

Making the Child Friendly Justice Guidelines Child Friendly

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METHODOLOGY REPORT

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December 2014

Introduction

The Child Friendly Justice (CFJ) Guidelines were adopted by the Council of Europe in 2010 to enhance children's access to and treatment in the justice process. The Guidelines apply to criminal, civil and administrative justice systems. They cover a range of justice contexts, including family, immigration, criminal justice, public administration and civil proceedings. They explain precisely how children's rights should be upheld before, during and after justice proceedings, including their right to information and to be heard, their right to be kept safe, and their right to privacy. The Guidelines also summarise the steps that need to be taken to ensure that professionals uphold children's rights in the justice process.

The Guidelines represent an important effort to make the justice process more amenable to children's rights, interests and needs. They are firmly rooted in the relevant children's rights and human rights provisions, including the Convention on the Rights of the Child, and are informed by online consultation with over 4,000 children from across Europe. That said, 4 years since their adoption, the Guidelines remain largely unknown to both professionals and children in the justice system. As a consequence, the Guidelines have yet to have a discernible, positive impact on how professionals engage with children in the justice process or on how children themselves experience the justice process.

This is perhaps not surprising; the Guidelines run to 15 pages and just under 6,000 words, which includes a preamble, 6 main sections and 83 sub-sections! With this in mind, the CoE requested that a child friendly version of the Guidelines be developed. Responding to this challenge, we proposed a distinctly children's rights-based approach. By this, we mean that the design of the child friendly version is driven by the insights of children and young people as to how the Guidelines, if applied properly, could improve their experiences of the justice process.

Understanding what is meant by a 'Child Friendly Version'

This report explains our approach to developing a child friendly version of the CFJ Guidelines. In doing so, our broader aim has been to develop a methodology that

can be applied to **any** laws or policies relating to children with a view to making them more accessible and meaningful to children and young people.

There are a multitude of examples of so-called ‘child friendly versions’ of children’s rights-related laws, policies and other instruments, a comprehensive review of which is beyond the scope of this report. In short, those that we looked at in the course of this project share two key features: they re-package the text of the original document in simpler language; and they present it in a more visually appealing format (shorter, bigger text, more colourful, and often with animation).

Notable examples include UNICEF’s [‘UN Convention on the Rights of the Child in Child Friendly Language’](#), a one-page simple summary of the main provisions with colourful animal animations. UNICEF’s [‘Little Book of Rights and Responsibilities’](#) builds on this insofar as it explains what a ‘Convention’ is, summarises the provisions in clear terms, and contains animations that are more directly relevant to the provisions they represent. It is also available in 58 different languages.

Other international NGOs like Save the Children have invested considerable resources in presenting children’s rights in a ‘child friendly’ way. Its 2011 publication, [‘You have rights! What rights?’](#), for instance, is described as ‘an illustrated and easy-to-read child friendly booklet’. In reality, the text contained within the booklet is relatively long-winded and the animations somewhat obtuse. Similarly, Save the Children’s [Children’s Rights Summary aimed at under 8s](#) is ‘child friendly’ insofar as it is written in a larger font and presents a selection of rights in simple language. It is entirely textual, however (merely a list of ‘rights’ set against a white background), with no animation or explanatory context that might make it appealing to a younger audience. By contrast, Save the Children’s online booklet, [‘Time for Change: Working with Young People to Stop Violence’](#) engages the reader with bright cartoons, short bursts of text, useful facts and figures and links to other sources.

One of the most effective child friendly resources is the Council of Europe’s ‘One in Five’ campaign against child abuse. The short film, [The Underwear Rule](#), is designed to help parents explain to children where others should not try to touch them, how to react and where to seek help. The film is less than 1 minute long, contains very little text, and provides a striking illustration of when touching becomes inappropriate. It is also available in 9 different languages and adapted to a number of different media, including a dedicated One in Five website, a YouTube clip, printed leaflets and more detailed guidance for adults.

More specific to our project, the European Union Agency for Fundamental Rights (FRA) has produced a [brochure for children explaining the features of child friendly justice](#) ‘so that they can be made aware of and learn more about what child-friendly justice should mean for them.’ Published in 9 languages with some illustrations, this brochure sets out key principles and procedural issues in simple language, and highlights their practical application by reference to some concrete examples. For example, it provides the following explanation of the ‘best interests’ principle:

When adults make decisions about you, they should think if this decision is best for you.

For example, when parents are divorcing, the decision where and who the child should live with, should be taken thinking about what is best for the child, not what is best for the mother or the father.

While the FRA's attempts to present justice concepts to children in a way that can be understood are welcome, this resource is not particularly accessible (it is buried in the FRA webpages) and so the likelihood of it being widely used by children and young people, or with professionals working with them in the justice system, is rather slim.

Numerous attempts have also been made to explain children's rights to children through other (online) media. YouTube is a particularly popular platform for presentations of the CRC, for instance. The Children's Rights Alliance for Ireland provides a [child-narrated animation](#) that places some of the key CRC principles in context. In the same token, the Federal Ministry for Economic Co-operation and Development have produced [numerous linguistic versions of the CRC](#). These are effective insofar as they are relatively short, simple animations accompanied by key words that have been produced in different languages.

Given the proliferation of online and printed resources that present children's rights in a supposedly 'child friendly' way, why is it that children and young people remain largely unaware of the true nature and extent of their rights? And why is it that children's rights are so commonly ignored or breached, particularly in the context of justice proceedings? We think the answer partly lies in the fact that the messages underpinning children's rights – specifically, how they **can and should be used** to protect and enhance children's lives – is commonly overlooked, obscured even. While many of the existing child friendly versions we have viewed are appealing visually, they still present rights in relatively abstract terms. In other words, they focus largely on providing children and young people with **information** about their rights, but they stop short of really enabling children to **understand** how these rights might be applied in practice. Moreover, unless professionals (lawyers, judges, social workers, teachers, police, probation officers, residential care workers, health professionals) and other adults (parents/carers) tasked with responding to and facilitating the exercise of children's rights are adequately informed of the precise nature and scope of those rights, children will inevitably fail to obtain the necessary support to actually enforce them.

With this in mind, while we acknowledge that translating children's rights into simple language and presenting them in an appealing format are important, they are just two of a number of features that need to be present if abstract principles are to be made more accessible to children.

Our approach to developing a child friendly version of the CFJ guidelines, therefore, aimed to **move beyond merely re-presenting the text in simpler language or in a more colourful format**. We wanted to develop something that was truly grounded in and responsive to children and young people's experiences and understanding of the justice system. We also wanted to present it in a format that children and young people across Europe would be more likely to access and use, using software that is inexpensive, does not require significant technical knowledge or experience to use, and is readily available.

This report describes in **section 1** the various stages we went through to achieve these objectives.

Section 2 makes some suggestions as to what additional work needs to be done to build upon this pilot project.

Section 3 provides a more general summary of the key features that we believe need to accompany **any** attempt to create a child friendly version of laws, policies or guidance.

1. Developing a Child friendly version of the CFJ Guidelines: Overview of the Methodology

In June 2014, Investing in Children and the European Children's Rights Unit were commissioned by the Council of Europe to work with children and young people to develop more child-friendly materials to support the Guidelines. The agreed time frame for doing this was 6 months.

Two further partners were recruited to allow for cross-national input: colleagues from the University of Nordland, with experience of the child protection system in Norway, and The Youth Advocate Programmes, a voluntary sector organisation working with young people in need of support across Ireland.

All partners approved the design of the methodology and committed to implementing it simultaneously in each country. Insofar as the methodology was borne out of an established method successfully used by Investing in Children UK in their work, it was also endorsed by children and young people.

Mindful of the broad scope of the Child Friendly Justice Guidelines, in terms of the range of judicial and administrative contexts covered and the range of children's rights principles reflected, and bearing in mind the limited time we had to produce some sample outputs, we selected one specific justice context in which to locate children and young people's understanding of the Guidelines: the family justice process. We also focused on one key aspect of the Guidelines: child participation. This enabled us to involve children and young people who had been through family proceedings, i.e. either public child protection proceedings (care, fostering and adoption) or civil proceedings (divorce, custody and access), and to provide a space for them to share real life experiences and insights. We also ensured that young people who might be described as living in marginalised communities were included,

e.g. young people in the care system, young people in trouble with police, or young people living in deprived areas.

Our intention was to create spaces (known as ‘Agenda Days’ – see below) in which children and young people could come together to talk about their own experiences, and to think about and comment on the Guidelines from that perspective. We planned to run two Agenda Days in England, and one each in Norway and Ireland. Unfortunately, the planned event in Norway did not take place¹ though we have continued to include the Norwegian partners in the latter stages of the project (feedback and dissemination).

The child friendly version of the Guidelines was developed in five stages, as follows:

- 1) **Establishment of a Young People’s Reference Group.** A group of 8 young people between the ages of 14-18 years were recruited to act as a Reference Group. The Reference Group was tasked with recruiting other young people to the Agenda Days, facilitating discussion during the Agenda Days, writing a report on the Agenda Days, and working with the project team to develop the outputs for the Council of Europe.
- 2) **Briefing the Reference Group on the project and the Guidelines.** To enable the Young People’s Reference Group to fully understand the context and aims of this project, Investing in Children and the European Children’s Rights Unit provided face-to-face and online briefings. A four minute animation was produced to support this process, which was made available online so that all project participants in Ireland and the UK could refer to it at any time. An abridged version of the animation is presented at the beginning of the project documentary, and the full version is available at the following link: <https://www.youtube.com/watch?v=qxxx98nwdTM>
- 3) **‘Agenda Days’.** We ran three Agenda days (2 in the UK and 1 in Ireland). An Agenda Day is a technique developed by Investing in Children to create an adult-free opportunity for children and young people to consider a particular issue and develop their ideas about it. 15-20 young people attended each Agenda Day (58 young people in total). They were asked to consider how accessible the Guidelines are, and to make suggestions as to how they can be made more accessible. They were asked to consider how the Guidelines would have assisted them when they were going through their experiences of family proceedings, and to make suggestions about what else might need to be done to make the adoption of the Guidelines more effective.
- 4) **Reporting.** The Reference Group drafted a report summarising the key findings of the three Agenda Days with suggestions as to how to make the Guidelines more child-friendly. This was then collated into a single report by the project team (see separate reports on Agenda days). On 26th November

¹ The partners were unable to recruit children and young people within the prescribed time frame.

2014, a **video conference** was held to link representatives from the Reference Group and project team in the UK with representatives from the Reference Group and project team in Ireland. This enabled us to exchange experiences of the Agenda Days and to consider how the findings could be used to inform the development of the online animations.

5) Development of Child Friendly Outputs. The project team, in partnership with the Young Persons Reference Group, used the reports from the Agenda Days to inform the creation of some draft, child-friendly versions of the Guidelines. These are essentially 3 short (1-2 minute) online animations that can be uploaded onto social media and adapted for downloadable print form. The themes of the animations reflect the key priorities that were identified by the young people during the Agenda Days:

- a. The importance of **informing children** about their rights at different stages of the justice process, and ensuring that they **understand** them.
- b. **Training of professionals** to enable them to achieve their responsibilities and to empower children to exercise their rights, as set out in the Guidelines;
- c. Ensuring that children **have a say in decisions** that affect their lives.

We also produced a **10 minute documentary**, demonstrating how we approached this project and reflecting on the findings of the Agenda Days. This can be accessed at the following link:

https://www.youtube.com/watch?v=Hn8GpOqHh_Q&list=PLXz7NWZi5SdKcqu4DE6m4MOEL3DqWMI9C

6) Initial Dissemination and Feedback. We have sent the documentary and draft animations to other organisations (NGOs and research units) that work with children and young people and to practitioners involved in the justice process in different Council of Europe countries. We have asked them to share these with the children and young people with whom they work to gather their views, in particular, of:

- whether the message presented in each animation is clear and easy to understand to a wide range of children of different ages and abilities;
- whether the animations would be as effective in another country context (if the language was changed, for instance);
- the media through which children and young people would be most likely to access this resource (ex. through YouTube, Facebook or hard copy brochure or a combination of different media)

Feedback from these countries will be made available to the Council of Europe at the end of January 2015.

2. Building on this project

Our aim has been to demonstrate how detailed and relatively abstract Guidelines can be made more accessible to children, adopting a genuine, child-rights based approach. Importantly, we took as our starting point children and young people's lived experiences and views of the justice process. This enabled us to explore the extent to which the rights and obligations set out in the Guidelines were being achieved in practice. It also enabled children and young people to reflect upon how their experiences might have differed had the Guidelines been applied more comprehensively and rigorously.

We recognise, however, that this project is only a starting point. To ensure we could produce meaningful and focused resources in the limited time and budget available, we restricted ourselves to one justice context (family proceedings - public and private) and to one key principle underpinning the Guidelines (the right to be heard). We also used relatively low-cost animation software and recorded and produced all outputs in-house.

Our hope is that, with more investment, this project will provide a springboard for the development of more **multi-media child-friendly versions of the Guidelines in other justice contexts** (ex. immigration; criminal justice; administrative justice) and to highlight how **other key principles** should be applied in practice (ex. no delay; detention as a last resource; best interests). We also recognise that the outputs may need to be adapted to ensure they can be understood by younger children.

We also realise that significant effort needs to be invested in **raising awareness** of the child friendly outputs through **targeted dissemination** with practitioners and children and young people's advocates. Ideally, the aim should be to encourage **practitioners** to endorse the Guidelines and integrate the outputs and related resources into their **training programmes** and everyday practice, at all stages of the justice process.

Simultaneously, **children and young people's awareness** of the resources needs to be enhanced. The young people involved in our project suggested establishing a dedicated **Child Friendly Justice Facebook page** which could host the animations, provide a platform for ongoing exchange between young people and professionals, and provide updated links to research, good practice and legal and policy developments. Moreover, the outputs produced could be usefully embedded in existing Council of Europe online and printed resources and signposted from other relevant sites and services targeting children and young people.

Finally, more effort needs to be made to adapt and pilot the child friendly resources in **other jurisdictional, cultural and linguistic contexts**, to ensure they are useful to children and young people across all Council of Europe states. Established networks such as CRIN, Eurochild, the European Social Network and ENOC would provide invaluable dissemination and feedback channels in this regard. Our initial efforts to obtain feedback from NGOs and research organisations in other countries should provide further, useful dissemination links.

3. Seven Key features of a ‘Child-Friendly’ Resource

In the light of this project, we have identified what we think are the essential features of any child friendly resource. Our hope is that these will inform any attempt to make any law, policy and guidance accessible to children and young people at local, domestic or supra-national level.

1. **DIRECT INVOLVEMENT of children and young people as partners in the process.** Children and young people’s views and lived experiences should be the **starting point** in any attempt to develop a child friendly version of anything. This ensures that the child friendly resource responds to children’s perspectives and experiences in a relevant way, and maximises the likelihood of children engaging with them.
2. **EASY TO FOLLOW.** The **language** used has to be easy for children and young people to understand and this can be supported by **images** that correspond closely with the text. The child friendly resource should not try to capture all of the detail of the original text; instead it has to **highlight the key points** that will be most relevant and useful to children and young people.
3. **FOCUS ON UNDERSTANDING NOT JUST INFORMATION.** In addition to using simpler language, a child friendly resource needs to be designed in a way that does not simply inform children and young people about their rights, but enables them to really appreciate how they apply in practice.
4. **RELEVANT.** To achieve true understanding, a child friendly resource should be made relevant and meaningful to children and young people. It has to respond to the reality of children’s everyday experiences of the justice process if it is to move beyond abstract information. The best way of achieving this is to illustrate specific points by reference to **concrete examples**, drawing on children’s real life experiences of the issues covered by the law, policy or guidance.
5. **APPEALING.** A child friendly resource has to be presented in a format or range of formats that children will want to use. They should not be too lengthy or complicated and the amount of text used should be kept to a minimum. Key points should be emphasised by repetition and supported by voice-over, images, animations, sound effects or a combination of tools. The average attention span of an online viewer is about 2 minutes. We would therefore recommend that an online child friendly resource should last no more than 60-90 seconds. The printed version should be no more than the equivalent of 2 sides of A-4 in total.
6. **ACCESSIBLE.** To ensure that the resource reaches the greatest number of children across the greatest range of contexts (age, region, culture etc.), it should be immediately available, preferably online, but supported by other

media (ex. printed leaflets and posters etc). It should ideally be accessible through online sites visited routinely by children and young people (such as YouTube, Facebook or other social networking media), and integrated into practitioners' training programmes and everyday practice resources.

7. **ADAPTABLE**. For international sources in particular, child friendly versions have to be simple and accessible enough to be applied and adapted to a range of different linguistic and jurisdictional contexts. Well-designed resources could be used by people beyond the justice context too, for example as a teaching resource in schools. The extent to which this is achievable depends on the technology used to create the resource; it has to be cost effective, readily available, and efficient so that resources can be readily adapted whilst still retaining the core identity or 'brand' of the resource.



AGENDA DAYS REPORTS

SUMMARY REPORT

This report was created by:

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Supported by

Robert Johnson

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Introduction

The Children's Rights Team at the Council of Europe (COE) developed the Children Friendly Justice Guidelines in 2010.

The Team wanted to know what children and young people thought of the Guidelines, particularly those with experience of various justice proceedings. They wanted to know how accessible the Guidelines are and whether, had they been available, they might have provided practical support to young people in previous justice proceedings. They were also interested in children and young people's ideas about how the guidelines could be made more accessible and effective.

In order to do this, the Children's Rights Team commissioned the European Children's Rights Unit (ECRU) and Investing in Children (IiC) to explore these issues with children and young people. ECRU and IiC have a history of working together with children and young people in discussions about justice matters, in a European context.

Investing in Children has developed a technique, called an 'Agenda Day', which creates a space for children and young people to come together in an adult-free environment, to debate issues and formulate agendas. ECRU and IiC arranged for two Agenda Days to take place in the North East of England, and worked with the Youth Advocacy Programme (YAP) for a third to take place in Dublin. (A fourth event was planned for Norway, but unfortunately this was cancelled.)

In order to create an adult free environment, Agenda Days are facilitated by young people. In this case, the facilitators were supported by ECRU, liC and Yap to become familiar with content and purpose of the Guidelines. After each event, the facilitators produced a report, which was then sent to participants for their comment and agreement. A number of the facilitators then came together with workers from ECRU, liC and YAP in a video conference to consider the contents of the three Agenda Day reports, and summarise the most important points. This is our report.

The original Agenda Day Reports are attached, for reference.

The Agenda Days

Fifty-eight children and young people attended the three events. All of them had personal experience of justice proceedings, such as care proceedings, parental separation and access decisions, and the youth court system. All of them were provided with a copy of the Child Friendly Justice Guidelines. None of them (other than the facilitators) had been aware of the Guidelines before.

The facilitators asked the participants what they thought of the Guidelines. In particular they were invited to think about their own experience, and comment upon how useful the Guidelines might have been to them, had they been aware of them. They were then asked for their suggestions about how the Guidelines could be made more effective.

Key Messages.

The value of the Guidelines.

- All the young people who attended the agenda days agreed that they thought the guidelines were very important.
- They highlighted the difficulties they faced, and continue to face, in participating in decisions that affect them.
- They felt that they were not taken seriously.
- There was strong support for the Guidelines if they produced action that would result in people (key adults) having to listen more to their ideas.
- Many young people identified the need to improve how they are supported to express their ideas and opinions **before** going in to care, especially about how they think things could be improved at home.

The presentation of the Guidelines.

- Some of the young people had difficulty with reading and understanding the Guidelines. They thought there were too many difficult words.
- There was general agreement that the first page was most useful, as it contained examples from real life.
- Different ways of presenting the Guidelines (see below) will make them more accessible to more children and young people.

What needs to change?

- The Guidelines won't achieve much if children and young people don't know about them. Efforts need to be made to ensure that children and young people know about their rights.
- This will be most effective if people know what their rights are **before** they are involved in legal proceedings.
- To achieve this, the Guidelines need to be available in a wider range of accessible formats.
- At the same time, key professionals, like lawyers, judges, social workers and police officers need to be made aware, and held to account about how they apply the Guidelines.
- Attention also needs to be paid to ensure that care-providers (residential social workers, reviewing officers, foster parents, etc.) are aware of the Guidelines.
- This may require special training so that there are well-informed adults that children and young people can turn to.
- The right of children and young people to access independent legal advice needs to be clarified and advertised.
- The Guidelines need to be made accessible to children and young people with disabilities.

Some ideas about next steps.

- More children and young people, in different European states, should have the opportunity of considering and commenting on the Guidelines, perhaps by taking part in their own Agenda Days.
- Key professionals need to be made more aware of the Guidelines. Children and young people could play a leading role in this.
- The Guidelines should contain step-by-step descriptions of how they can be used in real life situations.
- Children and young people should be involved in creating more accessible information about the Guidelines, using different media (e.g. Facebook).

Conclusions

All of the participants in the Agenda Days agreed that the Child Friendly Justice Guidelines, if implemented, would make a huge difference to the way that children and young people are treated, not only in formal judicial proceedings, but also in what happens before and after.

However, they also agreed that the Guidelines would have no effect at all unless more was done to inform children and young people themselves, and adults concerned with them, of what they contain.

Not only did those who took part in the Agenda Days come up with ideas about how this might be achieved, they also indicated their willingness to contribute to this process, and suggested that this opportunity should be made available to other children and young people.



AGENDA DAY REPORT 1

This report captures the views and experiences of some young people about Children Friendly Justice.

Report written by

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Supported by

Robert Johnson

September 2014

Introduction

The team responsible for children rights at the Council of Europe (COE) is interested to know what young people think about the Children Friendly Justice Guidelines developed in 2010. They also wanted to know how accessible the guidelines are and whether they could have supported young people better in previous justice proceedings, including ideas and opinions regarding how the guidelines could be more effective.

In order to do this the team commissioned the European Children's Rights Unit (ECRU) and Investing in Children to find out from different groups of young people what they think about the guidelines, with the intention of further enhancing young people's rights when they are involved in justice proceedings.

Investing in Children has developed a technique, called an 'Agenda Day', which creates a space for children and young people to come together in a child-free environment, to debate issues and formulate agendas.

A series of Agenda days were planned, in the UK Norway and Ireland. ECRU and Investing in Children spent time discussing the issues and helping the young people who would act as facilitators, to develop materials for the sessions.

This is a report on an Agenda Day that took place in Durham City, on the 29th August 2014. 21 young people attended the agenda day and this group of young people had experience of family justice proceedings, such as parental divorce, separation and access issues.

In this report we have stated all the good and bad points, which were suggested by the young people. The report has been jointly written by young people and staff from Investing in Children. We have written a conclusion based on what the young people told us and we have made some recommendations of which the young people would like the Council of Europe Children's Rights Team to consider and to involve them in further discussions.

Agenda Day Feedback

Q1. What does children friendly justice mean to you?

- It was suggested children friendly justice meant making it easier for young people to be listened to in court.
- They also viewed CFJ as allowing young people to be listened to and taken seriously by the police when reporting a crime.
- Some young people suggested CFJ means better support from adults so that young people understand different laws and how to challenge them if they are not happy with how they are treated.
- We were also told that they viewed CFJ as a way of making sure young people get the right support if something bad happened to them.
- All of the young people said it's about making sure young people are fully involved in decision making and on issues that are important to them.
- Ensuring young people have someone who was good at listening to them was also viewed as very important in regards to how they viewed CFJ.

Q2. What do you think of the document developed to support young people to understand and express their rights better in the justice system?

- We were told by all the young people that they thought it was a good idea as it was written to promote young people's rights but they all expressed a lack of understanding of who they would ask about the guidelines.
- The entire group explained that lots of words throughout the document were very difficult to read and understand.

- All of the young people liked the front cover as it was about real lives and suggested this could be expanded to show young people how to use the guidelines.
- Some young people thought there needed to be more pictures with wording explaining how the guidelines can be useful for young people of different ages.
- Young people also thought that a step by step guide showing young people how to use the guidelines in real life situations would help them to understand their rights better.
- Other young people recommended that better information about how to access support and advice would improve the document; as it only explains what CFJ means.
- It was also suggested the information in the document needed to be more accessible for young people with disabilities.

Q3.What ideas do you have to make the guidelines more accessible and effective in the future?

- Not all of the young people were aware of the guidelines and some suggested that adults who work with young people should have a better understanding of them so that young people can get the best possible advice regarding using the guidelines.
- Several young people recommended that the guidelines needed to be online and in a format designed by young people who have experience of justice meetings with adults.
- Another idea supported by all the young people was to have adult workers available in courts, trained as children friendly justice advisers who could advise them of their rights and help them understand what is happening whilst in court.
- Some young people thought these advisers could run children friendly justice events with young people who have experience of family problems in court.
- None of the young people knew where to go to get free legal advice and recommended that projects who offer this should better promote themselves and the guidelines.
- Some young people who we spoke with did not get a say in who they wanted to live with during their parent's divorce and recommended that solicitors and lawyers should take this into account before decisions are made.

- It was also suggested the guidelines should be displayed in family court rooms.
- Solicitors and lawyers that work with families should make young people aware of their rights and should ask them if they need extra information and support.
- Information should be given that explains how the guidelines should be explained by solicitors and lawyers, as we were told by some young people that they did not understand how they promote their rights in hearings.
- It was explained by several young people that there needs to be better advice given to young people after their parents have divorced. They thought the guidelines did not take this into account and they raised concerns about not being able to see their brothers and sisters and suggested improved information and support on this was very important.

Q4. Can you identify examples of how the guidelines might have helped you within the justice system

- We were told by some young people that the guidelines might have helped them see their siblings and live with the parent of their choice. We were told about brothers and sisters being separated and living in different parts of the country and not being allowed to see each other and thought the guidelines might have helped them understand how this can be changed.
- Another young person explained about having to live with their mother after the courts made the decision and she was not happy with the decision – it was not long before she was removed from her mother’s care and sent to live with her Grandma. The young person said that, had she been asked about who to live with, she could have explained that her mother was not good at parenting, but she was not asked about this.

Q5. What would be your group’s 3 priorities to increase young people rights in the justice system how are in care?

- The main idea was that they wanted someone available to discuss justice issues with before the court was involved.
- The group’s second priority was that they wanted to discuss issues surrounding not seeing their siblings and wanted to be able to do this with people who could do something about this.
- The finale priority was that the people involved in the legal system should have the appropriate training to deal with young people and be able to help them to navigate the justice system and look out for their rights.

Conclusion

All of the young people who attended the agenda day explained that they thought the guidelines were very important. However, many young people were not even aware that the guidelines existed, never mind knowing the details of the guidelines, so they thought they should be better promoted. Also, relevant agencies should ensure that young people involved in family court proceedings are aware of their rights and should be available to the young people to help them with any questions they have.

It is, therefore, important for young people to be involved in giving their ideas when amending the guidelines and involving young people in the design and promotion of the guidelines. It would be good to see these guidelines promoted and used locally, in a way that young people can access them in their real lives, to help them with their own individual family issues.

Hopefully some of these ideas can be taken on board by the Children's Rights Team at the Council of Europe.



AGENDA DAY REPORT 2

This report captures the views and experiences of some young people about Children Friendly Justice.

Report written by

Jake O'Connor, Calvin O'Connor and Che-Di Lella

Supported by

Robert Johnson

September 2014

Introduction

The team responsible for children's rights at the Council of Europe (COE) is interested to know what young people think about the Children Friendly Justice Guidelines that were developed in 2010. They also wanted to know how accessible the Guidelines are for young people and whether, had they been available, the Guidelines would have informed and enabled young people in previous justice proceedings. They wanted to get ideas and opinions regarding how the Guidelines could be more effective.

In order to do this the team commissioned the European Children's Rights Unit (ECRU) and Investing in Children to find out from different groups of young people what they think about the Guidelines, with the intention to further enhance young people's rights with regards to justice proceedings.

Investing in Children has developed a technique, called an 'Agenda Day', which creates a space for children and young people to come together in a child-free environment, to debate issues and formulate agendas.

A series of Agenda days were planned, in the UK Norway and Ireland. ECRU and Investing in Children spent time discussing the issues and helping the young people who would act as facilitators, to develop materials for the sessions.

This is a report on an Agenda Day which took place in Durham City, on the 28th August 2014. Fifteen young people attended the Agenda Day and all but one of the attendees were in the public care system.

In this report we have stated all the good and bad points which were suggested during the Agenda day. The report has been jointly written by young people and staff from Investing in Children. We have written a conclusion based on what the young people told us and some recommendations have been made throughout the report of which the young people would like the Council of Europe Children's Rights Team to consider and involve them in further discussions.

Agenda Day Feedback

Q1. What does children friendly justice mean to you?

- Some young people told us they view children friendly justice (CFJ) as a way to involve young people in big decisions that adults make about their lives.
- The entire group explained that too many adults made decisions regarding what they think is best for young people in care and suggested that CFJ should be about improving ways young people are listened to in care.
- Some young people suggested CFJ means better support and involvement in life changing decisions for young people, when adults make big decisions that impact negatively on some young people lives.



- We were also told that some of them viewed CFJ as a way of making sure young people are not getting blamed or in trouble for things they did not do.
- All of the young people said it's about making sure young people actually get listened to by the police when people have done bad things to young people.

Q2. What do you think of the document developed to support young people to understand and express their rights better in the justice system?

- We were told by all the young people that they thought it was a good idea as it would benefit young people in their right to be heard.

- The entire group thought that much of the text throughout the document was very difficult to read because there were too many difficult words they did not understand.
- All of the young people explained that they liked the front cover and suggested this was the best part of the document as it was about 'real life'.
- Some young people thought the front cover could be developed further to include a section about rights and how to use them and the guidelines in justice proceedings.
- They did like the subtitles, 'What does "child-friendly justice mean?', and, 'What are the guidelines about?', but suggested the text needed changing to include quotes from young people explaining what CFJ means and how the guidelines help individuals.
- Young people also thought that a step by step guide showing young people how to use the guidelines in different situations would have helped them to understand their rights better and how to use them.
- One young person recommended that the document should have included information explaining how young people can access free legal advice.

Q3. What ideas do you have to make the guidelines more accessible and effective in the future?

- None of the young people were aware of the guidelines and recommended that adults, who work with young people, especially in care, should have a better understanding of them so they can support young people to make the best decision for them.
- Several young people recommended that the guidelines needed to be online and in a format young people understand, suggesting cartoons and animation, along with young people talking about what CFJ means, would improve young people's use of them.
- Another idea supported by all the young people was that one or two adult care workers in different councils should be trained to become children friendly justice advisers, who young people could go to for advice.
- None of the young people knew how to get free legal advice or who to go to for this service and suggested a special legal service should be promoted to young people in care, using lawyers who are approved to give free legal advice on CFJ issues.

- Some young people with whom we spoke had been in trouble with the police whilst in care and explained that some care workers got upset with them because of what they had done. They thought better support and advice could be offered by the care services for young people when are dealing with the police rather than purely seeing and treating them as an offender.
- It was suggested the guidelines should be made available by the police when young people are arrested, or if they have been a victim of a crime.
- All the young people explained that the guidelines should be expanded to include examples of how they can be actually used in real life circumstances.

Q4.Can you identify examples of how the guidelines might have helped you within the justice system

- We were told by some young people that the guidelines might have helped them to have their say about how they think things could be improved at home before having to go into care. They suggested knowing more about what different services did for their families might have helped them understand what things could have been done at home and expressed the importance of how they think the guidelines should be used in the future.
- It was also highlighted by some young people that the guidelines would have helped them to be listened to more by social workers when in meetings to discuss seeing their parents, as sometimes there was a delay and things took too long to happen, when they really wanted to see their parents and families.
- Some young people explained that, when they went into care, they were separated from their siblings and thought the guidelines could be used in the future to reduce these things happening to other young people in the future.

Q5.What would be your group's 3 priorities to increase young people's rights in the justice system when in care?

- The main idea was the need to increase young people's knowledge of their rights in care and how they can be supported to use them in the justice system.
- The group's second priority would be to increase young people's rights to be heard more within the family, regarding what the young person thinks the family needs support with, before young people go into care.
- The final priority would be to get children's homes and care providers to promote the children friendly justice guidelines and train some staff to support young people to use them.

Conclusion

All of the young people who attended the Agenda Day explained that they understood the importance of the guidelines and thought that having increased opportunities for young people in care to be listened to was very important.

However, they identified barriers that existed for them to fully achieve this. Many adults made decisions regarding what was best for them as a young person in the care system rather than listening to them about what it is they need as a young person, and thought this was a challenge for existing guidelines to impact on. All the young people explained adults who work with young people in care should be made aware of the guidelines and support young people to understand and use them, and that some workers should be trained to become advisors, allowing young people to be supported in their rights in justice proceedings.

Many young people also expressed the need to improve how they are supported to express their ideas and opinions before going in care, especially with how they think things could be improved at home. They viewed this as very important and thought the guidelines could be developed further to include step by step examples highlighting real life justice situations showing how the guidelines can help young people.

Overall, young people highlighted the difficulty they face to participate in decision making because they felt they were not taken seriously but want people to listen more to their ideas to improve services and opportunities for young people who are in care. They would like consideration to be given by the Children's Rights Team at the Council of Europe about how the guidelines can be further progressed across Europe to address these issues in the future.



AGENDA DAY REPORT 3

This report captures the views and experiences of some young people about Children Friendly Justice.

Report written by

Siobhán O'Dwyer with approval by Teaghen Cummins and Katie McCarville

September 2014

Introduction

The team responsible for children rights at the Council of Europe (COE) is interested to know what young people think about the Children Friendly Justice Guidelines developed in 2010. They also wanted to know how accessible the guidelines are and whether they could have supported young people better in previous justice proceedings, including ideas and opinions regarding how the guidelines could be more effective.

In order to do this the team commissioned the European Children's Rights Unit (ECRU) and Investing in Children to find out from different groups of young people what they think about the guidelines, with the intention of further enhancing young people's rights when they are involved in justice proceedings.

Investing in Children has developed a technique, called an 'Agenda Day', which creates a space for children and young people to come together in a child-free environment, to debate issues and formulate agendas.

A series of Agenda days were planned, in the UK Norway and Ireland. In Ireland the Agenda Day was held by Youth Advocate Programmes Ireland facilitated by two members of the Youth CEO Group who were supported by staff. This was the first Agenda Day held by YAP Ireland and the facilitators and the young

people embraced the opportunity whole heartedly and found it a valuable and rewarding experience.

The Agenda Day was held in Dublin on 26th August and was attended by young people from across the country. 14 young people attended the session and the group of young people had various experience of family justice proceedings, such as care proceedings, parental divorce, separation and access issues and the youth justice system. The young people are aged 13 – 17 and are currently or past participants on the YAP programme.

Agenda Day Feedback

Q. Do the guidelines make sense to children and young people? Are they clear and accessible enough? What changes (if any) might make them more child friendly?

The young people had never seen the guidelines before being sent them prior to the Agenda Day and did not know how young people would even know they are available. They went on to make the following comments.

- ✚ No they don't make sense, they use too big words.
- ✚ Will be child friendly when a child can understand what they are being told.
- ✚ The guidelines are about explaining disciplinary actions concerning the law to people under the age of 18.
- ✚ The guidelines contain information about protection, privacy and safety.
- ✚ A collection of good practice and the result of a broad consultation.
- ✚ The language is not easy to read or clear/child friendly.
- ✚ The Child Friendly Justice Guidelines need to be better promoted and made available through youth services, Gardai, Social Work, Young People's projects and through young people's websites so that they are being used.
- ✚ Video clips explaining the main aspects would be helpful and young people could be involved in writing and filming these so that they would use ordinary language.

Conclusion

This was the first Agenda Day held and facilitated by young people at YAP Ireland and they did a great job. All the young people took the opportunity to fully participate and give their views even though they had not known the Child Friendly Justice guidelines existed prior to being sent to them. Overall, they appreciated the opportunity to learn about the guidelines and to give their views. They were also very keen to emphasise that young people should be involved in putting together information for children and young people so that the information

is easy to understand and addresses the questions that young people may have in a simple format.