

# **QUESTIONNAIRE REGARDING CHILDREN RIGHTS DURING CRIMINAL PROCEEDINGS**

**ENGLISH VERSION AND PARTNER'S LANGUAGES VERSION**

**CHILD-FRIENDLY JT**

**The right of minors to information, translation and interpretation in criminal proceedings: development of child-friendly tools**

**JUST-AG-2016-06-760674**



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# **QUESTIONNAIRE REGARDING CHILDREN RIGHTS DURING CRIMINAL PROCEEDINGS**

**ENGLISH**

### **Child-Friendly JT**

*The right of minors to information, translation and interpretation in criminal proceedings:*

*Development of child-friendly tools*

JUST-AG-2016-06

## **QUESTIONNAIRE REGARDING CHILDREN RIGHTS DURING CRIMINAL PROCEEDINGS**

We are currently carrying out a project, which aim is to discover how much children serving a sentence imposed by a criminal court know about the rights they have during all steps of their judicial proceeding (arrest, trial and sentence execution). To achieve this aim, we have to rely on your help and participation.

Below, we are going to ask you some questions regarding the different rights entitled to a child during the different phases of a judicial proceeding (arrest, trial and sentence execution). Please, read each statement carefully and say whether you think it is true (**T**) or false (**F**).

Remember that there are no good or bad answers, so, please, answer the questions according to your own personal knowledge and experience.

The results of this research won't have any impact on your situation, as well as the specific way in which you answer.

The answers to this questionnaire are anonymous which means that when we collect your answers, we won't need to know whose are whose. Please do not write down your name or any other data which may reveal your identity.

Firstly, we would like to know:

**Your age:** \_\_\_\_\_ years old

**You are a:**

**GIRL**

**BOY**

**What kind of sentence are you serving?** \_\_\_\_\_

**How much time have you already served?**

years

months

days



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### **FIRST PHASE: Police arrest**

		<b>T</b>	<b>F</b>
<b>1</b>	A child has the right to be given an explanation about what he/she is being accused of.	T	F
<b>2</b>	A child has the right to call a closely related person.	T	F
<b>3</b>	A child has the right to inform his/her parents that he/she is under arrest.	T	F
<b>4</b>	A child has the right to remain silent.	T	F
<b>5</b>	A child has the right to an interpreter if he/she does not understand the language.	T	F
<b>6</b>	A foreign child has the right to appropriate assistance (translation/interpretation) if he/she wants to speak to his/her lawyer.	T	F
<b>7</b>	A child who cannot hear or see has the right to be communicated to by his/her lawyer in a way that he/she understands.	T	F
<b>8</b>	A foreign child has the right to make a complaint if he/she has not understood what he/she has been told.	T	F
<b>9</b>	A child who cannot hear or see has the right to make a complaint if he/she has not understood what he/she has been told.	T	F
<b>10</b>	A foreign child has the right to be given the important information in writing and in a language that he/she understands (for example: the final judgment).	T	F
<b>11</b>	A child who cannot hear or see has the right to be given the important information in writing (in Braille for example) and in a language that he/she understands (for example: the final judgment).	T	F
<b>12</b>	A child has the right to see the information about his/her judicial record.	T	F
<b>13</b>	A child's lawyer has the right to see the information of the child's judicial record.	T	F
<b>14</b>	A child has the right to make a complaint if he/she is not allowed to have a look into his/her judicial record.	T	F
<b>15</b>	A child has the right to a lawyer's presence during the police questioning.	T	F
<b>16</b>	A child has the right to speak with a lawyer before being questioned by the police.	T	F
<b>17</b>	A child has the right not to tell anyone what he/she has talked about with the lawyer.	T	F



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<b>18</b>	A child under arrest has the right to be given a written letter of his/her rights.	T	F
<b>19</b>	A child under arrest must be separated from adults under arrest.	T	F
<b>20</b>	A child can be under arrest for no longer than 48 hours.	T	F
<b>21</b>	The police questioning can be video-recorded.	T	F
<b>22</b>	A child has the right to the non-publication of video-recordings of him/her.	T	F
<b>23</b>	A child has the right to be seen by a doctor.	T	F
<b>24</b>	A child has the right to be assisted/defended by a lawyer.	T	F
<b>25</b>	A child has the right to be defended by a lawyer for free.	T	F

<b>SECOND PHASE: Trial</b>			
	<b>T</b>	<b>F</b>	
<b>26</b>	A child has the right to an individual assessment before his/her trial.	T	F
<b>27</b>	A child has the right to be present and to participate at his/her trial, to be heard and to give his/her opinion.	T	F
<b>28</b>	A child who was not present at his/her own trial has the right to another trial.	T	F
<b>29</b>	A child has the right to have his/her parents present during his/her trial.	T	F
<b>30</b>	A child has the right to wait for his/her lawyer at the trial.	T	F
<b>31</b>	A child has the right to his/her lawyer's presence during identity parades.	T	F
<b>32</b>	A child has the right to the review of his/her sentence.	T	F
<b>33</b>	A child has the right to a non-public/closed trial.	T	F
<b>34</b>	A child has the right to make a complaint and ask for reparation if his/her rights are not respected.	T	F
<b>35</b>	A child has the right that people do not speak about his/her private life.	T	F
<b>36</b>	A child has the right to have his privacy protected from the medias (for example: television, newspapers, etc.).	T	F

<b>THIRD PHASE: Measure execution</b>			
	<b>T</b>	<b>F</b>	
<b>37</b>	A child who is in a detention center has the right to see his/her family.	T	F
<b>38</b>	The lawyer of a child who is in a detention center has the right to ask for a doctor to see the child.	T	F
<b>39</b>	A child who is in a detention center has the right to be seen by a doctor.	T	F



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<b>40</b>	The parents of a child who is in a detention center have the right to ask for a doctor to see their child.	T	F
<b>41</b>	A child who is in a detention center has the right to be given education and training.	T	F
<b>42</b>	A child who is in a detention center has the right to practice his/her own religion and believes.	T	F
<b>43</b>	A child who is in a detention center has the right to attend workshops which help him/her reintegrate into society.	T	F

**Which rights do you think are the most important? Write down the numbers and say why.**

**Which rights do you believe have not been respected in your case? Write down the numbers and say why.**

**THANK YOU VERY MUCH FOR YOUR HELP!**



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# **QUESTIONNAIRE REGARDING CHILDREN RIGHTS DURING CRIMINAL PROCEEDINGS**

**SPANISH**  
**FUNDACIÓN DIAGRAMA INTERVENCIÓN  
PSICOSOCIAL (SPAIN)**

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**CUESTIONARIO SOBRE LOS DERECHOS DE LOS MENORES DURANTE LOS PROCEDIMIENTOS JUDICIALES**

Estamos desarrollando un proyecto con el objetivo de conocer qué saben los/as menores que cumplen una medida judicial acerca de sus derechos durante las distintas fases del proceso judicial (detención, juicio y cumplimiento de la medida). Para alcanzar este objetivo, necesitamos tu ayuda y colaboración.

A continuación, te vamos a plantear una serie de cuestiones acerca de los derechos que se le reconocen a un/a menor durante las distintas etapas del proceso judicial (detención, juicio y cumplimiento de la medida). Por favor, lee atentamente cada una de las afirmaciones e indica si crees que es verdadera (**V**) o falsa (**F**).

Recuerda que no hay respuestas buenas o malas, así que contesta según tus conocimientos y experiencia personal.

Los resultados de este estudio no afectarán en nada a tu situación, ni tampoco las respuestas que des.

Las respuestas a este cuestionario serán anónimas, lo que implica que cuando recojamos los cuestionarios no necesitamos saber de quién es cada uno. Así que, por favor, no escribas ni tu nombre ni cualquier otro dato que pueda identificarte.

Lo único que nos gustaría saber es lo siguiente:

**Tu edad:** \_\_\_\_\_ años

**Eres:**

**CHICA**

**CHICO**

**¿Qué tipo de medida estás cumpliendo?** \_\_\_\_\_

**¿Cuánto tiempo llevas cumplido?**

\_\_\_\_\_ años      \_\_\_\_\_ meses      \_\_\_\_\_ días



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<b>PRIMERA FASE: Detención</b>		<b>V</b>	<b>F</b>
<b>1</b>	Un/a menor tiene derecho a que le expliquen de qué se le acusa.	V	F
<b>2</b>	Un/a menor tiene derecho a llamar a una persona de confianza.	V	F
<b>3</b>	Un/a menor tiene derecho a informar a sus padres de que está detenido/a.	V	F
<b>4</b>	Un/a menor tiene derecho a permanecer en silencio.	V	F
<b>5</b>	Un/a menor tiene derecho a un/a intérprete si no entiende el idioma.	V	F
<b>6</b>	Un/a menor extranjero/a tiene derecho a recibir asistencia adecuada (traducción/interpretación) cuando quiera hablar con su abogado/a.	V	F
<b>7</b>	Un/a menor que no pueda oír o ver tiene derecho a comunicarse con su abogado/a en una lengua que comprenda.	V	F
<b>8</b>	Un/a menor extranjero/a tiene derecho a quejarse cuando no comprenda lo que le han dicho.	V	F
<b>9</b>	Un/a menor que no pueda oír o ver tiene derecho a quejarse cuando no comprenda lo que le han dicho.	V	F
<b>10</b>	Un/a menor extranjero/a tiene derecho a recibir información importante por escrito y en una lengua que comprenda (por ejemplo: la sentencia).	V	F
<b>11</b>	Un/a menor que no puede oír o ver tiene derecho a recibir la información importante (por ejemplo: la sentencia) por escrito (por ejemplo: en Braille) y en una lengua que comprenda (por ejemplo: lengua de signos).	V	F
<b>12</b>	Un/a menor tiene derecho a ver la información de su expediente judicial.	V	F
<b>13</b>	El/La abogado/a de un/a menor tiene derecho a ver la información de su expediente judicial.	V	F
<b>14</b>	Un/a menor tiene derecho a quejarse si no le permitieran ver la información de su expediente judicial.	V	F
<b>15</b>	Un/a menor tiene derecho a que su abogado/a esté presente durante el interrogatorio policial.	V	F
<b>16</b>	Un/a menor tiene derecho a hablar con su abogado/a antes del interrogatorio policial.	V	F
<b>17</b>	Un/a menor tiene derecho a mantener en secreto lo que ha hablado con su abogado/a.	V	F
<b>18</b>	Un/a menor detenido/a tiene derecho a recibir una declaración escrita de sus derechos.	V	F



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<b>19</b>	Un/a menor detenido/a tiene derecho a estar separado/a de los adultos detenidos/as.	V	F
<b>20</b>	Un/a menor no puede estar detenido/a más de 48 horas.	V	F
<b>21</b>	El interrogatorio policial puede ser grabado en vídeo.	V	F
<b>22</b>	Un/a menor tiene derecho a que no se publiquen grabaciones en vídeo sobre él/ella.	V	F
<b>23</b>	Un/a menor tiene derecho a que un/a médico lo/a vea.	V	F
<b>24</b>	Un/a menor tiene derecho a ser asistido/a-defendido/a por un/a abogado/a.	V	F
<b>25</b>	Un/a menor tiene derecho a ser defendido/a por un/a abogado/a de manera gratuita.	V	F

**SEGUNDA FASE: Juicio****V F**

<b>26</b>	Un/a menor tiene derecho a una evaluación individual antes del juicio.	V	F
<b>27</b>	Un/a menor tiene derecho a estar presente y a participar en su propio juicio, a ser oído/a y a dar su opinión.	V	F
<b>28</b>	Un/a menor que no hubiera asistido a su propio juicio, tiene derecho a otro juicio.	V	F
<b>29</b>	Un/a menor tiene derecho a que sus padres estén presentes durante el juicio.	V	F
<b>30</b>	Un/a menor tiene derecho a esperar a su abogado/a en el juicio.	V	F
<b>31</b>	Un/a menor tiene derecho a que su abogado/a esté presente durante las ruedas de reconocimiento.	V	F
<b>32</b>	Un/a menor tiene derecho revisar su sentencia.	V	F
<b>33</b>	Un/a menor tiene derecho a un juicio a puerta cerrada (sin público).	V	F
<b>34</b>	Un/a menor tiene derecho a quejarse y a pedir que se le indemnice cuando no se hubieran respetado sus derechos.	V	F
<b>35</b>	Un/a menor tiene derecho a que no se hable de su vida privada.	V	F
<b>36</b>	Un/a menor tiene derecho a que los medios de comunicación (por ejemplo: televisión, periódicos, etc.) no hablen de su vida privada.	V	F



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**TERCERA FASE: Cumplimiento de la medida**

		V	F
<b>37</b>	Un/a menor que está en un centro de internamiento tiene derecho a ver a su familia.	V	F
<b>38</b>	EI/La abogado/a del/la menor que está en un centro de internamiento tiene derecho a pedir que un/a médico lo/a vea.	V	F
<b>39</b>	Un/a menor que está en un centro de internamiento tiene derecho a que un/a médico lo vea.	V	F
<b>40</b>	Los padres de un/a menor que está en un centro de internamiento tienen derecho a pedir que un/a médico lo/a vea.	V	F
<b>41</b>	Un/a menor que está en un centro de internamiento tiene derecho a recibir educación y formación.	V	F
<b>42</b>	Un/a menor que está en un centro de internamiento tiene derecho a practicar su religión y sus creencias.	V	F
<b>43</b>	Un/a menor que está en un centro de internamiento tiene derecho a participar en talleres que ayuden a su reinserción social.	V	F

**¿Qué derechos crees que son más importantes? Escribe los números y explica por qué.**

**¿Qué derechos crees que no se han respetado en tu caso? Escribe los números y explica por qué.**

**¡MUCHAS GRACIAS POR TU COLABORACIÓN!**



HFC  
"Hope  
For  
Children"



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**QUESTIONNAIRE REGARDING  
CHILDREN RIGHTS DURING  
CRIMINAL PROCEEDINGS**

**GREEK  
HOPE FOR CHILDREN (CYPRUS)**

# **Child-Friendly JT**

## *The right of minors to information, translation and interpretation in criminal proceedings:*

### *Development of child-friendly tools*

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# **ΕΡΩΤΗΜΑΤΟΛΟΓΙΟ ΣΧΕΤΙΚΑ ΜΕ ΤΑ ΔΙΚΑΙΩΜΑΤΑ ΤΩΝ ΠΑΙΔΙΩΝ ΚΑΤΑ ΤΗΝ ΠΟΙΝΙΚΗ ΔΙΑΔΙΚΑΣΙΑ**

Επι του παρόντος πραγματοποιούμε ένα πρόγραμμα, το οποίο αποσκοπεί να ανακαλύψει πόσα παιδιά που εκτίουν ποινή που επιβάλλεται από ποινικό δικαστήριο γνωρίζουν τα δικαιώματά τους σε όλα τα στάδια της δικαστικής διαδικασίας (κατά τη σύλληψη, τη δίκη και την εκτέλεση της ποινής). Για να επιτύχουμε αυτό το στόχο, πρέπει να βασιστούμε στη βοήθειά σας και στη συμμετοχή σας.

Παρακάτω, θα σας θέσουμε ορισμένα ερωτήματα σχετικά με τα διάφορα δικαιώματα που έχει ένα παιδί κατά τη διάρκεια των διαφόρων φάσεων της δικαιοτικής διαδικασίας (σύλληψη, δίκη και εκτέλεση ποινής). Παρακαλούμε, διαβάστε προσεκτικά κάθε δήλωση και σημειώστε αν νομίζετε ότι είναι σωστό (**Σ**) ή λάθος (**Λ**).

Θυμηθείτε ότι δεν υπάρχουν καλές ή κακές απαντήσεις, έτσι απαντήστε στις ερωτήσεις σύμφωνα με τις δικές σας προσωπικές γνώσεις και εμπειρίες.

Τα αποτελέσματα αυτής της έρευνας καθώς και ο τρόπος με τον οποίο απαντάτε δεν θα έχουν καμία επίπτωση στην κατάστασή σας.

Το ερωτηματολόγιο αυτό είναι ανώνυμο, πράγμα που σημαίνει ότι όταν συλλέγουμε τις απαντήσεις, δεν θα χρειαστεί να μάθουμε από ποιον είναι. Μην καταγράφετε το όνομά σας ή άλλα δεδομένα που ενδέχεται να αποκαλύψουν την ταυτότητά σας.

Πρώτον, θα θέλαμε να μάθουμε:

Την ηλικία σας: \_\_\_\_\_ χρονών

## Eἰσαι:

KOPITΣΙ

---

АГОРІ

**Τι είδους ποινής εκτίεις;** \_\_\_\_\_

**Πόσο χρόνο έχεις ήδη εκτίσει;**

χρόνια

μήνες

μέρες



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**ΠΡΩΤΟ ΣΤΑΔΙΟ: Σύλληψη**

		<b>Σ</b>	<b>Λ</b>
<b>1</b>	'Ένα παιδί έχει το δικαίωμα να του δοθεί εξήγηση σχετικά με τι κατηγορείται.	Σ	Λ
<b>2</b>	'Ένα παιδί έχει το δικαίωμα να καλέσει ένα έμπιστο του άτομο.	Σ	Λ
<b>3</b>	'Ένα παιδί έχει το δικαίωμα να ενημερώσει τους γονείς του/της ότι έχει συλληφθεί.	Σ	Λ
<b>4</b>	'Ένα παιδί έχει το δικαίωμα να παραμείνει σιωπηλός.	Σ	Λ
<b>5</b>	'Ένα παιδί έχει δικαίωμα σε διερμηνέα εάν δεν κατανοεί τη γλώσσα.	Σ	Λ
<b>6</b>	'Ένα ξένο παιδί έχει δικαίωμα στην κατάλληλη βοήθεια (μετάφραση / διερμηνεία) εάν θέλει να μιλήσει με τον δικηγόρο του.	Σ	Λ
<b>7</b>	'Ένα παιδί που δεν ακούει ή βλέπει έχει το δικαίωμα επικοινωνίας με τον δικηγόρο του με τρόπο που κατανοεί.	Σ	Λ
<b>8</b>	'Ένα ξένο παιδί έχει το δικαίωμα να υποβάλει παράπονο αν δεν καταλάβει τι του έχουν πει.	Σ	Λ
<b>9</b>	'Ένα παιδί που δεν ακούει ή βλέπει έχει το δικαίωμα να υποβάλει παράπονο εάν δεν έχει καταλάβει τι του έχουν πει.	Σ	Λ
<b>10</b>	'Ένα ξένο παιδί έχει το δικαίωμα να λαμβάνει τις σημαντικές πληροφορίες γραπτώς και σε μια γλώσσα την οποία κατανοεί (για παράδειγμα: την τελική απόφαση).	Σ	Λ
<b>11</b>	'Ένα παιδί που δεν ακούει ή βλέπει έχει το δικαίωμα να λάβει τις σημαντικές πληροφορίες γραπτώς (για παράδειγμα στον κώδικα Μπράιγ) και σε γλώσσα που κατανοεί (για παράδειγμα: την τελική απόφαση).	Σ	Λ
<b>12</b>	'Ένα παιδί έχει το δικαίωμα να δει τις πληροφορίες σχετικά με το δικαστικό του αρχείο.	Σ	Λ
<b>13</b>	Ο δικηγόρος του παιδιού έχει το δικαίωμα να δει τα στοιχεία του δικαστικού αρχείου του παιδιού.	Σ	Λ
<b>14</b>	'Ένα παιδί έχει το δικαίωμα να υποβάλει παράπονο εάν δεν του επιτραπεί να εξετάσει το δικαστικό του αρχείο.	Σ	Λ
<b>15</b>	'Ένα παιδί έχει δικαίωμα στην παρουσία δικηγόρου κατά τη διάρκεια της αστυνομικής ανάκρισης.	Σ	Λ



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<b>16</b>	'Ενα παιδί έχει το δικαίωμα να μιλήσει με δικηγόρο προτού ανακριθεί από την αστυνομία.	Σ	Λ
<b>17</b>	'Ενα παιδί έχει το δικαίωμα να μην πει σε κανέναν τίποτα σχετικά με το τι έχει μιλήσει με τον δικηγόρο.	Σ	Λ
<b>18</b>	'Ένα παιδί που έχει συλληφθεί έχει το δικαίωμα να του δοθεί γραπτό έγγραφο σχετικά με τα δικαιώματά του.	Σ	Λ
<b>19</b>	'Ένα παιδί που είναι υπό σύλληψη πρέπει να διαχωρίζεται από τους ενήλικες υπό σύλληψη.	Σ	Λ
<b>20</b>	'Ένα παιδί μπορεί να είναι υπό σύλληψη για όχι περισσότερο από 48 ώρες.	Σ	Λ
<b>21</b>	Η αστυνομική ανάκριση μπορεί να καταγραφεί σε βίντεο.	Σ	Λ
<b>22</b>	'Ένα παιδί έχει το δικαίωμα στη μη δημοσίευση της βιντεοσκόπησής του.	Σ	Λ
<b>23</b>	'Ένα παιδί έχει το δικαίωμα να το δει ένας γιατρός.	Σ	Λ
<b>24</b>	'Ένα παιδί έχει το δικαίωμα να βοηθιέται / υπερασπίζεται από ένα δικηγόρο.	Σ	Λ
<b>25</b>	'Ένα παιδί έχει το δικαίωμα να προστατεύεται από δικηγόρο δωρεάν.	Σ	Λ

<b>ΔΕΥΤΕΡΟ ΣΤΑΔΙΟ: Δίκη</b>		<b>Σ</b>	<b>Λ</b>
<b>26</b>	'Ένα παιδί έχει δικαίωμα σε ατομική αξιολόγηση πριν από τη δίκη του.	Σ	Λ
<b>27</b>	'Ένα παιδί έχει το δικαίωμα να παρίσταται και να συμμετέχει στη δίκη του, να ακούγεται και να εκφράζει τη γνώμη του.	Σ	Λ
<b>28</b>	'Ένα παιδί που δεν ήταν παρόν στη δίκη του δίκη έχει το δικαίωμα σε άλλη δίκη.	Σ	Λ
<b>29</b>	'Ένα παιδί έχει το δικαίωμα να είναι παρόντες οι γονείς του κατά τη διάρκεια της δίκης του.	Σ	Λ
<b>30</b>	'Ένα παιδί έχει το δικαίωμα να περιμένει τον δικηγόρο του κατά τη δίκη.	Σ	Λ
<b>31</b>	'Ένα παιδί έχει δικαίωμα στην παρουσία του δικηγόρου του κατά την αναγνώριση του δράστη.	Σ	Λ
<b>32</b>	'Ένα παιδί έχει δικαίωμα στην αναθεώρηση της ποινής του.	Σ	Λ
<b>33</b>	'Ένα παιδί έχει το δικαίωμα σε μια μη δημόσια / κλειστή δίκη.	Σ	Λ
<b>34</b>	'Ένα παιδί έχει το δικαίωμα να υποβάλει καταγγελία και να ζητήσει αποζημίωση εάν δεν τηρηθούν τα δικαιώματά του.	Σ	Λ
<b>35</b>	'Ένα παιδί έχει το δικαίωμα ο κόσμος να μην μιλάει για την προσωπική του ζωή.	Σ	Λ



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<b>36</b>	'Ενα παιδί έχει το δικαίωμα να προστατεύεται το απόρρητό του από τα μέσα ενημέρωσης (για παράδειγμα: τηλεόραση, εφημερίδες κ.λπ.).	Σ	Λ
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<b>ΤΡΙΤΟ ΣΤΑΔΙΟ: Εκτέλεση ποινής</b>		<b>Σ</b>	<b>Λ</b>
<b>37</b>	'Ένα παιδί που βρίσκεται σε κέντρο κράτησης έχει το δικαίωμα να δει την οικογένειά του.	Σ	Λ
<b>38</b>	Ο δικηγόρος ενός παιδιού που βρίσκεται σε κέντρο κράτησης έχει το δικαίωμα να ζητήσει γιατρό για να δει το παιδί.	Σ	Λ
<b>39</b>	'Ένα παιδί που βρίσκεται σε κέντρο κράτησης έχει το δικαίωμα να το δει ένας γιατρός.	Σ	Λ
<b>40</b>	Οι γονείς ενός παιδιού που βρίσκεται σε κέντρο κράτησης έχουν το δικαίωμα να ζητήσουν από έναν γιατρό να δει το παιδί τους.	Σ	Λ
<b>41</b>	'Ένα παιδί που βρίσκεται σε κέντρο κράτησης έχει το δικαίωμα να του παρέχεται εκπαίδευση και κατάρτιση.	Σ	Λ
<b>42</b>	'Ένα παιδί που βρίσκεται σε κέντρο κράτησης έχει το δικαίωμα να ασκεί τη δική του θρησκεία και πιστεύω.	Σ	Λ
<b>43</b>	'Ένα παιδί που βρίσκεται σε κέντρο κράτησης έχει το δικαίωμα να παρακολουθήσει εργαστήρια που τον βοηθούν να επανενταχθεί στην κοινωνία.	Σ	Λ

**Ποια δικαιώματα νομίζετε ότι είναι τα πιο σημαντικά; Γράψτε τους αριθμούς και πείτε γιατί.**

**Ποια δικαιώματα πιστεύετε ότι δεν έχουν γίνει σεβαστά στην περίπτωσή σας; Γράψτε τους αριθμούς και πείτε γιατί.**

**ΕΥΧΑΡΙΣΤΟΥΜΕ ΓΙΑ ΤΗ ΣΥΝΕΡΓΑΣΙΑ ΣΑΣ!**



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# **QUESTIONNAIRE REGARDING CHILDREN RIGHTS DURING CRIMINAL PROCEEDINGS**

**CROATIAN  
NGO MOST (CROATIA)**

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**UPITNIK O PRAVIMA DJECE U KAZNENIM POSTUPCIMA**

Provodimo projekt čiji je cilj otkriti u kojoj mjeri djeca koja izvršavaju odgojnu mjeru izrečenu od strane suda znaju o pravima koja imaju tijekom svih faza svog sudskog postupka (uhićenje, suđenje i izvršavanje mjere). Kako bismo ostvarili ovaj cilj, potrebna nam je tvoja pomoć i sudjelovanje.

Postavit ćemo ti niz pitanja o različitim pravima djece tijekom različitih faza sudskog postupka (uhićenje, suđenje i izvršavanje mjere). Molimo te pažljivo pročitaj svaku tvrdnju i označi sa **T** (točno) ako misliš da je tvrdnja točna ili **N** (netočno) ako misliš da je tvrdnja netočna.

Imaj na umu da ne postoje točni ili pogrešni odgovori, pa te stoga molimo da odgovaraš na pitanja u skladu sa svojim osobnim znanjem i iskustvom.

Rezultati ovog istraživanja, kao ni tvoji odgovori, neće imati nikakav utjecaj na tvoju situaciju.

Odgovori na ovaj upitnik su anonimni što znači da za prikupljanje podataka ne moramo znati tko je što odgovorio. Molimo te, nemoj upisivati svoje ime ili bilo koji drugi podatak koji može otkriti tvoj identitet.

Prvo, željeli bismo znati:

**Tvoja dob:** \_\_\_\_\_ godina

**Ti si:**

**DJEVOJČICA**

**DJEČAK**

**Koju vrstu odgojne mjere izvršavaš?** \_\_\_\_\_

**Koliko si vremena od izrečene odgojne  
mjere već izvršio?**

\_\_\_\_\_ godina      \_\_\_\_\_ mjeseci      \_\_\_\_\_ dana



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<b>PRVA FAZA: Privodenje</b>		<b>T</b>	<b>N</b>
<b>1</b>	Dijete ima pravo dobiti objašnjenje za što je optuženo.	T	N
<b>2</b>	Dijete ima pravo nazvati blisku osobu.	T	N
<b>3</b>	Dijete ima pravo obavijestiti svoje roditelje da je uhićeno.	T	N
<b>4</b>	Dijete ima pravo na šutnju.	T	N
<b>5</b>	Dijete ima pravo na prevoditelja ako ne razumije jezik.	T	N
<b>6</b>	Dijete iz inozemstva ima pravo na primjerenu pomoć (prevodenje/tumačenje) ako želi razgovarati sa svojim odvjetnikom.	T	N
<b>7</b>	Dijete koje ne čuje ili ne vidi ima pravo komunicirati sa svojim odvjetnikom na način koji mu je razumljiv.	T	N
<b>8</b>	Dijete strani državljanin ima pravo na žalbu ako nije razumjelo ono što mu je bilo rečeno.	T	N
<b>9</b>	Dijete koje ne čuje ili ne vidi ima pravo na žalbu ako nije razumjelo ono što mu je bilo rečeno.	T	N
<b>10</b>	Dijete iz inozemstva ima pravo dobiti važne informacije napismeno i na jeziku koji razumije (na primjer: konačnu presudu).	T	N
<b>11</b>	Dijete koje ne čuje ili ne vidi ima pravo dobiti važne informacije napismeno (na Brailleovom pismu na primjer) i na jeziku koje razumije (na primjer: konačnu presudu).	T	N
<b>12</b>	Dijete ima pravo uvida u informacije iz svog sudskog spisa.	T	N
<b>13</b>	Odvjetnik djeteta ima pravo uvida u informacije iz sudskog spisa djeteta.	T	N
<b>14</b>	Dijete ima pravo na žalbu ako mu nije omogućeno da dobije uvid u svoj sudski spis.	T	N
<b>15</b>	Dijete ima pravo na prisutnost odvjetnika tijekom policijskog ispitivanja.	T	N
<b>16</b>	Dijete ima pravo razgovarati s odvjetnikom prije policijskog ispitivanja.	T	N
<b>17</b>	Dijete ima pravo zadržati za sebe o čemu je razgovarao/la s odvjetnikom.	T	N
<b>18</b>	Dijete koje je uhićeno ima pravo dobiti pisano obavijest o svojim pravima.	T	N
<b>19</b>	Dijete koje je uhićeno mora biti odvojeno od odraslih uhićenika.	T	N



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<b>20</b>	Dijete ne smije biti u pritvoru dulje od 48 sati.	T	N
<b>21</b>	Policjsko ispitivanje može biti snimano video uređajem.	T	N
<b>22</b>	Dijete ima pravo da se njegove video snimke ne objavljuju.	T	N
<b>23</b>	Dijete ima pravo na liječnički pregled.	T	N
<b>24</b>	Dijete ima pravo da pomoć/zastupanje odvjetnika.	T	N
<b>25</b>	Dijete ima pravo na besplatno zastupanje od strane odvjetnika.	T	N

<b>DRUGA FAZA: Suđenje</b>			
		<b>T</b>	<b>N</b>
<b>26</b>	Dijete ima pravo na individualnu procjenu prije početka suđenja.	T	N
<b>27</b>	Dijete ima pravo biti prisutno i sudjelovati u svom suđenju, biti saslušano i dati svoje mišljenje.	T	N
<b>28</b>	Dijete koje nije bilo prisutno na svom suđenju ima pravo na drugo suđenje.	T	N
<b>29</b>	Dijete ima pravo na prisutnost svojih roditelja tijekom suđenja.	T	N
<b>30</b>	Dijete ima pravo čekati odvjetnika na svom suđenju.	T	N
<b>31</b>	Dijete ima pravo na prisutnost odvjetnika tijekom postupka utvrđivanja identiteta.	T	N
<b>32</b>	Dijete ima pravo žalbe na izrečenu odgojnu mjeru.	T	N
<b>33</b>	Dijete ima pravo na suđenje koje je zatvoreno za javnost.	T	N
<b>34</b>	Dijete ima pravo na žalbu i naknadu štete ako njegova prava nisu poštivana.	T	N
<b>35</b>	Dijete ima pravo da se ne govori o njegovom privatnom životu.	T	N
<b>36</b>	Dijete ima pravo na zaštitu vlastite privatnosti od medija (na primjer: televizije, novina, itd.)	T	N

<b>TREĆA FAZA: Izvršavanje odgojne mjere</b>			
		<b>T</b>	<b>N</b>
<b>37</b>	Dijete koje se nalazi u odgojnoj ustanovi ima pravo viđati svoju obitelj.	T	N
<b>38</b>	Odvjetnik djeteta koje se nalazi u odgojnoj ustanovi ima pravo tražiti da liječnik pregleda dijete.	T	N
<b>39</b>	Dijete koje se nalazi u odgojnoj ustanovi ima pravo na liječnički pregled.	T	N
<b>40</b>	Roditelji djeteta koje se nalazi u odgojnoj ustanovi imaju pravo tražiti da liječnik pregleda dijete.	T	N



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41	Dijete koje se nalazi u odgojnoj ustanovi ima pravo na obrazovanje i osposobljavanje.	T      N
42	Dijete koje se nalazi u odgojnoj ustanovi ima pravo prakticirati svoju vjeroispovijest i vjerovanja.	T      N
43	Dijete koje se nalazi u odgojnoj ustanovi ima pravo pohađati radionice koje će mu pomoći da se reintegrira u društvo.	T      N

**Za koja prava smatraš da su najvažnija? Napiši brojeve i objasni zbog čega.**

**Za koja prava vjeruješ da nisu bila poštovana u tvom slučaju? Napiši brojeve i objasni zbog čega.**

**HVALA NA SURADNJI!**



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CRIMINAL PROCEEDINGS**

BULGARIAN  
**SOCIAL ACTIVITIES AND PRACTICES  
INSTITUTE (BULGARIA)**

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## **ВЪПРОСНИК ОТНОСНО ПРАВАТА НА ДЕЦАТА В НАКАЗАТЕЛНОТО ПРОИЗВОДСТВО**

Ние работим по проект, който цели да разкрие доколко децата с присъда, наложена от наказателен съд, са запознати с правата, които имат в течение на наказателното производство (арест, процес и изпълнение на присъдата). Развчитаме на вашата помощ и участие, за да постигнем тази цел.

По-долу ще Ви зададем няколко въпроса за различните права, които има детето през различните фази на съдебната процедура (арест, процес и изпълнение на присъдата). Моля, прочетете внимателно всяко твърдение и кажете дали смятате, че то е истина (И) или лъжа (Л).

Помните, че няма добри и лоши отговори, така че Ви молим да отговаряте на въпросите според Вашия собствен опит и познание.

Резултатите от това проучване, както и начина, по който отговаряте, няма да се отразят по никакъв начин на положението Ви.

Въпросникът е анонимен, което означава, че когато събираме отговорите, не е необходимо да се знае кой на кого е. Моля, не пишете името си или нещо друго, по което може да бъдете идентифициран.

На първо място, бихме искали да знаем на колко години сте:

**Вашата възраст:** \_\_\_\_\_ години

**Вие сте:**

**МОМИЧЕ**

**МОМЧЕ**

**Каква присъда(мярка) изтърпявате?** \_\_\_\_\_

**От колко време?**

години

месеци

дни



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<b>ПЪРВА ФАЗА: Задържане от полиция (Полицейски арест)</b>		
	T	F
<b>1</b> Детето има право на обяснение в какво е обвинено.	T	F
<b>2</b> Детето има право да се обади на близък .	T	F
<b>3</b> Детето има право да информира родителите си, че е задържано.	T	F
<b>4</b> Детето има право да не говори.	T	F
<b>5</b> Детето има право на преводач, ако не разбира езика.	T	F
<b>6</b> Дете чужденец има право на подходяща помощ (писмен и устен превод), ако иска да говори с адвоката си.	T	F
<b>7</b> Дете, което не може да чува или да вижда има право да бъде консултирано от адвоката си по разбирам за него начин.	T	F
<b>8</b> Дете-чужденец има право да подаде жалба, ако не разбира какво му е казано.	T	F
<b>9</b> Дете, което не чува или не вижда има право да подаде жалба, ако не разбира какво му е казано.	T	F
Дете-чужденец има право да получава важната информация		
<b>10</b> писмено и на език, който то разбира (например: окончателното решение).	T	F
Дете, което не чува или не вижда има право да получава важната		
<b>11</b> информация писмено (например на Брайл) и на език, който то разбира (например: окончателното решение).	T	F
<b>12</b> Детето има право да види информацията по своето съдебно досие.	T	F
<b>13</b> Адвокатът на детето има право да види информацията по неговото съдебно досие.	T	F
<b>14</b> Детето има право да подаде жалба, ако не му е позволено да види съдебното си досие.	T	F
<b>15</b> Детето има право на адвокат, когато е разпитвано от полицията	T	F
<b>16</b> Детето има право да говори с адвокат преди да бъде разпитвано от полицията.	T	F
<b>17</b> Детето има право да не споделя с никого какво е говорило с адвоката.	T	F
<b>18</b> Когато е задържано, детето има право да получи писмена декларация за своите права.	T	F

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<b>19</b>	Когато е задържано, детето се настанява отделно от от задържаните възрастни.	T	F
<b>20</b>	Детето не може да бъде задържано за повече от 48 часа.	T	F
<b>21</b>	Може да се направи видео запис на полицейския разпит.	T	F
<b>22</b>	Детето има право видео записът с него да не е публичен.	T	F
<b>23</b>	Детето има право на преглед от лекар.	T	F
<b>24</b>	Детето има право да бъде подпомагано / защитавано от адвокат .	T	F
<b>25</b>	Детето има право на бесплатна защита от адвокат.	T	F

**ВТОРА ФАЗА: Процес**

<b>26</b>	Детето има право на личностна характеристика преди процеса.	T	F
<b>27</b>	Детето има право да присъства на процеса, да бъде чуто и да даде своето мнение.	T	F
<b>28</b>	Адете, което не е присъствало на своя процес, има право на друг процес.	T	F
<b>29</b>	Детето има право родителите му да присъстват на процеса.	T	F
<b>30</b>	Детето има право да изчака своя адвокат на процеса.	T	F
<b>31</b>	Детето има право адвокатът му да присъства по време на разпознаването.	T	F
<b>32</b>	Детето има право присъдата му да бъде преразгледана.	T	F
<b>33</b>	Детето има право на съдебно заседание при закрити врата.	T	F
<b>34</b>	Детето има право да отправи жалба и да иска обезщетение, ако правата му не се спазват	T	F
<b>35</b>	Детето има право да не го питат за личния му живот.	T	F
<b>36</b>	Детето има право личният му живот да бъде защитен от показване в медиите (напр. телевизия, вестници и др.).	T	F

**ТРЕТА ФАЗА: Изпълнение на мерките**

<b>37</b>	Дете, настанено в център за задържане, има право да се среща със семейството си.	T	F
<b>38</b>	Адвокатът на дете, което е в център за задържане, има право да изиска то да бъде прегледано от лекар.	T	F



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<b>39</b>	Дете, което е в център за задържане, има право на лекарски преглед.	T	F
<b>40</b>	Родителите на дете, което е в център за задържане, имат право да искат да го прегледа лекар.	T	F
<b>41</b>	Дете, което е в център за задържане, има право на образование и обучение.	T	F
<b>42</b>	Дете, което е в център за задържане, има право да упражнява религия и вярванията си.	T	F
<b>43</b>	Дете, което е в център за задържане има право да посещава програми, които ще му помогнат да се върне в обществото.	T	F

**Кои права са най-важни според Вас? Напишете техния номер и опишете защо.**

**Кои права според Вас не са спазени във Вашия случай? Напишете номера им и опишете защо.**

**БЛАГОДАРЯ ВИ ЗА СЪТРУДНИЧЕСТВОТО!**



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**QUESTIONNAIRE REGARDING  
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**ITALIAN**  
**ISTITUTO DON CALABRIA (ITALY)**

**Child-Friendly JT***The right of minors to information, translation and interpretation in criminal proceedings:**Development of child-friendly tools*

JUST-AG-2016-06

## **QUESTIONARIO RIGUARDO I DIRITTI DEI MINORI DURANTE IL PROCEDIMENTO PERNLE**

Il progetto che stiamo attualmente realizzando ha come obiettivo quello di capire quanto sanno i minori che stanno scontando una pena riguardo ai loro diritti in tutte le fasi del loro procedimento penale (arresto, processo ed esecuzione della pena). Per raggiungere questo obiettivo, confidiamo nel tuo aiuto e nella tua partecipazione.

Ti porremo qualche domanda riguardo i vari diritti attribuiti ai minori nelle diverse fasi del procedimento penale (arresto, processo e esecuzione della sentenza). Leggi ogni frase con attenzione e indicate se credi sia vera (**V**) o falsa (**F**).

Ricorda che non ci sono risposte giuste o sbagliate, perciò, rispondi alle domande secondo la tua conoscenza ed esperienza personale.

I risultati di questa ricerca così come il modo specifico in cui risponderai non avranno alcun impatto sulla tua situazione.

Le risposte del presente questionario sono anonime, che significa che quando le raccoglieremo, non dovremo sapere chi le ha scritte.

Ti preghiamo quindi di non scrivere il tuo nome o qualsiasi altro dato che potrebbe rivelare la tua identità.

In primo luogo, vorremo sapere:

**La tua età:** \_\_\_\_\_ anni

**Sei un/a:**

**RAGAZZA**

**RAGAZZO**

**Che tipo di pena stai scontando?** \_\_\_\_\_

**Quanto tempo hai già scontato?**

\_\_\_\_\_ anni      \_\_\_\_\_ mesi      \_\_\_\_\_ giorni



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<b>PRIMA FASE: Arresto</b>		<b>V</b>	<b>F</b>
<b>1</b>	Un minore ha il diritto di ricevere spiegazioni riguardo al reato di cui è accusato.	V	F
<b>2</b>	Un minore ha il diritto di chiamare una persona a lui/lei vicina.	V	F
<b>3</b>	Un minore ha il diritto di informare i suoi genitori del fatto che è stato arrestato.	V	F
<b>4</b>	Un minore ha il diritto di non rispondere.	V	F
<b>5</b>	Un minore ha il diritto ad un interprete se non conosce la lingua.	V	F
<b>6</b>	Un minore straniero ha il diritto ad una assistenza appropriata (traduzione /interpretariato) se vuole parlare con il suo avvocato.	V	F
<b>7</b>	Un minore cieco o sordomuto ha il diritto ad avere un avvocato che comunichi con lui in un linguaggio che possa comprendere.	V	F
<b>8</b>	Un minore straniero ha il diritto di presentare un reclamo se non ha compreso che cosa gli è stato detto.	V	F
<b>9</b>	Un minore sordomuto o cieco ha il diritto di presentare un reclamo se non ha compreso che cosa gli è stato detto.	V	F
<b>10</b>	Un minore straniero ha il diritto di ricevere le informazioni importanti (per esempio la sentenza finale) per iscritto ed in una lingua a lui comprensibile.	V	F
<b>11</b>	Un minore cieco o sordomuto ha il diritto di ricevere le informazioni importanti (per esempio: la decisione finale) per iscritto ed in un linguaggio a lui/lei comprensibile (per esempio in Braille).	V	F
<b>12</b>	Un ragazzo ha il diritto di accesso alla documentazione relativa ai suoi precedenti penali.	V	F
<b>13</b>	L'avvocato del minore ha il diritto di avere informazioni sui precedenti penali del ragazzo.	V	F
<b>14</b>	Un minore ha il diritto di presentare un reclamo se non viene autorizzato a vedere la documentazione relativa ai suoi precedenti penali.	V	F
<b>15</b>	Un minore ha il diritto alla presenza di un avvocato durante l'interrogatorio della polizia.	V	F
<b>16</b>	Un minore ha il diritto di parlare con un avvocato prima dell'interrogatorio di polizia.	V	F

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<b>17</b>	Un minore ha il diritto di non dire a nessuno di cosa ha parlato con l'avvocato	V	F
<b>18</b>	Un minore in stato di arresto ha il diritto di ricevere informazioni scritte sui suoi diritti.	V	F
<b>19</b>	Un minore in stato di arresto deve essere separato dagli adulti nella medesima condizione.	V	F
<b>20</b>	Un minore non può essere tenuto in stato di arresto per più di 48 ore.	V	F
<b>21</b>	L'interrogatorio di polizia può essere video-registrato.	V	F
<b>22</b>	Un minore ha il diritto che le video registrazioni relative al suo procedimento non vengano pubblicate.	V	F
<b>23</b>	Un minore ha il diritto ad essere visitato da un medico.	V	F
<b>24</b>	Un minore ha il diritto ad essere assistito/ difeso da un avvocato.	V	F
<b>25</b>	Un minore ha il diritto ad essere difeso da un avvocato gratuitamente.	V	F

<b>SECONDA FASE: Il processo</b>		<b>V</b>	<b>F</b>
<b>26</b>	Un minore ha il diritto ad una valutazione individuale prima del processo.	V	F
<b>27</b>	Un minore ha il diritto a presenziare ed a partecipare al proprio processo, ad essere ascoltato e ad esprimere la propria opinione.	V	F
<b>28</b>	Un minore che non può presenziare all'udienza ha il diritto ad averne un'altra.	V	F
<b>29</b>	Un minore ha il diritto ad avere i suoi genitori presenti al processo.	V	F
<b>30</b>	Un minore ha il diritto di aspettare il suo avvocato al processo.	V	F
<b>31</b>	Un minore ha il diritto alla presenza del suo avvocato durante il riconoscimento.	V	F
<b>32</b>	Un minore ha il diritto all'impugnazione della sentenza.	V	F
<b>33</b>	Un minore ha il diritto ad un processo a porte chiuse.	V	F
<b>34</b>	Un minore ha il diritto di presentare reclamo ed a chiedere il risarcimento dei danni se i suoi diritti non sono rispettati.	V	F
<b>35</b>	Un minore ha il diritto alla riservatezza della sua vita privata.	V	F
<b>36</b>	Un minore ha il diritto di avere la sua vita privata protetta dai media (per esempio: televisione, giornali, etc.).	V	F

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**TERZA FASE: Esecuzione della misura**

		V	F
37	Un minore collocato in istituto penale minorile ha il diritto di vedere la sua famiglia.	V	F
38	L'avvocato di un minore collocato in un istituto penale minorile ha il diritto di chiamare un medico che visiti il minore.	V	F
39	Un minore collocato in istituto penale minorile ha il diritto di essere visitato da un medico.	V	F
40	I genitori di un minore collocato in istituto penale minorile hanno il diritto di chiedere che un medico visiti il figlio.	V	F
41	Un minore collocato in istituto penale minorile ha il diritto di accedere ai percorsi di istruzione e formazione.	V	F
42	Un minore collocato in istituto penale minorile ha il diritto di praticare la propria religione ed il proprio credo.	V	F
43	Un minore collocato in istituto penale minorile ha il diritto di partecipare a laboratori che lo aiutino a reinserirsi nella società.	V	F

**Quali ritieni siano i diritti più importanti? Scrivi il numero corrispondete e spiega perché**

**Quali diritti credi non siano stati rispettati nel tuo caso? Scrivi i numeri corrispondenti e spiega perché**

**GRAZIE PER LA COLLABORAZIONE!**



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