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Remote court hearings with children

Key findings from the Barnahus Network

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Introduction

The aim of this document is to provide an overview of the current practice of interviewing children in Europe. It is informed by the observations and experience of professionals who work in and with Barnahus in their countries. While the report focuses on remote hearings, pre-recorded testimony is also covered due to the interconnected nature of these procedures. The report covers both child victims and witnesses of violence, and children suspected of having committed a criminal offence[1].

While the policy and law regulating such interviews is a vital element of their provision, experience shows that practice often develops at a different pace. Examples in this document show that sometimes a policy or law lags in implementation. In other cases, the development of practice outpaces its regulation, or remains unregulated. There also is a significant gap between research findings and their implementation in practice - if they indeed become implemented.

This document therefore does not aim to provide a comprehensive overview of the law and policy that are currently in place in this field in Europe.

We hope the report helps policymakers and practitioners identify opportunities to improve how children experience the justice system, and to plan relevant and thoughtful steps towards improving both policy and practice.

Methodology

In late December 2025, the Barnahus Network asked members about the current or potential use of remote hearings in their countries. The questions were tailored to each country based on previously gathered information through a 2022 mapping of Barnahus in Europe, and a pro-bono legal research assignment which looked at the legal frameworks in several European countries. Replies were received from 17 countries: Cyprus, Czechia, England, Germany, Estonia, Faroe Islands, Finland, Iceland, Ireland, Latvia, Lithuania, Norway, Poland, Scotland, Slovenia, Spain (Catalonia), Sweden. Responses were complemented with the outcomes of pro bono legal research conducted by Reed Smith.

[1] This document uses the term “child suspects” to refer to children who are suspected or accused of a crime. The term describes a child’s legal status and should not be understood as implying guilt.

Child testimony

Two approaches emerged from the responses on how countries structurally organise the gathering of child testimony. Although sometimes grouped together under the umbrella of "special measures" for vulnerable victims, pre-recorded interviews and remote participation in court hearings represent two fundamentally different approaches to protecting children within criminal proceedings. Rather than being interchangeable safeguards, they reflect distinct procedural approaches for child victims and witnesses, and also children who are suspected or accused of a crime.

Pre-recorded testimony and remote hearings are both often used with the explicit aim to reduce harm, but they reflect two approaches: one prioritises minimising exposure to court processes and confrontation by structurally redesigning the procedures for obtaining evidence, the other retains traditional criminal procedure requirements while attempting to humanise and soften its impact on child participants.

Pre-recorded interviews

Pre-recording the child's testimony - and thus avoiding subjecting children to stressful and often delayed court hearings - is an explicit recommendation made by a large pool of experts from the European Association of Psychology and Law.[2]

The child's testimony is taken at an earlier stage, typically during the investigative phase, in a controlled, child-friendly setting. In some systems, cross-examination may also be conducted and recorded prior to trial.

The recording(s) is then played during the main hearing in lieu of the child being present in court to provide testimony or for cross-examination. The courtroom reviews the recorded evidence rather than directly confronting the child.

With this approach, the child's pathway through the criminal justice system is fundamentally changed. It minimises delay, prevents repeated questioning, and protects the child from exposure to the accused. Each child is shielded not only from physical presence in the courtroom, but from the dynamics of live cross-examination altogether. Presence in court becomes rare exceptions rather than a routine procedure, especially for younger children.

This procedure reduces retraumatisation, prevents undue delay, preserves evidential quality, and enhances predictability for the child, while protecting the procedural safeguards for both the presumed victim and the defendant.

When interviews in Barnahus contribute to court proceedings

When the pre-recorded testimony is taken in Barnahus contributes to court proceedings as a matter of routine, experience shows that this work follows an established practice rather than being arranged on an ad hoc basis.

In a few countries, Barnahus is structurally embedded in procedures for obtaining children's testimony in court. In some countries, the pre-trial interview that

The Barnahus Quality Standards promotes that all Barnahus should take incremental steps to ensure that the audio visually recorded interview is admissible as evidence, preventing that children must go to court.

[2] See the policy brief for the Child Forensic Interviews: Recommendations by the European Association of Psychology and Law, https://heuni.fi/documents/47074104/0/PolicyBrief_EAPL+2024+Child+Forensic+Interviewing+(2).pdf/30956dd9-5ce0-cb07-902a-15572f5be7a4?t=1716537376546

takes place in Barnahus is valid as evidence in court. In some cases, judges come to Barnahus in order to enable this procedure to take place. In other jurisdictions, this step is not necessary.

Widely in use but uneven in scope

Among respondents, the use of pre-recorded interviews is broadly embedded, particularly for younger children. Many jurisdictions treat audiovisual forensic interviews conducted in child-friendly settings as a default procedure for introducing a child's testimony into trial proceedings. In some systems, the scope extends further to include pre-recorded cross-examination.

The point at which a child is required to also take part in an in-person or remote hearing differs between jurisdictions. In several systems, recorded interviews are admissible but do not automatically replace the possibility of further questioning before court. In some cases, courts may require additional questioning or the child's participation during proceedings.

As a result, while pre-recording is widely conducted and accepted, children may still need to appear before the court, particularly children who are above certain age thresholds.

Remote participation

Remote hearings require children to participate in real-time court proceedings, sometimes including real-time cross-examination.[3]

The responses show that remote participation provides a way to balance protection with traditional principles such as immediacy and confrontation. The traditional court procedures remain intact. Instead of appearing in open court, the child gives evidence via video link from a separate room, another court building, another suitable location, or in some systems, a Barnahus. The child may avoid direct visual contact with the accused and may be accompanied by a support person.

This approach reduces the burden on the child to appear before court, but does not eliminate it. It mitigates stress, intimidation, and courtroom formality, while preserving real time presentation and/or testing of evidence. Judges and parties can observe responses in real time, and questioning may unfold dynamically.

Many countries retain that judicial discretion is a key factor in determining where testimony taken during trial, either in the courtroom or by remote video link, particularly for older children. This places greater weight on evidence presentation and testing in the courtroom, and on judges balancing competing interests. As a result, experiences may vary more substantially between cases.

Remote hearings from Barnahus

In some countries, the interview in Barnahus may be admitted as evidence in court, yet the criminal code or similar still require the child to give testimony during a court hearing. Remote hearings, where available, are often conducted from court premises or police facilities rather than from Barnahus. When there are no possibilities for a remote hearing, the child must be present in the court room.

[3] The findings of the survey conducted for this document mirror recent findings on adult access to remote hearings, which indicate significant variation in how decisions are taken about remote hearings and how the needs of participants are taken into consideration. See the *E-ViVi Background paper on the use of remote hearings and recorded pretrial interviews in court* https://heuni.fi/documents/47074104/0/E-ViVi+Background+paper.pdf/a1e4d0b8-dfec-2467-8eb0-02035eb495fe?t=1776800823776

In some countries, Barnahus operates mainly as a setting for investigative interviews rather than as a setting that is used for remote hearings. The child's participation in court proceedings remains separate from Barnahus.

A few Barnahus reported they are able to live-stream a hearing with a child to a court. Children may participate remotely from Barnahus while the court, parties, and accused participate from the courtroom or another remote location. In some countries, their Barnahus has been formally recognised as having the possibility of being a venue for remote hearings. This can often only be done upon an order from the court that testimony may be given by video link from Barnahus. Such decisions are typically made by the court on a case-by-case basis.

This approach reduces the likelihood that children who give testimony at Barnahus ever enter a courthouse. The Barnahus setting becomes the child's primary interface with the justice system, both at the investigative stage and during court hearings, where necessary. Because the procedure remains discretionary rather than automatic, it is not guaranteed that children in these systems who use Barnahus will avoid having to go to court.

Often allowed, but unevenly regulated

The regulatory framework for remote hearings varies significantly across the countries participating in the survey. Remote hearings are often embraced in practice before comprehensive procedural rules are formalised. Only a few responses detail technical safeguards such as secure connections, prevention of coaching, or verification of who is present in the room.

A limited number of responses described detailed policies on how remote hearings are conducted. Important aspects of the hearing - such as ensuring that the child is not prompted off-camera, verifying who is present in the room, and maintaining consistent technical standards - do not seem to be addressed in a systematic way overall. This may be a result of the technology and its use developing faster than the regulatory framework for its use, and particularly the fast pace with which countries adapted to the Covid pandemic.

Impact of remote hearings

Among respondents, remote hearings are widely viewed as a beneficial adaptation for children. Responses consistently report that remote hearings reduce stress and anxiety and support children's ability to provide a coherent and detailed testimony by allowing children to testify from a safer and less formal environment. Respondents indicated that avoiding the courtroom reduces fear and intimidation, particularly of encountering the accused.

Several responses suggested that children may give clearer and more complete testimony when participating remotely. Remote participation was also described as beneficial in practical terms, including reducing travel burdens and protecting information about the child's location.

Potential drawbacks include technical problems interrupting the interview, which can lead to a lower quality of the livestream and potential miscommunication. Some expressed concerns that judges may find it more difficult to assess non-verbal cues, and the risk of off-camera influence in remote settings. One response noted that conducting adversarial questioning in a location associated with therapy may undermine that space as a place of emotional safety.

Formal feedback from children was rarely reported, although some respondents noted that children generally prefer not to appear in court in person. One response reported that children get to visit the courthouse and the remote hearing facility and pick which location they prefer to appear in; all children during the 2 years of this practice have preferred to appear remotely.

Situations where appearance in court might be preferred

Among responses, avoiding in person participation in the courtroom was generally viewed as the safer option. Some responses acknowledged that courts may in exceptional cases prefer in-person testimony to uphold principles of the trial process, such as the assessment of evidence and the right to challenge it, though this was not presented as a child-centred preference.

Responses noted that a child may wish to testify in person in the courtroom, and that this should be allowed provided the decision is voluntary, informed, and revocable.

A transitional landscape

Many systems have hybrid characteristics of what has been presented above. Pre-recorded interviews are widely accepted for younger children. Older children are often still required to provide testimony during trial, either in the courtroom or via video-link. Remote participation is broadly supported across age groups.

Responses show an ongoing transition from a courtroom-centred paradigm toward earlier, controlled evidence-taking. Countries are increasingly relying on pre-recorded interviews and, in some settings, pre-recorded cross-examination – including England and Scotland.[4] In jurisdictions where the interview in Barnahus does not currently contribute to court proceedings, some responses indicate openness to this potential role.

Countries looking to develop policy and practice in this area should review the purpose of available procedures and how they are applied in practice across the full age range of children, including both victims and suspects, and ensure they consult the growing body of scientific research laying the ground for trustworthy, evidence- based recommendations. Such an analysis can help identify gaps in procedural safeguards and avoid situations where protections are stronger for younger children, while being more limited for older children or those involved as suspects.

[4] The option to conduct pre-recorded cross-examinations with child victims has been provided for by law in a number of jurisdictions since the 1990s and early 2000s. Implementation in most of these jurisdictions is still rather new.

Variations in procedural safeguards across age, stage, and role

Replies and accompanying legal research[5] indicate that the availability and use of procedural safeguards vary depending on the stage of proceedings, the age of the child, and the child's role in the case. Safeguards are most consistently applied during the investigative stage, particularly for younger victims, where audio-visually recorded interviews are widely used.

Children are more likely to be required to give evidence in real time when proceedings move to the hearing stage and adjudication, and where children are older or involved as suspects. We note in particular that teenage children are less likely to be given consideration as they may not be perceived as vulnerable as younger children – a conclusion which then may actually put them at risk.

In these situations, the range of available safeguards may be more limited or applied on a case-by-case basis, for example, limiting the extent to which recorded evidence and remote hearings can be applied.

While recorded interviews may be admissible and/or remote participation may be available, the decision to do so can depend on case-specific assessment rather than automatic entitlement. Age thresholds often apply, and judges retain significant authority to determine whether the child appears live. This implies there may be large variations and that as a consequence, children do not necessarily have equal access to procedural safeguards.

The provision of child-friendly justice can depend on judicial preference

Across responses, judges' decisions on procedures often determines whether safeguards translate into meaningful adaptations for children. Even where legislative frameworks provide for adaptations, implementation frequently depends on judicial discretion, management style, and cultural norms within the courtroom.

Several responses highlight variation between judges in:

- Granting or modifying special measures,
- Managing ground rules hearings,
- Filtering inappropriate or aggressive questioning,
- Permitting changes in participation arrangements on the day of trial.

In some systems, judges actively mediate questioning by reformulating or filtering questions that are posed to the child. In others, the court procedures are unchanged, with the expectation that legal counsels adjust their approach. The extent to which judges intervene to prevent inappropriate questioning—such as repetitive, aggressive, suggestive, or developmentally inappropriate questioning that may risk (re)traumatisation—varies considerably.

This variability underscores that the availability of procedural safeguards alone is insufficient. When their application depends on judicial discretion, their effectiveness depends on the knowledge, attitudes, and behaviours of judges to adapt to children, including applying age-appropriate and trauma informed interview techniques.

[5] See the E-ViVi report on *Norms and provisions for audio-visual recording of interviews and remote hearings with children in criminal proceedings*
https://barnahus.eu/2025/03/25/e-vivi-enhancing-videorecorded-interviews-and-virtual-hearings-in-europe/

For child victims…

Age thresholds, rather than vulnerability, often determine procedural experience

While most systems formally recognise all individuals under 18 as children, procedural adaptations rarely extend uniformly across that full age range. Instead, the use of safeguards such as recorded interviews and the avoidance of real time testimony is most consistent for younger children at the investigative stage. As children grow older, or where they are involved as suspects, they are more likely to be required to give evidence in real time during court proceedings, and the use of such safeguards is more limited or applied on a case-by-case basis.

Procedural adaptations most commonly apply to children under 14 or 15 years old. In these cases, forensic interviews are typically recorded and admitted as evidence in court, and in person presence in the courtroom is either avoided entirely or strictly exceptional.

Once a child reaches a defined threshold, often 15 or 16, in person presence in the courtroom becomes significantly more likely. The system treats children above the given age threshold as capable of participating in person in the courtroom. Adaptations for the 15–17 age group becomes less consistently available. The adaptations depend on judicial discretion, vulnerability assessments, or the specific nature of the offence. Proceedings more closely resemble that which is expected of adults.

Responses show that some countries are considering extending adaptations to older children who are especially vulnerable.

Cross-examination is often the trigger for the child to be required to participate in-person at a court hearing

In addition to age thresholds, other reasons a child victim might be called in person to a court hearing are often due to legal formalities, system rigidity, or failure to request procedural adaptations which aren't automatically applied. Examples include:

- If the child passes certain age thresholds while the case is ongoing, changing which protections the child is entitled to;
- At the discretion of the judge:
    - To have an informal discussion in the judge's chambers;
    - If there is a challenge to the facts or credibility;
    - Where special measures for vulnerable parties must be applied for, judges can deny the application, either due to legal constraints or professional discretion.
- If the defendant has not had an opportunity to put questions to the child;
- If pre-recorded interview is deemed inadmissible;
- During appeals.

For child suspects, a different starting point

While the responses show significant convergence of procedures for child victims, there is a fundamentally different set of procedures applied concerning child suspects.[6]

The age of criminal responsibility marks a decisive threshold. Below it, procedures often resemble those applied to victims: interviews are recorded, and courtroom presence is rare.

[6] This echoes findings by FRA in the report *Children as suspects or accused persons in criminal proceedings — procedural safeguards,* https://fra.europa.eu/en/publication/2022/children-criminal-proceedings

Once a child reaches the age of criminal responsibility, the procedure is shaped by the requirements of fair trial rights, procedural guarantees, and personal accountability. Physical presence at trial is frequently treated as integral to fairness, particularly in serious cases.

For child suspects, audio-visual recording of police interviews is required as per Directive (EU) 2016/800 on procedural safeguards for children who are suspects or accused persons in criminal proceedings. However, a 2024 report on the implementation of the directive found inconsistent implementation in two-thirds of EU Member States.

Survey responses indicate that the practice of pre-recorded interviews with child suspects seems to primarily aim to ensure procedural integrity by safeguarding accuracy, transparency, and reviewability of questioning. For those above the age of criminal responsibility, responses indicate that having a pre-recorded interview does not typically replace the expectation of participation in trial, including physical appearance in court.

Remote participation for suspects is significantly less developed than for victims. Where available, it is usually justified by participation needs, concerns on security or safety, or logistical reasons rather than by psychological well-being. Vulnerability, while recognised, does not typically remove the expectation that the accused engage directly in proceedings.

Dimension	Victims	Suspects
Pre-recorded interviews	Widely used	Mandated as per *Directive (EU) 2016/800*, uneven implementation[7]
Pre-recorded cross-examination	Legally an option in some countries, rare usage	Unreported
Remote participation	Widely accepted	Limited / conditional
Age threshold for certain automatic procedural safeguards	Widely in use	Criminal responsibility threshold
Barnahus role	Significant	Present in some countries, often limited role
Starting point	Preventing retraumatisation and supporting the child's ability to provide evidence	Fair trial guarantees

Table 1: A comparison of key features of the criminal justice process for victims and suspects according to the responses from 17 Barnahus Network members, as of early 2026.

The distinct roles of victims and suspects within criminal proceedings

This analysis reflects the distinct roles of victims and suspects within criminal proceedings, and how the practice has developed due to the differences in roles.

- Victims require protection from retraumatisation and support in giving evidence.

[7] See section 3.8 of the *Report on the implementation of Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings*
https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52024DC0489

- Suspects are subject to proceedings that determine criminal responsibility and must be able to exercise defence rights, although they may also be affected by significant psychological stress and require protection.

In practice, the treatment of child victims often includes procedural adaptations aimed at preventing retraumatisation and supporting the child's ability to provide evidence. These include taking evidence at an earlier stage through audio-visually recorded interviews, limiting repeated questioning, and avoiding direct confrontation with the accused where possible.

The treatment of child suspects, while also requiring adaptations, is more directly shaped by fair trial requirements. These include the right to participate effectively in proceedings, the right to challenge evidence, and the expectation that evidence is examined during the hearing. As a result, child suspects are more likely to be required to participate in proceedings in real time, including through questioning before the court.

In some jurisdictions, a 16-year-old victim may be protected from direct confrontation and physical presence in the courtroom, while a 16-year-old suspect in the same system may be expected to participate more fully, and in person at court, in judicial proceedings.

This dichotomy of approaches may be particularly challenging to apply in cases where a child suspect has not yet been identified as actually being a victim of the crime in question, which is a phenomenon that is increasingly being recognised across Europe.

Evidence based effective participation for all

Responses show that, compared to chid victims, there has been far less research and development resources on adapted procedures for child suspects. Those that do exist may be less consistently applied, or less structurally embedded than those available to victims. Across Europe, child-friendly approaches used during the investigative phase are not carried through to the hearing stage for suspects.

This underlines the need to design procedures that enable all children—both victims and suspects—to participate effectively in proceedings, in a manner that takes account of their age, maturity, and vulnerabilities, while fully respecting the rights of the defence.[8]

[8] See also Mendez Principle 3 on vulnerability
https://www.apt.ch/sites/default/files/publications/apt_PoEI_EN_11.pdf

Barnahus' role

Responses to this consultation show that Barnahus can, and increasingly do, have a formal role in terms of facilitating pre-recorded interviews, or remote hearings. When they do, Barnahus can function as a highly specialised service that, when necessary, bridges investigative and adjudicative stages.

Integration with justice systems

Responses reported that where Barnahus is structurally integrated into the criminal justice process, children's exposure to courtrooms is significantly reduced and systematised. Where Barnahus is recognised as a legitimate venue for remote hearings, procedural adaptation becomes systemic rather than discretionary.

The extent to which Barnahus interacts with the court system appears to be linked to how testimony is organised in practice. In systems where pre-recorded interviews are used as a standard approach, Barnahus is more likely to play a formal role in pre-trial investigation and remote hearings. In contrast, where decisions about how children participate in court are made on a case-by-case basis, Barnahus interaction with court proceedings tends to be more limited.

In many countries where the Barnahus play a formal role in facilitating pre-recorded interviews that are valid as evidence in court, or by hosting remote hearings, children do not have to be present in the court.

The child's experience of the criminal justice system

The role of Barnahus in facilitating pre-trial investigation and remote court hearings significantly shapes children's experience.[9] In systems where the child's interaction with the criminal justice and the court systems occurs largely within Barnahus, the environment and process remain child-centred and consistent for children.

Conversely, where this does not happen, children must navigate a shift from a child-centred setting to a formal courtroom setting. This transition can reintroduce stress, unpredictability, and exposure that earlier safeguards sought to avoid. Where each case requires a formal request for adaptations, the procedures applied may depend heavily on the preferences and habits of an individual judge.

The unique contribution of Barnahus to remote hearings

Barnahus are designed to improve the quality and coordination of joint investigative responses to violence against children. The responses indicate that, in some jurisdictions, their role also extends to improved quality and coordination of the remote participation of children in court hearings.

When used for remote hearings, Barnahus can provide continuity for children. In some jurisdictions, Barnahus are already used as remote hearing venues, enabling children to participate from safe environment, and one that is familiar to children who have already visited Barnahus at the investigation stage. When used in this way, children remain within a safe and potentially familiar environment. This continuity can reduce the impact of moving from a child-centred investigative setting into a highly formal courtroom environment.

Barnahus can provide a procedure which is informed by the developmental needs of children in all their diversity. Practitioners within Barnahus adapt formal procedures to children's developmental

[9] See the 2026 Child Outcomes Review
https://accp.adelaide.edu.au/siteassets/accp/projects/child-outcomes-review-report-final-march-2026.pdf

needs as part of their daily practice. Barnahus do not merely host interviews, they operationalise child protection principles and procedural requirements.

Finally, Barnahus can provide predictability for professionals. Where systems recognise Barnahus as an appropriate venue for real time remote participation, adaptations can become systematic rather than exceptional. The environment, procedures, and technology can be organised in advance according to protocols and routines that are designed specifically for children. This can reduce reliance on ad hoc decisions.

In these respects, Barnahus can contribute not only a physical setting, but a highly specialised, child friendly approach which supports their safe and informed participation.

Some replies noted a concern about a therapeutic environment becoming associated by a child with a difficult court process. This highlights the importance of ensuring that its use for testimony does not compromise its role in providing a supportive and therapeutic environment.

A highly specialised child-centred approach

Barnahus is more than a child-friendly space. Its contribution lies in the combination of environment, expertise, and coordination.

First, Barnahus provides a multidisciplinary framework. When a child's testimony is recorded or live-streamed from Barnahus, it occurs in a setting designed not only to secure evidence, but also for psychological safety and coordinated support. This differs from adaptations within court premises, which may address physical separation from the accused, but do not necessarily embed testimony within a setup that will address the protection, health, and recovery needs of children.

Second, practitioners in Barnahus possess specialised knowledge about child development, trauma, suggestibility, and communication. Their highly specialised staff are experts on how evidence-based protocols and the environment affect the quality and reliability of children's testimony. When questioning of children is conducted by such highly-specialise experts, the resulting testimony from the child may reach a level of detail and quality that courtroom questioning cannot, while also preventing traumatisation and retraumatisation.

Third, Barnahus supports continuity in how children participate across different stages of proceedings. While courts focus on legal timeframes, evidential requirements, and the conduct of hearings, Barnahus can coordinate how the child's interview, preparation, and participation are organised. This helps ensure that arrangements made during the investigative stage are carried through to later stages of the process. This does not replace the role of the court, but supports more consistent planning and organisation of the child's participation.

Practitioner insights for policy and practice improvements

Replies from Barnahus practitioners suggested how policy and practice could be adjusted to better protect children while maintaining evidential integrity. Their suggestions draw on operational expertise grounded in daily interaction with law enforcement, courts, defence counsel, and children. They form recurring, experience-based proposals targeting legislation, courtroom procedure, interview practice, and institutional culture.

Across jurisdictions, a shared insight emerges: meaningful protection of children in criminal proceedings requires attention not only to where testimony is given, but also to when it is taken, how questioning is structured, who controls it, and how consistently safeguards are applied.

Responses suggest that policy development should prioritise procedures in which an early investigative interview is conducted in Barnahus, audio-visually recorded, and accepted for use as evidence in court proceedings, so that the child does not need to participate further unless they wish to do so. Where further participation is nevertheless required, a second level of protection would be to ensure that the child can give evidence remotely from Barnahus, or, where the issue is cross-examination, that such questioning can take place in advance, be recorded, and later be presented in court.

Legislative and structural reform

Several replies identified the limits of procedural adaptations that rely on discretion. They emphasised the importance of embedding such adaptations in law and, where possible, making them automatically applied. Their experience shows that where these depend on an approval process from a judge or other actor, the available adaptation may not be routinely or consistently applied.

A recurring theme was the extension of pre-recorded interview procedures to older adolescents, particularly those aged 15–17. In some systems, pre-constituted evidence is guaranteed only below a fixed age threshold, after which participation becomes discretionary, or real-time testimony (remote or in person) becomes the default. Practitioners in several countries expressed support for older children not being required to appear in court or participate in real-time proceedings, provided that their pre-trial interview satisfies the necessary procedural and evidentiary requirements.

Similarly, some responses supported the possibility of conducting cross-examination - where required - at an earlier stage, including through pre-recorded procedures. Moving adversarial questioning to an earlier, more controlled procedural phase was considered to offer benefits comparable to those associated with recorded pre-trial interviews.

Some responses highlighted the need to protect the privacy rights of child victims in online offences, particularly where pseudonymity is compromised during court proceedings.

Court procedure and judicial management

Many countries emphasised the importance of active judicial management of questioning when children must participate in live court proceedings. This included:

- Preventing repetitive, aggressive, or developmentally inappropriate questions;
- Reformulating unclear or compound questions;
- Intervening where questioning risks (re)traumatisation.

The use of Ground Rules Hearings or equivalent pre-trial planning procedures was identified as a means of structuring questioning in advance and clarifying parameters. Practitioners highlighted these procedures as particularly effective in reducing harmful cross-examination practices.

In addition, several responses noted concerns about inconsistency in how judges decide if a procedural safeguard may be applied or not. Their experience shows that even well-designed legal frameworks may depend on preferences and habits of individual judges, and that this unpredictability has an impact on how well professionals are able to support children to participate with the court system.

Interview preparation

Replies provided detailed insights on the preparation and performance of the interview, based on their daily experience with how courtroom dynamics impact children.

Practitioners repeatedly highlighted the importance of:

- Clear, child-appropriate explanations before hearings about who will be present and how questioning will unfold;
- Short, simple, non-leading questions, with one idea at a time;
- Explicit reassurance that "I don't know" or "I don't remember" are acceptable answers (Sweden);
- Emotional grounding plans for the day of testimony;
- The presence of trained support persons or psychologists during testimony.

Importantly, some responses emphasised the need for verification and control of remote settings, including ensuring that no off-camera prompting occurs and that secure, stable technology is used, as technological solutions introduce new risks if not properly regulated.

Justifying the application of procedural safeguards

In several responses, Barnahus described playing an active role in preventing that children have to be present in court. In Catalonia, Barnahus may submit vulnerability reports and advocate for pre-constituted evidence or remote participation. This example illustrate that Barnahus has the expertise and routines to develop the justification for applying specific procedural safeguards.

Cultural and systemic reform

Finally, several responses pointed to broader systemic challenges, some of which may be rooted in professional culture and traditions:

- Regional variability in the application of safeguards;
- Differences in prosecutorial or judicial willingness to authorise remote participation;
- Lengthy proceedings that undermine objectives on protection and prevention of (re)traumatisation;
- The need for trauma-informed training for advocates and judges.