



AUSTRALIAN INSTITUTE OF CRIMINOLOGY

Director: Professor Duncan Chappell

CHILDREN AS WITNESSES SEMINAR

3-5 MAY 1988

RECOMMENDATIONS

At the conclusion of the seminar the following recommendations were agreed upon by participants. While they do not comprise an exhaustive list of changes seen as necessary by all participants they do reflect particular current concerns. Seminar participants called for:

- . Children's independent rights to be taken seriously and upheld throughout any legal proceedings. There needs to be exploration of the best ways in which that might be done including better and specialist training for all those involved in the proceedings.
- . Multi-disciplinary investigation and assessment teams to be encouraged, with the aims of:
 - minimising trauma to children
 - avoiding multiple interviews and unnecessary intrusion
 - reducing professional rivalries
 - maintaining respect for the child, and
 - generally avoiding any action which may prejudice the outcome of the case.
- . The abolition of the necessity to call children as witnesses at committal hearings.
- . The abolition of the statutory requirement that a child's evidence must be corroborated before a conviction can be recorded.
- . The court environment and procedures to be improved to enable the child witness to give effective testimony.
- . Children who are required to give evidence in court to be helped as much as possible to cope with the process through the provision of adequate support and preparation.
- . Comprehensible language to be used in court especially when a child witness is questioned.

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- . Thorough evaluation before the introduction of video technology (with appropriate safeguards and standards) which may have a place in the investigation and subsequent court procedures involving child witnesses.
- . Children to have the right to address the Children's and Family Courts benches.

The following two recommendations were raised but not resolved:

- . There be an independent, multi-disciplinary body, possibly within the framework of the Human Rights Commission that:
 - consults with and has representation from young people
 - contains grievance resolution structures
 - monitors the experiences of young people in the legal system to identify and address problem issues.
- . Any professional and/or reportable interview of a young person, be held in the presence of an independent witness, chosen in consultation with the young person.