

CREW

CONTRIBUIRE A RINFORZARE I DIRITTI DEI MINORENNI
INDAGATI O IMPUTATI NEI PROCEDIMENTI PENALI IN ITALIA

Survey questionnaire to assess and monitor the implementation of Directive EU 2016/800



The project CREW is co-funded by the Rights, Equality and Citizenship Programme of the European Union (REC 2014-2020). The content of this documents represents only the views of DCI Italy and is his/her sole responsibility. The European Commission does not accept any responsibility for use that may be made of the information it contains.

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Introduction

Defence for Children International - Italy (DCI Italy) developed the CREW survey questionnaire as a tool for assessing the implementation of Directive EU 2016/800 on procedural safeguards for children who are suspects or accused persons in criminal proceedings¹ in the 29 judicial districts of Italy. The questionnaire is conceived as a tool for continued monitoring of progress in this field, in view of EU Member States' obligation to report to the European Commission on the progress made in implementing the Directive every three years, starting from 2021 (Article 21). The questionnaire was elaborated in the context of the CREW initiative, in consultation with the Department for Juvenile and Community Justice of the Ministry of Justice, Italy, as well as an interagency roundtable of stakeholders of officials and professionals with expertise in the child justice field in Italy.

The project CREW (Contribute to Reinforce and Enhance the rights of children who are suspects or accused persons in criminal proceedings) was jointly developed and implemented as a national project by Defence for Children International - Italy and the Italian Ministry of Justice following the implementation of previous EU projects with the aim of supporting the implementation of Directive EU 2016/800 in Italy.²

CREW contributes to ensuring that children involved in criminal proceedings as suspects or accused persons have access to a child-friendly justice system that safeguards their rights, gives due consideration to their individual needs and supports tailored measures for their positive and harmonic personal development. The project is implemented in Italy and includes exchange meetings with similar initiatives in other EU Member States, as well as a bilateral exchange visit in the Netherlands.

The specific objectives of CREW are to:

- contribute to harmonising juvenile justice practices in the 29 Italian judicial districts in accordance with the child-friendly justice principles;
- systemise individual assessments through the development of a national methodology;
- strengthen capacity and raise the awareness of officials and professionals in the child justice field.

The project is part of a long-standing collaboration between DCI Italy and the Office II of the Department for Juvenile and Community Justice of the Italian Ministry of Justice aimed at promoting the rights of the child in the justice system. An interagency and multi-disciplinary roundtable of leading actors and experts from different judicial districts was established and chaired by the Department of Juvenile and Community Justice.³

After an in-depth analysis of the status of implementation of the Directive, the roundtable concluded that there is an urgent need to reduce the existing gap between legal standards and their implementation in practice, and to promote comparable standards of procedure and practice throughout the country.⁴ In view of these

¹ [Directive EU 2016/800](#) of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceeding.

² For further information on the project CREW, see the website of Defence for Children International – Italy at <https://www.defenceforchildren.it/it/news-208/crew>.

³ The interagency and multi-disciplinary Round Table was set up with the participation of the Directorate-General for Personnel, Resources and the Implementation of Juvenile Court Orders (DGPRAM II), Judges and Juvenile Prosecutors, Directors of Juvenile Penal Institutes (IPM) and Juvenile Justice Centres (CGM), professors from the University of Rome La Sapienza and the University of Genoa, as well as representatives of the Italian National Independent Authority for Childhood and Adolescence, the judicial social services (USSM), the National Union of Juvenile Chambers, the Milan Juvenile Chamber, the National Council of Social Workers (CNOAS), the Genoa Juvenile Magistrates Association and the Italian Association for Juvenile and Family Affairs. The Round Table was coordinated by the Office II of the Department of Juvenile and Community Justice of the Italian Ministry of Justice.

⁴ Ministry of Justice, Department for Juvenile and Community Justice, Defence for Children International – Italy, *CREW - Contributing to reinforcing and enhancing the rights of children who are suspects or accused persons in criminal proceedings*, Policy Paper, 2022.

considerations, the Department for Juvenile and Community Justice committed itself to leading a national process towards this objective.

The data collection and consultation process was important to gather and hear the knowledge, views and experience of officials and professionals working in the child justice system in Italy, as well as children and young people, regarding the individual assessment, examples of practice, critical observations, as well as recommendations and proposals for action.

Based on these activities, DCI Italy and the Department for Juvenile and Community Justice elaborated a data report on the survey findings, a policy paper, a checklist for officials and professionals working in this field, as well as methodological orientations for the individual assessment of child suspects or accused persons in criminal proceedings.⁵ An overview of the data gathered through the dissemination of the CREW survey questionnaire is available from the CREW data report.⁶

⁵ For further information on the project CREW, see the website of Defence for Children International – Italy at <https://www.defenceforchildren.it/it/news-208/crew>.

⁶ See CREW Report Data: Defence for Children International – Italy, CREW 2022, *Per un Sistema di giustizia child-friendly, L'attuazione dei diritti e delle garanzie procedurali delle persone minorenni indagate o imputate di reato in Italia*, [Report dati 2021](#) [Towards a child-friendly justice system, *Implementation of the rights and procedural safeguards of children who are suspects or accused persons in Italy, Data Report 2021*], 2022.

CREW – Contribute to reinforce and enhance the rights of children who are suspects or accused persons in criminal proceedings in Italy

Survey questionnaire

In the framework of the CREW Project⁷, funded by the European Commission, the Department for Juvenile and Community Justice of the Italian Ministry of Justice and Defence for Children International - Italy have developed this survey questionnaire to gather data on the experience of officials and professionals in the Italian child justice system. The questionnaire aims at assessing the implementation of Directive EU 2016/800 in the 29 Italian judicial districts, as well as the UN Convention on the Rights of the Child (UNCRC), which set out the rights and procedural safeguards of children who are suspects or accused persons in criminal proceedings.

The data collected through this survey questionnaire will be used by Defence for Children International - Italy to map and analyse the practice the child justice field. The data will inform the development of an analytical data report, a methodology for the individual assessment of children, as well as a policy paper.

Your response to the questionnaire is anonymous. Your informed consent to participate in the survey is sought in the first section of the questionnaire. The information, experience and assessment you share are important to provide us with a comprehensive picture of judicial practice in criminal proceedings involving child suspects or accused persons.

How to respond to the questionnaire:

Completing the questionnaire will take approximately 30 minutes.

Most questions offer a number of answers to choose from and some give you the possibility to leave a comment if you feel it is useful for clarification. This feature is optional, so you may choose to use this space to share any comments you may have, without feeling obliged to do so.

We ask you to answer questions **based on your professional experience**. You may choose not to answer one or more questions.

Please note that once you start filling in the online survey questionnaire, you will be able to save the content and continue later. [Here](#), you can view the complete survey questionnaire for information.

We ask you to kindly complete and submit the questionnaire by (date).

Thank you for your participation in this survey!

⁷ Defence for Children International – Italia, CREW, <https://www.defenceforchildren.it/it/news-208/crew>.

Definitions

For the purpose of this questionnaire, and in accordance with Article 3 of Directive EU 2016/800, the following key terms and definitions are used:

Child refers to any person under 18 years of age, in accordance with the UN Convention on the Rights of the Child (Article 1).

Holder of parental responsibility refers to any person having parental responsibility over a child.

Parental responsibility refers to all rights and duties relating to the person or the property of a child, which are given to a natural or legal person by judgment, by operation of law or by an agreement having legal effects, including rights of custody and rights of access.

Part I: Declaration of informed consent

I am aware that the purpose of this survey questionnaire is to gather data on my professional experience with regard to juvenile criminal proceedings in Italy in comparison with Directive EU 2016/800, which sets out rights and procedural safeguards of children who are suspects or accused persons in criminal proceedings. I am further aware that the data, information and assessments I provide are anonymous.

My answers will be gathered, stored and used by Defence for Children International - Italy, coordinator of the project. Survey responses will be analysed as part of a mapping exercise and evaluation of practice, will be stored confidentially and will only be accessible to the project's operational team. Responses will be deleted by the end of 2028.

Together with other data collected for monitoring and evaluation, the survey responses will inform the development of a guidance document for the harmonisation of national judicial practices concerning children who are suspects or accused persons in criminal proceedings. I am aware that this guidance document will be disseminated in the 29 judicial districts belonging to the Department of Juvenile Justice and may subsequently be published, and that it will present and analyse the data collected anonymously without referring to individual responses or revealing my identity in any way.

I consent to the use of my anonymised data and all other information provided as described above. If I submit data or information on behalf of another person, I confirm that I have obtained the person's permission.

Answers to the survey questionnaire will only be submitted by clicking on the "send" button at the end of the questionnaire.

I consent

Part II: General information

I.1 Judicial district:

One possible response

Please select your judicial district ▼

II.2. Current role in the judicial district:

One possible response

- Judge
- Honorary judge
- Public prosecutor
- Law enforcement officer
- Lawyer
- Social worker
- Educational professional
- Medical / Health care professional

II.3. Number of years of professional experience in relation to the indicated role

One possible response

- Under 5 years
- Between 5 and 10 years
- Between 10 and 25 years
- More than 25 years

II.4. Number of cases of child suspects or accused persons in criminal proceedings handled in the past two years

One possible response

- Under 5 cases
- Between 5 and 10 cases
- Between 10 and 25 cases
- More than 25 cases

II.5. Have you participated in any specialised training on the rights of the child in the past two years?

One possible response

- Yes
- No
- I prefer not to respond

II.6. If yes, who offered the training?

One or more responses possible

- Ministry / Department
- Higher School of Magistrates
- Professional Association
- University
- Civil society actors (NGO, association, foundation, or other)
- Comments:

II.7. If yes, did other professional groups working in the field of child justice participate in the training as well?

One possible response

- Yes
- No
- I prefer not to respond

II.7. How do you rate the specific training received in the past two years with respect to the topics addressed?

Please tick the topics covered and rate each one for level of satisfaction, on a scale from 1 to 10, where 1 means completely unsatisfied and 10 means very satisfied.

- Rights of the children who are suspects or accused persons or deprived of liberty
Level of satisfaction
1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10
- Legislation, jurisprudence and practice relevant to child-friendly justice
Level of satisfaction
1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10
- Application of the principle of the best interests of the child
Level of satisfaction
1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10
- Techniques for communication and listening (hearing, interview, questioning of a child)
Level of satisfaction
1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

- Prevention of violence against child suspects or accused persons
Level of satisfaction
□1 ---- □2 ---- □3 ---- □4 ---- □5 ---- □6 ---- □7 ---- □8 ---- □9 ---- □10
- Individual assessment
Level of satisfaction
□1 ---- □2 ---- □3 ---- □4 ---- □5 ---- □6 ---- □7 ---- □8 ---- □9 ---- □10
- Child psychology
Level of satisfaction
□1 ---- □2 ---- □3 ---- □4 ---- □5 ---- □6 ---- □7 ---- □8 ---- □9 ---- □10
- Restorative justice and criminal law mediation
Level of satisfaction
□1 ---- □2 ---- □3 ---- □4 ---- □5 ---- □6 ---- □7 ---- □8 ---- □9 ---- □10
- Children with migration background in the context of child justice
Level of satisfaction
□1 ---- □2 ---- □3 ---- □4 ---- □5 ---- □6 ---- □7 ---- □8 ---- □9 ---- □10
- Taking a child into care
Level of satisfaction
□1 ---- □2 ---- □3 ---- □4 ---- □5 ---- □6 ---- □7 ---- □8 ---- □9 ---- □10
- Protection of personal data, private and family life of a child
Level of satisfaction
□1 ---- □2 ---- □3 ---- □4 ---- □5 ---- □6 ---- □7 ---- □8 ---- □9 ---- □10
- Diversity and specific vulnerabilities
Level of satisfaction
□1 ---- □2 ---- □3 ---- □4 ---- □5 ---- □6 ---- □7 ---- □8 ---- □9 ---- □10
- Other: please specify:
Level of satisfaction
□1 ---- □2 ---- □3 ---- □4 ---- □5 ---- □6 ---- □7 ---- □8 ---- □9 ---- □10

II.8 If you have not participated in training during the past two years, what were the main reasons?

One or more responses possible

- Training was not offered
- Lack of time
- Lack of authorisation to participate
- Training course fully booked
- Comments:

II.9. What are the main training needs in your judicial district?

One or more responses possible

- Prevention of violence against child suspects or accused persons
- Individual assessment
- Children with migration background in the child justice field
- Taking a child into care
- Protection of personal data, private and family life of the child
- Diversity and vulnerability
- Child psychology
- Restorative justice and criminal law mediation
- Techniques for communication and listening (hearing, interview, questioning of a child)
- Application of the principle of the best interests of the child
- Legislation, jurisprudence and practice relevant to child-friendly justice
- Rights of the children who are suspects or accused persons or deprived of liberty
- Joint multidisciplinary and interagency training
- Comments:

Part III: Child participation and child-friendly information

(Articles 4 and 5, Directive EU 2016/800; Articles 12, 13, 17 UNCRC)

Child-friendly information

III.1 Does your institution / organisation have a specific information service for children?

One possible response

- Yes
- No
- I prefer not to respond

III.2. Does your judicial district use auxiliary means to provide information to children (website, written material or other)?

One or more responses possible

- Yes, a website
- Yes, written material
- Yes, the forms available for adults have been adapted for children
- No
- I prefer not to respond
- Comments:

III.3. Is it always clear to you, in your field of work, which authority or service should inform the child suspect of accused person of his or her rights at each stage of the proceedings?

One possible response

- Yes
- No
- I am not sure

III.4.1. When the child is informed to be suspected or accused of a criminal offence, how well would you say is the child informed about the following:

Please rate your level of satisfaction with the information provided to the child at this stage of proceedings on a scale from 1 to 10, where 1 means completely unsatisfied and 10 means very satisfied.

The right to have the holder of parental responsibility informed

Level of satisfaction

- 1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

The right to be assisted by a lawyer

Level of satisfaction

- 1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

The right to protection of private life

Level of satisfaction

- 1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

The right to be accompanied by a holder of parental responsibility during phases of the proceedings other than the hearing

Level of satisfaction

- 1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

The right to free legal aid

Level of satisfaction

- 1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

III.4.2. In the first phase of the proceedings, how well would you say is the child informed about:

Please rate your level of satisfaction with the information provided to the child at this stage of proceedings on a scale from 1 to 10, where 1 means completely unsatisfied and 10 means very satisfied.

The right to an individual assessment

Level of satisfaction

- 1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

The right to a medical examination, including the right to medical care

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Rights of the child in cases of limitation or deprivation of liberty and recourse to alternative measures

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Right to periodic review of any detention measure

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Right to be accompanied by a holder of parental responsibility during the hearing

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Right to be present during the proceedings

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Right to effective remedies

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

III.4.3. Upon deprivation of liberty, how well would you say is the child informed about:

Please rate your level of satisfaction with the information provided to the child at this stage of proceedings on a scale from 1 to 10, where 1 means completely unsatisfied and 10 means very satisfied.

The right to specific treatment during deprivation of liberty in accordance with the best interests of the child

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

III.5. Is the information that you provide to the child upon your first contact with the child:

Please rate each of your responses on a scale from 1 to 10 with regard to frequency, where 1 is almost never and 10 is always.

III.5.1. Formulated in simple and accessible language

Frequency

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

III.5.2. Formulated in a detailed manner (modalities of the procedure, position and role of the child, duration, importance and impact of the testimony given, consequences of a particular act, etc.)

Frequency

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

III.5.3. Provided in a timely manner

Frequency

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

III.5.4. Actually comprehensible to the child

Frequency

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

III.5.5. Provided also to the holder of parental responsibility without delay

Frequency

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

III.5.6. Always documented in written form

Frequency

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

III.6. How do you ascertain in your area of work that the child has understood the information?

One or more responses possible

- I can tell from the interaction with the child if he or she has understood
- I ask the child if he or she has understood the information
- I ask the child if he or she has any questions
- I ask the child to repeat what he/she has understood with his or her own words
- I do not have the opportunity to ascertain that the child has understood the information provided to him or her
- I prefer not to respond
- Comments:

III.7. Can you indicate the primary causes that impede the effective information of children in your area of work?

One or more responses possible

- Lack of time
- Inappropriate spaces for interviews of children
- Unclear who is responsible for providing information to the child
- Staff not prepared or trained to provide information to the child
- Use of technical legal language not appropriate for children
- The child does not cooperate
- Lack of interpreters or cultural mediators
- Lack of support for communicating with children who have specific needs
- Absence of adequate information tools for children
- Children's difficulty in understanding the forms used
- I prefer not to respond
- Comments:

Child-friendly hearing and interviewing

III.8. In your field of work, do you have access to methodological or operational tools for or interviewing a child (guidelines, protocols or other)?

One or more responses possible

- Yes, always
- Yes, but the tool or instrument I use is not up to date
- Yes, and I have also been trained in using the tool / instrument I work with
- Not always
- No, even though I have been trained in the use of the tool / instrument
- I do not know how to use the tool / instrument because I have not been trained in using it
- I am not aware of any tool or instrument
- I prefer not to respond
- Comments:

III.9. How satisfied are you with the way in which the following officials or professionals in the child justice field take into account the views of the child who is a suspect or accused person in criminal proceedings:

One or more responses possible

Please rate your response on a scale from 1 to 10 for level of satisfaction with the way in which the child's views are taken into account, where 1 refers to completely unsatisfied and 10 refers to very satisfied.

Judge

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Prosecutor

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Law enforcement officers

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Social workers

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Lawyers

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Penitentiary police

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Educators / pedagogues

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

III.10. In order to be able to give due weight to the views of the child, are you able to succeed in doing following:

Please tick the statements that apply to your area of work and rate your level of satisfaction on a scale from 1 to 10, where 1 means completely unsatisfied and 10 means very satisfied.

One or more responses possible

Finding an appropriate space that guarantees the privacy of the interview or hearing

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Asking the child to express the own views

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Dedicating the time necessary to listen, ask questions, and speak to the child about his or her views

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Explaining to the child how his or her views have been taken into account

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Consulting with other officials or professionals on the child's views and how to give them due weight

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Dedicating time to document the child's views

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

documenting the manner in which the views of the child have been heard and given due weight

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Other, please specify:

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

III.11. Which main challenges do you meet in your area of work with regard to the hearing, interview or questioning of a child?

One or more responses possible for maximum of 5.

- Difficulty in making myself fully understood
- Language barriers
- Lack of regular breaks
- Excessive duration of hearings or interviews
- Frequent interruptions
- The frequent postponement of hearings
- Lack of privacy
- Lack of spaces suitable to reduce the child's sense of intimidation and inhibition
- Hearings or interviews are scheduled at times that are not appropriate to the age and maturity or needs of the child
- Insufficient collaboration of the child
- Insufficient collaboration of the child's parents
- Lack of adequate technology for recording
- Comments:

Part IV. Individual assessment of the child

(Articles 7 and 8, Directive EU 2016/800)

IV.1. Is the individual assessment of children suspected or accused of criminal offences conducted in your judicial district?

One possible response

- Yes
- No
- I prefer not to respond
- Comments:

IV.2. If not, what other measures are in place to ensure the specific needs of the child are taken into account with regard to protection, education, training and social reintegration?

One or more responses possible

- Social inquiry
- Medical examination
- Other, please specify:

IV.3 In your judicial district, which authority is responsible for conducting the individual assessment of a child suspected or accused of a criminal offence?

One or more responses possible

- Judge
- Public prosecutor
- Law enforcement services
- Social services
- An interagency group
- This has not been defined
- I prefer not to respond
- Comments:

IV.4. In your judicial district, please indicate if the individual assessment is conducted:

One or more responses possible

- In the first appropriate phase of the proceedings
- Prior to indictment
- After indictment
- Through the coordinated collaboration of officials and professionals from different disciplines
- By qualified personnel
- By using a methodological tool or protocol
- With access to medication information
- With the direct participation of the child
- With the involvement of other relevant persons (holder of parental responsibility, appropriate adult support person and/or specialised professional)
- By taking into account the personality and maturity of the child
- By taking into account the economic, social and family situation of the child
- By ensuring periodic review and adjustment
- By taking into account any specific vulnerabilities of the child (such as experiences of violence, learning or communication disabilities)

IV.5.1 How do you rate the importance given to the findings of the individual assessment in:

Please rate the importance of each item on a scale from 1 to 10, where 1 means not at all important and 10 means very important.

Deciding if any specific measures should be adopted for the benefit of the child

Importance

- 1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Assessing the appropriateness and effectiveness of any precautionary measures

Importance

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Ensuring the child's ongoing process of education is not interrupted

Importance

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Making decisions or taking measures in the criminal proceedings, including in the sentencing phase

Importance

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

IV.5.2 How satisfied are you with the way in which the findings of the individual assessment are actually taken into consideration when

Please rate your level of satisfaction of each item on a scale from 1 to 10, where 1 means not at all satisfied and 10 means very satisfied.

Deciding if any specific measures should be adopted for the benefit of the child

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Assessing the appropriateness and effectiveness of any precautionary measures

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Ensuring the child's ongoing process of education is not interrupted

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Making decisions or taking measures in the criminal proceedings, including in the sentencing phase

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

IV.6. Which of the following statements concerning the medical examination of the child can you confirm in respect of your work practice?

IV.6.1 The child deprived of personal liberty has *always* a right to a medical examination.

One possible response

- Yes
- No
- I prefer not to respond

IV.6.2. The medical examination has to be carried out by a medical doctor or other qualified professional upon request by the competent authority.

One possible response

- Yes
- No
- I prefer not to respond

IV.6.3. The medical examination is carried out also in the case of specific sanitary indications and upon request by the child, the holder of parental responsibility or the child's defence lawyer.

One possible response

- Yes
- No
- I prefer not to respond

IV.6.4. The medical examination should be carried out in respect of the rights of the child, his or her physical integrity and human dignity.

One possible response

- Yes
- No
- I prefer not to respond

IV.6.5. In case of doubts about the child's age and whether he or she is a child or an adult, the assumption of minority prevails.

One possible response

- Yes
- No
- I prefer not to respond

IV.6.6. The results of the medical examination are taken into consideration for determine if the child can undergo a questioning or other investigative acts (such as gathering of evidence).

One possible response

- Yes
- No
- I prefer not to respond

IV.6.7. The results of the medical examination are taken into consideration to establish if the child can be subjected to any measures adopted or foreseen in his or her regard.

One possible response

- Yes

- No
- I prefer not to respond

Part V. The dignity of the child

(Articles 12.5 and 14, Directive EU 2016/800; Article 40 UNCRC)

V.1. How do you rate the measures taken with regard to the protection of the *right to private life* of the child suspected or accused of a criminal offence? Please indicate your assessment with regard to the following statements:

Please rate your level of satisfaction with regard to the following statements on a scale from 1 to 10, where 1 means not at all satisfied and 10 means very satisfied.

V.1.1. The right to private and family life of the child is secured at all stages of the proceedings.

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

V.1.2. Hearings involving the child are typically held behind closed doors.

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

V.1.3. It is guaranteed that any audio-visual recording of the questioning of the child will not be made public.

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

V.1.4. The media have adopted measures for self-regulation with the aim of protecting the right to private and family life of children.

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

V.2. How do you assess the level of *compliance with data protection regulations* with regard to the following:

Please rate your level of satisfaction on a scale from 1 to 10, where 1 means completely unsatisfied and 10 means very satisfied.

V.2.1. Transfer of personal and sensitive data of the child where necessary

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

V.2.2. Access to the register or to documents and case files containing personal and sensitive data of the child

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

V.3. In your judicial district, do any measures of deprivation of liberty of the child effectively guarantee:

One or more responses possible

- The child's health
- The child's physical and mental development
- The child's right to education and training
- The child's right to education and training in cases of physical or sensorial disabilities or learning difficulties
- Effective and regular exercise of the child's right to family life
- Access to programmes that support the child's development and social reintegration
- Respect for the child's right to freedom of religion and faith

V.4.1 How important do you consider the respect for the dignity of the child involved in criminal proceedings?

Please rate the importance on a scale from 1 to 10, where 1 means not at all important and 10 means very important.

Importance

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

V.4.2 How satisfied are you with the way the child's dignity is respected in practice in the context of criminal proceedings?

Please rate your level of satisfaction on a scale from 1 to 10, where 1 means not at all satisfied and 10 means very satisfied.

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Part VI. Guarantees for a fair trial

(Articles 6, 13, 15, 16 and 18 Directive EU 2016/800)

VI. 1. How do you assess the respect for the following principles of child-friendly justice in your judicial district?

Please rate the level of importance you attach to the issue and your level of satisfaction on a scale from 1 to 10, where 1 means not at all important / satisfied and 10 means very important / satisfied.

VI.1.1. Principle of urgency

Importance

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

VII.1.2. Principle of presumption of innocence

Importance

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

VII.1.3. Principle of minimum harm

Importance

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

VII.1.4. Right to a fair trial

Importance

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

VII.1.5. Right to independent legal assistance

Importance

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

VII.1.6. Right to legal assistance and representation free of charge

Importance

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

VII.1.7. Right to specialised legal assistance and representation

Importance

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

VII.1.8. Right to interpretation and translation

Importance

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

VII.1.9. Right to effective legal remedy

Importance

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

VII.1.10. Right to be accompanied by the holder of parental responsibility or another appropriate adult

Importance

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

VII.1.11. Right to effective participation in proceedings concerning the child

Importance

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

VII.1.12. Right to be questioned by specifically trained officials or professionals

Importance

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Modular part of the questionnaire: specific sections for judges, prosecutors, law enforcement services, lawyers and social services

Judges and honorary judges

I. How do you assess your collaboration with the following officials and professionals?

Please rate your level of satisfaction with the collaboration on a scale from 1 to 10, where 1 means completely unsatisfied and 10 means very satisfied.

Defence counsel (court appointed, under legal aid scheme)

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Lawyer (private lawyer)

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Public prosecutors

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Holders of parental responsibilities

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Law enforcement services

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Penitentiary police officers

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Social services

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Staff of penal institutions

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

III. Which measures of deprivation of liberty of children are primarily used in your judicial district, other than precautionary custody?

Please indicate the frequency from 1 to 3.

- Specific prescriptions
- Home confinement
- Placement in residential facility
- Comments:

III. When ordering the most appropriate special measure, what are the main challenges you encounter?

One or more responses possible

- Specific prescriptions:
- Home confinement:
- Placement in residential facilities:
- I do not face any challenges
- Comments:

IV. In your role as preliminary investigation judge, with what frequency do you take the following action:

Please rate the level of frequency on a scale from 1 to 10, where 1 means very infrequent and 10 means very frequent.

Dismissal due to criminal irrelevance of the fact following discussion with a multidisciplinary team

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Dismissal due to criminal irrelevance of the fact following an individual assessment

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Order *ex officio* an expert opinion on age assessment

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

IV. In your role as pre-trial judge, how strongly does the discussion with a multidisciplinary team influence the decision to:

Please rate the level of influence of the discussion with a multidisciplinary team on a scale from 1 to 10, where 1 means no influence and 10 means very high level of influence.

Suspend the trial by putting the child on probation

1 ----- 2 ----- 3 ----- 4 ----- 5 ----- 6 ----- 7 ----- 8 ----- 9 ----- 10

Grant judicial pardon

1 ----- 2 ----- 3 ----- 4 ----- 5 ----- 6 ----- 7 ----- 8 ----- 9 ----- 10

Pronounce non-prosecution due to irrelevance of the fact

1 ----- 2 ----- 3 ----- 4 ----- 5 ----- 6 ----- 7 ----- 8 ----- 9 ----- 10

Conviction with alternative sanction (semi-detention or supervised liberty)

1 ----- 2 ----- 3 ----- 4 ----- 5 ----- 6 ----- 7 ----- 8 ----- 9 ----- 10

V. Is there any judicial oversight of the information provided to the child who is a suspect or accused person in criminal proceedings and if the child has understood the information?

One possible response

- Yes
- No
- I am not aware of any

VI. Please provide any concluding observations or comments you would like to share:

Public Prosecutor

I. How do you assess your collaboration with the following officials and professionals?

Please rate your level of satisfaction with the collaboration on a scale from 1 to 10, where 1 means completely unsatisfied and 10 means very satisfied.

Judges

1 ----- 2 ----- 3 ----- 4 ----- 5 ----- 6 ----- 7 ----- 8 ----- 9 ----- 10

Honorary judges

1 ----- 2 ----- 3 ----- 4 ----- 5 ----- 6 ----- 7 ----- 8 ----- 9 ----- 10

Defence counsel (court appointed, under legal aid scheme)

1 ----- 2 ----- 3 ----- 4 ----- 5 ----- 6 ----- 7 ----- 8 ----- 9 ----- 10

Lawyer (private lawyer)

1 ----- 2 ----- 3 ----- 4 ----- 5 ----- 6 ----- 7 ----- 8 ----- 9 ----- 10

Holders of parental responsibilities

1 ----- 2 ----- 3 ----- 4 ----- 5 ----- 6 ----- 7 ----- 8 ----- 9 ----- 10

Law enforcement services

1 ----- 2 ----- 3 ----- 4 ----- 5 ----- 6 ----- 7 ----- 8 ----- 9 ----- 10

Penitentiary police officers

1 ----- 2 ----- 3 ----- 4 ----- 5 ----- 6 ----- 7 ----- 8 ----- 9 ----- 10

Social services

1 ----- 2 ----- 3 ----- 4 ----- 5 ----- 6 ----- 7 ----- 8 ----- 9 ----- 10

Staff of penal institutions

1 ----- 2 ----- 3 ----- 4 ----- 5 ----- 6 ----- 7 ----- 8 ----- 9 ----- 10

II. How do you assess the effectiveness and appropriateness of the precautionary measures that you intend to ask the judge to take in respect of the child?

Please select a maximum of three responses:

- Consult a multidisciplinary team
- Assess the circumstances of the case on a discretionary basis
- Ask the judicial police to report to you
- Share information with qualified personnel
- Personally interrogate the child in each case
- Other, please specify:

III. What are the specific prescriptions that you primarily ask from the judge?

Please select a maximum of three responses:

- Prohibition for the child to stay in a particular place
- Obligation for the child to stay in a particular place
- Obligation to limit contact with certain persons
- Obligation to report to the competent authorities
- Obligation to participate in educational programmes
- Obligation to participate in sports programmes
- Participation in therapeutic or detoxification programmes, subject to consent
- Other, please specify:

IV. What are typical challenges you face when asking for specific measures in respect of the child?

One or more responses possible

- Operational challenges
- Practical challenges
- Challenges in coordinating with officials of the Judicial Police

V. How often are the following means of proof and evidence used in a manner appropriate to the personality of the child and his or her educational needs?

Please rate the frequency on a scale from 1 to 10, where 1 means very infrequent and 10 means highly frequent.

Summary testimonial information

- 1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ----

Questioning

- 1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ----

Searches

- 1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ----

Interception

- 1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ----

Confrontations

- 1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ----

Recognition

- 1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ----

Documentary evidence

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ----

Other, please specify:

VI. Please provide any concluding observations or comments you would like to share:

Lawyers

I. How do you assess your collaboration with the following officials and professionals?

Please rate your level of satisfaction with the collaboration on a scale from 1 to 10, where 1 means completely unsatisfied and 10 means very satisfied.

Judges

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Honorary judges

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Public prosecutors

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Holders of parental responsibilities

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Law enforcement services

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Penitentiary police officers

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Social services

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Staff of penal institutions

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

II. Irrespective of the merits of the judgement, how satisfied are you with the following:

Please rate your level of satisfaction on a scale from 1 to 10, where 1 means completely unsatisfied and 10 means highly satisfied.

The availability of the judicial authority to talk to lawyers

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Timeliness of notice to the detained or arrested child

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

The conditions under which children are questioned or heard

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Accessibility of files

Level of satisfaction

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

III. Have you ever defended a child who has been asked to make or sign a statement regarding his or her involvement in a criminal conduct in your absence or the absence of a parent or holder of parental responsibility?

One possible response

- Yes
- No
- I prefer not to respond

IV. According to your professional experience, are children effectively and without undue delay assisted by a lawyer once the child is informed to be suspected or accused of a criminal offence?

One possible response

- Yes
- No
- I prefer not to respond

V. Has your judicial district put in place the conditions to guarantee the effective legal assistance and representation of a child in respect of the following circumstances:

Please rate the frequency on a scale from 1 to 10, where 1 means very infrequently and 10 means very frequently.

Before being questioned by the police or other law enforcement or judicial authority

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

When investigative or other competent authorities conduct investigative or other evidence-gathering acts

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Without undue delay after deprivation of liberty

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

If summoned to appear before a judge or court having jurisdiction in criminal matters, in due time before having to appear before it

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

VII. In the cases of children whom you assisted, have you been guaranteed the following:

One or more responses possible

- Meeting the child in confidentiality
- Communicating confidentially with the child
- Participating effectively in the questioning of the child
- Assisting the child during the stage of identification
- Assisting the child during the confrontation phase

- Assisting the child in the reconstruction of a crime scene
- Assisting the child when brought before a judge to decide on detention
- Assisting the child during any detention

VIII. Please provide any concluding observations or comments you would like to share:

Law enforcement services

I. How do you assess your collaboration with the following officials and professionals?

Please rate your level of satisfaction with the collaboration on a scale from 1 to 10, where 1 means completely unsatisfied and 10 means very satisfied.

Judges

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Honorary judges

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Defence counsel (court appointed, under legal aid scheme)

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Lawyer (private lawyer)

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Public prosecutors

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Holders of parental responsibilities

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Social services

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Staff of penal institutions

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

II. Have you ever questioned a child about conduct of criminal relevance or asked to make or sign a statement concerning such involvement in the absence of a lawyer or one of the parents or a trusted person of the child?

One possible response

- Yes
- No
- I prefer not to respond

III. Is the questioning of a child suspect or accused person in criminal proceedings always video-recorded?

One or more responses possible

- Yes, when this is proportionate in the circumstances of the case
- Yes, when no defence counsel is present
- Yes, when the child is deprived of his/her liberty

- Yes, provided his or her best interests are always made a primary consideration
- Yes, please specify:
- Not always, but it is documented in written and duly verified minutes
- No, please specify:

IV. Are there any protocols or other agreements to regulate the modalities of the arrest, detention or accompaniment?

One possible response

- Yes
- No
- I prefer not to respond

V. If yes, please indicate the institutions and services that have signed the protocol or agreement:

One or more responses possible

- Court
- Other judicial offices
- Other specialised sections of the court
- Social services
- No other parties
- Other, please specify:

V. How often are the following means of proof and evidence used in a manner appropriate to the personality of the child and his or her educational needs?

Please rate the frequency on a scale from 1 to 10, where 1 means very infrequent and 10 means highly frequent.

Summary testimonial information

- 1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ----

Questioning

- 1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ----

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Confrontations

- 1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ----

Recognition

- 1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ----

Documentary evidence

- 1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ----

Other, please specify:

VI. Please provide any concluding observations or comments you would like to share:

Social services

I. How do you assess your collaboration with the following officials and professionals?

Please rate your level of satisfaction with the collaboration on a scale from 1 to 10, where 1 means completely unsatisfied and 10 means very satisfied.

Judges

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Honorary judges

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Defence counsel (court appointed, under legal aid scheme)

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Lawyer (private lawyer)

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Public Prosecutors

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Holders of parental responsibilities

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Law enforcement services

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Penitentiary police officers

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Staff of penal institutions

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

II. How satisfied are you with the way the judge consults you and takes your professional opinion into account to assess the following:

Please rate your level of satisfaction on a scale from 1 to 10, where 1 means not at all satisfied and 10 highly satisfied.

II.1. The personality and maturity of the child

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

II.2. The social and family background of the child

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

II.3. The specific vulnerabilities of the child

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

III. Do the Judicial Social Services develop an individual intervention plan for each child involved in criminal proceedings?

One possible response

Yes

No

I prefer not to respond

IV. Does the development and implementation of individual intervention plans in your judicial district comply with the following principles?

Please rate your level of satisfaction on a scale from 1 to 10, where 1 means very unsatisfied and 10 means highly satisfied.

IV.1. No interruption of ongoing educational processes

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

IV.2. Minimum harm by the process

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

IV.3. Rapid exit from the criminal justice proceedings

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

IV.4. Detention as a measure of last resort

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

V. To what extent is the time you require for the assessment of the child compatible with the following scenarios of closure of the preliminary investigations?

Please rate the level of compatibility on a scale from 1 to 10, where 1 means not at all compatible and 10 means highly compatible.

The prosecutor applies for summary judgment

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

The prosecutor applies for indictment

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

The prosecutor requests the issuance of an order for immediate trial

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

Prosecutor proceeds to an abbreviated trial

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

The prosecutor proceeds with a verdict of not proceeding due to irrelevance of the fact

1 ---- 2 ---- 3 ---- 4 ---- 5 ---- 6 ---- 7 ---- 8 ---- 9 ---- 10

VI. Please provide any concluding observations or comments you would like to share:

Thank you for your time!

For questions or suggestions, or to share any reports or other materials, please write to:

info@defenceforchildren.it.