



Salvați Copiii



Save the Children
100 ANNI

Ethical guidelines

**for conducting workshops with children in
contact with the law in Italy, Portugal, Spain and
Romania**

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1. Premise and objectives

Among the rights recognized by the Convention on the Rights of the Child (CRC), the right of children to express their views freely in all matters affecting them, established in its Article 12, is one of the CRC General Principles.

In particular, part 2 of the same Article pays special attention to children in contact with the law acknowledging their right to be heard in any judicial and administrative proceedings that involve them.

In line with the principles set out in Article 12 and the CRC, workshops involving children in contact with law will be conducted by pursuing the following objectives:

- To inform the children about the main goal of the consultation process and its content.
- To ensure that children's participation is meaningful and significant by making them feel that their views and opinions are heard and taken into account.
- To ensure that children involved are safe and protected at all times;
- To ensure psychological support whenever necessary during the activities to prevent children from reliving trauma when describing their experience;
- To ensure access to relevant information in a child-friendly way;
- To explain and ensure that activities are free and non-remunerated;
- To get the consent of children and their parents or legal representatives and protect all of the personal information they provide;
- To guarantee confidentiality, anonymity and children's boundaries: it is their right to decide what they want to reveal about their lives;
- To ensure that children have access to the final results of the workshop so that they can get a suitable feedback from their participation in the process.

2. Methodology

Activities to be developed before the workshops:

1. To identify the profile of the children to motivate their participation in the project.
2. To conduct individual interviews: a preliminary interview will be conducted with the child with the aim to establish a contact with him/her and to create an atmosphere of trust; to obtain information about his/her situation; to estimate the cognitive level and emotional state of the child and to ensure a clearer understanding of the workshop's objectives.

Topics to be tackled during the workshops:

- Judicial proceedings (i.e. Juvenile court process, Age assessment process, Child-Victims' Rights and other procedures that can be suggested by the child).
- Child Participation in judicial proceedings.
- Documents in Child-Friendly Language.
- Child friendly communication skills.
- Key Actors in the judicial system.
- Children's point of view: How I feel? What can I do?
- Psycho-emotional support.

3. Spaces and stages of the consultation process

The location for the workshop will be chosen using a participative, reflective and constructive methodology.

We'll try to provide a safe and child-friendly venue, adapting the methodology to children's rhythms, with breaks where necessary, and maximizing an open narrative from a semi-structured method.

Children and young people will be involved at the earliest stages of planning, therefore, the first workshop will be a presentation of the plan and a collection of ideas to create an accessible model.

The first phase of workshops will be centered on the emotional-relational aspects before moving to the content.

The workshops will have four stages:

- Identification of needs.
- Empowerment by providing tools and knowledge about the judiciary system.
- To improve proposals arising from children's experiences and points of view.
- Systematization of the information.

During the process, children will be provided with materials for their validation and review.

Methodological issues

As previously indicated, the dynamics proposed for the workshop will be semi-directed and will be based on the development of recreational, formative and reflective activities that allow taking advantage of the concepts that the children verbalize without using the activities only limited to the "necessary contents to cover".

The information collected will be used and subsequently adapted to the systemised material by the child participation expert and the coordination team of the project.

The methodology will also be based on narrative techniques - how they understand and look at the process, how they conceptualize it before, during, after, etc.

The objective of this format is that the process has itself a beneficial return for the children who participate in the sense of reworking what they have experienced or are experiencing by gathering their emotions, points of view, opinions, etc.

The participation of children is strictly voluntary and they must have been prepared for it.

Having in mind that the smaller the group, the more participatory the process, any group should therefore aim to involve a maximum of 6-10 children/young people per group.

4. Production of child-friendly materials

What format would be the most appropriate, what would children better understand...?

We consider the possibility that the communication agency involved in the design of the materials could participate in some sessions of the workshops, to have direct contact with children / adolescents, activate collective creative thinking and develop a concept that reflects children's voice as much as possible.

5. Risk Assessment

- Negative impact on the child due to their psycho-social status.
- Risk of misunderstanding the goal of their participation in the consultation processor mismatch of expectations.
- Risk that a long-term process can discourage participation.
- Risk of mixing different profiles and different ages.

Children vulnerable due to age or understanding can be intimidated by the presence of the older ones. At the same time, it's important avoiding to mix minor offenders in a workshop with offenders who may try to use them in some way; or take them into more serious offending; or recruit them into gangs. This does not always depend on age because in some cases younger offenders can influence older ones.

Measures to avoid or prevent risks:

- To objectivise and define the profiles.
- To design formal and informal tools for a continuous assessment of the dynamics.
- To implement an experiential methodology to adapt the activities according to the needs of the children involved in the workshop.
- the child participation expert has standing that means he/she has been positively vetted as safe to work with children/young people

This index provides the initial framework and can be changed during the process based on children's input.

Annex I. Informed consent
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The project

Justice Youthopia is an international project funded by the European Commission that aims to concretely implement the principle of children's participation in the legal proceedings that affect them in Italy (with Save the Children Italy, project leader), Spain (La Mercedes Migraciones), Portugal (Instituto de Apoio à Criança) and Romania (Salvati Copiii). The project will run for two years (2020-2021).

Among other actions, the project involves the creation of a workshop with children and young people.

What does participation in the workshop imply?

The purpose of the workshop is to produce materials that make the different stages of the legal process clearer for children and young people who have or will have direct experience of the justice system, and, at the same time, to help justice professionals to explain what happens during the hearing, the decisions they make and their consequences to children in a language that is understandable for them too.

We are convinced that one of the ways to achieve this is to involve children and young people in the design and development of these materials.

Who can participate in the workshop?

The child under your responsibility can participate in the workshop if:

- He/she has/ had direct experience of the justice system;
- He/she is willing to share his/her case to create materials that can be useful to other children/young people who are in the same situation.

How do consultations take place?

Consultations are led by a child participation expert who listens and collects children's experiences and insights on the different aspects of the judicial system making sure that they feel comfortable.

None of the child's reflections will be shared with the lawyer or other figures who are handling his/her case without your consent. When the dissemination materials are ready, the expert will ask the child to say what he/she thinks, that is if they reflect his/her view or not. The consultations will also be attended by a legal expert who will better explain how the justice system works, the steps of the proceedings and the meaning of some terms that the child frequently hears but doesn't understand.

Is participation compulsory?

No: participation is voluntary. The child has the right to refuse to answer particular questions during the workshop.

You are free to withdraw your child from the group at any time without having to provide reasons for why he/she no longer wishes to participate and with no adverse impact on the progress of his/her case.

Will participation be anonymous?

We guarantee that no one else can trace your identity or that of the child under your responsibility from the workshop reports or any other document. Any excerpt of what the child will say and which will be used in the development of the dissemination material will remain completely anonymous.

What will happen to the information that the child under your responsibility will provide us with?

The information collected will remain confidential and will only be available to the project team.

Save the Children / La Mercedes Migraciones / Instituto de Apoio à Criança / Salvati Copiii, are responsible for the management of data that will be safely stored in their archives for the period of time necessary to pursue the purpose of this project.

Data will be destroyed after a period of 5 years from the conclusion of the project.

What adverse effects of involvement in the project's activity are envisaged?

An important part of the workshop's planning is anticipating risks and potential adverse consequences caused by the child's participation.

During the workshop, the child participation expert is responsible to ascertain whether the dynamics move in unexpected/undesirable ways that would harm the child.

What are the advantages of participating?

By participating in the workshop, the child/young person will better understand the language and some concepts related to the justice system and will share his/her mood and doubts with expert staff.

The contribution of the child under your responsibility will allow us to produce materials that will be useful for other children /young people to better understand the processes in which they are involved, the implications for their lives and their future.

They will also be useful to justice professionals to better communicate with children.

What will happen if there is a problem?

During the activities, the expert will discuss with the children their impressions and feelings regarding the experience undertaken. If they feel uncomfortable, this will be reported to the person responsible for them.