life. It examines the influences of nature *and* nurture on the process of human development and behaviour. The interaction of biological and environmental factors and how transitioning through stages of life impact our behaviours and development.

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<sup>13</sup> See also <https://www.lawsociety.org.uk/topics/gdpr/gdpr-for-solicitors>  
<https://www.lawsociety.ie/news/news/Stories/gdpr-and-childrens-data-what-lawyers-need-to-know/>.

and



In child-friendly justice, understanding **cognitive, emotional and social development** is essential to ensure that children are treated fairly, and their rights are protected during legal processes.

## 8.2 Understanding Trauma

### Adverse Childhood Experiences

Adverse Childhood Experiences (ACEs) are disruptions to the promotion of safe, stable, and nurturing family relationships and are characterized by stressful or traumatic events that occur during an individual's first 18 years of life.<sup>14</sup>

Types of ACE resulting to Child Trauma (experienced personally or as a family or community member)

- Assault (physical, or sexual)
- Abuse (verbal, psychological, physical, or sexual)
- Domestic violence
- Physical and Emotional Neglect
- School or community violence (bullying)
- Serious accidents or life-threatening illness
- Alcoholic Parent(s)
- Household members' substance abuse
- Mental illness or suicidal behaviour in the home
- Sudden or violent loss of a loved one divorce, abandonment, or death
- Incarceration of a household member
- Teen Pregnancy
- Placement in foster care or child-care institutions
- Refugee or war experiences
- Extreme poverty/Homelessness
- National disasters or terrorism
- Loss of property or displacement due to disaster
- Military family-related stress (e.g. parental deployment)

When working with a child victim or witness of abuse, keep in mind that:

- The child might not be able to recall the traumatic experience from start to finish
- The child victim might be able to recall some details quite clearly while being unable entirely to recall other details

<sup>14</sup>CD Bethell, A Carle, J Hudziak, et al. Methods to Assess Adverse Childhood Experiences of Children and Families: Toward Approaches to Promote Child Well-being in Policy and Practice. *Acad Pediatr.* 2017;17(7S):S51–S69. doi:10.1016/j.acap.2017.04.161



- The child might have to rely on sensory memory to help his/her recollection
- The child might appear uncooperative or to be lying

Children victims or witnesses of abuse are often obliged to be involved in procedures of the criminal justice system, considered confusing, intimidating and stressful by most adults. Children, on the other hand are in great danger of distress and exacerbation of the trauma during their interview or testimony in court.

### 8.3 Do's and Don'ts of child friendly communication<sup>15</sup>

#### Do's

**Establish Rapport and Trust:** Introduce yourself clearly, explain your role, why you ask certain questions, why you need certain information and assure the child that you're there to help. Provide frequent breaks and opportunities to relax. Offer breaks and chances to get up and move, offer tangible items (water, tissue, stress ball).

*Remember that the child's behaviour also may be influenced by the expectation that you will inevitably disappoint them.*

**Create a Safe and Comfortable Environment:** Meet in a quiet, private space where the child feels comfortable. Ensure that there are minimal distractions and that the meeting takes place outside the presence of others who may make the child feel threatened.

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<sup>15</sup> American Bar Association, 'Tips for Working with Migrant Children and Trauma-Informed Lawyering' Children's Immigration Law Academy, Houston, Texas, 2023 <https://www.defendyouthrights.org/wp-content/uploads/2023.10.20-FINAL-Trauma-Informed-Lawyering-Tips-Binder.pdf> (accessed 2 May 2025); The Dos and Don'ts of Trauma-Informed Legal Interviewing, [https://emond.ca/Emond-Blog/Emond-Insights/April-2024-\(1\)/The-Dos-and-Don%E2%80%99ts-of-Trauma-Informed-Legal-Interv?srsId=AfmBOorTQFeNDU0chgOWxS7xwldTBE6M4-W-LKhDLwMoAXOK0aOoV5lg](https://emond.ca/Emond-Blog/Emond-Insights/April-2024-(1)/The-Dos-and-Don%E2%80%99ts-of-Trauma-Informed-Legal-Interv?srsId=AfmBOorTQFeNDU0chgOWxS7xwldTBE6M4-W-LKhDLwMoAXOK0aOoV5lg) , Emond Publishing Inc. (accessed 27 May 2025); Dart Center for Journalism and Trauma, 'Interviewing Children: Guidelines for Journalists' Columbia University Graduate School of Journalism, New York, 2013, <https://dartcenter.org/content/interviewing-children-guide-for-journalists> (accessed 2 May 2025); Bendo, E. 'Guidelines for trauma informed legal practice for lawyers working with adult survivors of human rights violations', European Human Rights Advocacy Centre, Middlesex University, 2022, <http://ehrac.org.uk/wp-content/uploads/2022/03/Trauma-Informed-Legal-Practice-Toolkit-2022.pdf> (accessed 2 May 2025); Valeria Olmedo, LMSW, Tips for Working with Migrant Children and Trauma Informed Lawyering, Young Center for Immigrant Children's Rights, American Bar Association, 2023, pp. 20-21 [https://www.theadvocatesforhumanrights.org/res/2023.02.07\\_Tips-for-Working-with-Migrant-Children-and-Trauma-Informed-Lawyering%20CILA.pdf](https://www.theadvocatesforhumanrights.org/res/2023.02.07_Tips-for-Working-with-Migrant-Children-and-Trauma-Informed-Lawyering%20CILA.pdf) (accessed 2 May 2025); National Child Traumatic Stress Network, 'Trauma-Informed Legal Advocacy: A Resource for Juvenile Defense Attorneys', Justice Consortium Attorney Workgroup Subcommittee, 2018, Los Angeles, CA, and Durham, NC: National Center for Child Traumatic Stress, [https://www.nctsn.org/sites/default/files/resources/resource-guide/trauma\\_informed\\_legal\\_advocacy\\_a\\_resource\\_for\\_juvenile\\_defense\\_attorneys.pdf](https://www.nctsn.org/sites/default/files/resources/resource-guide/trauma_informed_legal_advocacy_a_resource_for_juvenile_defense_attorneys.pdf) (accessed 2 May 2025).



**Use Supportive Statements:** Affirm the child's bravery, validate their experiences by acknowledging the impact of trauma and the challenges that they may be facing. Reassure them that they are not to blame.

**Listen Actively and Empathetically:** Pay close attention to the child's responses, both verbal and nonverbal. Show understanding and validate their feelings by using empathetic and non-judgmental language. Affirm how difficult it may be to talk about certain subjects.

*Be aware of your body language and facial expressions; use gentle eye contact and try to reflect an overall non-judgmental attitude.*

**Be Patient:** Allow the child time to process and share their thoughts and feelings without rushing them.

*Remember that trauma survivors may need extra time to process questions and provide responses.*

**Respect Boundaries:** Give the child the option to stop the interview at any time.

**Maintain Neutrality:** Avoid expressing personal opinions or judgments about the situation.

**Use Visual Aids:** If appropriate, use drawings or other visual aids to help the child communicate their experiences

**End on a Positive Note:** Thank the child for their cooperation and offer support resources.

### **Don'ts**

**Lead the Child with Questions:** Avoid questions that suggest the answer you are looking for.

**Be Judgmental or Critical:** Avoid showing disapproval of the child's statements or actions. Be aware of your body language. Avoid crossing your arms or putting your hands on your hips or in your pockets.

**Ask Questions About the Trauma Too Early:** Instead start with neutral topics and build rapport before addressing sensitive issues.

**Ask too many detail questions:** Avoid asking if you do not need them or you think is best to come back to the details another time.

**Make Promises You Can't Keep:** Avoid making promises about the outcome of the investigation or the trial. Do not tell the child "everything will be fine" or that you will always be there for him, some legal cases keep on for years and attorneys frequently change. Instead, be clear, forthright, and honest in all communications; children may be triggered by feeling let down or misled by their attorney.

**Pressure the Child:** Trauma survivors may need extra time to process questions and provide responses. You should avoid pressuring the child to answer quickly or



provide details that they are not comfortable sharing, instead you should let the child finish their thoughts before asking another question.

**Simply ask whether they understand:** Children and adolescents often will simply agree whether they understand or not. Instead, ask them to explain what they understand. Make sure to ask what questions the child has.

**Touch the child or the adolescent:** You may intend to be supportive when you put your arm around a youth, but that can trigger a reaction in people who have been physically or sexually abused. Respecting their personal space helps build a sense of control and safety.

**Use the term 'victim':** Instead use the term 'child who has experienced/is experiencing abuse.'

*Remember that the language we use should reinforce the fact that abuse is something children **have experienced** and **not who they are**.*

#### 8.4 Important Guidelines for Communicating with Multiply Victimised Children

1. Recognise that they may display complex trauma symptoms. Interacting with children who have experienced violence, especially when multiply victimised, requires special attention and sensitivity.
2. Acknowledge that building trust is particularly difficult. Children who have experienced multiple victimisations (often by institutions themselves) find it difficult to build relationships of trust, especially with professionals.
3. Be prepared for unexpected emotional reactions. Multiply victimised children may often display defence mechanisms (such as avoidant behaviour), or even violence, oppositional behaviour, and aggression.

It is very important:

- Not to express disbelief or surprise at what the child says.
- To avoid repeatedly asking the child to recount traumatic experiences.
- Not to promise things you cannot guarantee.
- To explain in simple terms who you are and what your role is.
- To inform the child about what will happen next.

#### 8.5 Important Guidelines for Communicating with Refugee or Migrant Children

1. Become informed about the culture, values, and codes of the country of origin. Respect personal boundaries that may differ culturally. Often it is important to provide a choice regarding the gender of the professional working with the child.



2. Recognise different perceptions of childhood and family.
3. Avoid stereotypes and generalisations about specific cultural groups.
4. Respect religious beliefs and practices that may affect communication.
5. Ensure a professional interpreter when necessary, ideally with training in child protection issues. Avoid using relatives or other children as interpreters.
6. Speak simply, slowly, and clearly, avoiding professional terminology. Frequently confirm understanding and clarify when needed.
7. Recognise the multiple traumas the child may have experienced (in the country of origin, during transit, in the host country). Understand that the trauma of the refugee experience may worsen the effects of violence and take into account the anxiety of uncertainty about migration status. There may be fear toward authorities or professionals due to residency status.
8. Assess risks related to cultural customs (e.g., honour issues).

Specifically:

- For unaccompanied children: ensure immediate appointment of a legal guardian.
- For child victims of trafficking: seek specialised support.
- For child soldiers: understand the complex dual identity of victim-perpetrator.
- For girls who have experienced gender-based violence: seek specialised support.

## 8.6 Important Guidelines for Communicating with Children with Disabilities

1. Determine the most appropriate communication method based on the disability (sign language, alternative communication systems, visual aids).
  - Use tactile aids or descriptions for children with vision problems.
  - Ensure they can see your face if they read lips.
  - Avoid sudden movements or touches without warning.
2. Adapt the pace and complexity of the conversation to the child's abilities. Frequently confirm that the child understands the questions and information and feels comfortable.
3. Ensure physical accessibility of the space (ramps, elevators, accessible toilets).
4. Adjust the environment (lighting, noise) for children with sensory sensitivities.



5. Respect the child's right to participate in decisions that affect them. Strengthen their sense of control that may have been disrupted and recognize and utilise the child's abilities.

It is important to understand that:

- Children with disabilities are at higher risk of abuse.
- Children with disabilities may have difficulty recognising or reporting abuse.
- Signs of victimisation may manifest differently.
- The child's credibility should not be underestimated due to their disability.
- Collaborate with specialists in the child's disability.

Additionally:

- Consult specialised professionals for the best approaches.
- Seek specially trained interpreters when required.
- Learn about available support services for children with disabilities.

## 9. Strengthening Collaboration in Child Protection and Victim Support

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### 9.1 Actors involved in a case with a child victim of crime

#### 1. Lawyers, Judges and Prosecutors

Judges and prosecutors ensure that child victims' rights are upheld throughout the judicial procedures. Judges ensure that the child's testimony is heard with minimal stress (for instance by admitting recorded forensic interviews as evidence instead of live testimony). They ensure procedural safeguards, coordinate with investigators and promote child participation and trauma-informed practice. Lawyers ensure children can participate appropriately.

#### 2. Police



Police investigators are often the first responders in a suspected crime against a child. They conduct the **pre-trial investigation** and evidence collection taking into account “the child’s best interest”. In practice, police work closely with other actors: information from referrals, reports from psychology or social work conduct interviews. Police use the material from the child-friendly interviews and forensic medical reports to build the case. They also ensure any immediate protection (e.g. arresting a suspect or placing the child in safety) and coordinate with prosecutors on issuing warrants or pressing charges. Police officers should receive training on child abuse, domestic violence, trauma-informed approaches, supervision, and stress-relief programmes to ensure they are well-prepared to conduct child-friendly and sensitive investigations while also preventing overburden and burnout.

- **They lead the investigation:** The police gather evidence (witness statements, digital evidence, etc.) in parallel with the child’s interview. They determine the appropriate steps—such as interviews, searches, and suspect interrogations—while keeping the child’s welfare as the central priority.
- **They coordinate with other agencies, actors:** Seeking all the relevant information and documents from other actors, and ensuring the presence of the lawyer representing the parties.
- **They apply trauma-informed practices:** In some countries, police officers receive specialised training in child psychology and interviewing. The collaborative, child-friendly approach helps preserve evidence while protecting the child from further trauma, ensuring their well-being as far as possible.

### 3. Health Professionals (General Practitioners and Psychologists)

Health professionals provide forensic assessments and follow-up care. In an optimal situation trained forensic medical doctors (often paediatricians or other specifically trained doctors) conduct a child-friendly physical examination to document injuries, collect any biological evidence, and ensure the child’s immediate health needs are met. Clinical psychologists or child psychiatrists handle a forensic interview and perform a mental health assessment. They evaluate trauma symptoms and can issue medical or psychological statements for use in court. Therapeutic services for all children should be offered, as well as crisis intervention, short- and long-term counselling, and trauma-informed therapy for them and non-offending family members. Mental-health staff also advise the team on the child’s best interests and help tailor the process to the child’s needs (e.g. scheduling breaks, using art/play therapy). Offenders should also be provided with the needed medical, psychological support, therapy if needed.

- **They conduct medical examinations:** They carry out a child-friendly medical evaluation to identify injuries and rule out medical concerns. They preserve forensic evidence (e.g. collecting DNA, photo documentation) and write reports to be used in the investigation and court procedures.



- Psychologists/ Psychiatrists conduct forensic interviews and assess the child's psychological state. They also provide immediate support (e.g. comforting the child before/after the interview) and recommend further therapy. All children should receive mental-health assessment and evidence-based trauma treatment (crisis intervention, play therapy, etc.).
- Health experts contribute to multisectoral team meetings (MTDs) (e.g. explaining assessment findings) and may testify in court about the child's condition. They also train other staff in trauma-informed care and can continue care or make referrals for long-term support.

#### 4. Social services (mainly social workers)

Social workers focus on the child's well-being, protection, and care. They assess safety and needs, both for the child victim and any siblings or non-offending caregivers. Social workers contribute to the assessment of protection needs and support follow-up concerning the child victim and other family members. They are conducting a thorough assessment (family circumstances, risk factors) and developing a safety plan. Social workers guide families to services (counselling, foster care or housing if needed, financial aid, etc.), and ensure follow-up after the forensic process. Social workers also liaise with schools and community resources to rebuild stability, and stay involved to monitor the child's recovery.

- **Assessment and protection planning:** They conduct psychosocial interviews and risk assessments to decide on immediate protective measures. Coordinate with police to implement safety orders or custody changes.
- **Family support and referrals:** They arrange counselling, parent support programmes or parenting assessments. Refer the child and family to relevant community services (e.g. child support groups, respite services).
- **Interagency case management:** They lead or participate in regular multi-agency meetings, ensuring all agencies (police, health and legal professionals) share information and agree on the intervention plan. Social workers often act as case workers who track the child's case through the system.
- **Advocacy and continuity of care:** They safeguard the child's interests in court or administrative proceedings by providing reports.

#### 5. Education Staff (Teachers, School Counsellors, School Social Workers, School Nurses)

Early years day-care professionals, teachers and other professionals working in schools and care provisions are crucial referral and support agents as they spend significant time with children. They are often the first to detect warning signs (such as unexplained injuries, emotional withdrawal or abrupt academic decline) and can initiate referrals to child protective services or the police.



- **Detection and referral:** They can notice behavioural changes or injuries, and report suspicions immediately per the law. They can inform parents (if safe) and initiate a referral to child protective services in collaboration with the designated safeguarding personnel.
- **Support and accommodation:** Once notified of a child's victimisation, they can provide emotional support (e.g. a safe space, act as a sympathetic listener) and adjust academics (deadlines, workloads) to reduce stress. Staff should attend multi-agency meetings, case conferences to learn more and share their experiences (if safe).
- **Awareness and prevention:** They can participate to trainings and help create a child-friendly school culture where students know how to seek help and who to trust. Child protection policies help ensure that information is available for all.

## 6. Professionals working in care settings (caregivers and support staff)

Professionals and support staff working in residential homes play roles that are equally, if not more, critical than those of school staff. Children placed in out-of-home care often have histories of abuse and violence, making them more vulnerable to re-victimisation—both as victims and as potential offenders. Therefore, ongoing training and regular supervision of residential care workers are essential to effectively prevent and address violence against children in foster care and residential settings.

- **Detection and referral:** Care professionals may notice behavioural changes or injuries, and report suspicions immediately according to the law. Inform parents (if safe) and refer to child support services with the help of the supervisors and guardians of children.
- **Support and accommodation:** Once notified of a child's victimisation, they can provide emotional support (e.g. a safe space, act as a sympathetic listener) and help reduce stress. Supervisors and guardians can serve as vital sources of support for children in care.
- **Awareness and prevention:** They can participate in training or community awareness events. Supervision helps create a child-friendly culture where children know how to seek help and who to trust.

## 7. NGOs

Non-governmental actors often play a crucial role in addressing gaps within the care system and advocating for child-centred practices.

- **Child advocacy:** NGO staff (e.g. lawyers, social workers) accompany the child, explain proceedings in a child-friendly way, and speak up for the child's needs in planning meetings or court procedures.



- **Service provision:** Some NGOs operate therapy programmes, shelters, or after-care services. They can offer counselling for families or help navigate social welfare systems.
- **Networking and awareness:** NGOs play a pivotal role in establishing local child protection networks and actively engage in delivering training and prevention initiatives.

In cases involving child victims of crime, no single actor—whether police, social workers, legal professionals, or health workers—can address the complex needs of the child alone. Practitioners should follow trauma-informed care principles by using child-friendly communication, minimising repeat interviews, and providing psychological support<sup>16</sup>.

## 9.2 The importance of cooperation among actors in cases with child victims

Effective interagency cooperation and clear communication are essential to protect the child's rights, ensure their safety, and support their recovery. In detail:

### 1. Child-Centred Approach

- Cooperation helps keep the child's best interests at the centre of decision-making.
- It helps avoid fragmented services that can overwhelm or re-traumatise the child.

### 2. Prevention of Gaps and Duplications

- When agencies work in isolation, critical information may be missed.
- Joint case planning and coordinated referrals reduce service duplication and conflicting interventions.

### 3. Trauma-Informed Response

- Sharing relevant information allows professionals to understand the child's history, trauma, and triggers.
- Communication across actors helps avoid re-interviewing and minimises distress.



#### **4. Improvement of Case Outcomes**

- Coordinated efforts between law enforcement, child protection, health, and legal services ensure swift, just, and informed decisions.
- Informed prosecution and appropriate support increase accountability for offenders and justice for victims.

#### **5. Building Trust with Children and Families**

- Consistent and coordinated support from all actors help build confidence in the justice system.
- Families are more likely to actively engage when services are aligned and respectful.

#### **6. Accountability Among Professionals**

- Clear roles, protocols, and communication channels ensure that everyone knows their responsibility.
- It creates a culture of mutual support and shared responsibility.



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