



Model of child-friendly court practices for children with intellectual and psychosocial disabilities

Romanian perspective

Co-funded by the European Union
under the Rights, Equality and Citizenship Programme (2014-2020)



This conference is co-funded by
the European Union's Rights,
Equality and Citizenship Programme (2014-2020)



In Romania, individual assessments or evaluations were not systematically carried out at the time of drafting the national report. However, this does not preclude the authorities from assessing a victim's need on a case by case basis. The police can also carry out an assessment once the victim, through his tutor, has reported the crime and obtained a crime reference number, or the prosecutor has filed a complaint in the name of the victim.

The national legislation provides special measures to support and protect victims such as:

- Victims interviewed in rooms specially designed or adapted for this purpose;
- Victims interviewed by, or with the participation of, appropriately trained specialists;
- all questioning of victims of sexual violence, gender violence or violence in close relationships (if the hearing is not conducted by a judge or a prosecutor) carried out by a person of the same sex as the victim, if this is the wish of the victim and without prejudice to the criminal proceedings.

Special measures are also provided for children who are always presumed to have specific protection needs due to their vulnerability in accordance with the Victims' Directive. Support and protection measures are laid down by the national laws. They are implemented either by the person who conducts the preliminary proceedings or by a psychologist from General Direction of Child Protection.

The aim of this Model is to set a minimum standard for the individual assessment of children that were victims or accused of committing a crime. Moreover, as it is provided by the EU Victim's directive (2021/29) and the Directive providing minimum safeguards for children (2016/800), this model is set to bring a practical tool in form of a questionnaire that is going to be used by a psychologist or the multidisciplinary team that will be first in contact with the children. It also incorporates a set of practical advice that comes in aid to the practicing that never dealt with children with disabilities. A very important role in the elaboration of the model was played by the national promising practices (special hearing rooms for children, manuals and other guidance's) and the opinion of children that were accused of committing a crime and are, at the moment, in a special care centre, and o a children with psychosocial disabilities, victim of crime, whom we thank very much.



Find more about it in the Session 2 of the 2nd day of the conference in the presentation called - *Individual assessment - more than just a tool for providing a child-friendly justice?*



This conference is co-funded by
the European Union's Rights,
Equality and Citizenship Programme (2014-2020)



BCNL