

PRACTICE (Procedural Rights for All Children in justice) seminar
The Right of the Child to Individual Assessment (Article 7 of the Directive 2016/800)

*Training for judges and judicial assistants, prosecutors and probation officers working
with children in conflict with the law*

Date: 28 – 29/04/2021

Platform: Zoom

Description: The training is focused on the right of the child in conflict with the law to individual assessment, recently made part of the EU law in Article 7 of the Directive 2016/800 on procedural safeguards for children who are suspects or accused persons in criminal proceedings. The training will focus on the individual assessment as a human right of the child and not a mere matter of evidence. The objective is to present international human rights standards, discuss the traditional approach to the individual assessment and its risks for the child, the principles and rules governing sharing the sharing of information of relevant subjects and the multidisciplinary cooperation, and explore the potential restorative justice approach to ensure that the child has practical and effective opportunity to actively participate in the proceedings.



Agenda

8:30-9:00 Welcome and introductory remarks

9:00-10:30 Introductory session: Relevant human rights standards

- Introduction to the child rights-based approach
Mikiko Otani (Japan), UN Committee on the Rights of the Child
- Importance of the right to health perspective (including right to mental health)
Dainius Pūras (Lithuania), Human Rights Monitoring Institute, Vilnius University, Former UN Special Rapporteur on the right to health
- Individual assessment as the right of the child
Forum for Human Rights and International Commission of Jurists

Discussion

10:30 – 10:45 Break

10:45 – 12:00 How to work with information and what principles and rules should govern the sharing of information and multidisciplinary cooperation?
Eva Huls (Netherlands), Defence for Children Netherlands, substitute judge/rechter – plaatsvervanger at the District Court in Rotterdam

Discussion

12:00 – 13:00 Lunch

13:00-14:30 Restorative justice principles and the right to individual assessment I

- Can restorative justice be an inspiration for the individual assessment as the right of the child?
- Can restorative justice promote social justice?
- Can restorative justice promote the effective participation of the child?
Ian Marder (Ireland), Maynooth University, Scientific Expert to the Council of Europe (2017-2018)
Annemieke Wolthuis (Netherlands), Restorative Justice Nederland, substitute youth judge at District Court in Rotterdam, European Forum for Restorative Justice

Discussion

14:30 – 14:45 Break

14:45 – 16:00 Restorative justice principles and the right to individual assessment II

- Practical reflexions in the Czech and Slovak context
Petra Masopust Šachová (Czech Republic), Institute for Restorative Justice, European Forum for Restorative Justice

Discussion

16:00 – 16:30 Wrap up, Final discussion

