



EUROPEAN COMMISSION

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PROMISE – Safeguarding the needs and rights of child victims and witnesses of violence

*Check Against Delivery
Seul le texte prononcé fait foi
Es gilt das gesprochene Wort*

PROMISE Conference - Committee of the Regions, Jacques Delors Building

Rue Belliard 99-101, Room JDE51, Brussels

Brussels, 14 June 2017 at 10:00

Distinguished speakers and guests,

Ladies and gentlemen,

What must it be like for a **child victim of violence or witness of violence** to go through a criminal proceeding?

This is the testimony of one child:

[Quote from 14 year-old victim of sexual abuse]

“The teacher said that the police were waiting and then my classmates saw. Strange, because everyone was watching, like where I was going with the policemen and it was weird... When someone comes to school, then it would be better without the uniform”.

This is what a 14-year-old victim of sexual abuse said about the start of the investigation of her case. It is from a report in 2017 by the EU

Agency for Fundamental Rights on children's perspectives and experience of judicial proceedings as victims or witnesses.

Such an experience, on top of the trauma and abuse they have suffered, underlines the **importance of the Barnahus model of multidisciplinary and interagency responses to child victims and witnesses**. And we should always be mindful that very young children or children with disabilities are in a particularly vulnerable situation and need specialised care in such cases.

Child-friendly justice and the protection of children from all forms of violence is a priority for the EU. And for me personally. It is a key action under the **EU Agenda for the rights of the child** which reinforced the full commitment of the EU to the well-being and safety of children.

The 2015 Commission study we have done on child victims' and witnesses' involvement in criminal judicial proceedings provided a complete overview of legislative and policy gaps as well as some

good practice. The FRA report I mentioned set out to complement that study with interviews of victims.

[Pause]

[Quote of a 15 year-old child sexual abuse victim, from the FRA study]

Let me quote from one of them.

“As we came in, my mum sat down and I needed to stand all the time. When I couldn’t bear it any longer and I started crying, the judge kept yelling at me and that was so awful.”

The EU adopted the Victims’ Rights Directive, which lays down a set of binding rights for victims of crime and obligations for Member States. These include a right to be recognised and treated in a respectful, sensitive, tailored, professional and non-discriminatory manner. It applies to all victims of all crimes, with a special focus on child victims.

The Directive also states that **children's best interests must be a primary consideration** in its application.

And the EU rules provide for a right to understand and to be understood. It means that all communication with children should take into account their age and their level of development. Not everyone knows how to talk to children. In particular, not everyone knows how to interview child victims.

In 2012, a wise family law judge said *"Judges do not have to be experts in everything. But they need to know where to go to get the necessary expertise."*

Barnahus is such a safe, child-friendly, integrated and multidisciplinary model of specialist services, with the necessary expertise to soften the trauma that, without doubt, participation in a criminal proceeding can inflict on a child.

As a 14-year-old child sexual abuse victim said, *"They shouldn't torture the child to tell the story so many times."* Another 10-year-old

child recalled that, *“It feels kind of strange. Especially with all these strangers. I didn’t know these people and I needed to talk about private matters.”*

All efforts must be made to ensure that child victims do not suffer any more than they already have from the crime.

The EU rules set a presumption that all children are vulnerable and so benefit from special protection measures. They include a possibility for the child's interview to take place in special premises and for the number of interviews to be kept to a minimum. The child victim may also avoid contact with the prosecutor, as well as any unnecessary questioning.

Some of the protection measures are specially designed for children. In particular, it includes a possibility to record the interviews with children and use them as evidence in criminal proceedings. Or the right to a special representative in cases of conflicts of interest with parents.

As Bragi Gudbrandsson said at the 2015 European Forum on the rights of the child, *"Some children were traumatised, but not all, by visits to courts or police stations. However, no child is traumatised by going to a Barnahus."*

Access to specialised support services that take into account the specific needs of each victim for child victims is crucial; and for some - like child victims of sexual abuse – even more than for others.

Under the Daphne funding programme, we prioritised child-centred approaches to child victims, in line with the Victims' rights directive.

Law needs to be implemented in practice!

EU law also includes the **directive on combatting child sexual abuse and exploitation and the directive on combatting trafficking in human beings**. And we continue to strengthen the child's right to be heard through rules on parental responsibility (**Brussels IIa Regulation**), and **EU asylum and migration law**.

And the Barnahus model can be seen as a practical implementation of the **10 principles for integrated child protection systems**. It is by bringing together all specialist services that we can ensure the best interest of the child.

Let us look at what kind of impact a Barnahus approach can have in terms of coverage. In Sweden, where the number of children is close to two million, 31 Barnahus houses cover 64% of Swedish communities. That means that about 80% of the child population has access to a Barnahus if needed.

The **PROMISE project** is one of our biggest EU-funded projects in this area.

It aimed to cover 12 pilot countries, but achieved even more, with Finland and Ireland joining after. Countries that were not formally partners, such as Denmark, Luxembourg and Norway, were also involved and shared their expertise and experience.

I welcome the fact that the project involved a mix of professionals, practitioners and child rights advocates as well as authorities and ministries.

The project helped to equip practitioners across Europe to engage in child-centred and effective approaches to child victims. These include forensic interviewing and examinations, medical help and therapy.

It is largely thanks to this project that we can now talk about a **‘European Barnahus movement’**. And that is why the Commission decided to complement this by **launching a further call for proposals last year on Barnahus**. We should have the results soon.

I welcome the European Barnahus quality standards drawn up in the PROMISE project. They serve as a good practice blueprint for any country that wishes to implement the rights of child victims and witnesses of crime. They build on real practice and expertise in different countries.

Ladies and gentlemen,

None of this would have been possible without the commitment, expertise, passion, hard work and team spirit of all those involved.

And I am pleased to see that **EU funding** contributes to making a difference for children, especially the particularly vulnerable ones.

We must ensure that child victims' and witnesses' experience of the justice and child protection systems is positive; that justice is served in a child-sensitive and child-friendly manner, and therapy is assured so that children can recover well.

I hope that today's conference will set the scene for the further development of the Barnahus Movement and allow us to make faster progress.

Thank you.

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