

CFJ-EN Annual Seminar “A 360° view on Child Friendly Justice”

Narrative Report



Friday 14 October 2022

**Centre Belge de la Bande Dessinée
Rue des Sables 20, 1000 Brussels**

I. About the Participants and the Speakers

The seminar reached an overall participation of 65, of which nine attended online. 52 participants were of the female gender, while 13 identified as male.

Participants came from varied professional backgrounds, many being researchers or project coordinators, as well as lawyers, judges, psychologists and social workers. 34 of the participants came from various civil society organisations, in addition to 6 justice professionals and 6 academics. 19 participants were from national and regional public institutions.

10 speakers gave keynote speeches or welcome/thank you addresses during the seminars' opening and closing plenary sessions, of which 9 were of the female gender. 3 of the keynote speeches were given online – two through zoom conferencing and one was pre-recorded.

During the seminar, participants joined six different workshops spread over two time slots. Two of the workshop leads were male and four were female. Workshop leads also gave a short summary of the recommendations from their workshops in the closing plenary session.

II. General and Specific Objectives of the Seminar

The Seminar aimed at providing a space for exchange, learning and capacity-building among key stakeholders in Europe working in the area of child friendly justice.

Specifically, it aimed to:

- Raise awareness among national stakeholders on current issues, challenges and opportunities related to child friendly justice
- Create a space for mutual learning, resources sharing and dialogue among NGOs and public institutions on European priorities concerning child friendly justice
- Strengthen cooperation between Network members and key stakeholders in Europe to foster change at the level of national and regional systems

As a matter of priority, and in line with the guidelines of the Council of Europe (CoE) on Child Friendly Justice and the European Union (EU) Strategy on the Rights of the Child, the scope of the Seminar was to give an overview of all elements involved in building child friendly justice systems, and synergies between each of these elements. Child friendly justice (CFJ) encompasses administrative, civil and criminal proceedings. All children in contact with justice need proper consideration, whether they are in conflict with the law, victims or witnesses of crimes, individuals claiming their rights, or in any matters that affects them – even if they are not considered a party to the proceedings.

The Annual Seminar was organised around an Opening Plenary, 6 Thematic Workshops each led by CFJ-EN Member organisations, and a Closing Plenary.

III. Sessions Summary

A. Opening Plenary

The day started with a welcome address from **Mr. Benoît Van Keirsbilck, President of the Child Friendly Justice European Network**. Mr. Van Keirsbilck retraced the timeline of the creation of the

Network until this year and identified key tools and resources produced. He also expressed the willingness and readiness of the Network to welcome new members and work with all stakeholders.

A pre-recorded video address with opening remarks from **Ms. Ewa Kopacz, Vice-President and Coordinator on Children's Rights of the European Parliament**, was shared with the Seminar participants. Ms. Kopacz stressed the importance of protection and support to children in the EU Strategy on the Rights of the Child. She pointed in particular to the need for a more effective implementation of the child's right to be informed. She also recommended the Network plays a role in coordination on family matters proceedings between countries. Finally, she shared the recent launched of a practical guide for judges to implement the Brussels Iiter Regulation and recalled the audience about the a conference organised by the European Parliament in September to ensure that judges, lawyers and all professionals are equipped to implement CFJ laws and principles.

Ms. Marja Ruotanen, Director General of Democracy and Human Dignity of the Council of Europe, corroborated the aim to support and empower children by encouraging and training justice professionals to implement the Convention on the Rights of the Child (CRC) and the Guidelines of the Committee of Ministers of the Council of Europe on Child Friendly Justice (the Guidelines). Nowadays children are likely to come into contact with the justice system in many different ways. Often, this is a challenging and even painful experience because it is not adapted to the needs of children. For Ms. Ruotanen, the CFJ-EN should continue listening to children while keeping in mind all the other factors that impact children, such as climate change, digitalization, and artificial intelligence. The CoE supports the Network and encourages the delivery of innovative responses. Participants were encouraged to reflect on how to take the CoE Strategy on the Rights of the Child forward in practice, as well as make CFJ is more than a set of procedures, but a real mindset.

Referring to a 360° view of child friendly justice, **Ms. Marie-Cécile Rouillon, Coordinator for the Rights of the Child of the European Commission**, pointed out to the need to create synergies with different actors, where the Network has a role to play. Looking at what could the next steps be, a key focus of the European Commission (EC) is on child protection systems. By 2024, the EC will present an initiative to encourage stakeholders to work together on this issue. Inspiration can be taken from the Barnahus model and through consultations of children. She expects the Networks' Child Advisory Boards to collaborate with the upcoming child participation EC platform.

Ms. Astrid Podsiadowski, PhD, Head of Social Rights Sector, Equality, Roma and Social Rights Unit of the European Union Fundamental Rights Agency (FRA), focused on children from specific groups, including Roma, migrant and LGBTI+ children. She called for systematic and impactful individual assessments and for advocacy towards the authorities to adapt their communication to ensure children do understand their rights and needs. On effective and equal participation, the FRA reports on child friendly justice (freely available to all) were based on children's and professionals' experiences. It is fundamental that the CFJ-EN gives a prominent place to children and young people – because they are the real experts on the situations concerning them.

The opening plenary session was closed by **Ms. Mariama Diallo**, Coordinator of the CFJ-EN, with a presentation of the Network, its strategic plan and its four main priorities The Network was first launched as an informal Network by DCI European sections in 2018, with the goal to create a space to connect and collaborate across Europe on CFJ and disseminate information. The CFJ-EN Vision is to see children in Europe have access to age-appropriate, inclusive diligent services, and practitioners equipped to implement CFJ. So far, the Network counts 19 members from 17 countries, and is open to new members – the membership package will be available [on the Network's website](#) by the end of 2022,

entering into force for 2023. The four main priorities identified for 2023-2025 are: (1) Strengthening children's agency, (2) Promoting quality of practice, (3) Ensuring accountability, and (4) Network strengthening. Individuals can become member of the Network, and children as well. Target groups of the CFJ-EN are children in contact with the justice system in a broad sense, including for example children who do not know how to report cases of violence or discrimination like LGBTQI+ children, children involved in divorce of their parents, migrants, etc. Other target groups are CFJ-EN members, the Child Advisory Boards that will advise and guide the Network's agenda, regional and national policy makers and practitioners, and other European Alliances and Networks in this field. The first Strategy of the Network for the period 2023-2025 was approved by the CFJ-EN General Assembly the day before and will be shared by the end of 2022.

B. Thematic Workshops

Workshop 1: Child Friendly Justice in Administrative Proceedings and ways to safeguard it.

During the workshop led by **Defence for Children International – Greece**, the discussion revolved around forms of **institutional violence toward children**. The Greek team shared observations on the violence of age assessment procedures, lack of respect for rule of law; lack of access to information on their rights for children on the move, lack of access to legal support, restrictions of access of children to civil courts, homelessness as a consequence of the failures of the system and children going missing. They deplored the lack of case management systems and of central child protection system.

Participants then shared challenges they have faced in their own countries. On **age assessment procedures**, it happens in France that decisions of the civil courts are not respected by administrative justice nor by police later, so children are expelled because considered adults. Similarly, in Austria, administrative justice can overrule the decision on the age – and there is no possibility to challenge the decision considering them over 18 once they enter the adult system. In the Netherlands, there are problems with children who migrated across many EU countries and have had their age assessed differently – often they get registered as adult even if only one of the age assessments procedures ruled they are adults. In Greece they just look at the child in police stations and decide if they are over 18 or not. Then, the child can open a procedure to be recognised as such with the help of a lawyer, but in most instances, children do not know about their rights and also have difficulties accessing legal advice.

On **child protection systems**, the law on **guardianship** in Greece is not implemented consistently, so the guardian often is the prosecutor. In Bulgaria all decisions on children are made in administrative courts. In Austria, there is a heavy administrative procedure before children are assigned to a region and only then they are assigned a guardian and a protective system. Often, there is a fight between state and regional level about who pays and who is responsible for the child.

Single mothers in Greece have to wait months to get recognised, and in the meantime, they are invisible and have no access to support. So they often fall prey to human trafficking or may have to be hospitalised. Then, their child becomes unaccompanied and is placed in “orphanages” without follow up and these mothers might not know where their child is for months. Sometimes, even social services do not recommend the reunification with the mother as being in the best interest of the child if the mother is homeless for example.

About Dublin procedures and **family reunification**, general consensus was that the bureaucratic load placed on applicants is definitely not child friendly. For example, in Austria, children have no right to speak during the procedure and getting the information. In Greece, they have to get DNA tests done to prove the family bond, which are expensive and not paid for by the public system.

The workshop participants formulated the following **recommendations**:

- Strategies and ways forward called for the actual **implementation** of laws that are in place
 - Improved **financial support** to ensure the rights are effectively claimed
 - Increased availability of legal support
 - **Interdisciplinary work** is key and creating alliances among organisations in this field, especially across countries, can only be beneficial
 - Professionals and NGOs should always refer to child friendly justice guidelines in their work and link them to real cases to spotlight the impact of the lack of implementation of the principles.
 - **Monitoring and advocacy** go hand in hand: collecting similar case and evidence strong enough to challenge the system and ensure the law is actually implemented is crucial.
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Workshop 2: Intersectionality - what is it, how do we do it, and why is it necessary for child friendly justice?

The workshop was led by **Defence for Children ECPAT Netherlands**. The discussion took place on the importance of an **intersectional lens** as a systemic approach that should allow the justice system to better account for the multiple identities of each child. Child rights legal professionals' role is to support children in claiming their human rights. We have to put the child at the centre, but their protection gets diluted in the accounting separately for the multiple aspects of their identity, and measures are taken without recognising the specificities of each child. An intersectional lens can inform and reinforce the protection, individual vulnerability assessments of children.

For a long time, human rights instruments have taken a single approach on discrimination. However, the child rights-based approach includes considerations about the familial and social contexts. The CoE Guidelines arguably take an intersectional stance. For example, child victims of sexual exploitation have more chances to have been in contact with youth care, child protection system, and face a higher risk of re-victimisation. Many children sexually exploited have been in contact with the justice system, sometimes as perpetrators or in migration and asylum proceedings.

The CRC is a systemic reference, and it should be the main instrument for an intersectional approach. We tend to group children under acronyms, but this causes us to lose focus less on the individuality of each child. DCI Italy argued that it is not useful for children to see themselves belonging to a specific category, as it would not lead to global answers. In response, participants noted that we should not claim that professionals know everything and that it is important for them to listen to children. It is key to identify the different dimensions of each child. Individual assessments procedures are also limited in that they are limited in scope to children entering the system – child friendly justice and intersectionality both have a wider reach.

The question of the **relevance of intersectionality in combatting discrimination** was raised, as racism is still an issue when looking at criminal justice systems. The lack of a precise and consensual definition

of intersectionality is a drawback – participants looked at components of an intersectional approach, such as accounting for gender (but not focus on girls only), age, administrative status, perceived race, family environment, disability, etc. A major hurdle is avoiding the risk of labelling children without due respect of children’s agency, listening to their needs and how they would like to be treated. **An intersectional approach should remain as inclusive as possible**, and information rights should be guaranteed.

The workshop concluded with three short **questions and tentative answers**:

- **What is intersectionality?**

A systematic and holistic approach to children, that is flexible to change over time

- **How should it be done?**

It may be integrated within the individual assessment of children and requires training so that whoever is in charge of the assessment is able to assess their own bias.

- **Why is it necessary for child friendly justice?**

Intersectionality is a way to create child friendly societies and address preventative actions across all systems. There need to be need an institutional set up to allow the justice system to understand it and the impact that it may have.

Workshop 3: The Guidelines of the Council of Europe on Child Friendly Justice in national legal practice - an example based on family court proceedings in Germany

The **Deutsches Kinderhilfswerk (German Children's Fund)** led in collaboration with the **German Institute for Human Rights (National CRC Monitoring Mechanism)** the workshop on a **model of child friendly courts**. The workshop started with a presentation on how international and regional norms were integrated in Germany. Article 3 CRC enshrines the principle of the best interests of the child and must be the primary consideration in the provisions of German national laws. However, Article 12 CRC on the views of the child is interpreted in different ways in Germany. While Article 12 specifies children should be heard in judicial and administrative proceedings, it remains broad as to how their views should be heard. Article 12 should be read in conjunction with General Comment 24 of the Committee on the Rights of the Child, which ensures its implementation during criminal proceedings.

The CRC is not written into the Constitution, but it is written into German family law. The German coalition is trying to change the Constitution to include the CRC. At the moment, the best interests of the child are not superior to the German constitution and German laws are interpreted in accordance to the Constitution and not the CRC. Namely, there are no specialised judges for children – any judge can become a children judge. In addition, there is a strong **lack of training for judges and practitioners in Germany**: very few trainings on child friendly justice are available, and trainings are not accessible due to the distance between the places where lawyers work and the training places as well as difficulties to travel across the country by public transport – combined to a general lack of time devoted to training.

A **university project** was conducted in which judges from different courts were selected to work on the project for 6 months. They responded to a survey to find out more about the practices in their work in relation to child friendly justice.

Qualitative data obtained was then compiled. Results demonstrated the **role of judges in child-friendly justice**: they have to provide continuous information to the child before the proceedings, and make sure that the hearing is really adapted to their needs. The study had a positive outcome in showing international standards are actionable in the German national context. It is very important for advocacy to show that German law is not hostile to children but has safeguards in place to help children in proceedings.

After this presentation, participants role-played a hearing to determine responsibility-sharing, place of residence and visitation rights in a divorce case. They then shared their thoughts about what makes the process more child friendly.

The **main outcomes** of the workshop were:

- Judges must ensure that the child understands and receives all the **information** in a suitable vocabulary – prior to the hearing and after the decision is made
 - Judges can appoint people to ensure that the **child is heard**, and parents share the responsibility in demanding their child be heard.
 - A **lawyer specially trained** for children's proceedings should intervene to avoid the child being used by a parent against the other: the lawyer should prepare the child to be heard by the court and be confident when doing so.
 - If the child wants to be heard, a **child friendly setting** should be used, and trust should be built from the beginning.
 - After the hearing, a multidisciplinary team such as the Barnahus model could make sure that the child is not re-victimised.
 - The **presence of a guardian** is very important to ensure that the child is comfortable during the procedure.
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Workshop 4: Towards a World of Digital Courts: Impacts on Child Justice

During **Terre des hommes-led workshop**, the debate centred around advantages and drawbacks of digital hearings when they involve children. **Remote hearings** came to the table during the COVID-19 pandemic and are still not regulated properly. They were primarily used to deal with backlog and urgent cases and are often used to cut costs, along with other digital tools – especially for minor offenses and “easy” procedures. The reflection should now be whether these should remain a temporary solution or an opportunity to be developed.

First, participants discussed the possible **reactions of children to digital hearings**. Children might feel more comfortable with digital hearings by being home in a familiar, in principle a safe space. Since children have used technologies and virtual means of communication their whole life, it is expected that they would be at ease using such technologies for accessing justice. This however is not true for all children, as there are **more vulnerable categories** that have very different experiences. In addition, not all children may understand that a hearing is actually taking place, or what impact it may have on their life. Finally, one should always keep in mind that **not all children and families have access to a stable and secure internet access**, which may cause interruptions in the hearings and difficulties in communication.

Participants went on to share additional concerns regarding digital, remote hearings, for instance relating to the **publicity or confidentiality of the hearing**. On the one hand, connection links are not

made public, which could affect rights negatively where publicity of the hearings is a guarantee. On the other hand, there is always a risk of someone listening in confidential hearings in case of a **security breach** or a simple mistake. The issue was raised that judges and administrative teams around them are not always digitally literate, and that contact and trust between the child and their lawyer or guardian may be negatively affected if there is no face-to-face interaction. There was a debate whether hearings without cameras are a viable option, and whether a dress-code should be enforced.

The workshop came up with a list of recommendations for policy, advocacy and practice:

- In terms of **policy**, they called for **clear criteria on when and how to use remote hearings**, based on an assessment of the type of hearing that will safeguard the best interests of the child and the procedure in which it is used.
 - New rules should be adapted with the **input from children** – child participation is key to make sure remote hearing option are child friendly.
 - **Safeguards procedures** should also be set and implemented.
 - In terms of advocacy, it is crucial that the principle of the **best interest of the child** be always at the heart of discussions. Advocacy should also promote hybrid set ups and consider the needs of children from specific groups, especially children with disabilities.
 - One should also aim for never having remote hearings as the only available hearing mode.
 - **Risk and needs assessment** should be at the basis, and research based on real data is needed to assess whether such hearings serve justice and are in the best interest of the child.
 - In practice, **best interest determinations** should be adapted to the new medium, the child should be supported in choosing whether and how to be heard and duly informed on consequences of their participation.
 - Justice professionals should be duly **trained** and have capacity-building in order to master the tools at their disposal.
 - Participants also recommended that **inspiration is taken from the Barnahus** by having children in a safe space with a forensic psychologist and/or support person while justice professionals and other parties are in another room. Another option is to access the hearings from the lawyer's office so as to facilitate communication and secure access to internet.
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Workshop 5: Children involved in judicial and administrative proceedings

The **AIRE Centre** and the **CFJ-EN** co-led the workshop on child participation judicial and administrative hearings. To start off, participants listed situations in which a child is in contact with the law, including – but not limited to: parental separation and custody procedures, criminal proceedings, asylum and migration procedures, adoption contexts, parents in conflict with the law/in prison, parental child abduction, children with a disability (welfare hearings), emancipation, voluntary youth care, restorative justice, or even as witnesses in other cases.

In the context of special educational measures, the **input of children during the proceedings** is very important; nevertheless, children are rarely ever given a voice in court proceedings, thus the question of who carries the child's point of view in the proceedings.

Very young children are often not considered in proceedings because they cannot speak, but Article 12 CRC focuses on children who are mature enough to be considered, while Articles 13 and 20 CRC state that the interests of the child must be taken into account in legal proceedings, and that measures must

be taken when the child is too young to be heard. The problem **in most cases is that children cannot be heard in proceedings**. In many countries, children cannot attend court proceedings without a guardian/parent to represent them. The child's point of view is difficult to account for in legal proceedings as they do not have all the arguments.

The workshop finished with a discussion on how to ensure that the children involved in administrative proceedings feel that they have ownership and a real place in the proceedings.

The following recommendations were formulated about ways to ensure the best interests of the child be given due consideration:

- A **legal guardian** should always be appointed, as a counsellor who must follow the child and who has a complete overview on the child's personal, administrative and judicial situation. A guardian may symbolise the child's interests even in the physical absence of the child. In Greece, temporary protection is essential because only one person, the prosecutor, can imitate the protection services and procedures, thus security and effective participation of municipalities are very important.
 - Participants reflected around the starting age for children to be heard, and the role of the judge in **assessing whether the child is mature enough** – without prior assumptions. Parents should be involved in this conversation and prepare their children's fuller participation. In cases involving very young children, the judge should **consult experts** such as a psychologist or child psychiatrist, who would provide their professional opinion on the child but not represent the child. If the psychologist is acting upon the parents' request, they should still act as specialists with no other consideration but the child's needs – they should be trained and on a Court's list of approved professionals. In any case, in criminal proceedings, children should be first and foremost considered as such, whether found guilty or not. In administrative procedures, children should have **access to their file** in order to be able to challenge decisions and ensure judges meet their best interests.
 - Social workers are important in assessing the child's best interests, but there aren't enough social workers in Greece for example. Hearing the child is not possible in daily practice, so judges lack elements and have to decide based on the context, the parents' accounts, the mentality of the family and assessment of the teachers and people who are in the child's life. Children themselves are rarely ever heard in family court proceedings. It is urgent to ensure judges have the **resources and equipment** to ensure the protection of the rights of the child.
 - Better training of all professionals is needed on child communication, as well as better preparation of children and making it mandatory to hear the child.
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Workshop 6: Child friendly justice for children who are suspects or accused persons in criminal proceedings: what challenges in Europe?

Defence for Children International – Italy led the workshop. It started off with sharing of personal experience of situations perceived as unjust by children and emotions it led to. Personal stories influence our perception of things and our career choice. When working on others' stories, it is always important to recall our own history to be able to recognise the diverse and different experience of the child, as everybody has a different story. Judges also are conditioned by their **personal story**. It is true at the personal and organisational level: there are many resources from our personal life that can feed our

professional approach. To achieve that, there is a **need to expand views** and not have a closed-up mandate. Justice professionals can also feel refreshed when realising that their story is a capital they can mobilise. However, all professionals should work under **supervision** not to be influenced badly by their own experience. All workers are supervised, but it is not always recognized as a need and psychological support is often neglected –the lack of supervision is often identified where burnout occurs.

Individual assessments should avoid labelling and stigmatising children in denying their individuality and personality. Over-sympathising as well as cutting oneself out are two opposite hurdles, equally to be avoided. It is essential to understand the individual, but also the collective and historical dimension. Practitioners need not be disconnected, “suspended” from the **complexity of reality**. It is always essential to take into consideration the context – and the dimensions of space and time. The vulnerability of a child and their experience of violence are a result of specific set of circumstances in space and time. Undertaking an individual assessment implies to be aware of everyone’s own bias, prejudice, background and cultural sensitivity; it is really important to remind ourselves that practitioners are also part of a system. This is all the more important that professionals, in order to do their job well, need to gain and build trust with the children as soon as they come in contact.

To foster child participation, a **set of key questions** was offered:

- Is the child happy with the way their story is recounted?
- Is the right context and trust provided for the story to be told?
- Is the relationship really ‘symmetrical’ or are we confusing child participation with the fact that we asked/forced them to share their story? Alternative storytelling options, for example enabling children to tell their story using the third person – should be explored.

To encourage a systemic approach, DCI-Italy has developed a **holistic model**, a sort of ‘mandala’ assessing key criteria of child-friendly justice: dignity/integrity – accessibility – age-appropriateness – speed – diligence – child rights & needs focus – participation – private & family life. This model aims to propose an integrated set of criteria that is also compatible with the CRC, and the EC Directive 2016/800 on procedural safeguards for children. However, one has to accept that it is not possible to expect to capture the full complexity of a child’s life and experience; we could suggest that every person, and every child, has the **right to ‘opacity’**, to not be fully understood.

Participants proposed the following key criteria of the model that the Network could focus on and come up with very **concrete proposals**:

- The child-rights focused approach is important and under this, the particular importance of **access to information**.
- They pointed to the lack of **coordination** across sectors (including health workers, social workers, teachers, etc.) and a need for adequate **funding** to each sector. Financial and human resources are required to build right conditions to deliver child-friendly justice (staff wellbeing, caseload, etc).
- **Independent complaint mechanisms such as ombudspersons** are important for early identification of children at risk but also when looking at rehabilitation, agency, child empowerment. Their appointment shall not be politicised and should be highly accessible in not requiring legal representation for children to introduce a complaint.

- Additional **research** about paths of children who have been in conflict with the law is strongly recommended and discussions on dignity and the importance of the human dimension on justice.
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C. Closing Plenary

Each workshop lead presented the content of the discussions and formulated recommendations on the issue at stake. Then, a high-level panel of speakers shared their understanding and definition of a 360° view on child friendly justice.

Ms. Velina Todorova, PhD, Vice-chair of the United Nations Committee on the Rights of the Child, shared her concerns regarding practices in Europe that shrink the space for children in courts, for example in divorce law reforms, children are not given access to the court because their perspective is not valued in making the decision. The rights of child victims and witness and children in conflict with the law are the focus of the Committee, which has introduced a European perspective calling for strengthening the multidisciplinary approach and cooperation. Ms. Todorova deplored the low ratification rate of the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure (OPIC) and called on the Network to advocate for European countries to ratify it in order to ensure unrestricted access for children to the Committee, without age barriers or need for parental consent.

Ms. Regina Jensdottir, Coordinator for the Rights of the Child of the Council of Europe, expressed her joy and satisfaction to see the first important event of the Network, as supporting and strengthening the CFJ-EN is a part of the CoE Strategy on the Rights of the Child. Beyond criminal proceedings, children are in contact with justice in administrative, civil justice. Children should be supported, accompanied and informed before, during and after the proceedings, and they should be given the time to reflect and ask questions. As lack of data and information on child friendly justice is one of the main challenges to address to understand where the Guidelines stand 12 years after their development, the Network has a role to play in multiplying and disseminating best practices across Europe for a better implementation of the guidelines.

Ms. Theoni Koufonikolakou, Deputy Ombudsperson on Children's Rights of Greece, and Former chair of the European Network of Ombudspersons for Children (ENOC) recalled new challenges that impact child rights and wished for a new framework that would be inclusive of vulnerable and marginalised groups, involve educational institutions and create spaces and times for children to be informed. She considered that the Network has a key coordination role to play to provide the necessary support and protect children at risk in all aspects and all moments they come in contact with justice. To avoid stigma and ensure protection, the Barnahus model works well. Also, to ensure a 360° view on CFJ, the reality of children in institutions and prisons should not be forgotten.

IV. Main Recommendations

Many recommendations emerged from each of the workshop, and some were also formulated during the Seminar's plenary sessions. Below are of the most important recommendations, from the most general ones to those which focus on specific aspects of child friendly justice.

A. Child Participation and Information

- Children should be properly listened to in the proceedings and have the final decision explained to them by the judge, lawyer, another professional or the parents.
- In administrative procedures, children should have access to their file in order to be able to challenge decisions and ensure judges take into account their best interests.
- During remote hearings, particular attention should also be paid to vulnerable groups, such as children with disabilities. In any case, children should be able to choose whether they want to participate in remote hearings.

B. Training of professionals

- Training should be made available and accessible to all professionals of the sector, in particular judges, lawyers, and law enforcement officers – not only on child rights, but also on child friendly communication methods and digital technologies.
- Judges and lawyers should be specialised, so children are heard by people who have enough experience and continuous training.
- For people who work with children or young people in contact with the law, it is very important to work under supervision to be not influenced badly by its own experience (i.e judges, lawyers, social workers)

C. Multidisciplinary approach

- Alliances between organisations in the field should be created at both national and European/international level, especially in cases involving trans-border cooperation, such as the Dublin procedure and family reunification issues.
- Multi-disciplinary ‘one-stop services’ as proposed in the Barnahus model should be implemented to avoid re-traumatisation and secondary victimisation.
- All professionals involved in a case should be present at the hearings.
- European and national advocacy should be targeted at the effective implementation of the rights which are enshrined in law: the appointment of a guardian from the start, access to legal aid, no push back or arbitrary detention, etc.
- Intersectionality should be combined to individual assessment to ensure that the child is at the centre of the proceedings, and that their whole environment and identity is considered.

D. Resources and data

- All services, including education, social services, investigation services and legal services, should be adequately funded and supported by the State budget.
- National State services should provide disaggregated data and follow up on children in conflict with the law when court proceedings are finished in order to provide better follow-up and avoid secondary victimisation.