

Child victim - child witness in criminal proceedings

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Since attention to the syndrome of physical and sexual child abuse has increased in recent decades, more and more children are appearing before the courts as witnesses of criminal offences in which they were themselves victimised. The criminal justice system, as a rational system created by adults for adults, has been shown to be unsuitable for children and also unready to adjust to the needs of children. This situation enabled, on the one hand, adjudication in matters in which children were nearly the only witnesses and, on the other hand, it caused children additional traumas. Knowledge about ways in which to make a child's situation easier has slowly come from Anglo-Saxon countries, where the majority of research studies on these topics has been undertaken, and made its way into Slovene legislation. A child is to be interviewed by a multidisciplinary team in the absence of the defendant and only once (such an interview may even have a positive effect); the circumstances and the atmosphere during the interview should be very favourable to the child; such proceedings should be very expedient or summary; a child should have the right to be accompanied in all proceedings by a person in whom s/he has confidence; some rules of evidence should be modified and a support net for victims of crime and persons who are closest to them, should be organised.

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