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BARNAHUS – Children's house in Slovenia
Comprehensive concept of treatment of a child victim of sexual abuse in the criminal proceedings

In 2022, the first children's house the primary goal of which is the comprehensive treatment of child victims or witnesses of criminal offences, will begin operating in Slovenia. The newly formed Protection of Children in Criminal Procedure and their Comprehensive Treatment in children's House Act stipulates that a forensic interview with a child victim of a sexual offence shall be conducted in the Children's house with the assistance of an appropriate expert for criminal proceedings or in cases of urgent pre-trial investigation. (Miklič, 2021a) Thus, the criminal proceedings are aimed at avoiding additional unnecessary interrogations and thus causing victimisation due to the proceedings themselves and approaching the welfare of the injured child. (Miklič, 2021b)

Despite the proximity of the opening, the professional public is not adequately acquainted with the European concept of Barnahus, which will be approached by the first children's house in Slovenia in its operating model. Due to the lack of key information, misconceptions and unrealistic expectations have formed, which will complicate the idea of the children's house operation for a child who would need treatment in the children's house at the stage of disclosure of abuse and at the time of reporting to the competent authorities, and for experts who daily meet children, victims of abuse, as well as for professionals employed in the house.

Key words: *Barnahus, children's house, investigation, forensic interview, criminal proceedings, urgent pre-trial investigation*

1. INTRODUCTION

Following the American model of “Children advocacy centres”, the first children's house in Europe began operating in Iceland in 1998. Despite the difference in legal and organisational meaning as the difference of cultural space, both models are based on a comprehensive professional treatment of the child in one place. In Slovenia, a government decision from 2017,¹ under the leadership of the Ministry of Justice, established the “Barnahus” (Icelandic) model or the Children's House, the leading European model that will enable uniform cooperation of institutions in cases in which a child is a victim of sexual violence. The Ministry of Justice has formed an inter-ministerial working group of experts to assist in the establishment of the Children's House in Slovenia, the integral and active member of which is also the police and the purpose of which is to explore both legal and political opportunities and to overcome obstacles in setting up *Barnahus* or the first Children's House in Slovenia.

2. EUROPEAN BARNAHUS

There is one *Barnahus* in Iceland (Forestveit, 2021), which treats children aged 3.5 to 18 who are victims of sexual abuse, physical violence and domestic violence. *Barnahus* is coordinated by the government *Child Protection Services*. In a case of suspicion of child abuse, two different forms of forensic interview can be conducted in *Barnahus*. The first or investigative interview is conducted in cases where a report is made to the police and the police investigate the suspicion of a crime committed against a child. This investigative interview is conducted by a judge, the implementation itself is additionally monitored by the present public prosecutor, police officer, child's advocate, defendant's advocate, the defendant and a representative of the government *Child Protection Services*. At the request of *Child Protection Services*, another form of forensic interview can be conducted in *Barnahus* in Iceland, namely an investigative interview, whenever the abuse has not yet been disclosed or the level of suspicion of abuse is low, when the suspect has not yet been identified or when the perpetrator is a child under the age of 15. This type of research interview in *Barnahus* is coordinated solely by the *Child Protection Services*. Before the forensic interview itself, a preparatory meeting is held; the forensic interview is video documented. It is performed by a specially trained expert in a specially designed and equipped room. *Barnahus* offers the possibility of a medical examination of the child, therapeutic assistance to the child and his/her family, and works towards the training of professionals involved in child protection. *Barnahus* directly employs psychologists, social workers and criminologists. Iceland-like concepts have developed over the years, first in the Nordic countries and then in several other countries of the European Union.

¹ Decision of the Government of the Republic of Slovenia, No 70000-2/2017/3 of 8 June 2017

Sweden introduced the *Barnahus* (Peterson, 2021) model in 2005. There are currently 30 autonomous *Barnahuses* operating in the country. They treat children under the age of 18 who are victims of sexual and physical violence by people close to them or acquaintances. Also included in the treatment are children, victims of female genital mutilation, direct and indirect victims of the so-called crimes of honour as well as child perpetrators of sexual acts committed against children. In *Barnahus* in Sweden, forensic interviews are conducted by police officers specifically trained to conduct a forensic interview with a child victim of abuse. A forensic interview with the child is conducted in the morning, before lunch. The entire forensic interview with the child is monitored from the next room by a state prosecutor, a social worker, a child advocate, other police officers and *Barnahus* employees. Any medical examination of the child is performed by specially trained doctors immediately after the forensic interview with the child. A police interrogation with the suspect is held on the same day at the police station. The child is offered therapeutic assistance for the purposes of conducting a forensic interview.

Norway established *Barnahus* (Bergen & Fjell, 2021) in 2007, and there are currently 11 operating in the country. In *Barnahus* in Norway, children and adults with special needs are treated when there is a suspicion of sexual abuse or violence against them or they are victims of domestic violence. The central group is children aged between 3 and 16 years. *Barnahus* treats children between the age of 16 and 18 when there is a suspicion of sexual abuse or domestic violence, and particularly vulnerable children as well as adults with special needs. *Barnahus* is administered by the Ministry of Justice and is an integral part of the police.

In Europe, *Child Advocacy Centres* have been further set up to pursue the same objectives as the *Barnahus* or *Children's House*. The police and prosecutors work in a multidisciplinary team, but forensic interviews with child victims conducted in the centre are not formally related to the judicial system, meaning that the child must testify in court again. There are also *Child-Friendly Centres and Services* aimed at preventing the secondary victimisation of children who are victims of violence, and ensuring that the child recovers and is provided with long-term safety and well-being. The centres also differ from each other and contain different models. Some allow for police and prosecution cooperation, with varying degrees of cooperation and not being institutionalised or regulated by formal agreements. In addition, they can offer services such as advocacy, various forms of short- and long-term follow-up for children and parents as well as work with perpetrators, training of professionals, research and documentation (Protection of Children in Criminal Procedure and their Comprehensive Treatment in Children's House Act, Proposal, 2020 (ZZOKPOHO, proposal 2020, 2021)

Regarding the location, the closest to Slovenia is the Polyclinic for the protection of children and youth of the city of Zagreb², Croatia. The polyclinic operates as a medical institution; therefore,

² more at <https://www.poliklinika-djeca.hr>

the treatment of children is formally linked to the referral by the child's paediatrician. They specialise in the diagnosis and treatment of children and families regarding the suspicion of psychological and physical violence and sexual abuse. They deal with the issue of contact between children and parents and high-conflict divorces. The treatment includes hyperactive children, children with learning difficulties, children who are victims of peer violence and who have lost a parent or experienced or witnessed a traumatic act. In accordance with the multidisciplinary approach, the polyclinic cooperates with social work centres, health care institutions, kindergartens, schools, educational institutions, the police and parents. Over the years, the polyclinic has expanded its activities in such a way that it can be included in the framework of the *Barnahus* model. For the needs of the courts, they conduct forensic interviews with children, victims of abuse and violence. The polyclinic additionally encourages judges to conduct court hearings of the child with the help of an expert in the specially arranged premises of the polyclinic. They specially emphasise the continuous education of experts employed in the polyclinic as well as external experts and the general public. They publish handbooks and various materials and are active in the field of research. *Barnahus* or a children's house for is also being established in Hungary.

In 2015, the Committee of the Parties in charge of monitoring the implementation of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention) identified the Icelandic *Barnahus* model as an example of promising practice of data collection, child benefits in investigations and criminal proceedings. (ZZOKPOHO, proposal 2020) The European Commission and the Council of Europe have identified the *Barnahus* model or children's house as the most appropriate European model for coordinated multidisciplinary comprehensive treatment of children victims or eyewitnesses of crime. (National Guidelines for *Barnahus* in Slovenia, 2018)

3. LEGAL DEFINITION OF THE OPERATION OF THE CHILDREN'S HOUSE IN SLOVENIA, CONSIDERING INTERNATIONAL CONVENTIONS AND GUIDELINES DEFINING MINIMUM STANDARDS FOR THE PROTECTION OF CHILD'S RIGHTS

By signing the United Nations Convention on the Rights of the Child in 1989³, Slovenia committed itself to respecting the requirement that all activities related to children must consider the best interests of the child. The provision of Article 12 of the Convention on the Rights of the Child requires the States Parties to assure that the child who is capable of forming his or her own views is given the right to express those views freely in all matters affecting the child, the views

³ Act on Notification of Succession Concerning the UN Convention, Official Gazette of the Republic of Slovenia – International Treaties, no. 9/1992 (RS 35/1992). With this act on the notification of succession, which has been in force since 17 July 1992, the Republic of Slovenia inherited the United Nations Convention on the Rights of the Child from the SFRJ.

of the child being given due weight in accordance with the age and maturity of the child. In its conclusions on the combined third and fourth regular reports of Slovenia from 2013, the UN Committee on the Rights of the Child concluded that the right of children to be heard is still not properly implemented, and that there are no appropriate programmes to offer assistance to child victims of sexual abuse.⁴ Slovenia ratified the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention) in 2013 and designated the Ministry of Justice as responsible for its implementation in cooperation with other ministries. Pursuant to Article 30, Slovenia has undertaken, as a Contracting Party, to adopt the necessary legislation or other measures to ensure that the investigation and criminal proceedings are conducted with due regard for the rights of the child. Slovenia has also committed itself to adopting such protective measures for victims that ensure that the trauma experienced by the child does not increase through investigation and criminal proceedings, and that assistance is provided at the same time. Slovenia has also committed itself to giving priority to investigation and criminal proceedings without undue delay (National Guidelines for Barnahus in Slovenia, 2018). The guidelines of the Committee of Ministers of the Council of Europe on Child-Friendly Justice⁵ define the judiciary as an institution that operates quickly, conscientiously, accessibly, in an adjusted manner, age-appropriately, considering the importance of understanding the procedure and, in all this, constantly focused on respect for child's rights as well as the directly inclusive right to a fair trial.

Since the existing judicial proceedings in cases of suspected child abuse are lengthy and rigid, the goal of the adopted National Guidelines for the Children's House in Slovenia from 2018 is to ensure the improvement of the quality and efficiency of the judicial system. In May 2018, the Ministry of Justice (National Guidelines for Barnahus in Slovenia, 2018) conducted several consultations with various experts, whose joint findings revealed a significant delay between the reporting of suspected abuse and the consequent forensic interview, and subsequent assistance and therapeutic support to a child victim of abuse. It has been found that children are still often exposed to multiple interviews conducted by untrained professionals. It was also found that the police conducting interviews with children are not sufficiently trained, nor do they use internationally recognised forensic interview protocols in their work. The joint findings highlighted that inter-ministerial cooperation and coordination remain a challenge for both the present and the future, and identified as a key issue the chronic shortage of relevant clinical psychology and social work

⁴ United Nations, Committee on the Rights of the Child, Conclusions on the Joint Third and Fourth Regular Reports of the Republic of Slovenia, adopted by the Committee at its sixty-third session (27 May-14 June 2013), UN doc. CRC / C / SVN / CO / 3 -4, paragraph 41 in Protection of Children in Criminal Procedure and their Comprehensive Treatment in Children's House Act, Proposal, EVA: 2020-2030-0021, REGULAR PROCEDURE, 1 June 2020

⁵ more at http://www.svetevrope.si/sl/novice/novica_nove_smernice_sveta_evrope_za_otrokom_prijazno_pravosodje/index.html in http://www.varuh-rs.si/fileadmin/user_upload/pdf/DOGODKI_-_razni/2016_2_18_-_Sodno_izvedenstvo/Smernice_Sveta_Evrope_za_otrokom_prijazno_pravosodje.pdf

professionals, relevant experts for conducting forensic medical examinations and specific therapeutic support specialists, which are necessary in the treatment of a child in the case of suspected sexual abuse.

The European Union law does not specifically regulate children's houses. Thus, in Iceland, Sweden and Norway, the operation of *Barnahus* houses is not specifically regulated by a separate law, but rather has its strong legal basis in various other laws, criminal proceedings of a particular country or only as e.g., in Sweden, in the adopted National Guidelines and Standards for *Barnahus*. In Slovenia, in March 2021, the Government of the Republic of Slovenia approved the proposal for the Protection of Children in Criminal Procedure and their Comprehensive Treatment in Children's House Act⁶ that determines the organisational form of operation of the Children's House in Slovenia, physical examination of the child, crisis support and psychosocial assistance to the child and his/her family members. Slovenia thus became one of the first countries to regulate the operation of the Children's House in an independent legal act. The process of drafting the proposal involved domestic and foreign experts, who gave their positive assessment of the compliance of the proposed law in terms of international documents and Barnahus model standards (Hočevar, 2020).

4.CHILDREN'S HOUSE IN SLOVENIA

The first Children's House in Slovenia will be located in Ljubljana and will be organised uniformly for the whole of Slovenia. It is expected to start operating in 2022 and will be managed as a public institution. The location will be accessible by fast connections to the city as well as with the possibility of using urban passenger transportation. Functionally, the Children's House will provide access to children and other participants who need aids or help in movement. Architecturally, the Children's House will take into account the specifics of the work, which is why the spatial layout will be designed in a way that will prevent any contact of the child with the suspect or defendant. With the start of operation, the Children's House will accept children under the age of 18 who are witnesses and victims of sexual violence. The premises of the Children's House will also be used by police investigators and experts from social work centres to carry out their tasks in connection with juvenile victims or witnesses of crimes, subject to availability and with the approval of the house management. In addition to the manager, the Children's House will also have a counsellor for the child and his/her family, an expert for conducting a forensic interview, a technician and an administrator.

As an institution, the Children's House will provide technical and spatial capacities and the organisation of children's interviewing and/or their physical examination. The Protection of Children in Criminal Procedure and their Comprehensive Treatment in the Children's House Act

⁶ On 26 March 2021, the deputies of the National Assembly approved the Protection of Children in Criminal Procedure and their Comprehensive Treatment Act by 83 votes in favour and none against.

(ZZOKPOHO, 2021) stipulates that a hearing or a forensic interview with a child who is a victim of a sexual offence will be conducted in the Children's House following a written court order with the help of a suitable expert for the needs of criminal proceedings or in cases of urgent investigative acts, including pre-trial proceedings. The room where the forensic interview will be held must be equipped in accordance with international standards applicable for such rooms. The room where the forensic interview will take place must have an audio and video connection to another physically separate room where relevant experts will be located during the hearing or the forensic interview. The Children's House will additionally organise and ensure rooms for a child's physical examination, whereby the Act (ZZOKPOHO,2021) favours the examination of medical records before the actual implementation of a physical examination. A child counsellor employed at the Children's House will provide crisis support to the child before the forensic interview or possible physical examination, including further psychosocial support within the six months following the implementation of procedures.

The Children's House will ensure regular training for experts, child counsellors, the child's family and the experts conducting forensic interviews. Furthermore, it will provide multidisciplinary and inter-institutional education of the expert public.

As per the adopted Act, protocols will be formed within a certain time frame, which will include recommendations and standards that will enable uniform expert cooperation between all participating expert services.

4.1. Forensic interview in the Children's House for the needs of criminal proceedings

When this is absolutely necessary and only after a court issued a written decision, a trained expert appointed in advance will conduct a forensic interview with a child who is a victim of a sexual offence in the Children's House in Slovenia.

A state prosecutor, a child's legal representative, an injured party's authorised representative, a child themselves (if they are above the age of 16), including the suspect and their counsel, may file a justifiable motion with the court for the implementation of a forensic interview with the child in the Children's House. The court examines the motion and assesses whether the child's hearing in the Children's House should be ordered. Following the court notification that the hearing or a forensic interview with the child is to be held at the Children's House, the head of the Children's House will appoint the most suitable expert for the relevant case. This is usually the expert employed at the Children's House to implement forensic interviews. Only exceptionally, when postponing the hearing would be risky, can the hearing be carried out by another equally suitable expert (ZZOKPOHO, 2021)⁷

⁷ see Article 42

Before the hearing or forensic interview, the investigating judge will convene a preparatory meeting, which will be attended in the Children's House by all relevant people: the expert conducting the forensic interview, a police officer, a state prosecutor, the child's legal representative, the authorised representative of the minor injured party, the child counsellor from the Children's House, the child advocate as per the Human Rights Ombudsman Act, an expert worker from the social work centre, the suspect or the defendant and their counsel. The right to an advocate is of key importance since the rights of defence are ensured to the greatest degree possible during the hearing. This contributes to the non-repeatability of procedural actions and reduces the possibility of the child's repeated hearing. (ZZOKPOHO, proposal, 2020). All parties present will be informed of the facts and circumstances that are important for the implementation of the interview, the method of implementation and questions to be presented to the child. The purpose of the preparatory meeting is to examine the case comprehensively and in-depth and prepare for the implementation of the forensic interview. As per the Act (ZZOKPOHO, proposal, 2020, 2021), the preparatory meeting does not exclude prior team meetings between official bodies, i.e. the police and the social work centre, and does also not exclude a preliminary collection of information or implementation of an investigatory conversation of the police with the child as per the provisions of Article 148 of the Criminal Procedure Act.

The court will inform the employees of the Children's House, the child's legal representative or any other person, e.g. social work centre, about the child's invitation. Since the first contact is already crucial for the establishment of a relationship with the child and because the Act stipulates that the child should be invited verbally (Article 21 of the ZZOKPOHO, 2021), it would most appropriate that the invitation is forwarded by the child counsellor from the Children's House, who will also welcome the child to the Children's House, offer them crisis support before the hearing and monitor them for six months after proceedings are implemented. On the day of the hearing or forensic interview, the child will be taken to the Children's House where they will be received by the counsellor who will inform them in an appropriate way adjusted to their age and development about the purpose of their visit and actions to be implemented. The counsellor will take the child to the room where the hearing or forensic interview will be carried out and where the expert conducting the forensic interview will already be present.

A forensic interview will be carried out in a specifically designated room in the Children's House where, in addition to the expert and the child, one other person who the child chooses may be present. The entire hearing or forensic interview will be documented by means of a video. The room where the hearing or forensic interview takes place will have an audio and video connection to another room where people relevant for the procedure will be located. In the initial part of the implementation, the forensic interview expert will consistently observe the provisions (ZZOKPOHO, proposal, 2020, 2021) governing the witness's (i.e. child's) exemption

from testifying and the provisions governing the right to refuse to answer a specific question (legal instruction). The content will be accordingly and suitably communicated to the child and if the latter, due to their age or maturity, fails to understand the meaning of the right to be exempt from testifying, the court will decide whether or not the hearing of the child will be carried. If the court rules that the hearing is not to be implemented, the child will not be heard unless this is requested by the suspect or the defendant.

The hearing or implementation of the forensic interview will be conducted by the judge who will enable the parties present, i.e. the prosecutor, the defence, the defendant and the child advocate, to submit possible additional questions during the hearing or the forensic interview, which were not determined at the preparatory meeting. At their own discretion, the judge will approve the proposed questions and submit them through an electronic device to the expert who will then forward them to the child in an appropriate manner. In this way, the possibilities for additional or repeated hearing of the child and thus their further victimisation through criminal proceedings will be minimised. The objective is the utmost reduction of the number of forensic interviews.

A forensic interview will be implemented in accordance with the internationally established protocols based on the taking of evidence. While observing the rights of the defence and the defendant physically present in another, physically separate room and the possibility of simultaneous submission of questions to the judge and then the expert who adjusts the questions to the child's development level and their particular features, the probative value of the child's statement will thus be obtained. If the need arises later for an additional or repeated forensic interview, it is implemented by the same expert based on the court decision and only in those sections that require additional clarification.

In Article 42, the Act (ZZOKPOHO, 2021) anticipates the option that the hearing or forensic interview is exceptionally carried out by an expert who is not employed at the Children's House, and furthermore that, within the first five years of the enforcement of the Act and until the sufficient number of experts competent to implement the hearing of children, *it will be possible to appoint a police official who has conducted the hearing of children or collected information from children for at least five years and successfully completed professional training in this field and successfully completed additional training as per the Act.* When selecting an expert, the rules on the provision of the right to an impartial tribunal when providing an expert opinion will apply, which will be particularly important when the court is deciding on whether to appoint a police official as an ad hoc expert due to the limited number of appropriately trained people.

4.2. Training of the Slovenian Police to implement forensic interviews within the PROMISE III project

The Slovenian Police is an active member of the inter-ministerial working group of the Ministry of Justice when establishing the Barnahus or the first Children's House in Slovenia. Within the framework of the European PROMISE III project, which is co-financed by the European Commission and DG JUST through the Ministry of Justice, the police has been participating in the project as the subcontractor and co-beneficiary of the specialist training for the implementation of forensic interviews involving children as the victims of violence.

Between October 2020 and including March 2021, five experienced female criminal investigators of suspected criminal offences executed against children were actively involved in an online training programme with the use of an avatar (computer-generated child) for the implementation of forensic interviews with children as the victims of violence or abuse while receiving exceptional support and assistance by the coordinator/representative of the Service of the Director General of the Police and the coordinator/representative of the Criminal Police Directorate. Of all the countries⁸ participating in the project, Slovenia was the only one that trained once a month for the entire week at the premises of the Police Academy while observing all measures for the containment of the COVID-19 epidemic. Reasoned concerns about the mere transposition of American and European experience into Slovenian reality, the urgency of observing the particularity of the Slovenian legislation regarding the explanation of legal instruction and the exemption from testifying to the child and the acquisition of their consent to testify led the coordinators and participants to invite the representatives of the Supreme State Prosecutor's Office and a clinical psychologist who is also a court expert to become actively involved in the six-month training. The relevant experts involved in active resolving of individual cases of suspected sexual abuse of children monitored the investigators/training participants over the last three months of training before, during and after implementing forensic interviews. Directly after training implementation of a forensic interview by means of an avatar,⁹ the experts provided their notes and comments, thoughts, ideas, initiatives and guidelines on the basis of which the participants were able to incorporate the newly acquired knowledge and insights directly into the next training session and consequently in their actual onsite work. Exceptional contribution, team work and enthusiasm of

⁸ In addition to Slovenia, Iceland, Ireland, Poland, Bulgaria, Cyprus and Croatia also participated in the training for the implementation of a forensic interview.

⁹ The preparation for the role of an abused child was exceptionally demanding. For the implementation of the avatar, Vinko Stojnšek of the Criminal Police Directorate obtained the case of a discussed child from the organisers, which he examined in detail. According to the instructions, he had to confuse the interviewer or the participants during the forensic interview as frequently as possible, i.e. by silence, interruption, asking questions, expressing fear, etc. When he posed as a girl who trained e.g. dressage riding, he had to obtain additional knowledge in this field, which enabled him to respond to the open-ended questions. Furthermore, he also played the role of an avatar in Croatian for the colleague/psychologist from Child and Youth Protection Centre of Zagreb exceptionally well.

all the participants, which was also noticed by the representatives of the Ministry of Justice when visiting training sessions, produced tangible results in the form of newly drafted material, which will serve as learning aid when implementing forensic interviews. The main product is the drafted Slovenian protocol for implementation of a forensic interview with a child as a victim of violence. The protocol is the result of a detailed study of internationally established and recognised forensic protocols involving children as the victims of abuse¹⁰ while observing the specifics of Slovenian legislation. Thus, formed Slovenian protocol for implementation of a forensic interview will be first assessed as per its content and expertise by the members of the working group for the establishment of the Children's House in Slovenia, and it will be later forwarded to the expert members of the Council of Europe for their expert evaluation.

All participants in the first such training placed Slovenia on the European map, as all the ideas and initiatives were accepted positively by the representatives of the Council of Europe and will become a guideline when co-designing all further training courses of such type in Slovenia and abroad. The international certificate acquired upon the completion of the training presents an expert basis for the trained expert's high-quality work when investigating cases of suspected sexual abuse in the field or when forwarding knowledge to other experts and also when possibly providing expert opinion ordered for the Children's House.

5.POLICE EFFORTS FOR A COMPREHENSIVE DISCUSSION OF A CHILD AS A VICTIM OF SEXUAL VIOLENCE FOLLOWING A REPORT

Discussion of a child as a victim of sexual violence will be possible in the Children's House only after a reasonable suspicion of a criminal offence being committed. The police advocates the position that the discussion of a child who is a victim of violence should be possible in the Children's House already on the basis of a report. The path from reporting suspicion to its justification may be very challenging and usually long when discussing sexual abuse of children. The police, which are usually the first to receive the report on suspected sexual abuse of a child, with priority collects notifications and information from everyone who could know, detect, see or notice anything. Personal evidence is obtained from individuals, such as the child's family members who know the child best, their caretakers and teachers who spend time with them or have contact with them. The police functions multidisciplinary and seeks evidence from experts and institutions. A possible interview with a child is implemented based on a prudent and thoughtful decision and only when assessed that the child could contribute to the investigation of the suspicion of a criminal offence

¹⁰ The drafted protocol was summarised from the internationally recognised protocols and handbooks: NICHHD, Berliner in Lieb, 2001. Child sexual abuse Investigations: Testing Documentation Methods. Pool, D.A., , Lamb, M. E. (1998). Investigative Interviews of Children: A Guide for Helping Professionals. Practice Guidelines in Cases of Alleged Child Abuse. American Professional Society on the Abuse of Children, 2002.

with their statement. In such cases and irrespective of the grounds for the suspicion, the police would find it necessary to conduct a forensic interview in the Children's House by a specially trained person, while the interview would be recorded and as such fully examined from the aspect of credibility and legality. The police is of the opinion that the child is at the centre of proceedings and as such everything should be adjusted to them. During pre-trial proceedings, all forensic interviews involving small children, children with diverse intellectual or physical impairments and children who due to long-term severe neglect are intellectually less developed could have been implemented in the Children's House. Cases where the police disposes only of circumstantial evidence in spite of intensive and detailed investigation are becoming more frequent. Even circumstantial evidence is sometimes so poor that the police seriously contemplates the viability of interviewing children, although when interviewed, the children confirm the suspicion of abuse. Only then is the suspicion substantiated and only then, as per currently envisaged legal arrangements, is it possible to discuss children in the Children's House where the child will be forced to repeat his statement.

6. CONCLUSIONS

The forensic interview is a clear and narrowly structured interview conducted with a child, an alleged victim of violence, and whose purpose is to obtain detailed and accurate information from the child (in an appropriate expert and scientific manner) about the events or actions experienced by the child.

The forensic interview conducted in the Children's House could be judged or assessed as regards its approval or rejection and the same child would be ordered to be heard again only if necessary. The Protection of Children in Criminal Procedure and their Comprehensive Treatment in the Children's House Act (ZZOKPOHO, 2021) should only be the beginning of the process towards the utmost protection of a child. It should present the start of a journey at the end of which children who need help would be comprehensively discussed in the Children's House already at the time when the report is submitted to the police or only when suspicion for abuse is present since this will be the only way to realise their best interests.

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