

Working group on procedural safeguards and childfriendly justice

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EU-Directive on procedural safeguards for children who are suspects or accused persons in criminal proceedings

Purpose of this Directive

Establish procedural safeguards to ensure that children (persons under the age of 18) who are suspects or accused in criminal proceedings, are able to understand and follow those proceedings and to exercise their right to a fair trial, and to prevent children from re-offending and foster their social integration.

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From the letter of the President of the House of representatives of the Dutch Parliament to the European Committee (November 2013) on the subsidiarity of the proposal:

"The House of representatives of the Netherlands attaches to careful treatment of children in the criminal procedure. However, there is no question of a gap in this area and European legislation is not considered necessary."

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- *Scope (art.2)*
- *Assistance by a lawyer (art.6)*
- *Audio-visual recording of questioning (art.9)*
- *Right to a medical examination (art.8)*

- *Right to information (art.4, 5)*
- *Right to an individual assessment (art.7)*
- *Limitation of deprivation of liberty (art.11)*



- *Timely and diligent treatment of cases (art.13)*
- *Right of the child to be accompanied by the parent during the proceedings (art.15)*
- *Training (art.20)*
- *Right to protection of privacy (art.14)*
 1. Member States shall ensure that the privacy of children during criminal proceedings is protected.
 2. To that end, Member States shall either provide that court hearings involving children are usually held in the absence of the public, or allow courts or judges to decide to hold such hearings in the absence of the public.

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Court: public hearing because it is important for everyone to understand how this murder, which has shocked the society seriously, could have been taken place.

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The perspective of the juvenile...

safeguards to ensure that children are able to understand and follow those proceedings and to exercise their right to a fair trial

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