

Interrogation of children and young persons as witnesses

Article 140

(1) Children shall be interrogated as witnesses in the presence of a pedagogue or psychologist, and where necessary, also in the presence of their parent or guardian.

(2) Young persons shall be interrogated as witnesses in the presence of the persons under paragraph 1, if the respective body finds this necessary.

(3) With authorisation of the body conducting the interrogation, the persons under paragraph (1) may put questions to the witness.

The questioning should be conducted in a free form, with the children's pedagogue or psychologist assisting in asking the questions, which should be tailored to the specific age and mental development of the child.

Pre-trial proceedings are conducted by certain investigative bodies and by prosecutors with special training in the field of children or who have effective access to specialized training - Art. 385 of the Penal Code.