

The background is a vibrant pink with various abstract elements. There are several dark blue puzzle pieces scattered across the page. A hand from the left is placing a puzzle piece, and a hand from the bottom right is also interacting with one. A pink brushstroke is visible at the top right. The background is decorated with blue circles, red diamonds, yellow crescents, and clusters of black dots.

LINKING SYSTEMS

HEARING CHILDREN'S VOICES

INTERNATIONAL SYNTHESIS REPORT

LINK: Linking Information for Adaptive and Accessible Child-Friendly Justice (101097047)

LINKS: Multidisciplinary Assessment and Determination of Procedural Accommodations for
Child Victims with Intellectual or Psychosocial Disabilities (Apa24_058)

This *LINKING SYSTEMS, HEARING CHILDREN'S VOICES: International Synthesis on Adaptive and Accessible Child-Friendly Courts for Children with Intellectual and Psychosocial Disabilities* was developed by Validity Foundation within the project "Linking Information for Adaptive and Accessible Child-Friendly Courts" co-funded by the European Union (LINK- 101097047- CERV-2022-DAPHNE) and the Foundation of Applied Disability Research (LINKS -Apa2024_058). The project aims to improve the accessibility of and integration of child protection systems in criminal proceedings for children with intellectual and psychosocial disabilities.

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Executive Summary

Children with intellectual and psychosocial disabilities who are victims of crime face multiple barriers when trying to access justice within EU criminal systems. This is despite the existence of numerous EU and international legal frameworks intended to protect their rights.

The LINK project examined these obstacles across seven European countries: Bulgaria, Czech Republic, Italy, Lithuania, Portugal, Slovenia, and Hungary. The research combined legal analysis, stakeholder interviews, and Children's Advisory Boards. In doing so, the project mapped the gap between legislative intent and lived reality for child victims with disabilities.

Barriers to Justice

This revealed that implementation of applicable legal frameworks is inconsistent. Individual assessment procedures, which are so fundamental to assessing the support needs of child victims with disabilities, were either absent, poorly understood, or carried out without proper consideration of disability-specific needs.

Communication barriers also recurred as an issue in many of the examined countries. For example, legal proceedings often employ technical language which is inaccessible to children, whilst alternative communication methods are rarely recognised as valid.

Physical and digital infrastructure within legal proceedings does not adhere to legal requirements, with many courtrooms being inaccessible for child victims with intellectual or psychosocial disabilities. More recent e-justice systems have by and large failed to incorporate accessibility features – creating new barriers to participation.

Professional Capacity and Cultural Change

Substantial gaps in professional understandings of the needs of child victims were identified across all jurisdictions. In many of the project countries, it is only specialised police officers who receive training on working with children, and this rarely includes training on disability-specific needs. In addition, judges and prosecutors generally lacked formal guidance on implementing procedural accommodations resulting in these decisions often becoming subject to individual discretion, rather than having a consistent rights-based approach taken.

Attitudinal barriers were also detected across the seven countries, with children with disabilities frequently being perceived as unreliable witness and their testimony as less credible.

Intersectional Disadvantage

The project shed light how multiple forms of discrimination compounded already existing barriers to justice. The clearest example of this is the very particular forms of discrimination experienced by girls with intellectual disabilities in sexual violence cases who can often face being stigmatised as 'accomplices' rather than recognised as victims.

Geographic location can also add additional barriers. Children with disabilities living in rural areas have less access to the specialised services which they require to support them to participate fully and actively in the criminal proceedings concerning them.

Children from minority ethnic backgrounds – particularly Roma children – risked being subject to discrimination on grounds of their age, disability, and ethnicity. As a result, they are more likely to be unable to access reporting mechanisms and support services.

Innovative Approaches and Emerging Solutions

Despite these findings, the LINK project also identified promising practices across the seven countries. Italy's 'probative evidence hearing' system allows children's statements to be taken during investigation rather than trial, reducing trauma from lengthy proceedings. Slovenia's Children's House – based on the Barnahus model - demonstrates how multidisciplinary approaches could minimise interview repetition whilst also improving evidence quality. That model has also been adopted in Hungary.

Digital innovations showed potential for addressing accessibility barriers. Portugal's Infovictims website provided user-friendly information through multiple formats. Further, a number of countries are exploring the potential of artificial intelligence to improve efficiency and accessibility. The Hungarian Child Protection Information System (CPS) is a promising model for digital coordination, even if access is currently limited to specifically designated agencies.

Overall, however, these innovations are isolated initiatives rather than being part of more fundamental reforms of criminal justice systems aimed at ensuring rights-based approaches to child victims with disabilities.

Children's Voices at the Centre

Children's Advisory Board sessions across all countries showed that young people with disabilities have their own clear insights into their needs and preferences for justice system improvement. They emphasised the importance of being heard in their own words, having adequate time to communicate, and having information provided in accessible formats.

The children involved in the project also identified practical solutions that professionals had overlooked, e.g. the need for advance information and preparation about what to expect during the criminal proceedings.

A Framework for Transformation

The information garnered during the LINK project points to a number of key aspects of reform. Firstly, individual assessments must move beyond bureaucratic exercises to become actual tools for identifying and meeting children with disabilities' needs. Secondly, procedural accommodations cannot be discretionary but instead must become rights-based entitlements. Thirdly, professional training has to shift from mere awareness-raising to intensive skill development in what inclusive practice involves.

While legal frameworks provide the foundation for the vindication of these rights, on the ground implementation requires more profound cultural transformation of justice systems. Children with disabilities must be viewed and treated as rights-holders rather than objects of protection in accordance with the human rights model of disability contained in the UN Convention on the Rights of Persons with Disabilities. Applying that model means that systems must adapt to children's needs rather than the inverse.

Recommendations for Action

The report sets out recommendations across four domains: actions for criminal justice professionals, reforms for child protection systems, legislative and policy changes for national and EU-level policymakers, and innovations in digital transformation. At the centre of these recommendations are two key principles:

- That coordinated action across all levels of the justice system must take place in order to achieve real access to justice for child victims with disabilities.
- That children with disabilities must be recognised as experts on their own experiences and that their expertise must contribute to shaping the design and implementation of justice system reforms.

Definitions, Acronyms and Abbreviations

ACRONYMS / ABBREVIATIONS	DESCRIPTION
AAC	Augmentative and Alternative Communication
APAV	Portuguese Victim Support Association (Associação Portuguesa de Apoio à Vítima)
CAB	Children's Advisory Board
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CMS	Case Management System
CNR	National Research Council (Italy)
CRPD	UN Convention on the Rights of Persons with Disabilities
EU	European Union
GDPR	General Data Protection Regulation
IBPS	Integrated Business Process System
MMCS	Model Multidisciplinary Cooperation System
NGO	Non-Governmental Organisation
PCT	Civil Trial Online (Processo Civile Telematico)
PPT	Criminal Trial Online (Processo Penale Telematico)
SICP	Criminal Proceedings Information System (Sistema Informativo delle Comunicazioni Penali)
UCIS	Unified Court Information System
UN	United Nations
UNCRC	UN Convention on the Rights of the Child
UNICEF	United Nations Children's Fund

01

INTRODUCTION & METHODOLOGY

1.1 Project Context and Objectives

The LINK project ('Linking Information for Adaptive and Accessible Child-Friendly Courts') aimed to improve the accessibility and integration of child protection systems in criminal proceedings for children with intellectual and/or psychosocial disabilities who are victims of crime. The term "child protection systems" in this context refers to the support services, accommodations, and coordinated responses designed to protect child victims from further harm during criminal proceedings, rather than statutory child protection interventions.

The core research was conducted across six European countries under the LINK project: Bulgaria, Czech Republic, Italy, Lithuania, Portugal, and Slovenia. Additional support from the Foundation of Applied Disability Research (FIRAH) allowed the research team to broaden the analysis to include Hungary - bringing the total scope to seven countries. This allowed for a greater understanding of the barriers and good practices which exist across a greater number of European legal systems while still maintaining the methodological consistency established in the original LINK project research design.

This project examines seven European countries: Bulgaria, Czechia, Hungary, Italy, Lithuania, Portugal, and Slovenia. It aims to address the challenges faced by child victims with disabilities, with an initial review of the state of knowledge identifying some of these as: discrimination, participation barriers, and weaknesses in child protection systems.

The primary focus of LINK was on the experiences of children with intellectual and psychosocial disabilities aged 12-17 who are victims of crimes and have intellectual and/or psychosocial disabilities. The project included children who use Augmentative and Alternative Communication (AAC). This scope allowed for an examination of

barriers experienced by children whose disabilities primarily relate to cognitive processing, communication, and participation in legal proceedings. We nevertheless recognise that children with other types of disabilities also face access to justice challenges.

The project's main objectives were to:

- Map information needs and develop recommendations based on direct input from children with disabilities.
- Create a blueprint for a child-friendly accessible technological system.
- Build capacity among criminal justice professionals.

This was achieved by the creation of:

1. [National Briefing Papers](#) for each of the seven project countries which assessed access to justice for child victims with disabilities based on the experiences of children with and without intellectual and/or psychosocial disabilities and criminal justice professionals. These Briefing Papers also formulated recommendations on how to improve the accessibility and integration of child protection systems in criminal proceedings for children, specific to the national context.
2. [A Model Multidisciplinary Cooperation System \(MMCS\)](#) defining processes and practical online/offline systems for adopting procedural accommodations, as well as national adaptations of this model for six of the project countries. Within the MMCS, the project also developed 'Diana', a proof-of-concept digital platform demonstrating how technology can support case management while still maintaining the highest standards of data protection and accessibility.
3. [An Equal Treatment Training Guide](#) to build the capacity of professionals on implementing age- and gender-appropriate procedural accommodations. This guide was developed with professionals, civil society organisations, and

children with disabilities as part of capacity-building initiatives that took place during the project.

The project conducted children's advisory boards and roundtables with professionals at the national levels to gain greater insight into the country-specific contexts. An international symposium to communicate outcomes and encourage greater participation from civil society, criminal justice professionals, and children with disabilities was also held in Lisbon in April 2025.

1.2 Purpose and Scope of the Report

This report brings together research findings from the seven project countries to create a cross-national analysis of the challenges, good practices, and recommendations for improving criminal justice systems for child victims with disabilities. It is intended to inform practitioners, policymakers, and professionals working in the fields of criminal justice, disability rights, and children's rights.

1.3 Research Methodology and Ethics

The research took a participatory human rights-based approach based on international human rights standards – principally the UN Convention on the Rights of Persons with Disabilities (CRPD) and the UN Convention on the Rights of the Child (UNCRC).

1.3.1 Research Design

The project applied a mixed-methods approach to the research – combining desk research and qualitative data collection.

Desk research

A review of the application and interpretation of:

- EU instruments (Victims' Rights Directive, Directive 2011/93/EU on combating sexual abuse and sexual exploitation of children, Directive 2016/800 on procedural safeguards for children who are suspects or accused persons in criminal proceedings, EU Charter on Fundamental Rights)
- UN human rights instruments (CRPD, UNCRC, CEDAW)
- Regional frameworks (Council of Europe standards)
- National legislation, policy documents, and implementation reports
- Existing studies and monitoring reports from NGOs and specialised bodies

Qualitative Data Collection

10-12 semi-structured interviews per country with:

- At least 3 child victims with experience of the criminal justice system
- Family members and caregivers
- Criminal justice professionals (police, judges, prosecutors, lawyers)
- Child protection workers and victim support providers
- Disability rights experts and speech/language specialists

Specific interview details varied by country and are detailed in the National Briefing Papers.

In addition, Child Advisory Boards were convened in six of the project countries. Further details on this method are contained in Chapter 5.

In Hungary, the qualitative research consisted of 11 expert interviews and a focus group discussion with professionals from different fields (judges, police, social workers, lawyers, NGO representatives) - totalling 15 expert views and experiences.

1.3.2 Ethical Framework

The LINK project applied strict ethical standards:

1. **Do No Harm Principle:** Prioritising participants' well-being, with particular attention to victims and vulnerable groups. Interviews could be paused or stopped at any time and no child was required to discuss specific details of their experiences if they did not wish to.
2. **Informed Consent:** Collecting free and informed consent from all participants, including child-appropriate consent procedures. Accessible consent materials were used and children were reminded that they could withdraw at any time without consequences.
3. **Confidentiality and Data Protection:** Ensuring anonymity and secure data management. Interviews were conducted under confidentiality. Identifying information kept separate from research data and secure storage in accordance with GDPR requirements.
4. **Child-Centred Approach:** Following best practices for child participation, including:
 - a) Safety considerations
 - b) Voluntary participation
 - c) Age-appropriate communication
 - d) Inclusive and non-discriminatory practices – sessions were adapted for difference communication needs.
 - e) Respect for dignity – recognising children as experts in their own experiences.

For interviews with children, additional measures included:

- Preparation of accessible information materials.
- Allowing for support persons when desired.
- Accommodation of diverse communication needs.

- Flexibility in interview duration and format.
- Recognition of children's agency and preferences.

All recordings and transcripts were securely stored in line with GDPR requirements.

1.4 Analytical Framework

This report applies an analytical framework structured around four key elements:

1. **Legal and Policy Framework Analysis:** Examining the extent to which national and EU legal frameworks recognise and protect the rights of child victims with disabilities, with a focus on:
 - a. Implementation of the Victims' Rights Directive.
 - b. Recognition of procedural accommodations.
 - c. Legal provisions for individual needs assessment.
 - d. Integration of child protection and criminal justice mechanisms.
2. **Accessibility and Participation Analysis:** Assessing barriers and enablers across multiple dimensions:
 - a. Physical accessibility of justice system facilities.
 - b. Information accessibility (formats, language, support).
 - c. Communication accessibility (including AAC support).
 - d. Digital accessibility of e-justice systems.
 - e. Procedural barriers to meaningful participation.
3. **Intersectional Analysis:** Identifying how different aspects of identity interact to create unique experiences:
 - a. Gender-specific considerations.
 - b. Different types of disabilities.
 - c. Age-related factors.
 - d. Other relevant dimensions (socioeconomic status, ethnicity, etc.).
4. **Systems Integration Analysis:** Examining cooperation between:

- a. Criminal justice professionals.
- b. Child protection services.
- c. Support organisations.
- d. Digital systems and information sharing mechanisms.

The analytical framework centres the lived experiences of children with disabilities themselves. It recognises them as rights-holders and experts on their own needs in accordance with the requirements of the UN Convention on the Rights of the Child and the UN Convention on the Rights of Persons with Disabilities.

02

LEGAL AND POLICY
FRAMEWORK

2.1 EU Legal Framework

2.1.1 EU Charter of Fundamental Rights

The EU Charter of Fundamental Rights¹ became legally binding on EU Member States with the Treaty of Lisbon in 2009. The Charter places "the individual at the heart of its activities" and is founded on "the indivisible, universal values of human dignity, freedom, equality and solidarity".² A number of its provisions are relevant to child victims with disabilities.

Article 24 recognises children's rights to protection, care, and to express their views in matters affecting them in accordance with their age and maturity, with their best interests as a primary consideration. There is therefore a recognition of children as both rights-holders with protections, as well as active agents capable of participation in decisions which impact upon them.

Article 21 prohibits discrimination on grounds including disability, whilst Article 26 recognises the rights of persons with disabilities to benefit from measures ensuring their independence and social integration. This latter reference to 'integration' has been interpreted as reflecting the social model of disability which places the obligation on States to provide the support for persons with disabilities to be included in the community, and which formed the basis for the human rights model of disability contained in the CRPD.³ When combined with Article 47's guarantee of effective access to justice, these provisions lay the foundation for child-friendly justice that accommodates disability-related needs. EU institutions and Member States must comply with these obligations when implementing EU law, creating an additional layer

¹ [Charter of Fundamental Rights of the European Union \[2012\] OJ C326/391](#)

² [Charter of Fundamental Rights of the European Union \[2012\] OJ C326/391, Preamble](#)

³ Ferri D. [The Unorthodox Relationship between the EU Charter of Fundamental Rights, the UN Convention on the Rights of Persons with Disabilities and Secondary Rights in the Court of Justice Case Law on Disability Discrimination](#). *European Constitutional Law Review*. 2020;16(2):275-305

of protection complementing the UNCRC and CRPD frameworks which are set out below. While the Charter cannot be directly relied upon in domestic contexts⁴, when national courts are dealing with questions of EU law (e.g. the Victims' Rights Directive) they must consider the relevant provisions of it.⁵

2.1.2 Victims' Rights Directive 2012/29/EU

The Victims' Rights Directive⁶ is a cornerstone of the EU's approach to protecting victims' rights within criminal proceedings. The Directive establishes minimum standards on the rights, support and protection of victims of crime and applies to "criminal offences committed in the Union and to criminal proceedings that take place in the Union".⁷ These must be transposed into national legislation by Member States. For children with intellectual and psychosocial disabilities, several provisions are particularly significant.

Recital 14 of the Directive states that:

In applying this Directive, children's best interests must be a primary consideration, in accordance with the Charter of Fundamental Rights of the European Union and the United Nations Convention on the Rights of the Child adopted on 20 November 1989. Child victims should be considered and treated as the full bearers of rights set out in this Directive and should be entitled to exercise those rights in a manner that takes into account their capacity to form their own views.⁸

⁴ [Charter of Fundamental Rights of the European Union \[2012\] OJ C326/391, Article 51\(1\)](#)

⁵ [Åklagaren v Hans Åkerberg Fransson \(Case C-617/10\) EU:C:2013:105, \[2013\] ECR I-280, para 19](#)

⁶ [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 [2012] OJ L315/57

⁷ Ibid, Recital 13

⁸ Ibid, recital 14

The Directive therefore grounds itself in both the Charter and the UNCRC.

The Directive is also clear that one of the types of support available should be “specific services for children as direct or indirect victims”.⁹

Article 3 of the Directive provides for the right to understand and to be understood and places both negative and positive obligations on Member States to “ensure that communications with victims are given in simple and accessible language,” considering “any disability which may affect the ability to understand or to be understood.” This is of clear relevance to children with intellectual and psychosocial disabilities who may require adapted communication methods.

Article 22 of the Directive requires Member States to ensure that victims receive an “individual assessment, in accordance with national procedures, to identify specific protection needs.” This assessment must consider “the personal characteristics of the victim,” including any disability, as well as “the type or nature of the crime and the circumstances of the crime.” That provision also notes that “victims who have suffered a crime committed with a bias or discriminatory motive which could, in particular, be related to their personal characteristics; victims whose relationship to and dependence on the offender make them particularly vulnerable” should be duly considered. Most importantly for the purposes of this project, “victims with disabilities shall be duly considered”, recognising that disability itself may give rise to specific vulnerabilities in the context of criminal proceedings.

Article 24 of the Directive sets out additional protections specifically for child victims, including that “all interviews with the child victim may be audio visually recorded and such recorded interviews may be used as evidence in criminal proceedings.” It also provides for the appointment of special representatives where parental responsibility

⁹ Ibid, recital 38

is precluded due to conflict of interest or where the child victim is unaccompanied or separated from the family.

Article 26 of the Directive provides for cooperation and coordination of services and requires Member States to “take appropriate action to facilitate cooperation between Member States to improve the access of victims to the rights set out in this Directive and under national law” including “the exchange of best practices,” “consultation in individual cases,” and “assistance to European networks working on matters directly relevant to victims’ rights.” There is therefore a need for specialised and coordinated support services that can address the needs of child victims with disabilities, as well as an obligation on Member States to engage in awareness-raising and education to reduce their risk of victimisation.

2.1.3 Directive 2011/93/EU on combating sexual abuse and sexual exploitation of children

In addition to the Victims’ Rights Directive, Directive 2011/93/EU on combating the sexual abuse and sexual exploitation of children and child pornography¹⁰ sets out protections specifically for child victims of sexual offences. It contains a number of provisions that are particularly relevant for children with intellectual and psychosocial disabilities, who are at increased risk of sexual victimisation.

Article 3 criminalises different forms of sexual abuse, with higher penalties attaching where this involves a particularly vulnerable situation of a child – in the words of the Directive: “because of a mental or physical disability or a situation of dependence”. Article 15 places an obligation on Member States to conduct criminal investigations

¹⁰ [Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011](#) on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA [2011] OJ L335/1

even where the child victim has not filed a complaint – a particularly important provision for children with communication-related disabilities.

Article 20 sets out measures for child victims during criminal investigations and proceedings which have particularly positive potential for child victims with disabilities, requiring that:

- (a) Interviews with child victims take place without unjustified delay.
- (b) Interviews occur in premises designed or adapted for this purpose.
- (c) Interviews be conducted by or through professionals trained for this purpose.
- (d) The same persons, if possible, conduct all interviews.
- (e) The number of interviews be as limited as possible.
- (f) The child victim may be accompanied by a legal representative or an adult of their choice.

Article 20(4) also states that interviews with child victims or witnesses may be recorded, and such recordings may be used as evidence in criminal court proceedings.

Article 20(5)(b) requires Member States to ensure that courts can order private hearings and allow child victims to give evidence remotely using video links or other communication technology.

2.2 International Standards

Both the UNCRC and the CRPD contain vital protections for children with disabilities who are engaged with the criminal justice system.

2.2.1 UN Convention on the Rights of the Child (UNCRC)

The UNCRC, adopted by the UN General Assembly in 1989, is the most widely ratified international human rights treaty. It recognises children not merely as objects of protection but as rights-holders with evolving capacities. This principle is affirmed in General Comment No. 12 (2009) on the right of the child to be heard¹¹ and General Comment No. 20 (2016) on the rights of the child during adolescence¹². Both declare children's capacity to form and express views and the obligation to provide appropriate support based on their evolving capacities. It defines a child as anyone under the age of 18, unless national law defines an early age of majority.¹³

The UNCRC sets out fundamental principles regarding children's rights, including:

- Article 2: Non-discrimination – all rights apply to all children without exception.
- Article 3: The best interests of the child as a primary consideration.
- Article 6: The right to life, survival, and development to the maximum extent possible.
- Article 12: The right to express views freely in all matters affecting them. General Comment No. 12 (2009) clarifies that Article 12 applies to all judicial and administrative proceedings and that children with disabilities must receive support to express their views, including through accessible formats and assistance.¹⁴

¹¹ UN Committee on the Rights of the Child, 'General Comment No. 12 (2009): The right of the child to be heard' (20 July 2009) UN Doc CRC/C/GC/12

¹² UN Committee on the Rights of the Child, 'General Comment No. 20 (2016) on the implementation of the rights of the child during adolescence' (6 December 2016) UN Doc CRC/C/GC/20

¹³ [Article 1 of the UN Convention on the Rights of the Child](#)

¹⁴ UN Committee on the Rights of the Child, 'General Comment No. 12 (2009): The right of the child to be heard' (20 July 2009) UN Doc CRC/C/GC/12, para 34

Article 23 is of particular relevance, affirming as it does the rights of children with disabilities to enjoy full and meaningful lives. It also emphasises that countries must ensure these children live with dignity, develop independence, and actively participate in their communities. When read in conjunction with Article 2's prohibition of discrimination on the grounds of disability, what emerges is an obligation to make justice systems accessible and non-discriminatory for children with disabilities.

Evolving Capacity and Participation Rights

Article 5 of the UNCRC is particularly central to the support of children with disabilities in criminal proceedings as it recognises that parents and guardians should provide "direction and guidance" that is "appropriate to the evolving capacities of the child". As such, an individual approach should be taken to supporting children to exercise the rights, including the right to access to justice.

In the context of children with disabilities, it is of particular importance to note that the UN Committee on the Rights of the Child has been clear that the concept of 'evolving capacity' contained in the UNCRC should not be used as a means to deny children the right to exercise their rights, but instead be used to determine the extent and nature of the support that they may require to do so:

Evolving capacities should be seen as a positive and enabling process, not an excuse for authoritarian practices that restrict children's autonomy and self-expression and which have traditionally been justified by pointing to children's relative immaturity and their need for socialization.¹⁵

¹⁵ [General Comment No. 7 \(2005\): Implementing Child Rights in Early Childhood' \(20 September 2005\)](#) UN Doc CRC/C/GC/7/Rev.1, para 17. See also: Varadan, S. (2019). The Principle of Evolving Capacities under the UN Convention on the Rights of the Child. *The International Journal of Children's Rights*, 27(2), 306-338.

As such, authorities should be wary of excluding children with disabilities from participation in criminal proceedings based on erroneous assumptions about their capacity.

Additional Protections

Article 19 set out the requirement to protect children from violence and requires States to take “all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation”. This is of particular importance in the case of children with disabilities, who are at increased risk of victimisation. General Comment No. 9 (2006), para. 42, recognises that children with disabilities face higher risks of abuse and exploitation and require specific protective measures.¹⁶ Article 39, obliges States to promote the “physical and psychological recovery and social reintegration of a child victim” of various forms of harm - including abuse and torture. This recovery must take place “in an environment which fosters the health, self-respect and dignity of the child”. In the case of children with disabilities, this can be taken to translate to accessible rehabilitation services and trauma-informed support that accommodates their individual needs.

Criminal Justice Obligations

Under Article 19(2) of the UNCRC, States are required to establish “social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment ... and, as appropriate, for judicial involvement”. As such, there is a positive obligation on States to set up accessible reporting mechanisms, trained professionals who are able to work

¹⁶ UN Committee on the Rights of the Child, 'General Comment No. 9 (2006): The rights of children with disabilities' (27 February 2007) UN Doc CRC/C/GC/9, para 42

with child victims with disabilities, and provide support services both during and after the criminal proceedings. General Comment No. 13 (2011) on the right of the child to freedom from all forms of violence highlights the necessity of child-friendly and accessible procedures for all children, especially those with disabilities.¹⁷

¹⁷ UN Committee on the Rights of the Child, 'General Comment No. 13 (2011): The right of the child to freedom from all forms of violence' (18 April 2011) UN Doc CRC/C/GC/13

2.2.2 UN Convention on the Rights of Persons with Disabilities (CRPD)

The CRPD also establishes relevant obligations for States regarding child victims' rights to access to justice, based on the human rights model of disability.¹⁸ The human rights model recognises that disability results not from individual impairments but from the interaction between persons with impairments and attitudinal and environmental barriers that hinder their full participation in society on an equal basis with others. Rather than viewing persons with disabilities as objects of treatment, charity or social protection, the CRPD recognises them as subjects with rights who are capable of claiming those rights and making decisions about their lives based on their free and informed consent. This approach informs all aspects of the CRPD, including its provisions regarding access to justice for children with disabilities.

Article 7(1) of the CRPD states:

States Parties shall take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children.

¹⁸ Degener, T. (2016). [Disability in a Human Rights Context](#). *Laws*, 5(3), 35; Degener, T. (2016). A human rights model of disability. In *Routledge handbook of disability law and human rights* (pp. 31-49). Routledge; Waddington, L., & Priestley, M. (2021). [A human rights approach to disability assessment](#). *Journal of International and Comparative Social Policy*, 37(1), 1-15; Ruškus, J. (2023). [Transformative justice for elimination of barriers to access to justice for persons with psychosocial or intellectual disabilities](#). *Laws*, 12(3); Degener, T., & De Castro, M. G. C. (2022). Toward inclusive equality: ten years of the human rights model of disability in the work of the UN Committee on the Rights of Persons with Disabilities. In *Disability law and human rights: Theory and policy* (pp. 27-46). Cham: Springer International Publishing 51; Arstein-Kerslake, A., Maker, Y., Flynn, E., Ward, O., Bell, R., & Degener, T. (2020). [Introducing a human rights-based disability research methodology](#). *Human Rights Law Review*, 20(3), 412-432

There is therefore an obligation on States to facilitate children with disabilities' access to justice and their participation rights during the criminal justice process on an equal basis with other children.

The CRPD also echoes the language of the UNCRC is affirming that "[i]n all actions concerning children with disabilities, the best interests of the child shall be a primary consideration"¹⁹.

The CRPD recognises the existence of 'multiple discrimination' experienced by women and girls with disabilities²⁰ and requires States to address the intersectional discrimination which can arise based on disability combined with other characteristics such as age, gender, and ethnicity.

Under Article 9(1) of the CRPD, State Parties must take "appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems". Article 9(2) places a requirement on States Parties to "[p]rovide training for stakeholders on accessibility issues facing persons with disabilities".

More specifically to the situation of child victims with disabilities, States Parties to the CRPD are also required to ensure that children with disabilities "can express their views freely on all matters affecting them" and must provide "disability and age-appropriate assistance to realize that right".²¹ Article 13(1) mandates "procedural and age-appropriate accommodations" to facilitate effective participation in legal proceedings. This is supplemented by Article 21 which guarantees persons with disabilities, including children with disabilities, "the freedom to seek, receive and impart

¹⁹ [Article 7\(2\) of the UN Convention on the Rights of Persons with Disabilities](#)

²⁰ Ibid, Article 6(1)

²¹ Ibid, Article 7(3)

information and ideas on an equal basis with others and through all forms of communication of their choice”. This requires the provision of information in accessible formats and technologies “in a timely manner and without additional cost”, as well as the acceptance and facilitation of “sign languages, Braille, augmentative and alternative communication, and all other accessible means, modes and formats of communication of their choice by persons with disabilities in official interactions”. As such, communication support should be available throughout all stages of the criminal proceedings.

The Committee on the Rights of Persons with Disabilities, in interpreting Article 5(3) on reasonable accommodation has stated that procedural accommodations in the context of access to justice should not be confused with reasonable accommodation; while the latter is limited by the concept of disproportionality, procedural accommodations are not.²² As such States cannot claim that such accommodations would constitute an ‘undue burden’ or disproportionate effort.

Article 16 of the CRPD (freedom from violence and abuse) is also of relevance to child victims with disabilities as it requires States to “take all appropriate legislative, administrative, social, educational and other measures to protect persons with disabilities, both within and outside the home, from all forms of exploitation, violence and abuse, including their gender-based aspects”. Article 16 also sets out obligations to prevent, identify, investigate, and prosecute the victimisation of persons with disabilities, where necessary with age- and gender-sensitive protection and support services.

The obligation to engage in awareness-raising under Article 8 translates to a requirement on States to provide disability awareness training for police, prosecutors,

²² [Committee on the Rights of Persons with Disabilities, 'General Comment No. 6 \(2018\) on Equality and Non-discrimination'](#) (26 April 2018) UN Doc CRPD/C/GC/6, para 25

judges, and other legal professionals on the needs and rights of child victims with disabilities.

International Principles and Guidelines on Access to Justice for Persons with Disabilities

The *International Principles and Guidelines on Access to Justice for Persons with Disabilities* (adopted by the United Nations in 2020) provide guidance on the implementation of Article 13 of the CRPD²³ including for children with disabilities.

Principle 3 is of particular relevance to child victims with disabilities, establishing that "Persons with disabilities, including children with disabilities, have the right to appropriate procedural accommodations." The Guidelines affirm that procedural accommodations "encompass all the necessary and appropriate modifications and adjustments needed in a particular case, including intermediaries or facilitators, procedural adjustments and modifications, adjustments to the environment and communication support." Such accommodations are not subject to the limitations that apply to reasonable accommodations, i.e. they cannot be refused on grounds of disproportionate burden or undue hardship.

Principle 8 sets out that "Persons with disabilities have the rights to report complaints and initiate legal proceedings concerning human rights violations and crimes, have their complaints investigated and be afforded effective remedies." This principle includes the requirement to have accessible complaint mechanisms and effective investigations that accommodate the needs of persons with disabilities.

²³ Office of the United Nations High Commissioner for Human Rights, *International Principles and Guidelines on Access to Justice for Persons with Disabilities* (August 2020), available at: https://www.ohchr.org/sites/default/files/Documents/Issues/Disability/SR_Disability/GoodPractices/Access-to-Justice-EN.pdf

Other principles relevant to children with disabilities include:

- Principle 2: Requiring that "facilities and services must be universally accessible to ensure equal access to justice without discrimination".
- Principle 4: Guaranteeing that "persons with disabilities have the right to access legal notices and information in a timely and accessible manner on an equal basis with others".
- Principle 6: Ensuring "the right to free or affordable legal assistance," with a specific obligation to provide free or affordable legal assistance to children with disabilities in all matters.
- Principle 10: Mandating that "all those working in the justice system must be provided with awareness-raising and training programmes addressing the rights of persons with disabilities".

The Guidelines emphasise that accommodations must be both disability-appropriate and age-appropriate. In doing so, they recognise the dual vulnerabilities that children with disabilities face in justice proceedings.

2.3 The Interaction between EU Law, UNCRC and CRPD

The European Union's legal framework for protecting child victims with disabilities exists within a multi-layered system, where EU directives and regulations interact with international human rights law. This architecture leads to areas of both alignment and challenge for implementation at the national level.

2.3.1 Complementary Legal Frameworks

The EU legal order incorporates key principles from both the UNCRC and CRPD, creating a complementary framework. Article 24 of the EU Charter of Fundamental Rights enshrining children's rights is largely reflective of UNCRC principles, whilst the Article 26 recognition of the right of persons with disabilities to benefit from measures ensuring their independence, social integration and participation in community life echoes CRPD provisions. Furthermore, the Victims' Rights Directive states that children's best interests must be a primary consideration when applying the Directive, consistent with the UNCRC.

This complementarity is reinforced by the fact that the EU ratified (or 'acceded to') the CRPD in 2010 - the first international human rights treaty to which the EU became a party. As such, the CRPD has become a core part of the EU legal order, taking precedence over secondary EU legislation. And while the EU cannot ratify the UNCRC due to its membership requirements, all EU Member States have done so, creating a strong normative expectation of compliance.

2.3.2 Harmonising trends

There are recent indications of greater harmonisation between these legal frameworks. The EU Strategy on the Rights of the Child (2021-2024) and the EU Strategy for the Rights of Persons with Disabilities (2021-2030) both affirm the importance of aligning EU policies with the UNCRC and CRPD respectively. Similarly, the EU Strategy on the Rights of Victims (2020-2025) states that "actions under this strategy will be in line with the provisions of the United Nations Convention on the Rights of Persons with Disabilities". It also commits to "strengthen cooperation with international and regional partners, such as the United Nations and the Council of Europe to promote high international standards for victims' rights", including child victims and victims with disabilities.

2.3.3 Key Obligations

Based on the above, a number of key obligations regarding child victims with disabilities can be established:

Core Legal Protections

Children's best interests must be a primary consideration. Child victims should be treated as full bearers of rights and entitled to exercise those rights in a manner that considers their capacity to form their own views.

Communication and Accessibility

Communication during the criminal justice process must be accessible. This is particularly relevant for children with intellectual and psychosocial disabilities who may need adapted communication methods.

Individual Assessment of Needs

Child victims with disabilities must be given an individual assessment. This is a multidisciplinary approach focusing on the voice and rights of the child designed to ensure that children receive the necessary protections and accommodations to participate effectively in the judicial process. The purpose of this assessment is not to assess impairment but instead to identify the child's support needs.

Special Procedural Protections

There is an obligation on States ensure specific accommodations are made for child victims with disabilities throughout the criminal justice process, including accessible communication, specialised interview environments, trained personnel, recorded testimony, and limited questioning. This may also require proactive investigations even without formal complaints, and procedural adaptations that consider their specific disability-related requirements. Child victims with disabilities must be enabled to participate effectively in proceedings through measures such as having consistent

interviewers, being accompanied by chosen support persons, and receiving information in accessible formats. These protections seek to mitigate against both the heightened vulnerability of children with disabilities to victimisation, as well as the additional barriers they face when seeking justice.

Procedural Accommodations

Child victims with disabilities must be afforded all necessary and appropriate modifications and adjustments in the context of access to justice in order to achieve their participation in the legal process. Procedural accommodations differ from reasonable accommodations they are not constrained by the concept of “disproportionate or undue burden”.²⁴ These accommodations are intended to achieve accessibility and fairness for the child to prevent discrimination based on disability and/or age.

Coordination and Cooperation

There is an obligation on States to provide specialised and coordinated support services that address the needs of child victims with disabilities, as well as awareness-raising and education to reduce victimisation risks.

2.3.4 Data Collection and Monitoring Obligations

The systematic collection of disaggregated data about children with disabilities in justice systems forms part of States' monitoring obligations under international law. Article 31 of the CRPD requires States to collect "appropriate information, including statistical and research data" to assess implementation and "identify and address the barriers faced by persons with disabilities in exercising their rights." This information must be "disaggregated, as appropriate" while also complying with data protection and ethical research principles.

²⁴ [United Nations, 'International Principles and Guidelines on Access to Justice for Persons with Disabilities'](#) (August 2020)

The UNCRC Committee has also highlighted the importance of data collection for children with disabilities, noting that "it is necessary for States parties to set up and develop mechanisms for collecting data which are accurate, standardized and allow disaggregation, and which reflect the actual situation of children with disabilities."²⁵ The Committee has also raised concerns about the lack of disaggregated data in juvenile justice systems and has urged States to "systematically collect disaggregated data relevant to the information on the practice of the administration of juvenile justice."²⁶

Research has nevertheless identified gaps in existing monitoring systems. Although EU the Victims' Rights Directive requires Member States to provide data on victims accessing rights, no specific mention is made of disability.²⁷ Similarly, emerging indicator systems for children's rights and access to justice often lack sufficient disaggregation to render children with disabilities visible in monitoring processes.²⁸

This data invisibility perpetuates the marginalisation of children with disabilities in justice systems by preventing evidence-based policy development as well as obscuring patterns of discrimination or exclusion.

²⁵ Committee on the Rights of the Child, General Comment No. 9 (2006): The rights of children with disabilities, 27 February 2007, CRC/C/GC/9, para. 15

²⁶ Committee on the Rights of the Child, General Comment No. 10: Children's rights in juvenile justice, 25 April 2007, CRC/C/GC/10, para. 98

²⁷ Anna Lawson, *Access to Justice for Children with Mental Disabilities: The Collection and Dissemination of Data: Guidance Report* (Leeds – Budapest: University of Leeds – Mental Disability Advocacy Center, 2015), p.8. Available at: <https://www.mdac.org/en/accessing-justice-children>

²⁸ Anna Lawson, *Access to Justice for Children with Mental Disabilities: The Collection and Dissemination of Data: Guidance Report* (Leeds – Budapest: University of Leeds – Mental Disability Advocacy Center, 2015), p. 10. Available at: <https://www.mdac.org/en/accessing-justice-children>

2.4 From Theory to Practice

Despite these legal obligations established through the frameworks of EU law, the UNCRC, and the CRPD, implementation gaps persist across EU Member States. The following cross-country analysis examines how these legal frameworks operate in practice and identifies the barriers that prevent child victims with disabilities from accessing justice.

03

CROSS COUNTRY ANALYSIS OF BARRIERS

Despite the legal frameworks for child victims with disabilities set out in Chapter 2, children with intellectual and psychosocial disabilities continue to encounter systemic barriers when seeking justice. These obstacles span multiple dimensions—from inadequate individual assessments and inaccessible communication to attitudinal prejudice and fragmented service provision. The below findings from the project countries demonstrate how seemingly neutral procedures can become discriminatory in practice when they lack a disability-informed approach.

3.1 Implementation Gaps in National Frameworks

While all seven countries examined in the project had transposed the EU Victims' Rights Directive into national legislation, there was as consistent pattern of implementation gaps which prevented the actual realisation of children with disabilities' rights. For example, while there have been legislative improvements, there have been practical challenges in implementation and protection of the right of children with disabilities to access to justice.²⁹ In Bulgaria, a legislative omission has created a potential implementation gap as the Bulgarian Criminal Procedure Code (which sets out the rules for criminal proceedings) does not use the term 'children with disabilities' and has no provisions that could prevent indirect discrimination against children with disabilities who may have communication difficulties.³⁰ This has the effect of excluding children with disabilities from accessing justice if they are victims of a crime. In Italy, the law lacks a specific concept to refer to a child's potential disabilities, instead using the term 'particularly vulnerable victim' in criminal procedure law. The person's 'vulnerability' is deduced from factors such as 'age and state of infirmity or psychosocial

²⁹ PsP, [Lithuanian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 13.

³⁰ KERA Foundation, [Bulgarian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 8.

disability, the type of crime and the methods and circumstances of the crime' and does not provide for an individual assessment of the needs of children with disabilities.³¹ In Hungary, there is no obligation to conduct an individual assessment where a child is identified as having a disability.³²

This demonstrates that while transposition of EU directives into legislation is an important initial step, the absence of proper implementation leaves the rights of child victims with disabilities largely theoretical.

3.2 Inadequate Individual Assessment Procedures

Across the seven countries, individual assessment of the specific needs of child victims with disabilities which inform procedural accommodations are either absent, poorly implemented, or lack clear guidelines. In Lithuania, individual needs assessments are not systematically carried out for all children, and their views, wills, and preferences are regularly not heard. This is especially the case for children with psychosocial and/or intellectual disabilities, and those with communication-related disabilities, including AAC users.³³ Where assessments are carried out, they can often fail to consider disability-specific needs which results in children with disabilities having inadequate support.³⁴ The Czech Republic does not provide for any obligation or specific procedures for the assessment of support needs or accessibility for children with disabilities.³⁵ In Bulgaria, individual assessment is understood differently by different professionals (including who is supposed to conduct them) and, in any case, does not

³¹ CNR, [Italian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 19.

³² Dr Boglárka Jánoskúti and Dr Adél Kegye, *The Situation of Child Victims with Intellectual and Psychosocial Disabilities in Child Protection and Criminal Proceedings* (July 2025), p. 8

³³ PsP, [Lithuanian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 38.

³⁴ Ibid, p.38-39.

³⁵ SPMP CR, [Czech Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 29.

guarantee the provision of procedural accommodations for children with disabilities.³⁶ There was a lack of understanding amongst all justice actors of the role and importance of communication specialists, special techniques, or technologies to support the participation child victims with disabilities.³⁷ In Portugal, while Article 67-A of the Code of Criminal Procedure recognises 'especially vulnerable' victims, including children and persons with disabilities, it provides no specific guidelines for authorities on how to perform this assessment.³⁸ And although Article 93 of the Portuguese Code of Criminal Procedure sets out the measures that must be taken when providing statements by 'deaf, hard of hearing, or mute' individuals, it does not refer to specific measures for children with disabilities. It only specifies a particular communication style depending on the disability or the appointment of an interpreter to facilitate communication between parties.³⁹ Italy's Article 90-quater of its Criminal Procedure Code states that "the condition of particular vulnerability of the offended person is inferred not only from their age and physical or mental condition but also from the nature of the crime and the circumstances surrounding it for which proceedings are underway".⁴⁰ As such, the law does not clearly set out how prosecutors or judges are supposed to establish the procedural accommodations and/or accessibility requirements of a child with a disability. Hungary's approach to individual assessment is an unfortunate example of how progressive legislation can inadvertently create barriers. This is because while children with disabilities are automatically entitled to 'special treatment', there is no obligation to conduct an individual assessment unless authorities are made aware of

³⁶ KERA Foundation, [Bulgarian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 48.

³⁷ KERA Foundation, [Bulgarian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p.50.

³⁸ APAV and FENACERCI, [Portuguese Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p.21-22.

³⁹ Ibid, p. 39

⁴⁰ CNR, [Italian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 82.

particular needs the child has. This can lead to situations where children's disabilities may only be discovered during the proceedings themselves.⁴¹

Individual assessments and consequent accommodations for children with disabilities in the criminal justice system are therefore haphazard and dependent on justice actors' discretion, rather than being based on systemic procedures. This results in incoherence and inequity in access to justice.

⁴¹ Dr Boglárka Jánoskúti and Dr Adél Kegye, *The Situation of Child Victims with Intellectual and Psychosocial Disabilities in Child Protection and Criminal Proceedings* (July 2025)

Table: Comparative Analysis of Individual Assessment Procedures for Child Victims with Disabilities Across Seven EU Countries

Country	Legal Basis	Who Conducts Assessment	When Conducted	Scope of Assessment	Key Strengths	Key Gaps
Bulgaria	No specific legal provision for disability-focused assessments	Unclear – varies by professional (police, prosecutors, judges)	Inconsistent timing – no systematic approach	Limited – based on information from others who know the child, excluding child's direct input	• Some recognition of need for assessment • 'Blue rooms' available in some locations	• Child excluded from own assessment • No guarantee of procedural accommodations • Lack of understanding amongst justice actors
Czech Republic	No specific duty; only general requirement to tailor communications	Not specified – left to individual discretion	Ad hoc basis	General communication needs only	• General awareness of communication adaptation	• No formal assessment procedures • No disability-specific provisions • Entirely discretionary
Italy	Article 90-quater Criminal Procedure Code – 'particularly vulnerable victim'	Prosecutors and judges	During investigation or trial	Age, mental condition, crime type and circumstances	• Legal framework exists • 'Probative evidence hearing' system	• No clear guidelines for assessment • Relies on medical model • Lacks specific disability focus
Lithuania	Formally transposed in 2021 but not systematically implemented	Varies – no designated responsible party	Rarely conducted, especially for children with disabilities	When conducted, limited scope	• Legal framework technically exists	• Not systematically carried out • Views of children with disabilities regularly not heard • No changes to Criminal Procedure Code
Portugal	Article 67-A Criminal Procedure Code –	Authorities (unspecified)	Not clearly defined	Recognises children and persons with disabilities as vulnerable	• Legal recognition of vulnerability	• No specific guidelines for authorities • No reference to children with disabilities specifically

	<i>'especially vulnerable victims'</i>				• Some communication provisions (Article 93)	• Limited to communication style
Slovenia	<i>Legislative framework exists but implementation varies</i>	<i>Multiple professionals (social workers, police, courts)</i>	<i>Various stages – often repeated</i>	<i>Varies by institution</i>	• Children's House model • Multiple touchpoints for assessment	• Information not adapted for intellectual/psychosocial disabilities • Onus on individual to request accommodations • Multiple assessments cause repetition
Hungary	<i>Criminal Procedure Act – automatic 'special treatment'</i>	<i>Police, prosecutors, judges</i>	<i>Only when express awareness of needs</i>	<i>Automatic entitlement negates assessment requirement</i>	• Barnahus model operational • Some police training	• No 'ex officio' obligation • Relies on professional discretion • Gaps in systemic approach • Limited uniform protocols

3.3 Procedural Rigidity and Secondary Victimisation

The research across the seven countries showed that despite some legislative measures intended to prevent against it, criminal proceedings themselves can often result in the secondary victimisation of child victims with disabilities.

For example, in Slovenia, children may have to give evidence as many as seven or more times in different settings (e.g. school, social work centres, police, experts, during investigations, and at hearings) raising the risk of retraumatisation.⁴² In Bulgaria, investigating police officers report that cases involving a child typically include at least two interviews during the pre-trial phase and usually a third during judicial proceedings. This occurs despite provisions allowing for recorded interviews to be used in court under certain conditions. In Portugal, legislation intended to prevent secondary victimisation is often not implemented in practice.⁴³ In Lithuania, child victims are often required to undergo multiple interviews without adequate protection measures.⁴⁴ Research in Hungary showed a similar pattern of multiple which increased the risk of traumatisation. This is despite the fact that provisions exist under Hungarian law for recorded interviews to be used as evidence in court. Further, in Hungary, even when Barnahus interviews are conducted, they may not always be considered as replacements for forensic psychological examinations. This can lead to children facing multiple assessments for similar purposes.⁴⁵

⁴² PiC, [Slovenian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 60.

⁴³ APAV and FENACERCI, [Portuguese Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 24.

⁴⁴ PsP, [Lithuanian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 39-40.

⁴⁵ Dr Boglárka Jánoskúti and Dr Adél Kegye, *The Situation of Child Victims with Intellectual and Psychosocial Disabilities in Child Protection and Criminal Proceedings* (July 2025), p. 31

These findings are particularly concerning for children with disabilities who may find traditional legal procedures particularly challenging to navigate.

3.4 Age-Based Legal Distinctions

The research revealed a wide variation in the legal distinctions based on age that can have consequences for children's rights and the procedural protections that they are afforded across the seven project countries. This can result in the existence of arbitrary thresholds that do not consider the individual needs of children with disabilities. For example, in Slovenia, only minors above the age of 16 years have the right to file a motion for prosecution themselves, with younger children (or those deemed not to have legal capacity) having to rely on legal representatives to do so. An identical age distinction is made regarding being summoned as witnesses.⁴⁶ Such an approach fails to take into account the diverse impairments that may impact upon children's ability to engage in these aspects of the criminal justice system. In Bulgaria, Article 15 of the Child Protection Act requires that children over the age of 10 must be heard in all judicial and administrative procedures affecting them (although this rule may be waived if it is considered that it may be harmful), while for those under 10, hearings are a matter of discretion of the authority based on the child's development level. However, a review of the case law shows that children with disabilities are often not heard regardless of their age, with courts assuming that this is 'not in their best interests'.⁴⁷ A child's disability can therefore be viewed as restricting rather than enhancing their rights. A two-tier system distinguishes between children under 14 and those aged 14-18 in Hungary's Criminal Procedure Act. For those under 14, stricter rules apply, such as mandatory video and audio recording and a prohibition on cross examination.

⁴⁶ PiC, [Slovenian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 26.

⁴⁷ KERA Foundation, [Bulgarian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 30.

However, these stricter requirements do not have to be complied with when the case is one concerning assault and battery, child endangerment, or domestic violence.⁴⁸ This creates an arbitrary distinction which may result in the child being deprived of procedural accommodations.

This focus on age rather than on individual needs may result in inadequate protection or unnecessary restrictions on children with disabilities' legal agency.

3.5 Limited Legal Representation

Even though access to quality legal representation is a cornerstone of navigating the criminal justice system, across all seven countries, children with disabilities face barriers to accessing this. This is particularly the case in cases where there is a conflict of interest between children and their parents/guardians.

While the law in Slovenia does state that a minor must have a lawyer to ensure their rights throughout criminal proceedings and that this will be provided to them if necessary, concerns have been raised about the quality of that legal representation – particularly the capacity of lawyers to do more than simply explain the law in strict terms.⁴⁹ In addition, while a system of 'children's advocates' intended to provide psychosocial support and help children express their views, this system has mainly been used in civil law cases.⁵⁰

In Lithuania, a child's first meeting with their government-appointed attorney occurs only at court.⁵¹ This lack of preparation has the potential to have particularly negative

⁴⁸ Dr Boglárka Jánoskúti and Dr Adél Kegye, *The Situation of Child Victims with Intellectual and Psychosocial Disabilities in Child Protection and Criminal Proceedings* (July 2025), p. 27

⁴⁹ PiC, [Slovenian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 24.

⁵⁰ Ibid, p. 40

⁵¹ PsP, [Lithuanian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 39.

consequences for children with disabilities, who may require additional time and support to understand legal proceedings and express their needs and perspectives. A similarly minimalist approach to legal representation of child clients was detected in Slovenia.⁵² In Bulgaria, lack of training of lawyers on the needs of child clients with disabilities can lead to some lawyers withdrawing from cases involving them.⁵³

The research in Hungary found that any lawyer can be a ‘guardian ad litem’ without undergoing an aptitude test or other special training.⁵⁴

The above issues can result in a failure of the child’s voice being heard, as well as a lack of procedural protection for them in criminal proceedings.

3.6 Communication and Information Accessibility

Across the countries examined, child victims with disabilities faced barriers to accessing information about their rights and the legal proceedings they were involved in.

3.6.1 Inaccessible Information Formats

In Slovenia, brochures and online information are not adjusted to meet the needs of people with intellectual or psychosocial disabilities (e.g. easy-to-read materials or formats adapted for AAC users).⁵⁵ Court invitations contain a statement requesting persons with disabilities to notify the court of any accommodations that a person might need to participate in hearings - placing the onus on the individual rather than the court

⁵² PiC, [Slovenian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 37.

⁵³ KERA Foundation, [Bulgarian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 55.

⁵⁴ Dr Boglárka Jánoskúti and Dr Adél Kegye, *The Situation of Child Victims with Intellectual and Psychosocial Disabilities in Child Protection and Criminal Proceedings* (July 2025), p. 36

⁵⁵ PiC, [Slovenian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p.35-36.

- and many recipients do not understand what this means or what kinds of accommodations they could request.⁵⁶ This clearly puts child victims with disabilities at an even greater disadvantage and demonstrates a lack of understanding on the part of the authorities as to what information accessibility requires.

In Lithuania, materials for child victims are not generally accessible, with information often being directed at guardians or the child's support person. These materials are also not appropriately adapted for age, gender and disability requirements. Professionals do not have the necessary knowledge and skills to communicate with children with disabilities in an accessible way or to engage with children who use alternative communication methods.⁵⁷ As such, children with disabilities are effectively excluded from understanding and participating in proceedings that concern them.

Bulgaria's electronic justice systems and portals do not present information in easy-read format, provide visualisations, or other means to ensure the child's understanding, regardless of whether they have disabilities or not. In addition, for a child to access the information, they must rely on an adult to assist them by registering and providing an electronic signature. The system is therefore not universally accessible to children with disabilities and the potential conflicts of interest which arise present an obstacle to their access to justice.⁵⁸

In Italy, the code of criminal procedure does not make any provision for the methods to be used in providing procedural information to children with disabilities. In general,

⁵⁶ Ibid, p. 36

⁵⁷ PsP, [Lithuanian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p.7.

⁵⁸ KERA Foundation, [Bulgarian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 43-44.

this information is given to them through their lawyer, who may not be skilled in providing accessible information.⁵⁹

3.6.2 Communication Barriers and Technical Language

Technical legal language and jargon present a significant barrier to comprehension across the countries. In Slovenia, although the Ministry of Justice has created booklets explaining court proceedings to children, none have been designed to meet the needs of children with intellectual and psychosocial disabilities.⁶⁰ It was found that information contained in a police reporting form was similarly inaccessible for children with disabilities in the Czech Republic.⁶¹

In Portugal, 9 out of 10 interviewed professionals stated that the courtroom process is too formal, creating a barrier for children – especially those with disabilities – and that that formality extends to the general legal system. There was also a sense that there was a lack of resources within the system to effectively address this.⁶²

Overall, justice systems remain largely designed for adults without disabilities. The failures to adapt communication approaches and legal language excludes children with disabilities from engaging meaningfully in the proceedings that directly affect them.

⁵⁹ CNR, [Italian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 35.

⁶⁰ PiC, [Slovenian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 57.

⁶¹ SPMP CR, [Czech Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 33.

⁶² APAV and FENACERCI, [Portuguese Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 28 & 41.

3.7 Physical Accessibility and Digital Integration

3.7.1 Physical Infrastructure Limitations

Physical accessibility issues in police stations and courthouses arose throughout the seven countries. For example, in Lithuania, not every police station has adequate children's interview rooms and even where they do exist, they are not always adapted for children with disabilities.⁶³ Slovenia presents a mixed picture, with general progress being made on adapting physical infrastructure to meet children with disabilities' needs, but with court rooms and buildings outside the court environment adapted to varying extents.⁶⁴ While Bulgaria has developed a system of 'blue rooms' - separate, adapted rooms for interviewing children with and without disabilities – their location, availability, and use is variable.⁶⁵ While Hungary began establishing child hearing rooms in police building from 2011, the Hungarian research revealed limitations, with one child protection worker describing them as 'ordinary police offices' that 'have one or two of these dirty toys in them' where 'the cigarette smoke from ten years ago is still embedded in the wall... but the safe, the guns, they're all on the wall and the police medals.'⁶⁶

In Portugal, there is inadequate physical access to courts and related facilities, combined with a lack of accessible transportation for children to travel to them.⁶⁷ In Italy, while courts generally have 'child-friendly' rooms where the child can give

⁶³ PsP, [Lithuanian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 21.

⁶⁴ PiC, [Slovenian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 54.

⁶⁵ KERA Foundation, [Bulgarian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 56-57

⁶⁶ Dr Boglárka Jánoskúti and Dr Adél Kegye, *The Situation of Child Victims with Intellectual and Psychosocial Disabilities in Child Protection and Criminal Proceedings* (July 2025), p. 30

⁶⁷ APAV and FENACERCI, [Portuguese Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 51.

evidence, they are not consistently available across the country and their level of accessibility is unclear.⁶⁸

3.7.2 Digital Systems and Information Sharing

In addition to issues of physical accessibility, the digital landscape of justice systems reveals substantial gaps. For example, in Lithuania, there is no national information-sharing system connecting various services and criminal justice or child protection professionals, especially about the individual support needs of children or about specific barriers they may be facing.⁶⁹ This may result in children having to repeatedly share information about their experiences and needs, thus increasing the risk of secondary victimisation.

In Slovenia, court staff use the Information System for Monitoring Criminal Proceedings (iK system) to share case-related information internally. However, the iK system is incompatible with systems used by other judicial authorities and does not allow adaptations for users with disabilities.⁷⁰ There is a similar lack of integration in Bulgaria's electronic case management system, with each authority involved in criminal proceedings operating their own. There is no connection between the case management systems of the courts, the prosecutor's offices, and the enforcement authorities. In addition, social services work within an entirely separate system only accessible to their own staff.⁷¹ Likewise in Hungary, the Child Protection Information System (CPS), which was launched in 2020, is intended to support coordination between child welfare services using social security number-based records. However,

⁶⁸ CNR, [Italian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 62-63.

⁶⁹ PsP, [Lithuanian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 7.

⁷⁰ PiC, [Slovenian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 46.

⁷¹ KERA Foundation, [Bulgarian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p.52.

not all relevant signally professionals have access to it, e.g. schools, kindergartens, and police.⁷²

In Portugal, an informal approach is taken to information sharing, creating consistencies and gaps in information sharing which have the potential to disadvantage children with disabilities.⁷³

Although Italy has developed an advanced digital system for both civil and criminal justice, these remain largely closed to external users (e.g. citizens).⁷⁴

The existence of these physical and digital barriers increases the risk of children with disabilities being unable to fully participate in the justice process. This risk will only increase given the broader trend towards e-justice and e-governance systems. Even where legal rights exist, these practical barriers may prevent their vindication. Physical and digital infrastructure must be designed on universal design principles, with the needs of children with disabilities included.

3.8 Attitudinal Barriers and Professional Training

Prevailing attitudinal barriers and insufficient professional training also emerged as barriers to justice for child victims with disabilities across the seven countries. These types of obstacles can be particularly difficult to displace, even after more formal accommodations have been implemented.

⁷² Dr Boglárka Jánoskúti and Dr Adél Kegye, *The Situation of Child Victims with Intellectual and Psychosocial Disabilities in Child Protection and Criminal Proceedings* (July 2025), p. 56

⁷³ APAV and FENACERCI, [Portuguese Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 33.

⁷⁴ CNR, [Italian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 12.

3.8.1 Credibility Concerns and Stigmatisation

In Lithuania, children with disabilities are often perceived as unreliable witnesses and their testimony as therefore less credible. No procedural accommodations are put in place to facilitate the rights to effective participation and to be heard.⁷⁵ A similar attitude is taken to children with disabilities in Slovenia, with this being compounded by the fact that violence against persons with disabilities is often met with unresponsiveness on the part of welfare and judicial authorities. Police are more likely to define violence against people with disabilities as an 'accident' rather than a crime, denying them access to justice.⁷⁶

In Bulgaria, girls with disabilities who are victims of sexual crimes and trafficking are often stigmatised as 'accomplices', with this intersectional discrimination blocking their access to justice and stigmatising them.⁷⁷

3.8.2 Medical Model Perspective

In all seven countries, the research showed that there is a tendency to view disability through a medical model rather than a social or rights-based lens. This is reflected in the Slovenian glossary of legal terminology, which defines a person with a disability as:

... a person who has a permanent congenital or acquired physical or mental disability which cannot be remedied by medical rehabilitation

⁷⁵ PsP, [Lithuanian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 43.

⁷⁶ PsP, [Lithuanian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 28.

⁷⁷ KERA Foundation, [Bulgarian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 65.

and is partially or totally incapable of education, work or independent life and is therefore recognised as having a special legal status⁷⁸

This definition is at odds with the one contained in Slovenia's Equalisation of Opportunities for Persons with Disabilities Act which reflects the language of the CRPD and uses the definition of:

... long-term physical, mental, or sensory impairments and/or developmental mental disorders that, through interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others.⁷⁹

While this latter language demonstrates an evolution in the model applied to disability, the legislative inconsistency shows a failure to adapt laws and practices to a human rights-based approach to disability, and the dominant medical model approach that prevails within what is often an inflexible legal system.

In Portugal, although legislation has been passed which seeks to implement the CRPD, social perceptions have not yet shifted to a model based on rights and inclusion, with disability still often being viewed through a medicalised and welfare lens. This creates barriers to the recognition of the rights and procedural capacities of children with disabilities.⁸⁰

⁷⁸PiC, [Slovenian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 15.

⁷⁹Ibid, p. 15

⁸⁰APAV and FENACERCI, [Portuguese Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 11.

3.8.3 Inadequate Professional Training

Across all countries, there is a concerning trend of inadequate training for professionals who interact with child victims with disabilities. The research found that in the Czech Republic only specialised police officers have systematic training on working with children (but not specifically working with children with disabilities). These leads to a downplaying of harm to children with disabilities and a failure to recognise their needs.⁸¹ In Italy, lawyers can represent children with disabilities without undergoing specific training as they can independently choose their areas of training⁸².

3.9 Multidisciplinary Cooperation Gaps

The country analyses identified gaps in multidisciplinary cooperation between professionals and institutions which hinders the provision of holistic support to children with disabilities who are victims of crime.

3.9.1 Fragmented Institutional Responsibilities

A common challenge that was identified across the seven project countries was the fragmentation of responsibilities among different institutions.

In Lithuania, there is no national digital information-sharing system between the various services, the criminal justice actors, and child protection professionals regarding the individual support needs of children.⁸³ The absence of a single, coordinated procedure when a child becomes a victim of a crime was identified as a massive obstacle in the Czech Republic, leading to the child unnecessarily needing to

⁸¹ SPMP CR, [Czech Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 37

⁸²CNR, [Italian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 11-12.

⁸³PsP, [Lithuanian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p.7.

meet with a large number of professionals through the course of the criminal justice process.⁸⁴ A similar lack of coordination was identified in Portugal and Italy.⁸⁵ This raises the risk of inconsistent and/or contradictory approaches being taken to their support.

In Hungary, because the Child Protection Act and professional protocols for the operation of the signally system are not always coherent, very few criminal charges are brought even if the offence against the child is recognised or reported by the signalling system.⁸⁶

Although in Bulgaria there are connections between the child protection and criminal justice systems, they are not well established either legislatively or in practice. The potential for child protection services to facilitate the full participation of child victims with disabilities in the criminal process is not well recognised.⁸⁷

3.9.2 Limited Information Sharing and Coordination Mechanisms

An absence of effective information-sharing systems and coordination mechanisms was evident in many of the project countries. In Bulgaria, the exchange of information within proceedings takes place by way of letter and requests. There is no unified system - electronic or written - through which participants in proceedings can receive

⁸⁴SPMP CR, [Czech Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p.6.

⁸⁵APAV and FENACERCI, [Portuguese Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 40; CNR, [Italian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 62.

⁸⁶ Dr Boglárka Jánoskúti and Dr Adél Kegye, *The Situation of Child Victims with Intellectual and Psychosocial Disabilities in Child Protection and Criminal Proceedings* (July 2025), p. 41

⁸⁷ KERA Foundation, [Bulgarian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 76.

information regarding the progress of the case.⁸⁸ In Slovenia, electronic systems used by different institutions are not compatible with court management system.⁸⁹ In Portugal, there are no guidelines or legislation which require professionals to communicate within a case, leaving the level of information-sharing and coordination to be determined on a case-by-case basis.⁹⁰

3.9.3 Limited Specialised Services

There is variation within and across the project countries regarding the availability of specialised services for child victims with disabilities. In Slovenia, the establishment of the 'Children's House' in 2021 based on the Barnahus model created an environment for child-friendly hearings with the goal of minimal trauma for the child, taking a multidisciplinary approach.⁹¹ Further, a Victim Support Service currently operates in three district courts.⁹² Yet both of these services have resourcing and personnel constraints.⁹³

Lithuania has a general lack of specialised professionals, including psychologists and judges.⁹⁴ Bulgaria has no integrated approach towards child victims of crime with disabilities, with the exception of the 'Zona ZaKrila' centres which place in the same location services for the protection of children (e.g. social, psychological, and

⁸⁸ Ibid, p. 51-52.

⁸⁹ PiC, [Slovenian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 46.

⁹⁰ APAV and FENACERCI, [Portuguese Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 33.

⁹¹ PiC, [Slovenian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 56.

⁹² Ibid, p. 39.

⁹³ Ibid, p. 66.

⁹⁴ PsP, [Lithuanian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 7

therapeutic support, healthcare, legal aid, crisis intervention).⁹⁵ In Italy, there is a general lack of specialised child professionals.⁹⁶

All the above factors create a situation where child victims with disabilities may not find sufficient protection and vindication of their rights in existing systems. There is a need for clear pathways to identify and meet their support needs by way of both technological solutions and the creation of changes to culture and protocols within the criminal justice systems to achieve a more collaborative approach.

3.10 Gender-Specific and Intersectional Challenges

The national research reveals intersectional factors which create multiple layers of disadvantage for child victims with disabilities. Gender-related barriers were particularly prevalent.

3.10.1 Gendered Vulnerabilities

In Slovenia, research suggests that girls with intellectual and/or psychosocial disabilities are victims of sexual assault even more than children with disabilities generally, who themselves are victims of such crimes twice as often as children without disabilities.⁹⁷ This suggests a need for gender-sensitive approaches to girls who have been victims of sexual violence in the justice system. As already set out above, in Bulgaria, girls with disabilities who are victims of crimes risk being viewed as ‘accomplices’ instead.⁹⁸ In Italy, while a number of gender-related reforms have been implemented, including specific measure for legal proceedings concerning violence

⁹⁵ KERA Foundation, [Bulgarian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 51.

⁹⁶ CNR, [Italian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 40.

⁹⁷ PiC, [Slovenian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 28.

⁹⁸ KERA Foundation, [Bulgarian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 65.

against women, these do not appear to have taken specific cognisance of the intersection of gender and disability.⁹⁹

3.10.2 Socioeconomic and Geographic Factors

Socioeconomic status and geographic location emerged in the national research as factors that intersect with disability and age to compound barriers to justice.

In Slovenia victims may not report crimes due to a fear of losing their home where they live with the perpetrator or are financially dependent on them.¹⁰⁰ This economic vulnerability creates an additional barrier to accessing justice that may be particularly acute for families of children with disabilities as they are more likely to face additional financial pressures.

In the Czech Republic, child victims with disabilities have less access to specialised services than their counterparts in urban areas of the country.¹⁰¹ Similarly, as mentioned above, Bulgaria's 'blue rooms' system is often concentrated in urban areas.¹⁰²

The above factors create a web of barriers to access to justice and support for children with disabilities that require multi-action processes to address.

⁹⁹ CNR, [Italian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 20-21.

¹⁰⁰ PiC, [Slovenian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 61.

¹⁰¹ SPMP CR, [Czech Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 40-41.

¹⁰² KERA Foundation, [Bulgarian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p.56-57.

3.11 Conclusion

The cross-country analysis of barriers faced by child victims with disabilities evidences a number of cross-cutting themes: the gap between legal frameworks and implementation, often as a result of lack of resources and training of stakeholders; the importance of individualised assessments of each child's support needs; the persistence of attitudinal barriers despite formal protections from stigma and discrimination; the fragmentation of responsibilities and services across institutions and professional disciplines with limited coordination mechanisms in most cases; the impact of intersectional factors such as gender, type of impairment, socioeconomic status, and geographic location can have on child victims with disabilities access to justice

The shortage of appropriately trained practitioners identified across many of the countries further speaks to the need for better coordination and deployment of limited resources. This scarcity of specialists—whether communication experts, trained legal representatives, or disability-aware criminal justice professionals—compounds the existing barriers and creates additional risks of secondary victimisation. The recommendations that follow aim to facilitate more effective coordination and resource deployment whilst remaining focused on the substantive objective of enhancing access to justice itself for children with disabilities.

04

**GOOD PRACTICES
AND INNOVATION**

This chapter will focus on promising practices and innovations which exist in the seven project countries. Considering the findings in Chapter 3, it points to exemplary approaches that have potential to improve accessibility and integration of child protection in criminal proceedings involving children with intellectual and psychosocial disabilities. These more positive examples, in conjunction with the legal obligations established in Chapter 2 and the perspectives of children with disabilities themselves set out in Chapter 5, will be the foundation of the recommendations contained in Chapter 6.

At the outset, it is important to note that the seven project countries vary in how procedural accommodations are provided for:

- **Explicit statutory rights:** Some countries have embedded specific accommodations in primary legislation, thus creating enforceable rights for child victims with disabilities.
- **Guidance-based approaches:** Other jurisdictions rely on non-binding guidelines or professional protocols with less legal enforceability.
- **The discretion of legal actors:** In some countries, accommodations remain largely at the discretion of individual judges, prosecutors, and police, without clear statutory requirements.

4.1. Effective Legal Provisions

Several of the countries had developed legal provisions that increase protection for child victims with disabilities in criminal proceedings.

4.1.1. Specialised Procedural Frameworks

A number of countries have made innovations in procedural frameworks to address the needs of child victims with intellectual and psychosocial disabilities. The "probative

evidence hearing" (*incidente probatorio*) in Italy's criminal procedure code allows children's statements to be taken during the investigation phase rather than waiting for trial, thus preventing them from having to relive the trauma in hearings years after the event.¹⁰³ This is of note given the lengthy nature of criminal trials in Italy. However, this effectiveness of this approach depends on proper resourcing – including trained professionals and appropriate facilities.

Bulgaria's system of 'blue rooms' - separate, adapted rooms for interviewing children – are equipped with audio recording facilities to document the child's interview for later use as evidence in the criminal proceedings, thereby reducing the need for them to be repeatedly questioned. However, as noted in Chapter 3, the geographic distribution of these facilities is uneven - with much higher coverage in urban areas.

A similar system of advance evidence taking exists under the Portugal's Victim Statute which allows for certain vulnerable victims to provide 'statements for future recall' which are recorded during the investigation phase of the criminal justice process and can then be used during the later stages, thus reducing secondary victimisation of child victims with disabilities.¹⁰⁴

As mentioned in Chapter 3, Slovenia has set up a Children's House following the Barnahus model. This brings different professionals (social services, police, prosecution, forensic medicine, paediatrics, and psychiatry) under one roof. Initial evaluations of it are positive in the areas of reduced interview repetition and improved quality of evidence. The Czech Republic has also implemented a similar model.

¹⁰³ CNR, [Italian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 29.

¹⁰⁴ APAV and FENACERCI, [Portuguese Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p.23.

Hungary's Barnahus model, which integrates both criminal and child protection proceedings, has been operational since 2021 and now has five centres nationwide. The number of children interviewed increased from 190 in 2022 to 396 in 2024, indicating growing acceptance among investigating authorities. There are, however, ongoing challenges on implementation, e.g. interviews carried out by guardianship authorities cannot always be used as full witness testimony in later criminal proceedings. As such, children are sometimes required to be interviewed multiple times.¹⁰⁵

The above approaches go some way towards addressing the procedural rigidity and secondary victimisation risks set out in Section 3.3.

4.1.2. Legal Representation Frameworks

A number of project countries have established frameworks intended to provide proper legal representation for children – particularly where conflicts of interest arise. For example, in Italy, a 'special curator' (who is usually a lawyer) who can exercise the child's rights independently, including filing complaints and presenting evidence, where there is a conflict of interest between a child and their legal representative.¹⁰⁶ Portugal has similar system – a 'special representative' - which also applies where the child does not have any family support.¹⁰⁷ However, the effectiveness of such mechanisms is clearly reliant on the appointed persons being trained in both children's and disability rights.

¹⁰⁵ Dr Boglárka Jánoskúti and Dr Adél Kegye, *The Situation of Child Victims with Intellectual and Psychosocial Disabilities in Child Protection and Criminal Proceedings* (July 2025), p. 31

¹⁰⁶ CNR, [Italian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 22.

¹⁰⁷ APAV and FENACERCI, [Portuguese Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 22-23.

4.1.3. Child-Specific Evidence Standards

The use of specialised evidentiary methods exists in a number of the jurisdictions examined.

For example, in Italy, the law allows psychologists to carry out examinations of child witnesses using alternative methods such as drawing, which may be particularly adapted to children who do not communicate verbally primarily.¹⁰⁸ Slovenia's Criminal Procedure Code allows for videoconferences and special interview rooms for those meeting certain conditions.¹⁰⁹

However, as noted in Section 3.4, age-based distinctions can sometimes lead to arbitrary cut-offs that do not take account of the individual needs of child victims with disabilities. This reinforces the need for assessments and accommodations to be determined on an individual basis.

4.2. Successful Communication Approaches

Communication approaches have been developed by some countries to support children with disabilities to participate in criminal proceedings.

4.2.1. Child-Friendly Interview Techniques

In Bulgaria's 'blue rooms', a psychologist and/or a social worker support children during interviews, rephrasing questions in age-appropriate language and in light of the child's specific needs. Similarly, in Italy, child-friendly rooms are used, and it is a psychologist that interacts directly with the child, while the legal professionals observe through a

¹⁰⁸ CNR, [Italian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 33.

¹⁰⁹ PiC, [Slovenian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 32.

one-way mirror with an intercom system, in an effort to reduce intimidation. The child can respond by way of words, gestures, or drawings.¹¹⁰

In Portugal, the establishment of Victim Support Offices and the support they provide has meant the children involved in criminal proceedings can be supported and prepared for giving evidence.¹¹¹

The Czech Republic has introduced 'Polpoints' - non-contact or semi-contact rooms where witnesses and victims can give evidence via videoconference. A person can have a supporter with them in the Polpoint if they wish. This reduces the wait time at police stations, as a person should always be online. However, there appears to be little awareness of this option amongst the general public, and they currently only exist in 1 of the 14 regions of the country.¹¹²

Hungary's Barnahus centres employ specialist counsellors trained in forensic child consultation protocols, principally that of the National Institute of Child Health and Human Development (NICHHD).¹¹³ As one counsellor explained: 'actually here (in the Barnahus House) the children do not experience it as an interview, but as a conversation... you can get much more information out of his testimony than if you ask him direct questions.'¹¹⁴

¹¹⁰ CNR, [Italian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p.62-63.

¹¹¹ APAV and FENACERCI, [Portuguese Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p.42.

¹¹² SPMP CR, [Czech Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p.42-43.

¹¹³ Dr Boglárka Jánoskúti and Dr Adél Kegye, *The Situation of Child Victims with Intellectual and Psychosocial Disabilities in Child Protection and Criminal Proceedings* (July 2025), p. 34

¹¹⁴ Dr Boglárka Jánoskúti and Dr Adél Kegye, *The Situation of Child Victims with Intellectual and Psychosocial Disabilities in Child Protection and Criminal Proceedings* (July 2025), p. 33

4.2.2. Recognition of Alternative Communication Methods

Across the countries examined for the project, there was a growing recognition of the role of Augmentative and Alternative Communication (AAC) tools. However, the extent of implementation varies across countries. For example, in Slovenia, the Children's House is does accommodate the needs of children who use AAC but require further training on how to do this effectively.¹¹⁵

In Bulgaria, a collaboration between UNICEF Bulgaria and the ASSIST Foundation (which provides AAC to adults and children with disabilities) has led to progress on the creation of culturally relevant symbol sets and the translation of platforms like Cboard into Bulgarian.¹¹⁶

Hungarian police practice includes the informal use of AAC tools, although this is not done systematically. Research found that officers recognise 'there are a lot of things children don't have the words for or can't say... they draw them, they act them out, they show them on a stuffed animal.'¹¹⁷ But there is no structured collaboration with communication specialists, and none of the professionals participating in focus group interviews were familiar with the term augmentative and alternative communication.¹¹⁸

4.2.3. Multi-Disciplinary Approaches

¹¹⁵ PiC, [Slovenian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p.39.

¹¹⁶ KERA Foundation, [Bulgarian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 69-70.

¹¹⁷ Dr Boglárka Jánoskúti and Dr Adél Kegye, *The Situation of Child Victims with Intellectual and Psychosocial Disabilities in Child Protection and Criminal Proceedings* (July 2025), p. 34

¹¹⁸ Dr Boglárka Jánoskúti and Dr Adél Kegye, *The Situation of Child Victims with Intellectual and Psychosocial Disabilities in Child Protection and Criminal Proceedings* (July 2025), p. 34

Multi-disciplinary approaches are required to support child victims with intellectual and psychosocial disabilities as they are likely to have interconnected needs requiring diverse expertise.

Beyond simply bringing together professionals from different disciplines, effective multi-disciplinary approaches require co-location of different professionals — the essence of the Barnahus model. However, achieving genuine multidisciplinary involves more than having the right professionals around the same child; it requires developing common language and protocols for synthesising their expertise to create genuinely individualised supports and accommodations. This includes strengthening knowledge transfer and interdependence between professionals from different fields so that their combined expertise translates into coherent and child-centred responses, rather than fragmented interventions.

Bulgaria's 'Zona ZaKrila' centres have already been mentioned in section 3.8., as has Slovenia's Children's House model. The 'Zona ZaKrila' centres bring together social workers, psychologists, therapeutic professionals, healthcare practitioners, and legal aid specialists under one roof to provide support for child protection cases. Slovenia's Children's House follows the Barnahus model, integrating social services, police officers, prosecutors, forensic medicine specialists, paediatricians, and psychiatrists in a coordinated approach to child-friendly interviews and evidence gathering.

Unfortunately, there is a dearth of examples from other jurisdictions of similar practices.

4.3. Model Protection Measures

4.3.1 Child-Friendly Justice Facilities

There is a clear need to address the barriers posed to child victims with disabilities by the physical structure of justice facilities.

Portugal is establishing dedicated courtrooms for children as part of the modernisation of its judicial infrastructure. However, there is no indication as to whether these renovations will take in to account the needs of children with disabilities, e.g. wheelchair accessibility and appropriate seating arrangements; adjustable lighting to accommodate sensory sensitivities; visual supports including digital displays for communication aids and symbol boards; and space for support persons and communication specialists to be positioned appropriately.¹¹⁹ In Lithuania, although child-friendly interview rooms are now more common in police stations, this is not consistent across all stations, and these are not always adapted to the needs of children with disabilities.¹²⁰

4.3.2 Support Services and Advocacy Models

Different support services and advocacy models have been developed across the project countries, yet there are only a few that have been designed with the potential needs of child victims with disabilities in mind.

Portugal has created multiple accessible support channels through the Portuguese Victim Support Association (APAV), including a free and confidential Victim Support

¹¹⁹ APAV and FENACERCI, [Portuguese Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 51.

¹²⁰ PsP, [Lithuanian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p.21.

Line (116006), a network of local Victim Support Offices, and a Portuguese Sign Language Video Interpreter Service for victims with hearing impairments.¹²¹

In Italy, there are a number of support services, including the "114" emergency number, a multilingual service accessible 24/7 via call, chat, WhatsApp, and a mobile app – lending itself to greater, if not complete, accessibility for those with disabilities.¹²²

4.4. Digital Solutions and Assistive Technologies

4.4.1 E-Justice Systems

A number of project countries have implemented e-Justice systems to improve efficiency and accessibility. For example, Italy has put in place Civil Trial Online (PCT) and Criminal Trial Online (PPT) systems, with the SICP system managing all stages of criminal proceedings. This system is quite advanced and allows for connections between different justice professionals, including judges, court staff, and external users such as lawyers. However, these systems remain largely closed to external users (i.e. citizens). This therefore limits their accessibility benefits.¹²³

In 2020, Bulgaria established a Unified Court Information System (UCIS). This is a centralised web-based application for organising case management processes electronically. It integrates the entire case management process and connects with a number of external systems and registers. Judges and court staff have received training in using the UCIS.¹²⁴

¹²¹ APAV and FENACERCI, [Portuguese Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 50.

¹²² CNR, [Italian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 84.

¹²³ Ibid, p. 12.

¹²⁴ KERA Foundation, [Bulgarian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 40-41.

Portugal's Citius is a digital platform that makes information and documents related to court proceedings accessible to court professionals and lawyers.¹²⁵ It also has an Electronic Complaint System with which citizens can report certain crimes online.¹²⁶

Lithuania has a system for electronic reporting of crimes via an online police portal and recently launched a portal for electronic services for criminal cases.¹²⁷

In Slovenia the court staff use the Information System for Monitoring Criminal Proceedings, or iK system, to share case-related information internally.¹²⁸ This is a centrally managed back-end system for supporting criminal processes used in all Slovenian courts for procedural issues. The Czech Republic has implemented a similar information system used by courts for procedural issues.

While the implementation of these e-Justice system is welcome, in order for them to be sustainable they will require dedicated funding for maintenance and updates, developing technical expertise, and creating governance frameworks for managing digital assets. The experience in Lithuania and Italy reveals that political commitment to digital transformation must be maintained beyond initial implementation to ensure long-term accessibility and functioning. However, these e-justice systems appear to have been designed primarily for adult users and legal professionals, with little evidence of consideration of children's needs.

¹²⁵ APAV and FENACERCI, [Portuguese Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 33.

¹²⁶ Ibid, p. 34.

¹²⁷ PsP, [Lithuanian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 33.

¹²⁸ PiC, [Slovenian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 46.

4.4.2 Victim-Oriented Digital Resources

There are promising digital initiatives focused on victim's needs emerging in some of project countries. In Portugal, the Infovictims website contains user-friendly information about victims' rights in criminal proceedings through both text and interactive elements. The site has a number of accessibility features, including options for vision- and hearing-impaired users.¹²⁹

The Czech Republic operates an electronic register of providers of assistance to victims of crime on the Ministry of Justice website.¹³⁰

In Lithuania, the EPP portal allows users with a legitimate interest in a pre-trial investigation process to receive case information, while maintaining stringent privacy measures.¹³¹

These victim-oriented digital resources are encouraging in terms of their potential for multi-disciplinary cooperation. However, there is little data on their usability for child victims with disabilities.

4.4.3 Emerging Artificial Intelligence Applications

A number of project countries are exploring the potential for artificial intelligence in justice systems. AI applications have the potential to support children with disabilities' access to justice, e.g. AI-powered real-time transcription and translation services could convert complex legal language into simplified, age-appropriate text; automated generation of visual summaries and symbol-supported documents could make legal

¹²⁹ APAV and FENACERCI, [Portuguese Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 34.

¹³⁰ SPMP CR, [Czech Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 30.

¹³¹ PsP, [Lithuanian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p.33.

information more accessible to children with intellectual disabilities; speech recognition technology could assist children with communication difficulties by converting their verbal statements into text, even when speech patterns are unclear. However, the current AI initiatives in the project countries appear to focus primarily on administrative efficiency rather than accessibility improvements.

Italy is testing multiple AI applications to improve efficiency, including the "Praedicta" project, the "Iustitia" project, and a predictive justice algorithm in the Court of Florence analysing civil cases' opportunities for mediation.¹³²

Portugal is developing the GovTech Justice Strategy to modernise the judiciary system through innovative digital transformation initiatives, including upgrading technological infrastructure in courtrooms and implementing AI-supported solutions for case processing.¹³³

In Slovenia, AI applications are being developed for use in the justice system. According to the Project Management Service, while the court staff's use of the i-K system does not currently anticipate the use of AI, separate projects are underway. The production of hearing transcripts and the transcription of a judge-dictated court decision are both using AI on a pilot basis. It is planned to be used for document search, for analysing case law, for anonymising court decisions at all levels, and for classifying motions for review in court proceedings.¹³⁴

¹³² CNR, [Italian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 53.

¹³³ APAV and FENACERCI, [Portuguese Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 35-36.

¹³⁴ PiC, [Slovenian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 48.

These emerging technologies offer promising avenues for improving access to justice, though their rights-based implementation will require robust safeguards against bias and accessibility standards to ensure they benefit all users - including children with disabilities. Artificial intelligence contains a balance of risk and opportunity for the rights of persons with disabilities. As the former Special Rapporteur on the Rights of Disabilities has stated:

Children with disabilities, as users of artificial intelligence systems and products, have a specific right to express their views on artificial intelligence under article 7 (3) of the [CRPD]. Further, artificial intelligence services and products designed for children, including children with disabilities, must consider the child's best interests. The best way to do so is to secure their active involvement in product design in a manner that is appropriate and respectful of the child's evolving capacities and in line with the provisions of the Convention on the Rights of the Child.¹³⁵

The LINK project's Model Multidisciplinary Cooperation System (MMCS)¹³⁶ sets out a framework for implementing these digital solutions in practice. The MMCS includes 'Diana,' a proof-of-concept digital platform that demonstrates how AI-driven case management, secure multi-stakeholder communication, and assistive technology integration can support child victims with disabilities throughout criminal proceedings all the while maintaining strong data protection and accessibility standards.

¹³⁵ UN Human Rights Council, 'Rights of persons with disabilities: Report of the Special Rapporteur on the rights of persons with disabilities' (28 December 2021) UN Doc A/HRC/49/52, para 60.

¹³⁶ <https://validity.ngo/wp-content/uploads/2025/07/LINK-MMCS-Template-UPDATED-17.07.2025.pdf>

4.5. Cooperation Models That Work

4.5.1 E-Justice Technologies for Information Sharing

The most effective systems provide integrated access to case information while respecting privacy and legal constraints. The goal should be to achieve secure information exchange between key stakeholders involved in supporting child victims with disabilities.

Effective information sharing should occur between

- Criminal justice professionals (police, prosecutors, judges, court staff) so as to ensure consistent procedural accommodations
- Child protection services and social workers
- Healthcare professionals (including psychologists, psychiatrists) and communication specialists
- Victim support organisations
- Legal representatives who need specific information to represent the child's interests
- Educational professionals when school-based support is needed during proceedings.

Italy's Telematic Services Portal of the Ministry of Justice offers a dual-tier system with public services available to all citizens without authentication and reserved services accessed through computer authentication. As such, it balances accessibility with data protection.¹³⁷

¹³⁷ CNR, [Italian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 50.

Bulgaria's Integrated e-Justice Portal functions as an electronic database of court cases with two access levels: general information available to everyone and full electronic file access granted to parties and their legal representatives upon request.¹³⁸

Lithuania's integrated platform approach connects multiple systems including the IBPS system, the State Information Resources Interoperability Platform, the State Guaranteed Legal Aid Service Information System, and the Advocates Register, enabling coordinated service delivery while maintaining information security. This level of system integration provides a good example of information sharing while still maintaining appropriate access controls.¹³⁹

These approaches begin to address the limited information sharing and coordination mechanisms identified in Section 3.8.2. The LINK project's *Model Multidisciplinary Cooperation System* goes into greater detail on this point by setting out guidelines, ethical considerations, and a digital case management platform prototype for multi-stakeholder collaboration.

4.5.2 Cross-Sectoral Collaboration

Both Slovenia's Children's House and Bulgaria's "Zona ZaKmila" centres demonstrates how multiple services can work together effectively to support child victims, reducing fragmentation and improving service delivery. Portugal's protocol between the Ministry of Justice, the Public Prosecutor's Office, and victim support organisations gives an example of how formal cooperation agreements can facilitate better integration of victim support into judicial processes.

¹³⁸ KERA Foundation, [Bulgarian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 41.

¹³⁹ PsP, [Lithuanian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 33.

4.6 Training and Awareness Initiatives

4.6.1 Professional Development Programmes

In a number of project countries, training programmes have been put in place for professionals working with child victims. Bulgaria has seen civil society-led training programmes for communication facilitators, preparing speech therapists to serve as intermediaries in court cases,¹⁴⁰ while its National Institute of Justice includes training programmes for working with persons with disabilities in its curricula¹⁴¹. Similarly, in Portugal, the Centre for Judicial Studies has begun providing training on the rights of persons with disabilities for judges and prosecutors, although there has been insufficient focus on the specific rights of children with disabilities.¹⁴²

In Italy, the Italian Higher School of Judiciary provides training for both prosecutors and judges in handling cases with ‘vulnerable’ victims. Additionally, most Italian Prosecutor’s Offices have established a ‘Pool for Vulnerable Groups’ composed of specialised prosecutors who primarily handle crimes against women, children, and vulnerable people. Training is also provided to police personnel through specific mandatory courses organised by their respective training institutes.¹⁴³

Hungary has developed specialist training for Barnahus counsellors through the National University of Public Service’s Forensic Child Protection Counsellor Specialist Training. This training includes guidelines for interviewing children with disabilities.¹⁴⁴

¹⁴⁰ KERA Foundation, [Bulgarian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 35.

¹⁴¹ Ibid, p. 34-35.

¹⁴² APAV and FENACERCI, [Portuguese Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 30.

¹⁴³ CNR, [Italian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 39.

¹⁴⁴ Dr Boglárka Jánoskúti and Dr Adél Kegye, *The Situation of Child Victims with Intellectual and Psychosocial Disabilities in Child Protection and Criminal Proceedings* (July 2025), p. 31

The effectiveness of these training initiatives varies based on factors including their comprehensiveness, practical focus, and whether they include disability-specific content. Most successful programmes include both theoretical knowledge and practical skills development, with involvement of people with disabilities in training design and delivery.

The LINK project's *Equal Treatment Training Guide* represents an important contribution to addressing these gaps. Such professional development programmes begin to address the inadequate professional training issues identified in Section 3.7.3.

4.6.2 Awareness Campaigns and Educational Initiatives

Bulgaria's UNICEF-led "A Voice for Every Child" programme has conducted awareness-raising and training activities, with 765 teachers, professionals, and parents trained in working with assistive technologies for AAC. This resulted in direct support being provided to over 150 children with complex communication needs.¹⁴⁵

Slovenia's Ministry of Justice, in collaboration with UNICEF and the Judiciary of the Republic of Slovenia, has created booklets to inform children about the criminal justice process. These explain to children the reasons for visiting the court and how they can prepare. It also has information about what the court building will look like, personnel at the court, the role of witnesses, rights of children at the court, techniques to calm down if in distress and has a frequently asked questions and answers section. Similar booklets have been created for parents and legal representatives of children summoned to testify.

In Italy, a notable initiative is the national awareness campaign against child abuse called "Invisible to the eyes" (Invisibile agli occhi), involving the CNR-IRIB of Catania,

¹⁴⁵ KERA Foundation, [Bulgarian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 35.

the Italian Society of Paediatrics, and Terre des Hommes. The campaign aims to raise awareness about violence against children and includes analysis, research, and strategies.¹⁴⁶

4.7 Summary of Good Practices

The promising practices identified across the seven project countries demonstrate several key elements for improving access to justice for child victims with disabilities.

1. Effective approaches tend to be multi-disciplinary and bring together expertise from legal, psychological, social, and technological domains.
2. Successful innovations generally involve both procedural adaptations and physical/environmental modifications.
3. The most impactful practices incorporate flexibility to address individual needs while maintaining procedural integrity.

Overall, despite these positive examples, implementation remains uneven in project countries, and many good practices exist as isolated initiatives, often initiated by civil society organisations, rather than system-wide approaches.

¹⁴⁶ CNR, [Italian Briefing paper on Barriers faced by Children with Intellectual and Psychosocial disabilities in the criminal justice system](#), LINK Project, p. 85.

05

VOICES OF CHILDREN

This chapter presents the findings and recommendations gathered directly from children with intellectual and psychosocial disabilities who participated in Children's Advisory Board (CAB) sessions across the project countries.

Organisation and Methodology

The CABs were convened by partner organisations in six of the project countries. A child participation methodology which drew on proven practices and adapting approaches specifically for children with intellectual and psychosocial disabilities was developed.

Meeting Structure and Logistics

Each country held at least three CAB sessions throughout the project implementation period. Meetings lasted between 1.5 and 3 hours. The sessions were designed to be inclusive and accessible and used visual materials and icebreaker activities to foster trust and participation. Meeting arrangements prioritised accessibility, e.g. step-free venues with appropriate facilities, calm atmospheres, and the provision of information in multiple accessible formats.

CAB Composition

The children who participated in CAB sessions represented a wide array of backgrounds and experiences. Participants included children aged 12-17 with intellectual and psychosocial disabilities. Each meeting included at least five children with relevant experiences of the justice system, with at least two girls participating in each session. At least one child who used augmentative and alternative communication (AAC) participated in each session.

Safeguarding and Support

All CAB activities operated under s safeguarding procedures. Supporting carers, parents, or communication partners were present when necessary so that children felt safe whilst also maintaining their independence in expressing their views.

5.1 How Children Want to Be Heard

Across all project countries, children with disabilities expressed clear views about how they wish to communicate within the justice system. They emphasised the importance of being able to tell their own stories in their own way, using whatever communication tools best suited their needs.

A child advisory board member from Portugal reflected a strong desire for personal agency:

"I think it must be her [the victim who gives evidence] because she was the one who experienced the situation. As much as her father wants to defend her, her father wasn't there and didn't see it."

Children saw the importance of professional support for communication, with one CAB member from Portugal noting the importance of "help from a technician" who understands assistive technology.

Lithuanian participants described existing systems as confusing, formal, and intimidating, especially for youth from marginalised backgrounds. This indicates a need for accessibility improvements. Italian CAB participants similarly identified technical language as a barrier, with one participant reporting that their inability to understand certain terms has often been a source of ridicule. Those CAB members perceived the complexity of institutional language as a form of discrimination that has a

disproportionate impact on children and young people, as well as those with low levels of education.

Time and patience emerged as important aspects of support to be heard.

As one CAB member from Portugal emphasised:

"Listen and take the time necessary for the person to be able to speak."

Another participant from Portugal added:

"The person has to have their own time no matter what. If they are too demanding, we won't be able to speak!"

The impact of interruptions or pressure was emphasised by another CAB member from Portugal who explained:

"When they don't understand me, I give up, if they rush or pressure me – there has to be calm in these situations."

This goes to the importance of creating unhurried environments for children with disabilities to express themselves.

5.2 Creating Child- and Disability-Friendly Environments

The physical setting for interviews and hearings was also identified as an important contributor to children's comfort and ability to participate effectively. CAB participants were highly sensitive to how environments either supported or hindered their participation.

5.2.1 Physical Spaces that Support Communication

A CAB member from Portugal noted the stark difference between formal courtroom settings and more accessible environments:

"In court, she feels more pressure; if it is in a room, she doesn't feel as much pressure, it's not as rigid."

The hierarchy inherent in traditional courtroom design and procedures was viewed as problematic and intimidating by CAB participants.

As one participant from Portugal observed:

"The fact that the judge is metres above us is already quite frightening, at least it would scare me..."

CAB members from the Czech Republic offered recommendations about interview room design, suggesting "colours from the warm range on the walls" and "yellow not white" lighting to create a more comfortable atmosphere. This was echoed by Bulgarian CAB members who recommended creating "a colourful and friendly atmosphere" where children interact with justice system representatives, emphasising

that spaces "should be cozy, with warm colours and furnishings that help them feel calm."

Italian CAB participants had concerns about physical accessibility. They noted that sometimes public infrastructures are not accessible due to stairs, lack of ramps, or the placement of ramps in incorrect locations.

5.2.2 Protection from Alleged Perpetrators

Children across all countries were worried about facing their alleged aggressors during court proceedings.

A CAB member from Portugal stated firmly:

"The person who hurt us shouldn't be there."

One participant from Portugal suggested that the accused "should probably be in a separate room with security guards at the door."

Bulgarian CAB members suggested the need for limiting the need for children to attend court altogether and that, whenever possible, interviews and meetings should take place in a protected environment rather than in courtrooms.

5.3 Support and Accompaniment

5.3.1 Trusted Adults and Professionals

CAB participants were clear about the importance of having a trusted person present during criminal proceedings.

A CAB member from the Czech Republic described the value of having a 'confident [confidante]' (i.e., a trusted adult who provides emotional support during interviews), while Bulgarian CAB members agreed that every child should have the right to be accompanied by someone they know and trust.

One CAB member from Portugal reflected on their own court experience and the role of trusted legal representation and family support:

"What helped me when I went to court was the lawyer [and] my mother."

Children across the project countries found specific professional roles particularly helpful. Portuguese CAB members frequently mentioned lawyers and psychologists as important sources of support.

5.3.2 Professional Conduct and Attitudes

Children had very clear expectations about how professionals should behave towards them. CAB members from the Czech Republic provided detailed insights into what respectful communication looks like, noting that an adult shows respect when they:

- "Use a normal tone and just talk like a peer and not like a younger person".
- "Talk to me like an adult".
- Are "kind, very gentle tone of voice, doesn't argue with me, doesn't shout".

- "Don't try to knock me down because of my age".
- "Let me make my own decisions".

Professionals and other adults who interact with child victims during the criminal process need to be wary of infantilising or dismissing them based on both their age and/or disability. Italian CAB participants highlighted the lack of empathy or even violence that they had experienced when interacting with legal actors.

A CAB member from Portugal similarly noted how physical demeanour affects disclosure:

"Their posture, the way they approach us. If they are a gentle person, we don't feel intimidated. If I feel intimidated, I don't tell them everything, my brain switches off."

Children valued honesty and follow-through from professionals. Very poignantly, one CAB member from Portugal shared their disappointing experience:

"The judge said he would do everything to help me, and he didn't. They must help us."

5.4 Information Access and Updates

The need for accessible, timely, and understandable information about legal processes and their cases came up repeatedly during CAB sessions.

5.4.1 Preparatory Information

Bulgarian CAB members stressed the importance of advance preparation so that children should know in advance what will happen, what is expected of them, and what their rights are. This echoed findings from Lithuanian CAB sessions, where even young children of 7 years old expressed a need for "knowing what's going to happen next" when interacting with unfamiliar adults in formal settings. Italian CAB participants also spoke of information gaps and being unaware of who they can contact and what services are available.

From the CAB meetings, it is clear that children wanted information provided:

- Before any formal proceedings.
- In plain and accessible language.
- With visual supports where this is helpful for the child.
- Through various formats (written, verbal, visual).
- With opportunities to ask questions.

5.4.2 Updates on Case Progress

In CAB sessions, children identified frustration with the lack of information during the often-lengthy periods between providing evidence and case outcomes. Portuguese CAB members noted that "it always takes a long time" with another adding: "It takes ages." When asked what they would want to know following their participation, responses included "that the aggressor was arrested," "that the judge did justice," and information about sentencing. Italian CAB participants spoke of the overall slowness of bureaucracy and that this could potentially discourage victims from reporting crimes and seeking justice.

5.5 Technological Solutions

Children showed particular interest in technological solutions to improve accessibility and information-sharing within the justice system.

5.5.1 Digital Case Tracking

Portuguese CAB members were enthusiastic about the potential of digital applications to track case progress. Another participant from Portugal was optimistic about the potential for such technology to address communication disabilities, e.g. that non-verbal children could use tablets to access case information. While Italian participants thought that the use of new technologies could support the justice system, they cautioned against artificial intelligence ever fully replacing human justice actors.

5.5.2 Accessible Platforms

Bulgarian CAB members proposed a digital platform that would include:

- Up-to-date and accessible information.
- Live chat and support for real-time questions.
- A forum for sharing experiences and success stories.
- Information on psychological support services.
- An emergency helpline.
- A "panic button" feature for sending urgent alerts.

They were clear that the platform should be "verified and trustworthy" and "certified by judicial or police institutions to ensure trust and security."

CAB members from the Czech Republic suggested multiple flexible communication channels, including "post, email, in person, via WhatsApp" to receive information.

5.6 School-Based Education and Awareness

CAB participants spoke about the importance of educational programmes to help children understand their rights and how to access help when needed.

Bulgarian CAB members recommended integrating this into school lessons so that children should be informed about their rights and how to seek help as part of the school curriculum. They suggested using "practical, case-based lessons" with real-life scenarios and examples that teach children to recognise risky situations and know how to respond. Italian CAB participants had similar opinions, suggesting that schools had a duty to educate future citizens and pointed to the potential role of civil society in providing 'active citizenship' programmes in schools.

CAB members from the Czech Republic emphasised that if something happens, children should "go report it rather than keep it a secret".

The use of social media platforms like Instagram to share information about children's rights and support services came up as a suggestion because these are spaces where young people already spend time.

5.7 Overcoming Systemic Barriers

A number of more systemic obstacles that hindered child victims' participation and access to justice were identified during the CAB sessions.

5.7.1 Discrimination and Prejudice

Lithuanian CAB members, particularly one young person from the Roma community, described frequent experiences of unfair treatment by law enforcement, including discriminatory policing and prejudiced assumptions.

More generally, children expressed a deep-seated scepticism toward the justice system, perceiving it as punitive rather than supportive. They described systems that often prioritises punishment over understanding, education, or reintegration.

5.7.2 Power Imbalances

Lithuanian adolescents noted how adult-dominated systems can ‘shut down’ youth input or dismiss it as ‘immature’. They identified a clear distinction between being merely heard and seeing their input reflected in decisions—describing the latter as a key marker of respect and trust.

Bulgarian CAB members were clear on the need for them to have confidence that they won't be ignored by institutions and thought that institutions must guarantee that children's requests will be treated with “care and urgency”.

5.7.3 Lack of Child-Friendly Procedures

Children who participated in the CAB sessions described a number of procedural aspects of the criminal justice process that did not accommodate their needs.

Czech CAB members noted that formal courtroom environments felt “old and communist style” and that judicial officials “could be stressful for kids”. Those children thought that children should only testify without the defendant present. Above all, they said:

"We'd like them to be nice to us."

Bulgarian CAB members noted that procedures and communication relating to them needed to be adapted to the child's age and capabilities.

5.8 Children's Recommendations for Improvement

A number of recommendations for improving the justice system for child victims with disabilities were arrived at by CAB participants.

5.8.1 For Criminal Justice Professionals

1. Communication approach

Speak calmly, clearly, and at an appropriate pace. Use simple language and avoid technical terms. As a CAB member from the Czech Republic put it, professionals should "speak to me calmly... doesn't make sudden movements."

2. Respect for agency

Allow children to tell their own stories in their own way. As a CAB member from Portugal emphasised, children should be allowed to communicate "in their own way" even if using alternative communication methods.

3. Time and patience

Give children enough time to process questions and formulate responses. In the words of a CAB member from Portugal: "Listen and take the time necessary for the person to be able to speak."

4. Trust and belief

Take children's accounts seriously.

5. Physical environment

Create comfortable and non-intimidating spaces for interviews and hearings. CAB members suggested "normal clothes" for interviewers and a space with warm range colours and appropriate lighting.

5.8.2 For Child Protection Systems

1. Coordinated support

Aim for seamless coordination between legal, psychological, and social services. Bulgarian CAB members suggested a system with psychological support integrated with legal processes.

2. Flexible communication channels

Provide multiple ways for children to express themselves and receive information, e.g. digital channels.

3. Safety measures

Put in place protections to prevent children from having to confront alleged aggressors.

4. Ongoing information

Make sure regular updates are given to children throughout the process. CAB members expressed frustration with long waiting periods without information.

5.8.3 For Technology and Digital Solutions

1. Case tracking applications

Develop applications that allow children and their supporters to monitor case progress.

2. Accessible digital platforms

Create platforms with visual elements, simple navigation, and multimodal information delivery.

3. Emergency support features

Include functions for immediate assistance. Bulgarian CAB members suggested both 'an emergency helpline' and a 'panic button in the app' for urgent situations.

4. Privacy and security

Ensure that digital solutions protect children's sensitive information.

5.9 Conclusion

Throughout the CAB sessions, children demonstrated not only a clear understanding of the barriers they face but also suggested key principles which should inform improvement of the experiences of child victims with disabilities.

The CAB sessions showed that children with disabilities value:

- Being treated with respect and dignity.
- Having their voices heard and taken seriously.
- Access to clear, age-appropriate information.
- Support from trusted adults and trained professionals.
- Safe and accessible physical environments.
- Technology that enhances communication and information access.
- Education about their rights and available services.
- Measures to tackle systemic and often intersectional discrimination.

06

RECOMMENDATIONS

This chapter sets out recommendations based on the EU and its Member States' obligations under the CRPD and UNCRC. They are structured by stakeholder group to improve the accessibility and integration of child protection systems in criminal proceedings for children with intellectual and/or psychosocial disabilities who are victims of crime.

6.1 For Criminal Justice Professionals

6.1.1 Communication and Interview Techniques

1. **Adapt communication approaches to each child's specific needs**

Criminal justice professionals should go beyond standardised interview protocols in order to accommodate the diverse communication requirements of children with intellectual and psychosocial disabilities. This can include adjusting vocabulary complexity, sentence structure, pace of speech, use of abstract concepts, and allowing alternative forms of expression. This accords with both Article 3 of the Victims' Rights Directive 2012/29/EU on the right to understand and be understood, as well as Article 13 of the CRPD on effective access to justice.

2. **Create unhurried interview environments by providing for extended timeframes for interviews with children with disabilities**

The typical duration of police or court interviews is often insufficient for child victims with disabilities. These sessions may need to be split into shorter segments with breaks, or even across multiple days. When a child appears unable to answer, this is frequently because they need more processing time rather than because they don't know the answer.

3. Respect children's preferred communication methods

Children with psychosocial and/or intellectual disabilities may have a variety of preferred communication methods, including verbal, written, through drawing, using communication boards, digital devices, or interpreter assistance. Evidence-gathering must adapt to the child rather than forcing the child to adapt to procedural requirements which have not been disability-informed. This may require amending traditional questioning formats from open/closed question structures to more flexible approaches. This is consistent with Article 7(3) of the CRPD requiring the provision of disability and age-appropriate assistance to ensure children with disabilities can express their views.

4. Use visual supports and concrete references during interviews

Abstract questions about time, frequency, or sequence can be challenging for some children with intellectual disabilities. Using visual timelines, calendars, scale cards (for questions about degrees/intensity), body diagrams, or photographs of relevant locations can help anchor the conversation in concrete elements. This is consistent with the procedural and age-appropriate accommodations required under Article 13(1) of the CRPD.

5. Validate and acknowledge communication efforts

This is particularly important when children use non-traditional means of expression. Simple acknowledgments like restating what has been understood, expressing appreciation for their effort, and checking for genuine understanding can improve interview quality and the child's sense of being heard.

6. Minimise environmental distractions during interviews

Children with certain disabilities may be sensitive to sensory stimuli. Interview rooms should have minimal visual clutter, reduced background noise, appropriate lighting (avoiding fluorescent lights where possible), and comfortable seating that accommodates a broad range of physical needs.

6.1.2 Procedural Accommodations

1. Record evidence at the earliest appropriate stage to prevent multiple interviews

Criminal proceedings can last many months or years. Each retelling of traumatic events can cause significant distress. High-quality audio-visual recording of initial interviews conducted by trained professionals in accessible locations should become standard practice across all jurisdictions.

2. Put in place physical separation procedures between child victims and alleged perpetrators throughout all stages of proceedings

This includes separate waiting areas, separate entrances/exits, staggered arrival times, and video link facilities. This is in accordance with the requirements of Article 19(1) and (2) of the Victims' Rights Directive regarding the right to avoid contact between victim and offender.

3. Formally recognise the role of support persons in procedural rules

Courts and police should establish protocols regarding the presence, seating arrangements, and authorised interventions of support persons during interviews and hearings. Support persons should be briefed on their scope of their role and be allowed to request breaks when they observe the child is becoming distressed or confused. This aligns with Article 20(3)(f) of Directive

2011/93/EU which allows child victims to be accompanied by their legal representative or an adult of their choice.

4. Modify courtroom physical environments to reduce the risk of intimidation

Some examples of practical changes include rearranging seating to place all participants at the same level, removing architectural elements that create unnecessary formality, using screens or video links where appropriate, and positioning participants so that the child can always see their support person. For older court buildings where architectural changes may be more challenging, consider holding hearings in more appropriate alternative locations when they involve child victims.

5. Develop individual assessment tools specifically designed for children with different types of disabilities.

Individual assessments of child victims with disabilities should evaluate communication needs, attention span, stress triggers, sensory sensitivities, preferred support arrangements, and other relevant factors. This should be done before formal proceedings begin and thereafter inform all subsequent procedural decisions. This implements Article 22 of the Victims' Rights Directive requiring individual assessments of victims to identify specific protection needs.

6. Create pre-hearing orientation opportunities

This might be allowing children to visit court facilities or police interview rooms when empty, meet key personnel in casual circumstances, practice using any video link equipment, and become familiar with the physical environment.

6.1.3 Professional Development

1. Undertake disability training

Such training should not be limited to awareness-raising but should also support the development of practical skills. Training should include understanding different disability types, recognising individual variations within these categories, identifying communication barriers, and practical techniques for determining support needs. This training should be informed by input from people with lived experience of disability.

The LINK project's Equal Treatment Training Guide demonstrates how training programmes can be developed collaboratively across multiple jurisdictions. The Guide contains practical activities, case studies, and role-playing exercises—rather than traditional lecture formats.

Key elements of effective disability training include:

- Interactive methodologies that engage participants through problem-solving scenarios and multidisciplinary team simulations*
- Adaptable content that can be tailored to different national legal frameworks whilst maintaining core principles*
- Practical skill development through role-playing exercises that allow professionals to practice communication techniques and procedural accommodations*
- Ongoing evaluation to assess knowledge retention and practical application in professional settings*

Such training is consistent with Article 25 of the Victims' Rights Directive on training of practitioners and with Article 9(2)(c) of the CRPD on training stakeholders on accessibility issues.

2. Develop competence in using communication aids

This includes basic AAC systems, visual supports, and digital communication tools. Judges, police officers, prosecutors and court staff should have hands-on practice with these tools before encountering them in actual cases. The LINK project's Equal Treatment Training Guide contains practical exercises using AAC symbols and communication boards which show how such tools can be integrated into professional development initiatives.

3. Examine and challenge biased assumptions about reliability, suggestibility, and credibility of testimony from children with disabilities

This can be achieved through evidence-based training which should include examinations of how traditional credibility assessments may disadvantage children with certain communication styles or social presentations associated with their disability. This goes some way towards vindicating the prohibitions on discrimination contained in Article 5 of the CRPD and Article 21 of the EU Charter of Fundamental Rights.

4. Establish mentoring relationships with professionals who have developed expertise in working with children with disabilities through training and experience

Professional should identify opportunities for shadowing, engaging in case reviews, and supervised practice, all of which can build confidence and competence more effectively than classroom training alone.

5. Participate in multi-disciplinary learning opportunities

These learning exchanges should bring together professionals from child protection, healthcare, education, and disability services to develop common understandings and shared approaches. Breaking down professional silos is particularly important when supporting children with complex needs requiring input and ongoing support from multiple services. This type of multi-disciplinary approach supports implementation of Article 26 of the Victims' Rights Directive on cooperation and coordination of services.

6. Verify communication authenticity

Criminal justice professionals should endeavour to verify that communications authentically represent the child's own thoughts and choices, particularly where physical assistance is involved in communication. In such cases, professionals should seek independent assessment from individuals with expertise in communication methods and disability. This may include message-passing and other authorship testing methods to establish that the child's genuine voice is heard. Such verification is an important part of both respecting the rights of the child and ensuring the integrity of the legal proceedings.

7. Establish interdisciplinary training programmes

Professional development should bring together criminal justice professionals, child protection workers, education professionals, and speech and communication experts in shared learning environments in order to create common understanding across sectors. Foundational, pre-service training for all relevant professions should include modules on children's rights, disability awareness, and trauma-informed practice. Such training programmes should be ongoing rather than one-time events.

6.2 For Child Protection Systems

6.2.1 Integration and Coordination

1. **Establish written inter-agency protocols**

These protocols should set out clearly defined roles, responsibilities, information-sharing procedures, and coordination mechanisms when supporting child victims with disabilities. These protocols should be signed-off at senior management level and have named liaison officers attached to them in each agency. There should also be regular review procedures to address any implementation issues.

2. **Create specialist multi-disciplinary assessment teams**

These teams should have expertise in child development, disability support needs, trauma, as well as legal procedure. These teams should conduct their assessments before criminal proceedings begin and provide ongoing advice to criminal justice professionals throughout the process.

3. **Develop co-location models**

These should bring together forensic interviewers, child psychologists, medical professionals, child protection workers, and police in child-friendly environments. In rural areas where dedicated buildings may be impractical, it may be that regular multi-disciplinary outreach clinics offer an alternative.

4. **Appoint dedicated justice intermediaries or case coordinators for cases involving children with disabilities**

These case coordinators should liaise between different systems, prevent duplication of interviews, ensure consistent approaches, and provide a single point of contact for the child and their family/legal representative. They should have both child protection expertise and deep knowledge of disability.

5. Implement secure electronic case management systems

Such electronic CMSs should allow for information sharing between authorised professionals while maintaining data protection standards. These systems should flag disability-related needs to ensure all professionals are aware of required accommodations. They should also contain individual assessment tools, secure communication platforms, and assistive technology support. This should be done in such as was as to implement Article 26 of the Victims' Rights Directive while respecting data protection requirements under the GDPR.

6.2.2 Specialised Support Services

1. Develop disability-specific advocacy services as part of victim support frameworks

These advocates should have training in both criminal procedure and the specific needs of children with different types of disabilities so that they can effectively support children throughout the criminal justice process – from initial reporting through to post-trial support. This would go some way towards complying with State obligations under Article 8 of the Victims' Rights Directive on the right to access victim support services and the recital 38 reference to "specific services for children".

2. Establish a pool of communication specialists

These specialists could be called upon to support police interviews and court appearances and should include speech and language therapists with forensic interview training, sign language interpreters with legal vocabulary, and professionals skilled in various AAC methods. They should be available on call for emergency situations and have security clearance for court settings.

3. Create accessible support services through multiple channels

Existing victim support services should be reviewed and adapted to ensure accessibility for children with various disabilities. This includes physical accessibility of buildings, availability of information in different formats (easy-read, large print, Braille, audio, video with subtitles and sign language), and staff trained in disability-inclusive practice.

4. Address geographical disparities in service provision

This can be done through a combination of physical outreach services and secure remote support options, complemented by mobile teams that can travel to underserved areas. Rural children with disabilities are particularly disadvantaged by centralised service models, and the use of accessible technology and periodic in-person visits may be necessary.

5. Design court preparation programmes specifically for children with intellectual and psychosocial disabilities

These should not be limited to court familiarisation, but should also address specific challenges, e.g. support with temporal sequencing, anxiety about unexpected changes, sensory overload in court environments.

6.2.3 Preventative Measures and Education

1. Revise safeguarding policies

Safeguarding policies across education, health, social care, and recreational settings should be reviewed and revised where necessary to specifically address the heightened vulnerability of children with disabilities. These policies should include guidance on recognising signs of abuse and awareness-raising that this may present differently in children with certain disabilities.

2. Create educational materials about personal safety, rights, and reporting abuse that are designed for children with different cognitive abilities and communication needs

These materials should be integrated into school curricula and available in multiple formats including easy-read text, visual stories, video with sign language, and interactive digital resources.

3. Develop disability-inclusive sex and relationships education

This education should address topics such as bodily autonomy, consent, appropriate/inappropriate touch, and how to seek help. It should be provided in accessible formats and adapted for different cognitive abilities and communication needs. This type of educational package is consistent with the prevention requirements under Article 16(2) of the CRPD and Article 23 of the UNCRC on protecting children with disabilities from abuse.

4. Implement community awareness programmes

As part of compliance with Article 16(2) of the CRPD, community awareness programmes should target parents, carers, education professionals, and community members about the increased risk of victimisation faced by children with disabilities. A key part of these programmes should be the challenging of harmful myths and stereotypes, providing practical guidance on protection and support, and an emphasis on the importance of believing disclosures.

5. Establish early intervention programmes

Such programmes should prioritise families of children with disabilities who may be experiencing stress, isolation, or lack of support – factors that can increase the risk of abuse. The programmes should cover support options such as practical assistance, respite care, peer support networks, and accessible parenting programmes tailored to the specific challenges of raising children with different disabilities. This is part of addressing State's obligations under

Article 23(2) of the UNCRC to provide assistance to parents of children with disabilities.

6.3 For Policymakers (National and EU Level)

6.3.1 Legislative and Policy Frameworks

1. **Reform criminal procedure legislation**

Reforms to criminal procedures should recognise children with disabilities as a distinct group requiring specific accommodations. These should not be confined to general provisions for ‘vulnerable witnesses’. They should instead clearly state the rights and entitlements of children with disabilities – focusing on identifying support needs rather than diagnostic criteria. These reforms should recognise AAC and other non-traditional communication methods as valid means of giving evidence.

2. **Set out an obligation to conduct individual needs assessments in legislation**

A statutory obligation should be adopted which requires that all children with disabilities involved in criminal proceedings receive an evaluation of their specific needs. These assessments should then directly inform procedural accommodations throughout the criminal justice process.

3. **Establish legally binding procedural accommodation standards**

These standards should shift practice away from discretionary approaches to rights-based guarantees. They should specify minimum requirements for interviews, court appearances, and other procedural elements, while allowing flexibility to address individual needs. Where they are not adhered to, that should provide grounds for appeal.

4. **Amend age-based legal distinctions that fail to account for developmental diversity**

Legal provisions should be formulated in such a way as to recognise that development may occur at different rates and at different ages for some children with disabilities. As such, minimum ages for giving evidence, providing

consent, and other procedural matters should be reviewed to take account of this.

6.3.2 Resource Allocation and Systemic Improvements

1. Ring-fence dedicated accessibility improvement funds within justice system budgets

These funds should go towards physical modifications to buildings, procurement of specialised equipment (including communication aids), development of accessible information materials, and training programmes. Funding should be allocated based on accessibility audits conducted by qualified assessors with input from disability organisations.

2. Develop nationwide infrastructure of child-friendly interview facilities

These facilities should be equipped with high-quality recording technology, appropriate furnishings, and design features that accommodate various accessibility requirements. They should be distributed geographically to ensure equitable access. Mobile solutions should be put in place for remote areas where permanent facilities are not feasible.

3. Create specialist career tracks within police forces, prosecution services, and judiciary for professionals

These pathways would focus on working with vulnerable victims, including children with disabilities. Individuals on these tracks should receive enhanced training, supervision. This would lead to a building up of centres of expertise within each organisation that can then support colleagues and achieve improvements in practice.

4. Establish independent monitoring mechanisms to track implementation of accessibility measures and procedural accommodations for children with disabilities

These mechanisms serve as a form of oversight and should include input from disability rights organisations. They should collect both quantitative and qualitative data and publish periodic public reports highlighting progress and ongoing gaps in implementation.

5. Implement accessibility standards for all digital justice systems

Particular attention should be paid to the needs of children with different types of disabilities when implementing these standards. They should cover website design, document formats, communication platforms, and case management systems. Priority should be given to ensuring compatibility with various assistive technologies as well as compliance with international accessibility guidelines.

6.3.3 EU-Level Initiatives

1. Produce guidance documents on implementing existing EU Directives for children with disabilities

This guidance should include practical examples, minimum standards, and benchmarks for assessing compliance. Such guidance is consistent with the EU Strategy on the Rights of Victims (2020–2025) commitment to align with the CRPD.

2. Develop EU-wide professional standards for specialists working with child victims with disabilities in the justice system

These could form the basis for qualification recognition across Member States and establish common competency frameworks for police, prosecutors, judges, and support professionals.

3. Monitor Member States' progress in making justice systems accessible to children with disabilities

This monitoring process could include developing specific indicators within the EU Justice Scoreboard, carrying out thematic evaluations, and establishing peer review mechanisms between Member States.

6.4 For Digital Transformation

The LINK project's development of the [Model Multidisciplinary Cooperation System](#) offers a blueprint for implementing these digital recommendations. The system's 'Diana' platform demonstrates how technology can ethically support individual assessments, procedural accommodations, and multi-agency coordination.

6.5 Cross-Cutting Recommendations

6.5.1 Participation and Co-Design

1. Engage in consultation processes that meaningfully involve children with disabilities in justice system improvements

In accordance with Article 7(3) of the CRPD and Article 12 of the UNCRC, consultation of this kind might take the form of permanent advisory groups, representation on boards and committees, structured feedback programmes for children who have experienced the justice system, and co-design workshops for specific initiatives.

2. Partner with disabled people's organisations in developing, implementing, and evaluating reforms to criminal justice systems

Organisations led by people with disabilities should be prioritised as partners, in accordance with Article 4(3) of the CRPD.

3. Create accessible feedback mechanisms for children with disabilities who have navigated the criminal justice system

Such mechanisms should be available in multiple formats and be designed to capture both positive and negative experiences. Feedback should be used to inform ongoing improvements.

4. Implement fair remuneration policies for experts by experience who contribute to improving justice systems

This includes children with disabilities and adult consultants with disabilities who provide training, participate in advisory groups, or contribute to research. Payment rates should reflect the value of their expertise. Alternative forms of compensation should be mutually agreed with those unable to accept direct payment due to benefit regulations.

6.5.2 Research and Evidence Building

1. **Collect disaggregated data on the experiences of child victims with disabilities in criminal proceedings**

This forms part of State obligations under Article 31 of the CRPD on statistics and data collection. The data collected should include quantitative metrics (e.g. number of cases, types of crimes, procedural accommodations provided, case outcomes) and qualitative information about children's experiences and perceptions. Data should be disaggregated by age, gender, type of disability, and other relevant factors.

Practical guidance for implementing such data collection systems can be found in the tools developed under the 'Accessing Justice for Children (A2JC)' project, which developed frameworks for collecting and analysing disability- and child-specific data in justice systems.¹⁴⁷

2. **Conduct longitudinal research tracking outcomes for child victims with disabilities through and beyond criminal proceedings**

Indicators of this longer-term research should include:

- *psychological wellbeing*
- *educational outcomes*
- *family relationships*
- *perceptions of justice*

¹⁴⁷ Lawson, A., *Data Collection and Dissemination Guide*, Accessing Justice for Children (A2JC) Project, Mental Disability Advocacy Centre (2023), available at: <https://www.mdac.org/en/accessing-justice-children>

3. Create and maintain a repository of case studies documenting successful accommodations and adaptations that have improved access to justice

These should provide information about implementation challenges, resource requirements, and outcomes, in accordance with Article 26(1) of the Victims' Rights Directive on the exchange of best practices.

4. Investigate intersectional barriers faced by particular groups of children with disabilities

These groups include girls, children from ethnic minorities, migrant children, LGBTQ+ children, and those from socio-economically disadvantaged backgrounds. This research should aim to identify how multiple forms of disadvantage interact and compound access to justice barriers.

6.5.3 Intersectionality and Gender-Specific Needs

1. Develop gender-sensitive approaches for girls with disabilities who become victims of crime, particularly sexual violence.

Girls with intellectual and psychosocial disabilities face disproportionate rates of sexual victimisation. Specific measures to address this should include:

a. Female-led interview teams with specialised training in both disability and gender-sensitive approaches. *Girls with disabilities should have the option of female interviewers, support workers, and other professionals throughout the process, recognising that experiences of trauma may be compounded when recounting experiences to male professionals.*

b. Targeted interview protocols that address the dynamics of crimes predominantly affecting girls with disabilities, *i.e. sexual violence, domestic abuse, and exploitation, in light of Article 22(3) of the Victims' Rights Directive regarding victims of gender-based violence with*

special protection needs. These protocols should incorporate trauma-informed approaches that recognise the complex impact of gender-based violence.

c. Specialised support services addressing the intersection of gender, disability, and trauma in accordance with Article 8(3) of the Victims' Rights Directive. These should include therapeutic approaches tailored to the needs of girls with intellectual and psychosocial disabilities who have experienced victimisation.

d. Protection from gender-based credibility biases. This report has shown how girls with disabilities who are victims of sexual crimes and/or trafficking are sometimes stigmatised as 'accomplices'. Training for justice professionals should explicitly address these intersectional biases of gender and disability.

2. Challenge harmful stereotypes about disability, gender, and victimhood that risk affecting criminal justice outcomes

Particular focus should be placed on:

a. Dismantling victim-blaming narratives that disproportionately affect girls with disabilities (particularly in sexual violence cases).

Training for police, prosecutors, and judges should address how gender and disability stereotypes interact to create barriers to justice.

b. Challenging notions of 'ideal victims' that may exclude children with complex communication needs or behavioural presentations related to their disability. These stereotypes can be particularly damaging for boys with certain disabilities who may be perceived as 'difficult'.

c. Addressing prejudicial assumptions about the sexuality and capacity to consent of adolescents with intellectual disabilities which

can lead to dismissal of their victimisation experiences (particularly for girls).

3. Create specialised pathways for children facing multiple forms of marginalisation

This could include:

a. Refugee and migrant children with disabilities *who may face language barriers and complicated legal statuses that may deter reporting.*

b. Children with disabilities from ethnic minorities, *such as Roma children identified in the Lithuanian research, who may face compounded discrimination and less access to support services.*

c. LGBTQ+ children with disabilities, *who may experience specific forms of victimisation related to both their disability and sexual orientation or gender identity and also face unique barriers in disclosure and support.*

d. Children with disabilities living in institutional settings *who are at increased risks of abuse and face greater barriers to reporting and accessing justice. Central to this is Article 19 on the right of persons with disabilities to live in the community, as well as Article 16(3) of the CRPD which mandates the monitoring of facilities and programmes for persons with disabilities.*

4. Develop nuanced individual assessment tools that capture the interaction between different aspects of identity and experience

Aspects of this might include:

a. Cultural sensitivity *measures that recognise how cultural background may influence communication styles, disclosure patterns, and support needs.*

b. Assessment of socioeconomic factors that may impact access to justice, e.g. transportation barriers, technology access, and family resources to support participation in proceedings.

c. Consideration of past experiences with authorities that may impact on trust and engagement with the justice system. This is a particular risk for children from communities with histories of systemic discrimination.

5. Implement safeguards against secondary victimisation for children at intersectional risk

This can be achieved by providing:

a. Enhanced privacy protections for cases involving girls with disabilities who are victims of sexual violence given the specific stigma they may face within communities.

b. Cultural mediation services for children with disabilities from minority ethnic backgrounds to ensure accurate cultural context is understood throughout proceedings.

c. Specific protections against discriminatory questioning that exploits intersectional vulnerabilities, e.g. questioning that draws on harmful stereotypes about certain ethnic groups combined with disability-related bias.

6.6 Implementation Priorities and Sequencing

The transformation of criminal justice systems to be accessible for child victims with disabilities requires coordinated action. The following three phases should be considered as an overarching roadmap for implementation. It may need to be adapted to meet national and regional contexts:

Phase 1: Foundation Building (0–12 months)

- Establish written inter-agency protocols
- Begin mandatory disability training for criminal justice professionals
- Conduct accessibility audits of court facilities and digital systems
- Develop individual assessment tools for children with disabilities

Phase 2: System Integration (6–18 months)

- Implement secure electronic case management systems
- Establish specialist career tracks within criminal justice institutions
- Create pools of communication specialists and trained advocates
- Pilot co-location models

Phase 3: Cultural Transformation (12–24 months)

- Expand professional training to include intersectional approaches
- Implement monitoring mechanisms for accessibility measures
- Develop child-friendly digital applications and information resources
- Create independent assessment mechanisms for disputed communications from non-verbal children

RESOURCES

Key Legal Frameworks

European Union Legal Instruments

EU Charter of Fundamental Rights (2000)

Directive 2012/29/EU (Victims' Rights Directive) Establishing minimum standards on the rights, support and protection of victims of crime Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32012L0029>

Directive 2011/93/EU On combating the sexual abuse and sexual exploitation of children and child pornography Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32011L0093>

Directive 2016/800/EU On procedural safeguards for children who are suspects or accused persons in criminal proceedings Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32016L0800>

United Nations Conventions

UN Convention on the Rights of the Child (1989) Available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>

UN Convention on the Rights of Persons with Disabilities (2006) Available at: <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>

Convention on the Elimination of All Forms of Discrimination Against Women (1979)
Available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>

UN Special Rapporteur on the rights of persons with disabilities, *International Principles and Guidelines on Access to Justice for Persons with Disabilities* (August 2020) Available at:

https://www.ohchr.org/sites/default/files/Documents/Issues/Disability/SR_Disability/GoodPractices/Access-to-Justice-EN.pdf

EU Strategy Documents

EU Strategy on the Rights of the Child (2021-2024) Available at: https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/rights-child/eu-strategy-rights-child-and-european-child-guarantee_en#the-eu-strategy-on-the-rights-of-the-child

EU Strategy for the Rights of Persons with Disabilities (2021-2030) Available at: <https://ec.europa.eu/social/main.jsp?catId=1484&langId=en>

EU Strategy on Victims' Rights (2020-2025) Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020DC0258>

Communication and Assistive Technology Resources

Augmentative and Alternative Communication (AAC)

ISAAC (International Society for Augmentative and Alternative Communication)

- Website: <https://www.isaac-online.org/>

Cboard

- Open-source AAC web application

RESOURCES

- Website: <https://www.cboard.io/>

Communication Matters (UK)

- Resources on AAC
- Website: <https://www.communicationmatters.org.uk/>

Accessibility Standards

Web Content Accessibility Guidelines (WCAG) 2.1

- International standard for web accessibility
- Available at: <https://www.w3.org/WAI/WCAG21/Understanding/>

EN 301 549

- European standard for ICT accessibility
- Available at: https://www.etsi.org/deliver/etsi_en/301500_301599/301549/03.02.01_60/en_301549v030201p.pdf

Training and Professional Development

Child-Friendly Justice

Council of Europe Guidelines on Child-Friendly Justice Available at: <https://rm.coe.int/16804b2cf3>

CRIN Child-Friendly Justice and Children's Rights Available at: <https://home.crin.org/child-friendly-justice-toolkit>

Professional Training Resources

European Judicial Training Network (EJTN)

- Training programmes for judges and prosecutors
- Website: <https://www.ejtn.eu/>

Access to Justice for Children with Mental Disabilities Training

- Online training modules for criminal justice professionals
- Website: <https://mdac.org/A2J-training-site/>
- Covers skills training for working with children with mental disabilities in justice settings

CEPEJ (European Commission for the Efficiency of Justice)

- Guidelines and tools for justice systems
- Website: <https://www.coe.int/en/web/cepej>

Mental Disability Advocacy Centre, *Accessing Justice for Children (A2J) Project Training Guide* Available at: <https://mdac.org/A2J-training-site/>

Digital Justice and E-Justice Resources

EU Digital Justice Initiatives

e-Justice Portal

- Information on justice systems across EU
- Website: <https://e-justice.europa.eu/>

European Judicial Atlas

- Practical information for cross-border proceedings
- Available through e-Justice Portal

Accessible Information Formats

Easy-Read Resources

Inclusion Europe Easy-to-Read Guidelines

- Standards for creating accessible information
- Available at: <https://www.inclusion-europe.eu/easy-to-read/>

Symbol Communication

Widgit Symbols

- Symbol sets for communication support
- Website: <https://www.widgit.com/>

Note: All website links and contact information were accurate at the time of writing (July 2025)