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 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 □ no □ don’t know □
A court yes □ no □ don’t know □
A lawyer’s office yes □ no □ don’t know □
A prison or detention centre yes □ no □ don’t know □
A care home yes □ no □ don’t know □

Somewhere else:
..................................................................................................................................................................
..................................................................................................................................................................
..................................................................................................................................................................

Why were you there?
..................................................................................................................................................................
..................................................................................................................................................................
..................................................................................................................................................................

1.6 Have you ever met a person who works in the legal system?
A policeman yes □ no □ don’t know □
A judge yes □ no □ don’t know □
A lawyer yes □ no □ don’t know □

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?

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
<th>Don’t know</th>
</tr>
</thead>
<tbody>
<tr>
<td>yes</td>
<td>☐</td>
<td>no</td>
<td>☐</td>
</tr>
<tr>
<td>no</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>don’t know</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
<th>Don’t know</th>
</tr>
</thead>
<tbody>
<tr>
<td>yes</td>
<td>☐</td>
<td>no</td>
<td>☐</td>
</tr>
<tr>
<td>no</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>don’t know</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
<th>Don’t know</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parents</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Teachers</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Youth workers</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lawyers</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other adults [please state]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other children and young people [please state]</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

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

<table>
<thead>
<tr>
<th></th>
<th>Yes, definitely</th>
<th>Yes, probably</th>
<th>No</th>
<th>I'm not sure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parents or carers</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brothers or sisters</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Another family member</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Doctor or health worker (e.g. counsellor)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Friend</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Police officer</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Teacher</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Telephone counsellor</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Social worker</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lawyer</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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:

<table>
<thead>
<tr>
<th>Reason</th>
<th>Yes</th>
<th>No</th>
<th>Don’t know</th>
</tr>
</thead>
<tbody>
<tr>
<td>I can deal with the problem myself</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I have asked for help before and it didn’t turn out well</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I might be punished</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I would be too scared of what might happen to my family</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No-one would believe me</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No-one would listen to me</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>There isn’t anyone I can really talk to</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>They would tell others without my permission</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other: [please state]</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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?
4.16 Who would you like to explain the decision to you?

- The judge [yes] [no] [don’t know]
- The lawyer [yes] [no] [don’t know]
- Someone official [yes] [no] [don’t know]
- Your family/parent [yes] [no] [don’t know]
- A friend [yes] [no] [don’t know]
- A person of your choice [yes] [no] [don’t know]
- Indirectly (eg by receiving a letter) [yes] [no] [don’t know]

- In another way: ..........................................................................................................................
- Why? ...........................................................................................................................................
- ..............................................................................................................................................
- ..............................................................................................................................................
- ..............................................................................................................................................

4.17 Were you given the opportunity to question or challenge the decision?
Yes, No, I’m not sure

4.18 If you could go back in time, would you change anything about how the decision was made, and / or the decision itself? Please explain below.

4.19 Do you think that the justice system (eg courts, police etc) is the best way to solve some of the problems faced by children and young people?

- Yes [ ] No [ ] Don’t know [ ]

- Why? ...........................................................................................................................................
- ..............................................................................................................................................
- ..............................................................................................................................................
- ..............................................................................................................................................
- If not, what other solution could be found?
- ..............................................................................................................................................
- ..............................................................................................................................................
- ..............................................................................................................................................
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.

<table>
<thead>
<tr>
<th>People who make decisions affecting children</th>
<th>Examples of decisions affecting children</th>
</tr>
</thead>
</table>
| Criminal courts                             | - 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 witness to a crime  
- You have suffered abuse or harm |
| Family courts                               | - 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                                     | - 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 think you should be in hospital |
| Employers                                   | - 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                           | - You want to have your own tenancy  
- The person or company that owns your home plans to force you to leave |
| Immigration                                 | - 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                                      | - You are the victim of a crime  
- The police say you have committed a crime |
| Prison officers                             | - 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                              | - Decisions are being made about where and with whom you should live |
| Teachers                                    | - 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.