

HELP Online course on Child-friendly Justice and Children's Rights

Background and summary

Children come into contact with the justice system in many different ways. This can be for family matters such as divorce or adoption, in administrative justice for nationality or immigration issues or in criminal justice as victims, witnesses or perpetrators of crimes. When faced with the justice system, children are thrown into an intimidating adult world which they cannot understand. It is therefore necessary to ensure that both access to and the processes within justice are always friendly towards children.

As the UN Convention on the Rights of the Child (UNCRC) makes clear, children are entitled to full protection of their human rights and their participation within society. The European Convention on Human Rights (ECHR), meanwhile, guarantees the right of any person access to justice and a fair trial, in all its components. This applies equally to children, although account must be taken to the particular needs of the child.

The Council of Europe (CoE) has developed many legal standards and practical guidelines in the field of child-friendly justice. This entails creating a justice system which guarantees respect for and the effective implementation of all children's rights. The most extensive set of standards on child-friendly justice are contained in the [Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice](#). The implementation of these guidelines, and other aspects of child-friendly justice, is a key priority area of the Council of Europe's Strategy for the Rights of the Child 2016-2021, whose implementation is entrusted to the Ad hoc Committee for the Rights of the Child (CAHENF).

In line with the 2012 Brighton Declaration, it is important to ensure that the professionals working within the competent authorities of the Council of Europe member States have comprehensive and professional knowledge of the ECHR and its case law on child-friendly justice. The **primary purpose** of the curriculum is therefore to strengthen and harmonise the knowledge of the relevant ECHR and other European standards on child-friendly justice across the CoE member States.



The course is developed in an interactive way and It includes various practical exercises to ensure the adequate acquisition of knowledge, skills and values.

The course was developed in 2017.

Target audience

This free on-line course is primarily addressed to the following audience:

- Civil and criminal judges;
- Lawyers;
- Prosecutors;
- Children's Rights experts intervening in judicial proceedings and professionals working within the child protection system;
- Staff of the Ombudspersons' offices and NGOs.

Course outline (9 modules)

The course is composed of 9 modules:

- **Introduction:** human rights, children's rights and child-friendly justice; principles and concepts;
- **Child-friendly justice:** before, during and after judicial procedures; special situation to be kept in mind;
- **Non-judicial proceedings:** definitions and reasons why to encourage non-judicial proceedings; forms and stages of the procedures; guarantees and conditions; legal advice, support and legal representation;
- **General elements:** privacy; safeguards and protection measures; organisation of the setting; right to legal representation; guardianship/legal representation;
- **Interaction with children in the judicial system – main challenges:** age of understanding; gender; status; vulnerabilities; participation;
- **Interdisciplinarity:** introduction and drivers (main reasons for interdisciplinarity); team work and collaboration; identity and inter-professionality;
- **Deprivation of liberty:** definition and principles; condition of detention; reintegration; monitoring and complain mechanisms;
- **Violence against children:** introduction and legal framework; definition and typology of violence against children; dealing with victims of violence within the judicial system;
- **Migration and asylum:** specific rights of migrant children; unaccompanied children; family reunification; detention and monitoring; administrative proceedings

Development of the course

The course was developed under the European Programme for Human Rights Education for Legal Professionals (HELP; www.coe.int/help) of the Council of Europe, by using the HELP methodology (<http://www.coe.int/en/web/help/help-training-methodology>) in close cooperation with the CoE Children's Rights Division, the staff of the CoE Special Representative on Migration and Refugees and UNHCR,



Access the free online course

To access the course, you just need to enter the HELP e-learning platform at <http://help.elearning.ext.coe.int/>. First you need to open yourself an account at HELP if you have not yet done so (2 minutes).

Then you can follow this link to directly access the online course:

<http://help.elearning.ext.coe.int/course/view.php?id=2104>

The course is available in English.