



**FOCUS Standards: Individual  
assessment – a gateway to a  
child centered justice**

**Self-reflection Tool!**



Working together  
for children in criminal  
proceedings

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**Terre des hommes**  
Helping children worldwide.



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## Acknowledgments

This **FOCUS Standards Self-reflection Tool: Individual assessment – a gateway to a child centered justice** has been developed as part of the FOCUS project and is a component of a set of **FOCUS tools and resources**. This version was developed for the piloting process to be undertaken in FOCUS in 2021 in Bulgaria, The Netherlands, Serbia, Romania and Greece. The Standards self-reflection tool accompanies the FOCUS Standards and supports stakeholders and professionals in reflecting on how the Standards are fulfilled or can be better fulfilled in their practice or in their national systems

Rebecca O' Donnell (Child Circle), took a lead role in the development of the FOCUS Standards Self-reflection Tool, while receiving valuable input from the FOCUS experts Silvia Randazzo, Child Justice Expert, Annemieke Wolthuis, Research, mediator and trainer Mariama Diallo, Regional Programme Manager Access to Justice, Regional Office of Terre des hommes for Europe and Orinda Gjoni, FOCUS Regional Project Coordinator and our partners – Child Rights Centre (Serbia), Defence for Children (The Netherlands), SAPI (Bulgaria), Terre des hommes Hellas and Terre des hommes Romania.



## About the FOCUS project

FOCUS<sup>1</sup>, a European Union co-funded project (2020 – 2022), centred on promoting and supporting the implementation of EU legal obligations to carry out **individual assessments of the needs and circumstances of children involved in criminal proceedings, whether as victims, suspects or accused**. These obligations are set out in three EU Directives concerning combating sexual abuse and exploitation of children<sup>2</sup>, victims' rights<sup>3</sup> and procedural safeguards<sup>4</sup> respectively, as transposed into, and sometimes complemented by, national law.

The **ultimate objective** of the project is to support child-centred justice, and ensure that children in contact with the law, as victims and as offenders, receive individualised care, and have access to personalised support and responses, including through restorative justice processes. FOCUS partners see the implementation of **robust and multidisciplinary individual assessment process as a gateway into child centred justice**. Focus sought in particular to:

1. Make systematic individual assessment practices of more common application with children involved in criminal proceedings.
2. Build the knowledge, capacities and skills of youth justice professionals, about standards, tools, procedures and process in the use of multidisciplinary individual assessment with children in criminal proceedings.
3. Build the knowledge and capacities of children about their rights in the criminal justice system and empower children to be agents of change and advocates for child-centred justice.

The project facilitated learning through international mutual exchange of practices between the five target countries: Bulgaria, Greece, Serbia, Romania and The Netherlands. FOCUS partners identified gaps between theory and practice on the implementation of individual assessment practices, gaps which were addressed by providing professionals with new, practical tools and resources to apply and systematize individual assessment process and practice in their countries.

The main FOCUS tools and resources developed are:

1. The FOCUS Standards: provide guiding principles for undertaking individual assessments for children involved in criminal proceedings, including respect for the Charter of Fundamental Rights and the UN Convention on the Rights of the Child (tool)
2. The FOCUS Standards self-reflection tool: accompanies the FOCUS Standards and supports stakeholders and professionals in reflecting on how the Standards are fulfilled or can be better fulfilled in their practice or in their national systems (tool).
3. The FOCUS Mapping Tool: helps stakeholders review the state of development of individual assessment processes (tool)
4. The FOCUS reference table for progress helps stakeholders identify actions to achieve improvements (tool)

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<sup>1</sup> <https://tdh-europe.org/our-work/focus-on-my-needs-working-together-for-children-in-criminal-proceedings-/7144>

<sup>2</sup> EU Directive 2011/93 on combating the sexual abuse and sexual exploitation of children and child pornography.

<sup>3</sup> EU Directive 2012/29 establishing minimum standards on the rights, support and protection of victims of crime.

<sup>4</sup> EU Directive 2016/800 on procedural safeguards for children who are suspects or accused persons in criminal proceedings.



5. The FOCUS pilot planning tool: helps stakeholders plan pilot activities to improve individual assessment processes (tool)
6. The FOCUS research summary on individual assessment with children in Europe (resources)
7. International human rights standards applicable on individual assessment practices (resources)
8. Q&A Individual assessment – a gateway to a child centered justice: key concepts and frequently asked questions (resources).
9. The Focus capacity building resources: the Focus Training Handbook, Focus on-line platform and the Focus e-learning module.



## Introduction

The FOCUS Standard Self-Reflection Tool accompanies the FOCUS Standards and supports stakeholders and professionals in reflecting on how the Standards are fulfilled or can be better fulfilled in their practice or in their national systems.

This tool is designed to be used flexibly and is in line with the different ways in which the standards can be used, depending on the state of play in each country on the one hand, and the activities and actors involved to make progress on the other.

The FOCUS Reflection Tool can help you use the Standards to promote progress through:

- (i) Raising awareness of individual assessment obligations
- (ii) Supporting assessments of the state of development of individual assessment systems, and where improvements might be needed
- (iii) Supporting professionals to work together to build individual assessment processes
- (iv) Supporting professionals in developing or using individual assessment tools
- (v) Supporting professionals in working together
- (vi) Supporting individuals in playing an improved role in conducting, contributing to or using individual assessments
- (vii) Training for professionals
- (viii) Supporting the monitoring of individual assessment processes
- (ix) Supporting stakeholders in sharing knowledge and information between countries

### The FOCUS Standards Self-Reflection Tool can be used in a variety of different ways, including:

- ◆ To assess individual practice or to assess the individual assessment process in a given country
- ◆ To benchmark knowledge (individually or collectively) before and after individual assessment practice reviews
- ◆ To help identify national indicators for good practice
- ◆ To identify key challenges
- ◆ To identify good practice
- ◆ To identify opportunities for progress
- ◆ To consider/assess improvements in the practice of an individual practitioner

In relation to any of the above, the tool can be used to focus on better fulfilling a particular standard, rather than all of them. For example: strengthening inclusivity (e.g. addressing special needs of certain groups of children) or introducing multidisciplinary practices. It can be used in a one-off manner, like assessing individual practice or to assess the individual assessment process in a country or it can be used periodically to monitor developments.



### It can be used by:

Stakeholders and professionals in their individual work or in their collective work within a group of professionals or stakeholders to consider how to bring about progress. This includes:

- a. Organisations/professionals involved in developing individual assessment processes
- b. Organisations/professionals involved in undertaking individual assessments
- c. Organisations/professionals using individual assessments to take decisions about children

### Use of the FOCUS Standards Self-Reflection Tool could have two steps:

1. The starting point: it is useful to have a profile of the Individual Assessment of circumstances and needs of children at the national level (this could be created by stakeholders or professionals who have a complete overview of the system: see also FOCUS Mapping Tool to review the state of development of individual assessment processes.
2. Reflecting on the checklist of indicators and challenges and opportunities





## The Starting Point

### Note for use:

As background for users of the Standards Self-Reflection Tool, prior to distributing the tool, background information on the current national individual assessment process could be inserted here. This could take the form of completed tables from the FOCUS Tool identifying the state of development of individual assessment processes (if this has been done in your country).



# Reflection Charts on the standards and my role in the Individual Assessment of circumstances and needs of children in criminal proceedings

## Note for use

These self-reflection charts are designed to help you reflect on the extent to which the individual assessment of circumstances and needs of children in criminal proceedings under development or individual assessment practice fulfils the FOCUS standards. They also invite you to identify the challenges and opportunities for improvement. They can be used by a group of persons to compare and contrast their experiences.

When working in a group to compile different reflections, it may be useful to include a question addressing the persons filling out the charts with:

1. Category of respondent
  - a. Professionals involved in developing individual assessment processes
  - b. persons involved in conducting individual assessments
  - c. persons using individual assessments.
2. Type of professional: Policymaker, law enforcement, social services, lawyers, justice actors, health professionals
3. Years of experience?



STANDARD	COMMENTS	COMMENTS	REFLECTIONS
<b>HOLISTIC &amp; COMPREHENSIVE</b>	<p>Individual Assessments are:</p> <ul style="list-style-type: none"> <li>◆ Carried out for all child victims/suspects</li> <li>◆ Take into account their situation, and all of their circumstances and needs</li> <li>◆ Adequate time for assessment</li> <li>◆ Adequate sources of information</li> <li>◆ Involve both criminal justice and child protection/child welfare actors</li> <li>◆ Taken into account in all criminal proceedings</li> <li>◆ Availability of information for associated child protection or child welfare proceedings</li> </ul>	<ul style="list-style-type: none"> <li>• <i>What challenges are we facing?</i></li> <li>• <i>What promising practices did I see?</i></li> <li>• <i>What additional indicators of good practice can I identify?</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>What improvements might be made?</i></li> <li>• <i>Can I deliver these improvements?</i></li> <li>• <i>Who can deliver them?</i></li> </ul>



STANDARD	COMMENTS	COMMENTS	REFLECTIONS
INCLUSIVE	<p>Individual Assessments are:</p> <ul style="list-style-type: none"> <li>◆ Carried out for all child victims/suspects</li> <li>◆ Conducted in a non-discriminatory way for all children</li> <li>◆ Identify the needs of the child for the purposes of their participation in the process</li> <li>◆ Adapted to the specific needs of each child</li> <li>◆ Involve specialised tools (e.g. for younger children and for children with developmental challenges etc.)</li> <li>◆ Involve specialized experts where necessary</li> <li>◆ Involve additional resources where necessary (e.g. interpreters)</li> </ul>	<ul style="list-style-type: none"> <li>• <i>What challenges are we facing?</i></li> <li>• <i>What promising practices did I see?</i></li> <li>• <i>What additional indicators of good practice can I identify?</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>What improvements might be made?</i></li> <li>• <i>Can I deliver these improvements?</i></li> <li>• <i>Who can deliver them?</i></li> </ul>



STANDARD	COMMENTS	COMMENTS	REFLECTIONS
PARTICIPATORY	<ul style="list-style-type: none"> <li>◆ Provide information which is adapted to the age and understanding of the child in relation to the individual needs assessment</li> <li>◆ Ensure the appropriate support for the child (independent support/role of parents where appropriate/legal adviser)</li> <li>◆ Seek the consent of the child and parents or guardian</li> <li>◆ Involve the use of child-friendly communication techniques</li> <li>◆ Use of appropriate digital tools</li> <li>◆ Solicit the views of the child</li> <li>◆ Take into account the views of the child</li> <li>◆ Provide information on the results assessment and how it will be used</li> <li>◆ Take measures to protect the privacy of the child</li> </ul>	<ul style="list-style-type: none"> <li>• <i>What challenges are we facing?</i></li> <li>• <i>What promising practices did I see?</i></li> <li>• <i>What additional indicators of good practice can I identify?</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>What improvements might be made?</i></li> <li>• <i>Can I deliver these improvements?</i></li> <li>• <i>Who can deliver them?</i></li> </ul>



STANDARD	COMMENTS	COMMENTS	REFLECTIONS
CHILD CENTRED & CHILD SENSITIVE	<ul style="list-style-type: none"> <li>◆ Location: the location where the assessment takes place is child friendly; avoids intimidating environment</li> <li>◆ Timing: the timing of the individual assessment takes account of the child's circumstances (timing of interview, breaks provided etc.)</li> <li>◆ Staff: Involvement of social professionals (avoiding hostile techniques)</li> <li>◆ Support: Appropriate support for the child; Involving parents and guardians, where appropriate</li> <li>◆ Keeps best interests of the child as a primary consideration: e.g. take measures to ensure their emotional wellbeing</li> </ul>	<ul style="list-style-type: none"> <li>• <i>What challenges are we facing?</i></li> <li>• <i>What promising practices did I see?</i></li> <li>• <i>What additional indicators of good practice can I identify?</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>What improvements might be made?</i></li> <li>• <i>Can I deliver these improvements?</i></li> <li>• <i>Who can deliver them?</i></li> </ul>



STANDARD	COMMENTS	COMMENTS	REFLECTIONS
CONTINUOUS AND TIMELY	<ul style="list-style-type: none"> <li>◆ Undertaken in and around the first contact the child has with law enforcement or social professionals as a result of the offence</li> <li>◆ System for updating individual assessment throughout the process</li> <li>◆ System for periodically monitoring whether there have been changes in the child's circumstances</li> </ul>	<ul style="list-style-type: none"> <li>• <i>What challenges are we facing?</i></li> <li>• <i>What promising practices did I see?</i></li> <li>• <i>What additional indicators of good practice can I identify?</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>What improvements might be made?</i></li> <li>• <i>Can I deliver these improvements?</i></li> <li>• <i>Who can deliver them?</i></li> </ul>
MULTIDISCIPLINARY & COLLABORATIVE	<ul style="list-style-type: none"> <li>◆ Involvement of various professionals (law enforcement, social professionals, health professionals, educational professionals)</li> <li>◆ Involvement of different agencies</li> <li>◆ Protocols for coordination between agencies</li> <li>◆ Case management meetings and tools</li> <li>◆ Protocols for data sharing</li> </ul>		



STANDARD	COMMENTS	COMMENTS	REFLECTIONS
QUALITY	<ul style="list-style-type: none"> <li>◆ Deployment of specialist case teams for cases involving children</li> <li>◆ Special qualifications or experience required for professionals undertaking the assessments</li> <li>◆ Involvement of the right range of professionals</li> <li>◆ Provide training for the professionals involved in the assessments</li> <li>◆ Training has the right scope</li> <li>◆ Training is regular</li> <li>◆ Training standards are identified</li> <li>◆ Ensures regular supervision or intervision is in place</li> </ul>	<ul style="list-style-type: none"> <li>• <i>What challenges are we facing?</i></li> <li>• <i>What promising practices did I see?</i></li> <li>• <i>What additional indicators of good practice can I identify?</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>What improvements might be made?</i></li> <li>• <i>Can I deliver these improvements?</i></li> <li>• <i>Who can deliver them?</i></li> </ul>





STANDARD	COMMENTS	COMMENTS	REFLECTIONS
PROPERLY RESOURCED & SUSTAINABLE	<ul style="list-style-type: none"> <li>◆ Dedicated (government) funding to support individual assessment processes</li> <li>◆ Suitable premises are available</li> <li>◆ Organisations involved are well equipped to carry out the tasks</li> <li>◆ Sufficient personnel (case load not too high)</li> <li>◆ Measures to support stability of personnel (e.g. the creation of specialized units)</li> <li>◆ Availability of support tools</li> </ul> <p><i>In individual cases:</i></p> <ul style="list-style-type: none"> <li>◆ Planning process to ascertain what is needed to properly undertake individual assessments</li> <li>◆ Availability of resources for individual cases</li> </ul>	<ul style="list-style-type: none"> <li>• <i>What challenges are we facing?</i></li> <li>• <i>What promising practices did I see?</i></li> <li>• <i>What additional indicators of good practice can I identify?</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>What improvements might be made?</i></li> <li>• <i>Can I deliver these improvements?</i></li> <li>• <i>Who can deliver them?</i></li> </ul>



STANDARD	COMMENTS	COMMENTS	REFLECTIONS
IMPACT ORIENTED	<ul style="list-style-type: none"> <li>◆ Contributes to a range of different measures (e.g. procedural safeguards, educational, social, protection, health measures etc.)</li> <li>◆ Through the involvement of different agencies</li> <li>◆ Through the involvement of different professionals</li> <li>◆ Through the right professionals having access to the individual assessment</li> <li>◆ Use in both criminal justice and child protection/child welfare processes</li> <li>◆ This happens frequently</li> </ul>	<ul style="list-style-type: none"> <li>• <i>What challenges are we facing?</i></li> <li>• <i>What promising practices did I see?</i></li> <li>• <i>What additional indicators of good practice can I identify?</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>What improvements might be made?</i></li> <li>• <i>Can I deliver these improvements?</i></li> <li>• <i>Who can deliver them?</i></li> </ul>



STANDARD	COMMENTS	COMMENTS	REFLECTIONS
PROGRESS ORIENTED	<ul style="list-style-type: none"> <li>◆ Individual assessment process is regularly reviewed and monitored at the policy and practice level</li> <li>◆ Progress in the system is benchmarked</li> <li>◆ Relevant data points are collected and reviewed</li> <li>◆ Exchange of experience between the agencies involved</li> <li>◆ System of outreach to actors for whom the individual assessment is of interest (e.g. education, health professionals)</li> <li>◆ Promoting public awareness</li> <li>◆ Process to learn from international good practice</li> </ul>	<ul style="list-style-type: none"> <li>• <i>What challenges are we facing?</i></li> <li>• <i>What promising practices did I see?</i></li> <li>• <i>What additional indicators of good practice can I identify?</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>What improvements might be made?</i></li> <li>• <i>Can I deliver these improvements?</i></li> <li>• <i>Who can deliver them?</i></li> </ul>



**At the end of the exercise, you can take stock individually or within a group of:**

- ◆ What changes (additions and modifications) would I suggest for the Standards, rationale, indicators or resources?
- ◆ Did I see an impact when considering the application of the standards in individual cases? For example through:
  - ◆ The involvement of professionals to support a child (e.g., providing an interpreter for the child)?
  - ◆ The involvement of new professionals (e.g. psychologist)
  - ◆ Measures identified to meet the needs of the child:
    - ▶ During the investigation
    - ▶ Pretrial
    - ▶ During court proceedings
    - ▶ During sentencing
    - ▶ In services provided to the child
    - ▶ In protection measures
- ◆ How would I summarise the overall good practice aspects?
- ◆ How would I summarise the overall challenges encountered in applying the Standards?
- ◆ How would I summarise what could be done to improve the situation?
- ◆ What are the possible next steps to achieving progress and the possible means to achieve them?

Resources for identifying challenges and opportunities for change: **Reference Table for Progress**



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