

Strasbourg, 17 February 2010
*[cdcj/cdcj et comités subordonnés/
documents de travail/cj-s-ch (2010) 1E final]*

CJ-S-CH (2010) 1E FINAL

**GROUP OF SPECIALISTS ON CHILD-FRIENDLY JUSTICE
(CJ-S-CH)**

**QUESTIONNAIRE FOR CHILDREN AND YOUNG PEOPLE ON
CHILD-FRIENDLY JUSTICE**

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GETTING STARTED

You are 17 years old or under,

You have already been in contact with the legal system (for example because your parents have divorced or because you have done something 'wrong'),

You know someone who has been in contact with the legal system, or

You have only seen the law in action on TV,

.....do you want to tell us what you think?

The Council of Europe is listening!

What is the Council of Europe?

The Council of Europe protects the human rights of people who live in 47 different countries in the continent of Europe. 150 million children and young people are affected by its work.

Child friendly justice

The Council of Europe has written some rules (or guidelines) to protect children's rights in justice. It wants to find out children and young people's views and experiences before finishing and publishing the rules.

The guidelines will cover lots of different decisions about the law and individual children and young people's lives, such as:

- Who you will live with if your parents are separating or getting divorced
- What happens if you are the victim of a crime (including abuse against you)
- What happens if you have been arrested by the police or charged with committing a crime
- How can you make complaints about how you are treated

Click here to see what other kinds of decisions will be covered by the guidelines: SEPARATE WEB PAGE – SEE ANNEX 1.

This survey

The survey will close on **31 March 2010 [midnight]**.

The survey is private: although we are going to put all the answers together and publish them, we will not tell anyone which answers came from you. So no-one will be identified.

You do not have to answer every question. Just answer the questions you think apply to you. For some questions, you can choose more than one answer.

If you want to send in your views in another way (such as a drawing, photograph or report) you can do this [\[cj-s-ch@coe.int\]](mailto:cj-s-ch@coe.int) by 31 March 2010].

Click here if you want to find out about your human rights before you fill in this survey.

Your turn!

1. ABOUT YOU

1.1 Your age

- Under 5
- 6-10 years
- 11-15 years
- 16-17 years

1.2 You are a: Boy Girl

1.3 In which country do you live?

- Drop down list all 47 countries
- Somewhere else

1.4 Do you consider yourself to be disabled or to have special needs?

- Yes
- No
- I'm not sure

1.5 Have you ever been inside an official building such as:

A police station	yes <input type="checkbox"/>	no <input type="checkbox"/>	don't know <input type="checkbox"/>
A court	yes <input type="checkbox"/>	no <input type="checkbox"/>	don't know <input type="checkbox"/>
A lawyer's office	yes <input type="checkbox"/>	no <input type="checkbox"/>	don't know <input type="checkbox"/>
A prison or detention centre	yes <input type="checkbox"/>	no <input type="checkbox"/>	don't know <input type="checkbox"/>
A care home	yes <input type="checkbox"/>	no <input type="checkbox"/>	don't know <input type="checkbox"/>

Somewhere else:

.....
.....

Why were you there?

.....
.....
.....

1.6 Have you ever met a person who works in the legal system?

A policeman	yes <input type="checkbox"/>	no <input type="checkbox"/>	don't know <input type="checkbox"/>
A judge	yes <input type="checkbox"/>	no <input type="checkbox"/>	don't know <input type="checkbox"/>
A lawyer	yes <input type="checkbox"/>	no <input type="checkbox"/>	don't know <input type="checkbox"/>

Someone else :.....

Why ?.....
.....

2. KNOWING YOUR RIGHTS

2.1 If you said yes to questions 1.5 and/or 1.6, did you understand what was going on?

yes no don't know

2.2 Would you like to have been given more information about your rights?

yes no don't know

2.3 If so, who would you like to give you this information?

	Yes	No	Don't know
Parents			
Teachers			
Youth workers			
Lawyers			
Other adults [please state]			
Other children and young people [please state]			

2.4 Where else would you like to get information about your rights?

	Yes	No	Don't know
Advice centres			
At local services – like the doctor's clinic, police stations and in council buildings			
In my community			
Information sent to me at home			
Magazines			
Newspapers			
Online (e.g. websites, social networking sites, email)			
Radio			
Telephone helpline			
Television			
Some other way (please explain)			

3 GETTING JUSTICE

3.1 If you were unhappy with how you were being treated - at home, in school or in some other place - would you tell some-one?

Yes No Not sure

3.2 If yes, who would you tell?

	Yes, definitely	Yes, probably	No	I'm not sure
Parents or carers				
Brothers or sisters				
Another family member				
Doctor or health worker (e.g. counsellor)				
Friend				
Police officer				
Teacher				
Telephone counsellor				
Social worker				
Lawyer				

Please use this space to tell us about anyone else you would tell (we don't need their name).

3.3 If you would not tell anyone, please tell us why. Because:

	Yes	No	Don't know
I can deal with the problem myself			
I have asked for help before and it didn't turn out well			
I might be punished			
I would be too scared of what might happen to my family			
No-one would believe me			
No-one would listen to me			
There isn't anyone I can really talk to			
They would tell others without my permission			
Other: [please state]			

4. DECISIONS MADE ABOUT YOU

4.1 Please tick the person or people that made a decision that affected you (for example, deciding where you should live, or what should happen if you break the law). You can tick more than one:

Teacher
Youth worker
Doctor
Housing official
Immigration official
Judge
Lawyer
People running the prison I'm in / was in
Police officer
Psychologist or Counsellor
Social worker
Employer
Someone else (please state)

4.2 What was the decision about? (You can tick more than one).

- Adoption
- Changing my name
- Coming into care
- My treatment in care (eg contact with my family)
- How long I have to be in custody
- How long I have to be in an immigration centre
- My application to be a refugee
- My education (including being excluded from school or college)
- My job
- My immigration status
- My health / medical treatment
- My parents splitting up
- Punishment for breaking rules – in school
- Punishment for breaking rules – in custody
- What should happen to someone who committed a crime against me (including child abuse)
- Whether I'd committed a crime / what sentence I should get
- Whether my rights had been ignored
- Who I live with
- How often I see my father/mother
- Something else
- I don't know

4.3 How important was the decision for you?

Not important Important Very important

4.4 Were you there when the decision was made?

Yes, No, I cannot remember

4.5 Beforehand, did anyone explain to you what was going to happen?

Yes, No, I cannot remember

4.6 Were you asked for your views?

Yes, No, I cannot remember

4.7 Were these views taken seriously?

Yes, No, I don't know

4.8 Did you feel that you were treated fairly?

Yes No I don't know

4.9 Do you think it is important that the person making the decision hears your views?

Yes No I don't know

4.10 If so, how would you like to be heard in decisions made about you by others?

- By speaking directly to the person making the decision
yes no don't know
- By having your parents speak for you
yes no don't know
- By having your lawyer speak for you
yes no don't know
- By having the help of another person of your choice
yes no don't know

In another way:.....

4.11 Was anyone there to support you and to make sure you understood what was going on (for example, a lawyer or parent)?

Yes, No, I'm not sure

4.12 Did you feel that the setting (building, office, etc) you were in was safe and suitable for children?

Yes, No, I'm not sure

4.13 What helped you or would have helped you feel safe?

By having a person of your choice with you yes no don't know

By not having to give your name yes no don't know

Nothing would help yes no don't know

Something else:.....

4.14 Did you understand the decision made about you?

Yes, No, I'm not sure

4.15 Was it explained to you?

5. COUNCIL OF EUROPE GUIDELINES – MAIN MESSAGES

The new guidelines are trying to make sure children's rights are better respected in decisions made about them. We think the following things are important. Do you agree?

Tell us whether you think they are **not at all important, not important, important** or **very important** to you.

Whenever legal decisions are being made about children and young people, the guidelines should make sure that adults:

- Arrange for children to have someone to talk to and to give them support
not at all important, not important, important, very important
- Ensure children can communicate their views how they want, for example through making a video or through artwork or writing their own report
not at all important, not important, important, very important
- Arrange buildings and rooms so that children feel safe, welcome and comfortable
not at all important, not important, important, very important
- Encourage children to complain or to try to change decisions they disagree with
not at all important, not important, important, very important
- Give children the option of being present when a decision is being made
not at all important, not important, important, very important
- Have lawyers, judges and others that know how to talk to and listen to children
not at all important, not important, important, very important
- Have people whose job it is to help children get across their views
not at all important, not important, important, very important
- Support children to take part in decisions made about them
not at all important, not important, important, very important
- Explain the decisions to children in a way they can understand
not at all important, not important, important, very important
- Listen to children's views
not at all important, not important, important, very important
- Tell children about the law and their rights
not at all important, not important, important, very important
- Treat children with respect
not at all important, not important, important, very important

Please use this space to tell us anything else about making sure children are treated properly when people outside their family are making decisions about them.

Thank you!

If you want to know more about your rights, click here

[link to the brochure I have rights, you have rights, he/she has rights]

If you want to know more about what the Council of Europe is doing for you and with you, you can also visit the site « Building Europe for and with children »: **www.coe.int/children**

If you want to know how your answers are taken into account, come and visit this website again as of June 2010

See you soon!

ANNEX 1: Child-friendly justice guidelines

These are some of the decisions that affect children and young people and that might be covered by the Council of Europe's child-friendly justice guidelines.

People who make decisions affecting children	Examples of decisions affecting children
Criminal courts	<ul style="list-style-type: none"> • You are the victim of a crime and the court is making decisions about the person or people who committed the crime against you • You have been charged with committing a criminal offence • You are a witnesses to a crime • You have suffered abuse or harm
Family courts	<ul style="list-style-type: none"> • Your parents have separated and a family court is deciding who you should live with and what (if any) contact you should have with the other parent • A court is deciding whether your parents can look after you, or if you should go into care (live with foster parents or in a children's home for example) • You are being adopted
Doctors	<ul style="list-style-type: none"> • Your parents or a doctor think you need medical treatment; or they disagree with you having treatment • You have mental health difficulties and a doctor and / or your parents thinks you should be in hospital
Employers	<ul style="list-style-type: none"> • Your employer wants to change your job (e.g. how much you get paid or how many hours you work) • You have been accused of doing something wrong at work, and your employer plans to sack you
Housing officials	<ul style="list-style-type: none"> • You want to have your own tenancy • The person or company that owns your home plans to force you to leave
Immigration	<ul style="list-style-type: none"> • You want to apply to live or study in a different country from where you were born • You are being forced to leave the country where you were born • You are being forced to return to the country where you were born
Police	<ul style="list-style-type: none"> • You are the victim of a crime • The police say you have committed a crime
Prison officers	<ul style="list-style-type: none"> • You are in custody • You are accused of breaking a rule in custody • Decisions are being made about when you can leave custody
Social workers	<ul style="list-style-type: none"> • Decisions are being made about where and with whom you should live
Teachers	<ul style="list-style-type: none"> • You want to go to a particular school or college • You are accused of breaking school or college rules • You are excluded or expelled from a particular school or college • You can only study at a particular school or college if you follow certain rules

Add a link back to the survey.