



SURVEY FOR CHILDREN AND TEENS ON ACCESS TO JUSTICE

GETTING STARTED

Please help us with some research to promote the rights of children and teens. If you are under 18 we would very much like you to complete this survey so we can hear from you.

Who are we?

Child Rights Connect, formerly the NGO Group for the CRC, is a large group of organisations that work on children's rights. We are doing some research and we are looking for children and teens under the age of 18 who can fill out this simple survey. We want lots of answers so we have prepared a web-based questionnaire and we are also sending it out to many different organisations all around the world that work with children and teens.

What is this survey about?

The United Nations has several treaties to protect the rights of children (all people under 18), but the main treaty that protects children's rights is *the Convention on the Rights of the Child* or the *CRC*. Under the *CRC*, children have many rights, like the right to grow up in a protective environment, to express themselves and have their views heard.

When we say children and teens have rights, this means that people around them, for instance their family, teachers, the law enforcers, members of the community, and the government have the responsibility to make sure those rights are respected.

But for this to work, children need to be able to speak out if their rights are not respected or are violated. Examples of violations of your rights could include:

- Being excluded from going to school, because of things like your sex, race, a disability or even because the school uniform or books are too expensive.

- Being separated from one or both of your parents, such as through a divorce or being placed in care, without being consulted to see how you feel about the situation and where you would prefer to live.

If this happens children should have help to make things better with a remedy or compensation - this means having access to justice. A remedy is something that makes things better after they have gone wrong or provides a solution to a problem. For example, being allowed to go to school would be a remedy if you were unfairly expelled.

The overall aim of this survey is to make sure that your government and the United Nations hear what you have to say about access to justice when your rights have been violated and how to improve it.

Part One of the survey includes a few questions about you.

Part Two is all about how you can access justice in your own country when your rights have been violated, that is, when your rights have not been respected.

Part Three of the survey is about how to make a complaint directly to the United Nations Committee on the Rights of the Child when your rights have been violated if for some reason you could not access justice in your own country.

What will I have to do?

If you can't or don't want to answer all of the questions in the survey, don't worry. Just answer the questions you think are most important to you. Some questions leave a space for you to answer more. Don't worry about spelling or grammar. There are no right or wrong answers - it's what you have to say that matters most.

The survey is private: although we are going to put all the answers together and publish them, we will not tell anyone which answers came from you. So no-one will be identified.

This survey will close on **1st October 2013**.

Instructions: Please tick the box corresponding to your answer or write your answer in the box provided.

PART 1. ABOUT YOU

1.1 Your age

Under 5

6-10 years

11-15 years

16-17 years

1.2 You are a: **Boy** **Girl**

1.3 In which country do you live?

1.4 Do you consider yourself to have a disability or to have special needs?

Yes

No

I'm not sure

PART 2. ACCESS TO JUSTICE IN YOUR OWN COUNTRY

The questions that follow ask about how easily you can get remedy - a solution or compensation - in your country when your rights have been violated.

2.1 If you were unhappy with how you were being treated - at home, in school or in some other place - would you tell someone?

Yes No Not sure

2.2 If you would not tell anyone, please tell us why. Because:

	Yes	No	Don't know
I can deal with the problem myself			
I have asked for help before and it didn't turn out well			
I might be punished			
I would be too scared of what might happen to my family			
No-one would believe me			
No-one would listen to me			
There isn't anyone I can really talk to			
They would tell others without my permission			
Other: [please state]			

2.3 Where can you get hold of information about remedies that are available to you?

	Yes, definitely	Yes, probably	No	I'm not sure
Parents or carers				
Another family member				
School				
Community Centres				
Clubs				
Local law centres				
Child Helpline				
Other (please state)				

2.4 If you wanted someone to help you make a complaint to try and get a remedy for a violation of your rights, who would you choose?

	Yes	No	Don't know
Parents			
Other family members [please state]			
Doctors			
Teachers			
Youth workers			
Lawyers			
An organisation that helps children (or NGO)			
Other adults [please state]			
Other children and teens [please state]			

2.5 Why did you choose the person(s) you selected to help you make a complaint?

2.6 What might get in the way of them helping you make a complaint?

Please use this space to tell us anything else about how people could help you make a complaint for a violation of your rights.

2.7 Do you agree with the statement 'The justice system works well for children in my country'?

Yes No Don't know

If you do not agree with the statement, please tell us what doesn't work and/or what could be improved.

PART 3 MAKING A COMPLAINT TO THE UNITED NATIONS COMMITTEE ON THE RIGHTS OF CHILD

There are times when children's rights are not properly respected by people working for the government or when there is no one in the country helping to find a solution. There are also cases when children have tried their best to make their complaints/concerns known to their government, but the government reacts very slowly or does not solve the problem. When this happens, children can complain to the United Nations Committee on the Rights of the Child using a treaty called the Optional Protocol to the CRC on a communications procedure, known as the OP3 CRC.

What is the United Nations Committee on the Rights of the Child?

This Committee is made up of 18 independent child rights experts who know a lot about children's rights and come from all over the world. They meet together in Geneva, Switzerland three times a year. To get more of an idea about who this Committee is and why you would make a complaint, read the leaflet we sent with this survey.

When can I make a complaint to this Committee?

You or your representatives can bring a complaint about a violation of your rights to this Committee, if:

- Your government has agreed to or ratified the CRC and another treaty called OP3 CRC
- You have already brought the same complaint before a national court and could not get a remedy, or you can show that national systems do not work or take too long, and
- Your complaint concerns violations of rights agreed in a treaty ratified by your government.

Bringing a complaint is mostly done in writing, but in special circumstances children and teens may be invited to come and meet the Committee or talk to them via videoconference/phone. If you want to know more about how children will be able to make a complaint to the UN Committee on the Rights of the Child, visit this website: www.ratifyop3crc.org/SpeakUp.

The Committee now has 'Rules of Procedure' to make sure that children and teens can make a complaint in a quick, easy and straightforward way. The Rules cover lots of different issues about how the complaints system will work in practice, such as:

- can a child or teen make a complaint without a lawyer to help them?
- will a child or teen be able to get in touch with the people on the Committee directly?

- how will the Committee make sure the complaint doesn't take years and years to complete?

The questions that follow ask how these Rules of Procedure can be used to make sure that children and teens can easily reach or access the Committee. We also want to know how you think the Rules of Procedure can be used to keep children and teens safe while they are bringing a complaint.

MAKING IT EASY TO MAKE A COMPLAINT

3.1. How can the Committee make sure that children and teens can contact them easily?

3.2 Where would you like to get information about the complaints procedure?

	Yes	No	Don't know
Advice centres			
At local services – like the doctor's clinic, police stations and in council buildings			
At school			
In my community			
Information sent to me at home			
Magazines			
Newspapers			
Online (e.g. websites, social networking sites, email)			
Radio			
Telephone helpline			
Television			
Some other way (please explain)			

3.3 A complaint must be written. How would you like to send it to the Committee?

	Yes	No	Don't know
Through a form on a web site			
By post			
By email			
Some other way (please explain)			

If you feel that it would be difficult for you to write a complaint, please tell us how you would like to let the Committee know about your complaint:

3.4 A complaint must be written in one of the languages of the United Nations - either Arabic, Chinese, English, French, Russian or Spanish. Would this be difficult for you?

Yes No Don't know

If you feel that it would be difficult for you to write a complaint in one of these languages please tell us if you have any ideas about how you would go about this.

3.5 Once a complaint has been sent, how would you like to be contacted by the Committee?

	Yes	No	Don't know
By post			
By telephone			
By email			
Through a representative you have chosen			
Some other way (please explain)			

Please use this space to tell us about any difficulties you might face in sending a complaint to the Committee:

3.6 A copy of an official document indicating who you are (e.g. identity card or passport) may be requested by the Committee. Would you be able to officially prove who you are? If not, what would be the main obstacles to getting hold of this kind of document?

MAKING IT EASY TO TALK TO THE COMMITTEE

The Rules of Procedure say that when the UN Committee on the Rights of the Child writes to children and teens, it will make sure it does not use technical or difficult language. It will write in a way that children of different ages can understand. The rules also say that the Committee will talk clearly and carefully to children they meet to discuss a complaint whether in person or through a video or teleconference.

3.7 For this to happen, we think the following things are important. Do you agree?

Tell us whether you think they are **not important**, **important** or **very important** to you.

Whenever the Committee talks or writes to children and teens who have made a complaint they should:

	Not important	Important	Very important
Give children information before talking to them about why they are meeting, what will happen during the meeting, who will be there, and what will happen afterwards			
If this is important or very important to you, tell us what kind of information in particular you would like to know:			
Communicate with children and representatives in their own languages			
Arrange for children to have someone to talk to and to give them support when they meet the Committee			
If this is important or very important to you, tell us what sort of support you think would be helpful:			
Arrange to have just one Committee member who always communicates with			

the children bringing the complaint			
Contact children through video hearings or meeting the Committee in person as well as in writing			
<p>If this is important or very important to you, tell us how easy it would be for you to travel to Geneva to meet the Committee:</p> <p>And how easy would it be for you to contact the Committee through a video link:</p>			
Explain the decisions to children in a way they can understand			
Listen to children's views			
Treat children with respect			
Have special support for children who have experienced a traumatic event that they are telling the Committee about			
<p>If this is important or very important to you, tell us what kind of support would be helpful (for example, a child psychologist at hand or a parent or carer available)</p>			

Whenever the Committee meets children and teens who have made a complaint in person or through a video link they should:

	Not important	Important	Very important
If they want to, then let girls talk to women on the Committee and boys to men			
Avoid asking the same questions over again so that children feel more comfortable			
Keep the meetings short			
<p>If this is important or very important to you, tell us how long meetings should be:</p>			
Limit the number of Committee members who are at the meeting			

If this is important or very important to you, tell us how many Committee members should be present:			
Arrange the set-up of the meeting room so that children feel safe, welcome and comfortable			
Let children express themselves freely and not be forced to answer questions they may not be comfortable with			
Provide space for children to ask questions, especially if they don't understand what the Committee is saying			

Please use this space to tell us anything else about making sure children are treated properly by the Committee when they make a complaint to them.

MAKING IT SAFE TO MAKE A COMPLAINT

All children who make a complaint to the UN Committee on the Rights of the Child should be kept safe from harm. The Rules of Procedure say that children's names cannot be made public and everything about the complaint should be kept private. If children are sure that they want the complaint to be made public and to involve the media and if they are old and mature enough to give their express consent to this, then the UN Committee on the Rights of the Child should allow this to happen. If there are any problems for the child because of the complaint then the UN Committee on the Rights of the Child will try to make sure this stops.

3.8 For children to be kept safe, we think the following things are important. Do you agree?

Tell us whether you think they are **not important**, **important** or **very important** to you.

	Not important	Important	Very important
Have meetings that are separate from the government			

Keep all written documents about the complaint in a private place and make sure only a small number of relevant people can look at them			
Keep the name of a child secret unless they tell the Committee that they want it to be public and they are old and mature enough to give express consent to this			
Talk to governments who do not help to keep a child safe and tell them what they need to do to stop the harm			

Please use this space to tell us anything else about how children can be kept safe when making a complaint.

WAITING FOR THE COMMITTEE'S DECISION

3.9 Once you have sent your complaint to the Committee, how long do you think it is fair to wait before having a final decision on your complaint? Bear in mind that the Committee only meets three times a year so it could take a few months for them to reach a decision.

3.10 During the process, how often should the Committee contact you to tell you what is happening?

What happens next?

Thank you so much for filling out this survey on access to justice. Your responses will be added to those from other children and teens. They will then be included in reports that are shared with governments, the UN Committee on the Rights of the Child and other

September 2013

organisations. These reports should help them work better and improve how they provide justice for children.

If you want to know how your answers are taken into account, come and visit this website again in November 2013.

Finally....

THANK YOU!