

Question 19.f.

In our country, in order to prevent children from being present in courtrooms due to the best interests of children, judicial interview rooms with child-friendly design have been established within the courthouses. During the trial, the children give their necessary statements in these rooms, accompanied by experts, in a way that can be seen visually from the court room. Although these rooms are visible from the courtrooms, children cannot see the courtroom. In addition, in these rooms, questions about the hearing are asked by psychologists, sociologists and social workers. If there is an objection by the people in the courtroom that is not asked by the expert, or if there is a question that the president of the court wants to be asked, this question is conveyed through the earphones in the ear of the expert who is interviewing the child, and this question is asked to the child by the expert in a way suitable for the child.

Judicial Interview Rooms:

Article 41 titled "Protection of the family, and children's rights" of the Constitution of the Republic of Türkiye governs that the State shall take the necessary measures and establish the necessary organization to protect peace and welfare of the family, especially mother and children, and to ensure the instruction of family planning and its practice. Within this scope, in accordance with the principle of the best interests of the child, a total of 168 judicial interview rooms have been established in 161 court houses in 81 provinces in order to strengthen the access of all vulnerable groups, especially children, to justice and to prevent them from being traumatized, to carry out the proceedings of taking statements in private environments appropriate for the current physical, mental and psychological conditions of these persons for revealing the material fact, to enable taking statements of victims and especially children victims and especially children in specially created environments in court houses through experts without making children come face-to-face with the suspect and the accused. As of 03.04.2017, the date when the judicial meeting rooms started to give service, more than 86,000 judicial meetings have been held throughout the country.

Judicial interview rooms have been established with a view to taking statements of victims of sexual crimes and domestic violence crimes, especially child victims, witnesses and children pushed to crime, and other victims included in the vulnerable group, who are considered to be inconvenient to come face-to-face with the perpetrator, in a private environment, accompanied by a judicial support officer. With this practice, while it is primarily aimed to carry out child-friendly judicial procedures in accordance with the principle of the best interests of the child, the proceedings of taking statements of vulnerable groups such as child victims, witnesses and children pushed to crime, victims of sexual crimes and domestic violence crimes, and disabled and elderly victims, are carried out through judicial support officers in a private environment without making them come face-to-face with the suspect or the accused. In this way, secondary victimization of the individuals in question can be prevented, and a more qualified statement as evidence can be obtained by allowing the victims whose anxiety levels are reduced to express themselves more easily. In this sense, the practice of judicial interview rooms also serves to reveal the material fact.

Judicial interview rooms are private areas consisting of three rooms as “Waiting Room”, “Interview Room” and “Observation Room” to prevent the persons to be interviewed from being traumatized.

Waiting rooms are the rooms where primarily victims, witnesses and children pushed to crime, victims of sexual crimes and domestic violence crimes as well as other victims included in the vulnerable group, who are considered to be inconvenient to come face-to-face with the perpetrator, wait in a private environment before taking statements.

The interview room is a room in which only the judicial interviewer and the person who will give a statement exist, where the interviewee is asked the questions by the judicial interviewer which are conveyed to the judicial interviewer through headphones by the public prosecutor, judge, lawyer or other relevant persons to be asked to the interviewee in a way that s/he can understand, where the answers are received and the process is recorded in the National Judicial Network Information System (UYAP) with a high resolution camera, both as audio and video. In this way, the face and facial expressions of the victim can be easily observed during the statement.

The observation room is the room where the relevant persons such as the public prosecutor, lawyer, and the court clerk watch the interview held in the interview room and convey to the judicial interviewer via microphone and earphones the questions they want to be asked. In addition, by making a connection from the courtroom through the Audio and Visual Information System (SEGBIS), questions can be forwarded to the expert in the interview room to be asked to the person to be interviewed.