



## “The situation analysis on the good practices in the field of the hearing of child victims of maltreatment in order to establish a European cooperation between the police and the legal system”



### PROGRAMME RESULTS

All partners stress that no matter the origin of the child, if he is Romanian, Polish, Italian, Belgian, English, or French, he is before anything else a child; and when he is attacked or raped, he is still a child, a vulnerable and fragile human being. There are, therefore, common basis to take care of a child victim and to collect his evidence, even if the legislative texts and practices are different.

All partners are unanimous on the fact of saying that there is a need and an urgency to put all efforts in making evolve the practices, especially in police and legal matters. It is on this point that we think it is important that the taking care of child victims changes :

- The child victim of sexual violence and maltreatment is a suffering child before being a complaining child. The time for taking care of him and collecting his evidence should be respected.
- The professionals working close to the child victim should consider the child's suffering and his needs before, after, and during the legal procedure.

**In order to improve the protection system, the collection of evidence, and the hearing of child victims, the partner countries recommend the elaborated propositions worked out during the whole process and adopted in the Final International Conference that took place on December 11<sup>th</sup> and 12<sup>th</sup>, 2007 :**

- Any revelation done by a minor, victim of sexual violence, maltreatment or witness should have a recorded hearing and be filmed as soon as possible, except if contra-indication. The minor should be taken into charge by a multidisciplinary team ;
- Each country should ensure the use of the best possible criteria so that the hearing of the child victim or witness does not represent a new traumatism for him ;
- The interview or the hearing of the child should be done systematically in a protected place that is neutral and where the minor can be able to receive care and where professionals can find a unit of place, time, and action ;
- The hearing of the child should be conducted only by trained professionals ;
- The competence of professionals intervening close to the child should be guaranteed. Multidisciplinary work, evaluation, and supervision should be compulsory ;
- The conditions and quality of the hearings should limit them, as well as avoid that the child repeats many times what he went through. It is recommended that only one hearing takes place ;
- The recording should be considered as part of the procedure. It is recommended that a written statement is done ;

- Before the hearing, the child should be put into a trustful environment for him and informed about the development of the procedure and everything related to the collection of his evidence ;
- An interview with the family or with the person accompanying the child is desirable during the interview or the hearing of the minor. This allows to ensure their capacity to protect and support the child ;
- The child should not be directly confronted with the assumed perpetrator ;
- The child should be assisted and supported during the indirect confrontation or the cross-examination ;
- The child should not be called to testify directly to the bar during the trial. The recourses of watching the hearing, as well as the videoconference must be systematically ;
- The recourse of the medical legal, gynaecological, psychological, and other examinations should not be done systematically ;
- A therapeutical care should be proposed to the child after the interview or the hearing ;
- If the procedure is committed, the child should be informed of the development of it and be systematically assisted by a lawyer ;
- All procedure concerning the minor victims should be treated as a priority and as soon as possible;
- Professionals intervening close to children victims of sexual violence and others should receive specific initial training and follow continuous training ;
- The continuous training should be multidisciplinary, technical, and practical, as well as give place to an evaluation of the aptitudes ;
- Supervision and psychological support should be proposed to the interviewers. The partners insist on the need of :

**Partners insist as well on the need of :**

- Sharing a minimum of information in order to allow professionals who are external to the procedure to accompany the child by having full knowledge of the facts and avoiding the repetition ;
- Reinforce the police and legal cooperation, as well as favour multidisciplinary work ;
- Increment the cooperation of other participants, such as doctors, social workers, psychologists, and associations for child protection and help to victims, in order to take care of the child in a global way ;
- Edit practical guidelines on the conditions and practices of the hearing of child victims and witnesses ;
- Diffuse information booklets for children, as well as for parents