

BREAKING THE CIRCLE | *European peer to peer actions to raise the awareness of children, youngsters and professionals on rights in children and juvenile justice*

## **How to strengthen the European Guidelines on Child-Friendly Justice? Some food for thought by the “Breaking The Circle” project team.**

### **Introduction**

“Breaking the Circle” is an international project funded by the European Union and run by the Metropolitan City of Milan with a group of organizations from Italy, Cyprus, Romania and Spain<sup>1</sup>.

The main goal of the project is to raise the awareness of children and young people about their rights in judicial proceedings and to improve the skills of the professionals working with them. The projects started with a participatory research process aimed at consulting young people and professionals about their experiences and points of view about the functioning of the justice system. The research and consultation activities have been designed to prepare the next workstreams, focused on awareness raising and training activities.

This document has been prepared after the conclusion of the consultation process, that has involved more than 160 young people and professionals of the justice system throughout Italy, Cyprus, Romania and Spain. This document aim is to propose some integrations and some modifications for the European Guidelines on Child-Friendly Justice, both from a content perspective and a method perspective.

The following paragraph describes the process we experimented, focusing on some specific methodological choices. Paragraph 2 and 3 present the results of the local research and consulting activities, described in detail to make as clear as possible which were the starting points of our intervention in the local contexts. Paragraph 4 goes back to the methodological approach we proposed, validating and underlining some important learning and suggestions related to participation issues. The last paragraph focuses the Guidelines, here considered as an open-end technical, political and cultural process. Here we present some evidence and some assumptions made by the project team while concluding the first workstream of this ambitious project.

<sup>1</sup> Codici (Italy), Associazione Comunità Nuova (Italy), dotdotdot (Italy), Ascoiacion SUYAE (Spain), Universidad Autonoma de Madrid (Spain), Ahead Association (Romania), EuroSuccess (Cyprus)

## 1. The research and consultation process

The research and consultation process has been implemented at a local level by each national team, organizing discussion groups and interactive activities with young people involved in judicial proceedings and with professionals working in the justice system.

Three were the main objectives of this work stream: sharing and discussing participants' experiences and points of view, pointing out topics and issues related to the functioning of the justice system; updating the European Guidelines on Child Friendly Justice, and evaluating the coherence with youngsters and professionals experience; preparing WS2 and WS3 and introducing the participatory design of awareness raising tools.

The research and consultation tools have been designed by Codici – WS1 coordinator – according to the proposals and suggestions emerged during the Methodology Team Meeting run in Madrid in December 2015. The general work plan provided a set of preliminary notes and specific indications for the activities with youngsters and professionals.

The preliminary notes concern five main points of attention:

1. Keep a flexible approach (number of meetings, length of meetings, type of proposal, languages to be used...), consistent with the specific groups. We suggest you to organize four/five meetings, but you can choose other solutions.
2. During the consultation process try to engage the whole system at the meantime. This project should be a networking opportunity. Don't forget to involve: child right officers and commissions, lawyers, judges, social workers and social educators, welfare services officers, teachers, police officers and prison guards; psychologists; health services professionals, jurists, prosecutors and attorneys, representatives of local institutions, technicians of public administration.
3. Before the first meeting, remember to send to all the participants the Guidelines Document, asking them to read it carefully.
4. Use appropriate methodologies for participatory groups, don't hesitate to use an experimental approach (games, movement, images, stories, creative languages...). If possible, involve in your team professionals with previous experiences and specific skills related to consultation groups with professionals and institutions.
5. During the consultation process, fully comply with the recommendations of the guidelines on child rights. Also keep in mind our ethical issues guidelines. Be very careful in involving in group activities young people with particularly traumatic experiences. If you feel that the situation is not enough comfortable, then avoid group dynamics and organize individual consultation meetings.

The consulting activities with youngsters have been declined in a five-steps process:

Session 0 (interview)	<i>Presenting the project and the advisory group in a simple and clear manner. Introducing the main topics and assessing the main aspects of participants' experience.</i>	Semi-structured interview.
Session 1 (group meeting)	<i>Presenting the project; presenting the participants; assessing participants experiences in the justice system; presenting the guidelines.</i>	Postcards and timeline.
Session 2 (group meeting)	<i>Focusing on some specific aspects of the guidelines; assessing participants experiences in the justice system.</i>	Concept Map.
Session 3 (group meeting)	<i>Proposing positive changes related to the improvement of the guidelines, the improvement of the local system and the improvement of local organizations.</i>	Magic Wand Activity.
Session 4 (group meeting)	<i>Discussing how to improve the awareness of youngsters about the guidelines and, more generally, about their rights in judicial proceedings.</i>	Concept Map.
Session 5 (mixed groups)	<i>Exchanging views and opinions with the group of professionals involved in the consultation process.</i>	Introduction with posters, Evaluation, Provocative Propositions.

A similar process was designed for the research activities with professionals:

Session 1 (group meeting)	<i>Presenting the project; presenting the participants; assessing participants experiences in the justice system; presenting the guidelines and discussing their coherence with participants' experiences.</i>	Introduction with project slides, interactive card game, group posters.
Session 2 (group meeting)	<i>Focusing on some specific aspects of the guidelines; assessing participants experiences in the justice system.</i>	World Cafè.
Session 3 (group meeting)	<i>Assessing the local system and proposing positive changes related to the improvement of the guidelines, the improvement of the local system and the improvement of local organizations.</i>	Participatory SWOT Analysis.



Session 4 (group meeting)	<i>Discussing how to improve the awareness of youngsters about the guidelines and, more generally, about their rights in judicial proceedings.</i>	Participatory SWOT Analysis, group guidelines
Session 5 (mixed groups)	<i>Exchanging views and opinions with the group of youngsters involved in the consultation process.</i>	Introduction with posters, Evaluation, Provocative Propositions

In accordance to project team agreements, each local team adapted this general work plan to the specific local contexts, needs and priorities.

In Italy we involved 30 professionals in a five-step process and we involved 6 boys and girls in four consulting sessions. With professionals we realized all the foreseen research activities, while with youngsters we decided not to focus the three key concepts. In parallel, we made some interviews with youngsters.

In Cyprus we organized a single meeting with 15 professionals, proposing a general project presentation, a SWOT analysis activities and a World Cafè. We organized two group discussions with youngsters, one in a park and one in a juvenile jail, with a total amount of 19 boys and girls.

In Romania we organized two meetings with 10 professionals, proposing all the foreseen activities. We also realized four meetings with 14 boys and girls, proposing all the foreseen activities.

In Spain we involved 8 professionals in two meetings. We reached a total amount of 67 youngsters: with 4 groups we worked in a unique session, with two other groups we organized two sessions. Both with professionals and youngsters we proposed training sessions and group discussions.

With WS1 Activities, we reached a total amount of more than 60 professionals and more than 100 youngsters.



## 2. Youngsters point of view about their involvement in judicial proceedings: some evidence

What did the youngsters told us about their experiences, their feelings and their points of view about the justice system? Perceptions, assumptions and some proposals, context by context.

### CYPRUS

- Between youngsters there is a vast lack of knowledge regarding rights and legal proceedings. Information on the subject should be delivered to the children in the context since their school education, to make them confident of their rights and the system in which they are regulated.
- The people involved in these legal proceedings for children should be more trained and specialized, in order to have a clear knowledge on how to properly treat young people.
- There should be more EU initiatives like this project in order to get information directly from the concerned persons.
- There are no support services for the minors who are released from prison, young people face enormous problems in reintegrating in the society; as a result to the lack of support, the young people are more likely to regress back to prison. Juvenile offenders, for instance, acknowledged the enormous obstacles they have in finding a job position as soon as they get out of prison.

### ITALY

- "Behind every name there is not just a number, but a person with his own story, maybe a difficult one, so you need to think twice before making hasty decisions; before judging, you should know the story of every single guy, not just his offense".
- It is crucial to be inclusive, not too punitive. It is crucial to always give a second chance, give opportunities to change and to build the foundations to be independent.
- Decisions entailing radical changes in the lives of children deserve attention and sensitivity. Never forget that for the youngsters is always a first time, while for professionals is one of many times.
- Trust makes you feel accepted.
- Timing of justice should be shorter and more consistent with the growth of children. In all the decisions taken during the procedure should take into account the time elapsed.
- In residential centers is important to experience a life that you did not know. It is also important that there are rules and that no one is left alone.
- Words are important, group discussion gave me a sense of freedom, and speaking with other people took a weight off me. At the same time the paths with psychologists can be of great help.

- The attitude of the police should always be respectful, and during the searches there should always be a witness.
- Improve hygienic conditions and feeding in juvenile jails.
- Enforce the law by ensuring that it is equal for all, without distinction.
- At the end of a path, it is important to maintain contact with communities, educators etc.

## **ROMANIA**

- Mind language and communication: procedures should be clear and understandable.
- Shorten procedures.
- Ensure friendly and encouraging interactions between children and professionals.
- Eliminate intimidating interrogations conducted by the police. Interrogation should not be violent, not even psychologically.
- Ensure the ongoing support of the family.
- Ensure preventive counseling processes in community centers.
- Ensure that all investigative procedures are performed without deprivation of liberty.
- Ensure a proper training for professionals.
- Focus the rehabilitation process on counseling.

## **SPAIN**

- Encourage that complete information is provided to young people about their rights: educate children in schools about rights and laws; promote from mass media the learning about basic judicial concepts or show what happen when you committed an offense.
- Increase society's knowledge about children rights and raise awareness about their situation, to avoid stigma around them.
- Prevent and contrast discrimination. Mass media often promote stereotypes and discrimination. Stereotypes influence the proceedings: your clothes, your aspect...
- Expedite judicial proceedings.
- Prevent and contrast corruption in the justice system.
- Prevent abuse committed by the police and other professionals: more training for professionals (about issues related to intercultural relationships, child rights, child behaviors...); promote the incorporation in the police staff of different ethnic origin;

ensure the presence of professionals (not only the police officers) during the arrest; ensure the presence of trained professionals in police stations; fight police impunity, ensure their identification; promote monitoring and supervising of professionals and police work; Stipulate some selection criteria and specific academic training as a fundamental requirement to those professional working with minors.

- Improve the coordination between professionals to achieve the best solution for the minor.
- Provide more funds to improve infrastructures.
- Less harsh penal measures. Promote the disclosure of juvenile detention centers and forbid isolation cells. Encourage penalties in day centers. Avoid preventive measures (especially confinement) to facilitate the involvement of youngsters in the process.
- Promote greater participation of social workers throughout the process.
- Tackle social and economical differences. Provide economic aid if the young can be in a vulnerable situation. Facilitate the access to the labor market of young people.
- Promote accountability of lawyers, ensuring their involvement.
- Always analyze the personal and social context of young people (family, education, environment, leisure) when deciding the sentence.
- Improve the quality of life in prison. Normalize and adapt juvenile centers' rooms, to be identified by the children as their home.
- Promote conciliation.
- Establish an action protocol for the cases of sexual abuse. In the first place, children must be attended to by professional trained in the field, in order to avoid contaminating their memory and testimony.
- Try to separate minors according to age and offense record to avoid bad influences.
- Promote peer-to-peer awareness raising activities, for example forming groups of teenagers who have a mentor role, so they have to transmit the knowledge to their classmates.

### 3. Professionals point of view about child rights in judicial proceedings: some evidence

Context by context, some perceptions and some assumptions emerged in our participatory research and consultation activities with professionals.

#### CYPRUS

Following professionals points of views, the main strengths of Cyprus Justice System are related to: a proper legislative framework; the presence of experienced judges; the adoption of an interdisciplinary approach; the experience of juvenile institutes and communities.

On the other side, the main weaknesses of the local system are related to: the lack of a specialized court and of a specialized judicial system, which could guarantee smoother and child-friendly procedure; the lack of extrajudicial consultation; the lack of psychological support before, during and after the judicial proceeding; the lack of specially trained people involved in judicial procedures regarding child rights; the lack of specific relational skills for the police authorities; the lack of specially trained interpreters; too much involvement of different parties in judicial procedures that concern child rights; the lack of intermediaries in court proceedings, which could enable all parties involved (children first of all) to have a better understanding of the situation.

How could we improve the system?

- Set a specialized Court for minors;
- simplify the involvement of different players and stakeholders;
- ensure the identification of alternative measures instead of imprisonment
- ensure more and better training for all the professionals involved in the system;
- the responsible authorities of each country relevant with child justice should often conduct meetings with child rights representatives for their opinions and views to be heard, regarding potential improvements within the judicial system for issues that concern them
- more intense and consistent promotion of information should be done to raise the awareness of the wider public;
- young people should be greatly encouraged to work in the field of Child-Friendly Justice in order to offer a fresh insight into the system.

How to empower children?

- Detailed information activities towards the children, about their rights in the judicial system, should be an integral part of the educational system, so as to enable children to know their rights from a very young age.
- Constant and focused awareness campaigns about child rights should be organized in schools and in other places (i.e youth groups activities in municipalities, detention centers etc) where other vulnerable groups (marginalized youngsters, Early School Leavers , youngsters not in education nor in training) can be found.
- Specialized and focused info should be offered to the minors who are already involved in judicial procedures in order to empower them and so as for them to be constantly updated and aware about their rights.



## ITALY

The main strengths of the Italian system are based on: a proper legal framework; qualified and specialized court, services and professionals; multidisciplinary approach; networking attitude; authoritativeness of the system; direct involvement of children; consistence between needs and motivations.

On the other side, some important weakness were underlined: complexity (high number of stakeholders and fast turnover); differences between the city and the surrounding area; overloading and delays; different languages and professional cultures; weak communication between juvenile and ordinary court; networking between the court, the police, the services and the other stakeholders; underfunding (not enough resources for administrative proceedings); undersized staff; fragmentation; occasional training; low skills of police officers and lawyers.

Professionals involved in the consulting process pointed out some development opportunities: widespread common guidelines; more integration between different players; common knowledge and awareness about resources and sustainability issues; more prevention; specific projects; adult training; connection with educational and health system; empowering opportunities related to school, employment, and free time.

By the other side, they indicated some risks and threats: lack of knowledge about EU guidelines and the role of courts and judges, lack of common guidelines and approaches; alliance between parents and children; not enough quality monitoring in educational and psychiatric services; underfunding and lack of opportunities outside the city; risks related to technology and new media; stigmatization of children involved in judicial proceedings; fragmentation.

Three key principles have been focused during the activities: Participation, Dignity and Balancing.

Participation	
<ul style="list-style-type: none"> <li>the legal framework fully consider a principle of participation;</li> <li>while in criminal proceedings there is a real chance of participation for the children, in civil proceedings thing are different: minors are rarely considered, listened and represented;</li> <li>professionals are generally focused on the interest of minors;</li> <li>for professionals it's not always easy to understand that children are growing up and constantly need new translations explanations of what's going on;</li> <li>the timing of proceedings should consider the urgency for the teenagers to express their point of view;</li> <li>language is very important: everything should be clear and understandable.</li> </ul>	
Dignity	Balancing
<ul style="list-style-type: none"> <li>positive: networking approach and prompt identification of responsible</li> </ul>	<ul style="list-style-type: none"> <li>defining “best interest” should mean considering multiple variables: the</li> </ul>



<p>professionals in criminal proceedings;</p> <ul style="list-style-type: none"> <li>• negative: timing and delays in proceedings (most of all in civil proceedings), threatening the coherence between needs, growth and proceedings;</li> <li>• negative: need of a decree before acting, even in situations of severe prejudice, neglect and risk;</li> <li>• negative: focus on the adults in civil proceedings and lack of somebody representing the children' interest;</li> <li>• negative: lack of specific trainings about child rights for professionals involved in civil proceedings.</li> </ul>	<p>specific situation; the relationships in which the child is involved; the functioning of local services; the local and national culture about this issues;</p> <ul style="list-style-type: none"> <li>• need for specific tools aimed at assessing the best interest: specific and clear procedures; immediate decisions and decrees;</li> <li>• balancing and responsibilities of all the involved parties: children, parents, professionals;</li> <li>• what happens when you are 18 years old?</li> </ul>
--	---

## ROMANIA

Assessing the local system, Romanian professionals pointed out its main strengths: Principles, general elements and recommendations contained in the guidelines are grounded and assumed in Romanian justice system: the interest of the child prevails in any act of justice; fragmentation periods of contact with justice is beneficial and facilitates finding the best solutions; there is enough attention about counseling and interrogation tools; the establishment of the Family and Juvenile Court was a positive measure for local community; the professionals are trained and committed; social assistance in the justice system: specialized counseling; relationships with family and friends; formal and non formal approach; life skills approach; Police in the justice system: developing a sense of safety; immediate assistance and protection, fast gathering and presenting of information; interviewing the children in the presence of lawyers; the Court in the justice system: active listening, friendly atmosphere, deferring, avoiding conviction when possible.

On the other side, some critical weaknesses emerge: Justice system is still in transition and adaptation to the new EU rules; not enough correlation with the reality of family or communities. It seems that only facts are analyzed and the causes are less debated; decisions on offering the best alternative support for children and young people are often subjective, because of underfunding, staff undersized or poor training of professional; there's an increase in the number of young offenders, this is largely due to the education system; it is necessary more training and more consistency with things that are changing in our society; on the long term, the lack of clear support of the juvenile delinquent and his family have irreparable repercussions; risks related to new technologies and no skills to deal with that; too much bureaucracy; institutionalization of children in groups; timing: slow access to services; overlapping institutions that provide social services; lack of assistance after the conclusion of judicial proceedings; social service should accept the role of caregivers who have capacities of involvement; Police have low skills in working with children; interrogation by the police is inhibitor, and the setting favors anxiety; lack of outreach and prevention among children and youth; Length and timing of proceedings and pronouncing.



Three key principles have been focused during the activities: Participation, Dignity and Protection from Discrimination.

<p><i>Participation</i></p> <ul style="list-style-type: none"> <li>• The opinion of children must be considered.</li> <li>• Information should be fully understandable.</li> <li>• The question of discernment should be treated carefully.</li> <li>• Confidence between all the involved actors is an important asset.</li> <li>• All the circumstances should be considered in analyzing events.</li> <li>• Listening process needs consistent time.</li> </ul>	
<p><i>Dignity</i></p> <ul style="list-style-type: none"> <li>• Children should be listened without interferences.</li> <li>• All the involved parties should demonstrate a positive attitude.</li> <li>• Equity should be a major concern during the proceeding.</li> <li>• Avoid any kind of violence and humiliation.</li> <li>• Prejudice and stereotype should be avoided.</li> </ul>	<p><i>Non discrimination</i></p> <ul style="list-style-type: none"> <li>• “All men are equal before the law”, and we all belong to the same human race.</li> <li>• Avoid discrimination based on social-economic status.</li> <li>• Avoid discrimination based on country of origin</li> <li>• Understanding and respect should be a major concern in the process.</li> </ul>

How could we improve the system in Romania?

- collect information in a proper manner;
- use games during the counseling process;
- prepare the children and help him socializing with the court;
- ensure a safe and friendly environment;
- reduce the number of interrogations and make them shorter;
- ensure that children representatives are trained in juvenile justice issues;
- create professional development opportunities (courses, seminars, workshops, etc.);
- create tools that facilitates direct collaboration between specialists;
- adapt technical language;

- communicate the sentence as soon as possible;
- extend counseling and support to the whole family;
- ensure confidentiality.

How could we empower children involved in this system?

- Engage the whole educational and child protection system;
- propose information activities in the educational institutions and prepare materials (guides and so on) to be disseminated in schools . The existence of summary guides in each school;
- engage community stakeholders: Religious Cults, NGOs, sports clubs, etc.
- promote inter-institutional cooperation, visits by specialists in educational institutions, open days;
- involve families;
- use a proper and understandable language.

## SPAIN

Considering the Spanish judicial system, the group of professionals we consulted underlined some important critical aspects: in Spain there is a general lack of resources and tools that increasingly affect professionals who work in the juvenile justice system; there's a lack of coordination between professionals; professionals are undervalued and not listened by political leaders and mass media; there is not enough attention from professionals' associations to denounce situations of defenselessness; professionals need specific training about children behaviors, for example in relation to the use of social media; main weaknesses are related to criminal proceedings: measures are not consistent with specific situations and specific social variables, punishments are sometimes excessive; mediation between offenders and victims do not promote a real awareness in the involved children; unaccompanied minors are still a vulnerable group in relation to judicial proceedings; there is still confusion and fragmentation in the protection of children who lived in residential care centers; the Police system doesn't always prove to be functioning and child-friendly; when children turn 18years old, they often lack protection; there is a lack of reeducation measures within centers for minors.

Two key words have been explored: Participation and Dignity.

<p><i>Participation</i></p> <ul style="list-style-type: none"> <li>• The principle of participation is fully considered in criminal, civil and administrative proceedings: children are generally informed about their</li> </ul>	<p><i>Dignity:</i></p> <ul style="list-style-type: none"> <li>• According to some stakeholders, police officers behavior do not always consider the principle of dignity, but according police officers, there's a full respect of dignity during the arrest,</li> </ul>
---	--



<p>rights and responsibilities.</p> <ul style="list-style-type: none"><li>• Not everybody agrees about the specific age at which children opinion should be considered.</li><li>• Sometimes there is a problem related to incomprehensible terms and languages.</li><li>• Minors have an absolute ignorance about the current reform of the law and penal code, which is a mistake from the administration.</li><li>• There is a lack of a simple and comprehensible document presenting child rights.</li></ul>	<p>during searches and during all the procedures.</p> <ul style="list-style-type: none"><li>• The settings often transmit insecurity feelings: institutional facilities are very old and scary, there aren't places with natural light, there are no vehicles suitable for carrying a minor.</li><li>• The respect of this principal generally depend on the professionals involved in the specific situation.</li><li>• Children privacy is generally preserved.</li><li>• Stakeholders don't have a common opinion about discrimination in the system: is it just perceived by somebody or there are effective discriminating behaviors in judicial proceedings (for example against immigrant children)?</li><li>• Sometimes harder measures are imposed to immigrant minors, because their personal situation requires it (complex familiar environment).</li></ul>
--	---

#### How could we improve Spanish local system?

- Design action protocols, establishing a common guidelines between professionals and promote their spreading.
- Increase interdisciplinary coordination between professionals, in order to prevent overlays.
- Increase the coordination between justice system professionals and political leaders.
- Provide the system with ore resources.
- Renovate infrastructures to guarantee the minor's physical and psychological well-being.
- Increase professionals' training who are involved on the different phases of judicial proceedings.



- Inform minors about their rights and the consequences that law infringements have. To achieve this aim, introduce a subject as “Citizenship education” in high schools which be taught by professional of this field. Also, this subject has to be about some issues that let teenagers know what happen in the streets, social networks, etc.
- Empower teenagers stimulating their emotional intelligence, for example through art activities.
- Mix formal and non formal approaches and methodologies, adapting activities to children language, points of view, cultural consumption.
- Develop training programs in schools focusing ICTs.

#### 4. Some methodological issues

After concluding all the local research and consultation activities the project team met in Brasov to discuss the main evidences of this work phase. A specific session has been dedicated to a methodological focus, aimed at underlining the main strengths and weaknesses of the process we set up.

As a result of this session, we created a common set of methodological guidelines that can be used to design and manage participatory research and consultation activities with children and professionals involved in any judicial system.

This set of guidelines can be considered a sort of Decalogue:

1. Think globally, act locally. You're working in a global framework that concerns macro dynamics, long-term processes, a variety of players and a complex system of causes and effects. You should properly know this framework and direct your actions strategically, but anything has to be adapted to the specific characteristics of your local context and its functioning.
2. Don't forget information. When engaging participants remember to share and discuss all the significant information: who are you? What are you asking? Why are you doing that? What will you do with the information you will gather? Always try to picture the entire process, describing carefully what happened before the consultation activity and what will happen after that.
3. Involve the whole system. When considering a specific issue, it's very important that all the different perspectives are well represented and recognized as legitimate and important. When you compose the consultation group always remind to ask yourself: who's missing?
4. Create a reliable process. Changes need trust, so you have the responsibility to create full commitment about provoking specific changes in terms of knowledge, practices or policies. This sort of alliance can concern a limited time and task, and for this reason it can involve even players with very different roles and perspectives, provided a common starting point and a clear deal. This means you can create a reliable process even between people who are unreliable for each other.
5. Diversity works good. While working with a large and heterogeneous group, you should consider diversity as a main asset. Different experiences, points of view, attitudes and skills can truly enrich the process. However, you have to prepare and take care of an environment that promotes the sharing and interaction between diversities, trying to shorten the distances between the participants, and between you and the participants.
6. Tailor your approach. Methods and activities should be designed considering the people you involved in the group. Anyone has his own characteristics and sensitivity, you should notice that and adapt your plan to the group. Nobody should feel forced or violated.
7. Consider the language. Explore and experiment different languages in order to find the one more suitable to the group. Language issues include technicalities and slang, body and words, verbal and nonverbal. When looking for the best way to communicate in the group, try to focus actions and behaviors, not persons and identities.

8. Mind resources. A complex process needs care, time and people, and all these things concern money. Before starting, make it clear which are the resources you can count on and set coherent goals in terms of extension, duration and depth of your analysis.

9. Evaluate. Step by step, involve participants in a reflective process aimed at considering the strengths and weakness of your proposal and aimed at redirecting the activities. Create a safe environment and allow participants to express their opinion without any concern or worry. Take in consideration their feedback and try to demonstrate these are effective in the short period, by re-designing your work plan.

10. Appreciate and restart. Keep full account of everything the participants will say and do, and underline properly its most valuable aspects. Consider every word and every opinion as a gift, and take care of it. You have the responsibility of enhancing and pursuing the instances of participants, helping them to claim their rights and improve the system. At the end of the cycle, remember to mainstream the results and to communicate the impact of your activity, in order to create new trust in the process and positive relationships in the system. By doing so, you will strengthen your bridging function between people, organizations and institutions.



## 5. Conclusions: how to strengthen European Guidelines on Child-Friendly Justice?

The participatory research and consultation process described above brought the project team far beyond the perimeter of initial expectations. By spending quality time (that is time of respect, active listening, honest sharing of thoughts and experiences) with hundreds of children and professionals, we had the opportunity to create an articulated portrayal of complex ecosystems, focusing both on general aspects and trends and on some specific details. We collected not only opinions about the conditions and functioning of the justice system, but also valuable suggestions about how to improve it to guarantee the full respect of child rights. Most of all, spending quality time with those people created an important basis to further develop synergies and alliances both at local and international level: we started creating a network. Our hope and commitment for the future is to consider this participatory experience as a beginning, the starting point of a continuous and cyclical process of critical analysis, imagination and reform.

To conclude WS1 activities, in the last Brasov meeting we decided to share some specific suggestions related to the Guidelines, considered both as an important policy document and as a practical tool aimed at accompanying a general reform process.

How can we strengthen European Guidelines on Child-Friendly Justice?

First of all, we think that the Guidelines should not be the conclusion of a path, but the starting point of a stable process of dialogue with different stakeholder, including – of course – children and youths. The consultation process should remain open, and every result should inspire new research and action-research activities.

Secondly, we think that the Guidelines should be the milestone of a continuous and cyclical process based on recommending, verifying and redirecting. There should be a constant relationship with local context aimed at assessing the functioning of the system and evaluating the coherence between prescriptions and reality. This point concerns reporting: who should monitor and evaluate the implementation of the Guidelines to be effective? Is there any space for a formal and independent reporting system? Is there any space for a penalty and reward approach? Only with a frequent monitoring and systematic reporting we can ensure a positive impact of the Guidelines in the reform of the European Justice system.

Third, the Guidelines seem to be designed and written for the professionals of the justice system. It would be very useful to think about information and communication tools focused on other target groups, such as children, families, teachers and trainers. These tools should explore the use of languages and communication strategies adapted to the characteristics and sensitivity of those target groups. It's not just a matter of translating and adapting the existent document, it's a matter of creating something new and specific, and this could be done just with the help of the direct beneficiaries: children, youngsters, families and professionals

Moreover, it is crucial to focus the Guidelines on child rights, but we often noticed a lack of specific directions about duties and responsibilities. Who is responsible for a full respect of these rights? Who is responsible for a proper functioning of judicial proceedings involving children? The Guidelines, we can say, could be integrated thinking about an accountability perspective.

With the fifth and last point, we want to underline that the Guidelines should be part of a cultural process of reform targeting child rights issues. The experience of this first “Breaking The Circle” Workstream shows us how it could be both difficult and extremely valuable to find

points of contact and cooperation between groups of people with very different backgrounds, experiences, skills and professional points of view. And of course, last but not least, with very different judicial cultures. For this reason, we can say that we are conducting some intercultural research actions on the issues of child rights.

At this stage of the project, it seems clear that - despite the good practices observed in all the participating countries – there is still much to do to create a child-friendly environment in our judicial systems.

First of all, there is a crucial question related to specific training for all the professionals involved in judicial proceedings with children and youngsters: judges, prosecutors and social workers, but also lawyers, police officers, educators and teachers. According to the results of the consultation process, where special courts for minors and families exist, all the professionals tend to be more specialized about children issues and child friendly methods. Those are the more favorable conditions to promote the matching between psychological, pedagogical and sociological perspectives, aimed at translating principles in consistent practices. Training activities should focus on the specific aspects of every judicial context, but also on international treaties, laws, guidelines and recommendations aimed at ensuring and protecting child rights in a global scenario. Especially for those professionals not trained in judicial issues, it would be very important to provide training opportunities focused on the connections between the Guidelines, international law and European Courts jurisprudence.

Secondly, we underline that more should be done about duties and institutional responsibilities, not just sanctioning inadequate events or behaviors, but promoting positive actions aimed at ensuring the respect of fundamental rights for children and youngsters. While implementing a proper system of responsibilities, local players should take into consideration all the contemporary social priorities - welfare state crisis, a general lack of resources, the major humanitarian emergencies - without surrendering to a sense of helplessness and inability.

These first months of work were months of discovery and learning, centered on the value of diversity, exchange and collaboration. In the coming months, our task will be to apply these learning to concrete action, to raise the level of protection of child rights in the proceedings, for all participating countries.