

CASE STUDIES

**Meaningful participation and
protection of child victims in
criminal proceedings**



CFJ-EN

Child Friendly Justice
European Network



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Child Friendly Justice European Network

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About the CFJ-EN

The Child Friendly Justice European Network (CFJ-EN) was launched informally in 2019 by the European sections of Defence for Children International. Following the establishment of a Framework Partnership Agreement with the European Union, the CFJ-EN became fully operational in April 2022. As of September 2026, it has 43 members across 21 European countries, including civil society organisations, research institutes and individual experts.

CFJ-EN brings together organisations across Europe to influence policies and legislations and disseminate information on child-friendly justice at European, national and regional level. Our vision is for all children in Europe to have access to age-appropriate, inclusive and effective services, provided by practitioners equipped to deliver child-friendly justice.

CFJ-EN's work is based on the United Nations Convention on the Rights of the Child, adopted in 1989. The network also supports the implementation of the Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice adopted in 2010; the 2016 EU Directive on procedural safeguards for children who are suspects or accused persons in criminal proceedings; the 2012 EU Directive establishing minimum standards on the rights, support and protection of victims of crime, and other key European instruments.

CFJ-EN aims to:



Strengthen children's agency by promoting meaningful and inclusive participation of children and young people and helping practitioners understand the importance of child participation.



Promote quality practice by building the capacity of legal and non-legal practitioners who work with children and sharing knowledge and expertise on child-friendly justice across Europe.



Ensure accountability by keeping European and national policymakers informed about promising practices and the latest developments in child-friendly justice.



Strengthen the network by building its capacity to communicate and promote child-friendly justice, mobilising support for members, and fostering collaboration across Europe to improve children's access to justice.

Glossary of key terms and concepts

Barnahus

Barnahus ('Children's House' in Icelandic) refers to 'a public institution or entity where multidisciplinary and interagency services for child victims and witnesses of violence collaborate in the same safe and child-friendly premises to coordinate parallel criminal and child protection proceedings'¹.

Best interests of the child

The UN Committee on the Rights of the Child (UNCRC) defines the child's best interests as a threefold concept:

- **A substantive right:** 'The right of the child to have his or her best interests assessed and taken as a primary consideration when different interests are being considered in order to reach a decision on the issue at stake, and the guarantee that this right will be implemented whenever a decision is to be made concerning a child, a group of identified or unidentified children or children in general. Article 3, paragraph 1, creates an intrinsic obligation for States, is directly applicable (self-executing) and can be invoked before a court.'
- **A fundamental, interpretative legal principle:** 'If a legal provision is open to more than one interpretation, the interpretation which most effectively serves the child's best interests should be chosen. The rights enshrined in the Convention and its Optional Protocols provide the framework for interpretation.'
- **A rule of procedure:** 'Whenever a decision is to be made that will affect a specific child, an identified group of children or children in general, the decision-making process must include an evaluation of the possible impact (positive or negative) of the decision on the child or children concerned. Assessing and determining the best interests of the child require procedural guarantees. Furthermore, the justification of a decision must show that the right has been explicitly taken into account. In this regard, States parties shall explain how the right has been respected in the decision, that is, what has been considered to be in the child's best interests; what criteria it is based on; and how the child's interests have been weighed against other considerations, be they broad issues of policy or individual cases.'²

¹ Council of Europe, [The State of Child-friendly Justice in Europe: a Handbook](#).

² UN Committee on the Rights of the Child, [General Comment No. 14 \(2013\) on the right of the child to have his or her best interests taken as a primary consideration](#), 2013.

Bias-motivated crime/hate crime

A criminal offence committed with a bias motive. The person or property is targeted because of one or more real or perceived identity traits, such as race or ethnicity, language, religion or belief, nationality, sex or gender, sexual orientation, gender identity, disability or another identity trait. Recognising the bias motive is important to ensure that the nature and impact of the victimisation are properly acknowledged.³

Child

According to Article 1 of the UN Convention on the Rights of the Child, 'a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier'.⁴

Child-centred approach

An approach that places the individual child at the centre of decisions and processes affecting them and responds to their specific rights, needs, views, experiences and circumstances. In justice settings, it requires procedures and services to be adapted to children and their individual situations.⁵

Child-friendly justice

Child-friendly justice (CFJ) refers to 'justice systems which guarantee the respect and the effective implementation of all children's rights at the highest attainable level, bearing in mind the principles which are set out in the international and European instruments below and giving due consideration to the child's level of maturity and understanding and the circumstances of the case. It means, in particular, justice that is accessible, age appropriate, speedy, diligent, adapted to and focused on the needs and rights of the child, respecting the rights of the child, including the rights to due process, to participate in and to understand the proceedings, to respect for private and family life and to integrity and dignity'.⁶

Children in contact with the justice system

People below the age of 18 who come into contact with the justice system as a result of being suspected or accused of committing an offence; as victims and/or witness of a criminal offence; or as witnesses or parties in civil or administrative proceedings.

³ OSCE Office for Democratic Institutions and Human Rights (ODIHR), [ODIHR's Work to Address Hate Crimes](#), 2026.

⁴ UN General Assembly, [Convention on the Rights of the Child](#), 1989.

⁵ Global Initiative on Justice With Children, [2025 Global Declaration on Advancing Child-Centred Justice](#), 2025; Council of Europe, [Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice](#), 2010.

⁶ Council of Europe, [Guidelines of the Committee of Ministers of the Council of Europe on Child-Friendly Justice](#), 2010.

Child participation

Article 12 of the Convention on the Rights of the Child establishes every child's right to express their views freely in all matters affecting them and to have those views given due weight according to their age and maturity. It also establishes children's right to be heard in judicial and administrative proceedings affecting them.⁷

'Participation' is about individuals and groups of individuals having the right, the means, the space, the opportunity and, where necessary, the support to freely express their views, to be heard and to contribute to decision-making on matters affecting them, with their views being given due weight in accordance with their age and maturity⁸.

Child rights approach / children's-rights-based approach

A child rights approach is one that:

- furthers the realisation of children's rights as set out in the UNCRC and other international human rights instruments;
- uses child rights standards and principles from the UNCRC and other international human rights instruments to guide behaviour, actions, policies and programmes. These include non-discrimination; the best interests of the child; the right to life, survival and development; the right to be heard and taken seriously; and children's right to be guided by caregivers, parents and community members in exercising their rights, in line with the child's evolving capacities;
- builds the capacity of children as rights-holders to claim their rights, and of duty-bearers to fulfil their obligations to children.⁹

Child safeguarding

The policies, procedures, practices and responsibilities adopted by an organisation or service to prevent children from being harmed by its staff, activities, operations or partners, and to respond appropriately when safeguarding concerns arise.¹⁰

Child sexual exploitation online

The use of technology as a means to sexually exploit a child. This includes acts of sexual exploitation involving the digital environment at any stage, such as using

⁷ [UN Committee on the Rights of the Child's General Comment No.12 \(2009\) on the right of the child to be heard](#), para 1.

⁸ [Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice](#), Council of Europe, 2010.

⁹ [Child Rights Education Toolkit: Rooting Child Rights in Early Childhood Education](#), UNICEF, Primary and Secondary Schools (Geneva, 2014), p. 21.

¹⁰ Keeping Children Safe, [The International Child Safeguarding Standards](#); Barnahus Network, [Guidance on Child Safeguarding in Barnahus](#), 2025.

technology to facilitate exploitation or to produce, distribute or transmit material documenting it.¹¹

Child victim and witness

Children and adolescents, under the age of 18, who are victims of crime or witnesses to crime regardless of their role in the offence or in the prosecution of the alleged offender or groups of offenders.¹²

Criminal exploitation of children

A form of child abuse in which a child is exploited to take part in criminal activity for the benefit of another person or group. Criminal exploitation may involve coercion, control, manipulation, threats or other forms of influence. A child who engages in offending behaviour in this context may simultaneously be a victim of exploitation.¹³

Cross-border case

A case in which more than one country or jurisdiction is involved in measures to protect or support a child. In justice and child-protection contexts, such cases may require coordination between authorities, services and professionals across jurisdictions to ensure that the child's rights are effectively protected.¹⁴

Deprivation of liberty

'Any form of detention or imprisonment or the placement of a person in a public or private custodial setting, from which this person is not permitted to leave at will, by order of any judicial, administrative or other public authority.'¹⁵

Diversion

'Measures for referring children away from the judicial system, at any time prior to or during the relevant proceedings.'¹⁶ 'Diversion means channelling children in conflict with the law away from judicial proceedings through the development and implementation of procedures or programmes that enable many – possibly most – to

¹¹ Interagency Working Group, [Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse - Second Edition](#), 2025, section G.4.ii.

¹² [Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime](#), UN Economic and Social Council Resolution 2005/20 (2005), Annex IV, para 9.

¹³ Children and Young People's Centre for Justice (CYCJ) and Action for Children, [Criminal Exploitation of Children \(CEC\): Scotland's Framework for Practice](#), 2025.

¹⁴ Child Circle and Council of the Baltic Sea States, [Guidance on Exploring Transnational Child Protection Cases in Europe](#), 2025.

¹⁵ UN General Assembly, [United Nations Rules for the Protection of Juveniles Deprived of Their Liberty \(Havana Rules\)](#), 1990.

¹⁶ UN Committee on the Rights of the Child, [General Comment No. 24 \(2019\) on Children's Rights in the Child Justice System](#), 2019.

avoid the potential negative effects of formal judicial proceedings, provided that human rights and legal safeguards are fully respected.¹⁷

Harmful sexual behaviour

Sexual behaviour displayed by a child or young person that is developmentally inappropriate, may be harmful to themselves or others, or may be abusive towards another child or young person.¹⁸

Individual assessment

A tailored assessment of a child victim's personal characteristics, circumstances, needs, vulnerabilities and risks, undertaken to identify the support, protection and special procedural measures required. The assessment should involve the child, take account of their views and wishes, and be reviewed where their needs or circumstances change.¹⁹

Intersectionality

A way of understanding how multiple aspects of a person's identity and circumstances interact and may shape experiences of discrimination, exclusion or disadvantage. For children, factors such as age, gender, sexual orientation, ethnicity, disability and socioeconomic circumstances may intersect rather than operate separately.²⁰

LGBTIQ+ children

Children who identify as lesbian (L), gay (G), bisexual (B), transgender (T), intersex (I) and/or queer (Q) or other identities (+).²¹ When in contact with justice services and professionals, LGBTIQ+ children may be at greater risk of discrimination because they are, or are perceived to be LGBTIQ+, regardless of how they identify themselves.²²

Meaningful participation

Participation in which children have the right, means, space, opportunity and – where necessary – support to express their views and contribute to decisions affecting them, with their views given due weight according to their age and maturity. Meaningful

¹⁷ UNICEF, Toolkit on Diversion and Alternatives to Detention, 2009.

¹⁸ Scottish Government, [Working with Children and Young People who have Displayed Harmful Sexual Behaviour: Evidence-based Guidance for Professionals Working with Children and Young People](#), 2024.

¹⁹ [Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime](#), Article 22.

²⁰ UNICEF, [Focus Brief: Intersectionality and Marginalised Groups](#), 2025.

²¹ See the CFJ-EN and Justice with Children, LGBTIQ+ Glossary – [Challenge Paper Towards LGBTIQ+ sensitive justice systems for children in Europe](#), 2022.

²² CFJ-EN and Justice with Children, [Challenge Paper Towards LGBTIQ+ sensitive justice systems for children in Europe](#), 2022.

participation should be transparent, voluntary, respectful, child-friendly, inclusive, safe and accountable.²³

Multidisciplinary and interagency cooperation

Cooperation between professionals from different disciplines and agencies or services with responsibilities towards a child, such as justice authorities, child protection services, police, healthcare professionals, psychologists, educators and victim support organisations. It involves combining professional expertise, establishing clear roles and responsibilities, sharing relevant information appropriately and coordinating assessment, planning and support to provide a coherent response to the child's needs.²⁴

Non-custodial measures

Measures or decisions used to achieve objectives without imprisonment or another form of deprivation of liberty. They may be used at different stages of proceedings and can include community-based supervision, programmes or other forms of support and accountability.²⁵

Recovery and reintegration

Measures that support the physical and psychological recovery and social reintegration of a child who has experienced neglect, exploitation, abuse or other serious harm, in an environment that fosters the child's health, self-respect and dignity.²⁶

Restorative justice

An approach to address harm, or the risk of harm, by bringing together those affected to reach a common understanding and agree on how the harm or wrongdoing can be repaired and justice achieved.²⁷

Right to be heard

Children have the right to be listened to and taken seriously. They are entitled to express their views on all matters affecting them, and those views should be given due weight. The right to be heard is one of the four guiding principles of the UN

²³ Council of Europe, [Recommendation CM/Rec\(2012\)2 on the participation of children and young people under the age of 18](#), 2012; Council of Europe, [Listen - Act - Change: Council of Europe Handbook on Children's Participation](#), 2020.

²⁴ Lind Haldorsson, O., [European Barnahus Quality Standards: Guidance for Multidisciplinary and Interagency Response to Child Victims and Witnesses of Violence](#), 2017, Standard 2.

²⁵ United Nations General Assembly, [United Nations Standard Minimum Rules for Non-custodial Measures \(the Tokyo Rules\)](#), Resolution 45/110, 14 December 1990.

²⁶ [United Nations Convention on the Rights of the Child](#), Article 39.

²⁷ Definition from the European Forum for Restorative Justice, Restorative Justice in a Nutshell. Available [online](#).

Convention on the Rights of the Child along with the right to non-discrimination, the right to survival and development, and the best interests of the child.²⁸

Right to information

The right of children to receive relevant information about their rights, available support and proceedings affecting them, in a form they can understand. Information should be timely, clear, accessible and adapted to the child's age, maturity, communication needs and circumstances.²⁹

Risk and safety assessment

A structured assessment of factors that may cause or increase risks to a child's safety and wellbeing, undertaken to identify appropriate protection, care, placement or support measures. The assessment should take account of the child's individual circumstances and, where appropriate, draw on information from relevant professionals and services.³⁰

Secondary victimisation

Further harm experienced by a victim following the original victimisation as a result of negative or inappropriate responses from individuals, institutions or procedures. For children, this may result from victim-blaming, inappropriate professional handling, repeated interviews or hearings, or other processes that cause additional distress or trauma.³¹

Sexual extortion of children

The use of sexual or intimate images of a child, or the threat of sharing such material, to blackmail or coerce the child into engaging in sexual acts, providing sexual material, money, or other benefits.³²

Trauma-informed approach

An approach that recognises the effects that trauma may have on a child's behaviour, emotions, communication, memory, relationships and ability to participate, and

²⁸ [UN Convention on the Rights of the Child, para 12\(2\)](#), see also: Child Rights International Network, Right to be Heard, available [online](#).

²⁹ Council of Europe, [Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice](#), 2010; [Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime](#), Articles 3-6.

³⁰ Council of the Baltic Sea States, [Guidelines Promoting the Human Rights and Best Interests of the Child in Transnational Child Protection Cases](#), 2015; [Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime](#), Article 22.

³¹ Interagency Working Group, [Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse - Second Edition](#), 2025, section P.4.vii; see also [Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime](#), Article 18.

³² Interagency Working Group, [Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse - Second Edition](#), 2025, section H.4.iii.

adapts professional practice accordingly. It seeks to promote safety and trust, support recovery and avoid re-traumatisation.³³

Victim-offender overlap

A situation in which a child who has engaged in offending or harmful behaviour has also experienced victimisation, abuse, exploitation or other forms of harm. The concept recognises that the categories of 'victim' and 'offender' may overlap and that the child's rights and protection needs should be considered alongside their behaviour and accountability.³⁴

³³ UNICEF, [Trauma Informed Approach: An Introductory Handbook](#), 2022.

³⁴ Children and Young People's Centre for Justice (CYCJ), [The Victim-or-Perpetrator Dichotomy harms both those who commit crime and those who suffer it](#); see also CYCJ and Action for Children, [Criminal Exploitation of Children \(CEC\): Scotland's Framework for Practice](#), 2025.

Background

Children who come into contact with criminal justice systems as victims of crime are, first and foremost, children. Yet despite significant developments in international and European legal frameworks, many continue to face barriers to exercising their rights effectively. Across Europe and beyond, child victims are not always recognised, informed, heard or supported in ways that respect their rights, evolving capacities and individual circumstances. They may not receive information about their rights and about criminal proceedings in a form and language they can understand. They may have limited opportunities to express their views and participate meaningfully in decisions affecting them, or may find that their views are not adequately taken into account. Their experiences of justice are often shaped by fragmented responses, insufficient coordination between services and, in some cases, secondary victimisation.

In response to these challenges, the Child Friendly Justice European Network (CFJ-EN) organised its first Summer School, *Ensuring the Meaningful Participation and Protection of Child Victims in Criminal Proceedings*, in July 2026. Bringing together professionals and experts from across Europe, the Summer School provided a multidisciplinary learning environment in which participants explored how justice systems can better protect, support and meaningfully involve child victims throughout criminal proceedings. Drawing on international and European standards, including the United Nations Convention on the Rights of the Child (UNCRC)³⁵, the Council of Europe Guidelines on Child-Friendly Justice³⁶ and the revised EU Victims' Rights Directive³⁷, the programme combined legal and policy perspectives with practical learning. Participants were encouraged to reflect critically on existing practices and identify child-centred responses that could be implemented in their own professional contexts.

The Summer School was developed around a series of practice-oriented case studies created by experts and practitioners from different countries and based on their experience. Rather than focussing solely on legal principles, the programme encouraged participants to analyse realistic scenarios reflecting the diversity of children's experiences within criminal justice systems. Together, these case studies demonstrate that there is no single profile of a child victim and that experiences of victimisation are shaped by a range of personal, social and structural factors.

³⁵ [United Nations, Convention on the Rights of the Child](#) (adopted 20 November 1989).

³⁶ Council of Europe, [Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice](#) (adopted by the Committee of Ministers on 17 November 2010).

³⁷ [Directive 2012/29/EU of the European Parliament and of the Council establishing minimum standards on the rights, support and protection of victims of crime](#) [2012] OJ L315/57, as amended by Directive 2026/1472/EU of the European Parliament and of the Council of 17 June 2026.

The collection therefore challenges traditional assumptions about victimhood and highlights the diversity of child victims and their experiences. The case studies illustrate situations in which children may not immediately be recognised as victims because of their previous contact with the justice system, the way professionals perceive or categorise them, their family circumstances, ethnicity, sexual orientation, gender, socio-economic background or other intersecting factors. By bringing these diverse experiences to the forefront, the collection emphasises the importance of ensuring that professionals have the knowledge, skills and training needed to recognise and respond appropriately all child victims, regardless of their circumstances.

It also highlights the need for legal and policy frameworks that respond to this diversity, and are grounded in a child-centred approach. Children's different experiences, vulnerabilities and pathways to victimisation must be recognised and addressed so that all children can effectively exercise their rights to information, participation, protection and support.

To support practical learning, each case study follows a common structure. It includes a description of the case, learning objectives, discussion questions, the children's rights at stake, an analysis of the challenges presented, practical solutions and recommendations, suggestions for use in training, and additional resources for further learning.

Although the case studies were originally developed for the CFJ-EN Summer School, they are intended as a practical resource for a much wider audience. They can be used in professional training, university courses, multidisciplinary workshops, continuing professional development or institutional capacity-building initiatives involving judges, prosecutors, lawyers, police officers, child protection professionals, psychologists, victim support services, policymakers, researchers and civil society organisations.

The case studies are designed to support discussion and reflection across professional disciplines. They can help participants identify barriers to the recognition, protection and meaningful participation of child victims, consider how these barriers may arise in practice and explore concrete ways of strengthening child-centred responses. They can be adapted to different national and professional contexts and used as a starting point for examining how legal standards and principles can be put into practice.

Case study: Intersectionality, protection and participation of child victims in cases of bias-motivated crime and hate crime

Author: Silvia Randazzo

Geographical context: Europe and potentially beyond. The nature and extent of victimisation may vary depending on the national context, including the level of LGBTIQ+ rights and protections.

Description of the case

Munir is a 16-year-old boy of Moroccan descent whose parents migrated to the country before he was born. He lives with his mother and younger sister. His father left the family several years ago and has limited contact with them.

Over the past two years, Munir's school attendance has become increasingly irregular. He has received several disciplinary sanctions for disruptive behaviour and verbal confrontations with peers. On one occasion, he was questioned by the police following a fight involving a group of adolescents outside a shopping centre, although no charges were brought against him.

One evening, police officers respond to reports of a violent altercation in a public park. When they arrive, they find Munir injured, with visible bruises on his face and body. He reports having been assaulted by two older boys who fled the scene. During a search, police officers discover a folding knife in his pocket.

The knife immediately becomes a central focus. Some professionals involved in the case ask whether Munir was carrying it intending to use it. Others wonder whether he may have been involved in criminal activity himself or whether the incident was a mutual fight rather than an assault.

Although a criminal investigation is opened, discussions among professionals frequently return to Munir's own behaviour, credibility and possible responsibility.

As the investigation progresses, more information emerges. For several years, Munir has been subjected to persistent bullying and harassment because of his perceived sexual orientation. He identifies as gay and is described by his mother and some teachers as 'more feminine than most boys'. At school and in his neighbourhood, he has regularly been called derogatory names, mocked for the way he speaks and walks, and excluded from peer groups. He has also been targeted through social media and messaging apps.

Several previous incidents involving threats and intimidation, including online and offline bullying, were never reported to the authorities.

At one point, Munir explains that he began carrying the knife several months earlier after being threatened several times while walking home alone. He states:

'I didn't carry it because I wanted to hurt anyone. I carried it because I was scared.'

Witnesses interviewed during the investigation report hearing homophobic insults during the assault, including comments questioning Munir's masculinity and sexual orientation. However, some professionals remain uncertain whether the incident should be considered a bias-motivated crime or hate crime or simply a conflict between teenagers.

A range of professionals and services become involved, including police officers, victim support services, child protection professionals, school representatives, healthcare professionals, a psychologist and the prosecutor's office.

A multidisciplinary meeting is organised to discuss the case and coordinate support. While some professionals focus on Munir's experiences of victimisation and the repeated harassment he has endured, others remain concerned about the knife, his school record and his previous contact with the police.

Throughout the proceedings, Munir reports feeling that many adults see him first and foremost as a 'problem teenager' rather than as a victim of repeated violence and discrimination. At one point, he comments:

'Everyone wants to know why I had the knife. Nobody asks or questions why I felt I needed one.'

As the process continues, Munir becomes increasingly reluctant to participate in meetings and interviews. He gives shorter answers, appears more distrustful of professionals and declines several opportunities to engage with support services.

Professionals disagree about how to interpret this behaviour. Some view it as a lack of cooperation or motivation. Others believe it reflects frustration, previous experiences of stigma and a growing sense that his victimisation is being overlooked.

The case raises important questions about identifying child victims, assumptions and stereotypes, discrimination, intersectionality, meaningful participation, credibility assessments and professionals' ability to recognise and respond to children whose experiences do not fit conventional ideas of what a victim looks like.

Learning objectives

By analysing this case, participants should be able to:

- Reflect on how assumptions, stereotypes and unconscious bias may influence professional responses to child victims.

- Understand how sexual orientation, gender expression, ethnicity, social disadvantage and previous contact with the authorities can intersect and shape children's experiences of victimisation.
- Explore barriers to meaningful participation faced by children who are not immediately recognised as victims.
- Examine how professionals can balance concerns about risk and offending behaviour with children's protection needs, while taking a child-centred, rights-based approach.
- Identify practical ways to provide safer, more inclusive responses for LGBTIQ+ children and other marginalised groups.

Discussion questions

- What assumptions might professionals make about Munir based on the information available at different stages of the case?
- Why might some professionals be reluctant to identify Munir primarily as a victim?
- How does the discovery of the knife influence perceptions of Munir's credibility, vulnerability and entitlement to support?
- Should the assault be considered a hate crime? Why or why not?
- How can professionals address both Munir's protection needs and concerns about his carrying a knife without reducing him to either a victim or a potential offender?
- What factors may explain Munir's increasing reluctance to participate in proceedings and use support services?
- How can professionals ensure that Munir's voice, experiences and concerns remain central throughout the process, and that he feels heard and meaningfully supported?

Children's rights concerned

- **The right to be heard and participate in decisions affecting the child (Article 12 UNCRC).** Munir should have meaningful opportunities to express his views, experiences and concerns throughout the proceedings and when receiving support.
- **The best interests of the child (Article 3 UNCRC).** Decisions about Munir's protection, participation and support should treat his best interests as a primary consideration.
- **The right to protection from all forms of violence (Article 19 UNCRC).** This includes protection from repeated bullying, harassment, threats and physical violence.

- **The right to non-discrimination (Article 2 UNCRC).** Munir should not experience discrimination because of his ethnicity, sexual orientation, gender expression or other personal characteristics.
- **The right to privacy and dignity (Articles 8 and 16 UNCRC).** Information about Munir's sexual orientation, personal circumstances and experiences of victimisation should be handled with appropriate confidentiality and respect.
- **The right to recovery and reintegration following victimisation (Article 39 UNCRC).** Munir should have access to appropriate support to help him recover from repeated violence, discrimination and fear.
- **The right to child-friendly justice and procedural safeguards (Council of Europe Child-friendly Justice Guidelines; Directive 2012/29/EU).** Procedures should be adapted to Munir's age, circumstances and individual protection needs, enabling him to participate while protecting him from secondary victimisation.
- **The right to receive information and support adapted to individual needs (Directive 2012/29/EU).** Munir should receive accessible information and appropriate victim support based on his individual circumstances and needs.
- **The application of international human rights law in relation to sexual orientation and gender identity (Yogyakarta Principles and Yogyakarta Principles Plus 10).** Relevant principles include, among others, the rights to security (principle 5), privacy (principle 6), a fair trial (principle 8), effective remedies and redress (principle 28) and state protection (principle 30, Yogyakarta Principles plus 10).

Analysis of the case

This case challenges common assumptions about who is recognised as a victim and whose victimisation is considered legitimate.

Several characteristics associated with Munir may lead professionals to see him through a lens of risk, deviance or responsibility before fully considering his experiences of victimisation. His ethnicity, school difficulties, previous police contact and possession of a knife influence how professionals interpret the incident and assess his credibility.

The discovery of the knife is particularly significant. While carrying a knife may legitimately raise safety concerns, focusing on it risks overshadowing the broader context of repeated victimisation, fear and vulnerability. Professionals may unintentionally prioritise questions about Munir's behaviour over his need for protection.

The case also highlights how some children do not fit conventional ideas of the 'ideal victim'. Victims are often expected to appear innocent, compliant, vulnerable and blameless. Children who have had previous contact with police, experienced

behavioural issues or face social stigma may therefore find their victimisation questioned, minimised or overlooked.

Another important dimension concerns Munir's experiences as a gay teenager who does not conform to traditional expectations of masculinity are also important, both in his family's culture and in the place he was born and raised. His victimisation cannot be understood by looking at the assault alone. Years of bullying, harassment, social exclusion and fear have affected his wellbeing, his sense of safety and his willingness to trust institutions. The assault forms part of a broader pattern of victimisation rather than an isolated incident.

The case also shows the importance of recognising bias-motivated violence and hate crime. Witness reports suggest that prejudice based on sexual orientation and gender expression may have contributed to the assault. However, professionals may differ in their ability or willingness to identify and investigate these elements.

Munir's increasing reluctance to participate also raises important questions. Withdrawal, silence or disengagement may be interpreted as non-cooperation, but may instead reflect frustration, emotional exhaustion or a sense that professionals are failing to understand his experiences.

Although this case focuses on a gay adolescent, many of the issues identified apply more broadly to LGBTIQ+ children. Different groups within the community have distinct experiences and needs, but many face similar challenges when interacting with institutions. These may include fear of disclosure, concerns about confidentiality, stereotypes and assumptions, lack of professional knowledge, experiences of discrimination, reluctance to seek help and difficulties trusting institutions that have previously failed to recognise or respond appropriately to their experiences.

Ultimately, the case asks professionals to reflect on how they identify victims, assess vulnerability and allocate support. It highlights the need for child-centred, rights-based and intersectional approaches that recognise children whose experiences do not fit conventional ideas of victimhood. There is no single profile of a child victim, and some of the children most in need of protection are those whom systems struggle to recognise.

Proposed practical solutions

- Encourage professionals to reflect on their own assumptions and biases when assessing children and their experiences.
- Ensure that victim identification and support assessments take account of the broader context of children's lives and experiences.
- Explore the reasons behind behaviours that may initially appear problematic or risky.

- Investigate potential bias motives and patterns of discrimination as part of the assessment of victimisation.
- Create opportunities for children to explain their experiences and concerns without fear of judgement.
- Use child-friendly communication methods to build trust and encourage participation.
- Ensure access to support services with expertise in working with LGBTIQ+ children and other children at risk of discrimination.
- Strengthen multidisciplinary cooperation while maintaining a shared focus on the child's rights, wellbeing and participation.
- Recognise and build on children's strengths, resilience and coping strategies.
- Address both the immediate victimisation and wider social factors that increase children's vulnerability.

Use in training

This case can be used for:

- **Small-group discussions** on assumptions, stereotypes and victim identification.
- **Exercises** exploring intersectionality and barriers to meaningful participation.
- **Multidisciplinary discussions** on balancing protection needs and risk-related concerns.
- **Reflection exercises** on professional bias and perceptions of the 'ideal victim'.

Suggested training focus: The case is particularly suitable for sessions on *(Re)Framing the Profiles of Child Victims*.

Additional materials

- Child Friendly Justice European Network and Global Initiative on Justice with Children (2022), Towards LGBTI+ sensitive justice systems for children in Europe – [Challenge Paper](#) and [Glossary](#).
- European Union Agency for Fundamental Rights (FRA) (2024), LGBTIQ equality at a crossroads – [Progress and challenges: EU LGBTIQ III Survey](#). Luxembourg: FRA.
- IGLYO – International LGBTQI Youth & Student Organisation (2022), [LGBTQI Inclusive Education Report 2022](#). 2nd edn.
- ILGA-Europe (2025), [Rainbow Map 2025](#).
- Shalev, K., Nkwunonwo, U., Ieven, A., Frederick, B.J., Ávila Rodríguez, R. and Miyashita, E. (2026), [Young, Queer & Away from Home: Understanding the Experiences and Needs of LGBTIQ+ Children Going Missing or Living Away from Home](#). University of Portsmouth.

Case study: Recognition, protection and participation of a child victim of criminal exploitation

Author: Defence for Children International – The Netherlands

Geographical context: The Netherlands (based on a real case)

Description of the case

A 17-year-old boy from the Netherlands goes to the police. He reports that a cousin living in the same town has forced him to transport packages containing suspected drugs across the border. He says that his cousin has exploited and intimidated him.

He also reports that an alleged exploiter has been threatening his grandmother, leaving her feeling unsafe in her home.

Before reporting to the police, he has been staying at various addresses. He feels unsafe at both his own home and his grandmother's, and has no stable place to live.

He has previously been involved in small-scale criminal activity. This history complicated the assessment of his circumstances and possible exploitation.

The teenager initially stays in emergency accommodation on the other side of the country and is later transferred to a shelter closer to home.

When first speaking to the police, he is reluctant to share information and does not tell them the whole story. This makes it difficult to begin the criminal investigation. Later, he provides more information, including the names of two possible witnesses, and allows the police to speak to his parents as part of the investigation.

The public prosecutor ultimately decides not to follow up on these additional leads or continue the investigation. As a result, no further safety assessment or risk assessment was conducted.

Because the criminal investigation is discontinued, the teenager's placement in safe shelter accommodation also ends. He is therefore expected to return to his previous home and living situation.

Learning objectives

By analysing this case, participants should be able to:

- Recognise that access to shelter and protection for potential victims of criminal exploitation should not depend solely on the progress or outcome of a criminal

investigation. A child's safety and care needs may continue even if there is no criminal prosecution.

- Recognise that a criminal history or previous involvement in offending does not mean that a young person cannot also be a victim of criminal exploitation. Victims may also be reluctant to disclose information because of their own criminal history, so building trust can take time.
- Explain the importance of a timely and comprehensive safety assessment and the risks of failing to carry one out.
- Recognise the importance of beginning outreach support and building a supportive network while the child is in safe accommodation. As placements may end abruptly, planning for the child's transition should begin early.

Discussion questions

- How can a child's criminal history affect their recognition as a victim, and how should professionals address this in practice?
- To what extent should access to protection and shelter for potential child victims of criminal exploitation depend on the continuation or outcome of a criminal investigation?
- If protection should not depend on the criminal case, who should be responsible for initiating a safety assessment when the case is closed? What happens if no one takes responsibility?

Children's rights concerned

- **The best interests of the child (Article 3 UNCRC).** Decisions about protection, accommodation and support services should treat the child's best interests as a primary consideration.
- **The right to protection from violence, abuse, exploitation and trafficking (Articles 19, 32, 35 and 36 UNCRC).** The child's previous involvement in offending does not affect his right to protection from coercion, exploitation and other forms of harm.
- **The right to be heard and participate in decisions affecting the child (Article 12 UNCRC).** The child should be meaningfully involved in decisions about safety assessments, shelter placements, support services and criminal proceedings.
- **The right to information and support as a child victim (Directive 2012/29/EU).** The child should receive appropriate information and support tailored to his needs, even if the criminal investigation is discontinued.
- **The right to recovery and reintegration (Article 39 UNCRC).** The child should have access to ongoing care, protection and social support following exploitation.

- **The right to special protection measures following an individual assessment (Directive 2012/29/EU).** Measures should take account of the child's vulnerabilities, safety concerns and potential risk of re-exploitation.
- **The right to child-friendly justice and protection from secondary victimisation (Council of Europe Guidelines on child-friendly justice; Directive 2012/29/EU).** Justice and protection responses should be coordinated and adapted to the child's circumstances and needs.

Analysis of the case

This case highlights the difficulties that arise when a child is seen both as a potential victim of criminal exploitation and as someone with a history of involvement in offending behaviour.

The child's previous involvement in criminal activity appears to have influenced how professionals assessed his credibility and whether they saw him as a victim. As a result, important signs of exploitation may have been overshadowed by assumptions about his previous offending.

A central issue is the relationship between criminal proceedings and child protection responses. Although the child reported intimidation, exploitation, threats against a family member, housing instability and fears for his safety, the closure of the criminal investigation appears to have led directly to the end of protective measures and safe accommodation. This raises questions about whether his protection depended on an active criminal case rather than an independent assessment of the child's needs and the risks he faced.

The case also shows how difficult participation can be for children who have experienced criminal exploitation. Children who have experienced coercion, manipulation, fear, or loyalty towards exploiters, or who fear about self-incrimination, may be reluctant to provide a full account at an early stage. Delayed disclosure should not automatically undermine a child's credibility. It may instead reflect the effects of exploitation and trauma. Building trust and allowing children to disclose information gradually are therefore essential.

The lack of a comprehensive safety assessment another concern. Despite signs of continuing risk, threats and housing instability, no further assessment was conducted once the criminal investigation ended. Important protection needs may therefore have gone unidentified, leaving the child at greater risk of further exploitation or victimisation.

Finally, the case highlights the need for effective coordination between criminal justice, child protection, victim support and social care services. Where responsibilities are fragmented, children may fall through the gaps, particularly when criminal proceedings are discontinued.

The child's need for protection, support and meaningful participation does not end when a criminal investigation or prosecution ends.

Proposed practical solutions

- Separate decisions about a child's protection, care and safety from decisions about whether to continue criminal proceedings.
- Assess whether protection and support remain necessary whenever a criminal investigation involving suspected child exploitation is discontinued, even if there is insufficient evidence to prosecute.
- Carry out a comprehensive safety assessment before a child returns home or to a previous living environment if there are signs of criminal exploitation.
- Consider risks not only to the child but also to family members and others who may have been threatened or affected.
- Recognise that fear, shame or loyalty towards an exploiter may lead to delayed, incomplete or changing accounts. Do not assume that these undermine the child's credibility.
- Give children sufficient time to build trust and opportunities to communicate and disclose information over time.
- Put outreach support in place as early as possible during a shelter placement so it can continue after the child leaves.
- While the child is still in the shelter, plan for their longer-term needs, including housing, daytime activities and a supportive network.

Use in training

This case study can be used for:

- Small-group discussions on identifying and recognising child victims of criminal exploitation.
- Multidisciplinary case analysis involving professionals from different backgrounds.
- Role-play exercises focusing on safety assessments, individual assessments and decision-making after criminal proceedings end.
- Victim identification exercises exploring how professional assumptions about offending can affect whether a child is recognised as a victim.
- Mapping exercises in which participants identify the child's needs, rights, risks and support needs at different stages of the process.
- Discussions of victim-offender overlap and criminal exploitation, examining how child protection and justice responses can remain child-centred when children have experienced both victimisation and offending.

Suggested training focus: The case is particularly suitable for sessions on *(Re)Framing the Profiles of Child Victims* and/or *Procedural Safeguards*, including exercises to map the child's challenges, needs, risks and relevant safeguards.

Additional materials

- Council of the Baltic Sea States and Child Circle (2024), [Creating a Cycle of Protection: Guiding Principles and Key Considerations for Developing Comprehensive, Child-Centred Cooperation to Identify, Support and Assist Trafficked Children.](#)
- European Parliament (2026), [European Parliament resolution of 18 June 2026 on the recruitment of children by organised crime.](#)

Case study: Recognising children in conflict with the law as victims

Author: Lora Petrova, Social Activities and Practice Institute (SAPI Bulgaria)

Geographical context: Bulgaria

Description of the case

G.M. is a 16-year-old boy who is involved in criminal proceedings following a robbery he committed with two other children. He received a probation sentence, including mandatory meetings with a probation officer and participation in a community intervention programme delivered by a social service provider.

G.M. lives in a highly vulnerable family environment characterised by poverty, parental neglect, substance abuse, criminality within the family and a lack of consistent adult care. His mother died when he was young, and his father has problems with alcohol and drug use. The family lacks financial stability, structure and consistent parental support and supervision.

G.M. has dropped out of school and spends most of his time with peers who are involved in delinquent behaviour. His father has a history of criminal behaviour and substance misuse and has long struggled to fulfil his parental responsibilities. G.M.'s older brother has also been involved in offending behaviour and has had contact with the child justice system. As a result, antisocial and criminal behaviour has become normalised within the family and influenced G.M.'s understanding of relationships, responsibility and social norms.

Before the current offence, G.M. has already had several previous child justice interventions. Three educational measures have been imposed in relation to hooliganism, and three investigations into drug possession and theft are ongoing. Professionals consider him to be at high risk of reoffending, social exclusion and continued involvement in crime.

The case involved several institutions and services, including the Probation Service, Child Protection Department, juvenile police inspector, social workers and community support services. A multidisciplinary meeting was organised to coordinate interventions, share information and develop a joint support plan.

A key challenge throughout the process is ensuring G.M.'s meaningful participation. While he understands the legal consequences of his actions, he initially demonstrated limited emotional awareness of the harm caused to others, and sees the involvement of services mainly as a form of control and punishment. Professionals therefore need to give him opportunities to express his views, participate in decision-making, identify personal goals and gradually take greater ownership of the process.

The case raises a broader question: why do some children remain involved with services for years without seeing meaningful change in their lives?

A significant turning point occurred during the current intervention process. Through multidisciplinary cooperation, G.M. becomes aware that several services and professionals are actively working together to support him. Perhaps for the first time, he begins to recognise that adults outside his family are investing time and effort in supporting him. These professionals included a psychologist, social workers, a probation officer, a juvenile police inspector and a child protection social worker.

This helps G.M. to engage and participate more actively. Instead of seeing services only as controlling or punitive, he gradually begins to see some professionals as trustworthy adults who were genuinely interested in his wellbeing.

The case highlights the importance of relationships, continuity of care and multidisciplinary support networks helping children in conflict with the law to participate meaningfully and make positive changes.

Learning objectives

By analysing this case, participants should be able to:

- Understand the importance of meaningful child participation in criminal proceedings involving children in conflict with the law.
- Analyse how adverse childhood experiences and family circumstances may influence offending behaviour.
- Identify barriers that prevent children from actively participating in decisions that affect them.
- Explore the role of multidisciplinary cooperation in promoting children's rights and preventing reoffending.

Discussion questions

- How can professionals ensure the meaningful participation of a child who finds it difficult to engage in criminal proceedings?
- What strategies can be used to balance accountability for offending behaviour with a child-centred and rights-based approach?
- How can services work together to prevent the child from experiencing the system as purely punitive?
- What role can trusted adults and family members play in supporting positive change?
- How should professionals respond when a child understands that their actions were wrong but shows limited awareness of the harm caused to others?

Children's rights concerned

- **The right to be heard and participate in decisions affecting the child (Article 12 UNCRC).** G.M. should have meaningful opportunities to express his views and participate in decisions concerning intervention plans, personal goals and his future.
- **The best interests of the child (Article 3 UNCRC).** Decisions concerning justice, protection and support should take account of G.M.'s individual circumstances, needs and long-term development.
- **The right to protection from neglect, abuse and harmful environments (Article 19 UNCRC).** G.M.'s exposure to parental neglect, substance misuse and an unstable family environment requires a protective response alongside accountability for his offending behaviour.
- **The right to education and personal development (Articles 28 and 29 UNCRC).** Educational reintegration and opportunities for development are important to G.M.'s social inclusion and future prospects.
- **The right to treatment that promotes dignity, reintegration and a constructive role in society (Article 40 UNCRC).** Responses to G.M.'s offending behaviour should support rehabilitation and social reintegration rather than relying exclusively on punishment or control.
- **The right to child-friendly justice and procedural safeguards (Council of Europe Guidelines on child-friendly justice; Directive 2016/800/EU).** Proceedings and interventions should take account of G.M.'s age, understanding, individual circumstances and developmental needs.
- **The right to receive and understand information concerning proceedings affecting the child (Council of Europe Guidelines on child-friendly justice; Directive 2016/800/EU).** G.M. should receive clear and child-friendly information about procedures, expectations, rights and consequences so that he can participate meaningfully.

Analysis of the case

This case highlights the challenges of supporting adolescents involved in offending behaviour to participate meaningfully in decisions affecting them.

One of the main challenges is G.M.'s initial reluctance to engage. His participation in services is initially a requirement of his sentence rather than something he has chosen himself. Professionals therefore need to help him move from simply complying with these requirements to engaging actively in the support offered.

Another significant challenge is G.M.'s unstable family environment. The absence of stable caregiving, combined with poverty, parental substance misuse and offending

within the family, increases his vulnerability and may contribute to his own offending. These circumstances may also make it harder for services to support lasting change.

The case highlights a lack of continuity between services. G.M. has previously received support from different services, but little information is available about the outcomes or longer-term impact of these interventions. This raises concerns about children becoming 'lost in the system' despite repeated contact with services.

At the same time, the multidisciplinary approach shows the benefits of professionals working together. Regular communication among probation officers, child protection professionals, police representatives and social workers helps them agree on a consistent approach and shared goals.

Professionals also identify strengths and protective factors that can support G.M., including his ability to understand his situation, willingness to attend meetings, communication skills, close relationship with his younger sister and the presence of an older brother who could potentially be a positive role model. These factors help to inform future support, including his return to education and wider social inclusion.

The case also highlights the importance of seeing children in conflict with the law not only in terms of their offending, but as children with rights, needs and strengths. Their meaningful participation can make interventions more effective.

For G.M. to participate meaningfully, he needs a safe environment where he can express his views, reflect on his experiences and gradually take greater responsibility for decisions about his future.

Proposed practical solutions

- Ensure that the child is actively involved in developing intervention plans and setting personal goals.
- Use child-friendly communication methods that enable the child to understand procedures, expectations, rights and consequences.
- Strengthen multidisciplinary cooperation through regular case conferences and coordinated action plans.
- Identify and involve trusted and supportive adults who can provide long-term guidance and emotional stability.
- Support the child to return to education or access vocational training, which can help reduce the risk of reoffending.
- Focus on helping the child develop motivation, empathy, emotional awareness and an understanding of the impact of their actions rather than relying solely on external rules and sanctions.
- Create opportunities for the child to experience success, take responsibility and develop a sense of belonging.

- Ensure that services share relevant information and provide continuous support so that children do not become disconnected from services.

Use in training

This case can be used for:

- Small-group discussions on meaningful participation and offending behaviour.
- Multidisciplinary case analysis.
- Role-play exercises involving probation officers, social workers, police officers, child protection professionals and educators.
- Exercises to identify risks and protective factors in the child's environment.
- Discussions of how to balance accountability, protection, participation and reintegration.

Case study: Harmful sexual behaviour and online risks in a child with an adverse family background

Author: Merit Korbe

Geographical context: Europe and potentially beyond.

Description of the case

An 11-year-old girl is communicating with unknown individuals on Telegram about sexual content. She is also searching for the information on Pornhub. The child is therefore engaging in high-risk online behaviour.

She has previously been referred to Barnahus because of harmful sexual behaviour involving her brother, who is two years older than her. At the time of the incident, the children were aged 7 and 9 respectively.

The Sensoa Flag System was used to assess the children's sexual behaviour. Both the girl and her brother were referred for therapy through Barnahus, and their mother received counselling there.

The family environment is characterised by parental alcohol and gambling problems, a highly conflictual and violent relationship between the parents and the children's exposure to inappropriate sexual behaviour. The children have also regularly witnessed physical violence in the home.

The children have subsequently been removed from the family home and placed in foster care.

Barnahus was contacted by the local Child Protection Specialist.

Learning objectives

By analysing this case, participants should be able to:

- Apply a child-centred and trauma-informed approach when responding to concerns about harmful sexual behaviour and online sexual exploitation, ensuring that the child's safety, wellbeing and voice remain central throughout the process.
- Understand the role of multidisciplinary and interagency collaboration, as used in Barnahus (child protection, police, medical and therapeutic services), in assessing risks and coordinating responses to sexual harm involving children.

Discussion questions

- How can professionals ensure the child's right to be heard and actively participate in the Barnahus process, while taking into account her age, developmental stage and experiences of trauma?
- What are the key safeguarding and risk assessment considerations in this case, particularly in relation to the child's online sexual behaviour and previous harmful sexual behaviour within the family context?
- How can multidisciplinary teams ensure continuity of care and avoid re-traumatisation, given that the child has experienced harm within the family and separation from her family?
- What role should caregivers (biological parents and/or foster carers) play in the Barnahus process, and how can professionals manage potential tensions between caregiver involvement, accountability and the child's best interests?

Children's rights concerned

- **The right to be heard and participate (Article 12 UNCRC).** The child has the right to express her views freely in all matters affecting her, including Barnahus processes, care arrangements and therapeutic planning. Her participation must be meaningful, age-appropriate and trauma-informed.
- **The best interests of the child (Article 3 UNCRC).** All decisions, including those about removal from the family, safeguarding responses and therapeutic support, must treat the child's best interests as a primary consideration.
- **The right to protection from all forms of violence, abuse and exploitation (Article 19 UNCRC).** This includes protection from harmful sexual behaviour, online sexual exploitation and exposure to inappropriate sexual content.
- **The right to special protection and assistance when deprived of a family environment (Article 20 UNCRC).** As the child has been placed in foster care, she is entitled to special protection, stability and continuity of care in her alternative care setting.
- **The right to recovery and reintegration (Article 39 UNCRC).** The child has the right to trauma-informed support for her physical and psychological recovery and social reintegration following experiences of harm and family separation.
- **The right to privacy and protection of personal information (Article 16 UNCRC).** Information about her experiences, online behaviour and case details must be handled confidentially and shared only on a need-to-know basis within the multidisciplinary system.
- **The right to information (linked to Articles 12 and 13 UNCRC).** The child should receive clear, age-appropriate information about the processes affecting her, including Barnahus procedures, her foster care placement and therapeutic support), so that she can participate meaningfully.

Analysis of the case

The case involves both harmful sexual behaviour and ongoing high-risk online activity, compounded by parental alcohol misuse, inappropriate sexual behaviour and exposure to domestic violence. Together, these factors indicate serious safeguarding concerns.

While removal from the family strengthens the child's immediate safety, it may also contribute to emotional instability and a potential risk of re-traumatisation.

Foster care settings may also present situations or peer dynamics that could increase the likelihood of further harmful sexual behaviour. Foster care professionals therefore need to provide structured, sensitive and consistent supervision to support ongoing safety and appropriate behavioural development within the care environment.

An effective Barnahus response requires close coordination between multidisciplinary partners, including child protection services, police, foster care, specialists and therapists. Fragmented communication or inconsistent understandings of the child's needs could undermine the effectiveness of the response.

Proposed practical solutions

- Ensure continuous and **structured information-sharing** between child protection services, police, mental health professionals and foster care specialists to maintain a shared understanding of the child's risks, progress and safety needs.
- Provide **evidence-informed treatment** that addresses both trauma and problematic/harmful sexual behaviour, and coordinates the child's individual therapy and with guidance for caregivers.
- Offer **ongoing training, consultation and reflective supervision** to help carers manage sexualised behaviours safely, respond consistently and avoid punitive or dismissive reactions.
- Focus on **continuity and stability** by minimising unnecessary changes in professionals or foster care placements. This can help reduce the risk of re-traumatisation and enable the child to build trusting relationships.

Use in training

This case can be used for:

- Small-group analysis of different stages of the Barnahus response.
- Exercises to identify safeguards, risks and participation challenges at each stage.
- Multidisciplinary decision-making exercises.
- Role-play followed by a facilitated group discussion.

Suggested training activity: Participants work in small groups, with each group examining a specific stage of the Barnahus process. They identify the main safeguards and challenges to participation, and consider how professionals should respond. A 60-minute session could include approximately 20 minutes of small-group work followed by 40 minutes of exchange and feedback.

Additional materials

- Lind Haldorsson, O. (2017), [European Barnahus Quality Standards: Guidance for Multidisciplinary and Interagency Response to Child Victims and Witnesses of Violence.](#)
- Sensoa, [Sensoa Flag System.](#)
- AIM Project, [Assessment, Intervention, Moving On \(AIM\).](#)

Case study: Participation and protection of child victims in cross-border cases of online sexual exploitation

Authors: Rebecca O'Donnell and Silvia Randazzo

Geographical context: Cross-border, involving jurisdictions within or outside the EU

Description of the case

Jenny is a 15-year-old girl living in Country A. Over several months, she develops an online relationship with a group of older adolescents. During these interactions, intimate images of Jenny are obtained and subsequently used against her.

The boys begin threatening to distribute the images online unless Jenny complies with a series of demands. She experiences fear, shame, anxiety and uncertainty about who has access to the images and whether they may be shared further. She becomes increasingly isolated, withdraws from some social activities and is reluctant to speak openly about what has happened because she fears being blamed or judged.

One of the boys involved is Claudio, a 17-year-old who was born and raised in Country A but recently moved to Country B with his mother. Claudio maintains close contact with his friends in Country A through social media and messaging applications.

Following a police investigation, Claudio is identified as one of the perpetrators and criminal proceedings are initiated in Country B, where he now resides. Further investigations reveal that two other boys living in Country A were also involved in the sextortion scheme. Separate criminal proceedings are therefore initiated in Country A.

As a result, Jenny becomes a child victim in two interconnected criminal proceedings taking place simultaneously in different countries.

The legal responses available in the two jurisdictions differ significantly. In Country A, following an assessment of the circumstances and of the children involved, the two boys may be eligible for diversion and participation in a restorative justice process that could involve Jenny if she wishes to participate. In Country B, diversion is not available for the offence, and Claudio may face placement in a detention facility.

While professionals focus on determining the responsibility of the alleged perpetrators, Jenny must navigate a complex and unfamiliar system involving multiple authorities, different legal frameworks and potentially conflicting procedural timelines.

Learning objectives

By analysing this case, participants should be able to:

- Identify the specific needs and vulnerabilities of child victims of online sexual exploitation and sextortion.
- Explore the challenges faced by child victims involved in cross-border criminal proceedings.
- Examine how children's rights can be protected when multiple jurisdictions are involved.
- Reflect on how meaningful participation can be ensured without exposing children to secondary victimisation.
- Consider the opportunities and challenges associated with restorative justice and diversion in cases involving child victims.

Discussion questions

- What are Jenny's immediate needs following disclosure of the offence?
- How can professionals ensure that Jenny receives clear, consistent and child-friendly information about proceedings taking place in two different countries?
- What risks of secondary victimisation might arise during the investigation and prosecution process?
- How can authorities coordinate the gathering of Jenny's evidence to minimise repeated questioning and unnecessary stress?
- What support services should be available to Jenny throughout the proceedings?
- How can Jenny's views and wishes be identified and taken into account when decisions are made about diversion or restorative justice?
- Under what circumstances might restorative justice be appropriate or inappropriate in this case?
- How should professionals balance Jenny's right to participate with her rights to protection and recovery?

Children's rights concerned

This case engages several key children's rights, including:

- **The best interests of the child (Article 3 UNCRC).** Jenny's best interests should be a primary consideration in decisions concerning her protection, participation, support and the different justice responses available.
- **The right to protection from all forms of violence, exploitation and abuse (Article 19 UNCRC).** Jenny should be protected from continuing harm arising from the exploitation and use of her intimate images.

- **The right to protection from all forms of sexual exploitation and sexual abuse (Article 34 UNCRC; Council of Europe Lanzarote Convention).** Authorities should respond both to the original exploitation and to ongoing risks associated with the online environment.
- **The right to be heard and participate in decisions affecting the child (Article 12 UNCRC; Council of Europe Guidelines on child-friendly justice; Directive 2012/29/EU).** Jenny's views and wishes should be sought and taken seriously throughout both sets of proceedings, including in decisions concerning diversion or restorative justice.
- **The right to information in a child-friendly and accessible format (Council of Europe Guidelines on child-friendly justice; Directive 2012/29/EU).** Jenny should receive clear and consistent information about both proceedings, relevant decisions and available support.
- **The right to privacy and protection of personal data (Article 16 UNCRC; Council of Europe Guidelines on child-friendly justice; Directive 2012/29/EU).** Particular safeguards are necessary because Jenny's intimate images may remain in circulation or be redistributed.
- **The right to protection from secondary victimisation, support, recovery, rehabilitation and specialised assistance as a victim of crime (Article 39 UNCRC; Directive 2012/29/EU).** Proceedings should minimise repeated questioning and ensure access to appropriate psychological, legal and practical support.

Analysis of the case

This case illustrates the particular challenges faced by child victims of online offences in a transnational context.

One of the primary challenges concerns information and participation. Jenny is directly affected by criminal proceedings occurring in two different countries, yet she may struggle to understand which authorities are responsible, what decisions are being made and how those decisions may affect her. Differences in legal procedures, terminology and timelines may create confusion and increase feelings of uncertainty.

The case also raises important questions regarding secondary victimisation. Jenny may be required to provide evidence about deeply personal and potentially traumatic experiences. Without effective coordination between authorities, she could be asked to repeat her account multiple times to different professionals, increasing emotional distress and undermining her trust in the justice process.

Privacy and safety are particularly significant concerns in online crimes. Even where the original perpetrators are identified, the victim may continue to fear that images remain in circulation or may be redistributed in the future. The harm therefore does not necessarily end with the initiation of criminal proceedings.

Access to specialised support services is another key issue. Jenny may require psychological support, legal assistance, online safety advice, educational support and practical assistance for herself and her family. These services should be available regardless of where the criminal proceedings take place.

The case further raises questions concerning diversion and restorative justice. While diversion and restorative approaches may provide opportunities for accountability, dialogue and repair, participation must never be assumed to be in the victim's best interests. Jenny's wishes, safety, emotional readiness and support needs must be carefully assessed before any restorative process is considered.

Finally, the case highlights the importance of cross-border cooperation. Effective protection of child victims requires communication and coordination between judicial authorities, victim support services, prosecutors and other justice professionals across jurisdictions.

Proposed practical solutions

- Conduct a comprehensive individual assessment of Jenny's needs, vulnerabilities, views and preferences at the earliest possible stage.
- Ensure access to specialised child-victim support services, including psychological and legal support.
- Designate a professional responsible for keeping Jenny informed about developments in both proceedings.
- Use child-friendly communication and information materials throughout the process.
- Coordinate investigative measures to avoid repeated interviews and minimise secondary victimisation.
- Implement strong privacy and data-protection safeguards, including efforts to remove or limit the circulation of images online.
- Facilitate cross-border cooperation between judicial authorities and victim support services.
- Carefully assess whether restorative justice is appropriate and ensure that any participation is fully voluntary, informed and supported.
- Ensure that Jenny's views are sought and taken seriously whenever decisions affecting her are made.

Use in training

This case can be used for:

- Small-group discussions.
- Mapping victim needs and procedural safeguards.
- Role-play exercises involving several different actors in judicial proceedings.

- Exercises exploring the balance between participation, protection and recovery in proceedings involving child victims.

Suggested training activity: ‘Jenny’s Journey Through the System’. Participants map the case from Jenny’s perspective and identify, at each stage:

- what she needs;
- what information she should receive;
- who should support her; and;
- what risks of secondary victimisation may arise.

Additional materials

- Child Circle and Council of the Baltic Sea States (2025), [Guidance on Exploring Transnational Child Protection Cases in Europe](#).
- PROMISE Barnahus Network (2023), [Procedural safeguards – four papers](#).
- O’Donnell, R. (2020), [At the Crossroads: Exploring Changes to Criminal Justice Proceedings When They Intersect with Child Protection Proceedings in Cases Involving Child Victims of Violence](#). Council of the Baltic Sea States Secretariat and Child Circle.
- UN Committee on the Rights of the Child (2021), [General Comment No. 25 \(2021\) on children’s rights in relation to the digital environment](#), CRC/C/GC/25.

Case study: The Sentencing of Cynthia, mother of two (Jack and Jill) for Theft offences

Author: Dr Aisling Parkes

Geographical context: Ireland

Description of the case

Cynthia is a single mother who has been arrested and charged with theft from a supermarket after taking food items without payment. The incident occurred in a low-income urban area, where Cynthia reported experiencing prolonged financial hardship due to unemployment and limited access to social support. Her stated intention in taking the food was to provide basic meals for her children.

Cynthia is the sole caregiver of Jack and Jill, aged 6 and 9 respectively. Before the incident, the family had been relying on irregular sources of income and had reportedly exhausted their available food supplies. Cynthia has no known prior criminal record, although the family has previously had contact with social services because of financial instability and housing insecurity.

The charge concerns petty theft, specifically shoplifting involving essential food items of relatively low monetary value. The prosecution has classified the offence as a summary (lower-level) criminal matter.

The case has progressed to a sentencing hearing after Cynthia entered a guilty plea at an earlier court appearance. At this stage, the court is considering mitigating factors, including the parent's financial circumstances, lack of prior convictions and the welfare of the children. A social worker's report addressing Jack and Jill's care needs and recommending support measures has been submitted to the court.

In applying the relevant sentencing guidelines, the court is required to balance the enforcement of criminal law with the need to safeguard the rights of the children affected by the decision. This includes considering whether alternatives to a custodial sentence, such as community service or a conditional discharge, would be more appropriate in the circumstances.

Learning objectives

By analysing this case, participants should be able to:

- Understand that children and young people whose parents have been in conflict with the law are also innocent victims of criminal justice proceedings from the moment of arrest.
- Identify relevant provisions of the UN Convention on the Rights of the Child 1989: Article 12 – respect for the child's views; Article 3 – best interests of the

child; Article 2 – principle of non-discrimination (including on the basis of a parent’s situation); Article 6 – life, survival and development; and Article 9 – contact with parents if separated.

- Understand that children whose parents are in conflict with the law are particularly vulnerable in such circumstances and have needs and rights which are set out under [Recommendation CM/Rec\(2018\)5 of the Committee of Ministers to member States concerning children with imprisoned parents \(2019\)](#).

Discussion questions

- How can Jack and Jill’s perspectives and needs be meaningfully included in decision-making processes, taking account of their ages and potential vulnerability?
- What ethical dilemmas arise when balancing the enforcement of criminal law against the best interests and welfare of the children?
- What practical challenges might professionals face in ensuring that the children’s voices are heard during legal and social service proceedings, and how can these be addressed?
- How can courts, social services, law enforcement and other actors collaborate to safeguard the children’s rights while responding appropriately to the offence?

Children’s rights concerned

- **The best interests of the child (Article 3 UNCRC).** Jack and Jill’s best interests should be a primary consideration in all decisions affecting them, including sentencing decisions that may result in separation from their primary caregiver.
- **The right to be heard and have their views considered (Article 12 UNCRC).** The children should have opportunities to express their views in an age-appropriate and protective manner where decisions may significantly affect their lives and care arrangements.
- **The right to family life and protection against unnecessary separation from parents (Article 9 UNCRC; Article 8 ECHR).** This is particularly relevant because Cynthia is the children’s sole caregiver and a custodial sentence may result in their separation.
- **The right to survival and development (Article 6 UNCRC) and the right to an adequate standard of living (Article 27 UNCRC).** These rights are directly relevant in the context of poverty, food insecurity and housing instability.
- **The principle of non-discrimination (Article 2 UNCRC).** Jack and Jill should not be disadvantaged or stigmatised because of their mother’s involvement in criminal proceedings.

- **The rights of children with imprisoned parents (Recommendation CM/Rec(2018)5 of the Council of Europe).** If Cynthia receives a custodial sentence, the children's needs should continue to be considered and their relationship with their mother supported in a manner consistent with their best interests.

Analysis of the case

This case highlights the often-overlooked impact of criminal proceedings on children whose parents come into conflict with the law. Although Jack and Jill are not direct victims of the theft offence, they may experience significant consequences as a result of the criminal justice response to their mother's actions. The case therefore raises important questions about how children's rights can be safeguarded within adult criminal proceedings.

A central challenge concerns the application of the best interests principle at the sentencing stage. The court must balance legitimate criminal justice objectives, including accountability and deterrence, against the potentially harmful effects that a custodial sentence could have on two young children who depend entirely on their mother for care and support. Sentencing decisions that focus exclusively on the offender may fail to adequately consider the rights and needs of affected children.

The case also raises questions regarding children's participation. While Jack and Jill are only six and nine years old, their age does not exclude them from having views and experiences that are relevant to decision-making. Ensuring meaningful participation requires child-friendly and protective mechanisms through which their circumstances, concerns, and wishes can be understood without exposing them to additional stress or responsibility.

Another significant issue concerns poverty and social exclusion. The offence arose within a context of financial hardship, food insecurity and housing instability. This highlights the intersection between criminal justice, social welfare and children's rights. A purely punitive response risks overlooking the structural factors that contributed to the situation and may further undermine the children's wellbeing and development.

The case further demonstrates the importance of multidisciplinary cooperation. Courts, social services, child protection authorities and community support organisations each have distinct responsibilities in assessing the potential impact of sentencing decisions and ensuring that children receive appropriate support. The social worker's report submitted to the court is an important mechanism for bringing the children's circumstances into the decision-making process, but it also raises questions about whether children's rights are consistently and systematically considered in sentencing practice.

Finally, the case invites reflection on the visibility of children within criminal justice systems. Children of parents in conflict with the law are frequently affected by decisions over which they have no control, yet their experiences often remain peripheral to legal proceedings. A child-rights-based approach requires recognising these children as rights holders in their own right and ensuring that they are neither overlooked nor indirectly penalised as a consequence of their parent's offending behaviour.

Proposed practical solutions

- Address the case not only as a criminal matter, but also as a child-rights and social protection issue, adopting a child-centred approach that combines accountability with support, prevention and the safeguarding of the children's wellbeing.
- Assess the impact of any sentencing decision on the children's care, stability and development, particularly where the sentence may result in separation from their sole caregiver.
- Give serious consideration to non-custodial alternatives to imprisonment where a custodial sentence would have significant adverse consequences for children who depend on the parent as their primary caregiver.
- Ensure that child impact assessments or equivalent mechanisms inform sentencing decisions and that the children's rights and circumstances are explicitly considered in judicial reasoning.
- Provide age-appropriate and protective mechanisms for the children to express their views, including, where appropriate, support from trained social workers, child advocates or other qualified professionals.
- Coordinate the response of courts, social services, welfare providers, child protection authorities and community organisations to address both the legal proceedings and the underlying circumstances affecting the family.
- Ensure that the children have access to adequate food, housing and social security support, addressing the material hardship that contributed to the family's situation.
- If separation occurs, facilitate regular and meaningful contact between the children and their mother, where this is in their best interests.
- Protect Jack and Jill from stigma, disadvantage or indirect punishment arising from their mother's involvement in the criminal justice system.
- Maintain a focus on the children's dignity, rights and long-term development throughout the justice and welfare response, ensuring that they do not become invisible within proceedings concerning their parent.

Use in training

This case can be used for:

- Small-group discussions on the impact of parental involvement in criminal proceedings on children.
- Exercises applying a children's-rights-based approach to sentencing decisions.
- Comparative discussions in which participants share practices from their respective countries.
- Exercises identifying appropriate non-custodial, social protection and child-support responses.
- Multidisciplinary discussions involving criminal justice, child protection and social welfare perspectives.

Suggested training activity: Participants can discuss the case in small groups, compare approaches from their respective national contexts and identify an appropriate response using a children's-rights-based approach.

Additional materials

- United Nations General Assembly (1989), [Convention on the Rights of the Child](#).
- Council of Europe (2018), [Recommendation CM/Rec\(2018\)5 of the Committee of Ministers to member States concerning children with imprisoned parents](#).
- Council of Europe (1950), [European Convention on Human Rights](#), Article 8.
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For more information or any questions, related to the CFJ-EN, please contact:

Marie Chapot

Advocacy & Project Officer, Child Friendly Justice European Network

✉ info@cfjnetwork.eu

☎ +32 2 203 79 08

www.cfjnetwork.eu

 Child Friendly Justice European Network (CFJ-EN)

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c/o Defence for Children International Belgium ASBL
62 Quai des Charbonnages, 1080 Molenbeek

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