

**9TH EUROPEAN FORUM ON THE RIGHTS OF THE CHILD
(BRUSSELS, 3-4 JUNE 2015)**

**COORDINATION AND COOPERATION IN INTEGRATED CHILD PROTECTION SYSTEMS
– BACKGROUND PAPER FOR SESSION III INVESTIGATION, TREATMENT, FOLLOW-UP AND
JUDICIAL INVOLVEMENT (CHILD-FRIENDLY JUSTICE) –**

1. INTRODUCTION

The Commission Communication "[An EU Agenda for the rights of the child](#)¹" was adopted in 2011 to ensure the effectiveness of children's rights and to step up efforts in protecting and promoting the rights of the child. It contains actions to make the justice system more child-friendly and to protect children when they are vulnerable and are subject to or at risk of violations of their rights. The 2012 and 2013 Fora also addressed child protection systems.

For the 2015 Forum, **it is expected that all participants will have read the 19-page Forum reflection paper² on integrated child protection systems**, which is designed to inform and guide discussions – a copy is in your file.

The reflection paper proposes 10 principles for integrated child protection systems. These are firmly grounded in/**on General Comment No. 13 (2011) of the UN Committee on the rights of the child** on the right of the child to freedom from all forms of violence. A copy is also in your file³.

2. OBJECTIVES OF THE SESSION(S)

There are four parallel sessions, addressing the various stages on the continuum of a child's interactions with child protection systems. All four themes are drawn from paragraphs 46-57 of General Comment No 13, as mentioned above. The Session themes are meant to be broad, encompassing different aspects, challenges, strengths, and actors, covering children in need of protection in all situations, and demonstrating how the EU contributes.

The four parallel sessions aim to bring together stakeholders that are part of these different parts of the chain in child protection, to usefully learn from each other, to network, to share good practice, and to ultimately stimulate cooperation and coordination and contribute to better outcomes for children.

This session focuses on:

- **Session 3: Investigation, treatment, follow-up and judicial involvement (child-friendly justice):** *Investigation covers investigation by qualified professionals,*

¹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0060:FIN:EN:PDF>

² http://ec.europa.eu/justice/fundamental-rights/files/2015_forum_roc_background_en.pdf

³ https://srsg.violenceagainstchildren.org/sites/default/files/documents/docs/crc-c-gc-13_EN.pdf

requiring a child-rights and child-sensitive approach (ref also to, amongst others, the Victims' rights directive and the Directive on special safeguards for children suspected or accused in criminal proceedings). Avoidance of secondary or repeat victimisation, due weight to the child's views, etc. Treatment covers services needed to promote recovery and social reintegration, can cover placements, and the influences of potential interventions on the child's long term wellbeing, health and development. Follow-up addresses the need for continuity of actions, to have a person responsible for the child from reporting and referral through to follow-up and reintegration. Judicial involvement covers all judicial proceedings (civil, administrative, criminal) in the child's situation, and child-friendly justice concepts must be respected, integrating EU law provisions and the results of our study on children's involvement in judicial proceedings for EU28.

3. QUESTIONS FOR SESSION PARTICIPANTS

1. How do you engage with other professionals/actors/sectors/agencies/bodies, both at national and cross-border level, to ensure good outcomes?
2. You may have identified some obstacles to successful coordination and cooperation. If so, what have you done, or what can be done by you to overcome these?
3. Can you give a concrete example of something you have done, or that someone else has done, to make a difference in how the different actors engage?
4. Are roles and responsibilities clear enough to allow for smooth coordination?
5. How would the principles set out in the Forum reflection paper serve to improve coordination and cooperation?
6. Are there children who fall through the gaps of existing coordination and cooperation mechanisms because there are groups of children or child protection situations that are not addressed by you or others?
7. How is the child's right to be heard in all matters that concern them integrated in coordination and cooperation mechanisms?

All panellists and all those who take the floor are invited to take account of the principles set out in the Forum reflection paper and to integrate them in their interventions.

While all panellists and participants will want to and indeed should make the necessary cross-references to other sessions, they should focus on the topics set out for their Session and avoid encroaching on the content of other sessions.

4. BACKGROUND READING

1. "Protecting children from sexual violence, a comprehensive approach" Council of Europe, 2010, which includes a chapter by Bragi Gudbrandsson on the child-friendly and multi-agency approach of the Barnahus http://www.coe.int/t/dg3/children/1in5/WhatWeKnow/Publication_en.asp
2. Executive summary – CONNECT country report on the Netherlands – 'We all have the same goal'. This country report on the Netherlands considers the roles and responsibilities of actors responding to the situation of unaccompanied children. The report maps how agencies and actors work together, thereby contributing to the development of a better understanding of actors' roles and co-operation around the child. It discusses how key actors in the Netherlands in their own processes and in co-operation with other actors ensure that unaccompanied migrant children's rights are fulfilled. Particular attention is given to analyzing actors' roles and responsibilities in relation to extra vulnerability, disappearances, and the status proceedings. The report can be downloaded from http://www.connectproject.eu/PDF/CONNECT-NLD_Report.pdf
3. EU Summary of contextual overviews on children's involvement in criminal judicial proceedings in the 28 Member States of the European Union, June 2014 – safeguards for child victims - http://bookshop.europa.eu/is-bin/INTERSHOP.enfinity/WFS/EU-Bookshop-Site/en_GB/-/EUR/ViewPublication-Start?PublicationKey=DS0313659 - EU Summary children in civil and administrative judicial proceedings (to be published week of 1 June 2015) probably here: <http://bookshop.europa.eu/children-in-civil-judicial-proceedings>; <http://bookshop.europa.eu/children-in-administrative-judicial-proceedings>
4. Child-friendly justice – Perspectives and experiences of professionals on children's participation in civil and criminal judicial proceedings in 10 EU Member States FRA, May 2015 FRA's fieldwork findings, based on interviews with professionals and children, show that there is a long way to go to make justice more child-friendly across the European Union (EU). Although all EU Member States have committed themselves to ensuring that children's best interests are the primary consideration in any action that affects them, their rights to be heard, to be informed, to be protected and to non-discrimination are not always fulfilled in practice. That is why the EU is promoting the Council of Europe's 2010 Guidelines on child-friendly justice. It aims to help its Member States improve the protection of children in their judicial systems and enhance their meaningful participation, thereby improving the workings of justice. <http://fra.europa.eu/en/publication/2015/child-friendly-justice-professionals>