



## POSITION PAPER

# Protecting the rights of child victims in Europe A holistic approach

## EXECUTIVE SUMMARY

In Europe, every year, **1 out of every 2 children** worldwide is a victim of violence.[1] **1 in 4 children** consider that their rights are respected by the whole society.[2] Additionally, **15% of LGBTIQ+ children aged 15 to 17**, respondent to a survey, experienced **cyber harassment due to their sexual orientation**.[3]

The Child Friendly Justice European Network's position paper "**Protecting the rights of child victims in Europe – A holistic approach**" has two main objectives. First, **to shed a light and provide insights on the main challenges that children face who are victims and need to access justice**, to offer **valuable insights for policymakers, legal practitioners, and stakeholders** involved in child protection initiatives across the European Union.

The second core objective of this position paper is to **highlight how the existing legal framework**, in particular the revision of the Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime[4] on this matter **needs to be more ambitious and to expand, in order to protect fully child victims and to ensure they enjoy the rights they are entitled to**.

It seeks to adopt an interdisciplinary approach, encompassing insights from various fields. It conducts a broader and more in-depth **examination of the current state of access to justice for some groups of child victims in several EU Member States**, identifying gaps and suggesting promising practices. The position paper, prepared in close collaboration with Victim Support Europe and the European Forum on Restorative Justice, not only proposes enhancements to the existing legal framework but also highlights opportunities.

[1] The EU Strategy on the Rights of the Child, European Commission, 2021

[2] Our Hope, Our Rights, Our Future, ChildFund Alliance, Eurochild, Save The Children, UNICEF, World Vision, 2021.

[3] 15% of survey respondents, A long way to go for LGBTI equality, FRA, 2020.

[4] Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32012L0029>

## Child victims in Europe: Core challenges in accessing justice

Child victims in Europe face the following key barriers and challenges:

- **Violence against children and underreporting of (sexual) violence and abuse.** This vulnerability spans across countries and settings such as family, school, care, migration, online environments, peer groups, and criminal justice systems.
- **Information services for children are inexistent and/or inaccessible.** Too often, child victims still do not receive age-appropriate and comprehensive information about the process that will concern them.
- **Lack of information of guardians and parents.** Instead of being adequately informed by police or court officials, they often need to seek information independently from external organisations.
- **Support services are non-existent or insufficiently resourced.** Children do not always receive the support they need from guardians and/or lawyers, who are key figures in supporting them enjoying fully their procedural rights.
- **Insufficient training of professionals, particularly those at initial points of contact.** Children are often interviewed by non-specialised professionals, and they are interviewed multiple times, by several different actors and services, which also leads to further victimisation and traumatisation.

### *Intersectional needs*

While all child victims can face significant challenges in accessing justice, certain groups of children are particularly vulnerable to violence and abuse. **Child victims who belong to minority groups are exposed to further risks of victimisation from justice professionals**, as they face discrimination and cannot access sensitive forms of support and assistance that respond to their intersectional needs.

- **Children with disabilities.** Child protection and criminal justice professionals are often ill-equipped to provide information and responses that are appropriate and accessible to children with disabilities.
- **Child victims of trafficking.** Victims often hesitate to report their experience, because of lack of trust in the institutions, shame, fear of retaliation, fear of the consequences of entering into contact with the authorities, especially in the case of undocumented migrants or children who are trafficked and engaged in criminal activities.
- **Children in migration.** Many children on the move who have experienced abuse face obstacles in reporting their experiences or seeking help, due to an absence of information, communication barriers, lack of awareness about available resources, fear of being returned,<sup>[1]</sup> and the persistent stigma associated with abuse. The lack of personnel further exacerbates these challenges.
- **Children from Roma communities.** Children express a lack of trust in the justice system and the police, along with fears of repressive actions from institutions, leading to feelings of helplessness and hopelessness. Poverty further compounds these challenges, creating additional barriers to accessing information and services.
- **Children in institutional settings.** Child victims of violence in the criminal justice system. Children deprived of their liberty, living in institutional settings all face heightened vulnerability to violence. Their vulnerabilities are exacerbated by inadequate monitoring and data collection systems, hindering the development of targeted prevention and response strategies.

Finally, the justice system itself is a significant additional barrier. **Contact with the justice system**, which is meant to protect and prevent such violations, **can often lead to further victimisation**. Child suspects accused or convicted of an offense are among the most vulnerable precisely because of their position: they often experience significant barriers to appropriate information on the proceeding that concerns them, to appropriate support and assistance, to appropriate and meaningful participation, to child-centred, individualised and rehabilitative responses, and to access to appropriate redress when their rights are violated.

[1] 'Firewall principle' supported by VSE and introduced in article 5a of Victim Support Europe, Victims Of Crime Model Provisions Paper – VSE's vision for a revised victims' rights directive, September 2023. Available at: <https://victim-support.eu/publications/victims-of-crime-model-provisions-paper-vses-vision-for-a-revised-victims-rights-directive/>. According to which, migrant victims can report a crime without having their residence information passed on to criminal authorities. VSE supports the extensive application of this principle, so that Member States can have in place mechanisms that remove barriers to reporting a crime.

## Towards a robust commitment to protecting child victims

This position paper emphasises the importance of continuing to **invest resources in improving support systems and mechanisms for child victims**. It highlights the urgent need to **involve professionals and policy makers** in targeted research, capacity building and awareness-raising, to ensure that all children who become victims of violence and who do not see their rights fulfilled find appropriate justice responses.

It calls for a more **robust commitment to protecting child victims**, through the proposal of the revision of the 2012 Directive on Victim's Rights. By embracing interdisciplinarity, respecting the right to information, standardising interdisciplinary assessments, promoting trauma-informed practices, and ensuring GDPR compliance, **the revised Directive can be a marker of progress in safeguarding the rights and well-being of child victims of crimes**. Furthermore, providing clear, accessible and reliable mechanisms to access justice and redress violations will ensure a comprehensive legal framework that upholds the principles of justice and children's rights.

## Call for action to protect all child victims in Europe

The position paper calls on States to implement and invest in the following **six priorities**, so as to ensure a holistic approach to protecting the rights of child victims:

### 1. Ensure a child victim-sensitive approach

- Apply Child-Friendly Justice Principles and Uphold the fundamental rights of child victims
- Adopt a Safe Justice Approach
- Empower child victims
- Conduct multidisciplinary individual assessments
- Develop and roll-out comprehensive trainings for practitioners to understand and report crime involving child victims
- Consider the specific protection needs of all children who become victims

### 2. Strengthen the right to information for child victims, without discrimination

- Making information easily accessible to children
- Improving the quality of information provided to children
- Ensuring access to information without discrimination
- Provide systematic and high-quality assistance in Court

### 3. Develop and enforce targeted and integrated child protection systems

- Set up effective coordinated multi-agency mechanisms
- Invest in specialised psychological and other kinds of support and assistance
- Guarantee protective measures and establish strong collaboration between the justice system and child protection services

### 4. Improve data collection and GDPR compliance

- Set up centralised data protection systems at national levels
- Provide effective data collection systems about child victims
- Develop data protection guidelines for the media
- Develop data protection guidelines for tech companies

### 5. Recognise the benefits of restorative justice for child victims

- Raise awareness and build skills and knowledge about restorative justice among justice professionals and in the broader population
- Apply quality standards in restorative justice involving children

### 6. Strengthen the rights of child victims in the EU: towards an ambitious revision of the Victim's Rights Directive



To access the full position paper:  
[“Protecting the rights of child victims in Europe – A holistic approach”](#)

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