

CP4 Europe

Strengthening National Child Participation
Frameworks and Action in Europe

IMPLEMENTATION OF THE CHILD PARTICIPATION ASSESSMENT TOOL

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Reporting on the implementation of the Child Participation Assessment Tool in Portugal
(English version)

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Executive Summary

The right of children to be heard, to participate and to have their opinions taken in due account in all matters that may affect them has been at the core of some projects and initiatives coordinated and implemented by the National Commission for the Promotion of the Rights and the Protection of Children and Young People (CNPDPJ) since 2017.

In 2020, the CNPDPCJ succeeded in applying to represent Portugal as one of the five partner countries of the Council of Europe and the European Union in the joint project "[CP4 Europe - Strengthening the National Child Participation Framework and Action in Europe](#)". Portugal was part of Action Group 1, composed of countries which applied the CPAT to the respective national context.

The consultation process with both children and professionals working with and/or for children in governmental and non-governmental entities was organized by the National Commission, regarding all the 10 indicators of the CPAT.

Adaptations were made while preparing the questionnaires, in order to meet the specific needs deriving from the context of application.

The National Commission resourced to the members of the National Council of the National Commission to reach out to professionals of relevant national stakeholders working with and/or for children, which also operate in the field of the promotion of the rights and the protection of children and young people in Portugal. Written contributions were submitted to the CNPDPCJ by 27 respondent entities.

In parallel, the CNPDPCJ endeavored to reach out to children and young people with materials developed in child-friendly language, through various means and channels, including by collaborating with 22 partner organizations to carry out consultations with focus groups of children and young people.

An adapted methodology was developed by the CNPDPCJ, due to the circumstances resulting from the management, by the Portuguese government, of the situation caused by the declaration of a pandemic by the World Health Organization in March 2020, led to the impossibility to carry out all sessions in-person as proposed in the CPAT, especially when considering the time frame available. A total of 67 focus groups of children and young people were organized, encompassing a total of 778 children, 265 of whom of vulnerable contexts and of different nationalities. This response was significantly above what had been initially expected by the CNPDPCJ.

The assessment of the indicators by children and by institutional stakeholders is coincident in some cases and differ in others. Space for further improvement is available.

Feedback to children and institutional stakeholders on the results of the application of the CPAT to the portuguese context is to be provided by the CNPDPCJ in two online sessions during March/April 2023.

In the specific case of Portugal, a White Paper on Child Participation in Portugal will be produced upon the results of the present national report on the CPAT implementation.

1. INTRODUCTION

The National Commission for the Promotion of the Rights and the Protection of Children and Young People - hereinafter referred to as CNPDPCJ or National Commission - is an administratively autonomous public body that operates under the tutelage of the Ministry of Labor, Solidarity and Social Security. The CNPDPCJ was endowed with the mission to contributing to the planning of State intervention and to the coordination, monitoring and assessment of the action taken by public bodies and by the community towards the promotion of the rights and the protection of children and young people¹.

Since 2017, the right of children to be heard, to participate and to have their opinions taken in due account in all matters that may affect them has been at the core of some projects and initiatives coordinated and implemented by the CNPDPCJ, both on its own and jointly with other entities in charge of child protection, in order to further and widen the range of dimensions in regards to child participation.

As such, at a more comprehensive level, the National Commission coordinated the elaboration and monitors the implementation of the [National Strategy for the Rights of the Child \(2021-2024\)](#)², the first of its kind in Portugal. This National Strategy was drafted to embody a strategic and holistic political approach to children's rights, in line with the United Nations Convention on the Rights of the Child (UNCRC), the Council of Europe's Strategy on the Rights of the Child and the relevant applicable standards of the European Union, and builds upon five main pillars, the third of which is precisely focused on promoting access to information and participation for children and young people.

Against this backdrop, in 2020, the CNPDPCJ stepped forward to partner with the Council of Europe and the European Union in the joint project "[CP4 Europe - Strengthening the National Child Participation Framework and Action in Europe](#)"³, since it was aimed at contributing to the promotion of the right of the child to participation at national and pan-European level in accordance with the standards and instruments of the Council of Europe in this area, including its Child Participation Assessment Tool (CPAT), thus enabling the CNPDPCJ to assess the state of the art regarding child participation in Portugal, while identifying good practices and aspects for improvement.

Portugal - represented by the CNPDPCJ –, Czech Republic, Finland, Iceland and Slovenia are the five partner countries of the Council of Europe in this joint project, and are organized as follows: Action Group 1, composed by Czech Republic, Iceland and Portugal, which will apply the CPAT to their national context; and Action Group 2, composed by Finland and Slovenia, which now seek to make further progress regarding child participation by improving mechanisms and interventions, based on the results of the CPAT assessment performed previously. In the specific case of Portugal, a White Paper on Child Participation in Portugal will be produced upon the results of the present national report on the CPAT implementation.

¹ Pursuant to Decree-Law nr. 159/2015, of August 10, amended by Decree-Law nr. 139/2017, of November 10, which establishes its functional and operational mechanisms and reinforces its autonomy.

² Approved by Resolution of the Council of Ministers 112/2020, of December 18.

³ Under implementation between April 1, 2021 and June 30, 2023.

2. THE ASSESSMENT PROCESS

While preparing to implement the CPAT in Portugal, the CNPDPCJ considered that the wider and more diverse the sources of information and contributions regarding each indicator on the right of children to participate, the more accurate the national assessment would be, and thus reflect best the state of the art on the right of the child to participation as a whole. In addition, it would allow the dissemination of more Portuguese good practices at the European and international level, which encompassed greater potential for building more effective responses to existing gaps, namely at the national level.

The consultation process proposed in the CPAT was organized by the National Commission, bearing in mind the need to consult with both children and professionals working with and/or for children in governmental and non-governmental entities. As such, several types of questionnaires have been prepared by the National Commission based on the premises defined and described in the CPAT for each of the 10 indicators.

Conversely to what is proposed in the CPAT, the CNPDPCJ considered it would be more appropriate to hear children and young people on the whole set of 10 indicators - and not just on indicators 3, 5, 7, 8 and 9, as this option could represent a practical example of how to embody coherence towards the principle of what it is like to hear children regarding all matters that affect them - and all 10 indicators refer to matters that affect them.

Adaptations were made while preparing the questionnaires, in order to meet the specific needs deriving from the context in which they were going to be applied.

The questionnaire targeted at professionals of institutions working with and/or for children also encompassed the whole set of 10 indicators of the CPAT. In order to reach out to these professionals, the National Commission resourced to the members of the National Council of the National Commission⁴, who representing a varied set of pertinent areas and sectors in this field. The members of the National Council of the National Commission were invited to fill out the questionnaire but also to forward it to other relevant national stakeholders they have access to, which also operate in the field of the promotion of the rights and the protection of children and young people in Portugal, whose contribution could be deemed an added-value to this assessment.

Written contributions were submitted to the CNPDPCJ by 27 respondent entities (please refer to Annex 2) through the completion of the questionnaires by professionals, with the most updated and complete information possible as according to their competencies, area of work and specialized focus or comprehensive knowledge, based on their

⁴ The National Commission is composed by: the president, who is selected by the Committee for Recruitment and Selection for Public Administration through a call for tenders; the National Council, an intersectorial body that meets in restricted and extended formats - the latter including the president, representatives appointed by the members of the government in charge of the areas of the Presidency of the Council of Ministers, youth, justice, social security, health, education, home affairs and representatives of the Regional Governments of Azores and Madeira, the Office of the Attorney-General, the Ombudsman and of organizations of the civil society -; two Regional Coordinations, a Technical Operative Team and five Regional Technical Teams.

institutional and professional knowledge and perspective, without consulting children and young people despite having direct access to them.

Different information, perspectives and experiences received from different areas working under the tutelage of a same Ministry or entity were neither considered contradictory nor inconsistent, but rather complementary and a sign of a multifaceted reality shaped by a diversity of factors and specificities of each field on its own.

In parallel, the CNPDPCJ endeavored to coordinate a consultation process with children and young people that involved 57 entities with direct contact with the latter and in order to reach out to them; out of these 57 organizations, 22 entities also involved their partner stakeholders to reach out to more children (please, refer to the list in Annex 1).

An adapted methodology was also developed by the CNPDPCJ, different from the one presented in the CPAT, since the circumstances resulting from the management, by the Portuguese government, of the situation caused by the declaration of a pandemic by the World Health Organization in March 2020, led to the impossibility to carry out all sessions in-person as proposed in the CPAT, especially when considering the time frame available.

Within this scope, materials in child-friendly language were prepared from scratch by the CNPDPCJ, namely:

- Several types of questionnaires targeted at children were prepared from scratch in child-friendly language, which were used by the partner organizations during the focus groups consultation sessions. For a higher efficiency, some of the indicators were grouped in packs according to their mutual thematic affinity, in line with the decision of considering children as being able to give their opinion on all subjects that affect them.
- A child-friendly online survey for children and young people on the 10 CPAT indicators, which was made available in the website of the CNPDPCJ and disseminated through the pages of the CNPDPCJ on social media.

As a result of these actions, a total of 67 focus groups of children and young people were organized and consulted during online, hybrid and in-person sessions. This methodology allowed the consultation of a total of 778 children, 265 of whom of vulnerable contexts, in order to guarantee equal opportunities. Briefly described, the 778 participating children were: aged 6 to 18 years old⁵; living in all regions of the country⁶, born in Portugal and abroad (Angola, Brazil, Cape Verde, Gambia, Guinea, Guinea-Bissau, India, Moldova, Morocco, Nigeria, Pakistan, São Tomé and Príncipe and Ukraine). This response was significantly above the initial expectations of the CNPDPCJ.

All consultation sessions were carried out under the terms of the child safeguarding policy of the CNPDPCJ, whose elaboration with guidelines provided by the Council of Europe on this matter and drew upon international best practices, which were duly adapted to the national context and to the institutional role and scope of action of the

⁵ A few young people were slightly above 18, but still participated in the sessions since they were part of focus groups of children who were consulted.

⁶ North, Centre, Lisbon Metropolitan Area, Alentejo, Algarve, Madeira and Azores.

CNPDPJCJ. Four versions of the document exist: an institutional version, in Portuguese and English and a child-friendly version, the latter of which was produced upon consultations with the National Council of Children and Young People. All four are attached to this progress report.

The methodology used in Portugal to carry out this consultation process with children and young people encompassed some aspects that were considered innovative good practices, one of which is the involvement of deaf children and young people. This good practice was presented by the Portuguese Delegation during the CP4Europe Mid-Term Conference, held in Cork (Ireland), from May 23-25, 2022, in which two young girls who participated in a focus group were part of the National Delegation to take an active part in the event.

The data collected during the consultations were processed, analyzed is presented in this national report. Please, note that:

- Since the assessment of the indicators by the children and by the institutional stakeholders coincides in some cases but not in others, each assessment is shown autonomously as to make it clearer and more equitable.
- The final score of each indicator shows the average of the scores conveyed in the replies to the questionnaires, with footers included showing the highest and the lowest scores attributed to each of the different aspects that integrate the indicator. These, in turn, are the average score of the replies provided to each of the aspects at stake in the most harmonized possible way, since the replies there were some differences in the replies from stakeholder to stakeholder.
- The list of sources and legal references in Annex 3 is of a non-exhaustive nature and encompasses the references that were shared by the respondent stakeholders. In the case of legal references, please note that the latest amendments apply, should they exist.

Feedback on the results of the assessment process will be provided by the CNPDPCJ to institutional stakeholders and to children in two online sessions.

These results are also the base for the White Paper on Child Participation in Portugal, another outcome of the Project CP4Europe in Portugal.

3. OUTCOMES OF THE ASSESSMENT PROCESS

PROTECTING THE RIGHT TO PARTICIPATE

Indicator 1

Legal protection for children’s right to participate is reflected in the national constitution and legislation, defined as “an unequivocal commitment to children’s right to participate in decisions affecting them should be enshrined in national primary legislation. Reference in the Constitution to the child’s right to participate offers a particularly strong indicator of the member State’s commitment to the right to be heard. Legal reference to the child’s right to be participate should be accompanied by a requirement that children’s views will be given due weight in accordance with age and capacity, and in the light of the child’s best interests. This commitment should also be included in laws directly affecting children, notably in: school and education, for example through mandatory establishment of school councils; child protection, care and adoption procedures; custody and access in family proceedings; family decision-making; health care/consent to treatment; immigration and asylum proceedings; and criminal justice proceedings.”

According to the CPAT, States can measure progress towards the indicator using the following assessment criteria:

0 = No known legal provision for children to express views and for those views to be given due weight

1 = Legal expression of children’s right to be heard in at least two of the settings specified

2 = Legal expression of children’s right to be heard in at least four of the settings specified

3 = A clear legal obligation to hear and give due weight to children’s views is enshrined in the Constitution (if one exists) and in at least six of the settings specified

Final Score of the Assessment ⁷	
As of institutions	2
As of children	2

⁷ Institutional stakeholders: highest score – 3, lowest score – 2; score of the different particular aspects ranging from 0 to 3.

Analysis notes

As a result of the 20 replies to the consultation with institutional stakeholders, it was ascertained that, after the ratification of the United Nations Convention on the Rights of the Child (CRC), the Portuguese legal system has accepted formal mechanisms for the hearing and participation of children in the most diverse normative frameworks, which have been an element of constant improvement. Currently, the provisions of the international conventions approved and ratified by Portugal are in force in the national legal framework, which has assimilated the right of children to participate. The implementation of this right relies on the creation of opportunities for the participation and hearing of children, which are enshrined in international instruments, such as the CRC, the Hague Convention or the European Convention on the Exercise of Children's Rights, among others.

In what concerns the juvenile justice area, the Educational Guardianship Law provides young people the possibility to speak with magistrates and to have a lawyer to defend and represent them in the course of their contact with Justice. The Guide to the Disciplinary Procedure of Educational Centres also provides for the right of young people to be heard and the possibility of appeal.

In the area of health, children over the age of 16 may give their consent to treatment and make decisions regarding their health care if they have the capacity to discern. Nevertheless, procedures should be explained to all children who already have capacity to understand, regardless of their age and even if they are not able to give legal consent.

In the school context, the right to participation is generally ensured. The role of the classe delegate is an example of a means to achieve it; student associations ensure an indirect participation. Additional effective mechanisms may be lacking.

It is also worth highlighting the training of professionals in these matters, such as, for example, that of the professionals assigned to the local Commissions for the Protection of Children and Young People (CPCJ).

Details on the **number of replies of the institutions** are as follows:

Setting	Legal protection for the child's right to be heard in place (tick all that apply)			Average score
	YES	NO	DON'T KNOW	
School and education, for example, through mandatory establishment of school councils	11 replies	1 reply	-	3
Child protection, care and adoption procedures	12 replies	-	-	2
Custody and access in family proceedings	12 replies	-	-	2
Family decision-making	8 replies	1 reply	2 replies	2
Health care/consent to treatment	10 replies	1 reply	1 reply	2

Immigration and asylum proceedings	5 replies	1 reply	4 replies	2
Criminal justice proceedings	14 replies	-	1 reply	3
Other contexts: juvenile justice	1 reply	-	-	3

As a result of consultations with 100 children, the following notes could be gathered (with ticks according to the majority of replies):

Setting	Legal protection of child's right to be heard is in place		
	YES	NO	DON'T KNOW
School and education, for example, through mandatory establishment of school councils	✓		
Child protection, care and adoption procedures	✓		
Custody and access in family proceedings			✓
Family decision-making			✓
Health care/consent to treatment			✓
Immigration and asylum proceedings; and		✓	
Criminal justice proceedings	✓		

In reply to a set of closed and open questions included in the child-friendly questionnaires created from scratch by the National Commission, aimed at ascertaining the assessment of the indicator by the children, the following was found⁸:

CLOSED QUESTIONS RAISED TO CHILDREN	YES	NO	DON'T KNOW
Do you know if Portugal has any laws that protect the right of children and young people to participate and contribute to the decisions about the issues that concern them?	✓		
Does Portugal protect the right of children to participate?	✓		
Do you think it is important to have laws that protect the rights of children and young people?	✓		

⁸ Ticked according to the majority of replies.

OPEN QUESTIONS AND OPEN PARTS OF SEMI-CLOSED QUESTIONS RAISED TO THE CHILDREN	Children's replies to open questions ⁹
Please, mention any law you know that protects children's right to participate.	<ul style="list-style-type: none"> • "I know but can't remember it right now." • "The Convention on the Rights of the Child." • "Portuguese Law that protects children in parental separation."
Do you think it is important to have laws that protect the rights of children and young people? Why?	<ul style="list-style-type: none"> • "To be protected." • "Because children have the right to have their say." • "Because they feel protected." • "If there were no children's rights, that wouldn't even be understood!"

Good practices

Illustratively, the following examples of good practices were **indicated by the institutions**:

- Active participation of children in the processes of construction and definition of pedagogical projects, and their respective implementation, to be developed in the context of day-care and pre-school education, even without regulatory support.
- Children and young people's participation in the Charter of Social Rights of Children and Young People in the City of Lisbon 2017-2020.
- Elaboration of products that contribute to the quality in the intervention, in compliance with the legislation.
- Existence of proper rooms for the hearing of the child (e.g. Loures or Barreiro Court).
- The right of the child to be heard in proceedings to regulate the exercise of parental responsibilities, as well as a victim in criminal proceedings, considering their age and maturity, while respecting the child's decisions, namely their timings in revealing the facts.
- From the age of 16 onwards, young people have the right to decide whether or not to continue with the criminal procedure, under the terms envisaged by law.
- The child is given the right not to make statements under the terms of article 134 of the Code of Criminal Procedure.
- The right of the unaccompanied child to be heard in immigration and asylum procedures, as a particularly vulnerable person.
- The right of the child to consent - or not - to the intervention of CPCJ teams when identified as a child at risk.

⁹ Replies that identify good practices or areas needing improvement are mentioned below only, as to avoid repetitions.

- The right of the young person to be heard and to participate in the elaboration of a personal educational project, when the educational monitoring measure is applied within the scope of tutelary measures. Young people under educational tutelage measures participate in several actions where they are regularly heard and express their opinions, namely interviews, tutorials and meetings.
- Existence of Children's Councils in some hospital institutions, as a way to allow young people to express their opinion on issues regarding the services they use where they are followed.
- The [National Council of Children and Young People](#), established and steered by the CNPDPCJ, where the experiences, concerns, needs and expectations of children and young people are listened to.
- Implementation of the Program Cuida-te+, in the area of youth health, namely through measures such as: the existence Youth Health Offices equipped to provide free, anonymous and confidential counselling in the areas of action of the Program, with the objectives of early detection and intervention, referral of the final target population of the Program to health structures; and the promotion of health education initiatives using various active methods of expression, such as theatre, plastic expression, music, sport or dance, under the scope of the program's areas of intervention.
- In some regions, children are periodically heard within the framework of the evaluation of the quality of residential care, as well as within the judicial decisions on promotion and protection and civil guardianship.
- In the Autonomous Region of the Azores, within the scope of the Regional Strategy for the Prevention and Combat of Sexual Abuse of Children and Young People, support was implemented for presumed victims of sexual abuse during their interaction with the Justice and Health Systems. This support has been progressively extended to children and young people who are victims of other crimes, as well as to cases in which they are heard as witnesses, namely in situations related to domestic violence. In order to do so, the professional profile of the Support Agent was created, who is in charge of explaining/informing the children about the development of the process, what happens at each stage and which professionals they are going to interact with and their functions. It should be highlighted that there is no orientation regarding the testimonial, but rather in the promotion of conditions, which promote better hearing conditions for the child/young person.
- In the Autonomous Region of the Azores as well, the students participate in the Class Assembly/Council and in the School Assembly through their representatives, participating equally in the administration and management bodies of their school/organic unit and in the creation and execution of the respective educational project. They also have the right to present criticisms and suggestions regarding the school's functioning and to be heard by teachers, class teachers or tutors and administration and management bodies, as well as having the right to participate in initiatives that promote training and leisure activities, including study visits. Exchanges and other inter-school activities, as well as in the evaluation process through the mechanisms of self and hetero-evaluation. The students have an active role in the teaching and learning process, through the promotion of project work and the development of communication and

expression experiences in oral, written, visual and multimodal modalities, valuing the role of the students as active agents of their learning, that is, in the educational action the involvement of the students must be ensured, with a focus on civic intervention, favoring free initiative, autonomy, responsibility and respect for human and cultural diversity.

Children mentioned the following good practices:

- Initiatives promoted by several national, regional and local institutions and stakeholders that give children information on their rights, namely the right to participate and on the legislation that protects it.
- The regular celebration of the annual anniversary of the Convention on the Rights of the Child by the CNPDPCJ, as well as many other specific dates that are celebrated and used to inform children on their rights and on the legal framework that protects them in Portugal. The National Commission also stimulates the current 311 local Commissions for the Protection of Children and Young People (CPCJ) to celebrate this date and others.

Points to address

Institutions pinpointed the need for improvement in areas such as:

- In a logic of continuous improvement of the hearing of children/young people, it could be useful to move towards the unique hearing of the child in criminal proceedings, the unique evaluation in age assessment proceedings, the recognition of the right to difference (cultural customs, religious or alimentary practices, gender identity, physical or other disabilities).
- Ensure the effective hearing of the child in protection and asylum procedures, as well as the effective consideration of the child's opinion in decision-making, with a view to fully realize that right.
- Explaining to young people subject to tutelage educational measures the impact of judicial decisions concerning them, namely when the measures under consideration are going to be applied.
- The need for various improvements in the areas of health, immigration, asylum, family decision-making, custody and access to family files.
- The little involvement of children and young people in their health care processes, which may interfere with the realization of their right to access health care, sometimes also resulting in an unsuccessful procedure due to lack of commitment from the child.
- The need to create adequate places for children to be heard in courts.
- The need to improve the existing spaces and means in the courts and the CPCJ, in order to, consequently, guarantee the conditions for the realization of articles 3 and 12 of the Convention on the Rights of the Child.

The following areas were **identified during child consultations** as requiring improvement:

- Intensification of campaigns and joint-actions among stakeholders to contribute to a wider information on children's rights in child-friendly language, namely regarding the right to participate in decisions that affect them and on the existing laws that protect them, giving children the opportunity to raise questions and give suggestions.
- Implementing specific campaigns and joint-actions with the same purpose, but specifically targeted to children in more vulnerable circumstances, using the appropriate language and the necessary specific supports to communicate with them in a way they understand and feel conformable to raise questions and give suggestions.

Action points (follow-up)

Some stakeholders mentioned that the identification of concrete actions to be developed requires a very precise and individualized diagnosis on the multiple areas that may reveal the greatest weaknesses (e.g. initial training or continuous training of professionals), which is not compatible with the meaning and length of the questionnaire they were sent.

Even so, some **institutions mentioned** the following actions:

- The need to carry out operations that promote the effectiveness and efficiency of the interventions and strategic plans aimed at the rights and protection of children, designed by various working groups or commissions created in recent years.
- The need to sufficiently densify the protection in infra-constitutional normative instruments regarding certain contexts, as a complement to the existing constitutional protection by virtue of the principle of opening up the constitutional catalogue of fundamental rights to the fundamental rights deriving from international law, namely the Convention on the Rights of the Child.
- The need to invest in the initial and continuous training of professionals in the area of children's rights and at the level of communication/interaction with children/young people, with a view to improve the implementation of existing legal mechanisms.
- Development of clear procedures regarding the consultation of children, permanently safeguarding that they are aware of the consequences of certain decisions/alterations to their lives, as well as the training and sensitization of professionals for this purpose.
- The need to make children aware of their rights and the access to exercise them, so that they may create a critical sense regarding the latter.
- Promoting greater action and participation of young people in decision-making processes about their rights, as long as it's properly adapted to their age.

Upon the consultations with children, progress in this indicator could be achieved through the following:

- Implementation of the [National Strategy on the Rights of the Child¹⁰ and of its Biannual Plan for 2021-2022](#) and approval and implementation of its Biannual Plan for 2023-2024.
- Continuation of the initiatives of awareness-raising and dissemination of information on children's rights, namely the right to participate, and reinforce the necessary specific preparation and support to make them also accessible and attractive to vulnerable children, namely through specific actions addressed to specific vulnerable personal conditions or contexts.
- The elaboration of the White Paper on Child Participation in Portugal that will be produced in the scope of the Project CP4Europe, based on the consultations with children and stakeholders. The White Paper will:
 - Present the detailed version of the diagnosis of child participation in Portugal in all areas, based on the consultations with children and relevant entities and stakeholders; and
 - Propose follow-up actions to strengthen progress on child participation, namely in the areas identified as requiring improvements and suggestions on how to being improved, as mentioned by the children and entities who participated in the CP4Europe consultation process in Portugal.

¹⁰ Approved by the Resolution of the Council of Ministers no. 112/2020, of December 18.

Indicator 2

Explicit inclusion of children and young people’s right to participate in decision-making in a cross-sectoral national strategy to implement children’s rights, defined as “children’s participation should be explicitly included as part of a broader governmental strategy for implementing, monitoring and evaluating the UNCRC, and Council of Europe instruments and conventions. It should include concrete goals, indicators of progress, and a budget for its implementation.”

According to the CPAT, States can measure progress towards the indicator using the following assessment criteria:

0 = There is no strategy in place on children’s rights

1 = There is limited reference to children’s rights within a broader national human rights strategy

2 = There is some reference to child participation as part of a cross sectorial national children’s rights strategy

3 = A distinct and coherent focus on children and young people’s right to participate in decision-making exists in a cross sectorial strategy on children’s rights and includes a dedicated set of goals, an established lead responsibility (such as a child or youth ministry) and specific resources allocated to achieve its implementation.

Final Score of the Assessment ¹¹	
As of institutions	2
As of children	3

Analysis notes

As a result of the 16 replies to the consultation with institutional stakeholders, it was ascertained that Portugal has legislation within the scope of the promotion and protection of the rights of all children, in all contexts, regardless of their circumstances and should be duly adapted to them. The implementation of the right of the child to participation is also enshrined in specific national legislation in various areas and in specific documents, such as the National Strategy for Children's Rights.

In terms of the promotion and protection of children and young people at risk, the CPCJ and the Family and Juvenile Courts play a relevant role in enforcing the legislation safeguarding the rights of the child.

Besides the regulation of the implementation regime of the family and residential care measures, several instruments were created while developing an integrated action of

¹¹ Institutional stakeholders: highest score – 3, lowest score – 1.

prevention and intervention to promote the development of interpersonal skills and a culture of non-violence from early childhood through parental training actions, along with reinforced intervention with children and young people who show signs of risk of violent behavior or of being victims of domestic violence.

Despite the significant evolution registered regarding the effective hearing of children and young people, it is important and necessary to make these interventions more coherent, efficient and effective.

Notwithstanding the efforts made regarding immigration and asylum situations, Portugal lacks investment in addressing specific needs of children and young people in these circumstances, such as providing ways to ensure quick learning of the Portuguese language, as well as providing more translators-interpreters to effectively listen to their interests and needs.

Child participation is an integral part of the II National Youth Plan, where participation programs for children and young people are foreseen in different areas of intervention, from volunteering to free time, which are also measures of the [National Strategy for the Rights of the Child 2021-2024](#). The youth programs implemented by the Portuguese Youth and Sports Institute refer to children and young people aged between 10 and 30 years old. In the area of sport, the implementation of the Child Safeguarding in Sports Project stands out.

Some answers pointed out the lack of a proper cross-sectoral governmental umbrella, whose executive competencies would go beyond the competencies of the CNPDPCJ. Moreover, the lack of an independent body fully operating according to the Paris principles and responsible for monitoring and promoting compliance with the provisions [exclusively] on children's rights and the enforcement of the Convention on the Rights of the Child.

The [National Strategy for the Rights of the Child 2021-2024](#) is based on an inter-sectoral collective commitment aimed at achieving an integrated vision of the protection and promotion of the rights of children and young people. The Strategy revolves around five strategic areas, is structured on five priorities, one of which is to promote access to information and participation of children and young people. For some interlocutors, the inclusion of some organisms and areas of society and governmental entities in the document lacks practical implementation, ending up with a greater intervention on the part of education and youth.

Other stakeholders mentioned the limited nature of the current reference to children's rights in the context of an inter-sectoral national strategy on children's rights, in the sense that although rights exist and are mentioned several times by various bodies and even in the daily activity of different sectors of our society, their actual implementation is "still very much limited to just the paper", and there is still no outlined and integrated strategy involving all sectors of society, which would otherwise enable a greater knowledge and action of the child in the procedures and decisions that concern them. Furthermore, children's rights are a subject mostly discussed, analyzed and evaluated by adults, without an active voice of the children in the process.

In the perception of other interlocutors, there is no integrated and well-defined national strategy, with strategies and perspectives on children's rights varying according to the territory and the context and/or the institutions. In their view, conversely, this situation enables a closer and more reliable view of the development of the localities and the beliefs and culture of children and their families. Although it refers to all children, the action is defined and well organized for some contexts, such as children covered by promotion and protection processes, or specific educational processes.

According to some interlocutors, the creation of specific strategies in favor of children and young people is more visible in some regions, although there is the need for improvement and application of new methods.

As of some stakeholders, children need to know more about their rights and duties. The need for a greater intervention of the children in their daily lives was also mentioned.

It was referred that article 13(a) of the Regional Legislative Decree no. 17/2016/A, of September 28, which creates the Azores Commissioner's Office for Childhood (CAI), provides for the elaboration of a strategy for the realization of the Convention on the Rights of the Child in the Autonomous Region of the Azores, which was specified as an indication that the promotion of children's rights is a priority in terms of childhood and youth policies in the region.

In the Autonomous Region of the Azores as well, the Regional Strategy to Combat Poverty and Exclusion is underway. This strategy is monitored by the heads of government departments from different areas, and includes actions aimed at promoting children's rights through the implementation of strategies and the creation of conditions that contribute to the full development of children and young people. It encompasses measures directed at this sector of the population, aligned with those foreseen in the European Guarantee for Childhood. The CAI implemented awareness-raising sessions specifically addressed to children and young people on their rights, with a focus on issues related to child poverty, in all the islands of the Azores. The approach was centered on the different ways to promote their rights, and to parents, caregivers, relatives, entities with competencies in childhood and youth. Contents and strategies for the promotion of children and young people's rights were presented, thus reinforcing the role and responsibility of each one of the entities. In all sessions, a child-friendly version of the second edition of the Convention on the Rights of the Child, printed by the CAI, was distributed to the children of the second cycle of basic education. A Braille version of the Convention on the Rights of the Child was also designed for distribution to this audience.

In the area of Education at the Autonomous Region of the Azores, a team of the Regional Directorate of Education that operates to ensure the participation of all those involved in the [National Strategy for Education for Citizenship](#) (ENEC), with each school/organic unit being responsible for outlining its own projects and strategies for the implementation. The use of technology was essential to enhance the pedagogical effectiveness of ENEC projects in general and/or citizenship and development in particular, by fostering the development of participation mechanisms for all, particularly for students.

According to some interlocutors, there is much to be done, particularly with regard to the local Participatory Budget and the apportionment to the National Budget.

In the Autonomous Region of Madeira, a Regional Plan for Children and Youth is being worked on, which counts with 20 partner entities and aims to develop and promote measures to improve the promotion and protection of children's rights, while implementing the recommendations of the Council of Europe, the Committee on the Rights of the Child and the National Strategy for the Rights of the Child 2021-2024.

As a result of consultations with 56 children, and in reply to a set of closed and open questions created by Portugal with topics to help to assess how well the country meets the indicator based on CP4Europe's child consultations, the following was ascertained, (with ticks according to the majority of replies)¹²:

CLOSED QUESTIONS RAISED TO CHILDREN	YES	NO	DON'T KNOW
Could you understand what a strategy is, after what we explained to you?	✓		
Do you think that Portugal has any strategy that protects the right of children and young people to participate and contribute to decisions about the issues that concern them?	✓		
Do you know the Portuguese Strategy for the Rights of the Child to protect the rights of children and young people to participate?			✓

OPEN QUESTIONS AND OPEN PARTS OF SEMI-CLOSED QUESTIONS	Children's replies to open questions ¹³
What do you think a strategy is?	<ul style="list-style-type: none"> "I don't know how to explain it. It's in my head, I think I know what it is but I can't put it into words." "When we need to think hard and that when processed becomes an idea."
Do you have a strategy or possible strategy in mind?	<ul style="list-style-type: none"> "Yes, like the Declaration of Human Rights for example!" "I don't know of any. But I do know that there must be."

Good practices

Illustratively, the following examples of good practices were **indicated by the institutions**:

¹² The lists of topics are reported in decreasing order of referral by the children; in brackets, one can find topics added by the children.

¹³ Replies that identify good practices or areas needing improvement are only mentioned below to avoid repetitions.

- The National Council of Children and Young People, an initiative of the CNPDPCJ which promotes the access of children and young people to spaces of social and political participation, aiming to develop their communication skills, to raise their awareness towards their rights and to stimulate critical reflection
- Consultations regarding certain issues with children and young people, who are previously appointed.
- Production of materials directed at professionals regarding the participation of children and young people.
- Implementation of the II National Youth Plan 2022-2024.
- Project Child Safeguarding in Sports.
- In the Autonomous Region of the Azores, the hearing of the child when legally framed within the promotion and protection processes of children and young people [in danger].
- REDA, a periodic competition organized by the Regional Directorate of Education of the Azores, aimed at stimulating the creation of excellent digital educational content produced in that Autonomous Region, in order to create a greater capacity for participation and empathy in students, since digital language is the language that most of them relate to naturally in their daily lives.

Children mentioned the following good practices:

- The [National Strategy on the Rights of the Child 2021-2024](#). This Strategy is implemented through two-year Plans, and includes the right of children and young people to participate in decision-making in areas affecting their interests, among other children's rights.

Points to address

Institutions pinpointed the need for improvement in areas such as:

- Immigration and asylum.
- Mental health.
- Dissemination of the National Strategy for the Rights of the Child 2021-2024.
- The need to find interlocutors from the various areas covered by the National Strategy to monitor its implementation.
- The need to let students take a more active participation in choosing their educational pathways, namely students up to the second cycle of basic education, as to allow them more than to just comply with the program defined by adults.

The following areas were **identified during child consultations** as requiring improvement:

- Promote a wider dissemination of the National Strategy on the Rights of the Child 2021-2024 in a child-friendly language.

Action points (follow-up)

Institutions mentioned that progress in this indicator could be achieved through the following actions:

- Enabling schools to have a more participatory educational program through a more interactive educational program with children and young people regarding contents and activities.
- Implementation of the Project Child Safeguarding in Sport, namely through the definition phase of the mechanisms that make up the system, identifying the people responsible for child safeguarding with clear descriptions of their functions, specifications of the trainers and other partners in the process, as well as through the definition of the curricular program design matrix that will support the training at stake. The training mechanism and the increase in the necessary capacities for intervening in the system should be directly articulated with the different objectives defined in the project.

According to the consulted children, progress in this indicator could be achieved through the following:

- Implementation of the [National Strategy on the Rights of the Child¹⁴ and of its Biannual Plan for 2021-2022](#) and approval and implementation of its Biannual Plan for 2023-2024.
- To provide a wider dissemination of the National Strategy on the Rights of the Child 2021-2024 in a child-friendly language, namely through the “[Area for Children and Young People](#)” in the website of the CNPDPCJ.
- The White Paper on Child Participation in Portugal that will be produced in the context of the Project CP4Europe.

¹⁴ Approved by the Resolution of the Council of Ministers no. 112/2020, of December 18.

Indicator 3

An independent children’s rights institution is in place and protected by the law, defined as “An ombudsperson or commissioner for children is established and protected in law with a specific mandate and the necessary resources (office, staff, budget) to pursue campaigns or address concerns on behalf of children. The ombudsperson for children can be a stand-alone institution or part of a broader human rights institution. However, the office should be independent of government and not be constrained or influenced by any specific political agenda but, rather, is able to respond to the key concerns and issues as identified by children.”

According to the CPAT, States can measure progress towards the indicator using the following assessment criteria:

0 = No ombudsperson or Commissioner for children

1 = Ombudsperson/Commissioner established but not protected by law

2 = Ombudsperson/Commissioner established and protected in law

3 = Ombudsperson/Commissioner established and is fully compliant with the [Paris Principles](#)

Final Score of the Assessment ¹⁵	
As of institutions	2
As of children	3

Analysis notes

As a result of the 13 replies to the consultation with institutional stakeholders, it was ascertained that Portugal does not have an exclusive Ombudsman Office for the defense of children's rights, as mentioned in the exact terms of the definition of this indicator.

In fact, in Portugal, the Ombudsman is the National Human Rights Institution accredited by the United Nations with the "A" status, in full compliance with the Paris Principles. Under the terms of the Constitution and its Statute, the Ombudsman has a comprehensive mandate for the promotion and protection of fundamental rights and, as such, has been recredited by the United Nations system as a privileged interlocutor of the control and monitoring mechanisms foreseen in international human rights treaties. Due to its recognition as a national human rights institution, the Ombudsman regularly interacts with the Committee on the Rights of the Child, both in the cycles of periodic evaluation of the implementation of the Convention and its Optional Protocols, and regarding other initiatives carried out within the context of the United Nations High

¹⁵ Institutional stakeholders: highest score – 3, lowest score – 0.

Commissioner for Human Rights, of which the activity of several Special Rapporteurs is an example.

In Portugal, the Ombudsman is not an exclusively dedicated to the defense of the rights of the child. However, it may legally appoint a Deputy Ombudsman to whom specific attributions related to the rights of the child may be delegated for the specialized exercise of these attributions. In the Regulation approved by the Ombudsman, the possibility to create extensions of the Ombudsman's Office in the Autonomous Regions of the Azores and Madeira is legally foreseen, in order to promote greater proximity to citizens.

On the other hand, Portugal established the CNPDPCJ, whose mission is to contribute to the planning of the State's intervention and to the coordination, monitoring and evaluation of the action of public bodies and the community in promoting the rights and protection of children and young people, constituting a reference entity for the realization of the Human Rights of each and every child in Portugal. However, the CNPDPCJ does not fully comply with the Paris principles due to its governmental dependence and lack of own means and resources, and as a result is an institution that does not meet all the requirements mentioned in the definition of the indicator.

Other entities also have specialized offices on children's rights, such as the Family, Children and Young People's Office of the General Prosecutor's Office.

In the Autonomous Region of the Azores, the mission of the CAI is to defend and promote the rights of children and young people in that autonomous region.

No children may be discriminated against due to the vulnerability of their circumstances nor as due to their nationality, language, age, disability, immigration, socio-economic status, or victim status, among others. When asked about the possible existence of limitations to access institutions that defend children's rights, factors such as age and the degree of disability were mentioned as possibly limiting the autonomous contact through telephone help lines, which constitute measures aimed exactly at the opposite, *i.e.*, facilitating the access to the institutions by marginalized or excluded children. In one of the replies, it was also mentioned that there is no direct access to the CNPDPCJ.

It was also ascertained the existence of disaggregated data showing some characteristics of the children who resort the most to the institution, for example based on nationality, age, disability, among other criteria.

As a result of consultations with 72 children, and in reply to a set of closed and open questions created by Portugal with topics to help to assess how well the country meets the indicator based on CP4Europe's child consultations, the following notes could be gathered (with ticks according to the majority of replies)¹⁶:

¹⁶ The lists of topics are reported in decreasing order of referral by the children; in brackets, one can find topics added by the children.

CLOSED QUESTIONS RAISED TO CHILDREN	YES	NO	DON'T KNOW
Do you think that there is any institution like this in Portugal? ¹⁷	✓		
Do you know how to contact it if you need help for yourself or another child?			✓
If you needed help for yourself or another child would you contact it?			
Do you think that such an institution this dedicated to the rights of the child is important in Portugal?	✓		
Do you know the name of that institution?			✓

OPEN QUESTIONS AND OPEN PARTS OF SEMI-CLOSED QUESTIONS	CHILDREN'S REPLIES TO OPEN QUESTIONS ¹⁸
Do you think that is important that such an institution exists in Portugal? Why?	<ul style="list-style-type: none"> • "Because while a child is a child cannot defend himself from everything or everyone and needs help." • "It is important because everyone should have rights, because everyone has to be happy." • "Because children have the right to have their say." • "Yes, a big yes, because everyone has to have respect and freedom." • "Yes, because everyone has to have respect and freedom." • "To be protected." • "Yes, children need help". • "Because they feel protected." • "If there were no children's rights, it wouldn't even be understood!"
Do you think that such an institution exists in Portugal? Why?	<ul style="list-style-type: none"> • "The CPCJ are independent despite being funded by the state, this has no connection, it is just a way of being able to do their work as correctly as possible." • "There are many associations which also defend the rights of children. There are independent institutions but they still follow defined parameters. There are many NGOs that defend children's rights."

¹⁷ The consultation included an explanation in child-friendly language, prior to the session, about independent national institution for the protection of children's rights.

¹⁸ Replies that identify good practices or areas needing improvement are only mentioned below to avoid repetitions.

	<ul style="list-style-type: none"> • <i>"There is no entity that does not follow certain parameters, rules, the laws that the government imposes and we have to follow them."</i> • <i>"As our institution here."¹⁹</i> • <i>"How could children's rights exist without an institution?"</i>
Do you know the name of that institution?	<ul style="list-style-type: none"> • <i>"The National Commission for the Promotion of Rights and the Protection of Children and Young People and the Council of Europe."</i> • <i>"The commissions for the protection of children and young people."</i> • Other children identified institutions where they live in residential care.
Who do you think can contact that institution about the rights of the child?	<ul style="list-style-type: none"> • <i>"Government of Portugal, adults, children... everyone."</i> • <i>"The children and young people themselves."</i> • <i>"SNS24²⁰, adults, children."</i> • <i>"Adults, but not children."</i>
Do you know how to contact that institution if you need help for yourself or another child/young person?	<ul style="list-style-type: none"> • <i>"Yes. I would ask my parents."</i> • <i>"Yes. I would call 112²¹."</i> • <i>"I would use the mobile in the house and call the police."</i> • <i>"Yes, I don't know how I would contact it, but if I needed help for myself or another child I would contact."</i> • <i>"No, but I would research it on the internet or with the school."</i>
If you were the one to decide how an institution of this kind would be, what would you find important to say?	<ul style="list-style-type: none"> • <i>"Let's create an institution that will improve children's rights!"</i> • <i>"It should include professionals such as: psychologists, doctors, sociologists, jurists, etc."</i> • <i>"The institution should be decentralised so as to be close to the different realities of the country."</i> • <i>"The existence of local teams."</i> • <i>"Promote articulation with local political powers namely parish councils and municipalities."</i> • <i>"It should regularly listen to local institutions such as schools, IPSS²², family, etc."</i> • <i>"The basics. And publicise it so everyone knew about it."</i> • <i>"To promote and disseminate the rights of children and young people so that everyone is aware of them."</i> • <i>"Giving the floor to children and young people."</i> • <i>"The institution also integrate children and young people from the various regions of the country."</i> • <i>"It should listen, help and protect children. Include them in problem solving."</i> • <i>"All children should have the right to have their say. This institution should be able to make this possible."</i>

¹⁹ Children refer to the institution of residential care where they live.

²⁰ Children refer to the National Health System's Hotline.

²¹ The child refers to the Emergency Number in Portugal.

²² The child refers to Private Institutions of Social Solidarity.

-
- *"To listen to the children so that we can understand them better and understand what is needed."*
 - *"Fast and long-term actions/measures to be taken to help all children and young people."*
-

Good practices

Illustratively, the following examples of good practices were **indicated by the institutions**:

- The existence of governmental entities - such as the CNPDPCJ - and non-governmental ones, which defend and promote children's rights, with plans/programs for capacity building and prevention, contributing to a greater participation of children and young people.
- Existence of several national telephone help lines for children.
- Existence of the [National Council of Children and Young People](#), established and steered by the CNPDPCJ as a permanent consultation forum which aims to give voice to the experiences, concerns, needs and expectations of children and young people from all over the country, aged 8 to 17 years old, with a view to enhancing the establishment of bridges with their local communities, with their action having an impact on public policies and social transformation.
- Promoting the civic participation of young people in Portugal through non-governmental organizations.
- Periodic meetings with counsellors, representatives from various areas and families from the social sector in the context of mutualist association activities.
- In the Autonomous Region of the Azores:
 - Awareness-raising campaigns carried out by Children's Commissions.
 - The organization of meetings between entities aiming at the creation of activities to promote children's rights.
 - The participation of external entities in the existing youth councils, such as, for example, the National Scout Corps in the Youth Council of the Azores.

Children mentioned the following good practices:

- The participation of the CNPDPCJ in the Project CP4Europe was identified by the children as a good practice as several of them, not only regarding Indicator 3 but also others, as children expressed that, by participating in this consultation process, they learn many things about their right to participate and of the National Commission's role to protect it, along with the Council of Europe's role in contributing to children's rights. One of the participating children even told she would keep in mind the National Commission and the Council of Europe's name and logos that she saw in the materials for this consultation.
- The creation of the [National Council of Children and Young People](#), by the [National Commission for the Promotion of Rights and the Protection of Children and Young People](#) corresponds to topics children identified above as the more important in an independent national institution of the rights of the child, namely

by integrating in its composition children and young people from all regions of Portugal (mainland and islands).

- The Regional Coordination Teams of the CNPDPCJ are a permanent resource that allows a close local contact between the National Commission and each CPCJ.
- The regular meetings of the Presidency of the CNPDPCJ with the Regional Coordination Teams, the 311 CPCJ and regional and local entities that intervene in matters of childhood and youth, which occur in two formats: regional meetings, in which the Presidency of the National Commission meets all CPCJ and other relevant stakeholders of each region; and the annual national meeting, in which the Presidency and all Teams of the National Commission meet the 311 CPCJ and other relevant stakeholders of all regions (mainland and the archipelagos of Madeira and Azores).

Points to address

Institutions pinpointed the need for improvement in areas such as:

- The apparent need to provide civic education from an early age as a way to enhance children's participation in various spheres of social life (neighborhood, school, youth, student or academic associations).
- The need to comply with some legal obligations, such as the composition of the CPCJ.
- The need for CPCJ to be provided with better financial support and facilities, and technical reinforcement in order to serve their target audience better.

The following areas were **identified during child consultations** as requiring improvement:

- *"Teaching to respect children's opinion."*
- *"Listening to children and not interrupting children."*
- *"I think it's important that there is significant outreach in schools about how important the rights of children and youngsters are."*
- *"Implement anonymous questionnaires in schools, where they [children] would talk about what they think about participation and respect for their rights and leave them at fixed points to be consulted later."*
- *"The institutions should act more on the families that allow children to drop out of school and [act] on other areas that need support"*
- *"The institution should have a section that included children, in which it would regulate court cases related to them. Then the voice of children would not be ignored or manipulated and we could speak more comfortably and without fear of adverse reactions."*
- *"Having an oversight team in order to ensure impartiality during proceedings."*
- *"That interventions in certain processes should have a time limit, so that action is swift."*

Action points (follow-up)

Institutions mentioned that progress in this indicator could be achieved through the following actions:

- Create an Ombudsman's Office for the Rights of the Child, or at least a section with its own means and resources within the Ombudsman's Office.
- Improving the articulation between the various intervening parties, in order to overcome some of the constraints and difficulties noted.
- Reinforcing the staff allocated to the CPCJ teams.
- The need to inform communities best about the existence of the CPCJ, their functioning and the ability of the common citizen to collaborate with them.

According to the consulted children, progress in this indicator could be achieved through the:

- Implementation of the [National Strategy on the Rights of the Child²³ and of its Biannual Plan for 2021-2022](#) and approval and implementation of its Biannual Plan for 2023-2024.
- Continuation of the organization of initiatives by the CNPDPCJ, in order to promote and present this institution, its role and how to be contacted by children, as well its awareness-raising actions to promote children's rights and to draw attention to the need to widen, strengthen and make more regular the initiatives to consult children at all levels and areas affecting children's interests.
- The insistence in the relevance of regular child consultations in areas that affect children's interests, namely the ones identified by the children in this consultation: entities with competences in child protection measures (CPCJ and courts) and schools.
- The reinforcement of the the training of professionals of all areas with direct contact with children, in order to prepare them to listen to children regularly, respectfully, without interrupting them and making them feel their opinion matters and will be considered to influence decision-making.
- The White Paper on Child Participation in Portugal that will be produced in the context of the Project CP4Europe.

²³ Approved by the Resolution of the Council of Ministers no. 112/2020, of December 18.

Indicator 4

Existence of mechanisms to enable children to exercise their right to participate safely in judicial and administrative proceedings, defined as “The Council of Europe Child Friendly Justice Guidelines provide that children who come into contact with the justice system should: be informed of their rights, have free access to a lawyer, be heard and taken seriously, and have decisions affecting them explained in a way that they can understand. These provisions should be available to children in the following judicial and administrative proceedings: criminal justice proceedings regardless of whether they are implicated as perpetrators of criminal activity, victims or witnesses of crime; family law proceedings; care and protection proceedings; and immigration proceedings.”

According to the CPAT, States can measure progress towards the indicator using the following assessment criteria:

0 = No direct access to the courts for children

1 = Rules and procedures to ensure access to information on rights, to free access to a lawyer, and to be heard in judicial proceedings and to have decisions explained to them in a way they can understand are being applied in one of the judicial or administrative settings listed

2 = Rules and procedures to ensure access to information on rights, to free access to a lawyer, and to be heard in judicial proceedings are being applied in at least two of the judicial or administrative settings listed

3 = Full implementation of the Council of Europe Child Friendly Justice guidelines has been achieved in all of the specified judicial and administrative settings

Final Score of the Assessment ²⁴	
As of institutions	2
As of children	2

Analysis notes

As a result of the 15 replies to the consultation with institutional stakeholders, it was ascertained that, as of the law, the child has the right to be informed and to participate. According to some entities, even though certain mechanisms are formalized, they often do not work in practice, and children are not involved in judicial and administrative processes in several circumstances.

²⁴ Institutional stakeholders: highest score – 2, lowest score – 1; score of the different particular aspects ranging from 0 to 3.

In fact, there are still isolated cases of children that are not correctly informed about the processes that concern them, such as, for example, decisions regarding the application of measures of placement in residential care.

In promotion and protection processes, as well as in immigration and asylum ones, there might be the need to appoint a guardian to support the child in his/her participation and in understanding the process. However, the procedures used to appoint a guardian are neither adequate nor expeditious, and, according to some stakeholders, often contravene the principles set out in the Convention on the Rights of the Child, namely due to a lack of preparation, qualifications and independence.

Some constraints were also identified at the level of the access of children to legal aid, which is promoted by Social Security and is subject to a previous financial means analysis. The direct access of the child to a lawyer for free implies that the child is in a poor socio-economic situation, otherwise he/she will have to pay for the legal services provided. Furthermore, when applicable, the process of attributing a lawyer is lengthy and presupposes an administrative process associated to it.

Although the Council of Europe guidelines and national legislation point towards a child-friendly and child-friendly system, with a set of procedures adjusted to children's pace and age, this task is not yet fully harmonized in practice. For more and better participation, information should be made available on the existing mechanisms for the exercise of the right at stake, in a language adapted to the child's age.

As of potential limitations to the provision of this type of support based on criteria such as nationality, age, disability, immigration, socio-economic status or victim status, entities stressed out that it is forbidden by the Constitution of the Portuguese Republic. However, the replies regarding the conditions in which this support is available and provided showed that stakeholders's views differ according to the experience of each respondent organization, ranging from the absence of such limitations to the practical existence of restrictions to the right of the child to participate, depending on circumstances, such as disability, nationality, language, or other types of vulnerabilities, in the various contexts, given the absence of means or mechanisms that ensure interpretation, translation, cultural mediation and psychological follow up to respond to those specific vulnerabilities.

The definition/existence of procedures that guarantee the participation of children and young people with, for instance, cognitive or other deficits in judicial processes was pinpointed as a measure that ensures this support. On the other hand, it was pointed out that this support is not available to all children free of charge, since socio-economic status is a limiting factor.

Some stakeholders also pinpointed the need to speed up the hearing/participation of the child, particularly of vulnerable children, in order to avoid anxiety states and victimization of the child.

As of measures to facilitate access to this support by marginalized or excluded children, respondents expressed different views ranging from the absence of measures to their existence, such as, the provision of free legal aid, and measures which are foreseen in the biannual plan of the National Strategy for the Rights of the Child 2021-2024,

illustratively that aiming at reinforcing the teaching of Portuguese as a Non-Mother Tongue to migrant and refugee children.

On the existence of disaggregated data that could highlight characteristics of the children who use the CPCJ (e.g. nationality, age, disability, among others), the annual evaluation report on the activity of the CPCJ, produced by the CNPDPCJ, is accessible to the general public and provides a set of data regarding the situations reported and followed-up. Some disaggregated data are only accessible to the local CPCJ and other intervening entities.

Details on the number of **replies of the institutions** are as of the following chart:

Proceedings	Mechanisms in place (tick all that apply)			AVERAGE SCORE
	be informed of their rights	have free access to a lawyer	have decisions affecting them explained in a way that they can understand	
Criminal justice	12 replies	13 replies	10 replies	2
Criminal justice procedures	11 replies	10 replies	9 replies	2
Family law	11 replies	9 replies	7 replies	2
Care and protection	10 replies	9 replies	7 replies	2
Immigration	5 replies	3 replies	3 replies	1
Immigration and asylum procedures	6 replies	5 replies	5 replies	1

As a result of consultations with 525 children, the following notes were gathered (with ticks according to the majority of replies):

Proceedings	Mechanisms in place		
	be informed of their rights	have free access to a lawyer	have decisions affecting them explained in a way that they can understand
Criminal justice	✓	✓	✓
Family law	✓		✓
Care and protection	✓		✓
Immigration	✓		✓

In reply to a set of closed and open questions created by Portugal with topics to help assess the indicator based on CP4Europe's child consultations, the following was ascertained²⁵:

CLOSED QUESTIONS RAISED TO ALL CHILDREN	YES	NO	DON'T KNOW
Has it ever happened that an adult person (other than your parents or care givers) has decided about you or your life? /Have you ever experienced a situation in which adult people (other than your parents or care givers) made important decisions for you?	✓		
In situations where adults made decisions about you, did they ask for your opinion on the matter?	✓		
When they asked your opinion, did they explain why?	✓		
When they spoke to you, did they speak in a way that you understood?	✓		
Did you feel comfortable asking adults about things that you didn't understand? (<i>Non-judicial proceedings</i>)	✓		
Did adults explain things to you differently when you told them you didn't understand? (<i>Non-judicial proceedings</i>)	✓		
Have you ever experienced a situation in which a conflict or violent situation had to be decided in a court? (<i>Judicial proceedings</i>)	✓		
Have you ever been in a situation where someone accused you of something that had to be decided in a court?	✓		
Have you ever been to court to make important decisions for your life?	✓		

CLOSED QUESTIONS RAISED TO THE CHILDREN WHO REPLIED HAVING LIVED SPECIFIC EXPERIENCES OF JUDICIAL AND NON-JUDICIAL PROCEEDINGS	YES	NO	DON'T KNOW
When they called you to go to court, did they explain why you were there?	✓		
Were you able to talk about how you think the situation happened? (<i>In judicial context</i>)	✓		

²⁵ The lists of topics are reported in decreasing order of referral by the children; in brackets, one can find topics added by the children.

Were you supported by any adult when you went to court?	✓	
Did you feel well having that (those) adult(s) supporting you in court?	✓	
If someone complained about you, do you feel that they helped you to explain your [side of the] situation? (<i>In judicial context</i>)	✓	
After their complaint against you, did they inform you and explain their decision on the situation? (<i>In judicial context</i>)	✓	
When they spoke to you, did they speak in a way that you understood? (<i>In judicial context</i>)	✓	
If someone complained about you, do you feel that the decision made about the situation was fair? (<i>In judicial context</i>)	✓	
In court, were you asked on your opinion on how you would like the situation to be decided?	✓	
Was the place where adults talked to you comfortable?		✓
When the adult people made their decision, did they inform you of what it was and explain to you why they decided that way?	✓	
Did they talk to you about the decision made in a language you understood?	✓	
Do you think adults made that decision having your best interest in mind?	✓	

OPEN QUESTIONS AND OPEN PARTS OF SEMI-CLOSED QUESTIONS	Children's replies to open questions ²⁶
Which situations have you ever lived where adults (other than your parents or care givers) made important decisions for you?	<ul style="list-style-type: none"> Options ticked by most children (more than 50 children): <ul style="list-style-type: none"> Separation or loss of parents or caregivers Other situations (detailed in the question below) Options ticked next by children (less than 15 children): <ul style="list-style-type: none"> [Being/having been a] victim of violence Economic difficulties or any other conditions that made it impossible for the child to be taken care by parents or family Less ticked option (1 child): [Having been] accused of violence.
Which other situations have you lived where adults (other than your parents or carers)	<ul style="list-style-type: none"> "The situation was at school."; "The teacher said I needed to lose weight."; "When the teacher told me to go to ping-pong."; "When I wanted to [be] transfer[red

²⁶ Replies that identify good practices or areas needing improvement are only mentioned below to avoid repetitions.

made important decisions for you? [Detailed replies from children that ticked “Other situations” in the question above]

to another] school and no teacher agreed.”; “At school, because my head hurt [and they had to take care of me].”; “At school the teacher punished me.”; “It was a situation in the class.”; “Filing a complaint against a colleague.”

- *“Choices of schools and courses.”; “In the area of studies.”; “On the career path - on choosing a work placement.”; “Not wanting to go to school!”; “My grandmother tells me to go to school every day because it is important.”; “Changing School. They wouldn't let me give up rugby.”*
- *“At school, guardian²⁷.”; “They only asked me to go to one school and I said no, and I went to the one I wanted [to go to].”; “Going to a college.”; “In relation to the school [I wanted to go to], in relation to my hair, in relation to everything I do in my life.”; “What to eat.”; “To move [to another] house.”; “When I want to go out with friends and they don't give permission.”*
- *“My mother.”; “My uncle to Portugal and I came [too].”; “My father had to go to Guinea, so I stayed with my aunt.”; “My aunt, as she wanted me to do something I didn't want to do, as it would change a lot of things.”; “Something intimate.”; “Old relationship.”*
- *“It was me doing a bad thing and then they made a decision.”; “The court.”; “When I went to court because of the educational guardianship process.”; “How they wanted me to go and who they wanted me to stay with [parental separation].”; “The court put me in an Educational Centre without my permission and that of my parents.”*
- *“When I went to the institution and when I had the accident.”; “When I came to the institution to live [here].”; “When I came to the institution [residential care], the local Commission for the Protection of Children and Young People.”; “When I went to a foster home.”; “They put me in an institution without me wanting it.”; “My institution took it upon itself to move me out.”*
- *“Coming to the foster home.”; “Being placed in residential care.”; “[Being] separate[d] from my father and going to an Emergency Centre.”; “Measure of Promotion and Protection of the Child.”; “Agreed being placed in an Educational Centre.”; “To come to the Educational Centre.”; “My uncles used to beat me.”; “Application of internment measure.”; “The decision to go to the Educational Centre.”; “The court.”; “In the internment in the Educational Centre.”; “Situations with the court.”; “I was taken away from the family for bad*

²⁷ In the sense of the person who is responsible for the child before the school regarding the child's educational matters (*i.e.*, “Encarregado de Educação”).

	<p><i>behaviour and they put me in a foster home and it only served to make it worse."</i></p> <ul style="list-style-type: none"> • <i>"Having been taken in to residential care."; "Yes. Coming to the Educational Centre."; "Educational guardianship."; "Coming to an Educational Centre."; "I don't have problems with my family."; "They took me away from my family."; "When I was detained I was away from my PARENTS."; "Yes. When they sent me to an institution."; "Visits/meetings with my father."; "When I was younger, my grandmother took me away from my parents."</i> • <i>"I don't want to explain."</i>
<p>Please tick below who were the adults (other than your parents or care givers) who made important decisions for you? (Non-judicial proceedings)</p>	<ul style="list-style-type: none"> • Option ticked by most children (17 children): <ul style="list-style-type: none"> - Class Director or Directing Board of the School. • Other options ticked (less than 15 children): <ul style="list-style-type: none"> - I don't know/I don't want to say; - Other situations: <i>"Uncle"; "Brother and stepmother"; "Brother"; "Sister, boyfriend, psychologist"; "Teachers / Friends of my mother's colleague"; "Friends; "Neighbour"; "Court".</i> • Option less ticked (less than 5 children): <ul style="list-style-type: none"> - Judge/Court; - Local Commission for the Protection of Children and Young People.
<p>Which adults called you to ask for your opinion? (Non-judicial proceedings)</p>	<ul style="list-style-type: none"> • Option ticked by most children (35 children): <ul style="list-style-type: none"> - Parents/Caregivers. • Other options ticked (less than 15 children): <ul style="list-style-type: none"> - Other adults: <i>"Uncle"; "In Court"; "Friends"; "Brother and stepmother"; "Brother"; "Sister, boyfriend, psychologist"; "Teachers / Friends of my mother's colleague"; "Don't want to say"; School; local Commission for the Protection of Children and Young People; residential care institution.</i> • Option less ticked (1 child): <ul style="list-style-type: none"> - Hospital/local health unit.
<p>Please tick below the situations where the adults (other than your parents or carers) had to make important decisions for you. (Judicial proceedings)</p>	<ul style="list-style-type: none"> • Option ticked by most children (12 children): <ul style="list-style-type: none"> - Victim of violence, I had to be protected • Other options ticked (less than 10 children): <ul style="list-style-type: none"> - None; - Other: <i>"Visits/Meetings with my father"; "Person who draws up school plans to help students"; Separation, divorce or loss of parents or caregivers.</i> • Option less ticked (1 child): <ul style="list-style-type: none"> - <i>"Economic difficulties of parents or caregivers made it impossible for them to take care of me and [so they] asked for help".</i>
<p>Did you feel well when adults called you to ask for your opinion for the decision and explained why to take it?</p>	<ul style="list-style-type: none"> • Option ticked by most children (47 children): <ul style="list-style-type: none"> - Yes, and I felt good that they were talking to me. • Other options ticked (less than 17 children): <ul style="list-style-type: none"> - No, but I would like they have talked to me.

	<ul style="list-style-type: none"> • Option less ticked (9 children): <ul style="list-style-type: none"> - Yes, but I didn't feel good that they were talking to me.
What was the place like, in which adults called you to ask for your opinion? (Non-judicial proceedings)	<ul style="list-style-type: none"> • Option ticked by most children (68 children): <ul style="list-style-type: none"> - I don't know/I don't want to say • Other options ticked (48 children): <ul style="list-style-type: none"> - Comfortable • Less ticked option (15 children): <ul style="list-style-type: none"> - Uncomfortable
Why did you feel it was comfortable?	<ul style="list-style-type: none"> • <i>"It was at my house."</i> • <i>"In my home."</i> • <i>"It's safe."</i> • <i>"Home."</i> • <i>"Quiet environment."</i> • <i>"To be in my home."</i> • <i>"Everything."</i> • <i>"Sofa."</i> • <i>"The house itself is comfortable."</i> • <i>"People are cool and when they picked me up and I came to the institution the (name) was and I felt really good."</i> • <i>"Having it been in my home. In my space."</i> • <i>"Being a safe and private space."</i> • <i>"The people, the atmosphere that was good."</i> • <i>"A more private room."</i>
Why did you feel it was uncomfortable?	<ul style="list-style-type: none"> • <i>"I felt like I was in a locked room."</i> • <i>"People talk too fast."</i> • <i>"Everyone is looking at me."</i> • <i>"Less people."</i> • <i>"Nothing."</i> • <i>"I don't know."</i> • <i>"Yes. I found the place where they spoke uncomfortable."</i>
What would you make it more comfortable for to you to talk?	<ul style="list-style-type: none"> • <i>"Being at home"</i> • <i>"The people I care about not going away, as many have gone."</i> • <i>"Nothing."</i> • <i>"Warmth!"</i> • <i>"Chairs."</i> • <i>"I don't know."</i> • <i>"Not being the police and not lying²⁸"</i> • <i>"Warming up the room."</i> • <i>"I don't remember."</i>
What did you feel the moment adults asked for your opinion?	<ul style="list-style-type: none"> • Option ticked by most children (53 children): <ul style="list-style-type: none"> - I don't know/I don't want to say • Other options ticked (28 children): <ul style="list-style-type: none"> - Shyness/ashamed.

²⁸ The youngster refers to the fact that family members lied to him when they told him they were going out to have an ice-cream and then it took him to the police instead.

	<ul style="list-style-type: none"> • Other options ticked (less than 25 children): <ul style="list-style-type: none"> - Trust; Fear; Support; Strangeness. • Other options ticked (less than 15 children): <ul style="list-style-type: none"> - Insecurity; - Other things: <i>"Anger"; "Afraid they won't like my opinion"; "Ashamed"; "Heartbreak"; "Afraid of not liking my opinion"; "Nothing"; "I felt they invaded my privacy"</i>. • Option less ticked (6 children): <ul style="list-style-type: none"> - Loneliness.
What was it like, the place where adults called you to ask for your opinion? (Judicial proceedings)	<ul style="list-style-type: none"> • Option ticked by most children (31 children): <ul style="list-style-type: none"> - I don't know/I don't want to say • Other options ticked (10 children): <ul style="list-style-type: none"> - Comfortable • Option less ticked (3 children): <ul style="list-style-type: none"> - Uncomfortable
Why did you feel it was comfortable?	<ul style="list-style-type: none"> • <i>"They didn't interrupt [me]."</i> • <i>"We had the right to privacy."</i> • <i>"There was no noise."</i> • <i>"No one disturbed."</i> • <i>"There were few people."</i> • <i>"It had a certain privacy"</i>. • One child mentioned that it was because of being at home, by videoconference, in the child's own space and with privacy. • One child mentioned that he felt comfortable listening to the story of other children/young people during a talk, which had taken place a few days before. • One child mentioned that, at the end of the school year, the head teacher called him in to talk to him alone to ask his opinion about the way forward for the next school year; he told her he could do what was best for him. • One child mentioned that he listened to the teacher's opinion and feels comfortable when he talks to her because she conveys confidence <i>"and for everything [?]"</i>.
Why did you feel it was uncomfortable?	<ul style="list-style-type: none"> • <i>"There were a lot of people around."</i> • <i>"It was after family counselling."</i>
What do you suggest would made you feel more comfortable?	<ul style="list-style-type: none"> • A child shared that hearing stories similar to his own made him want to participate and not be shy to speak out. • Others suggest that it should be better that adults talked alone with the child, as the child did not know them and being together [with those adults] was intimidating.
Did you feel comfortable asking adults about things you didn't understand?	<ul style="list-style-type: none"> • Option ticked by most children (55 children): <ul style="list-style-type: none"> - Yes • Other options ticked (45 children): <ul style="list-style-type: none"> - I don't know/I don't want to say • Other replies: <ul style="list-style-type: none"> - <i>"Yes. I never asked, but I'd be comfortable."</i>

	<ul style="list-style-type: none"> - <i>"When I arrived, I didn't feel comfortable ..., but I'm not sure why"</i> - <i>"More or less. I was embarrassed and my heart was beating too fast".</i> • Option less ticked (28 children): <ul style="list-style-type: none"> - No
Did adults explain it to you differently when you told them you didn't understand?	<ul style="list-style-type: none"> • Option ticked by most children (58 children): <ul style="list-style-type: none"> - Yes • Other options ticked (53 children): <ul style="list-style-type: none"> - I don't know/I don't want to say • Other replies: <ul style="list-style-type: none"> - <i>"I don't know why I feel like it wasn't explained to me."</i> - <i>"I never asked or said I didn't understand something."</i> - <i>"No. I didn't say I didn't understand."</i> • Option less ticked (19 children): <ul style="list-style-type: none"> - No
Which situation(s) have you ever experienced where a conflict or violent situation had to be decided in a court?	<ul style="list-style-type: none"> • Option ticked by most children (31 children): <ul style="list-style-type: none"> - Violence <i>between</i> children in other places than school and at home. • Other options ticked (less than 30 children): <ul style="list-style-type: none"> - <i>Violence at school.</i> - <i>Domestic violence.</i> - Other situations: <i>"Between me and my father"; "Conflict between me and other young people"; "Conflict between me and a young person"; "Between other young people"; "At school with classmates and teachers"; "When I was put in residential care"; "In an institution"; "In the institution"; "Aggressions among adults"; "Disrespecting police officers"; "In a situation".</i> • Option less ticked (7 children): <ul style="list-style-type: none"> - Non-domestic violence between adults.
Which adults supported you when you went to court?	<ul style="list-style-type: none"> • Option ticked by most children (64 children): <ul style="list-style-type: none"> - Family member • Other options ticked (less than 60 children): <ul style="list-style-type: none"> - Lawyer - Professional of the residential care institution • Other options ticked (less than 20 children): <ul style="list-style-type: none"> - Social assistant; - Other: <i>"Coaches/Priest/Teachers"; "Education Centre"; "My girlfriend"; "Friend"; "Witnesses"; "Mentor at the Education Centre"; "Mentor at the Centre"; "Technician "Technician from the institution"; Psychologist; interpreter.</i> • Option less ticked (1 children): <ul style="list-style-type: none"> - Therapist

<p>In court, how did you feel were the facilities where people talked with you?</p>	<ul style="list-style-type: none"> • Option ticked by most children (55 children): <ul style="list-style-type: none"> - Uncomfortable • Other options ticked (52 children): <ul style="list-style-type: none"> - Comfortable • Option less ticked (18 children): <ul style="list-style-type: none"> - I don't know/I don't want to say.
<p>What did you feel that was comfortable in court?</p>	<ul style="list-style-type: none"> • <i>"The room was warm."</i> • <i>"Being alone with the judge without anyone listening to me."</i> • <i>"Physical space."</i> • <i>"The chairs [were] very welcoming."</i> • <i>"The chairs."</i> • <i>"The way they spoke to me."</i> • <i>"It was quiet."</i> • <i>"I didn't think anyone was putting pressure on me."</i> • <i>"Nothing at all."</i> • <i>"The waiting room and the trial room."</i> • <i>"I found it quite a strong place that shows quite a strong impact to a young person."</i> • <i>"The room and the Doctors."</i> • <i>"Everything."</i> • <i>"Being able to tell my side of the story."</i> • <i>"Not comfortable at all."</i> • <i>"It was neither comfortable nor uncomfortable."</i> • <i>"They spoke well to me."</i> • <i>"I could have been talking to myself."</i> • <i>"They were nice to me."</i> • <i>"The room."</i> • <i>"The people and the chairs."</i> • <i>"The way they treated me."</i> • <i>"The way they explained things."</i> • <i>"The room and the waiting room."</i> • <i>"Well received."</i> • <i>"Everything, the room, the seat."</i> • <i>"The way they spoke to me."</i> • <i>"Having the support of my family."</i> • <i>"Having my family in there with me."</i> • <i>"Everything."</i> • <i>"My case manager."</i> • <i>"Nothing."</i> • <i>"Being told what was best for me."</i> • <i>"The people and the place."</i> • <i>"The space and the air."</i> • <i>"The seats."</i> • <i>"The cushioned chair."</i>
<p>What did you feel uncomfortable in court?</p>	<ul style="list-style-type: none"> • <i>"Cold."</i> • <i>"Language used."</i> • <i>"Wooden benches."</i> • <i>"Chair I was sitting in."</i>

-
- *"Finding a way to record the voice without having the microphone pointed at my face."*
 - *"Panicked."*
 - *"Didn't feel right."*
 - *"It was a trial room, wide and cold."*
 - *"Everything I think."*
 - *"Always standing or sitting on something hard."*
 - *"The chairs and lots of gentlemen and ladies in front."*
 - *"Almost everything."*
 - *"The court professionals looking at me like the worst in the world."*
 - *"It was the way they spoke to me because I didn't understand anything."*
 - *"The room was big and there were several people."*
 - *"Microphones. Everyone staring at me."*
 - *"I did not like the court and the fact that there were a lot of people (judge, prosecutor, lawyer and two other people who I do not know who they were)."*
 - *"Hearings."*
 - *"Having a lawyer."*
 - *"Tension."*
 - *"The room."*
 - *"Not enough windows."*
 - *"The way they look at us."*
 - *"Being in such a big room and with so many people like justice like cramped."*
 - *"Being judged in front of several people."*
 - *"The chairs and being there for 10 hours."*
 - *"The facilities."*
 - *"It was a courtroom. Not comfortable."*
 - *"Everything [uncomfortable] about it."*
 - *"Very tense atmosphere."*
 - *"Everything."*
 - *"Nothing."*
 - *"Having talked to me like I was some guy."*
 - *"[It took place/] Was by video call."*
 - *"Use very expensive words."*
 - *"The tone of the [voice of the] Judge."*
 - *"Everything. It's not good to be in court."*
 - *"Standing all the time."*
 - *"They don't explain well."*
 - *"The room I was in was not part of my future."*
 - *"Talk [to me] in an arrogant manner."*
 - *"The environment."*
 - *"The way your Honour treated you."*
 - *"The room was too big."*
 - *"Videoconference"*

What do you suggest to make children feel comfortable in court?

- *"Couch."*
 - *"Maybe the court trying to find out which relatives we sympathise with best, that would be quite comfortable."*
-

-
- *"Nothing. It's fine as it is, in my opinion."*
 - *"Not to add anything."*
 - *"A welcoming place."*
 - *"Bringing the victims and the criminals face to face."*
 - *"Way of speaking."*
 - *"Keep being sincere and cordial."*
 - *"The atmosphere."*
 - *"More patience and time."*
 - *"Some ways of talking."*
 - *"Not being too rigid."*
 - *"Keep it up."*
 - *"Speak more calmly."*
 - *"Not too many strangers."*
 - *"Explain the more complex words."*
 - *"Make decisions more..."*
 - *"Try to make them more comfortable."*
 - *"Compare armchairs."*
 - *"Sofa."*
 - *"Not being [judged in] a trial room, but [in a space that is] more informal."*
 - *"Nothing."*
 - *"Add nothing."*
 - *"Change the chairs and fewer gentlemen in front."*
 - *"Almost everything."*
 - *"Nothing, because I don't like those places."*
 - *"Cops."*
 - *"The lawyer to do something. They usually get paid and do nothing."*
 - *"Being with family members."*
 - *"Don't show threatening looks."*
 - *"Being with the people [who are] really important to the situation."*
 - *"Sofas and faster service."*
 - *"A sofa."*
 - *"Speak calmly."*
 - *"I think presence is very important."*
 - *"Don't speak too fast or too expensive words."*
 - *"The more complex words."*
 - *"Be listened to."*
 - *"To ask for further clarification."*
 - *"Put less pressure on them."*

What did you feel when they were hearing you? (Judicial proceedings)

- Option ticked by most children (55 children):
 - Shyness/ Shame/
 - Insecurity/ Fear
 - Other options ticked (less than 25 children):
 - Strangeness;
 - Other things: *"Scared by uncertainty of my future"; "I felt nothing"; "Just afraid of the answer"; "Distrust"; "Nervous"; "I felt I was suspicious";*
-

	<p><i>"Anger"; "Sadness"; "Regretful"; Trust; Support; Loneliness.</i></p> <ul style="list-style-type: none"> • Option less ticked (9 children): <ul style="list-style-type: none"> - I don't know/I don't want to say
How did you feel until you knew the decision taken?	<ul style="list-style-type: none"> • Option ticked by most children (97 children): <ul style="list-style-type: none"> - Fear • Other option ticked (less than 93 children): <ul style="list-style-type: none"> - Worry • Other options ticked (Under 55 children): <ul style="list-style-type: none"> - I don't know/I don't want to say; - Other things: <i>"Felt good"; "Fear and anger"; "Regret"; "Nervous"; "Anger"; "I felt more relieved"; "Doesn't change anything"; "Bad, embarrassed, disrespected"; "Nothing"; "Doubtful and full of unanswered questions"; "Too fast"; "Anger"; "Afraid they won't like me"; "Worry, shame, etc."; "Fear of being away from my daughters"; "Irritated".</i> - One of the young people reported that he was calm while waiting for the decision. - Another young person noted that he was initially worried and was now simply waiting for the final decision. - Indifference - Shame • Other options (less than 15 children): <ul style="list-style-type: none"> - Confidence - Shame • Option less ticked (12 children): <ul style="list-style-type: none"> - Indifference.

Additional aspects have been added to the methodology used with one of the focus groups through the following questions:

ADDITIONAL QUESTIONS	Children's replies to additional questions created for this consultation
Do you think it is important that adults ask children and young people for their opinion?	<ul style="list-style-type: none"> • <i>"Yes, because everyone needs to have their say."</i> • <i>"Yes, very much."</i> • <i>"Yes, I think so."</i>
What do you think is missing to achieve the best possible score? [in explaining the situation and its corresponding decision to the child]	<ul style="list-style-type: none"> • <i>"[Explain] in a way that a child can understand."</i> • One child conveyed that she feels that it was not explained to her what was going on and why she had to be put in residential care, which led her to feel in that experience that it was not the best for her. • <i>"The terms/concepts they use when talking to us being easier"</i> • <i>"Talking to me and explaining things."</i>

<p>Do you have any idea why you felt that way [worried or feeling fear while waiting for the decision to be made]?</p>	<ul style="list-style-type: none"> • <i>"Not using such difficult terms and words."</i> • <i>A child who did not go to court, because "it was far away", said that they did not hear him and was told that he was going to stay in the institution without knowing why, which he associates with how he felt about it: "they didn't hear me, but I was worried about what was coming next"</i> • <i>"I don't know because I don't think they asked what my opinion was."</i> • <i>"Because I didn't know what I was going through exactly and I had never been in a situation like that before."</i> • <i>"Because I didn't want to be in the institution [residential care]."</i> • <i>"Because, in the beginning, I was afraid, but then I started to like it and want to work here - in the institution."</i> • <i>"Because I didn't know what was going to happen. If I was going to stay at home or go to the institution."</i> • <i>"I didn't know if I was going to stay at home or go somewhere else..."</i>
<p>If you were to decide how to hear children, what would you suggest so that children would feel comfortable while being heard? [In Non-judicial proceedings]</p>	<ul style="list-style-type: none"> • <i>"Speaking the truth to the young [person]."</i> • <i>"Talking calmly to the person."</i> • <i>"The adult should tell the child that it is okay to make a complaint and that it can help make things better."</i> • <i>"Encourage children to make a complaint."</i> • <i>"Help children to feel more comfortable and confident."</i> • <i>"Parents should get their children used to telling about these situations."</i> • <i>"The adult should talk to the child in a calm manner."</i> • <i>"Freedom. Respect the children."</i> • <i>"Putting them [the children] at ease. Pay more attention."</i> • <i>"When they [adults] say they want to hear our opinion, don't start putting it on a [basis of] "it depends on how much trust you have with people. I think adults, no matter what, have to listen to the opinion of children/young people and have to accept that they are not always right."</i> • <i>"Listening to children more. Not forbidding them to do things (play)."</i> • <i>"Not shouting and [instead of it,] being calm, because we are children and we do varieties of things."</i> • <i>"I don't know."</i> • <i>"Have spoken to me more easily [in language easier for me to understand]."</i> • <i>"They should listen to children/young people and respect their comments, not only because they know what is best [for them], but because we [children/young people] also have our choices [preferences]."</i> • <i>"The children's opinion is very important."</i>

-
- *"I would [like to have been] ask[ed] if I wanted to go to Portugal."*
 - *"Calmly."*
 - *"To have love."*
 - *"Speak with love."*
 - *"Be truthful."*
 - *"We would like them to speak well to us."*
 - *"I would say they travelled or I had to explain calmly."*
 - *"Slowly, calmly and seriously [with seriousness]."*
 - *"[Helping them to] feel confident."*
 - *"I wanted to say that he [the adult] made me very happy before he gave me the bad news."*
 - *"I wanted him [the adult] to be nice."*
 - *"I would like them to talk to me gently."*
 - *"Very quickly."*
 - *"[With] Calmness."*
 - *"Sympathy."*
 - *"Happiness."*
 - *"Kindness."*
 - *"Affection."*
 - *"Calm and gentle."*
 - *"In a simple way."*
 - *"Adults should listen to us and put themselves in our shoes."*
 - *"Not judging children."*
 - *"With questionnaires."*
 - *"[With] Debates about certain issues in society."*
 - *"My parents keep their voices down."*
 - *"Having an adult who understands our opinion."*
 - *"Listening to the children."*
 - *"Giving more freedom and [with] respect."*
 - *"Being patient."*
 - *"If I were an adult, I would ask the child if the child agrees with my opinion."*
 - *"With patience."*
 - *"Listening to children or young people before breaking out into aggression."*
 - *"Adults should listen to children more."*
 - *"Try first to pass [convey/inspire] confidence to the child, listen to them until [they] finish and, when giving an opinion, don't be rude or hasty."*
 - *"Talk calmly and patiently."*
 - *"Ask questions before making the decision."*
 - *"Talk to children/young people in a place where they feel more comfortable."*
 - *"Making people more comfortable and not putting pressure on them."*
 - *"That they could do anything they wanted."*
 - *"Listening more to their children and helping their children more."*
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- *"I would try [suggest to the child] to talk to the adult(s), a colleague/friend that I trust a lot or I would email or create a suggestion box to ask for some ideas/suggestions to be able to talk/communicate."*
 - *"I could give an idea, like, adults had to give the floor to children and young people."*
 - *"They could talk to the children [to] listen to children's ideas to improve those places [where to listen to children]."*
 - *"They need to listen more to children's opinions."*
 - *"Explain in [a] way that the children or young people would understand."*
 - *"Understanding children."*
 - *"Adults should listen more to children's opinions, and should let them be free."*
 - *"Adults should listen more to children's opinions, and let them be a bit free."*
 - *"HAVING A ROOM WITH COLOURS (PAINTED)."*
 - *"Talking to the children on their own."*
 - *"Listening to children's opinions."*
 - *"Talk well."*
 - *"I wish they would talk nice[ly] to me."*
 - *"Calmer."*
 - *"I said they had to respect people more."*
 - *"Listen carefully."*
 - *"Adults should be calmer in talking and listen more carefully to children's opinions."*
 - *"Attention, listening; consideration; unselfishness."*
 - *"[It should be because] They should pay attention that children don't see some things as adults say, so they should explain better."*
 - *"Having a lot of people there. Listening to their [young people's] opinion."*
 - *"Understanding the other side [that of the child] and listening to [the child's] insecurities and doubts."*
 - *"I have no ideas."*
 - *"To give more support. To not discriminate."*
 - *"Respect. Not treating ethnicities differently."*
 - *"Speak with respect and be our friends."*
 - *"They should respond to us and treat us like adults."*
 - *"They should be our friends and explain all the things well."*
 - *"They should act when they need to, but not make us do things we don't want to."*
 - *"If it was up to me, I think adults and my parents should listen to me first and have respect for my wishes."*
 - *"Nutritionist."*
 - *"Asking if the child thinks it is ok what the adult has suggested. Talk calmly and try to understand the child."*
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- *"I think adults should listen to our opinion the way we listen to their opinion."*
 - *"They should listen more to the opinions of young people/children."*
 - *"I would suggest that adults listen to young people's opinions more often rather than ignoring them completely."*
 - *"Thinking about the acts [consequences] that could happen [resulting from it]."*
 - *"Listening more to young people and have to try to put themselves in their [young people's] shoes more."*
 - *"With a lot of attention."*
 - *"Talking to young people in a language that they understand."*
 - *"From a certain age (6-7 years old), a child already presents an opinion of her own, so in my opinion any decision about the child should be discussed between the adult and the child, [because] not only he/she will feel heard but will also feel included in this process."*
 - *"Adults should treat us [illegible words] with respect and care."*
 - *"Let it be heard and respect the decision!"*
 - *"I don't know."*
 - *"That they could do whatever they want."*
 - *"Listen to their children more and help their children more."*
 - *"I would try to talk to the adult with a colleague/friend that I trusted a lot or email or create a suggestion box to ask for some ideas to be able to talk/communicate."*
 - *"I could give an idea: like, the adults had to give the children and young people the floor."*
 - *"They talked all right."*
 - *"Speak calmly."*
 - *"Adults should explain their decisions properly."*
 - *"I don't know how to answer."*
 - *I don't know how to say" "I can't say"."*
 - *"Explain their decisions properly."*
 - *"Explain the situation well" [and in] less "adult" terms."*
 - *"Always explain what is happening."*
 - *"Helping, freedom."*
 - *"Helping and liking them."*
 - *"They should be clearer with the young people."*
 - *"My experience in the foster home was very positive and I got a strong bond with the coaches and educators."*
 - *"Listen well to the young person and the parents."*
 - *"Not to give so much pressure."*
 - *"They could have more confidence, a nice room, explain well!"*
 - *"Educational centre probably for young people."*
 - *"Since I don't remember, I can't answer."*
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- *"Have conversations with young people, listen and respect even if they don't agree."*
 - *"Don't be harsh."*
 - *"In my opinion, they should listen to us because we have a true and sincere opinion."*
 - *"I would ask the young person to imagine the situation on a positive side and then I would tell the young person that this imagination could come true with a bit of effort."*
 - *"That they would talk quietly so that the children didn't get stressed and that they would listen to the children."*
 - *"They could talk and see how the children and young people feel and get them to like where they are."*
 - *"Having a little box for children/young people to put anonymously what they would like to see improved or what is missing to make them feel good."*
 - *"Having someone other than the mother (in this case) to talk more openly about their situation, and their experience of what happened."*
 - *"Putting the child in a safe and comfortable place."*

If you were to decide how to hear children, what would you suggest so that they would feel comfortable being heard? [In Judicial proceedings]

- *"Good listeners and respecting the children and explaining what is going on."*
 - *"More attention. That they be given more attention."*
 - *"Not to be listened to with too many people [around], so there is no pressure [to the child]."*
 - *"Provide an equal relationship between child and second party."*
 - *"Being with some family member at the side."*
 - *"A conversation in private with the judge or with a psychologist."*
 - *"To talk particularly with the judge, not to put pressure, to have the support of a psychologist."*
 - *"Having a joint conversation with a psychologist or some support [in] everything."*
 - *"I would let a psychologist of the child and a relative of the child be with him/her to provide moral support."*
 - *"Not to treat the child so much like a [small] child and improve the way they explain things to us."*
 - *"[Make them feel that] they are always safe and supported."*
 - *"Keep it low key and simple."*
 - *"I don't know, I never thought about it."*
 - *"I would choose what is best for them even if sometimes it is not what they want."*
 - *"To listen to what they have to say."*
 - *"That they would let me talk..."*
 - *"To speak calmly."*
 - *"Putting people in the room."*
 - *"Give more support and rest to the young people."*
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- *"To believe them [the children] more because they don't always lie."*
 - *"Speak calmly, with affection."*
 - *"Talk to the children more."*
 - *"Be a good listener."*
 - *"[Being] happy is important."*
 - *"Giving them a coke lollipop preferably."*
 - *"I have no ideas at the moment."*
 - *"Not having a microphone in front of me."*
 - *"I think they should explain better what they are saying because [saying the] numbers of the laws [doesn't help because] we don't understand anything and I think they should ask two or three times if we have anything else to say."*
 - *"Speaking in an informal setting where you try to reassure the young person and put them at ease about being honest."*
 - *"I don't have much to say as mine [Educational Centre] has good conditions, but maybe explain what an educational centre or any other internment space really is."*
 - *"Don't put pressure, speak in a friendly tone."*
 - *"Come once in a while to the court to talk to the judge."*
 - *"In my opinion, the state lawyers assigned to us is that there should be a closer connection and there should be more preparation before any trial."*
 - *"Yes, the lawyer next to me to tell me what the doctors were saying."*
 - *"It said they could talk all they liked, that they were not there to do any harm and that they only wanted the good of people."*
 - *"It wouldn't be like it was with me."*
 - *"Not using such expensive words for young people to understand."*
 - *"The understanding of the things that were said."*
 - *"Speak calmly."*
 - *"Speaking calmly, without too much pressure, making the young person comfortable and not afraid to speak."*
 - *"The way they are is not bad, what happens is that it could be better."*
 - *"Not speaking badly to them [young people], not being mean."*
 - *"They could understand the side of the young people better and improve the decisions more."*
 - *"Speak better to young people and listen to them more."*
 - *"Easy with words."*
 - *"I wouldn't try to go at it in such a formal way but in a calm way."*
 - *"Calm and supportive."*
 - *"Change some expensive language."*
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- *"Calm, simple words, and the best care."*
 - *"Support, comfort."*
 - *"Have comfort zone."*
 - *"More comfort."*
 - *"Listening to the decision of the young person and the victim and then that's when the decision would be given."*
 - *"Essentially knowing the life story [of the child]."*
 - *"A smaller, more comfortable room."*
 - *"Speak more with the lawyer. Also just me and the judge."*
 - *"Having more flexibility in decisions and not placing a 12-year-old child 500 km away from her family."*
 - *"Give another opportunity and see if it was worth it."*
 - *"Maybe just being with a judge and with a representative of mine and a lawyer."*
 - *"Told not to be afraid and to trust because it was better for the future."*
 - *"Give less pressure."*
 - *"I would say don't be afraid because they are doing the best for me."*
 - *"Speak calmly to the young people."*
 - *"Don't judge at first sight."*
 - *"Clear words/Tell it like it is."*
 - *"More time to talk to the lawyer beforehand so that the young person is more secure."*
 - *"In my opinion, a family member should always be present and not be arrogant, because we are human beings despite what we have done."*
 - *"Be friendlier."*
 - *"Be calm and don't give pressure."*
 - *"I would make the young person feel good afterwards and follow up in the best way."*
 - *"It was for the good of the young person."*
 - *"Give a second chance and take them for a month to a jail or educational centre to see that there is nothing good there!"*
 - *"They think everything we say in court in our defence is always a lie."*
 - *"Talk to him calmly and give less pressure."*
 - *"Support, confidence, concern."*
 - *"It will be good for you as you can improve in the future."*
 - *"Making assertive decisions."*
 - *"Freedom is priceless!"*
 - *"Questions like "What do you think of that?""*
 - *"I would let them talk and only then make a decision."*
 - *"Smaller rooms."*

In your opinion, what could improve your feeling that the

One child mentioned that he trusts the decision made by professional adults, although he thinks it would have

decision was made in your best interest?	been just as good to have stayed at home: " <i>Because it was the best thing for me.</i> "
Please complete the following sentence: I think it is important consulting children to...	<ul style="list-style-type: none"> • "<i>To be able to decide fairly.</i>" • "<i>To have their side of the story.</i>" • "<i>To give their opinion.</i>"
Please complete the following sentence: When talking to children about these issues, adults should...	<ul style="list-style-type: none"> • "<i>Pay attention to what they have to say and attention to what they want to say but are afraid of [saying].</i>" • "<i>Be calm and careful with what they say but don't treat them like babies.</i>" • "<i>Put yourself in the children's/young people's shoes and listen to them.</i>"
Please complete the following sentence: When talking to children about these issues, adults shouldn't...	<ul style="list-style-type: none"> • "<i>Make them choose what they don't want, speak in a bad voice and shout.</i>" • "<i>Be rude.</i>" • "<i>Withhold information.</i>"
Please complete the following sentence: For children to understand and feel good about the decision made by adults, it is important that adults...	<ul style="list-style-type: none"> • "<i>Be caring and speak with love.</i>" • "<i>Ask children for their opinion.</i>" • "<i>Speak truthfully and clearly.</i>"
In your opinion, in a situation of conflict between adults, what do you think is important to ensure that the decision taken is the best possible one for the child?	<ul style="list-style-type: none"> • "<i>Not to take the child out of the house where they have always lived, live with their mother and animals, children want to feel safety and happiness and love.</i>" • "<i>The safety, and all the rights of being a child/young person.</i>" • "<i>I don't know.</i>"

Good practices

Illustratively, the following examples of good practices were **indicated by the institutions**:

- Equal treatment - with national children - of foreign children who are illegally staying in the national territory.
- The child's right to the nomination of an attorney for the purposes of asylum and subsidiary protection, and the attribution of the status of particularly vulnerable subject.
- In articulation with the ACM, Casa Pia has guaranteed to immigrant children and young people the clarification of doubts through the availability of an interpreter, who also explains them their rights. It has also adapted visually appealing information brochures for different age groups, also available in English and French.
- In cases of domestic violence:
 - Attribution of victim status to the child, indicating all the rights of the child as victim.
 - Application of coercive measures to the aggressor, aiming at restricting the exercise of parental responsibilities, of guardianship, of the exercise

of measures related to the supervision of adults, as well as the restriction of contact with descendants, including children.

- Possibility for a child with adequate maturity to ask the court for the appointment of a legal guardian.
- In the context of civil tutelary proceedings:
 - The right of the child to be heard, to receive clear information about the hearing and to have the meaning of the hearing explained to him/her, as well as the right to be accompanied by a specialized technician, within the scope of judicial proceedings for promotion and protection, educational guardianship and regulation of the exercise of parental responsibilities.
 - The child's right to the appointment of a lawyer to represent him/her when his/her interests and those of his/her parents, legal representative or guardian in fact conflict, and also when the child with adequate maturity requests this from the court.
- Within the scope of promotion and protection processes:
 - The consent of the child or young person subject to a promotion and protection process for a CPCJ to act, and the obligation to appoint a lawyer for the child if there are conflicting interests or if the child requests it.
 - The parents, the legal representative or whoever has the *de facto* custody of the child, may, at any stage of the proceedings, appoint a lawyer or request the appointment of a legal counsellor to represent them or the child, under the terms of the legal aid law.
 - The nomination of a legal guardian for the child is compulsory, whenever their interests and those of their parents, legal representative, or those who have actual custody conflict, and also when the child requests the court to do so, and should be carried out in accordance with the law on legal aid.
 - Compulsory constitution of a lawyer or the nomination of a patron to the parents in judicial debate when the application of the measure foreseen in article 35(1)(g) of Law no. 147/99, of September 1 is at stake, and, in any case, of the child or young person (no. 4 of the same law).
- In educational tutelage proceedings:
 - Provision of the compulsory appointment of a defender for the child to accompany him/her in situations of statements or hearings.
 - Motivation of the participation of the young person by the competent entity for the application of the educational monitoring measure, namely for the elaboration of the plan in the elaboration of the personal educational project
- In criminal proceedings:
 - The child's right to be heard – considering the child's age and maturity -, with the possibility of being accompanied during the provision of testimony by his/her parents, legal representative or whoever has the *de facto* custody, in case there is no conflict between the interests of the child and those of his/her parents or legal representatives. The appointment of a patron for the child is compulsory when his/her interests and those of his/her parents, legal representative or legal guardian are conflicting, or when the child with the appropriate maturity requests it to the court. The

appointment of the advocate is carried out in accordance with the dispositions on legal aid.

- Mandatory appointment of a defense counsellor in any procedural act, with the exception of the constitution of the accused, whenever the accused is aged below 21 years old, as well as in the case of statements for future memory. Beyond the dispositions of Article 64(1) of the Standing of the Victim, the defendant may be assigned a lawyer, at the request of the court or the defendant, whenever the circumstances of the case reveal the need or convenience for the defendant to be assisted. If the defendant does not have a lawyer or a legal counsellor, the appointment of a legal counsellor is mandatory when the indictment is presented, and the identification of the legal counsellor must be included in the closure order.
- The production of statements for future memory in the justice sector, under the terms of the law. In some places, the premises of the Judiciary Police have a room equipped with audio and video recording equipment for this purpose, during the hearing of the child.
- Publication of mini-books on the participation of children in judicial proceedings, such as "The day Mariana didn't want" and "João goes to court".
- In the Autonomous Region of the Azores, the Public Security Police develops awareness-raising actions in schools.
- In the Autonomous Region of the Azores, the figure of a support agent was created, consisting of a technician specialized in social and human sciences, with specific scientific training and supervision to accompany the children in their interactions with the judicial system, health system or others, including accompaniment when taking Declarations for Future Memory, when carrying out medical-legal examinations when the conditions for the purpose are met, among others.
- In the Autonomous Region of the Azores, training initiatives on the hearing of children are carried out, with the purpose of building the capacity of the professionals who are responsible for hearing children, in the scope of the technical advisory services provided to the courts in cases within the framework of the Law on the Protection of Children and Young People in Danger and the General Regime of the Civil Guardianship Process.

Children mentioned the following good practices:

- The thank you note²⁹ used as a closure of the consultation sessions carried out by the CNPDPCJ within the scope of the Project CP4Europe. One of the consulted children replied, writing below that note: "*You are welcome. It was very useful and important to have answered all these questions*". Another consulted youngster shared that hearing stories similar to his own made him want to participate and not be shy to speak out.

²⁹ The following sentence was written at the end of each questionnaire: "*Thank you. It was very useful and important that you answered these questions.*"

- The CNPDPCJ operates the Hotline Children in Danger since May 2020. In 2022 instruments were created to systematize the presented questions (Communication Form, Contact Evaluation Form and Satisfaction Form), and a Monthly Statistical Bulletin was prepared and issued, alluding to the characterization of the respective response.
- One youngster who was consulted shared that, at the end of the school year, the head teacher called him to consult him alone to ask for his opinion on which school to go in the next school year; he told her he would accept to do what was best for him;
- Another youngster who was consulted shared that he listens to the teacher's opinion and feels comfortable talking to her because she conveys confidence "*and because of everything*".
- "*In the foster home where I was, the technician always explained why they made those decisions about me and my life*", said another child who participated in the consultations.
- One of the children explained how she felt in the court and suggested the creation of a space that could ensure privacy, making it safe and comfortable for her, as she said "*I had never been in a situation like this [that] before*".
- One youngster explained that, in court, he was asked simple questions aimed at understanding how he was doing, and found it a good experience. Other mentioned that he had been asked about his life and his situation. Another one referred to a conversation he had with the court support team, which he found to be good.
- Some of the young people consulted mentioned that they felt comfortable and a boy specifically mentioned that he felt good in the Immigration Services and that everything had gone well.
- One youngster shared that the asylum interview had been postponed and that he had understood why. Another one shared that, during the asylum interview, the questions had been asked in a simple way, he had felt he had been heard and able to participate in the decision-making process. Another youngster said "*I felt sad. The day I went [to be heard in proceedings], I did not understand myself. They treated me well, so I felt ok. I miss my sister and family, so the Immigration Service treated me good.*"
- "*I was a bit embarrassed the first time. I went to the court only once. They prepared me at the Portuguese Shelter for Refugees and then accompanied me [during the hearing]. The people there were kind.*"
- "*The teacher of the Project Qualify to Include asked me what I wanted*".

Points to address

Institutions pinpointed the need for improvement in areas such as:

- Resolve the gaps identified by the Ombudsman regarding the infrastructures of the Border and Immigration Service, where persons deprived of/restricted in their freedom are held, both in terms of informing children about the meaning, scope and content of the intervention, as well as in terms of the manifestly inappropriate conditions in which they are received.

- Explanation, to young people, of the impact of judicial decisions concerning them, namely at the moment of applying tutelary educational measures.
- The need for more foreign language interpreters, as to respond to all requests.
- Democratize and adapt schools to integrate all minorities and particularly vulnerable groups.
- Avoiding the questioning/hearing of child victims by entities other than the one that is legally responsible for investigating the crime, in order to prevent secondary victimization.
- Continuous training of the judicial operators who deal with children.
- The need for reviewing the way in which children are provided a lawyer, as well as the adequacy, to the child, of the physical context of cases relating to justice and family law.
- Greater investment in: the way and means by which children are heard; in the training of those who conduct the hearing of child witnesses or child victims in legal proceedings, given the emotional weight of these actions; the reinforcement of the use of this space by the courts; and the improvement of the waiting rooms in courts and CPCJ.

The following areas were **identified during child consultations** as requiring improvement:

- When talking to children, adults should *"Be calm and careful with what they say but don't treat them like babies."*
- *"Don't put the "I don't want to know your opinion" face. That face shows false interest in our opinion. Also, don't talk to us like we don't understand anything! 😊"*
- A youngster suggests that, when adults talk to children, it should be a real conversation and *"Not looking like an interrogation"*.
- *"Listening to them [children] without interrupting. Create an environment where the child feels as comfortable as possible"*.
- *"The people in court (judge and prosecutor) being in normal clothes and not dressed in black and in a higher place. Speak in a simple way so that young people can understand."*
- *"I would suggest the person to keep quiet and still say that I was going to do justice, but thinking on the best for me"*.
- *"I would ask what the child would feel at that moment or what they would like to see decided!"*
- A child shares that felt uncomfortable and why: *"because I cried a lot when the police picked me up and I know they lied to me... my aunt and uncle. They said we were going to eat ice cream and they took me to the police..."*
- One child refers the importance that adults who talk to children about the situation and the corresponding decision do not use difficult words and concepts [allusion to legal terms and promotion and protection measures] or explain things in a complicated way that they don't understand at all. Another child on judicial proceedings mentions: *"I think they should say which law we have broken and not the numbers of the infractions"*. Another one refers: *"What's missing is that they speak in a way that I understand better."*

- *"When I went to the doctor and they had to make a decision for me, and my mother was the one who had to explain how I felt", "To get vaccinations".*
- *"When my Class Director made me reply to an email to see if I had already got into my school account knowing that I had said I had already got in."; "At school the teacher punished me and did not ask my opinion"; "It was from me not wanting to go somewhere and a teacher making me [go]";*
- *"Forcing me to go on a field trip"; "I was in my 3rd year of professional swimming and they decided I shouldn't go anymore"; "When I was choosing a sport for myself, they chose for me."*
- *"I was taken away from the family for bad behaviour and they put me in a foster home and it only served to make it worse".*
- *"It should be better [that adults could be] talking alone with the child as the child didn't know them and being with other people was intimidating."*
- *"They judged me without even knowing me and decided things for me".*
- *"In some situations, put themselves in my place (know how to put themselves in my place) [in court]."; "Give water".*
- *"Having a bottle of water and sugar in case they are feeling unwell [in court]".*
- *"Too many strange people. They were dressed in black [in court]".*

Action points (follow-up)

Institutions mentioned that progress in this indicator could be achieved through the following actions:

- The potential creation of more groups in different contexts (recreational, school, community, children and young people's homes...) where these issues are addressed and discussed.
- The development of activities to raise the awareness of children on their rights and on their intervention within this kind of processes.
- The potential benefit of the eventual existence of a free helpline for children and young people, which would address their specific needs.
- The potential creation of specific rooms, adapted to the hearing and training of the professionals who conduct the hearing.
- The increasing respect for the guiding principles of intervention, established in the Law on the Protection of Children and Young People in Danger and the General Regime of the Civil Guardianship Process.

According to the consulted children, progress in this indicator could be achieved through the following:

- Implementation of the [National Strategy on the Rights of the Child³⁰ and of its Biannual Plan for 2021-2022](#) and approval and implementation of its Biannual Plan for 2023-2024.
- The White Paper on Child Participation in Portugal that will be produced in the context of the Project CP4Europe, which will include very relevant suggestions of the consulted children regarding this specific indicator, which may help entities

³⁰ Approved by the Resolution of the Council of Ministers no. 112/2020, of December 18.

working directly with children to provide them child-friendly environments, where they feel comfortable, safe and confident to talk with adults. Suggestions also refer to what would a child-friendly approach be, what is the use of a child-friendly language to communicate with children in a meaningful way, in which they can understand and feel understood, listened to, respected and that will produce results in their own benefit and that of any other children that also undergo or may undergo the same situations they have lived through.

- In spite of many improvements that have been done in the past years, it is still very relevant to insist in training and raising the awareness of professionals in direct contact with children to use a child-friendly language, appropriate to their age and level of maturity and understanding, avoiding abstract legal concepts or others that the child isn't able to understand and explaining things and raising questions that the child at her/his own age can understand.

Indicator 5

Child friendly individual complaints procedures are in place, defined as “complaints procedures mandated by law are child-friendly and easily accessible to all children in a range of contexts, notably: schools and education settings; care and protection; health; criminal proceedings; family law proceedings; immigration proceedings. To be child-friendly, a complaints procedure must include the following elements: it is safe and accessible; children receive information and assistance to enable them to lodge and pursue a complaint; information is made available in age and disability appropriate formats including leaflets, brochures, posters for schools, and dedicated websites and disseminated in locations where children are able to find them; follow up, referral and response mechanisms are well-established and effective and can demonstrate that changes are implemented in response to legitimate complaint; and feedback to such complaints is communicated directly to children within a reasonable period in a manner that is adapted to their age and understanding.”

According to the CPAT, States can measure progress towards the indicator using the following assessment criteria:

0 = No complaints or feedback mechanisms in place in any of the areas specified

1 = Child-friendly complaints procedures are in place in two of the areas specified

2 = Child friendly complaints procedures are in place in four of the areas specified

3 = Child friendly complaints procedures are mandated by law and easily accessible to all children across all of the areas specified. Children are provided with information about their right to complain and receive help and support to pursue a complaint in accordance with their age and capacity

Final Score of the Assessment ³¹	
As of institutions	2
As of children	2

Analysis notes

As a result of the 18 replies to the consultation with institutional stakeholders, it was ascertained that although the participation of the child in several dimensions is legally foreseen in instruments such as the Statute of the Student, the Law for the Protection of Children and Young People in Danger, the Tutelary Educational Law, and is also possible by resourcing to SOS telephone lines, there is still a lack of national consolidation regarding participation.

³¹ Institutional stakeholders: highest score – 2, lowest score – 1; score of the different particular aspects ranging from 0 to 3.

Some respondent entities consider that, in certain contexts, the procedures or mechanisms through which children can present their individual complaints do not exist or are not known, requiring a strong investment from the adult population for their implementation.

It was mentioned that information in a format that is appropriate to the age of the child, and to specific vulnerabilities associated with their circumstances, is not made available in places where children are able to find them.

Nevertheless, even though the response times are slow and do not always occur within a reasonable time frame, which generates anxiety and doubt in the child, there are contexts in which these procedures are more developed and consequently the evaluation is more positive. Reference was made to the existence of several telephone lines allowing children, young people or any adults to make complaints regarding situations involving children.

In the area of justice, depending on the nature of the complaint, it is possible to file a criminal complaint and to facilitate the filing of a complaint through electronic means. This does not apply to other procedures, such as the case of complaints.

Despite some efforts carried out by public and private entities to increase a broader knowledge on the rights of the child, there is still little dissemination of what exists regarding child-friendly complaint mechanisms.

According to the Law on the Protection of Children and Young People in Danger, in case of promotion and protection processes initiated by the CPCJ, the forms contain a set of clarifying information that requires providing the child/young person a detailed explanation regarding what the CPCJ is, the legitimacy the CPCJ invokes to intervene, the accompaniment of the child by a lawyer, the doubts that can be clarified with the case manager or the president of the CPCJ, and the guiding principles of the intervention.

Furthermore, work has been carried out with the communities, namely the school communities, to raise awareness on the different ways of reporting complaints, even though there is no form adapted to enable the child to resort to it.

In criminal proceedings, the Portuguese Association for Victim Support website provides information that is appropriate to some age groups. For example, within the scope of Project CARE, there are informative videos on sexual violence against children, with the aim of empowering and informing children and young people on ways to ask for help, besides information on the direct support provided to the victims, although it is not known whether it includes all the elements considered in the definition of the indicator.

In some regions, the practice regarding all complaint procedures falls short on the knowledge of children and the public at large regarding what is legally foreseen. Some complaint procedures initiated under the area of the Social Security are an access to the case managers of the Multidisciplinary Team for Court Support and the Technical Support Team for the Residential Shelter for Children and Young People.







Regarding the adaptation of complaint procedures to age, disabilities, language proficiency/ mastery level, some of the responding entities identified a significant improvement in this scope, as well as the fact that it is free of charge whenever it takes

place, even though the need for dissemination and evolution persists. Such adaptation was not identified by other responding entities.

Details on the number of **replies of the institutions** are as of the following chart:

Setting	Child friendly individual complaints procedures are in place (tick all that apply)			AVERAGE SCORE
	YES	NO	DON'T KNOW	
School and education settings	8 replies	1 reply	2 replies	2
Care and protection	7 replies	3 replies	1 reply	2
Health	4 replies	2 replies	5 replies	2
Criminal justice	7 replies	3 replies	2 replies	2
Family law proceedings	7 replies	7 replies	2 replies	2
Immigration proceedings	2 replies	3 replies	5 replies	1

As a result of consultations with 239 children, the following notes could be gathered (with ticks according to the majority of replies):

Settings	Child friendly individual complaints procedures are in place		
	YES	NO	DON'T KNOW
Schools and education settings			
Care and protection			
Health			
Criminal justice			
Family law proceedings			
Immigration proceedings			

In reply to a set of closed and open questions created by Portugal with topics to help to assess the indicator based on CP4Europe's child consultations, the following was ascertained³²:

³² The lists of topics are reported in decreasing order of referral by the children; in brackets, one can find topics added by the children.

CLOSED QUESTIONS RAISED TO CHILDREN	YES	NO	DON'T KNOW
Did you know that you have the right to complain about services or people when you were not treated well or if you felt that the service did not work well for you? <i>(Replies from several Focus Groups in a total of 119 children)</i>	✓		
Children and young people have the right to complain about services they use if these services do not function well (for example: at school, at the hospital, at the place where you play sport or learn music, etc.). Do you think that children know that they have this right? <i>(Replies from a Focus Groups with a total of 3 children)</i>		✓	
Have you ever felt like complaining about a service or a professional of a service?	✓		
Have you ever been in a situation where you tried to complain about a service or a professional of a service, but then gave up?	✓		
Has another child or young person ever asked you for help because they wanted to complain about a service or a professional of a service?		✓	
As with adults, children and young people's characteristics and situations are different from each other. In some cases, they are even different from the majority (for example, if they come from other countries, if they have disabilities, etc.), but all children and young people have the right to complain. Do you ever feel that some children have fewer opportunities to complain or are treated differently when they do complain?		✓	
Do you think that services take notice of the children's complaints and try to understand them and improve things?		✓	
In case you have already made a complaint, have you felt uncomfortable when complaining about a service or professional of a service?		✓	
Have you ever felt supported in giving your opinion about a service or professional of a service?		✓	

OPEN QUESTIONS AND OPEN PARTS OF SEMI-CLOSED QUESTIONS

Children's replies to open questions³³

How did you know you had the right to communicate a complaint?

- Option ticked by most children (87 children):
 - Parents or adults with whom I live
- Other options ticked (52 children):
 - Teachers and other professionals at school

³³ Replies that identify good practices or areas needing improvement are only mentioned below to avoid repetitions.

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- Other options ticked (less than 25 children):
 - Adults of places where I go regularly
 - The Police
 - Other options ticked (less than 20 children):
 - Internet
 - I don't know/I don't want to say
 - Other children or youngsters
 - Courts
 - Other options ticked (10 children or less):
 - Other people: *"Through an NGO"; "School lectures"; "Friends"; "OPTA Project (Opportunity, Promotion and Transformation in Action) of the Choices Programme"; "I found the information by myself"*.
 - Option less ticked (6 children):
 - Through this questionnaire, because I didn't know I could complain about a service or professional before.

Have you ever felt like complaining about a service or a professional in a service?

- Option ticked by most children (96 children):
 - I had never thought I could complain
- Other options ticked (47 children):
 - In one situation
- Other options ticked (25 children):
 - I don't know/I don't want to say
- Other options ticked (18 children):
 - Several times
- Option less ticked (7 children):
 - Lots of times

In case you want to, please identify the situation(s) in which you felt like complaining about a service or a professional in a service.

- *"AT SCHOOL"; "My class is noisy and I am often blamed for being close to my classmates who talk."; "A non-teaching professional at school"; "In the school canteen"; "At school, when a classmate talked too loudly in the library and the lady didn't do anything to get him to keep his voice down."*
 - *"School, home, sport."*
 - *"Emergency shelter."*
 - *"Family problems."*
 - *"In Montemor³⁴, civil registry, health centre, etc."*
 - *"On the bus"; "On a public transportation the driver took it on me for a problem that was not my fault."*
 - *"Last time when I went to the hospital. I saw a staff member fiddling with her mobile phone, then looked down the corridors to see if no other staff were watching, then fiddled again. In this case, [it was] a cleaning employee."*
 - *"I was wrongly accused."*
 - *"I wasn't very well answered."*
 - *"I have been harassed on the internet."*
-

³⁴ A place in Portugal.

	<ul style="list-style-type: none"> • <i>"But I don't want to comment"; "I don't want to say".</i>
<p>Have you ever been in a situation where you tried to complain about a service or professional of a service, but then gave up?</p>	<ul style="list-style-type: none"> • Option ticked by most children (84 children): <ul style="list-style-type: none"> - No • Other options ticked (less than 25 children): <ul style="list-style-type: none"> - I don't know/I don't want to say - I was ashamed to do it - Parents, caregivers or professionals of the services of which I tried to complain told me to do not do it • Other options ticked (less than 20 children): <ul style="list-style-type: none"> - Reasons listed in next question • Other options ticked (less than 10 children): <ul style="list-style-type: none"> - Other children/youngsters told me not to complain • Option less ticked (3 children): <ul style="list-style-type: none"> - I had complained in another situation and it went wrong
<p>If you have ever been in a situation where you tried to complain about a service or professional of a service, but then gave up, what did you feel that made you give up complaining? <i>(Replies of less than 20 children)</i></p>	<ul style="list-style-type: none"> • <i>"I no longer had a reason to complain"</i> • <i>"As it was the first time, I let it go"</i> • <i>"I was out of patience"</i> • <i>"I was ashamed"</i> • <i>"I was afraid"</i> • <i>"Because it is done by a young person"; "I thought that nobody would care about my complaint"; "No one wanted to know"; "I thought there would be no resolution of the problem"; "It wasn't going to be worth it, and I also took a deep breath and calmed down"; "It has no consequences, nothing changes, not even by complaining"; "Because it has already happened [again] and nothing has changed"; "I have put it in my head that it doesn't change"; "because filing a complaint would end up in nothing"; "nothing would happen because the adults are the ones in charge".</i> • <i>MANY REASONS".</i>
<p>Has another child or young person ever asked you for help because they wanted to complain about a service or professional of a service?</p>	<ul style="list-style-type: none"> • Option ticked by most children (119 children): <ul style="list-style-type: none"> - No, never. • Other options ticked (more than 25 children): <ul style="list-style-type: none"> - Yes, and I helped her/him to see how to complain • Other options ticked (more than 10 children): <ul style="list-style-type: none"> - I don't know/I don't want to say. - Yes, but I didn't know how to help complaining. • Other options ticked (less than 10 children): <ul style="list-style-type: none"> - Yes, but I told it wasn't worthy to complain because nothing was going to change; - Yes, but I suggested not to complain to avoid having problems. • Option less ticked (2 children): <ul style="list-style-type: none"> - Yes, but I didn't help to complain because I was afraid.
<p>As with adults, children and young people's characteristics</p>	<ul style="list-style-type: none"> • Option ticked by most children (93 children):

<p>and situations are different from each other. In some cases, they are even different from the majority (for example, if they come from other countries, if they have disabilities, etc.), but all children and young people have the right to complain. In order to allow us to understand if you feel that some children have fewer opportunities to complain or are treated differently when they do complain, please tick the options indicated according to your opinion.</p>	<ul style="list-style-type: none"> - Sometimes I have seen children needing special support because they have a situation or are different from the majority. • Other options ticked (less than 35 children): <ul style="list-style-type: none"> - I don't know/I don't want to say - I have always seen all children treated the same way • Option less ticked (4 children): <ul style="list-style-type: none"> - Sometimes I have seen children being treated differently by services or service professionals because they have a different situation or are different.
<p>If you have already filed a complaint and something made you feel uncomfortable, what made you feel uncomfortable?</p>	<ul style="list-style-type: none"> • <i>"The way of speaking"; "The voice"; "Screaming"</i> • <i>"Fear"</i> • <i>"Shame"</i> • <i>"They don't care"</i> • <i>"Not to cause confusion"</i> • <i>"Because I felt sorry"</i>
<p>If you have ever felt supported in giving your opinion about a service or professional of a service, what situation was that and what made you feel supported?</p>	<ul style="list-style-type: none"> • <i>"Support from parents"; "My mother supported me";</i> • <i>"They gave me more courage"; "They gave me more courage and help";</i> • <i>"In school activities related to the right of children/young people to complain."; "Support from the After-school activities' professional and the Class Director at school"; "I was sad and the teacher came to talk to me"; "At school, in dance class. "; Talk to the head teacher, the mother and the teacher in charge";</i> • <i>"In this institution [residential care where the child lives]"; "Emergency shelter [where the child lives]".</i>
<p>If you want to, please tell how do you think adults should talk to children and young people about the right to complain and the best way to do it.</p>	<ul style="list-style-type: none"> • <i>"As in-depth as possible, with the help of a professional"; "With psychologists. They understand children better"; "Talk to the child and the person who has helped to contribute to this complaint, by making, for instance, a letter of support (someone who would position him/herself as a sort of defence lawyer)";</i> • <i>"With love"; "With maturity"; "Without shouting"; "Politely"; "Very well"; "Okay"; "Sympathetic"; "Be patient"; "Understanding and helping as much as possible"; "Having had a good education";</i> • <i>"Speaking in a correct and orderly manner"; "They should speak well"; "Speak well and listen to them"; "Listen to the children's opinion"; "Adults have to take children more seriously so that they are more at ease"; "In serious conversations, thinking that children are the future of the world";</i>

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- *"To speak with more respect"; "They should respect the children and the children [should] respect the adults and everyone should respect the adults"; "Being careful [talking to the child]"; "Adult people should talk to young people better, especially [with] children"; "Adults should treat us and explain [things] as they do to adults"; "Adults should explain things to us so that we understand"; "Like I [child] had [been] talking"; "Talk in an understandable way and that they are not rude."; "Speaking an [in] easier language";*
 - *"They should explain in a simple way"; "Explaining to the child how to do it"; "Better language, maybe"; "Explaining to them and telling them that they can't complain about anything and everything"; "Explain to us well all we can do";*
 - *"Talk"; "Talking about it"; "I think they should talk more"; "They should talk well to the child and not hit the child. Just talk."; "They could have a more open dialogue"; "Giving advice"; "Give advice and children should respect it"; "They should talk in a way that doesn't force it"; "Talking to your children in a calm way and informing them about this right"; "With calm and patience"; "Adult people should speak with patience"; "Listening to us and being calmer"; "I wanted them to talk to me slowly"; "Easier words and calmly"; "With calm"; "Adults need to speak to children more calmly"; "Adults need to speak more calmly to children"; "More calm"; "Calmly and at ease for the child/young person to understand and not be in doubt"; "Calmly"; "I think they should speak calmly and without shouting"; "[They should be] calm"; "In a clear and calm way"; "In an acceptable way"; "So as not to let themselves [In order to avoid children] suffering";*
 - *"By mail"; "Through the internet; "A dynamic lecture"; "In citizenship's classes"; "awareness-raising campaigns, also regarding the environment in schools and new solutions related to criminal complaints";*
 - *"We, children and young people, have the right to know the rights we have"; "They should explain that they can make a complaint if something is not right"; "Explain the rights of children"; "THEY SHOULD EXPLAIN WHERE THEY SHOULD GO AND EXPLAIN THEIR RIGHTS"; "Adult people should talk about the right to make a complaint and how it is done"; "We should have the right to know what we can do and how we can make [complaint]"; "Asking [the child] if they are okay and if they have any problems";*
 - *"Adults should encourage children to complain, but first they should inform them that they can do it and how to do it."; "Inform about the places where they [children]*
-

should make complaints and what recourse each place has to be able to complain."

- *"I don't want to 😊"*

Additional aspects have been added to the methodology used with one of the focus groups through the following questions:

ADDITIONAL QUESTIONS	Children's replies to additional questions created for this consultation
Now that you know that you have the right to make a complaint and that there are entities with the purpose of protecting you, do you think that it is even more important to make a complaint or for an adult to listen to you if you feel at risk or you feel that another child is at risk?	<ul style="list-style-type: none"> • <i>"Yes... I think so.";</i> • <i>"Yes, very much";</i> • <i>"Yes, I think so. That it's important that we know how to help each other."</i>
Do you feel that now that you have the necessary information to protect yourself and others in case you feel at risk (like the number above), you feel more relieved knowing that if you need someone will be there to help you?	<ul style="list-style-type: none"> • <i>"Yes"</i> • <i>"Yes, and I took note of the number to which I can call if I feel like to do it³⁵".</i>
What did you feel when you saw/see this happening? [Saw children being treated differently]	<ul style="list-style-type: none"> • <i>"I felt bad because they [all children] all deserve to be equal".</i>
And did you see those [vulnerable] children receiving any special support in their needs?	<ul style="list-style-type: none"> • <i>"No".</i>
Do you think it is important that more is done so that children do not feel so different, excluded or treated differently?	<ul style="list-style-type: none"> • <i>"Yes, that they [vulnerable children] don't feel different or treated badly."</i> • <i>"Yes, very important".</i>
What way do you think it would be easier for a child to complain? What do you think	<ul style="list-style-type: none"> • <i>"Using the mobile phone. People being nice and protective."</i> • <i>"Being heard, having privacy..."</i>

³⁵ The child is referring to the hotline given also during these consultations: 96 123 11 11, created by the CNPDPCJ under the national campaign "Protecting children is everyone's responsibility" to reinforce the work that has been done by the local CPCJ and to make the reporting of situations of children in danger more accessible.

would make the place safe for them to do it?	<ul style="list-style-type: none"> • <i>"Maybe being private and safe."</i>
What do you think a child feels when a service or place where they study, are cared for or play is not working well for them? (3 children)	<ul style="list-style-type: none"> • <i>"Sad and afraid"</i> • <i>"This child gives up when it doesn't work"</i> • <i>"He often feels that he is not listened to."</i>
If you were to tell adults working with children what is important for children to feel good in the places where they learn, are cared for or play, what would you tell them? (3 children)	<ul style="list-style-type: none"> • <i>"Let them be happy, don't be threatening all the time, don't shout, don't hit, be affectionate and like us, give attention"</i> • <i>"Leave them alone when they are sad, time heals everything"</i> • <i>"Treat them with respect".</i>

Good practices

Illustratively, the following examples of good practices were **indicated by the institutions**:

- Existence of telephone contacts/support lines and signposting available to children and young people and disseminated and publicized in different contexts [e.g. the Children's Line (800 206 656), SOS Children's Line (116 111), Child Trafficking Line (808 257 257) and the SOS Voz Amiga Line (800 209 899)].
- Legal provision for police entities and other officials who, in the exercise of their functions or because of them, become aware of crimes, even if the perpetrators are not known.
- Legal provision for the possibility of filing a complaint, by any citizen, regarding crimes of a public nature, whatever the victim may be. If the victim is a child, the complaint is also transmitted to the Public Prosecutor's Office for the opening of investigation proceedings.
- In the case of crimes of a semi-public nature and if the victim is under 16 years of age, or if the victim does not have the discernment to understand the scope and the meaning of the exercise of the right to complain, this right can be exercised by the respective legal representative.
- Whenever the physical and psychological safety of a child or young person is at stake, the law determines that schools, hospitals, police entities and any citizen, in general, are obliged to communicate the situation to the competent judicial authority.
- Availability, by the educational centers, of complaint boxes accessible to the young people who attend them.
- Program "[A Child-Friendly Justice](#)" promoted by ComDignitatis.
- "Health Action for Children and Young People at Risk", which restructured the response of the National Health Service to child abuse, creating a National Network of Support Centers for Children and Young People at Risk, both at the level of Primary Health Care and at the level of Hospitals with pediatric care. In the Autonomous Republic of the Azores, this is done through support centers in

the Health Units (NACJR) and hospital support centers for children and young people at risk (NHACJR) in regional hospitals.

- The definition of the figure of the class delegate, in a school context, as an interlocutor for the problems associated with the class he or she represents, being potentially able to establish better communication with the class director.

Children mentioned the following good practices:

- The consultation process carried out in the context of the Project CP4Europe, which allowed (some) children and young people to learn for the first time that they have the right to complain about a service or professional if they are not well treated, or if they have felt that the service did not work well for them.
- These consultations have been also identified by children as a way that made them feel supported to give their opinion about a service or professional of a service, as well as supported to complain: "*With presentations like this³⁶, with the drawings.*"; "*Teaching in school. This project [CP4Europe Consultation] and the way it was presented and done*"; "*That it be given in school and with presentations like this [CP4Europe Consultation] in institutions, the way we have done now*"; "*Through a debate or power point presentation on the subject [as in the CP4Europe consultation]*".
- One youngster gave as an example his involvement in a complicated situation for which teachers advised him to report to the police. The youngster did not report the matter, saying "*I don't think it would come to anything*"; now [at the CP4Europe consultation] he feels that he should have reported it. Even though he did not do it, he felt the support of the teachers, who made a specific meeting to talk about the situation.
- Out of any professional group, the role of families is in the top of children replies concerning their information on the right of the child to present complaints on services or their professionals. The CNPDPCJ recently concluded the project [Support to Positive Parenting Project \(Adelia Project\)](#) that contributed, among other goals, to promoting the training of the families regarding the exercise of a responsible parenting in the different dimensions of family life, improving parental performance while effectively fulfilling the rights and the protection of children and young people.
- Schools are referred by several children as being the context where they have learned their right to present a complaint, but also empowering them on feeling responsible for sharing service what makes them feel very comfortable in participating: "*It was at school, my teacher left me in charge of the class*".
- The [Protective Seal Project of the CNPDPCJ](#), inspired in previously tested national and international experiences, particularly in the Australian model The Blue Card System, was designed to provide information and support guidance to the institutions that work with children and young people, namely within the scope of the development and implementation of a risk management strategy. An entity with competences on childhood and youth is awarded the seal of "Protective Entity" upon the selection of its submitted application, which must have had successfully gone through an evaluation process. The attribution of the award

³⁶ The child refers to PowerPoint Presentations that supported these consultations.

reflects the commitment of the selected entity towards the implementation of public policies and practices that promote the rights of the child.

Points to address

Institutions pinpointed the need for improvement in areas such as:

- The spaces attended by children in different social contexts, which should display information on telephone lines and other channels of access to make a complaint, including on aspects relating to school and education, custody and access to family processes, family decision-making, health care, immigration and asylum, criminal justice.
- The information made available to children needs to include the right to complain and the tools they can use to do so.
- The need to apply more practical and accessible complaint mechanisms for children in several areas, such as health, among others.

The following areas were **identified during child consultations** as requiring improvement:

- Parents are high up above as an option ticked by children while identifying from whom they learned about their right to complain.
- A young boy shared a situation involving his asthmatic brother, a condition that entitles him to have the doctor prescribe an asthma air pump on a monthly basis. One day, the doctor informed him that he could no longer prescribe the pump and mentioned to his mother that she wanted the prescription so that she could exchange the pump for money. The boy said in this CP4Europe consultation that the doctor could have thought before speaking, so as not to insult his mother and not to disrespect her.
- One child referring to a previous foster care situation, said once he was hungry, he felt that nobody cared about him and that he was beaten by all the boys who were in the same place as him.
- Some children said they felt like complaining on what they felt as aggressive behaviours of specific teachers: "*At school, complaining about a teacher*"; "*Because my teacher hurt me*"; "*A teacher's aggressiveness*".
- Several children mentioned having felt like complaining in several services due to "*rude professionals*" or professionals showing a "*disrespectful attitude*" towards them at the hospital, school, public transportation, cinema, restaurant, supermarkets and companies of technologies and communication operators.
- Need of child-friendly and anonymous mechanisms of complaints: "*I was afraid they knew that it was me who made the complaint.*"
- One child shared that she feels she does not fully have space to approach or talk to anyone in a way that makes her feel comfortable or with enough privacy to do so.
- "*Talking calmly, with language adapted to the child*"; "*Have more respect, not treating us like babies*"; "*Adults don't take children seriously*". "*Listen without judging*"; "*They [adults] should speak in a friendly way and pull the subject in a*

calmer way."; "As best as possible so that they [children] wouldn't be afraid to report when something goes wrong with them whether at home or in any other social setting."; "By encouraging them [the children] so that they are not afraid to do it"; "They should take [the children] more seriously"; "Adults should inform children. For example, at school they could do training on the subject."; "They [adults] should teach children that it is possible to complain when we are treated differently."; "the environment [child-friendly] is important".

- It was also mentioned that complaint services are very bureaucratic and access to them is not made easy for children.

Action points (follow-up)

Institutions mentioned that progress in this indicator could be achieved through the following actions:

- Reporting of the number of annual complaints received by children in the reports of the entities with competence in childhood and youth matters.
- The constraints posed by the costs associated to the use of the Hotline Children in Danger, operated by the CNPDPCJ, as opposed to the Children's Hotline of the Ombudsman's Office, whose use is free of charge.
- Creation of specific platforms or offices where children could address their complaints
- Need to ascertain the extent of the knowledge of children about the existing complaint offices and consequent improvement of the latter

According to the consulted children, progress in this indicator could be achieved through the following:

- Implementation of the [National Strategy on the Rights of the Child³⁷ and of its Biannual Plan for 2021-2022](#) and approval and implementation of its Biannual Plan for 2023-2024.
- The White Paper on Child Participation in Portugal that will be produced in the context of the Project CP4Europe.
- Continue de annual editions of the [Protective Seal Project of the National CNPDPCJ](#) .
- Raising the awareness of professionals on what makes a child feel uncomfortable, ignored or threatened by what he/she feels an aggressive behaviour from professionals with whom they contact, giving priority to the contexts where children spend more time, namely schools.
- Raising the awareness of children on their right to complain about services or professionals that they feel are not respecting their rights or don't function well according to the child's perspective.
- Continue the schools' important role to inform children on their rights, namely to complain: *"I wanted to complain, but I didn't know how to do it"; I didn't know how to complain; "I thought minors couldn't make complaints".*

³⁷ Approved by the Resolution of the Council of Ministers no. 112/2020, of December 18.

PROMOTING AWARENESS OF THE RIGHT TO PARTICIPATE

Indicator 6

Children's right to participate in decision-making is embedded in pre-service training program for professionals working with and for children, defined as "competency-based training on children's right to participation is embedded in preservice training programs for professionals working directly with and for children. Competency-based training focuses on an approach to teaching that emphasizes learning and applying skills, in addition to the acquisition of knowledge. When a person is competent, they can apply what they know to do a specific task or solve a problem and they are able to transfer this ability between different situations."

According to the CPAT, States can measure progress towards the indicator using the following assessment criteria:

0 = Very limited or no training available on children's right to participation

1 = Competency-based training on children's right to participation is included in the pre-service training curricula of at least one group of professionals specified

2 = Competency-based training on children's right to participation is included in the pre-service training curricula of at least three groups of professionals specified

3 = Competency-based training on children's right to participation is included in the pre-service training curricula of at least six groups of professionals specified

Final Score of the Assessment ³⁸	
As of institutions	2
As of children	1

Analysis notes

As a result of the 18 replies to the consultation with institutional stakeholders, it was ascertained that, for instance, Casa Pia de Lisboa invests in the continuous training of its employees, based on an annual training plan, supported by the identified needs and potentialities. In this context, Casa Pia de Lisboa has been updating the recruitment and selection models of the professionals involved in its responses, and prioritizing the definition of their human and technical profile. Every year, a training plan for professionals is designed and carried out internally, encouraging the interest in continuous updating of knowledge. In the initial training of its workers, Casa Pia de Lisboa addresses several issues within the scope of the promotion and protection of children and young people to support the intervention as processes sustained by action

³⁸ Institutional stakeholders: highest score – 3, lowest score – 1; score of the different particular aspects ranging from 0 to 3.

detailed in practices, instruments, responsibilities and communication circuits, thus guaranteeing the alignment, coherence and quality of the daily intervention with children and young people, safeguarding the well-being and the rights of children, who are at center of action. To this end, there are structuring documents and working instructions on matters that are detailed in indicator 7 (good practices).

In the case of professionals of some of the responding non-governmental organizations, the requirement at stake is not included in their initial training programs, but the practical demands of the activity lead them to deepen these competences on their own or through complementary training.

Under the terms of Law no. 166/99, of September 14, the (tutelary) educational centers follow pedagogical guidelines with a view to accomplish uniformly the legal principles regarding tutelary educational matters, namely the education of the child and the young person regarding the law and their insertion in life in society, in a dignified and responsible way. In parallel, under the terms of the Law no. 147/2009, of September 1, there's a constant support of the entities and specialized technicians involved in the application of several measures, namely by providing psychological and social support to the children and young people involved, always with the purpose of their recovery and their family's.

It was found that, in general, training and information consider the diversity of children's experiences and needs, and is sensitive to factors such as gender, ethnic origin, disability, age, religion, nationality and language ability of the child, namely in the justice and youth sector. In the latter case there are some training modules which are more geared towards these issues, such as those related to community project work and citizenship. In some places, health professionals are provided professional training encompassing this dimension, while in others training does not focus on this diversity in a robust way.

In general, contents related to children's rights, including the rights to be heard and to participate, are included in the initial training curricula of the identified professions. With the exception of magistrates, professionals of the other areas may access training in multiple higher education institutions, which may differ in the structure of the curricula, namely in the number of hours assigned to each subject.

The professional training profile includes modules addressing the mechanisms for participation and defense of young people's rights, such as, for example, methods and tools for participation and action with young people, about youth policies in Portugal or non-formal education.

As for magistrates, Law No. 2/2008, of January 14, which regulates entry to the judiciary, the training of magistrates and the nature, structure and functioning of the Judicial Training Centre and proceeds with the fourth amendment to Law No. 13/2002, of February 19, which approves the Statute of the Administrative and Fiscal Courts, provides: in article 36, that the matter related to the Convention on the Rights of the Child and Family and Child Law is a mandatory component of the course for admission to the judicial courts; and, in article 76, that the continuous training actions may be of generic or specialized scope, and may be specifically directed to magistrates, and should compulsorily focus on the area of human rights and, in the case of magistrates with

functions within the scope of the criminal courts and family and minors courts, compulsorily on the Convention on the Rights of the Child and domestic violence, the status of victims of domestic violence and specific forms of protection for especially vulnerable victims, among other subjects.

The syllabus for the 37th Training Course for Magistrates for the Judicial Courts (2021-2022) specifically contemplates matters on or related to hearing of children.

As of lawyers, the training at the Portuguese Bar Association is regulated by the National Training Regulations approved on November 30, 2017. The initial training of the Trainee Lawyer attends a program that essentially includes civil, labor, criminal and deontology procedural practice. Subsequently, other subjects already available at the Training Centers of the Regional Councils of the Portuguese Bar Association may add to the initial training, including issues related to the rights of children, in accordance with the provisions laid down in Article 1(3) of the aforementioned Regulation. These trainings have taken place both online and in-person.

Details on the number of **replies of the institutions** are as of the following chart:

Professional groups	Training on children's right to participation is embedded in pre-service training			AVERAGE SCORE
	YES	NO	DON'T KNOW	
Caregivers and staff at foster care institutions	6 replies	2 replies	1 reply	2
Social workers	7 replies	2 replies	1 reply	2
Teachers and educators	4 replies	3 replies	3 replies	2
Judges	9 replies	1 reply	-	2
Lawyers	7 replies	-	2 replies	2
Child and youth leaders/animators/professionals	4 replies	4 replies	-	2
Civil servants and official representatives of public administration	2 replies	1 reply	-	2
Police agents	2 replies	1 reply	1 reply	3
Prison service staff, including prison guards	1 reply	1 reply	2 replies	1
Psychologists	-	-	1 reply	n/a
Healthcare professionals	5 replies	3 replies	1 reply	2

As a result of consultations with 81 children, the following notes could be gathered (with ticks according to the majority of replies):

Professional groups ³⁹ suggested by the CNPDPCJ, which organised the CP4Europe's consultations	Training on children's right to participation is embedded in pre-service training		
	YES	NO	DON'T KNOW
Professionals of schools	✓		
Social support professionals	✓		
Coaches and sports teachers	✓		
Other professionals (Please, find below the list of professional groups suggested by children)	✓		
Residential care professionals	✓		
Professionals of local and municipal services	✓		
Journalists		✓	

Professional groups suggested by the children during the consultations	YES	NO	DON'T KNOW
Emotional Teachers	✓		
Psychologists	✓		
Professionals of schools with Portuguese Sign Language	✓		

In reply to a set of closed and open questions created by Portugal with topics to help assess the indicator based on CP4Europe's child consultations, the following was ascertained⁴⁰:

CLOSED QUESTIONS RAISED TO CHILDREN	YES	NO	DON'T KNOW
Have you ever taken part in any decisions?	✓		
Do you ever wish you had had the opportunity to participate in a decision that was taken, but in which you could not participate?	✓		

³⁹ The professional groups related to courts was not proposed in the consultations of the Focus Groups of children that assessed this indicator, because it was proposed to other Focus Groups of children that assessed indicator 4, on Administrative and Judicial Proceedings in its several scopes, including the professionals involved.

⁴⁰ The lists of topics are reported in decreasing order of referral by the children; in brackets, one can find topics added by the children.

Do you think that the adults you deal with are prepared to help children and young people to participate in the decisions they make?	✓
If you have participated in decision-making, do you feel that adults have given importance to your opinion?	✓
If you have participated in decision-making, have adults informed you afterwards about whether or not they have accepted your opinion?	✓
Do you think adults teach children that they have the right to participate?	✓
There are services that have been created to protect and care for children, such as, for example, schools, child and youth protection committees, foster homes, hospitals, courts and others. In your opinion, do you think that children in these places know that they can and do ask any questions about how they work?	✓

Open questions and open parts of semi-closed questions	Children's replies to open questions ⁴¹
From the following options, please identify in which ones you have already participated in decisions taken.	<ul style="list-style-type: none"> • Options most ticked: <ul style="list-style-type: none"> - Family - School - Health Local Services and Hospitals - Others: <i>"In the Centre for Social Intervention Studies"; "Going to auto mechatronics course"; "In going to the Mosque"; "With my friends"; "I can decide things about myself, like what to wear"; Local and Municipal Services; Country; Residential Care Institution.</i> • Other options ticked: <ul style="list-style-type: none"> - Country - World (<i>"The decision of stopping the war"</i>). • Option less ticked: <ul style="list-style-type: none"> - Have never participated in a decision.
In which situations have you wished to take part in a decision but you hadn't the opportunity to participate?	<ul style="list-style-type: none"> • Options most ticked: <ul style="list-style-type: none"> - Family; - Health Local Services and Hospitals; - Local Services; - Neighbourhood; - School; - Country; - Sports Club; - After-school Centre of Activities. • Other options ticked:

⁴¹ Replies that identify good practices or areas needing improvement are only mentioned below to avoid repetitions.

	<ul style="list-style-type: none"> - Country; - World; - Others: <i>"In Court"; "In the Centre for Social Intervention Studies"; Residential Care Institution.</i> • Less ticked options: <ul style="list-style-type: none"> - In none; - I don't know or don't want to say. • Other replies in open option: <ul style="list-style-type: none"> - <i>"There are lots of things I don't agree with. Sometimes it's not even agreeing, it's also not understanding. But, for example, I don't agree with things that people decide and choose what to say."</i>
Which adults do you think teach children that they have the right to participate?	<ul style="list-style-type: none"> • "Teachers" • "Psychologists" • "Doctors of Planned Parenthood" • "Mister" (Coach) • Other replies in open option: "Family friends"; "Some friends"; "Also colleagues"
From the following options, please identify the professional adults you deal with that you think are prepared to help children and young people to participate in the decisions they make?	<ul style="list-style-type: none"> • Options most ticked: <ul style="list-style-type: none"> - Schools; - Social Support; - Health; - Sports. • Other options ticked: <ul style="list-style-type: none"> - Others: <i>"Emotional Teachers"; "My SCHOOL OF EMOTIONS' teacher";</i> - Professionals of the Centre for Social Intervention Studies; - Residential Care Institutions; - Local and Municipal Services; • Options less ticked: <ul style="list-style-type: none"> - Journalists; - None. • Other replies in open option: <ul style="list-style-type: none"> - <i>"In schools where there is sign language support and Psychologists⁴²"</i>
If you have participated in decision-making, do you feel that adults have given importance to your opinion?	<ul style="list-style-type: none"> • Options most ticked: <ul style="list-style-type: none"> - They gave some importance - They gave a lot of importance. • Option less ticked: <ul style="list-style-type: none"> - They didn't give any importance
If you have participated in decision-making, have adults informed you afterwards about whether or not they have accepted your opinion?	<ul style="list-style-type: none"> • Option most ticked: <ul style="list-style-type: none"> - They informed if was accepted and why • Other options ticked: <ul style="list-style-type: none"> - They gave me some information - I don't know/Don't want to say • Option less ticked:

⁴² Reply from a child of the Focus Group of Deaf Children that was studying at the Centre for Education and Development Jacob Rodrigues Pereira, of the Casa Pia of Lisbon.

Good practices

Illustratively, the following examples of good practices were **indicated by the institutions**:

- Article 70 of the Constitution of the Portuguese Republic expressly upholds the constitutional rights of young people. Young people and organizations that represent them - such as the [National Youth Council](#) - are consulted regarding the Youth national and municipal plans.
- The Directorate-General of Justice Administration provides training to justice professionals, including justice officers, on the rights and protection of victims, including child victims. In 2021, training sessions were provided on family and children's jurisdiction, as well as on mechanisms for the promotion of children's rights. The existence of a guide for integrated intervention with children or young people who are victims of domestic violence should also be highlighted, as well as a manual of functional action to be adopted by the criminal police organs within 72 hours following the submission of a complaint of ill-treatment committed in a context of domestic violence, including those involving children.
- Some non-governmental organizations provide training courses for professionals in care institutions.
- In some regions, the training of social workers includes a specific subject on family law and another on the introduction to law; this subject is also encompassed in other training areas. In the health sector, several working groups composed of multidisciplinary technicians operate the different health units, with the aim of identifying and monitoring the needs of children and young people, mainly the most vulnerable, so that their rights of access to and participation in their health care are fulfilled.
- In some foster homes, there is a practice of some sort of peer review with a view to continuous training within the scope of the child's needs.

Children mentioned the following good practices:

- One child identified her participation in CP4Europe's consultation as an opportunity to contribute to decision-making: *"Obviously I've already made decisions. Right now [during the CP4Europe's consultation] I'm making decisions - I'm choosing what to write, what to answer these questions. In our life we have to choose, to make decisions. And it's very important to know how to make them, consciously."*
- The role of teachers was significantly identified by children as the professional group that is more trained to inform children on their right to participate;
- Out of any professional group, the role of families is in the top of children replies concerning their information on the right of the child to participate in decision making processes. The CNPDPCJ recently concluded the Project [Support to Positive Parenting \(Adelia Project\)](#), that contributed, among other goals, to promote the training of the families regarding the exercise of a responsible parenting in the different dimensions of family life, improving parental

performance while effectively fulfilling the rights and the protection of children and young people.

- The CNPDPCJ organized two workshops on “The protection of children and young people in the media: privacy and the right to image”, directed at sensitizing journalists to the rights of the child enshrined in the Convention on the Rights of the Child.

Points to address

Institutions pinpointed the need for improvement in areas such as:

- Introduction of subjects of this nature in the curricular contents of the various stakeholders.
- Development of continuous training programs, adapted to different professional areas related to work with and for children; in addition, the intensification of training of this nature was also identified as a point to address as far as the Autonomous Region of the Azores is concerned.
- The need to improve the initial training offer in this area to all professionals working with children and young people, in order to ensure the practical implementation of what has been defined, was identified.
- Capacity to listen, hear and stimulate the participation of more vulnerable young people or from disadvantaged backgrounds, despite the synergies with programs in the area of social intervention, such as the Choices Program (Programa Escolhas).

The following areas were **identified during child consultations** as requiring improvement:

- Deaf children consider essential that professionals are prepared to understand them and communicate with them: “People need to know sign language in all services: police, firemen, hospital, everything”.
- To take note of the relevance of more training to journalists on the rights of the child in order to have on board these professionals to also contribute to inform and sensitize to the relevance to children and to society of their right of participating in decision-making processes at all levels.

Action points (follow-up)

Institutions mentioned that progress in this indicator could be achieved through the following actions:

- The promotion of this type of training was identified as an area to be developed in the future, as the right of children to participate is not sufficiently recognized or addressed in the initial training of several professionals. This is also echoed in the suggestion of the mandatory inclusion of this programmatic content in any professional qualification inherent to the work with children and young people.

- The approach to the development of active listening, ability to observe, respect for the child's silence, within the scope of the initial professional training, was identified as a point for follow-up.

According to the consulted children, progress in this indicator could be achieved through the following:

- Implementation of the [National Strategy on the Rights of the Child⁴³ and of its Biannual Plan for 2021-2022](#) and approval and implementation of its Biannual Plan for 2023-2024.
- Continuation of the pre-service and in-service training of professionals of all areas of society to contribute in their specific roles to inform, stimulate and support the right of the child to participate in decision making processes and in having their opinions considered.
- The White Paper on Child Participation in Portugal that will be produced in the context of the Project CP4Europe.

⁴³ Approved by the Resolution of the Council of Ministers no. 112/2020, of December 18.

Indicator 7

Children are provided with information about their right to participate in decision-making, defined as “Government departments and those delivering key services to children are required to produce information on children and young people’s right to participate in decision-making including, for example, information on complaints mechanisms, legal processes, and opportunities to participate in their own organizations, as well as in decision-making or planning processes affecting them. Information made available in child friendly formats, including through social media networks, accessible to children of different ages and abilities, and in appropriate formats for children with different communication needs. It should be made available in arenas that are accessed by children such as specialized websites or helplines. Education on children’s rights, including the right to participate, is a mandatory component of school curricula. In addition, public information and education programs (ideally as part of a national strategy) are in place to raise awareness among the general public, children, young people, parents and professionals, on children’s right to participate, including the right to form or be part of children or young people’s organizations.”

According to the CPAT, States can measure progress towards the indicator using the following assessment criteria:

0 = No child-friendly information is available about children’s right to participate

1 = Ad hoc public education/information programs are in place to raise awareness of children’s right to participate and to association

2 = Child-friendly information is sometimes made available for children of different ages and in different formats, including Braille, on, for example, children’s associations, services, policies, rights, consultations and government guidance

3 = Comprehensive and accessible information programs on children’s rights to participation, and a compulsory component in the primary and secondary school curriculum on children’s rights is introduced

Final Score of the Assessment ⁴⁴	
As of institutions	2
As of children	2

Analysis notes

As a result of the 16 replies to the consultation with institutional stakeholders, it was ascertained that, according to some entities, the National Strategy for the Rights of the Child (2021-2024) has contributed to the results of this indicator.

⁴⁴ Institutional stakeholders: highest score – 3, lowest score - 1.

Information on the right of children and young people to participate in decision-making processes is made available to them in different contexts.

In the case of promotion and protection processes, the hearing and the participation of children is mandatory, namely regarding the acts or in the definition of measures. Children may be heard separately from their parents, in their company or in the company of a person chosen by the children themselves. The child who wishes to be heard may address a written request in this regard to the magistrate in charge of the process.

Children in foster care, namely at Casa Pia de Lisboa, may request to be heard by any professional of the house where they live, of the formal direction structure of the institution or by their psychotherapist.

Information on the child's right to participate is also included in school curricula, educational programs, and in the curricular guidelines for pre-school education. In the latter case, awareness-raising may exist, but not at a generalized level.

As far as public policies on youth are concerned, Portugal has a longstanding national architecture in which the public administration bodies dedicated to this subject (e.g. Portuguese Youth Institute and its successor bodies, which include the current IPDJ) operate to guarantee young people access to information of interest to them, in languages and media that suit their characteristics and age group.

In the Autonomous Region of the Azores, the subject of Citizenship and Development is included in the Regional Curriculum for Basic Education (CREB), as mentioned in the annexes to the Regional Legislative Decree no. 16/2019/A, of 23 July, which establishes the guiding principles for the organization and curricular management of basic education for the regional education system of the Azores. The strategies for the development of these competences are provided therein, as well as in the National Strategy of Education for Citizenship (ENEC) and in other initiatives, such as the Program "Youth Parliament".

The information available is not always adequate and accessible to children, including to children with disabilities, but some good practices exist (see below).

This information may not be broadly available to children in institutions, prisons, hospitals and reception centers for asylum seekers and, when they are, they may not be displayed in the most adequate places. In the case of child asylum seekers, this information is to be provided to the child and to the child's representatives. It is also provided to unaccompanied children.

It was possible to ascertain the existence of disaggregated data regarding the access according to aspects such as age, gender, disability, ethnic origin, among other circumstances; however, it is dispersed to the point of hampering crossed analysis of all these vectors. Specifically, in the justice sector, the computer application Citius allows the obtention of structured information on the age and gender of child victims of crime.

Additional information can be found in studies of the Portuguese Youth Observatory (OPJ) regarding elements on the evaluation of public policy instruments aiming at youth.

As a result of consultations with 112 children, the following notes could be gathered (with ticks according to the majority of replies):

CLOSED QUESTIONS RAISED TO CHILDREN	YES	NO	DON'T KNOW
Do you know that you have the right to participate in the decisions of any issue that has importance in the lives of children/young people? / In your opinion, are children informed about their right to participate in decisions?	✓		
Do you know that you have the right to be told by adults that you can contribute to the decisions they make and to be told how you can contribute?	✓		
Do you think the world would be a better place for children if children participated more in decision-making?	✓		
In your opinion, are children informed about their right to participate in decisions?	✓		
In your opinion, is there any subject where children are taken more seriously by adults to make decisions?	✓		
In your opinion, is there any subject where children are taken less seriously by adults to make decisions?	✓		
Do children know that they have the right to participate?	✓		

In reply to a set of closed and open questions created by Portugal with topics to help to assess the indicator based on CP4Europe's child consultations, the following was ascertained⁴⁵:

OPEN QUESTIONS AND OPEN PARTS OF SEMI-CLOSED QUESTIONS	Children's replies to open questions ⁴⁶
From the following options, please identify in which ones you know that you have the right to participate in decision-making.	<ul style="list-style-type: none"> • Options most ticked: <ul style="list-style-type: none"> - Family, - School, - Health Local Services and Hospitals, - Local and Municipal Services, - Others: <i>"In Court"; "In the School of Emotions"; "In decisions in my own life. Every choice I make, is a decision I make."; "In the rights and duties of children"; "By law we have the right to participate with an opinion wherever we are"; "In the Centre for Social Intervention Studies (CESIS)"; "In the Parque"⁴⁷; "In the bar".</i> • Other options ticked: <ul style="list-style-type: none"> - Country, - World,

⁴⁵ The lists of topics are reported in decreasing order of referral by the children; in brackets, one can find topics added by the children.

⁴⁶ Replies that identify good practices or areas needing improvement are only mentioned below to avoid repetitions.

⁴⁷ The child refers to a project of the Centre for Social Intervention Studies (CESIS) where she is involved.

	<ul style="list-style-type: none"> - Residential Care Institution • Options less ticked: <ul style="list-style-type: none"> - The child doesn't know that he/she has the right to participate
<p>How did you know that you have the right to participate in the decisions of any issue that has importance in the lives of children/young people? /In your opinion, are children informed about their right to participate in [making] decisions? If so, where or through which ways are they informed?</p>	<ul style="list-style-type: none"> • <i>"Through my family."; "I know I have this right because my parents contribute to what is best for me."; "Sometimes my mother says it."; "Through my mother."; "I have known since I was a little girl."; "I've known since I was little."; "Usually, when the subject has to do with the family or my education, my parents always want to know my opinion on the subject so that I can also participate in the family meetings."; "In the family."; "Parents.";</i> • <i>"Through communication in all contexts (home, school, etc.)."</i> • <i>"At school"; "School."</i> • <i>"In the Centre for Social Intervention Studies (CESIS) and at school."</i> • <i>"Adults explained to me."; "It's the adults [that give that information]."; "People told me.";</i> • <i>"In the street."</i> • <i>"Because I've lived alone in Morocco."</i>
<p>In your opinion, are children informed about their right to participate in decisions? If no, why do you think so?</p>	<ul style="list-style-type: none"> • <i>"More or less. Not in everything because there are some things we don't like."</i> • <i>"More or less, because there are people who already knew things very well but in their [origin] countries."</i> • <i>"It depends on the situation."</i>
<p>Do you think the world would be a better place for children if children participated more in decision-making? If you think yes, why you think so?</p>	<ul style="list-style-type: none"> • <i>"Because I think all opinions and different points of view are important, and different ages usually give rise to different opinions."</i> • <i>"Yes, because children have their own opinions."</i> • <i>"They also had the right to participate, but they didn't decide everything because they might have bad ideas."</i> • <i>"Because before not all people could have an opinion, but now everyone has that opinion"</i> • <i>"Actually, my opinion is very divided on this issue, because, I think children should participate in decisions but sometimes they should not participate in ALL global decisions: this also varies a lot with age: <ul style="list-style-type: none"> - In the younger ones, there might be issues that could mess a lot with the child's psychology, such as when a relative is dying and has been in a coma for a long time and the decision has to do with turning off the machines that keep that relative alive;</i>

- In the older ones, the decisions will be more conscious, because normally the answer is always the one that seems to be the best for us, but it is always important to know the pros and cons and so try to give the decision that mainly favours the subject or the person in question."

- *"I think so, as everyone's opinion should be used,"*
- *"Children don't say and when they want to say something no one lets them."*
- *"I could decide better things for myself."*
- *"For the children to care more."*
- *"We can help more at home."*
- *"Because children need to be free."*
- *"Because my father said that is something very important."*
- *"Because there were more answers."*
- *"For example, I need them to listen to me because I have no one here in Europe, because I have no family."*
- *"It's important that they listen to our opinion."*
- *"Our opinion sometimes makes more sense than the one of the adults."*
- *"Because they could do things differently."*
- *"It would be more fun."*
- *"You could go to lots of places."*
- *"Things are not always fun, sometimes children are boring."*
- *"Because then it would be easier for children to talk to adults."*
- *"Because many children don't talk because they are afraid to talk about their decisions."*
- *"Because it would be better."*

Do you think the world would be a better place for children if children participated more in decision-making? If you think no, why you think so?

- *"Because they are still too young."*
- *"Because children's decisions could be bad."*
- *"Because they were not mature enough."*

Why do you think children are informed about their right to participate in decisions?

- *"Because young people have different information than [that of] adults."*
 - *"Because they are listened to."*
 - *"Because who is in charge is the one who can change."*
 - *"Because those in charge are the ones who can change, but they know what children want."*
 - *"To help children."*
 - *"For important decisions."*
 - *"They ask if they can and then make a decision, that yes or no."*
-

-
- In which subject(s) you think children are taken more seriously by adults to make decisions?**
- *"Dangerous situations and health situations.";*
 - *"When we are in the park.";* *"Or in the water park.";* *"Or when we are in the swimming pools or on the sand.";* *"Because children can drown.";*
 - *"Health.";* *"In relation to health."*
 - *"When we have health issues and when I buy clothes."*
 - *"Subject of family and school and health."*
 - *"At home.";* *"In the family, at school, in sports.";* *"Homework, school matters that we talk about at home.";* *"Yes, for example the subject of holidays or tutoring.";* *"When I talk to my mum, things about my day and my activities."*
 - *"On more personal matters."*
 - *"On the education part.";* *"For example, the course they want to take.";* *"In schools.";* *"School."*
 - *"Eating."*
 - *"Behaviour.";* *"About being childish (e.g. imagination)."*
 - *"Games and play."*
 - *"Sometimes I can't say very well."*

-
- In which subject(s) you think children are taken less seriously by adults to make decisions?**
- *"Things that don't make sense to adults."*
 - *"Complaints."*
 - *"Their opinion."*
 - *"In situations that can cause risk."*
 - *"Financial matters, for example.";* *"Accounting.";*
 - *"Elections, things that children don't normally decide, but if they say something that is completely right nobody cares at all because "the child doesn't decide anything so they are wrong".";* *"In politics.";* *"Politics."*
 - *"In the matter of the illness of someone in the family.";* *"At home.";* *"When I ask my mother if it can be the food I feel like eating.";* *"When we talk about playing, painting or drawing."*
 - *"When they are adult matters, for example when mothers go to meetings at school.";* *"At school.";* *"School, home."*
 - *"At the health centre, in the country."*
 - *"At the doctor's."*
 - *"When I came to the institution [residential care]."*
 - *"When they get hurt, adults don't call and they are like they didn't see anything."*
 - *"Shopping."*
 - *"Sense of humour."*
 - *"Some things."*
 - *"About everything in their lives."*

-
- In your opinion, what is important for adults to do so that all children know**
- *"Talking about more important issues."*
 - *"Always ask if they want to answer.";* *"Only when they want to answer."*
-

that they have the right to participate in all matters that concern them?

- *"To listen when children talk, not to get angry and to talk without threatening to hit or be grounded."; "Adults need to listen to children more."; "It might improve if adults listened to children."; "Listen to children better."; "Trying to listen and understand children."; "If they listened more to children."; "Adults should listen to children and not ignore them."; "Adults should listen more to children."; "Adults should be more open with children so that they are not ashamed."; "The simple fact that people listen to what children have to say."; "Adults should listen more to children."; "Listening to and supporting children."; "Listening to the kids and knowing that the kids' words are important to them."; "Give them more attention."; "With more maturity and giving the child a voice."; "Let the children and young people give their opinion more on the issues dealt with."; "If a mother or father is talking, let the child join in the conversation."; "If the teacher is talking, let [the child] hear it too."; "They could build a building, where only children would go and they could talk and give their opinion."; "Let all children participate in the decisions of their life."*
- *"Talking more, making an effort."; "Talking and studying."; "Talk to them and say that they have the right to participate and give their opinion."; "In discussions at school, leisure time activities and at home."; "Teaching them to participate."; "Games and play."*
- *"Adults respecting children's opinion."*
- *"Respecting."; "Studying, respect, opportunity."*
- *"Give more importance to their opinions."; "I think if children would be taken seriously about participating."; "Honestly, I have no idea but I am sure that at least with me adults never take me seriously and in my opinion that is ridiculous."; "Basically adults don't take children seriously because they think it's a phase or they just don't even listen to it, for example if a child created a project to help street animals the child would probably not even be listened to, I don't know why, adults don't even think...`at least he had this idea, I didn't even think of this." An idea from a child even if it's ridiculous at first sight we can never judge... an idea if it's well worked on, maybe it's not ridiculous anymore, maybe they don't even think it's from a child. What I'm getting at is that anyone should have the right to have their opinion have their ideas, I often say `the people who are crazy for thinking they can change the world are*

the ones who really change it'.'; "I don't know why some children don't have the same insight into the decisions they make as adults do."

- *"Getting a nice place for 2/3 people to live in one room and good food."*
-

In the consultations with a focus group of deaf children, complementary aspects were added to the methodology, as follows:

Which questions would you like to have been asked by us?	Children's replies to their own questions created to this consultation⁴⁸
Do most children and young people communicate well/can they communicate with their parents at home?	<ul style="list-style-type: none"> • <i>"My family are listeners and I am not."</i> • <i>"I feel very anxious and sad. I asked my brother to learn sign language or come to the CED [Centre for Education and Development Jacob Rodrigues Pereira of the Casa Pia of Lisbon, with classes in Portuguese Sign Language for Deaf Children], but my brother is very busy. There should be a CED closer, [to make it more convenient] for families to learn."</i>
Why are there listeners who make fun of the deaf?	<ul style="list-style-type: none"> • <i>"That makes deaf people suffer."</i> • <i>"I talk [the child as a cochlear implant that allows her to listen], I'm deaf, but they don't make fun of me. When I'm with listeners they don't make fun of me, but if I'm in a group of deaf people, yes. That's bullying. You can see it in facial expression, body movement, they talk about strange people, but we just need to get more attention."</i> • <i>"The listeners make fun too, here at the Centre."</i> • <i>"The young people are the ones who make fun the most."</i> • <i>"Outside [of CED], young people and adults make fun."</i> • <i>"Primary school children make fun of the deaf."</i> • <i>"We need more attention and calling people out. [Deaf people] just don't have sound, otherwise they're the same as others, there's no need to make fun because people suffer from it."</i> • <i>"My sister speaks sign language, but in a language that is not Portuguese [she comes from other country] and she can also be made fun of for that. She speaks English and knows numbers, the alphabet and words."</i> • <i>"In my class, there is teasing of the deaf by the listeners when the two classes come together in Physical Education classes."</i>

⁴⁸ Replies that identify good practices or areas needing improvement are only mentioned below to avoid repetitions.

- *"In first grade, there is an educator who is deaf, but the hearing children make fun of him very, very much."*
- *"In my class, there is bad behaviour. The teacher told them to shut up and work. That work is hard for a deaf person in a hearing class."*
- *"We all have hearing friends."*
- *"Some hearing children and young people make fun of deaf and hearing children and young people. Often, they [bullies] have problems themselves."*

- Why do people think differently out the Centre [Centre for Education and Development Jacob Rodrigues Pereira, of the Casa Pia of Lisbon, with Classes in Sign Language for Deaf Children] and there are no deaf schools out of it?**
- *"Deaf people are calm talking normally, without nonsense, with rules of good manners. The listeners start talking strange, without rules of good manners and with nonsense. It's hard for me to believe the listeners. They also have problems, they also have traumas."*
 - *"The deaf are punctual, the listeners are late and then we are all late and the class starts late. We all get disadvantaged."*
 - *"We want the teachers to give us more challenges."*
 - *"Likewise, on tests. If there were problems then help, but do the same to listeners."*

- What good things are there at school [Centre for Education and Development Jacob Rodrigues Pereira, of the Casa Pia of Lisbon, with Classes in Sign Language for Deaf Children]?**
- *"Conviviality with deaf people."*
 - *"There are deaf people."*
 - *"I like learning sign language with deaf people."*
 - *"I like to study sport and anything we like, but things are different because it seems that listeners steal the things that deaf people like (sport, therapy...)"*
 - *"New friends, helping people with difficulties."*
 - *"Deaf people speak sign language and listeners speak Portuguese language. It is important to have more integration of the deaf and to start removing barriers between deaf and listeners from school, with listeners learning sign language."*
 - *"[It would be good to] Teach deaf babies to speak sign language like hearing babies are taught oral language."*
 - *"It is the young people who make the decisions to implant the cochlear implant, but to be informed early on of this possibility."*

Is there any other thing you would like to tell us in this consultation?	Children's replies ⁴⁹
	<ul style="list-style-type: none"> • <i>"Many adults don't accept the opinion of young people because they think young people don't have a mentality."</i>

⁴⁹ Replies that identify good practices or areas needing improvement are only mentioned below to avoid repetitions.

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- *"Most young people even talk about important things, they take the opportunity to explain things to classmates or children and teachers help spread the opinion, but most don't care."*
 - *"If an adult's opinion is important, so is that of children and young people. It has to be given due importance and not demeaned so as not to cause trauma and generate problems from here."*
 - *"Children and young people have good ideas for adults to do differently. If they don't agree, [children and young people] want opportunity to explain so that adults understand."*
 - *"Parents listen and pay more attention to hearing children and less to deaf children."*
 - *"My sister can almost speak."*
 - *"[My] mother accepts and agrees with my opinion, [my] father does not."*
 - *"Pupils children and young people teach teachers to speak sign language."*
 - *"[My] mother and [my] father do not know sign language."*
-

Good practices

Illustratively, the following examples of good practices were **indicated by the institutions**:

- Even though Casa Pia de Lisboa executes the decision of placement in foster care pronounced by the system's entities, other different interveners, at defined moments, also use specific strategies and instruments to help the child reflect upon the foster care measure and the facts which gave rise to it, as well as to promote the child's appeasement with the family. Whenever necessary, the child is supported in this process by mental health professionals.
- The participation of young people also occurs through their representation in the [National Youth Council](#), an organ in which young people have a regular seat and that works with the political tutelage of the government - in this case the Secretary of State for Youth and Sport. The participation of young people can also occur through other organizations aiming at representation and participation in decision-making processes, such as the [National Federation of Youth Associations](#), student associations, municipal youth councils and consultative councils, determined by law. It should be noted that young people benefit from [some mechanisms](#), as well as from a strong incentive for their participation and involvement in citizenship, namely through a legal regime for youth associations and support programs for youth associations, among other rights that stimulate and support participation, with autonomy.
- Regarding children in foster care, Casa Pia de Lisboa shared several good practices:
 - It advocates the development of sustainable life projects with the active participation of children and young people, through the promotion of

diversified preventive strategies in conjunction with their families and other partner entities. To this end, intervention methodologies that call for the participation and involvement of the various stakeholders in the socio-educational process are implemented, through programs to promote personal and social skills. In this context, there is the Integrated Social Skills Program, aimed at all children and young people in Casa Pia de Lisboa, in which skills in the areas of sexual education, vocational development and other citizenship topics are promoted, in sessions adapted to the needs of each group.

- The Individual Intervention Plan for children and young people in residential care at Casa Pia de Lisboa is an intervention planning tool with each fostered child, which aims to achieve their Life Project, identifying the levels of participation and accountability of all involved: the child, his/her family or parental guardian and the elements of Casa Pia de Lisboa. The first Individual Intervention Plan is adjusted to the physical, social and emotional needs of each child, being adjusted to its individual needs and potentialities profile, starting after the Initial Diagnostic Assessment. The child is at the center of the intervention, in a therapeutic, restorative perspective, promoting different autonomy skills, through technically supported procedures, aiming at continuous improvement of the response provided, and evaluated by an external academic entity.
- Within the scope of the educational and training responses offered by Casa Pia de Lisboa, the Individual Plan is also implemented whenever, as a result of an assessment, the need for individualized intervention arises, tailored to the needs and potential of each child.
- The Personal Project methodology is also promoted with the aim of guaranteeing and safeguarding the right to participation for children and young people with the capacity to formulate their own value judgements, so that they may freely express their opinions on all matters related to their lives, taking into consideration their opinion according to their age and maturity. It is a document drawn up for children aged 12 and over and young people in residential care, and may be extended to children under the age of 12, subject to the assessment of the staff and the adaptations they consider appropriate for the best understanding of the child. The Personal Project reflects the child's free opinion about matters related to her/his life. It is applied individually, being evaluated quarterly or whenever one of the parties requests it.
- The Foster Home Assemblies at Casa Pia de Lisboa represent a privileged space for active participation and communication between children and adult caregivers, allowing the free expression of ideas, feelings and opinions, as long as they do not compromise the well-being, freedom and privacy of each one. These sessions are preferably implemented on a weekly basis and are facilitated by an adult caregiver, possibly in partnership with a child and/or another adult. The schedule of these sessions and the respective facilitators should be posted in a place visible to all with a specific field for the topics to be addressed, even if in a place that is not visible to people outside the Commission for the purpose of preserving the identity of the children/young people in care.

The themes discussed in these spaces and the respective results should be recorded in a meeting summary.

- The Dessert Sessions/Community Meetings are a strategy to promote dialogue, fostering a close relationship between adults, children and peers, in an informal, relaxed and cheerful atmosphere. It takes place at the end of a meal and aims to evaluate how the day has gone, discuss current affairs, clarify doubts, reinforce individual and/or group behavior and provide an exchange of information with the group on important issues to be considered. These moments are led by an adult caregiver, who may also have the partnership of a child and/or another adult, who should ensure the participation of all members of the group.
- The implementation of different methodologies for listening to the different parties involved in its services, which have become integrated practices in the flow processes of the institution's activities.
- Performing a satisfaction assessment of the main stakeholders in the intervention in the institution: the children and young people. The results obtained annually are an important performance indicator of the activity of the institution and have had an impact on the annual definition of measures to improve the quality of care.
- There is also an Internal Regulation, which translates the rights and duties foreseen in the Protection Act, which includes, among other aspects, the availability of a closed cabinet for keeping belongings, the right to receive visits, and to contact in privacy conditions with the family, lawyer or Court, the right to receive pocket money, to express their opinion and to be considered in decisions about their life.
- Whenever there is a formal procedure associated to practices within the justice, medical or police system, the child is supported by professionals from the shelter and supported throughout the whole process by a professional of their choice, being provided with the necessary emotional support to mitigate their uneasiness and discomfort, as sometimes invasive clinical examinations, expert examinations, testimonies in court to prove crimes are at stake. They should also be informed of their rights, in order to be able to oppose or have access to specific conditions.
- Regarding disciplinary procedures in tutelary educational centers, young people have the right to be heard, even when the decision is unfavorable to them.
- In the Autonomous Region of the Azores, the Azores Commissioner's Office for Childhood distributed copies of a child-friendly version of the Convention on the Rights of the Child, as well as Braille versions of the document, within the scope of awareness-raising sessions aimed at promoted children's rights aimed at all children in the 1st year of the 1st cycle of basic education.
- In the Autonomous Region of the Azores, there are didactic materials on children's rights and on the celebration of Children's Day, and activities are also organized within the month for the prevention of ill-treatment in childhood.
- The "Youth Parliament" Program is an initiative of the Assembly of the Republic which, in the Azores, counts on the partnership of the Legislative Assembly and the Regional Directorates of Education and Youth. This Program is aimed at young people from the 2nd and 3rd Cycles of Basic Education and Secondary Education and culminates with two national sessions in the Assembly of the

Republic, preceded by two sessions in the Legislative Assembly of the Autonomous Region of the Azores.

- In the Autonomous Region of Madeira, children in foster institutions participate in the elaboration of the Promotion and Protection Project and take knowledge of the report on the execution of the decided measure which is sent to the CPCJ or to the Court.
- Other examples of participation of children and young people are the representation of young people by the [National Youth Council](#), which represents them nationally and internationally, as well as the participation of young people in the processes of construction of national or municipal youth plans.
- The CNPDPCJ has publications in child-friendly language, including: the Convention on the Rights of the Child in [inclusive format](#), with the possibility of double reading, aimed at blind, deaf and normal sighted children, and [an audiobook version](#); various information leaflets such as the brochure "[An Age Assessment that Respects the Rights of the Child](#)⁵⁰"; the book "[Take Good Care of Me](#)", which addresses the issue of maltreatment, aimed at pre-school children; the book "[Child Rhymes with Hope](#)", a child-friendly version of the Convention on the Rights of the Child.
- The CNPDPCJ website also features the Children and Young People's Space section, in which information is provided on various themes including: rights, justice, emotions, bullying, digital safety, sexual abuse, maltreatment, residential and family reception, civil sponsorship and adoption, gender discrimination, mental health. The page also offers a section dedicated to the National Council for Children and Young People, a CNPDPCJ initiative aimed at children aged 8 to 17. CNPDPCJ is also present in social networks and platforms such as Facebook, Instagram and YouTube, seeking to reach children and young people through content that is accessible and appealing to them.
- Within the scope of CNPDPCJ projects, digital resources are made available such as leaflets called "Together for positive parenting", and several tips on parenting from Project Adélia have been regularly released.
- In the area of justice, we highlight the existence of leaflets that are delivered to the victims, including children, when they are present at the Public Ministry services. The leaflets contain various information: how and where to report a crime, the rights of the victim in the criminal procedure, how to follow up the complaint and participate in the investigation, the stages of the criminal procedure, the trial, how to ask for protection, the courtroom and frequently asked questions. Within the Plan for Implementation of the Victim's Statute, the preparation of information contents and virtual reproduction of the functioning of a court, hearings and role of the respective actors, namely witnesses and victims, including children, is being finalized.
- During the monitoring of the execution of educational guardianship measures, information is provided to the child or young person on his or her right to participation and means to exercise it.
- This type of information is also made available to children who are, for example, in institutions, prisons, hospitals and reception centers for asylum seekers,

⁵⁰ Bilingual English-French version; also exists [in Portuguese language](#).

among others. It is made available through the CNPDPCJ website and its social networks, the website of the Portuguese Institute for Youth and Sports, as well as through the distribution of information materials by the various entities working with and for children.

- Regarding asylum seekers it is foreseen that information is provided to the child and his/her representatives. This information is also given to unaccompanied children.
- Some good practices should be highlighted regarding the availability of information in age-appropriate formats and for children with disabilities.
- In 2021, the CNPDPCJ produced an inclusive version of the Convention on the Rights of the Child child-friendly language, which includes braille, making information accessible to low-sighted children.
- Even though this type of adaptation of materials exists, it is not generally known that. However, it is acknowledged that professionals seek to make this adaptation when communicating on the issue.

Children mentioned the following good practices:

- Some children learned they have the right to participate in decisions that affect them from this CP4Europe's consultation: *"I didn't know, but now I know"; "When I started answering the previous questions, I had initially selected "I don't know", because I think I had never really thought about this right. I always took it for granted and I never thought that it is really a right, that is, I think I never gave it the importance that it has and I think that only if it was violated would I recognise its importance. In short: only now and in this way did I know that I have this right."*
- One child identified her participation in CP4Europe's consultation as an opportunity to contribute to decision-making: *"Obviously I've already made decisions. Right now [during the CP4Europe's consultation] I'm making decisions - I'm choosing what to write, what to answer these questions. In our life we have to choose, to make decisions. And it's very important to know how to make them, consciously."*
- *"Usually when the subject has to do with the family or my education my parents always want to know my opinion on the subject so that I can also participate in the family meetings."*
- Several children replied they knew from school they have the right to participate in the decisions of any issue that has importance in the lives of children/young people: *"I found that out because the teachers are very much our friends and when we need them they help us."; "When I participated in an ECO-SCHOOLS meeting."; "My teacher told us to make proposals."*
- Children involvement in the elaboration of rules in residential care facilities: *" They [the children] can participate in the rules of the institution."*

Points to address

Institutions pinpointed the need for improvement in areas such as:

- In the scope of intervention, the better adequacy of the existing information in spaces and moments of participation that are already foreseen, namely through the production of child-friendly formats that are accessible to all of them.
- Regarding complaint mechanisms, legal processes, as well as in decision-making processes inherent to the good functioning of schools, own educational pathways, and in relevant areas such as immigration and health.
- The need to improve the inclusion, in the curricula of the different levels of the national educational system, of subjects regarding, for example, human rights, the Convention on the Rights of the Child, gender equality and citizenship, with the aim of promoting, among children and young people, the dissemination of their rights and their involvement in order to guarantee the effective practices and exercise of the rights at stake.
- The need to reinforce, in educational programs, of the practice of promoting the rights of the child in its various aspects, namely through the integration of games and didactic materials in formal and informal educational contexts.
- Strengthening the capacity to hear and include more vulnerable children and young people.

The following areas were **identified during child consultations** as requiring improvement:

- Deaf children that participated in CP4Europe's consultation ask people to speak slowly and say that it is very important for other people to learn sign language: *"By law, we have the right to have our say wherever we go."*; *"People need to know sign language in all services: police, firemen, hospital, everything"*. In this consultation, children needed the opportunity to express their great need not to feel apart from the general social environment, including their own families, several of whom are listeners and speakers but lack of knowledge of Portuguese sign language, which is a major barrier to communication with these children and to their full social participation in equal opportunities with other children. The need to widen the offer of Portuguese sign language classes to family members, to professionals and civil society was often mentioned – in this regard, it shall be mentioned that a major motive why parents are unable to attend those classes resides in the fact that the classes at stake are often available only during working hours. There are many people who would like to learn and do not know how or where. If the offer of these classes becomes more widespread and disseminated, even in schools with students could be interested in attending, would allow greater integration and communication of deaf children at school, in the family, when they go to the doctors, etc.
- *"Deaf children need equality with others, including their parents. They are equally important and are entitled to equality."*
- *"It is important that parents develop sign language skills/learning to be able to communicate with their deaf children."*
- *"I feel that as a deaf person, if I am with a listener [the child as a cochlear implant that allows her to listen], I have a voice and listeners always say we are deaf-mutes, but we have a voice. We are not mute, we have a voice."*
- *"Of course, I think the world would be a better place if children could AT LEAST express their opinions. (Children and young people, too). Of course, for young*

people to be able to take an active part in society, other things need to be developed, such as education, because there are lots of young people who don't know how to analyse, understand and think critically about situations and information and then know how to express their opinions. But yes, I agree that children, with their ingenuity, or young people, with their creativity, can improve the world. We are more sensitive and if we fight our laziness we can be very important for society. Besides, we are the ones who will live in this world in the future and it makes no sense not to be able to participate in the decisions that will affect this world of ours."

- *"I think children could be told that they have rights of opinion more than they are, especially at school."*
- *The perception of younger children of a certain age discrimination on their opinions by adults in decision making: "Older children [are taken more seriously]";*
- *"Children's opinions are taken less seriously if they differ from the adults'."*
- *"Asking adults [to improve children's opportunities for participation]."*
- *"Sometimes they [adults] say that children say meaningless things."*
- *"Parents teach the children [their right to participate in all matters that concern them]"; "Asking parents and parents helping children to make decisions."*
- *"Not taking them as children because they are people who have been through a lot and age does not define them."*
- *"[To involve children in participating in decision-making] It takes experience, it takes practice. Children need to be taken seriously, so they also need to demonstrate that they are fit to be taken seriously. The more they participate, the more they are sensitised and informed about the issues, the more opinions they will be able to formulate and the better they will be able to argue, and then they can be part of the active part of society, both in action and decision making."*
- *"Spreading the word about campaigns where they can be part of something bigger, where they can change something in the world or even in a person's life. Parents can also influence their children to take part in some campaign or a campaign."*
- *"Call children into decisions."*
- *"That they [adults] inform [on the right of the child to participate in decisions] and know how to take the message across [to children]."*

Action points (follow-up)

Institutions mentioned that progress in this indicator could be achieved through the following actions:

- Aggregation of all materials produced by the different entities in an accessible and child-friendly online space, allowing consultation of all existing information in this context at any time.
- Introduction or reinforcement of themes regarding the right of children and young people to participate in decision-making processes, namely in educational programs and contents.

- Creation of local working groups, with the aim of promoting the access of children and young people to spaces of social and political participation.
- In some regions, the creation or reinforcement of teams to produce material on the matters under consideration.

According to the consulted children, progress in this indicator could be achieved through the following:

- Implementation of the [National Strategy on the Rights of the Child⁵¹ and of its Biannual Plan for 2021-2022](#) and approval and implementation of its Biannual Plan for 2023-2024.
- Keep using child consultations in national and international projects of the CNPDPCJ to listen to children's opinions and also as a resource and an opportunity to inform, stimulate and empower children on their right to participate in decisions in all areas of their lives irrespectively of coming or not from any vulnerable condition or context, but assuring the necessary special support and adaptations to consultations to give vulnerable children the necessary conditions to participate as any other child overcoming as much as possible existing obstacles from the vulnerability lived by the child.
- Increase well prepared opportunities for child participation at all levels and in all contexts that affect children's lives having in mind that vulnerable children require that specific adaptations are made to consultations to get them involved in an equal opportunities-based approach that allows to fight condition or context obstacles to their participation.
- The White Paper on Child Participation in Portugal that will be produced in the context of the Project CP4Europe.

⁵¹ Approved by the Resolution of the Council of Ministers no. 112/2020, of December 18.

CREATING SPACES FOR PARTICIPATION

Indicator 8

Children are represented in forums, including through their own organizations, at school, local, regional and national governance levels, defined as “Children are enabled to participate in forums where they can address relevant authorities, including government, at school, local, regional and national levels (notably through schools councils, child/youth councils, children/youth parliaments or children/youth forums). These forums serve as spaces where children can identify issues of concern to them and bring them to policy makers at the school, local, regional and national levels. Particular efforts should be made to explain the process by which children are elected to such provisions, which children are involved, how children take part in the decision-making processes (where appropriate), the regions in which they exist, and the decision-making powers afforded to such bodies.”

According to the CPAT, States can measure progress towards the indicator using the following assessment criteria:

0 = No forums exist through which children can engage with school, local, regional and national government

1 = A child/youth council or parliament exists through which children can address government at the national level

2 = Child/youth councils exist through which children can address governments at the regional level

3 = Legally mandated child/youth councils or parliaments exist through which children can address governments at the school, local, regional and national level

Final Score of the Assessment ⁵²	
As of institutions	2
As of children	3

Analysis notes

As a result of the 14 replies to the consultation with institutional stakeholders, it was mentioned that there are some structures that foresee the participation and representativeness of young people; nevertheless, it would be important to create more similar contexts for children.

⁵² Institutional stakeholders: highest score – 3, lowest score – 2; score of the different particular aspects ranging from 0 to 3.

In the Autonomous Region of the Azores, there has been a growing call for young people to participate in these types of forums and more intervening areas, with the school environment still being the one that promotes this type of participation the most.

The numerical evaluation of this indicator seemed to be a challenge for some entities, some of which indicated the high number and the diversity of existing institutions acting in the field at regional, local and school level as leading to the absence of a clearly understandable territorial and institutional homogeneity.

Details on the number of **replies of the institutions** are as of the following chart:

Governance level	Children are represented in fora				Examples of existing fora
	YES	NO	DON'T KNOW	AVERAGE SCORE	
National	9 replies	-	1 reply	2	<ul style="list-style-type: none"> • National Council of Children and Young People • National Youth Council • Parliament Youth Consultative Council • Youth Parliament
Regional	6 replies	2 replies		2	<ul style="list-style-type: none"> • Local Social Council • Municipal Youth Councils • Parish Social Commissions • Youth Parliament of the Autonomous Region of the Azores • Youth Parliament of the Autonomous Region of Madeira
Local	4 replies	1 reply	2 replies	2	<ul style="list-style-type: none"> • Foster Home Assemblies [gatherings at dessert time, sessions of the CSI (Integrated Social Skills programme)] • Local authority forums • Municipal Youth Councils Parish Forums
School	9 replies	-	-	3	<ul style="list-style-type: none"> • Class Assembly • Class Council • Class Delegates • General Meetings of Students • Meetings of parents and students

					<ul style="list-style-type: none"> • Municipal Education Councils • School Assembly • School Council • Students Associations • Pedagogic Council • Youth Parliament • Youth Parliament of the Autonomous Region of the Azores
Others	1 reply	-	-	3	<ul style="list-style-type: none"> • National Federation of Youth Associations

As a result of consultations with 90 children, the following notes could be gathered (with ticks according to the majority of replies):

Governance level	Children are represented in Forums		
	YES	NO	DON'T KNOW
National	✓		
Regional	✓		
Local	✓		
School	✓		

In reply to a set of closed and open questions created by Portugal with topics to help to assess the indicator based on CP4Europe's child consultations, the following was ascertained⁵³:

CLOSED QUESTIONS RAISED TO CHILDREN	YES	NO	DON'T KNOW
Do you think that children know that they have the right to participate in the existing associations or groups of people?	✓		
Have you ever been part of an association, council, assembly or other form of meeting to discuss issues and make decisions?	✓		
When children participate in associations, councils, assemblies or other forms of meetings, do you think that adults consider the opinions children have given to make decisions?	✓		

⁵³ The lists of topics are reported in decreasing order of referral by the children; in brackets, one can find topics added by the children.

Do you think that some children/young people find it more difficult to participate in associations, councils, assemblies or other forms of meetings to discuss issues and make decisions?	✓
Have you ever wanted to be part of an association or council and they wouldn't let you?	✓

OPEN QUESTIONS AND OPEN PARTS OF SEMI-CLOSED QUESTIONS	Children's replies to open questions ⁵⁴
Please indicate the entities/organisations where you know that exist associations or other groups that make decisions.	Residential care institutions; Schools; Municipalities; Local Administration; Government; European and International Organisations; Churches; Gymnasiums and Sports' associations; Musical and Art Schools; Recreative Entities; Non-Governmental Organisations; and Others ("Courts"; "Police Stations"; "SIMECQ ⁵⁵ ").
Please indicate the associations or groups that make decisions where you know that children and young people can participate.	Schools; Gymnasiums and Sports' associations; Residential care institutions; Musical and Art Schools; Churches; Local Administration; Municipalities; Government; and Others ("Groups of people that join to debate a specific issue").
Please identify which groups of children/young people find more difficult to participate in associations, councils, assemblies or other forms of meetings to discuss issues and make decisions.	Children with physical or mental disabilities; Younger children (primary education); Children who come from other countries, speak other languages or have other customs or traditions; Girls; LGBTIQ+ Children; Children of a different skin colour than the majority; Children from families living with economic difficulties; Children who follow different religions than the majority; Boys; Children who experience domestic violence and Others ("Children going to a new school").
Please indicate any association or group that makes decisions and in which you participate or has participated.	"I have been a Class Delegate"; "A class assembly"; "School"; "At school we talk about what we want to improve"; "CAF ⁵⁶ "; "To discuss school matters"; "Yes, in a class assembly at my old school"; "Yes, at school sometimes my class would get together to decide some issues"; "Free Time Atelier"; "Futsal"; "School sports"; "Help to Mothers ⁵⁷ " "Residential care"; "Group of the House"; "Catechism and youth group in church".

⁵⁴ Replies that identify good practices or areas needing improvement are only mentioned below to avoid repetitions.

⁵⁵ Refers to a local musical school and association.

⁵⁶ Refers to the "Family Support Component" that works to support the family and/or parents, allowing students to stay in school outside school hours and during school holidays.

⁵⁷ Refers to a public institution of social solidarity to support mothers and families.

<p>If you have already participated in any association or council, how did you feel?</p>	<ul style="list-style-type: none"> • The majority of replies: "Great"; "Useful"; "Fresh"; "Well"; "Felt normal". • Other replies: "At the beginning it was difficult to give my opinion because I was more closed, I felt some discomfort."; "I was embarrassed at the beginning." • Very few replies: "Bored"; "Irritated"; "Bad, sad".
<p>If you never participated in any association or council to discuss ideas and make decisions in which would you like to participate?</p>	<ul style="list-style-type: none"> • "Helping people." • "School." • "Painting groups because I really like it." • "My father and mother don't want to live together anymore, I wish they would let me talk, I like them both but I don't want to leave my house and my animals."
<p>If you have never participated, why do you think this has never happened?</p>	<ul style="list-style-type: none"> • The majority of replies: "Because I didn't want to."; "I didn't ask."; "I never cared about it."; "I never really cared to." • Other replies: "I haven't been given a chance yet."; "Because I'm a child."; "Because there aren't any for my age [7 years old]."; "Because I don't know of any."; "I never asked my parents and I didn't want to do it either." • Very few replies: "Stop judging the children."; "Because I don't like to participate and give suggestions."; "I wouldn't have liked it, because I don't like to talk."; "Don't know."
<p>How do you think we can improve the participation of all children and young people in all forms of meetings to discuss issues and make decisions?</p>	<ul style="list-style-type: none"> • "With a structure." • "Talking as a group." • "Talk to one child at a time." • "Comply with the rules." • "Respect." • "I don't think there is anything to improve, I don't think children are mature enough to make decisions or discuss it." • "Children have to be more determined." • "I don't know."
<p>What do you think needs to be done to get children and young people to participate more in local meetings of decision making?</p>	<p><i>"Ask for their opinion."</i></p>
<p>What do you think needs to be done to get children and young people to participate more in international meetings of decision making?</p>	<ul style="list-style-type: none"> • "Motivate them to participate." • "Don't know."

Good practices

Illustratively, the following examples of good practices were **indicated by the institutions:**

- The [Project "Dream Teens"](#), developed by the association Aventura Social and the Faculty of Human Motricity, aiming at the involvement and participation of children and young people in the improvement of local, regional and national policies.
- The [National Council of Children and Young People](#).
- The [National Youth Council](#).
- The [Youth Parliament](#), including [that of the Autonomous Region of the Azores](#) and [the one of the Autonomous Region of Madeira](#). Regarding the Youth Parliament of Madeira, it should be noted that this is an initiative of the Assembly of the Republic aimed at young people from the 2nd and 3rd cycles and secondary education, coordinated by the Regional Secretariat for Education, Science and Technology in partnership with the Legislative Assembly of Madeira. In January 2022, about 100 students from Apel School (Funchal) participated in an action around the theme "Fake news: Impact of disinformation on democracy". In addition, children aged 14 or above may participate in the Participatory Budget of the Autonomous Region of Madeira.
- The event "[The Students' Voice](#)".
- On October 12, 2021, the National Education Council organized the webinar "The voice of children and young people in education", on the possibility and the right of children and young people to have the opportunity to express their ideas and opinions throughout the educational process, as well as to have their participation respected and considered in all the options that concern them. The theme of the webinar aimed at reflecting critically on valuing the voice of children and young people in the organization of school institutions, in the learning process and in the training of teachers and other educational agents.
- The Municipal Youth Assemblies/Councils.
- Participatory Budgeting.
- The [National Federation of Youth Associations](#) is one of several organizations that regularly participate and contribute to the training, monitoring, development and evaluation of Youth public policies and their action instruments.
- The Child-Friendly Cities Program.
- For more examples of good practices at local and institutional level, see also the results of indicator 7.

Children mentioned the following good practices:

- The creation of the [National Council of Children and Young People](#), by the [National Commission for the Promotion of Rights and the Protection of Children and Young People](#) corresponds to topics children identified above as a structure to listen to children with respect, complying with rules, motivating them to participate with their opinions and suggestions to influence decision making in areas that are in their interest and that affect them, which includes their participation in discussion on policy making documents at national, European and international level.
- The participation of children and young people in some national projects of the National Commission for the Promotion of Rights and the Protection of Children and Young People and in all international projects of which this National Commission is a partner. This is the case of the [CP4Europe Joint Project](#) (Co-

funded by the Council of Europe and by the European Union and in 2022 still in implementation) and of the [Protective Seal Project](#) (National project of the National Commission for the Promotion of Rights and the Protection of Children and Young People, in 2022 in its 5th Edition). It was also the case of other national and international projects already concluded: of other projects concluded in the past years and that involved the participation of children: [“Let’s make children’s voices heard- Involving children in CJ/ENF-ISE’s⁵⁸ work to promote the best interests of the child in parental separation and care proceedings”](#) (Funded by the Council of Europe), [Bilateral Initiative Portugal-Norway funded by on “Enhancing the protection of the rights of the child in priority areas”](#) and the [Project 4 Children](#) (Both funded by EEA Grants/ Fund of Bilateral Relations), [Project Jus / Project 12 - Justice for Children](#) (Funded by the European Union), [4 Children](#) (Funded by EEA Grants/Fund of Bilateral Relations) [Workshops with the participation of children on age assessment procedures and the elaboration and publication of a Brochure in child-friendly language on age assessment procedures](#) (both funded by the Council of Europe).

- Good practices on child participation in Portugal exist implemented by many other institutions and entities in several different areas and were put together in a very useful resource that resulted from the Bilateral initiative PT-NO above referred: the [“Referential of Good Practices for Enhancing Child Participation in the Promotion of the Rights of the Child”](#).
- The elaboration and publication of a very useful resource for professionals and stakeholders working on the participation of children in any area of intervention that resulted from the Bilateral initiative PT-NO, funded by EEA Grants/FBR, is the [“Thematic Glossary of Child Protection Systems and of the Promotion of Children’s Rights focused on the hearing of the child in especially vulnerable contexts.”](#)

Points to address

Institutions pinpointed the need for improvement in areas such as:

- Greater dissemination of the exercise of the right to participate would be desirable, as it promotes a sense of responsibility, acquisition of democratic values, a feeling of belonging to a community and strengthens citizenship.
- Although widely spread and legally supported, the Municipal Youth Councils are not active in all regions or municipalities of the country, so the reinforcement of the existence of local and regional children’s forums or councils could be considered for the improvement of this indicator.
- The application of the working methodology of the Youth Parliament to other areas, such as health, for example, was also indicated as a way to improve the possibilities for children to exercise their right to participation.

⁵⁸ Committee of experts on the rights and the best interests of the child in parental separation and in care proceedings, of the Council of Europe.

The following areas were **identified during child consultations** as requiring improvement:

- *"I think that if adults care a little bit about listening to the opinion of the younger ones, they can go further, because the younger ones go through a lot of situations in silence that don't cross the adults' minds."*
- *"There should be more events that motivate young people to participate."*
- *"Adults should listen to children more."*
- *"Listening more, what is going well and what is going wrong."*
- *"Let everyone give an opinion as maybe a younger person may have a different opinion from the rest".*

Action points (follow-up)

Institutions mentioned that progress in this indicator could be achieved through the following actions:

- Creating and developing more spaces for dialogue and critical reflection directed at children, forwarding children's contributions to decision-making bodies.
- Creating new opportunities for debating children's rights throughout the year, not only just to mark specific moments or celebrations.

According to the consulted children, progress in this indicator could be achieved through the following:

- Implementation of the [National Strategy on the Rights of the Child⁵⁹ and of its Biannual Plan for 2021-2022](#) and approval and implementation of its Biannual Plan for 2023-2024.
- To continue the regular consultation to children by the CNPDPCJ, namely the specific forum created to have consultation to children in a regular basis, the National Council for Children and Young People, and in national projects implemented by the National Commission as well as international projects in which it participates with other countries.
- The White Paper on Child Participation in Portugal that will be produced in the context of the Project CP4Europe.

⁵⁹ Approved by the Resolution of the Council of Ministers no. 112/2020, of December 18.

Indicator 9

Child-targeted feedback mechanisms on local authority services are in place, defined as “All public authorities responsible for local services, have mechanisms in place to consult with and receive feedback from children, including on the following services: education and schools; alternative care (e.g. fostering, children’s homes); play, recreation, and sports; cultural services (e.g. museums, arts); child protection services; support for immigration and asylum seekers; and family support and pre-school services. Such mechanisms might include evaluation forms or surveys that are easily accessible to and adapted to children of different ages and backgrounds. Particular effort should be made to assess the extent to which such services respond to the feedback they receive from children. For example, do they have a mechanism for informing children of the changes that have been made in response to the feedback they have received? Ideally, efforts should be made to involve children in the design, implementation and evaluation of feedback mechanisms.”

According to the CPAT, States can measure progress towards the indicator using the following assessment criteria:

0 = Children do not have opportunities to offer feedback on local public services and such services are not required to offer such opportunities

1 = At least two of the local public services specified have systems in place for children to provide feedback on the services provided

2 = At least four of the local public services specified have systems in place for children to provide feedback on the services provided

3 = All of the local public services listed are required to have feedback arrangements in place and have established effective systems to obtain and respond to feedback from children

Final Score of the Assessment ⁶⁰	
As of institutions	2
As of children	2

Analysis notes

As a result of the 16 replies to the consultation with institutional stakeholders, it was ascertained that some entities mentioned that, except for specific services, there is no habit of consulting children regarding their perceptions and opinions and, consequently, there are no response mechanisms in place.

⁶⁰ Institutional stakeholders: highest score – 2, lowest score – 1; score of the different particular aspects ranging from 0 to 3.

Some stakeholders mentioned the lack of knowledge of the implementation of such mechanisms despite the intention to do so [on the public services' side], the evaluation of a public service may be not open to children. Other stakeholders preferred that there are some mechanisms for consulting children and receiving their opinion, but not all of them have effective response systems.

Details on the number of **replies of the institutions** are as of the following chart:

Local services	Child-targeted feedback mechanisms in place			
	YES	NO	DON'T KNOW	AVERAGE SCORE
Education and schools	10 replies	-	1 reply	2
Alternative care (e.g. fostering, children's homes)	7 replies	3 replies	2 replies	2
Play, recreation, and sports	3 replies	3 replies	3 replies	1
Cultural services (e.g. museums, arts)	4 replies	3 replies	3 replies	1
Child protection services	6 replies	2 replies	2 replies	2
Support for immigration and asylum seeker	4 replies	1 reply	4 replies	1
Family support and pre-school services	2 replies	2 replies	4 replies	1
Other contexts: road safety	2 replies	-	-	2

As a result of consultations with 59 children, the following notes could be gathered (with ticks according to the majority of replies):

Local services	Child-targeted feedback mechanisms in place		
	YES	NO	DON'T KNOW
Education and schools			
Alternative care (e.g. fostering, children's homes)			
Play, recreation, and sports			
Cultural services (e.g. museums, arts)			
Child protection services			
Support for immigration and asylum seekers			
Family support and pre-school services			

In reply to a set of closed and open questions created by Portugal with topics to help to assess how well the country meets the indicator based on CP4Europe's child consultations, the following was ascertained⁶¹:

CLOSE QUESTIONS RAISED TO CHILDREN	YES	NO	DON'T KNOW
Do you know that you have the right to ask questions and make suggestions about how any service you have to use works?	✓		
Have you ever wanted to ask questions about how a service worked?	✓		
Have you ever wanted to give suggestions to a service so that it could work better for you?	✓		
Do you think children feel comfortable giving suggestions to improve any service they have to use?	✓		
The services that exist and are used by children and young people (e.g. schools, health centres, residential care institutions, post-school's activities centres, etc.) should have ways for children and young people to communicate their doubts or suggestions to them and for these services to respond in a language that children and young people understand. Do you think that this way of communicating with children exists in the services?	✓		
Have you ever made suggestions to a service to improve the way it works?	✓		
Do you think that adults give importance to the suggestions that children and young people give to improve services?	✓		
Have you ever made suggestions on how to improve a service?	✓		
When you made suggestions on how to improve a service did you received a reply to your suggestions?	✓		

OPEN QUESTIONS AND OPEN PARTS OF SEMI-CLOSED QUESTIONS	Children's replies to open questions ⁶²
Have you ever wanted to ask questions about how a service worked?	"I asked questions just today, to ask for directions and it's normal. They receive well, no problems. I asked about bus schedule ..."; "Several times"; "No"; "I don't want to say".

⁶¹ The lists of topics are reported in decreasing order of referral by the children; in brackets, one can find topics added by the children.

⁶² Replies that identify good practices or areas needing improvement are only mentioned below to avoid repetitions.

<p>From whom did you learn that you have the right to ask questions and make suggestions to a service?</p>	<p><i>More ticked options:</i> Parents or caregivers; School. <i>Other options ticked:</i> Professionals working in those services; Other adults ("Maternal grandparents"); Internet; Other children. <i>Less ticked option:</i> With no one, doesn't know he has the right.</p>
<p>If you wish, name one or more services to which you have already asked questions about how they work.</p>	<p>"Social Services"; "Meo"; "Telephone services – NOS"; "Meo, Apple"; "School. Bus terminal"; "Bus terminal"; "Job centre"; "Job centre, Citizen' shop, Civil registry"; "Citizen' Shop".</p>
<p>Who do you ask when you have a question or doubt about how a service works or how to use it?</p>	<p><i>More ticked options:</i> Parents or other people with whom I live. <i>Other options ticked:</i> Professionals working in those services; Teachers and other professionals at school; I search in Internet; Other adults ("The closest people", "Family", "Someone who has already contacted that service", "Maternal grandparents", "Sports Coaches", "The President of the Philharmonic Band"); Other children; Professionals of the residential care where I live ("If one doesn't reply I try other")</p>
<p>In which of these places do you know that you can ask questions or make suggestions on any aspect that you think is important?</p>	<p><i>More ticked options:</i> Schools, Sports Associations and Clubs; Police Stations; Health Care Services and Hospitals. <i>Other replies:</i> Local Services and Municipalities; Others ("Shopping Centres", "Gardens, "Philharmonic Band", "Rugby Camp", "Musical School Theatre", "Generation Orchestra", "Bus Station", "Café, Hotel, Restaurants, Theatres"); Any Public Service; After School Activities' Centres; Residential Care Institutions; Courts; local Commissions for the Protection of Children and Young People; Disabilities' Support Services; Social Services; Immigration, Refugees and Asylum Services; Churches; Government; Parliament; Presidency of the Republic. <i>Less ticked option:</i> In no one</p>
<p>Have you ever made suggestions on how to improve a service and received a reply to your suggestions?</p>	<p>"I think I must have already done it. Maybe not to the president, but to staff. Or, asking questions, now maybe more than before, for the policy part... why they do the minutes, etc. You can watch and ask questions as to why it's the way it is." "I am a person who likes to understand the why of things, the "because" doesn't work for me. Teachers tell me to do something and I take it all the way through. I had a test yesterday, and it was a test that was scheduled the week before. It was a physics test and only my class had physics. I talked to the teacher to see if I could put the test on this week, because the week before we had a maths test. I explained and gave my arguments."</p>
<p>If you wish, name one or more services to which you have</p>	<p>"Parliament" "School" "Meo" / " Meo, Citizen's shop"</p>

already asked questions about how they work.	<p>"Firemen"</p> <p>"Passenger Transport Operator"</p> <p>"Customer Assistance Forum"</p> <p>"Epic Games, Steam"</p> <p>"Gymnasium Club"</p> <p>"Philharmonic Band"</p>
Do you think that adults give importance to the suggestions that children and young people give to improve services?	<p>"It depends a lot on the people in the school. The teachers treat me very well. It feels like we are almost the same age group and I can ask questions. There are channels to give feedback, but more with teachers than with not-teaching staff. I, for example, am in clubs and there, it's us students who give suggestions and say how it's going to work. They accept those aspects!"</p> <p>"It depends. I've had negative and positive experiences in relation to giving feedback. With not-teaching staff I feel the same way. They treat us like children. With teachers I have felt that I can give feedback, others not. In all subjects we have the "classroom" platform, and my Portuguese teacher has a section there just to give feedback. And it works, we write there. But another situation was in a class where we had space to give suggestions, but then it didn't go so well because she wasn't available to change with the suggestions we gave. He didn't consider what we said. In the case, we were asking for feedback."</p> <p>"I've been there [in the Rugby Camp] for a while. Maybe if I was younger they wouldn't call me as much, but maybe because I know them better...because I know my coaches and there's that ease. Maybe that's why it's different with the management. Since I don't know them that well, I don't ask questions."</p>
If you wish, give examples of services where you asked questions and made suggestions and felt uncomfortable doing it.	<p>"Meo" [telecom company]</p> <p>"Bus company"</p> <p>"Job centre"</p> <p>"Clothes shop"</p> <p>"So far nothing"</p>
If you wish, name any uncomfortable situations you have experienced in a service about which you have asked questions or made suggestions?	<p>"Offend me for giving my opinion in relation to the service"</p> <p>"I think when I leave a space or that it doesn't make sense to me, it's not about not asking questions. I was a Girl Scout for many years and I left because there were things that didn't make sense to me. I need sleep to be functional and we'd do scenes like midnight/evening at night, we'd be exhausted and still go for a 10km walk. I would openly say I thought it was stupid, whatever age we were. Then it seemed like it was just me, the others thought it was cool. It wasn't that they didn't listen to me, but I was the only one who thought like that and so things didn't change."</p>

"I think I asked a teacher some questions, but the way he treated me back. There are some questions I asked and the teacher doesn't know how to answer. Even on the subject matter, he doesn't know how to give me the clear answer. It has happened to me. It's good when there's a concern to answer something like "I don't know now, but I'll check and tell you later". The case I had was not cool because he never told me anything else. If I get a favourable answer, it's another incentive to participate. Maybe I can still participate more than if they don't cut me off right there."

"I think even then there's a bit of bureaucracy. The elections for the Students Association are held every two years. A classmate of mine is on the list that won. There are a lot of things they want to do. They go and talk to people and people take it seriously, but they say that now they have to send a letter to I don't know where. And they say it's boring. They have to go in some circle to do things. My ideal way is going to be different from other people's and it's impossible to reconcile it with other people's. But there are stones in the way that could come out."

"The orchestra itself is participatory because we are all there making music. But there is a certain amount of friction among the students. Not with the director of the project, who is very nice, although it's been many years before I spoke to her. But what bothers everyone are the repertoires every year because they are difficult or more or always the same. These are things that we complain about every year, but I don't feel like reaching out to the people who make these choices and giving feedback and my opinion. In terms of feedback with more important members and decision-making power, it's more difficult. We have mentoring sessions with psychologists and in groups and we talk about it a lot. But we don't have the courage to make it reach out."

If you wish, give examples of services where you asked questions and made suggestions and felt comfortable doing it.

"The school where I study"
"Covid-19 testing centre"
"Civil registration"
"Clarification of doubts"
"Lidl"
"Health centre"

If you wish, indicate any comfortable situation you have experienced in a service about which you have asked questions or made suggestions.

"I'm not usually very participatory, but we used to have a meeting with class representatives. The director would call the meeting and was willing to listen to complaints, suggestions, questions. I would go there more to hear what others say. To be more participatory, someone had to take the initiative and I had to share the opinion. It was like a snowball. Practical example: in a class where nobody speaks, the teacher asks questions and there is total silence. All it takes is one person to take the

initiative and the rest follow. It snowballs and more people participate. All you have to do is ask a question and someone takes the initiative and that's it. The same thing happens online. It takes someone talking and then more people respond. All it takes is one person asking the question."

"Positive memories are of the Students Association. I'm part of it and, in the Direction, they were always available to talk to us. They said, 'you can come and talk', you can also, send emails...but it was only with us, in a specific meeting when we won the list's election. They had a meeting with us and told us these things. We asked about the list, about asking for permission, we asked if the management can authorise us to bring some stalls... The Students Association is quite important. I am part of it. This makes the communication channel a lot easier. The students talk to us and we transmit to the direction. Sometimes it's easier."

What do you think the services should do so that the children who make suggestions enjoy having done so?

"[Services] saying [to children] *thank you* and *I love you*"

"Putting it into practice"

"Speaking more often"

"Gain the trust of young people, use age appropriate language"

"Pay more attention to children's suggestions".

"To act based on children's needs and opinions if these have positive effects on their daily lives".

"Change".

What do you think can be done to support children to ask questions and make suggestions about services?

"Adults should ask children"

"Talk to them. Explain in clear language what the services are and try to understand to what extent they like it or not.

"Really listen to them"

"A complaint book for children"

"Asking direct questions, showing how asking questions can be beneficial for children in the future"

"Encourage them to ask more questions and also to give their suggestions"

"Showing interest"

"Listen to them and let them explain themselves".

If you want, give us some suggestions on how it could be easier for children and young people to ask questions or make suggestions about a service.

"Reinforcing the teaching on how children can do it at school"

"Creating an online chat line"

"Tell them more about services and correct customer service methods"

"For example, in school ask 12th graders for their opinion"

"Speak or write like an adult with principles and education"

"Employees to be empathetic in order to make us comfortable".

"I think they [services] should be more accessible. E.g. A more accessible service is not having so many barriers or hierarchies. Talking to the top as you talk to people further down. The interaction between those who are there and those who benefit helps. You can see it in the relationship between people. Being a leader and not being so much a boss or a boss, who is on top and in charge. Being more of a leader that pulls."

"Auscultation. You need to talk to people who are in the project. Have meetings, questionnaires. Create a meeting where there is a possibility for young people to go and say what could be improved. That is missing a lot."

"Get to the point."

"We had to evaluate at the end. We talked in the evaluation about how to reach young people and make young people feel like continuing. And we talked about dissemination! Of investing in the dissemination of these spaces. Because young people don't always know that things exist. Using social networks to say that we can give feedback. I don't know exactly, but maybe to say that something is going to be done that will bring young people to this service, that will make them motivated to go. And then when the young people are there, ask for feedback!"

What are the best ways to ask questions and make suggestions? How do you prefer?

"I've interacted by email and in person. There are moments for people to come in and ask questions. Maybe in those moments I think it's more a suggestion and not so much questions. Or for example, a workshop held by the Junta, which has already happened and where the president is present. Or in the activities that my local administration organises, in a cultural event or something, our representative is always there. I don't feel that there are any barriers for people to ask questions."

"Yes, the suggestion boxes. I've used them, but it depends on the teacher. I talked about putting in an extra microwave, but I don't think it had any effect."

"The musical theatre school has nothing to do with it...the content we study there and how things are done. The system itself...I felt more listened to. In class, teachers bring things more or less done, but there are spaces for students to give ideas and intervene. Last week, we were looking at a script and a classmate suggested and the teacher told us to go on saying and adding to it. There is openness to give ideas. More openness than I've ever felt before. Even from the management. Also last week, they sent me a questionnaire to evaluate the school, the teachers and the lessons. Nothing like that had ever happened to me before. My old school was much more closed. This one

has nothing to do with it. I like the way the evaluation is done much better. At the end of the term, there was a very vague thing in the observations (the student is diligent, she must continue to pay attention). Not here. The observations are much more specific, they show that they really know the student and that they care about him, they want him to progress a lot beyond being a good student."

"Writing makes me feel like a way of organising my head. I have endless time before I send an email and the person won't see it until I send it. Talking to people also has its advantages as I can see the reaction, I can clarify doubts in the moment. It depends a lot. Email is more comfortable, but talking in person is easier to know that everything has been clarified."

"Both have their advantages and disadvantages. It depends on how serious the issue is. There are things that should be spoken about at the moment and others that should be more thought out and planned. But the truth is that waiting erodes a little. Seeing people's reaction at the first moment is important. With teachers, I prefer to talk face to face, because I know they'll get back to me straight away. With the headmaster, it's by email."

"Maybe a meeting, in a face to face conversation, but I guess it depends on who I'm talking to . If it's with the council, I'd ask for a meeting, but if it was the president of the philharmonic it would be in a conversation. I prefer the conversation, the feedback is quicker, but the more formal email is better if I don't know the person. It could also be to ask for a meeting to have the conversation. In a way it helps to know the person, but it's not decisive."

In your opinion, what can be done so that the services respond to the questions and suggestions of children and young people?

"Better surveys (less confusing)"

"Hiring a person designated for this"

"Conducting online surveys for those who want to respond"

"Put specific people in place for that very thing"

"Youth-oriented support"

"See if what is indicated is true, many times children and young people have different ways of seeing things, it can even show the solution of some problem"

"To have a dedicated area just for doubts/questions".

"Nothing"

Having in mind the Participation Checklist from the Booklet: ["Is this for me? What gets young people to participate"](#), [Comparte/Fundação Calouste Gulbenkian](#), which would you

"I like the *grow, go beyond and develop potential*". For me it would be that. I think there are several people who want to be part of a community to feel good and the *safe space* is a good potential. Being part of the community helps it to be a whole and to be united. If they have a common goal, having a safe space will influence it."

consider are the most important ones for you to participate, ask questions and make suggestions?

"It's the listen to me, value me and recognize me. It's enough just to listen. Not all institutions and organisations listen."

"It is a safe space. Also the there are affections, I can express emotions, they like me."

"Regardless of the place, all of these are important, but in between that I make a difference, I contribute and have an impact and the listen to me, value me and recognize me. Hearing what I have to say and considering me is important. But if I don't feel safe... they're different phases of the same thing."

"The I can be myself, I am accepted is important because I think if we are in a space where we can give our own opinion without being judged, we have a space more open to change."

"The I make a difference, I contribute, I have an impact. If we feel that our opinion has an impact and there has been a change, we will be more encouraged to give our opinion again."

"The first step is well taken. When I go to give feedback or suggestion for the first time, in a space, if it doesn't go well the first time, I might not come back! Not just the person or the space. It's important to receive well. If at the first time I see that I was heard or well received for what I said, maybe I'll come back and give suggestions. The first interaction! If I'm not well received, maybe I won't come back and I'll be more fearful!"

"I think for me it would be the listen to me, value me and recognize me. It is important that we feel that people are not asking for the opinion just for the sake of asking. We should feel that our opinion is valued! I think a person feels when they are being valued and when they are not. I feel...maybe the interest that the person shows!"

Good practices

Illustratively, the following examples of good practices were **indicated by the institutions**:

- Since 2019, marking the anniversary of the UNCRC, the Public Security Police (PSP) carries out a national operation focused on promoting the rights of children and the prevention of child ill-treatment, including sexual crimes against children in primary and secondary schools. Within the scope of these operations, a total of 1.203 group awareness-raising actions were carried out, covering 29.227 students, 654 schools. Moreover, 1.178 individual criminal prevention contacts were made.
- The spaces for child participation provided through the tab "Me and the others" of the portal "Júnior Seguro" of the National Authority for Road Safety (ANSR), provide children possibilities of: assessing the public space, presenting proposals

to change it, and of suggesting awareness-raising campaigns or other forms of participation aimed at designing and improving the public space.

- The campaign "Patrulha Júnior" (Junior Patrol), an initiative of Ascendi in partnership with the ANSR, along with the National Republican Guard (GNR), the Public Security Police (PSP) and the Portuguese Fire Brigade League (LBP), which encompasses the exhibition of theatre plays aimed at children in several municipalities in mainland Portugal. Through an empowerment approach, these plays aim at raising children's awareness towards road safety and preventing risky road behavior, namely the dangers related to the use of mobile phones while driving. At the end of the play, each participating child becomes an agent of the Junior Patrol, and is awarded a badge of the patrol and given the Patrol's Good Agent Manual.
- The Project "Júnior Seguro on the Road", developed by ANSR with children and teachers, also opens space for the participation of the former.
- The existence of rooms for the reception and hearing of children in some family and juvenile court buildings in Portugal provide a more child-friendly environment, in which they feel safe. In addition, there are some leaflets in the reception rooms, addressed to victims, some of which could be made available to children and young people according to their age and maturity. New resources regarding victims will soon be available in the courts.
- The annual satisfaction assessment of the students of Casa Pia de Lisboa, carried out through the application of a survey to the children and young people who attend its educational and training offers starting from the 1st cycle of schooling. Upon the results of the survey, an improvement plan is designed and implemented as a follow-up action.
- The SOS Children's Helpline, operated by Institute of Support to the Child.
- The services available to children and young people within the scope of Program Cuida-te+, operated by the Portuguese Institute for Sport and Youth (IPDJ), namely: a free, anonymous and confidential telephone helpline for information, advice and referral in the area of sexual and reproductive health; and the section "Ask Your Questions Here" of the IPDJ portal, where young people can ask questions connected to the Program's areas of action.

Children mentioned the following good practices:

- *"Some people care about what children say, like you [in the CP4Europe consultation]"*.
- *"I talk a lot about things with the teachers. Doubts, suggestions, pieces from the repertoire [musical]... More general things, to change the way the school works, I talk to the director. He doesn't go there very often, but he's the one who answers emails. And he does reply. I've never suggested, apart from answering this questionnaire [for CP4Europe's consultation]. It was the first time I was asked for feedback from the school."*
- *"In my school we have Students Association and we have participatory budgeting. Every year it's got x [a certain amount] amount of money, through students in the school, and the students get together and give proposals of what they can improve. It's a way of showing trust in the students and giving them*

space to propose what they want to change. I think they should be more practical."

- "At my school, the Board of Direction works like this: We see the Director quite often, she walks around the playground. She knows who we are. Within each class we have class delegates, who get together with delegates from the same year and elect one who speaks to the Director. And the Director's office, we know where it is. And we know that we can knock on the door and talk to her. It's not difficult to get there and express our opinions. I feel like they value our opinion."
- "There's not the thing about asking the questions and them (teachers) saying it was nonsense. If they didn't want us to ask the questions, they hadn't set up this whole system so we could talk."
- "I remember one suggestion, to change a space [at school], and it was acted upon."
- "About emailing the school headmaster, I think it was some teacher who must have told us."
- "I got it [to know that it was possible to make questions and to do suggestions to services] naturally and people told me. It was a mixture of the two. There is an openness from the teachers, who tell us to go and give suggestions and feedback. And then the way in which we give feedback once and what we receive. It's not that thing of giving feedback once and then hearing that it can't be done, that things should stay as they are and we should just throw it down. I had a good experience."
- "When I asked about how school clubs worked, I was well received. The people who gave this information were not-teaching staff."
- "[At the hospital,] for example, when I ask the nurses, I get all the information."
- "Psychologists give importance to what we say"
- We asked for a meeting with the president [of the Municipality]. I think it was in citizenship class at school. The topic had to do with the municipality and it made sense to talk to him. If it wasn't for that work, I wouldn't know I could do those things. I didn't have that information."
- "Being inside the local administration services, I have access to put questions and give suggestions and it's easier. It has to do with my mother working there. But even someone outside this environment would be able to do it, they open this opportunity to anyone who wants."
- "When I am practising sport and have to ask my coaches a question, they always understand and I feel heard. I have to train the younger ones and my coaches even ask me how we can make training more interactive. Giving suggestions there works well. Even the Gym Board...I don't speak directly with the Gym Board because I don't always have the opportunity. They are not always there, but I know that information gets to them. Regarding the conditions of the floor...a lot of people have complained. I know that if I talk to my coaches, they pass on this information."
- "Yes [I gave suggestions in my Rugby Camp] and I spoke in a more informal way. They made us feel comfortable that if we had any questions we could ask. The way they showed interest to my question and went out of their way to make me understand."
- "As it is about sports clubs, I went to the gym staff and asked how it was."

- *"I shared [suggestions in the Scouts]. I knew people, they knew I wasn't going to say that to upset or to be against. People knew the personality I had."*
- *"As the Philharmonic Band is small, the president walks around us, so I talk to the president of the band. It's an informal conversation, as ours in this consultation. This board has always been comfortable and straightforward, and they let us say whatever we want. It's always given us that freedom, both musicians and parents. It's more direct that way."*
- *"Yes [I gave suggestions], because it's a common interest, both for me and for him [President of the Band], it's good to have young people in the band. I think it was welcomed in that something was done and young people signed up. I saw people signing up for the band. I felt it contributed."*
- *"As there is a shortage of young people [at the Philharmonic Band], I have already questioned the board. It's been done to try and find young people in schools and there's been a two-week holiday camp, where you do musical percussion. There are results, of people signing up for the band, but the difficult thing is to keep them there. I'm not the one who gave those ideas, but I push for it."*
- *"Those instruments... tablets, to give satisfaction feedback, with smiles. "*

Points to address

Institutions pinpointed the need for improvement in areas such as:

- Diversification of projects aimed at road safety and prevention with the participation of children and young people, while increasing the number of children involved.
- Within the scope of reporting cases of children in danger, the possibility of applying questionnaires addressed to children should be considered, as to collect their opinions on matters related to their reception in courts and their participation in proceedings.
- Play, recreation and sports, cultural services, family support and pre-school services.
- Promotion of the participation of children in all areas of public services.

The following areas were **identified during child consultations** as requiring improvement:

- *"When I don't feel comfortable in places, if I don't think I can give my opinion, that's a bad indication of the place. Red flags stuck on top of each other."*
- *"With the not-teaching staff, they see us more as children. In my school there are people from grade 7 to 12 and they treat us all equally. They don't differentiate. When we interact with them asking, for example, where the class is, they say 'ah, you should know'. I don't feel so understood."*
- *"I've never tried [giving suggestions to improve a service]. But I feel like trying. I'm afraid they'll say 'know your place', 'see where you stand here'. That's the image they put me through. And because there's not a literal openness of them*

asking us what we'd like to play [music]... And they're not blind, they see our difficulties."

- *"I don't think so [wanting to give suggestions to improve a service]. Moments for students to give their opinion never happened. Except for the list for the Students' Association. But that's not with all the pupils, it's only with those who want it. The class now has more freedom. They are trying to improve the school with the proposals they had, but those who are not in the Students' Association don't have this access."*
- *"[I have a] memory in relation to an experience with a teacher. I feel that feedback in relation to lessons is not well received."*
- *"The library I've only used. I never asked anything, but I think if I asked the librarians, they would be available. I think they are calm...teachers on the other hand are always more stressed. It's easier to ask questions of calm people."*
- *I had a mini project where the older people were going to be monitors, we were going to have training stages and that's where I met her [The Director of the Orchestra]. I gained the director's contact, but I don't feel at ease. I don't give her feedback. She [sends] e-mails to organise things and I answer her. Without the monitors' initiative, I wouldn't have her contact. For many years I didn't even know who she was!"*
- *"How could I give suggestions in Court, to the gentleman there??? I was afraid they would tell my father or my mother what I had said."*
- *"At the Investigation and Prosecution Department she was rough on me."*

Action points (follow-up)

Institutions mentioned that progress in this indicator could be achieved through the following actions:

- Investment in spaces for sharing good practices and knowledge.
- Evaluation of the collaboration of the National Road Safety Authority with other projects of the Association for the Promotion of Child Safety, such as "[Brincapé](#)".
- Creation of mechanisms to hear children following their attendance/use of certain services, to collect their opinion on their experience as users of the service, as well as the consequent creation of response mechanisms.
- The need to create an evaluation system of public services for children could be considered - namely by implementing game and/or interactive methodologies -, as well as the development, in the courts, of satisfaction surveys directed and adapted to children and young.

According to the consulted children, progress in this indicator could be achieved through the following:

- Implementation of the [National Strategy on the Rights of the Child⁶³ and of its Biannual Plan for 2021-2022](#) and approval and implementation of its Biannual Plan for 2023-2024.

⁶³ Approved by the Resolution of the Council of Ministers no. 112/2020, of December 18.

- *"Conducting online surveys for those [children and young people] who want to respond."*
- *"Suggestions boxes."*
- *"Using clear language, understandable by children and being very clear on what is being asked to children and to which purpose."*
- Making children feel their opinion is relevant and will be considered in the decision making-process.
- To improve professionals training to talk to children and to listen to them in a way they feel seen, respected and comfortable to put their questions and give suggestions.
- Sharing the children's aforementioned suggestions to entities in charge of services in the areas at stake, in order to stimulate them to make improvements based on children's opinions and suggestions either in what needs to be changed and also in what proves to be suitable for children and that can even be disseminated as a good practice.
- The White Paper on Child Participation in Portugal that will be produced within the scope of the Project CP4Europe.

Indicator 10

Children are supported to participate in the monitoring of the UNCRC (including in CRC shadow reporting) and relevant Council of Europe instruments and conventions (hereinafter called: children's rights instruments), defined as “children and their representative organizations are supported with resources to participate in the monitoring of the implementation of children’s rights instruments. This should include opportunities for children to participate in shadow-reporting, or to develop their own report.”

According to the CPAT, States can measure progress towards the indicator using the following assessment criteria:

0 = No arrangements are in place to support children’s participation in monitoring the implementation of children’s rights instruments

1 = Selected children are invited and supported to participate in the monitoring of the UNCRC

2 = The views of a wide range of children from different backgrounds and circumstances are gathered on the implementation of the UNCRC

3 = Children’s own organizations receive support to systematically monitor the implementation of the UNCRC and any other children’s rights instruments that the member State has ratified

Final Score of the Assessment ⁶⁴	
As of institutions	1
As of children	0

Analysis notes

As a result of the 11 replies to the consultation with institutional stakeholders, it was ascertained that some entities considered that, according to the definition of the indicator, the mechanisms are not established, and, if they do, are not being properly disseminated, while others mentioned that, when children are invited and supported to participate, some limitations exist regarding the inclusion of vulnerable children and children from diverse contexts/circumstances, adding to the fact that only a small number of children are involved, whose selection criteria are unknown. Moreover, some respondent institutions referred that the existence of both governmental and non-governmental entities with a direct relationship with the target groups makes it difficult for an integrated approach to take place. Illustratively, the intervention of entities such

⁶⁴ Institutional stakeholders: highest score - 2; lowest score - 0.

as the Portuguese Institute for Sport and Youth foresees the participation of children and young people aged between 10 and 30 years old.

The role of the National Commission for Human Rights along with the intervention of the bodies that are part of it was also mentioned. Under the coordination of the Ministry of Foreign Affairs, it is the national entity in charge of elaborating and submitting the national reports to international organizations and of stimulating shadow reports to assess the implementation in Portugal of all international instruments on human rights that Portugal is State Party to. Within the strict scope of the reports prepared by the Portuguese State and submitted to the United Nations Committee on the Rights of the Child in the last evaluation cycle, actions were taken to ensure the participation of civil society entities, which, in turn, established participatory processes for children. These initiatives, although important, still reveal very elementary forms of children's participation. It is expected that systems allowing for a more robust participation and in line with international guidelines and indicators on this matter will be in place for the next evaluation cycle.

Regarding relevant instruments of the Council of Europe, young Portuguese have been actively participating in the activities of the Congress of Local and Regional Authorities, especially when it comes to the Revised Charter on Youth Participation in Local and Regional Life, as adopted by the Congress on May 21, 2003, as an annex to Recommendation 128(2003), and the CM/Rec(2004)13 on youth participation in local and regional life. Even though it does not have the status of a convention, the Council of Europe proceeds to evaluate the implementation of both recommendations at stake through the youth sector, which implies listening to young people aged above 18. On these occasions, Member States and organizations of the civil society are invited to participate, sometimes through the elaboration and submission of separate and autonomous reports. In the case of young people, their involvement is sought through representative structures; in Portugal, the National Youth Council assumes this role. In relation to young people from disadvantaged neighborhoods or at risk of marginalization, the involvement of structures such as the High Commissioner for Migrations is sought, namely through the Choices Program.

As a result of consultations with 34 children, the following notes could be gathered (with ticks according to the majority of replies):

Local services	Child-targeted feedback mechanisms in place		
	YES	NO	DON'T KNOW
Education and schools			✓
Alternative care (e.g. fostering, children's homes)			✓
Play, recreation and sports			✓
Cultural services (e.g. museums, arts)			✓
Child protection services			✓
Support for immigration and asylum seekers			✓
Family support and pre-school services			✓

In reply to a set of closed and open questions created by Portugal with topics to help to assess how well the country meets the indicator based on CP4Europe's child consultations, the following was ascertained:

CLOSED QUESTIONS RAISED TO CHILDREN	YES	NO	DON'T KNOW
Do you think it is important for children/young people to be able to participate for shadow reports?	✓		
Have you ever received an invitation to participate in the writing of a shadow report?		✓	
Do you think it is important for children/young people to be able to participate in shadow reports?	✓		
Have you ever taken part in a shadow report?		✓	
Would you like to have taken part in a shadow report?	✓		

OPEN QUESTIONS AND OPEN PARTS OF SEMI-CLOSED QUESTIONS	Children's replies to open questions ⁶⁵
<p>What issues do you think are most important for children to participate in shadow reporting? Why do you think so?</p>	<ul style="list-style-type: none"> • "All those that are directed at them and may interfere with their future." • "Everything related to school." • "Health" • "The participation of children, namely in the courts." • "Violence against children." • "How you should play, not get hurt, not argue, learn to be together without arguing." • "Right to leisure time. Privacy. Environmental and social issues." • "The environment, taking good care of people and animals." • "Playing with our shadows."
<p>What subject(s) would you most like to talk about in a shadow report?</p>	<ul style="list-style-type: none"> • "Education, health, at the level of participation in courts or even in the question of giving one's opinion"; • "Health" • "Justice"; • "Giving the opinion on children's rights"; • "Children's participation, namely in the courts"; • "Education and part of "justice" (courts)"; • "Children's opinion on various issues"; • "Education, health, knowing the concerns of children and young people (knowing the opinion of children and young people)";

⁶⁵ Replies that identify good practices or areas needing improvement are only mentioned below to avoid repetitions.

	<ul style="list-style-type: none"> • <i>"Public policies, school organisation, school curricula, environmental issues, ethnic and racial discrimination and health."</i>
<p>What would be important for you to feel good participating in a shadow report?</p>	<ul style="list-style-type: none"> • <i>"To have experience and for children and young people to really talk about what they experience so that there are no misunderstandings and they don't give information that could be a little incorrect;"</i> • <i>"That things should be written as they were said by the children and young people."</i> • <i>"That the information that we would write in that report would really be passed on."</i>
<p>Do you think all children are given an equal chance to participate in shadow reports? Please explain why.</p>	<ul style="list-style-type: none"> • <i>"If we participated, it was because we were part of the CNCJ⁶⁶ (...) and it is not something that is open to all and that there is opportunity".</i> • <i>"The main dissemination mechanism is the school, but that effectively this information should be given."</i>
<p>If you wish, give us suggestions on how to improve the participation of children and young people in shadow reports. How could this work better?</p>	<ul style="list-style-type: none"> • <i>"At school we can write shadow reports because we are all together"</i> • <i>"Definitely at school."</i> • <i>"A link where we could give our opinion on the subject being discussed."</i> • <i>"Not hiding the reality from the children."</i> • <i>"To have a place (being digital or not) where we can find the respective projects with children giving their opinions."</i> • <i>"Talking more about this type of issue in schools so that if we ever had to do it, we knew how to do it."</i> • <i>"Broad dissemination by institutions, schools, media social networks."</i> • <i>"They should be held in schools near teachers and be publicised."</i> • <i>"Ensure that our views are indeed included in the report accurately."</i> • <i>"Demonstrating the importance of children and young people's participation."</i> • <i>"Being given a questionnaire (exemplifying a report), every year, so that we know how to make a report if we need to."</i> • <i>"Transparency in the reporting process."</i> • <i>"That the reports value all suggestions whether from adults or children."</i> • <i>"To allow children's voice to be heard and to give value and attention to what they suggest."</i> • <i>"Listening carefully to what children say and believing them."</i> • <i>"I think children should know that there is even such a committee."</i>

⁶⁶ It refers to the National Council of Children and Young People created by the National Commission for the Promotion of Rights and the Protection of Children and Young People.

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- *"Give children space in the different contexts to be able to participate freely."*
-

Good practices

Illustratively, the following examples of good practices were **indicated by the institutions**:

- The [National Council of Children and Young People](#), steered by the CNPDPCJ, as a forum where children are given voice to express their experiences, concerns, needs and expectations.
- The occasional participation in consultation processes, namely those of the Council of Europe, of young people who are serving internment measures at an Educational Centre or in the community under the application of educational tutelary measures, whose execution is monitored by the Social Reinsertion Teams. In particular, the participation of 12 young people attending tutelar centres in a project carried out in April 2019, under the 2nd monitoring cycle of the Lanzarote Convention, focused on the protection of children against sexual exploitation and sexual abuse facilitated by information and communication technologies. The action resulted of the collaboration of the Directorate-General of Reintegration and Prisional Services.
- The different methodologies used to foster child participation at the residential care facilities of Casa Pia de Lisboa, a current practice at the institution, for which it determines and monitors success performance indicators, and, whenever necessary, applies measures to correct the deviations detected. Furthermore, Casa Pia de Lisboa highlighted the following contributions, some of which in cooperation with the CNPDPCJ: child consultations on age assessment of children in migration, with a view to implementing child-friendly procedures in all aspects concerning immigration and asylum laws, namely age assessment of children in the context of asylum and immigration procedures; Project 12 "Justice for Children", promoted by the CNPDPCJ in partnership with Instituto Universitário de Lisboa (ISCTE-IUL) and Logframe - Consultoria e Formação, co-funded by the European Union under the Rights, Equality and Citizenship programme, aiming at contributing to a justice system that is accessible, age-appropriate, swift, diligent, adapted and focused on the needs and rights of the child; the Bilateral initiative "Enhancing the protection of the rights of the child in priority areas", coordinated by the CNPDPCJ in partnership with the Agency for Child and Family Welfare of the City of Oslo, financed by the Fund for Bilateral Relations of the EEA Grants. Children aged 12 and above responded to a questionnaire on the importance of child participation and committed themselves to a planned joint activity with Norway, that should have taken place on March 20, 2020, the International Day of Happiness; consultation process with children and young people regarding the priority area "equal opportunities and social inclusion for all children" of the Council of Europe's Strategy for the Rights of the Child 2022-2027 (EDC 2022-2027). Portugal, through the CNPDPCJ, along with other 9 Member States selected by that international organization carried out the consultations.

- Casa Pia de Lisboa also participates in external work groups or initiatives, with other entities of the protection system and of the academia, in order to keep up comparability terms and detect opportunities for performance improvement, aiming at adjusting it to the needs of children and young people.
- The UNICEF activity in the elaboration of an [Alternative Report to the UNCRC \(V- VI Cycle\) which included the participation of 64 children from 9 to 17 years old](#).

Children mentioned the following good practice:

- *"Children to receive a notion, like us in this session [referring to the CP4Europe's consultation to children], about the reports".*

Points to address

Institutions pinpointed the need for improvement in areas such as:

- The promotion of children and youth associations.
- Investment in specialized training, which is essential to guarantee an adequate and qualified approach to services, allowing greater dissemination/clarification of what exists at the level of this indicator.
- Ensuring diversity regarding the cultural, social, economic backgrounds of children that participate
- Awareness-raising of the decision-making bodies regarding the importance of supporting organizations on monitoring the UNCRC and other instruments.
- Creating and sustaining mechanisms for effective consultations with target groups and the governmental and non-governmental entities that interact with them.

The following areas were **identified during child consultations** as requiring improvement:

- *"The young people are unaware that shadow reports exist. There should be better dissemination. A lot of people even want to participate, but they don't know about this subject."*
- *"Giving information to all children and young people that shadow reports exist. "*
- *"Publicise not only in school but in public facilities that these reports exist."*
- *"More dissemination of the shadow reports (in school, hospitals, football fields...) and the reports being in clear language, perceptible to all ages."*
- *"Increased outreach for participation in the reports."*
- *"Improved dissemination of these opportunities for participation."*
- *"Ensure that the information given stays the same and publicise that these consultations are being done by school or social media, e.g."*
- *"One of the conditions imperative to our participation is that our opinions are really taken into account in the report, that there is rigour, that the reported information corresponds to what the children say, that the opinions they expressed are taken into account."*

Action points (follow-up)

Institutions mentioned that progress in this indicator could be achieved through the following actions:

- Creating mechanisms/procedures that allow the participation of a larger number of children from various places, with different needs, characteristics, ages, ethnicities and of both sexes, as well as of a system of representativeness of the national territory - including the autonomous regions - upon the results of this assessment.
- Better articulation is needed involving all relevant actors and stakeholder groups, both from public bodies and civil society.

According to the consulted children, progress in this indicator could be achieved through the following:

- Implementation of the [National Strategy on the Rights of the Child⁶⁷ and of its Biannual Plan for 2021-2022](#) and approval and implementation of its Biannual Plan for 2023-2024.
- The CNPDPCJ, which undertook the CP4Europe consultations in Portugal directly and also through more than 57 entities all over the country, will communicate the results of the consultations to children on this indicator to the National Commission of Human Rights, as to consider children's suggestions to increase their participation in shadow reports.
- The CNPDPCJ will produce an informed and documented invitation stimulating children and young people to participate in shadow reports to assess the implementation in Portugal of all Conventions and Protocols of the United Nations and of the Council of Europe on human rights in general and specifically also on the rights of the child, namely the Convention on the Rights of the Child. This informed and documented invitation will be available at the National Commission website, in child-friendly language, in the specific area created to children and young people: the "[Area for Children and Young People](#)". This informed and documented invitation will include links to allow children and young people to have information about the Conventions and Protocols and to participate in shadow reports.
- The White Paper on Child Participation in Portugal that will be produced in the context of the Project CP4Europe.

⁶⁷ Approved by the Resolution of the Council of Ministers no. 112/2020, of December 18.

4. FOLLOW-UP CONSULTATIONS WITH CHILDREN

In face of inspiring insights provided by the opinions and suggestions of children during the CP4Europe's consultation sessions on the 10 CPAT indicators, carried out in March 2022, the CNPDPCJ proposed the Council of Europe⁶⁸ to undertake follow-up consultations with children in February and March 2023, aiming specifically at inviting them to produce resources to be potentially used by adults, professionals, entities and institutions, namely regarding the areas that children had identified as requiring improvements, as of the outcomes of the consultation process with children held in March 2022.

Following the approval of this proposal, the CNPDPCJ planned, implemented and facilitated follow-up consultations with children at stake, for which it counted with the collaboration of entities that work directly with children and that had been previously informed and trained on the Project CP4Europe within the scope of the consultation process with children held in March 2022.

During the consultation session with each focus group, children were invited to produce a resource focused on a single of the several core areas identified by children in March 2022 as requiring improvements, namely:

- Child-friendly mechanisms for conveying children's complaints/appreciation/suggestions;
- Feedback mechanisms to children regarding the complaints/appreciation/suggestions conveyed by children to professionals/institutions;
- [Set of] Characteristics of professionals who work with children that favour a child-friendly approach/behaviour;
- Topics to include in a training module directed at professionals who work with children, with a focus on child-friendly approaches;
- Child-friendly language: what is part of it and what is an obstacle to communication;
- Child-friendly environments.

The set of resources produced by the focus groups of children will be available in the "White Paper on Child Participation in Portugal", another outcome of the Project CP4Europe.

⁶⁸ As the international coordinator of the project.

5. CONCLUSIONS

The implementation of the Child Participation Assessment Tool of the Council of Europe (CPAT) to the portuguese national context has provided a first overview of the state of the art regarding child participation in the country.

Portugal has been improving child participation all over the years in society as a whole, making efforts in a crosscutting manner. However, there is still margin for further improvement regarding different aspects of child participation, some of which may imply financial investment, while some others may not, as it was possible to ascertain. Examples of solutions for the latter remain, sometimes, in the domain of sensitivity of a human being standing before another one, while some others, in the realm of simple deep humanity, and it may take actions as simple as providing a glass of water or a chair for those who may need it.

While working towards improving child participation in Portugal, and previously to discussing further developments regarding this matter, it is important to keep in mind and at hand essential outlines that shall frame and provide the base for such actions, namely the preference for collaborative approaches, and the utter need of critical thinking and humanity.

With this kind of take, the opinions of children and young people are heard regarding all matters that concern them, while the same also applies to any and every other human being who contact and relate with them at several levels, in various contexts. In fact, human rights are rights of all human beings, and honouring the rights of children as human beings should not mean not honouring the human rights of other human beings who are aged above 18 years old.

Albeit lengthier in time, as consensus may tend to take longer to be achieved, collaborative – instead of impositive – approaches are to be deemed more valuable to everyone and to the process, as the life experience of adults shall also be highly treasured in the process. Concurrently, this last note also highlights the need to beware of certain kinds of processes in order to avoid their occurrence while trying to improve child participation, namely potential processes that may tend to slide into situations in which the voice of adults would be disregarded and that may lead to the abuse of well-intentioned actions for setting or mainstreaming topics into the political agenda, which is also undesirable and inadequate.

While improving child participation, it is also important to keep in mind that:

- Human rights are all human beings' rights,
- Children, as vulnerable human beings, have the right to be protected by their parents and/or legal guardians, who have the responsibility for and the right of upbringing and the development of the child; and that
- People's human rights as parents or legal guardians of a child are natural and unalienable.

Human rights are all human beings' rights.

6. ANNEXES

a. ANNEX 1: List of partners involved in consultations with focus groups of children

- [Agrupamento de Escolas Mães d'Água](#) [Group of Schools Mães d'Água, awarded with the [Protective Seal](#) by the CNPDPCJ], with the support of the Regional Technical Team of Lisboa, Setúbal and Santarém of the [National Commission for the Promotion of the Rights and the Protection of Children and Young People \(CNPDPJ\)](#)
- [Aldeias de Crianças SOS](#) (Children's SOS Villages)
- [Alto Comissariado para as Migrações](#) [High Commissioner for Migrations]
- [Representação do Alto Comissariado das Nações Unidas para os Refugiados em Portugal](#) [Portugal Foundation with the United Nations High Commissioner for Refugees]
- [Casa da Criança de Tires – Champagnat Foundation](#) [Children's House of Tires]
- [Casa do Pai – Fundação Bissaya Barreto](#) [Father's House – Bissaya Barreto Foundation]
- [Casa Pia de Lisboa, I.P.](#)
- [Casa Qui](#)
- [Comissão de Proteção de Crianças e Jovens da Amadora](#) [Commission for the Protection of Children and Young People of Amadora]
- [Comissão de Proteção de Crianças e Jovens de Arruda dos Vinhos](#) [Commission for the Protection of Children and Young People of Arruda dos Vinhos]
- [ComParte – Maria Rosa Foundation](#), with children and young people of Alentejo (Santiago do Cacém), Metropolitan Area of Lisboa (Almada, Camarate, Lisboa e Odivelas) and of the Center of Portugal (Leiria)
- [Conselho Nacional de Crianças e Jovens](#) [National Council of Children and Young People], steered by the CNPDPCJ with children of all the regions of Portugal (Norte, Centro, Lisboa, Santarém e Setúbal, Alentejo, Algarve, Madeira e Açores)
- [Conselho Português para os Refugiados](#) [Portuguese Council for Refugees]
- [CrescerSer](#)

- [Direção-Geral de Reinserção e Serviços Prisionais](#) [Directorate-General for Reintegration and Prison Services], in articulation with the Educational Centres of Navarro de Paiva, of Bela Vista and of Padre António de Oliveira (Lisbon), and with the Educational Centres of Olivais (Coimbra), of Santo António (Porto) and of Santa Clara (Vila do Conde)
- [Escola das Emoções](#) [School of Emotions]
- [Externato João Alberto Faria de Arruda dos Vinhos](#), with the support of the Regional Technical Team of Lisboa, Setúbal and Santarém of the [National Commission for the Promotion of the Rights and the Protection of Children and Young People \(CNPDPJ\)](#)
- [Instituto de Apoio à Criança](#) [Institute of Support the Child]
- [Programa P´RA-TI Crianças e Jovens \(UMAR\)](#) [Program For You Children and Young People]/[Psychologic Support Response to Children and Young People Victims of Domestic Violence \(RAP\)](#)
- [Qualificar Para Incluir](#) [Qualify to Include]
- [Santa Casa da Misericórdia de Lisboa](#)
- [União de Mulheres Alternativa e Reposta \(UMAR – Union of Women Alternative and Response\)](#) – [Shelter for Children Victims of Domestic Violence \(Almada\)](#)

b. ANNEX 2: List of respondent institutional stakeholders

The implementation of the CPAT implied a consultation process with national stakeholders. The list below mentions the 27 ones that provided replies to the request of the CNPDPCJ, within the scope of the process at stake:

- [Casa Pia de Lisboa, I.P.](#)
- [Azores Commissioner's Office for Childhood](#)
- [Confederation of National Institutions for Solidarity](#)
- [Directorate-General of Education](#) (Ministry of Education)
- [Directorate-General of Justice Administration](#) (Ministry of Justice)
- [Directorate-General for Justice Policy](#) (Ministry of Justice)
- [General-Directorate of Reintegration and Prison Services](#) (Ministry of Justice)
- [General-Inspectorate of Justice Services](#) (Ministry of Justice)
- [High Commissioner for Migrations](#) (Minister of the Presidency)
- [Institute of Employment and Professional Training, I.P.](#) (Ministry of Labor, Solidarity and Social Security)
- [Institute of Social Security of Madeira, I.P.-RAM](#)
- [Judiciary Police](#) (Ministry of Justice)
- [Ministry of Internal Affairs](#)
- [National Commission for the Promotion of the Rights and the Protection of Children and Young People](#) (Ministry of Labor, Solidarity and Social Security)
- [National Youth Council](#)
- [Obra do Ardina Foundation](#)
- [Portuguese Youth and Sports Institute](#)
- Representative of the Attorney General at the District Court of the Azores in the Regional Council of the Azores Commissioner's Office for Childhood

- Representative of the education sector in the Regional Council of the Azores Commissioner's Office for Childhood
- Representative of the health sector in the Regional Council of the Azores Commissioner's Office for Childhood
- Representative of the National Scouts Corp at the Autonomous Region of the Azores in the Regional Council of the Azores Commissioner's Office for Childhood
- Representative of the social security sector in the Regional Council of the Azores Commissioner's Office for Childhood
- Representative of youth in the Regional Council of the Azores Commissioner's Office for Childhood
- Representative of youth associations in the Regional Council of the Azores Commissioner's Office for Childhood
- Teresa Goldschmidt, Counsellor of the National Council of the CNPDPCJ
- [The Ombudsperson](#)
- [Union of Portuguese Mutualities](#)

c. ANNEX 3: List of sources and legal references⁶⁹

PROTECTING THE RIGHT TO PARTICIPATE

Indicator 1

Legal protection for children's right to participate is reflected in the national constitution and legislation

- [Constitutional Law no. 1/2005, of August 12](#), with particular reference to articles 26 and 69.
- [Regulation \(CE\) no. 2201/2003, of November 27](#), concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, with particular reference to article 23.
- Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse ([Lanzarote Convention](#))
- [Law no. 93/99, of July 14](#), regulating the application of measures for the protection of witnesses in criminal proceedings, in particular articles 27, 28 and 29.
- [Law no. 147/99, of September 1](#) and subsequent amendments, approving the Law for the Protection of Children and Young People in Danger, which is an integral part of it, particularly with regard to articles 4, 10, 51, 56, 57, 58, 84, 86, 91, 94, 107, 114 and 116.
- [Law no. 166/99, of September 14](#), approving the Law on Educational Guardianship, which is an integral part of it, especially articles 45, 46, 47, 59, 77, 84, 96, 98, 100, 101, 104, 107, 114, 137, 142 and 171.
- [Law no. 23/2006, of June 23](#), adopting the legal framework for youth associations, namely article 18.
- [Law no. 23/2007, of July 4](#), approving the legal regime of entry, stay, exit and expulsion of foreigners from national territory, with particular emphasis on articles 17-A and 78.
- [Law no. 27/2008, of June 30](#), establishing the conditions and procedures for granting asylum or subsidiary protection and asylum-seeker, refugee and subsidiary protection status, with particular reference to articles 2, 17-A, 78 and 79.
- [Law no. 51/2012, of September 5](#), approving the Student Statute and School Ethics, which establishes the rights and duties of students in basic and secondary education and the commitment of parents or guardians and other members of the educational community in their education and training.
- [Law no. 103/2009, of September](#), establishing the legal regime applicable to civil sponsorship, particularly articles 11, 14 and 25.
- [Law no. 130/2015, of September 4](#), approving the standing of victims, with particular reference to articles 1, 8, 12, 22 and 24.
- [Law no. 141/2015, of September 8](#), approving the general regime of the civil tutelary process, with particular emphasis on articles 4, 5 and 35.

⁶⁹ The list of sources and legal references at stake is of a non-exhaustive nature.

- [Law no. 143/2015, of September 8](#), approving the Legal Regime of the Adoption Process, particularly articles 3, 36 and 54.
- [Law no. 57/2019, of August 7](#) and regulatory ordinances, amending [Law no. 23/2006, of June 23](#), establishing the legal framework for youth associations, with a particular reference to article 18.
- [Decree of the President of the Republic no. 49/90, of September 12](#), ratifying the Convention on the Rights of the Child, signed in New York on January 26, 1990, approved by [Resolution of the Portuguese Parliament no. 20/90, of September 12](#), with particular reference to article 12.
- [Decree of the President of the Republic no. 90/2012, of May 28](#), ratifying the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention), approved by [the Resolution no. 75/2012 of the Portuguese Parliament, of May 28](#), with particular reference to article 35 of this Convention.
- [Decree-Law of the President of the Republic no. 3/2014, of January 27](#), ratifying the European Convention on the Exercise of Children's Rights adopted by [Resolution of the Portuguese Parliament no. 7/2014, of January 27](#), with particular reference to articles 1, 3 and 6 of this Convention.
- [Decree-Law no. 47344/66, of November 25](#), approving the Civil Code, of which it is an integral part, with particular reference to articles 91, 92, 1612, 1878, 1890, 1901, 1904-A, 1906, 1918, 1931, 1935, 1971, 1981 and 1984.
- [Decree-Law no. 78/87, of February 17](#), approving the Code of Criminal Procedure, of which it is an integral part, with particular reference to articles 67-A and 271.
- [Decree-Law no. 48/95, of March 15](#), approving the Penal Code, which is an integral part thereof, with particular reference to article 38 and 77.
- [Decree-Law no. 323-D/2000, of December 20](#), adopting the general and disciplinary regulation of [tutelary] educational centres.
- [Decree-Law no. 12/2008](#), of January 17, establishing the regime of execution of the promotion and protection measures for children and young people in danger in their natural life environment, with particular emphasis on those foreseen in articles 39, 40, 43 and 45 of the annex to [Law no. 147/99, of September 1](#) and subsequent amendments, which approves the Law for the Protection of Children and Young People at Risk.
- [Decree-Law no. 75/2008, of April 22](#), which approves the regime of autonomy, administration and management of public pre-school, primary and secondary schools, with particular reference to article 48.
- [Decree-Law no. 139/2019, of September 16](#), establishing the scheme for implementation of foster care, a measure for the promotion of the rights and protection of children and young people at risk.
- [Decree-Law no. 164/2019, of October 25](#), establishing the scheme of implementation of residential care, a measure for the promotion of the rights and protection of children and young people at risk.
- [Regional Legislative Decree no. 21/2013/M, of June 25](#), approving the Pupil Statute and School Ethics of the Autonomous Region of Madeira.

- [Regional Legislative Decree no. 12/2013/A, of August 23](#), of the Legislative Assembly of the Autonomous Region of the Azores, approving the Statute of Primary and Secondary School Pupils of the Autonomous Region of the Azores.
- [Regional Legislative Decree of the Azores n. º 13/2013/A, of August 30](#), on the Legal Regime of Autonomy and Management of Organic Units of the Regional Education System.
- [Regional Legislative Decree of the Azores n. º 16/2019/A, of July 23](#), which establishes the guiding principles of organization and curricular management of basic education for the regional education system
- [Resolution of the Council of Ministers no. 112/2020, of December 18](#), approving the National Strategy for the Rights of the Child for the period 2021-2024.
- [Ordinance no. 258/2019, of August 19](#), which creates Program “Cuida-Te +” and corresponding regulation.
- [Regional Strategy for the Prevention and Combat against Sexual Abuse of Children and Young People of the Autonomous Region of the Azores](#)
- [Curricular Guidelines for Pre-School Education](#) of the Directorate-general of Education.
- Guide for Disciplinary Procedure in [tutelary] Educational Centres.
- [Hearing of the child - guide of good practices](#), by Rute Agulhas and Joana Alexandre
- Norm of the Directorate-general of Health on Informed Consent, updated on November 4, 2015 [indicated in the reply, [but not available anymore in the website of the Directorate-general of Health](#), as consulted on September 9, 2022 and on February 14, 2023].
- [Specialised Technical Hearing Manual - Technical Advice to Courts - Civil Guardianship Area \(Version 01, December 2016\)](#)

Indicator 2

Explicit inclusion of children and young people’s right to participate in decision-making in a cross-sectoral national strategy to implement children’s rights

- [Convention on the Rights of the Child](#).
- [Law no. 147/99, of September 1](#) and subsequent amendments, approving the Law for the Protection of Children and Young People in Danger, which is an integral part of it.
- [Law no. 130/2015, of September 4](#), approving the standing of victims.
- [Decree of the President of the Republic no. 49/90, of September 12](#), ratifying the Convention on the Rights of the Child, signed in New York on January 26, 1990, approved by [Resolution of the Portuguese Paliament no. 20/90, of September 12](#).
- [Decree-Law no. 139/2019, of September 16](#), establishing the scheme for implementation of foster care, a measure for the promotion of the rights and protection of children and young people at risk.
- [Regional Legislative Decree no. 17/2016/A, of September 28](#), which creates the Azores Commissioner’s Office for Childhood.

- [Resolution of the Council of Ministers no. 52/2019, of March 6](#), which establishes a multidisciplinary technical commission to improve the prevention and combatting of domestic violence.
- [Resolution of the Council of Ministers no. 139/2019, of August 19](#), which approves measures to prevent and combat domestic violence.
- [Resolution of the Council of Ministers no. 112/2020, of December 18](#), approving the National Strategy for the Rights of the Child for the period 2021-2024.
- Information on the [portal of the Regional Directorate of Education of the Autonomous Region of the Azores](#)
- [Educational measures for refugee children and young people](#) of the Directorate-general of Education.
- [Guidelines for professionals on the relevance of participation in the promotion of the rights of children and young people in residential care](#), by CESIS - Centre for Social Intervention Studies.
- [The participation of children and young people in residential care - Practical examples from the SUPPORTS project](#), by CESIS - Centre for Social Intervention Studies.
- [Guidelines for professionals on Life Project as an instrument of implementation of the Convention on the Rights of the Child](#), by CESIS - Centre for Social Intervention Studies.
- [Concluding observations of the Committee on the Rights of the Child regarding the 5th and 6th national reports](#) on the implementation of Convention on the Rights of the Child in Portugal.

Indicator 3

An independent children's rights institution is in place and protected by the law

- [Constitutional Law no. 1/2005, of August 12](#), with particular reference to article 23.
- [Law no. 9/91, of April 9, and subsequent amendments](#), establishing the Statute of the Ombudsperson.
- [Law no. 51/2012, of September 5](#), approving the Student Statute and School Ethics, which establishes the rights and duties of students in basic and secondary education and the commitment of parents or guardians and other members of the educational community in their education and training.
- [Decree of the President of the Republic no. 49/90, of September 12](#), ratifying the Convention on the Rights of the Child, signed in New York on January 26, 1990, approved by [Resolution of the Portuguese Parliament no. 20/90, of September 12](#).
- [Decree-Law no. 129/2015, of July 9](#), which establishes the composition of and reformulates the Youth Advisory Council
- [Decree-Law no. 159/2015, of August 10](#), establishing the National Commission for the Promotion of the Rights and Protection of Children and Young People.
- [Decree-Law no. 80/2021, of October 6](#), adopting the organisational structure of the Ombudsperson.

- Information on the [National Commission for the Promotion of the Rights and the Protection of Children and Young People](#), including [information regarding national and international legal instruments concerning the rights of the child](#).
- Information on the [Family, Children, Juveniles and Elders and against Domestic Violence of the Prosecutor's General Office](#).
- Information on the Group [Social Adventure](#).
- Information on the [Institute of Support to the Child](#).
- Information on the non-governmental organization [Observatory of the Rights of the Child \(Porto\)](#).
- Information on Project [Justice Youthopia](#).
- [General Comment no. 2 of the Committee on the Rights of the Child \(2002\)](#), on the role of independent human rights institutions in promoting and protecting the rights of the child.
- Recommendations of the Committee on the Rights of the Child to Portugal regarding the 5th and 6th national reports in the [Concluding observations of the Committee on the Rights of the Child regarding the 5th and 6th national reports](#) on the implementation of Convention on the Rights of the Child in Portugal.
- [Resolution no. 48/134 of the United Nations General Assembly, of December 20, 1993](#), adopting the principles relating to the status of national human rights institutions (Paris Principles).

Indicator 4

Existence of mechanisms to enable children to exercise their right to participate safely in judicial and administrative proceedings

- [Convention on the Rights of the Child](#).
- [Constitutional Law no. 1/2005, of August 12](#), with particular reference to article 62.
- [Law no. 147/99, of September 1](#) and subsequent amendments, approving the Law for the Protection of Children and Young People in Danger, which is an integral part of it, particularly with regard to articles 4, 10, 35, 58, 84, 86, 103 and 107.
- [Law no. 166/99, of September 14](#), approving the Law on Educational Guardianship, which is an integral part of it, especially articles 2, 45, 46 and 77.
- [Law no. 34/2004, of July 29](#), amending the regime of access to law and courts, in particular articles 7, 8, 8-A and 20.
- [Law no. 27/2008, of June 30](#), establishing the conditions and procedures for granting asylum or subsidiary protection and the status of asylum seeker, refugee and subsidiary protection, with particular reference to articles 17-A and 49.
- [Law no. 130/2015, of September 4](#), approving the standing of victims, with particular reference to article 22.
- [Law no. 141/2015, of September 8](#), which approves the general regime of the civil tutelary process, with particular relevance to articles 1, 4, 5, 18 and 35.

- [Law no. 143/2015, of September 8](#), approving the Legal Regime of the Adoption Process, with particular mention to articles 1 and 54.
- [Law no. 57/2021, of August 16](#), extending protection for victims of domestic violence.
- [Decree of the President of the Republic no. 49/90, of September 12](#), ratifying the Convention on the Rights of the Child, signed in New York on January 26, 1990, approved by [Resolution of the Portuguese Parliament no. 20/90, of September 12](#).
- [Decree-Law of the President of the Republic no. 3/2014, of January 27](#), ratifying the European Convention on the Exercise of Children's Rights adopted by [Resolution of the Portuguese Parliament no. 7/2014, of January 27](#), with particular reference to articles 4 and 6 of this Convention.
- [Decree-Law no. 47344/66, of November 25](#), approving the Civil Code, of which it is an integral part, with particular reference to article 1962.
- [Decree-Law no. 78/87, of February 17](#), approving the Code of Criminal Procedure, of which it is an integral part, with particular reference to article 64-A.
- [Decree-Law no. 67/2004, of March 25](#), establishing a national register of foreign minors who are illegally staying on national territory.
- Information on the High Commissioner for Migrations, namely [information on support to the integration of refugees](#).
- Information on the Institute of Social Security, namely [information on support in case of children and young people in situations of danger](#).
- [Recommendations of the Ombudsperson on the National Prevention Mechanism](#).

Indicator 5

Child-friendly individual complaints procedures are in place

- [Law no. 147/99, of September 1](#) and subsequent amendments, approving the Law for the Protection of Children and Young People in Danger, which is an integral part of it, particularly with regard to article 5.
- [Law no. 166/99, of September 14](#), approving the Law on Educational Guardianship, which is an integral part of it, especially articles 45, 46, 47, 59, 77, 84, 98, 100, 101, 104, 107, 114, 137, 142 and 171.
- Guide for the Young Person in [tutelary] Educational Centre.
- [Decree-Law no. 323-D/2000, of December 20](#), adopting the general and disciplinary regulation of [tutelary] educational centres.
- [Decree of the President of the Republic no. 49/90, of September 12](#), ratifying the Convention on the Rights of the Child, signed in New York on January 26, 1990, approved by [Resolution of the Portuguese Parliament no. 20/90, of September 12](#).
- [Decree-Law no. 78/87, of February 17](#), approving the Code of Criminal Procedure, of which it is an integral part, with particular reference to article 242.
- [Decree-Law no. 48/95, of March 15](#), approving the Penal Code, which is an integral part thereof, with particular reference to article 113.
- [Order no. 31292/2008, of December 5](#), which approves the document "Ill-treatment of children and youth - health intervention", prepared by the Directorate- General of

Health and contained in the respective attachment, giving it the character of technical guidelines for health action for children and youth at risk.

- [Order no. 2085/2015, of September 14](#), amended by [Order no. 1082/2019, of July 22](#), which determines that the island health units and hospitals of the Regional Health Service with paediatric care in the Azores Archipelago shall have multidisciplinary teams, designated, respectively, as "support centres for children and young people at risk" and "hospital support centres for children and young people at risk", which shall support professionals in interventions in this field, articulating and cooperating with other services and institutions.
- Guide for Disciplinary Procedure in [tutelary] Educational Centres.
- Information provided by the Portuguese Association for Victim Support, namely [information targeted at young people](#), in addition to [ABC Justiça](#).
- Information provided by the Public Prosecutor Office on frequently asked questions [about filing a complaint](#).
- Information of the General-inspectorate of Justice Services, namely [on filing complaints, claims or reports on the services and bodies of the Ministry of Justice](#).
- Information of the Ombudsperson, namely on [filing complaints](#).
- Information on [filing complaints with the Judiciary Police](#).
- Information on and provided by the [National Commission for the Promotion of the Rights and the protection of Children and Young People](#).
- Information provided in the [SOS-Child Sector](#) of the Institute of Support to the Child.
- [Concluding observations of the Committee on the Rights of the Child regarding the 5th and 6th national reports](#) on the implementation of Convention on the Rights of the Child in Portugal.

PROMOTING AWARENESS OF THE RIGHT TO PARTICIPATE

Indicator 6

Children's right to participate in decision-making is embedded in pre-service training program for professionals working with and for children

- [Convention on the Rights of the Child](#).
- [Law no. 147/99, of September 1](#) and subsequent amendments, approving the Law for the Protection of Children and Young People in Danger, which is an integral part of it.
- [Law no. 2/2008, of January 14](#), which regulates entry to the judiciary, the training of magistrates and the nature, structure and functioning of the Judicial Studies Centre, and proceeds with the fourth amendment to Law no. 13/2002, of February 19, which approves the Statute of the Administrative and Fiscal Courts, determining as compulsory components of the course for entry to the judicial courts the matter related to the Convention on the Rights of the Child and family and children's law, with particular emphasis on articles 36 and 76.

- [Decree of the President of the Republic no. 49/90, of September 12](#), ratifying the Convention on the Rights of the Child, signed in New York on January 26, 1990, approved by [Resolution of the Portuguese Parliament no. 20/90, of September 12](#).
- [Order no. 31292/2008, of December 5](#), which approves the document "Ill-treatment of children and youth - health intervention", prepared by the Directorate- General of Health and contained in the respective attachment, giving it the character of technical guidelines for health action for children and youth at risk.
- [Guide for Integrated Intervention with Children and Young People Victims of Domestic Violence](#).
- Information on and provided by the [National Commission for the Promotion of the Rights and the protection of Children and Young People](#).
- Information provided by the Public Prosecutor Office, namely [information on mechanisms for the promotion of the rights of children and young people](#).
- Information provided by the Municipal Council of Vila Nova de Gaia, namely [on the local Commission for the Protection of Children and Young People](#).
- [Deliberation no. 1096-A/2017 of the Portuguese Bar Association, of December 11](#), amending the National Regulations for Internships at the Portuguese Bar Association, approved on November 30, 2017 by the General Assembly of the Portuguese Bar Association.
- Information provided by the [Portuguese Bar Association](#), including examples of activities, events and training sessions on: [hearing children](#), also [organized by regional entities](#); [guide of good practices on hearing the child](#); [hearing the child in judicial processes](#); [giving children voice in contexts of domestic violence](#); [changing paradigms in the context of family mediation and parental alienation](#); [fulfilment of the rights of the child in Portugal](#); [exercise of the rights enshrined in the Convention on the Rights of the Child](#); and [Family and Child Law](#).
- [Plan of Studies of the 37th Training Course of Magistrates for Judicial Courts \(2021-2022\)](#), which specifically contemplates matters on or related to hearing of children.

Indicator 7

Children are provided with information about their right to participate in decision-making

- [Convention on the Rights of the Child](#).
- [Law no. 147/99, of September 1](#) and subsequent amendments, approving the Law for the Protection of Children and Young People in Danger, which is an integral part of it, particularly with regard to articles 4, 10, 51, 56, 57, 58, 86, 94, 107 and 116.
- [Law no. 166/99, of September 14](#), approving the Law on Educational Guardianship, which is an integral part of it, especially articles 45, 46, 47, 59, 77, 84, 98, 100, 101, 142 and 171.
- [Law no. 1/2006, of January 13](#), establishing the legal status of the National Youth Council.

- [Law no. 8/2009, of February 18](#), establishing the legal framework for municipal youth councils, setting out their composition, competences and operating rules.
- [Law no. 103/2009, of September](#), establishing the legal regime applicable to civil sponsorship, particularly articles 11, 14 and 25.
- [Law no. 141/2015, of September 8](#), which approves the general regime of the civil tutelary process, with particular relevance to articles 4 and 5.
- [Law no. 57/2019, of August 7](#) and regulatory ordinances, amending [Law no. 23/2006, of June 23](#), establishing the legal framework for youth associations.
- [Decree-Law no. 47344/66, of November 25](#), approving the Civil Code, of which it is an integral part, with particular reference to articles 1906, 1981 and 1984.
- [Decree of the President of the Republic no. 49/90, of September 12](#), ratifying the Convention on the Rights of the Child, signed in New York on January 26, 1990, approved by [Resolution of the Portuguese Paliament no. 20/90, of September 12](#).
- [Decree-Law no. 323-D/2000, of December 20](#), adopting the general and disciplinary regulation of [tutelary] educational centres.
- [Decree-Law no. 129/2015, of July 9](#), establishing the composition and formulation of the Youth Advisory Council.
- [Decree-Law no. 164/2019, of October 25](#), establishing the scheme of implementation of residential care, a measure for the promotion of the rights and protection of children and young people at risk.
- [Curricular Guidelines for Pre-School Education](#), of the Directorate-general of Education.
- [Education for Citizenship – Guidelines](#), of the Directorate-general of Education.
- [Channel of the National Commission for the Promotion of the Rights and the Protection of Children and Young People on Youtube](#)
- Information provided by [CESIS - Center of Studies for Social Intervention](#), namely on the SUPPORTS Project, to support adolescents leaving foster care and preparing for adulthood, including the manifesto of the [Youth Advisory Board of the Project](#) and information on the moment of entry in residential care ([leaflet](#) and [video](#)), the life project ([leaflet](#) and [video](#)) and the moment of exit ([leaflet](#) and [video](#)), as well as a video for [raising the awareness for the need for non-discrimination and of construction of a social positive image of young boys and girls that have pased through the residential care system](#).
- Information provided by the [National Commission for the Promotion of the Rights and the Protection of Children and Young People](#), especially the [Children and Young People's Space](#) and the [center of resources](#).
- Information on the [National Council of Children and Young People](#), established and steered by the National Commission for the Promotion of the Rights and Protection of Children and Young People.
- Page of the National Commission for the Promotion of the Rights and Protection of Children and Young People in [Facebook](#) and [Instagram](#).
- Information on the [Permanent Observatory of Youth](#).
- Information on Platform [Youth Wiki](#)

- Project [Justice Youthopia](#).

CREATING SPACES FOR PARTICIPATION

Indicator 8

Children are represented in forums, including through their own organizations, at school, local, regional and national governance levels

- [Convention on the Rights of the Child](#).
- [Law no. 1/2006, of January 13](#), establishing the legal status of the National Youth Council.
- [Law no. 8/2009, of February 18](#), establishing the legal framework for municipal youth councils, setting out their composition, competences and operating rules.
- [Law no. 57/2019, of August 7](#) and regulatory ordinances, amending [Law no. 23/2006, of June 23](#), establishing the legal framework for youth associations.
- [Decree of the President of the Republic no. 49/90, of September 12](#), ratifying the Convention on the Rights of the Child, signed in New York on January 26, 1990, approved by [Resolution of the Portuguese Parliament no. 20/90, of September 12](#).
- [Decree-Law no. 129/2015, of July 9](#), establishing the composition and formulation of the Youth Advisory Council.
- Information on the [National Council of Children and Young People](#), established and steered by the National Commission for the Promotion of the Rights and Protection of Children and Young People.
- Information on the National Council for Education, namely on the [event on the voice of children and young people in Education](#).
- Information on the [National Federation of Youth Associations](#)
- Information on the [National Youth Council](#).
- Information on the [Portuguese Committee for UNICEF](#), namely on the [Program Child-Friendly Cities](#).
- Information on the [Portuguese Youth and Sports Institute](#).
- Information on Platform [Youth Wiki](#)
- Information on the [Permanent Observatory of Youth](#).

Indicator 9

Child-targeted feedback mechanisms on local authority services are in place

- [Protocol of the National Referral System for \(alleged\) victims of trafficking in human beings for the definition of action procedures aimed at prevention, detection and protection](#)
- Information provided in the [SOS-Child Sector](#) of the Institute of Support to the Child.

Indicator 10

Children are supported to participate in the monitoring of the UNCRC (including in CRC shadow reporting) and relevant Council of Europe instruments and conventions (hereinafter called: children's rights instruments)

- [Convention on the Rights of the Child](#).
- [Decree of the President of the Republic no. 49/90, of September 12](#), ratifying the Convention on the Rights of the Child, signed in New York on January 26, 1990, approved by [Resolution of the Portuguese Parliament no. 20/90, of September 12](#).
- [Shadow reports of civil society organizations to the Committee on the Rights of the Child](#) on the implementation of the Convention on the Rights of the Child in Portugal.
- Information provided by the [National Commission for the Promotion of the Rights and the Protection of Children and Young People](#), especially the [Children and Young People's Space](#) provided at its website.
- [Recommendation 128\(2003\), adopted by the Congress of Local and Regional Authorities of the Council of Europe on May 21](#), on the Revised European Chart on the Participation of Young People in the Local and Regional Life, which is an annex thereof
- [Recommendation CM/Rec\(2004\)13, adopted by the Committee of Ministers of the Council of Europe on November 17](#), on the participation of young people in the local and regional life.
- [Recommendation CM/Rec\(2015\)3, adopted by the Committee of Ministers of the Council of Europe on January 21](#), on the access of young people from disadvantaged neighbourhoods to social rights.
- [Recommendation CM/Rec\(2016\)7, adopted by the Committee of Ministers of the Council of Europe on September 28](#), on the access of young people to rights.

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