

Promise Barnahus

European Case Law Book: procedural safeguards for child victims in criminal cases



PROMISE

Barnahus Network

PROMISE is supporting European countries to adopt and use the Barnahus model for responding to child victims and witnesses of violence.

The PROMISE Barnahus Network is a member-led organisation that works to harmonize and consolidate good Barnahus practice across Europe, and does so in support of and consultation with a competent and committed Barnahus workforce across Europe and an established peer-to-peer network.

Learn more about Barnahus:
<https://www.barnahus.eu/en/>



The Promise European Case Law Book: what it offers and for whom

31 March 2023

This Case Law Book was developed by Silvia Randazzo and Rebecca O'Donnell, Child Circle, a partner in the EU-funded Promise 3. Designed by Silvia Randazzo.

The Promise European Case Law Book shares key European case law on procedural safeguards for child victims. It provides a resource for Promise training and exchange between practitioners involved in criminal investigations. It sets out key facts and conclusions on procedural safeguards, considers implications for practice and offers reflection points.

Focus on Promise Procedural Safeguards Resources

Successive Promise projects, co-funded by the EU have developed a series of resources intended to help develop and strengthen measures and practice within Barnahus which can fulfil these procedural safeguards.

PROMISE Compendium of Law and Guidance - European and International Instruments concerning Child Victims and Witnesses of Violence (2020)

<https://www.barnahus.eu/en/wp-content/uploads/2020/09/PROMISE-Compendium-of-Law-and-Guidance.pdf>

Individual Assessments in Barnahus, briefing paper (2023)

Children providing evidence in Barnahus, briefing paper (2023)

The European Barnahus Quality Standards (2020)

<https://www.barnahus.eu/en/wp-content/uploads/2020/02/PROMISE-Barnahus-Quality-Standards.pdf>

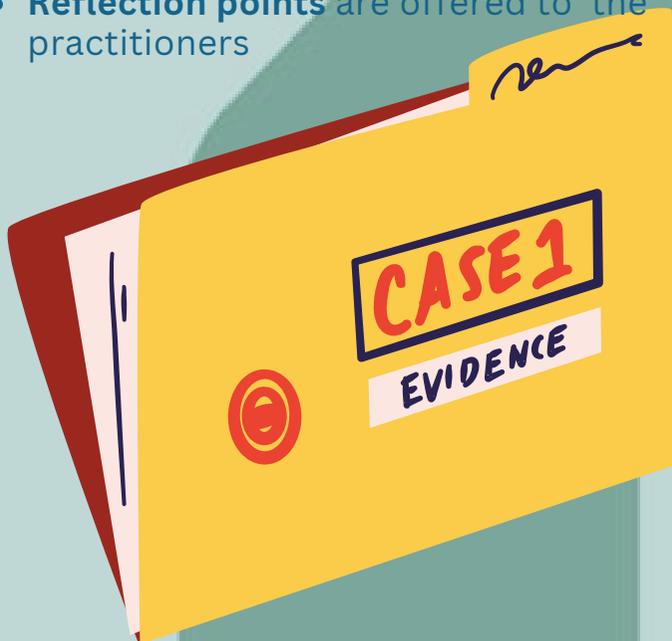
**At the Crossroads:
Exploring changes to criminal justice proceedings when they intersect with child protection proceedings in cases involving child victims of violence (2020)**

(https://www.barnahus.eu/en/wp-content/uploads/2020/09/LegalBriefing2020_FINAL.pdf)

The Promise European Case Law Book - procedural safeguards for child victims in criminal cases (2023)

The Promise European Case Law Book

- Focus on judgments from the European Court of Human Rights and the Court of Justice of the European Union
- Key facts of the case and key conclusions of the Court are reported using extracts from the legal summaries available on the HUDOC database and on the CJEU case law database (see list of resources)
- The procedural safeguards in focus in each case are listed
- Implications for practice are proposed based on the main conclusions of the Court
- Reflection points are offered to the practitioners



List of case law

B v Russia - 36328/20, Judgment 7.2.2023

R.B. v Estonia - 22597/16, Judgment 22.6.2021

NC v Turkey 40591/11, Judgment 9.2.2021

X and others v Bulgaria 22457/16, Judgement 02.02.2021

Y. v. Slovenia - 41107/10, Judgment 28.5.2015

S.N. v. Sweden - 34209/96, Judgment 2.7.2002

Criminal proceedings against Maria Pupino, Italy, CJEU 2005



List of resources

European Court of Human Rights, HUDOC case law database:
<https://www.echr.coe.int/Pages/home.aspx?p=caselaw/HUDOC&c=>

Court of Justice of the European Union (CJEU) case law database: <https://eur-lex.europa.eu/collection/eu-law/eu-case-law.html>

Handbook on European law relating to the rights of the child, 2022 edition, European Union Agency for Fundamental Rights

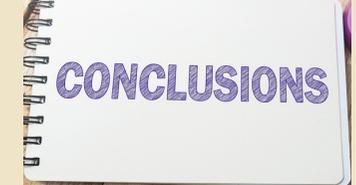
Handbook on Child friendly justice in Europe, 2022 edition, Child-friendly Justice European Network

CHILD-Lex, Database on child friendly justice:
<https://www.cfjnetwork.eu/child-lex>

CoE Factsheet Protection of minors, Febr2023 - https://www.echr.coe.int/Documents/FS_Minors_ENG.pdf

CoE Factsheet Children's rights, December 2022 https://www.echr.coe.int/Documents/FS_Childrens_ENG.pdf

FACTS



B v Russia - 36328/20 Russia, Judgment 7.2.2023

*Extracts from the legal summary
available at*

<https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22002-13997%22%5D%7D>

The applicant, who had lost her mother and had experienced placement in an orphanage, had been 12 years old at the beginning of the investigation. Over a period of one year and seven months, she had had to participate in repeated interviews about her sexual abuse, to repeat her statements at the places where the abuse had allegedly been committed, to identify and confront the perpetrators in person, and to be questioned again at the trial against one of them.

Only the first interview had been video-recorded, and the recording had been lost on the same day.

The applicant had been interviewed by four different investigators, three of whom were male.

Of particular concern was the applicant's contact with the alleged perpetrators. Confronting two of the alleged perpetrators had been a particularly distressing experience for the applicant, further aggravated by the fact that the lawyers of one of them had subjected her to intense questioning.

There was no indication that the investigators involved in the proceedings concerning the applicant's sexual abuse had been trained in investigating child sexual abuse crimes.

Failure to protect the personal integrity of an extremely vulnerable child in criminal proceedings concerning her alleged sexual abuse by several individuals leading to her secondary victimisation: violation of the European Convention of Human Rights.

The Court found that the authorities had displayed utter disregard for the sufferings of the applicant who had been in the situation of acute vulnerability on account of her young age, tragic family situation, her placement in an orphanage and the alleged sexual abuse by several individuals. The respondent State had thus failed to protect her personal integrity in the course of the criminal proceedings which had led to her secondary victimisation.

Procedural safeguards in focus

- Avoid secondary victimization
- Provide assistance and support to the victim
- Keep the number of interviews to a minimum
- Provide for the use of video-recording and accept such recordings as evidence
- All interviews with the child should as far as possible be conducted by the same person
- Conduct an individual assessment of the child's circumstances, that is updated throughout the proceeding
- Ensure that contact between victims and perpetrators within court and law enforcement agency premises is avoided, unless the best interests of the child or the investigations and proceedings required it
- Interviews take place, where necessary, in premises designed or adapted for this purpose
- Interviews are carried out by or through professionals trained for this purpose

Implications for practice

- Need for specialised training for all professionals working with child victims, including investigators, judges, public prosecutors and lawyers
- Ensure that individual assessment of the circumstances of the child is updated and conducted also after the interviewing and throughout the proceeding, to assess the level of vulnerability of the child and the impact of the proceeding on their mental health

Reflection points

P

How can **individual assessments** be conducted and used to ensure the child's needs are taken care of throughout the process, and including **mental health needs of children in vulnerable circumstances?**

FACTS

CONCLUSIONS

R.B. v Estonia - 22597/16 Estonia, Judgment 22.6.2021

*Extracts from the legal summary
available at*

*[https://hudoc.echr.coe.int/fre#
{%22itemid%22:\[%22002-13310%22\]}](https://hudoc.echr.coe.int/fre#%22itemid%22:[%22002-13310%22])*

The applicant, who was about four and a half years old at the relevant time, reported that she had been the victim of sexual abuse by her father. Two video-recorded interviews were conducted with the applicant during the pre-trial stage. In neither was she advised by the investigator of her right not to testify against a member of her family and of the duty to tell the truth, such instructions being required by the rules of criminal procedure in Estonia.

Given her young age, she was not called to testify in court: the video-recorded statements were disclosed at the hearings. The applicant's father was subsequently convicted and then appealed.

The Supreme Court considered that the failure to advise the applicant before her interviews of the obligation to tell the truth and her right to refuse to testify against her father was of such importance as to render inadmissible her testimony, which was decisive evidence in the case. The exclusion of the main evidence resulted in the acquittal of the accused.

The complaint to the European Court of Human Rights concerned procedural deficiencies in the criminal proceedings as a whole.

It was undisputed that the investigator had not given the instructions required under Estonian law to the applicant when interviewing her as a child witness following the institution of the criminal proceedings. The whole criminal case had rested essentially on the credibility of the applicant's testimony. However, the Supreme Court had excluded that testimony entirely.

The Court found that there had been significant flaws in the domestic authorities' procedural response to the applicant's allegation of rape and sexual abuse by her father, which had not sufficiently taken into account her particular vulnerability and corresponding needs as a young child so as to afford her effective protection as the alleged victim of sexual crimes. Accordingly, without expressing an opinion on the guilt of the accused, the Court concluded that the manner in which the criminal-law mechanisms as a whole had been implemented in the present case, resulting in the disposal of the case on procedural grounds, had been defective to the point of constituting a violation of the respondent State's positive obligations.

Procedural safeguards in focus

- Avoiding repeat or secondary victimisation of victims
- Ensuring the best interests is a primary consideration
- Adapted procedures in investigations and judicial proceedings involving children
- Right to be properly informed and to be heard meaningfully
- Safeguards relating to abuses within the “circle of trust”

Implications for practice

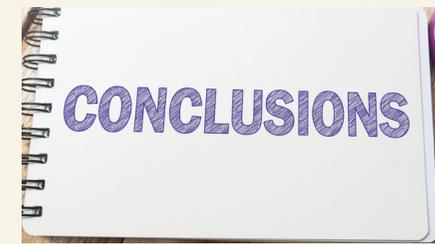
- Where less strict rules on giving evidence or other child-friendly measures applied, such measures should not in themselves diminish the value given to a child’s testimony or evidence, without prejudice to the rights of the defence (see also Council of Europe Committee of Ministers’ Guidelines on child-friendly justice)
- Need for specialised training for all professionals working with child victims, including investigators

Reflection points

Please reflect on whether your national law rules on taking evidence have been sufficiently adapted to ensure that evidence can be taken from children, having regard to their different ages and capacities, whilst also safeguarding the rights of the defence. In particular you might consider rules concerning:

- **competence, credibility and reliability of child witnesses,**
- **rules on taking an oath before testifying and rules concerning testifying against family members**

FACTS



NC v Turkey 40591/11 Turkey, Judgment 9.2.2021

*Extracts from the legal summary available
at
[https://hudoc.echr.coe.int/fre#%7B%22ite
mid%22:%5B%22002-13122%22%5D%7D](https://hudoc.echr.coe.int/fre#%7B%22ite
mid%22:%5B%22002-13122%22%5D%7D)*

The applicant was forced to work as a prostitute by two women while she was only twelve years old. The following year she lodged a complaint against them, and against the men with whom she had had sexual relations.

For eighteen months after her complaint had been lodged the applicant was at no point supported by a welfare assistant, a psychologist or any kind of expert. No measure was taken to separate her from the defendants.

The applicant had been required to reproduce, before all the defendants and their representatives, the positions in which the sexual acts had occurred.

She underwent medical examinations on ten occasions at the request of the judicial authorities.

At the close of the hearings the applicant had also been required to confront the aggressive attitude of the defendants' relatives.

The applicant complained firstly about the failure to protect her personal integrity in the course of the criminal proceedings relating to the sexual abuse to which she had been subjected and, secondly, about the lack of effectiveness of the investigation.

Failure to protect the personal integrity of a vulnerable child in the course of excessively long criminal proceedings relating to sexual abuse: violation of European Convention on Human Rights.

The lack of assistance to the applicant, the failure to provide protection vis-à-vis the defendants, the unnecessary reconstruction of the rape incidents, the repeated and unexplained medical examinations, the failure to ensure a calm and safe environment at the hearings, the assessment of the victim's consent, the excessive length of the proceedings and, lastly, the fact that two of the charges had become time-barred had amounted to a serious case of secondary victimisation of the applicant.

The national authorities' conduct had not been compatible with the obligation to protect a child who had been the victim of sexual exploitation and abuse. It had been first and foremost the responsibility of the assize court judges to ensure that respect for the applicant's personal integrity was adequately protected at the trial.

The intimate nature of the subject matter, as well as the applicant's age, had been points of particular sensitivity which inevitably called for a correspondingly sensitive approach on the part of the authorities to the conduct of the criminal proceedings in issue.

Procedural safeguards in focus

- Avoiding repeat or secondary victimisation of victims
- Ensuring the best interests is a primary consideration
- Identifying child victims
- Providing assistance and support to the victims
- No unjustified delay between the reporting of the facts and interviews take place
- Provision for medical examinations
- Interviews take place, where necessary, in premises designed or adapted for this purpose
- Interviews are carried out by or through professionals trained for this purpose
- The same persons, if possible and where appropriate, conduct all interviews with children
- Considerations as to the gender of professionals involved in interviews in cases of sexual violence et al
- The number of interviews is as limited as possible

Implications for practice

-
- Need for specialised training for all professionals working with child victims, including investigators

Reflection points

Please reflect about the **strategies** in place in your daily work to ensure a **child-centred approach in collecting evidence or testimony**, with measures adapted to the age and the needs of the child, **without prejudice for the right of the defence to a fair trial**.

FACTS

CONCLUSIONS

X and others v Bulgaria 22457/16 Bulgaria, Judgement 02.02.2021

*Extracts from the legal summary available at
[https://hudoc.echr.coe.int/eng#
{%22itemid%22:\[%22002-13111%22\]}](https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22002-13111%22%5D%7D) and
from the commentary on Strasbourg
Observers at <https://tinyurl.com/5n7pubjh>*

The applicants, who were born in Bulgaria, are three siblings. In June 2012, aged 12, 10 and 9 respectively, they were adopted by an Italian couple. They subsequently revealed to their adoptive parents accounts of sexual abuse during their placement in an orphanage in Bulgaria.

Both directly and through a helpline association, the parents lodged complaints about the abuse with the Italian authorities who transmitted the complaints to the Bulgarian authorities. Three separate, preliminary investigations were opened in Bulgaria in respect of the reported allegations. All three were discontinued for lack of evidence that a criminal offence had been committed, a decision which was upheld by the superior domestic courts.

In a judgment of 17 January 2019, a Chamber of the Court held, unanimously, that there had been no violation of Articles 3 (substantive and procedural limbs) and 8 of the Convention. The case was referred to the Grand Chamber at the applicants' request. The Court considered the complaints in question more appropriate to examine under Article 3 alone.

Failure to use all reasonable investigative and international cooperation measures while examining sexual abuse in an orphanage alleged after children's adoption abroad: violation.

In sum, the omissions observed were sufficiently serious to consider that the investigation had not been effective. "Although the authorities took a number of investigative measures, the investigation was not thorough enough. The on-site checks conducted by child protection services and police officials fell short of the standards set out in the Lanzarote Convention: children were not interviewed in a way adapted to their age and level of maturity; interviews were not video-recorded; and one child had to be interviewed twice. No attempt was made to (assess the need to) interview the applicants and their parents, put measures in place to assist and support the applicants, request their medical examination, interview other children who had left the orphanage in the meantime and consider, given the nature and seriousness of the alleged abuse, investigatory measures of a more covert nature.

The reasons given for the authorities' decisions to close the investigations appeared to show that, rather than clarifying all of the relevant facts, the investigating authorities had sought to establish that the applicants' allegations had been false.

Procedural safeguards in focus

- Right to be heard and to have their views taken into account
- Identifying child victims
- Avoiding repeat or secondary victimisation of victims
- Adapted procedures in investigations and judicial proceedings involving children
- All interviews with a child victim or where appropriate a child witness, may be audio-visually recorded and that such recordings may be used as evidence in criminal court proceedings
- In transnational cases, the procedural obligation to investigate might entail an obligation to seek the cooperation of other States for the purpose of investigation and prosecution

Implications for practice

- Reinforce judicial cooperation mechanisms at national level, to allow smooth and thorough investigations in transnational cases
- Need for training for judicial actors on judicial cooperation mechanisms, to ensure that all reasonable investigative measures are put in place, especially for such serious allegation of sexual abuse against children
- Need for training for all professionals working with children on the children's right to be heard and the key relevance of their views in determining their own best interests; and on adequate practices to support and adapt to their needs in collecting their views and taking them in due account, including for the most vulnerable children

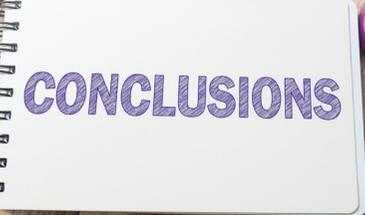
Reflection points

In this divided judgement, the dissenter argues the need to consider the privacy rights of potential future child victims as well as the need to assess their best interests. However, commentators note that this overlooks the fact that the **views of a child are a vital element of any assessment of the child's best interests** and that taking into account the views of a child would not jeopardise a child's right to privacy, provided adequate support is in place [<https://tinyurl.com/5n7pubjh>].

Please reflect on the **balance between privacy, protection and right to be heard** for child victims of abuse

Please also reflect on the challenges that may still exist in your jurisdiction in ensuring **full judicial cooperation between two jurisdictions.**

FACTS



Y. v. Slovenia - 41107/10 Slovenia, Judgment 28.5.2015

*Extracts from the legal summary available at
[https://hudoc.echr.coe.int/eng#
{%22itemid%22:\[%22002-10546%22\]}](https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22002-10546%22%5D%7D)*

In 2001, at the age of 14, the applicant was allegedly victim of repeated sexual assaults by a family friend, X. Following a criminal complaint by the applicant's mother, investigations started in 2003 and criminal proceedings were brought against X in 2007. In 2009, after having held 12 hearings in total, the domestic courts acquitted X of all charges on the ground that some of the applicant's allegations concerning X's physical conditions had been disproved by an expert, thus making it impossible, in the domestic courts' view, to prove X's guilt beyond reasonable doubt.

The applicant's questioning had stretched over four trial hearings held over seven months, a lengthy period which in itself raised concerns. Moreover, at two of those hearings X had personally cross-examined the applicant, continuously contesting the veracity of her answers and addressing her with questions of a personal nature.

The Court had to examine whether the respondent State had afforded sufficient protection of the applicant's right to respect for her private life, and especially for her personal integrity, with respect to the manner in which she had been questioned during the criminal proceedings against her alleged sexual abuser.

Failure to protect complainant's personal integrity in criminal proceedings concerning sexual abuse: violation.

The Court found unanimously a violation of the European Convention on Human Rights on account of the failure of the authorities of the respondent State to ensure a prompt investigation and prosecution of the applicant's complaint of sexual abuse.

The Court noted the inappropriateness of the questions put to the applicant by the gynaecologist appointed by the district court to establish whether she had engaged in sexual intercourse at the material time. The appointed gynaecologist not only lacked proper training in conducting interviews with victims of sexual abuse, but had also addressed the applicant with accusatory questions and remarks.

Even though the domestic authorities had taken a number of measures to prevent further traumatising of the applicant, such measures had ultimately proved insufficient to afford her the protection necessary to strike an appropriate balance between her rights and interests protected by Article 8 and X's defence rights protected by Article 6 of the Convention.

Procedural safeguards in focus

- Avoiding repeat or secondary victimisation of victims
- No unjustified delay between the reporting of the facts and interviews take place
- Adapted procedures in investigations and judicial proceedings involving children
- Interviews take place, where necessary, in premises designed or adapted for this purpose
- Interviews are carried out by or through professionals trained for this purpose
- The number of interviews is as limited as possible and interviews are carried out only where strictly necessary and for the purpose of the investigations and proceedings

Implications for practice

- Need for specialised training for judicial actors (prosecutors and judges) and for specialised training for medical professionals
- Ensure that all necessary measures are taken and all professionals involved in the case of a child victim of sexual abuse are fully committed to guarantee their protection throughout the proceeding, with adapted procedures, while avoiding unnecessary lengthy processes and delays

Reflection points

- The matter of **time** is key across countries and across proceedings; **avoiding unnecessary lengthy processes and delays** between hearings is of key importance to avoid further victimisation of child victims.
- Please reflect on the **challenges** that may still exist in your jurisdiction about this matter.

FACTS

CONCLUSIONS

S.N. v. Sweden - 34209/96 **Sweden, Judgment** **2.7.2002**

Source FRA Handbook on European law relating to the rights of the child, pp.263-264)

*Legal summary available at
<https://hudoc.echr.coe.int/eng#%22itemid%22:%22002-5263%22>*

A 10-year-old boy testified to the police that he was sexually abused by the applicant. The boy was interviewed twice by a police inspector with significant experience in child abuse cases. The first interview was videotaped, the second audiotaped. The lawyer of the applicant did not attend the second interview but agreed with the police inspector on the issues that needed to be discussed.

During the trial, the District Court played the recordings of the child's interviews but did not examine him in person. The court ultimately convicted the applicant, relying almost entirely on the child's testimonies. The Court of Appeal upheld the conviction. It found that the police interviews provided sufficient evidence for the applicant's guilt to be established, even though it acknowledged that there was no technical evidence supporting the child's allegations, which were sometimes imprecise.

The ECtHR accepted that, in sexual offence cases, cross-examination of a witness is not always possible and that, in such cases, witness testimonies should be treated with extreme care. Although the statements made by the child were virtually the sole evidence against the accused, the proceedings as a whole were fair.

The videotape was shown during the trial and appeal hearings and the transcript of the second interview was read out before the District Court; the audiotape was also played before the Court of Appeal. This gave the applicant sufficient opportunity to challenge the child's testimony and his credibility in the course of the criminal proceedings. Consequently, there had been no violation of Article 6 (3) (d) of the ECHR.

Procedural safeguards in focus

- Avoiding repeat or secondary victimisation of victims
- Ensuring the best interests is a primary consideration
- Interviews take place, where necessary, in premises designed or adapted for this purpose
- Interviews are carried out by or through professionals trained for this purpose
- The same persons, if possible and where appropriate, conduct all interviews with children
- Considerations as to the gender of professionals involved in interviews in cases of sexual violence et al
- The number of interviews is as limited as possible and interviews are carried out only where strictly necessary and for the purpose of the investigations and proceedings

Implications for practice

- Account must be taken of the victim's right to respect for private life and certain measures may be taken for the purpose of protecting the victim, provided they can be reconciled with an adequate and effective exercise of defence rights.
- Special features of criminal proceedings concerning sexual offences need to be considered, as to provide exception to the international standard according to which in all cases questions are to be put directly by the accused or his lawyer, through cross-examination or by other means.

Reflection points

Evidence obtained from a witness under conditions in which the rights of the defence cannot be secured to the extent normally required by the international law must **treated with extreme care**, but in the present case the necessary care had been taken.

Please reflect on the conditions for taking a child's evidence in a rights based way, but also a way that respects the integrity of the proceeding and the rights of the defence looking at the matters of:
the right of a victim to provide evidence and the ways in which the defence can "test" evidence.

FACTS

Mrs Pupino is a teacher prosecuted for maltreatment against a number of her pupils aged less than five years at the time. The proceedings before the Tribunale di Firenze are at the preliminary enquiry stage.

Under Italian law, it is only at the second stage of the proceedings, namely the adversarial stage that, as a rule, evidence must be taken at the initiative of the parties and in compliance with the adversarial principle. There are however exceptions to that rule, which allow evidence to be established early, during the preliminary enquiry period.

Evidence gathered in that way has the same probative value as that gathered during the second stage of the proceedings, when taking evidence from victims of sexual offences or offences with a sexual background, aged less than 16 years. In this case, the Public Prosecutor's Office asked the judge in charge of preliminary enquiries to take the testimony of eight children, witnesses and victims of the offences for which Mrs Pupino is being examined, by this special procedure. They requested that evidence be gathered under special arrangements, with arrangements to protect the dignity, privacy and tranquillity of the children concerned, possibly involving an expert in child psychology. The national court denied this request.

CONCLUSIONS

For the first time, the CJEU gave its interpretation of some of the provisions relevant to the standing of children as victims and witnesses in criminal proceedings.

It underscored that the Framework Decision 2001/220/JHA requires Member States to ensure the specific protection of vulnerable victims, which means that the national court must be able to authorise vulnerable victims to testify in a way that guarantees their protection, for example outside the trial and before it takes place.

The CJEU stated: "Independently of whether a victim's minority is as a general rule sufficient to classify such a victim as particularly vulnerable within the meaning of the Framework Decision, it cannot be denied that where, as in this case, young children claim to have been maltreated – and maltreated, moreover, by a teacher – those children are suitable for such classification, having regard in particular to their age and to the nature and consequences of the offences of which they consider themselves to be a victim". The CJEU ruled that all measures concerning the protection and prevention of secondary victimisation must be designed in such a way that the defendant is still granted a fair trial.

Criminal proceedings against Maria Pupino Italy, CJEU 2005

*Source: FRA Handbook on European law
relating to the rights of the child, p. 261-
262*

Full judgement available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62003CJ0105>

Procedural safeguards in focus

- Avoiding repeat or secondary victimisation of victims
- Ensuring the best interests is a primary consideration
- Interviews take place, where necessary, in premises designed or adapted for this purpose
- Interviews are carried out by or through professionals trained for this purpose
- The same persons, if possible and where appropriate, conduct all interviews with children
- The number of interviews is as limited as possible and interviews are carried out only where strictly necessary and for the purpose of the investigations and proceedings

Implications for practice

- Appropriate measures should be put in place to ensure that the authorities question child victims and witnesses only if necessary for the purpose of criminal proceedings
- Special measures should also be in place to ensure that where there is a need to protect victims, particularly the most vulnerable, from the effects of giving evidence in open court, victims may be entitled to testify in a manner enabling that objective to be achieved, compatibly with the basic legal principles of a fair trial for the defendant

Reflection points

According to the Italian court, those additional **derogations** are **designed to protect, first, the dignity, modesty and character of a minor witness, and, secondly, the authenticity of the evidence.**

Please reflect on the **existing practices** of this nature in your jurisdiction and on their use. Consider the extent to which these are in line with recent legal developments as regards taking evidence from children.

P R O M I S E

Implementing the Barnahus Quality Standards throughout Europe

PROMISE is supporting Europe to adopt the Barnahus model as a standard practice for providing child victims and witnesses of violence rapid access to justice and care. We undertake this work to fulfil the PROMISE vision: a Europe where the human rights of children to protection from violence, support and to be heard are fulfilled.

A Barnahus provides multi-disciplinary and interagency collaboration to ensure that child victims and witnesses of violence benefit from a child-friendly, professional and effective response in a safe environment which prevents (re)traumatisation. With the formal support from national authorities, PROMISE provides opportunities to translate national commitment into action and engage internationally in the process. In addition, regular networking and strategic communications continually activate our growing network of professionals and stakeholders who are committed to introducing and expanding Barnahus services nationally.

The first PROMISE project (2015-2017) set European standards and engaged a broad network of professionals. The second PROMISE project (2017-2019) promoted national level progress towards meeting the standards and formalised the PROMISE Barnahus Network. The current project (2020-2022) is expand these activities to include University training, case management tools, with a view to establishing a European Competence Centre for Barnahus and laying the groundwork for an accreditation system for Barnahus.

PROMISE is managed by the Children at Risk Unit at the Council of the Baltic Sea States Secretariat in close collaboration with Child Circle.

Access the PROMISE tools and learn more at www.barnahus.eu



Finnish Institute for health and welfare



REPUBLIKA SLOVENIJA
MINISTRSTVO ZA PRAVOSODJE



This document has been produced with the financial support of the Rights, Equality and Citizenship (REC) Programme (2014-2020) of the European Union. The contents herein are the sole responsibility of project partnership and can in no way be taken to reflect the views of the European Commission.

