



Improving Justice in
Child Contact

HOW DO WE LISTEN TO CHILDREN IN COURT?

A teenage girl wants judges to listen more carefully to children's stories after divorce.

The article and podcast in Romanian can be found on **Decat o Revista** website national journal here:

<https://www.dor.ro/cum-ascultam-copiii-in-justitie/>

The podcast in the Romanian language can be heard here:

<https://share.transistor.fm/s/c4be47a8>

- By Oana Sandu
- Illustration by Loreta Isac
- Reading time: 14 minutes
- February 3, 2021

IJCC Podcast: Romania

Maria is in the 8th grade and is the youngest in a family with three girls from a commune near Iași. She, her sisters and her mother experienced domestic violence.

Two years ago, her mother managed to get out of the abusive relationship and then went through the process of deciding custody of the children. The judges are the ones who decide which of the parents the minors will live with and how much time they spend with the other parent. In order to make a decision, the judges must listen to the children if they are above 10 years old. Their conversation will become evidence in a civil case.

Maria knew exactly what she wanted to tell the judge. She wanted to tell him that she didn't want to spend time with her father at all because she was afraid of him, only the judge did not listen to her as much as she would have liked and hurried her.

Some time later came the judge's decision to allow her father the right to visit. That made her feel once again that she wasn't listened to.

Maria somehow wanted to pass on this story of injustice. She was listened to by her English teacher, Andreea Fedor, who is doing her doctoral research on the involvement of women in politics and also works in NGOs. He learned about the story of domestic abuse and told it to Laura Albu, a civic activist, founder of the [Center for Community Safety and Mediation Center](#) in Iasi. It is a foundation that has been working in the area of domestic violence and supporting survivors since 2000.

Coincidentally, Laura's organisation took part in an international project, [Improving Justice in Child Contact](#), to research on how justice professionals interact with children, including when judges decide how much time parents spend with children after separation.

Laura believes that children are not treated equally in court at present. There are no special rooms in which children are to be heard, no judges specialising in interaction with children, no magistrates who understand that domestic violence between partners affects children just as much, even when they are not directly assaulted. Magistrates, says Laura, do not think about the effects of injustice on children like Maria and how they feel when they are listened to superficially.

Nevertheless, there are exceptions. At the Juvenile and Family Court in Brașov, the only specialised court with civil and criminal trials, some judges start a hearing by asking children something about them, what their passions are or how it is at school. Others play their favourite music during the conversation.

One solution for judges to listen empathetically would be for the courts to have psychologists in the organisation with whom the magistrates can consult and maybe even prepare the hearing sessions. This is a conclusion reached by the lawyer Liliana-Ștefănescu Goangă from Brașov. A year ago, she created a project in which 13 children, in the middle of their parents' divorce, received free psychological therapy.



Maria and her father did not meet after the judge's decision. She's afraid of him and is not going to risk her life because that's what she writes on a piece of paper. The teenager was part of an emotional support programme, designed by Laura Albu, for girls between the ages of 11 and 19, who went through vulnerable situations at home.

The second half of the year was full of moments after Maria had been listened to.

How does this help in the long-run? Paul Olteanu, a communication trainer passionate about neuroscience and being a host of the Mind Architect podcast, says that it is much more useful to understand what you went through as soon as possible. 'And then even if in the first part of my life I lived some nasty experiences in which I was not listened to and was not seen, if after that I come across people who were willing to do this with me, there is literally a healing process. Psychological speaking, it happens in our brains,' says Paul, 'because those circuits are imprinted deeper and deeper through repetition and association if I had gone from disobedience and ignorance to obedience, empathy and presence years earlier.'

Note: Maria is a pseudonym to protect her identity as a teenager.

Learn more about listening to children in court in this episode of the mother series

This episode is part of a series of six stories about how children listen to their parents, teachers, psychologists or child protection system. You can find them all on dor.ro, on YouTube and in any podcast application. We are waiting for you with feedback and stories about listening to oana@dor.ro or ana@dor.ro and on the mother podcast on Instagram.



ABOUT IJCC

Improving Justice in Child Contact (IJCC) aims to improve children and young people's participation in decision-making around child contact for families affected by domestic violence.

- By 'child contact' we mean communication (such as phone calls or spending time) between a child and a parent who are not regularly living together.
- By 'participation' we refer to children's human rights under the United Nations Convention on the Rights of the Child (UNCRC). Children have a range of participation rights, including the right to express their views freely in matters that affect them and for those views to be considered seriously.

Improving Justice in Child Contact is a project across five European countries (Bulgaria, Cyprus, Portugal, Romania and Scotland) running from November 2018 to January 2021. Each country is exploring models for children and young people to participate and working with stakeholders to eliminate the barriers for, and enhance the mechanisms that support, children and young people's participation.

More information is available on our website.

www.ed.ac.uk/education/ijcc

Our Young Advisers

Improving Justice in Child Contact is advised by a group of young experts, called Yello!, who have previous experience of participation work. The young people are aged between 12 and 18 and have experience of domestic violence.



SUPPORT

If you are looking for advice or information about domestic violence, help is available. Women Against Violence Europe have information on specialist services across Europe at www.wave-network.org/find-help

Funding

This document is funded by the European Union's Rights, Equality and Citizenship Programme (2014-2020).



The contents represent the views of the author only and is his/her sole responsibility. The European Commission does not accept any responsibility for use that may be made of the information it contains.

If you require this document in an alternative format, such as large print or a coloured background, please contact Grace Kong at Grace.Kong@ed.ac.uk or +44 (0)131 651 6459 [* Please note that she is working from home during the UK lockdown at the moment and will not be able to answer your calls from her office.]

