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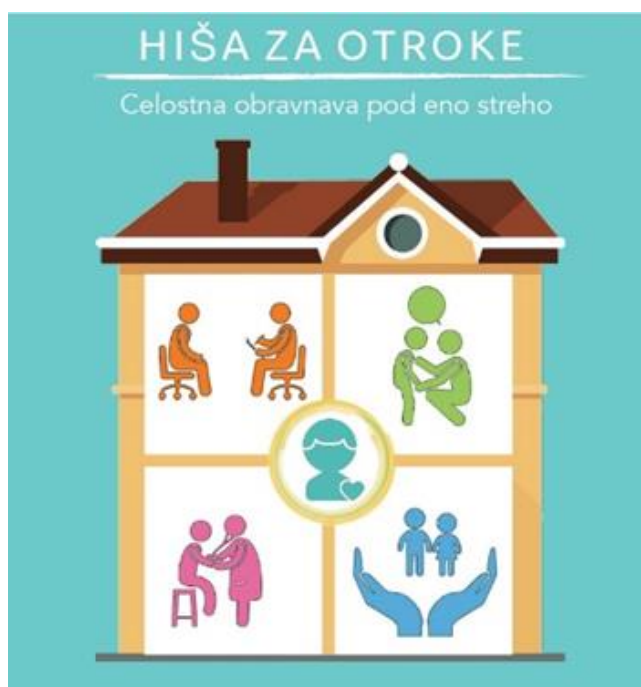
REPUBLIKA SLOVENIJA
MINISTRSTVO ZA PRAVOSODJE

Building a Europe
for and with children



Child-friendly Barnahus – Child participation in the preparation and drafting of the Slovenian Law on Barnahus

Summary table of children's recommendations



Source:

Child-friendly Barnahus – Child participation in the preparation and drafting of the Slovenian Law on Barnahus (Dr. Zsuzsanna Rutai, Council of Europe expert, October 2020)

The opinions expressed in this work are the responsibility of the authors and do not necessarily reflect the official policy of the Council of Europe

TABLE OF RECOMMENDATIONS BASED ON CHILDREN'S VIEWS

SLOVENIAN DRAFT LAW ON BARNAHUS		
Children's views	Article concerned	Recommended adjustment
I. GENERAL PROVISIONS		
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II. CHILDREN'S HOUSE		
Proposal to change the name "Children's House" to "House for children and youth"	All articles	"Hiša za otroke in mladostnike"
Setting up a helpline, which is directly connected to Barnahus	Article 7 (1)	The Institution, as a State public service, shall carry activities such as the operation of a helpline or cooperate with organisations operating helplines for child victims of sexual abuse.
Children should have the rights and means to participate in decision-making related to Barnahus	Article 9 (3)	The institutional council can invite child representatives of non-governmental organizations to participate in its meetings.
III. COMPREHENSIVE TREATMENT PROCEDURE		
There should be no contact between the child and the defendant at the Barnahus, neither before nor after the hearing at Barnahus.	Article 16 (2)	The location of the hearing shall not be communicated to the defendant.
The child should be able to postpone the hearing.	Article 19	The court may adjourn the hearing of the child on the proposal of the child.

<p>Children should be given all the necessary information about Barnahus and the procedures beforehand, preferably during summoning. Relevant information includes the timeframes and anything children might find uncomfortable.</p>	<p>Article 20 (1)</p>	<p>A summon to the hearing shall be communicated in a child friendly manner orally to the child and should include information about the services and procedures of Barnahus.</p>
<p>The child should be able to choose the gender of the professional and have the right to request to deal with a different professional.</p>	<p>Article 20 (1)</p>	<p>The child should be informed of the possibility to indicate the preferred gender of the experts at Barnahus and the right to request a different professional at any point of the procedure.</p>
<p>The child's counsellor should be the same person who invites the child to Barnahus and accompanies the child as a person of support throughout the process until the conclusion of the psychosocial assistance.</p>	<p>Article 20 (1)</p>	<p>The summons to the hearing shall be communicated to the child by the staff of the institution, preferably the child's counsellor.</p>
	<p>Article 34 (1)</p>	<p>[...] the child counsellor who serves as the person of support for the child and takes care of the crisis support and psychosocial assistance.</p>
<p>The children should decide whether they want their parents to be present in the interview room or in the observation room.</p>	<p>Article 23 (1)</p>	<p>In addition to the expert conducting the hearing, another person in addition to the child, of the child's own choice may be present, if any.</p>
	<p>Article 23 (2)</p>	<p>In addition to the judge, [...] the legal representative of the child, if it is agreed with the child, [...] may be present in a separate room.</p>

The defendant should not be present at Barnahus and should not listen to the interview with the child within the premises of Barnahus.	Article 23 (2)	The defendant may follow the hearing of the child from other premises than Barnahus..
It is not necessary for the social worker to follow the interview from Barnahus.	Article 23 (2)	delete : expert of the social work centre
The treatment plan of psychosocial assistance should be drawn up in collaboration between the counsellor and the child.	Article 36 (2)	The counsellor shall, in consultation with the child, prepare a treatment plan for the child as soon as possible, , [...]
The threshold of 15 years to consent to psychosocial assistance seems too high, it should be a maximum of 13 years, but in some cases also 10, 11, 12 year olds are able to understand the process and express themselves.	Article 37 (2)	For the child under the age of 13, after carefully listening to and considering child's views in accordance with his or her age and maturity, the legal representative shall give consent for the child's inclusion in crisis support and psychosocial assistance.
IV. TRAINING AND COOPERATION		
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Background

During the period of July-September 2020, a total of 104 children aged 13-17 years were consulted to collect their feedback, recommendations and expectations for the draft law and the first Barnahus in Slovenia. The child consultations were carried out in the framework of the joint [EU DG Reform – Council of Europe project to Support the implementation of Barnahus in Slovenia, phase II](#) by the NGO Združenje za MOČ.

For more details and analysis, see the full report *Child-friendly Barnahus – Child participation in the preparation and drafting of the Slovenian Law on Barnahus* (October 2020).