

THE POSITION OF JUVENILE VICTIMS AND WITNESSES IN CRIMINAL PROCEEDINGS: WHERE ARE WE NOW AND WHAT IS NEXT

Abstract: In this paper, the authors analyze the position of juveniles who are victims and witnesses in criminal proceedings in the Republic of Serbia and the compliance of the national legislative framework with international and European standards regarding the rights, support and protection of juveniles as particularly vulnerable victims and witnesses. Emphasizing the importance of defining a strategic framework and the necessity of improving the normative framework, the authors insist that the greatest challenge in this field will be establishing a network of Victim and Witness Support Services at the national level and, in order to achieve this, a precise plan for gradually enhancing the availability of the network is essential, both in terms of geographical coverage and diversity of available services, with a clearly defined development timeline. They also indicate that without dedicated rooms featuring audio and visual transmission devices, it is impossible to prevent secondary victimization of minors during their testimonies in criminal proceedings. Furthermore, continuous specialized training and education for all participants in the process are crucial.

Keywords: juveniles, victims, witnesses, position improvement

1. INTRODUCTORY REMARKS

With the adoption of the European Union Directive establishing minimum standards on the rights, support, and protection of victims of crime (hereinafter referred to as the “Directive”)¹, and the strengthening of victims’ position within the criminal justice system, Serbia, as an EU candidate country, has the obligation to align its national legislative framework with the provisions of the Directive. To fulfill the tasks set by the European Commission for the Republic of Serbia, a comprehensive set of activities is outlined in the Action Plan for Chapter 23 (based on the Revised Action Plan for Chapter 23).² First of all, the Action Plan includes a set of activities aimed at improving the position of victims in general, regardless of the type

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¹ Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime and replacing Council Framework Decision 2001/220/JHA (OJ L 315 of 14 11. 2012).

² Revised Action Plan for Chapter 23 & Report 3/2023 on the implementation of the revised Action Plan for Chapter 23, Belgrade: December 2023, available at: <http://www.mpravde.gov.rs/files/Akcioni%20plan%20PG%2023.pdf>.

of criminal offence. Additionally, the Action Plan outlines various activities in different segments aimed at improving the position of specific, particularly vulnerable categories of victims. Furthermore, the EU has emphasized that Serbia should ensure access to basic support services and facilitate referrals to victim assistance organizations by the police. The EU has called on Serbia to actively promote and monitor the implementation of these rights, as well as to organize an adequate number of related training sessions.³

Appreciating the importance of the planned activities outlined in the Action Plan for Chapter 23 (that is, the Revised AP for Chapter 23), within the framework of the IPA 2016 program, the European Union has approved funding for the implementation of the Project to Support and Assist Victims and Witnesses of Criminal Offences in the Republic of Serbia. As part of the project activities, among other things, expert support has been provided to the relevant working group responsible for developing the National Strategy on the Rights of Victims and Witnesses of Crime in the Republic of Serbia (hereinafter referred to as the “Strategy”) and its accompanying action plan. During the period from July 2018 to July 2019, after numerous working group meetings and two cycles of public consultations, the final draft of these strategic documents was prepared and adopted by the Government of the Republic of Serbia under the title “National Strategy on the Rights of Victims and Witnesses of Crime for the Period 2020-2025”,⁴ with its implementation specified through two three-year action plans. The basic source of EU standards on which the objectives of these strategic documents and planned measures are based is the Victims’ Rights Directive and within the comprehensive approach to improving the position of victims and witnesses of crime, significant attention in the Strategy and both Action Plans is devoted to improving the normative and institutional framework, as well as establishing training systems in this field.

Bearing in mind the above, the primary goal of this paper is to emphasize the importance of implementing international standards on criminal law instruments for the protection of victims and witnesses in criminal proceedings into the national normative framework, primarily with the aim of improving the position of children (minors) who are victims and witnesses as particularly vulnerable categories of victims from the aspect of reducing the consequences of secondary victimization during their testimonies.

2. IMPROVING THE POSITION OF PARTICULARLY VULNERABLE CATEGORIES OF VICTIMS

Protecting the rights of particularly vulnerable categories of victims and ensuring their full implementation in practice represent a central aspect of building the new system outlined in the Strategy and Action Plan. Notably, during criminal proceedings, a particularly vulnerable category of victims refers to individuals for whom special protective measures are deemed necessary based on individual assessment. The application of these measures includes the following: 1) Taking statements from victims in designated rooms; 2) Taking statements by professionals trained for that purpose; 3) Allowing a person of the same sex as the victim to take the statement, especially in cases of sexual violence, gender-based violence, and violence in intimate partner relationships, unless the statement is taken by the prosecutor or judge; 4)

³ European Union Common Negotiation Position for Chapter 23, available at: <http://mpravde.gov.rs/files/Ch23%20EU%20Common%20Position.pdf>.

⁴ *National Strategy on the Rights of Victims and Witnesses of Crime for the Period 2020-2025*, “Official Gazette RS”, no. 30/18.

Using audio-visual methods for recording statements; 5) Using the opportunity to conduct victim interviews in separate rooms rather than in the courtroom; 6) Avoiding unnecessary questioning related to the victim's private life and 7) Allowing a hearing to take place without the presence of the public (Article 23 of the Directive).

Child victims in the course of criminal proceedings have special guaranteed rights according to the Directive. Within the meaning of Article 24 of the Directive, EU member states are required to ensure that all interviews with child victims during investigations are audiovisually recorded and such recorded interviews may be used as evidence in criminal proceedings. In accordance with national criminal law, member states should appoint a special representative for child victims where the holders of parental responsibility are precluded from representing the child victim as a result of a conflict of interest, or where the child victim is unaccompanied or separated from the family. Where the child victim has the right to a lawyer, he or she has the right to legal advice and representation, in his or her own name, in proceedings where there is, or there could be, a conflict of interest between the child victim and the holders of parental responsibility. Where the age of a victim is uncertain and there are reasons to believe that the victim is a child, the victim shall, for the purposes of this Directive, be presumed to be a child (Kolaković-Bojović, 2018: 175-178).

Furthermore, it is important to note that the European Court of Human Rights has concluded in some of its judgments that certain categories of witnesses, who are also victims of criminal offenses, have special interests in criminal proceedings and, due to specific types of offenses committed against them and other circumstances, such as gender, age, lifestyle, etc., fall into the category of so-called "particularly vulnerable" witnesses. This especially applies to children who are victims of crimes against sexual integrity and crimes of domestic violence. According to the opinion of the court, there is a high degree of risk of "secondary victimization" with this category of witnesses, so the court was of the opinion that such individuals would be significantly traumatized by facing the accused during the trial, which is why it is justified to take certain measures to protect both the intimate sphere of these witnesses and victims, i.e. persons harmed by criminal offences, as well as their psychological well-being, which could be seriously threatened or injured if these persons appeared directly in court (Stevanović, Vujić, 2020: 97). Additionally, the European Court of Human Rights pays special attention to the "possibility" of using statements made by witnesses during earlier stages of criminal proceedings, particularly during investigations. Namely, as pointed out by theorists such as professor Škulić, "the court in some of its decisions: *Windisch*,⁵ *Unterpertinger*,⁶ *Saidi*,⁷ *Rachdad*,⁸ concluded that the use of statements from earlier stages of criminal proceedings, without directly examining witnesses during the main trial before the court, which should decide on the subject of criminal proceedings, is not excluded in principle, but that it is possible only under certain restrictive conditions" (Škulić, 2011: 348-366). In such situations, according to the opinion of the court, it is essential that the witness objectively cannot be present at the trial, either due to reasons such as being untraceable, because his whereabouts are unknown, or because he is deceased, or there is some other objectively serious and legitimate reason for the witness's non-attendance at the main hearing. Also, it is important that the defense, in the previous stages of the proceedings in which such a witness gave his testimony,

⁵ Case of *Windisch v. Austria* (*Application no.12489/86*), judgment dated 27 September 1990.

⁶ Case of *Unterpertinger v. Austria* (*Application no.9120/80*), judgment dated 24 November 1986.

⁷ Case of *Saidi v. France* (*Application no.14647/89*), judgment dated 20 September 1993.

⁸ Case of *Rachdad v. France* (*Application no. 71846/01*), judgment dated 13 November 2003.

had the opportunity to examine him, and that, in addition, the official actors of the criminal proceedings, as well as the state authorities in general, are not held responsible for the witness's absence in the specific case (Škulić, 2015: 19-22).

At the level of international standards, there is a particular emphasis on the need to establish special measures for the protection and assistance of children, i.e. defining provisions that promote the necessity of establishing national and international cooperation in the prevention and suppression of violence against children (Stevanović, 2014: 33). An important step also involves the implementation of proclaimed standards within the normative framework of the Republic of Serbia, which arises from the ratification of the Optional Protocol to the *Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography* (hereinafter referred to as the *Protocol*)⁹ and the *Council of Europe convention on the protection of children against sexual exploitation and sexual abuse*,¹⁰ as well as amendments and additions to the relevant criminal procedural framework in accordance with ratified conventions.

Besides ratified international treaties and 'soft law,' such as *Guidelines on Justice in matters involving child victims and child witnesses of crime*, serve as important guidance for states in developing a normative framework in the observed field.¹¹ In the spirit of the *Guidelines on Justice in matters involving child victims and child witnesses of crime*, children should be treated with care, taking into account their personal situation, immediate needs, age, gender, disability, and level of maturity, while fully respecting their physical, mental, and moral integrity (*right to dignity of a child*). Child victims and witnesses should have access to justice without discrimination based on race, skin color, gender, language, religion, political or other opinions, national, ethnic, or social origin, property, disability, or other status (*right to protection against discrimination*). Additionally, child victims and witnesses, their parents or guardians, and legal representatives should be adequately and promptly informed, of, *inter alia*: a) the availability of health, psychological, social, and other relevant services and support; b) the role of child victims and witnesses in the proceedings, timing, location, and manner of testimony; c) the course of criminal proceedings and all decisions related to them; and d) opportunities to make property claims in criminal or civil proceedings (*right of a child to information*). It is essential to ensure that child victims and witnesses can freely express their views and concerns related to their involvement in legal proceedings, in line with their age (*right of a child to express views*). Experts should develop and implement measures to support child victims and witnesses, facilitating their testimony and understanding of the stages of criminal proceedings (*right to expert support*). Also, child victims and witnesses should enjoy the right to privacy (*child's right to privacy*). Professionals should especially consider the sensitivity of child victims and witnesses during interviews conducted in rooms specifically designated for examining children, as well as adapt the course of court proceedings to their needs by taking recesses during a child's testimony, hearings scheduled at times of day appropriate to

⁹ *Law on Ratification of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography*, "Official Gazette of the FRY - International Agreements", no. 22/02.

¹⁰ *Law on Ratification of the Council of Europe Convention on the Protection of Children from Sexual Exploitation and Sexual Abuse*, "Official Gazette of the FRY - International Agreements", no. 1/2010.

¹¹ *Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime*, Annex, Section, V-XIV, ECOSOC Resolution 2005/20, <http://www.un.org/en/ecosoc/docs/2005/resolution%202005-20.pdf>, 23.7.2017.

the age and maturity of the child, as well as an appropriate notification system between relevant authorities to ensure the child goes to court only when necessary. At the same time, it is necessary to reduce the number of interviews and hearings of child victims and witnesses to the minimum possible extent in order to avoid unnecessary contact with other participants in the proceedings. In addition, it is recommended that child victims and witnesses be protected from cross-examination by the defense (*right to protection of children during court proceedings*). Where the safety of a child victim or witness may be at risk, appropriate measures should be taken to protect the child from such risk before, during and after the justice process. Such safeguards could include: a) avoiding direct contact between child victims and witnesses and the accused; b) ordering pre-trial detention of the accused, placing the accused under house arrest, or other forms of deprivation of liberty for the accused; c) ensuring police protection for child victims and witnesses (*ensuring security*). Experts should develop and implement comprehensive and tailored strategies and interventions in cases where there is a risk of secondary victimization of child victims. When devising strategies, the nature of victimization should be taken into account, whether it is domestic violence or abuse in an institutional environment, sexual exploitation, or human trafficking (*right to protection from secondary victimization*). Finally, child victims should have access to reparation to achieve full redress, reintegration, and recovery. Reparation may include restitution from the offender, aid from victim compensation programmes administered by the state and damages ordered to be paid in civil proceedings (*right to reparation*).

Compliance of the national normative framework with international standards

The Law on Juvenile Criminal Offenders and Criminal Protection of Juveniles (hereinafter referred to as the Law on Juveniles)¹² basically contains norms aimed at reducing the consequences of secondary victimization for juvenile victims when they testify as witnesses. However, what lies ahead is the necessity for normative alignment, primarily with the provisions of the Criminal Procedure Code related to prosecutorial investigations, as well as more precise solutions concerning the use of audio-video links, explicit prohibitions on confrontation, and the impossibility of cross-examination and asking suggestive questions to juveniles. This is because, according to the opinions of experts and the scientific community, the most significant practical problem arises from the fact that although the Criminal Procedure Code¹³ generally prohibits asking witnesses leading questions (suggestive questions), it allows such questions during cross-examination at the main trial (Article 98 of the Criminal Procedure Code). In our opinion, the current solution does not exclude the possibility of cross-examination of particularly vulnerable witnesses, including situations where the witness is a minor. According to some authors, this is a flaw that is not rectified even by Article 104, paragraph 1, which stipulates that an especially vulnerable witness may be examined only through the authority conducting the proceedings, since the questions are formulated by the examining party, which would mean that they can be suggestive in nature. A potential solution to the current situation would be a complete ban on asking suggestive questions to minors (Škulić, 2014: 43-63; Škulić, 2016; 77-78; Stevanović, 2019: 164)

Furthermore, we believe that even though the legislator generally excludes confrontation between the juvenile victim, who falls into the category of particularly vulnerable individuals,

¹² *Zakon o maloletnim učiniocima krivičnih dsela i krivičnopravnoj zaštiti maloletnih lica*, "Službeni glasnik RS", broj 85/05.

¹³ *Zakonik o krivičnom postupku*, "Službeni glasnik RS", broj 72/11, 101/11, 121/12, 32/13, 45/13 и 55/14.

and the accused, in practice, this norm is not consistently followed in every specific case. The *ratio legis* behind this provision is rooted in the fact that confrontation is inherently a highly tense procedural action, the essence of which is to provoke an appropriate “conflict” between two opposing witnesses, with the aim of inducing one of them to deviate from a false statement or in order to enable the judge to form a more immediate impression of the credibility of evidence and the overall reliability of conflicting testimonies. However, in practice, confrontation rarely leads to deviations from previously given statements; it is generally considered an ineffective procedure. Consequently, in cases involving criminal offenses against minors, where confrontation is formally prohibited when the minor is in an especially vulnerable state (categorized as “particularly vulnerable individuals”), we believe that confrontation, as an action that is at the same time extremely tense and of a conflicting nature in principle, and is not effective enough in practice, as a rule, should not even be carried out (Škulić, M., 2015: 22-26). We are of the opinion that the above should be made impossible by establishing an explicit prohibition of confrontation for all criminal offenses against minors involving an element of violence, in accordance with Article 150 of the Law on Juveniles (Stevanović, Vujić, 2020: 100).

It is necessary to harmonize provisions related to the legal representative that a juvenile victim must have from the first interrogation of the accused. According to the current solution, if a minor does not have legal representative, the presiding judge will appoint an attorney with specialized knowledge in child law and criminal protection of minors, which does not align with the spirit of the existing Criminal Procedure Code, where the prosecutor oversees both the investigative and pre-investigative proceedings. In this regard, we believe that it should be stipulated that the “procedural body” appoints a legal representative in cases where the minor lacks one (Stevanović, Vujić, 2020: 100-103).

Additionally, it is essential to emphasize the significance of provisions related to victims’ right to information and access to information. Relevant international norms and standards address three key aspects concerning these rights: a) establishing a list of information that must be accessible to victims from their initial contact with the procedural body (even before filing a criminal complaint); b) determining a list of information must be available to victims during the criminal proceedings (after the criminal process has been initiated) and c) defining the methods of informing victims, i.e. ensuring their access to information.

These provisions, by their nature, serve as an operational framework for exercising the rights guaranteed by the Criminal Procedure Code, rather than directly prescribing those rights within this law. However, there are exceptions to this rule, as certain segments of criminal legislation are still not fully aligned with relevant standards (particularly Directive (2012)029EU).¹⁴ We are of the opinion that neither the Criminal Procedure Code nor the Law on Juveniles adequately address the obligation of the procedural authorities to provide the injured party with information, starting from the first contact with the procedural authority, in a language he understands, in accordance with the provisions of Art. 4 and 6 of Directive 2012/029EU, which would lead to the compliance with Article 31 of the *Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, Lanzarote, 25.X.2007 (Lanzarote Convention)*.¹⁵

¹⁴ Directive of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime on the strengthening of the position of victims of crime (EU/2012/29).

¹⁵ Law on Ratification of the Council of Europe Convention on the Protection of Children from Sexual Exploitation and Sexual Abuse, “Official Gazette of the FRY - International Agreements”, no. 1/2010-70.

Also, the national criminal legislation does not recognize the right of the victim to be informed about the release of the defendant/convict, in accordance with Art. 32-33 of the Directive. Furthermore, as already indicated, all relevant information, in line with the Council of Europe Guidelines on Child-Friendly Justice, should be provided in a language that the child understands and that is appropriate for the child (see more: Kolaković-Bojović, Stevanović, Vukićević, 2022: Kolaković-Bojović, Stevanović, Vukićević (2022) *Analysis of the Normative and Institutional Framework of Child Friendly Justice in Serbia: summary report and recommendations.*).

The right of the juvenile victim to express their opinion and actively participate in the proceedings is manifested through two sets of procedural rights provided by the Criminal Procedure Code and the Law on Minors. In accordance with the regional tradition, the victim in criminal proceedings is granted a comprehensive set of rights that enable him not only to be heard as a witness in the proceedings in the capacity of the injured party as a prosecutor, private prosecutor or simply as an injured party, through attending procedural actions and actively participating in them, with the right to access case files, propose evidence, examine the accused, witnesses, and experts, as well as the extensive right to appeal. Both aspects of the right are age-restricted but in different ways. Regarding the right to express their opinion, there is no strict age limit, as the Criminal Procedure Code excludes the possibility of testimony by a minor who: “considering their age and mental development, is incapable of understanding the significance of the right not to testify.” As for undertaking procedural actions, the limitation is only relative, as the age limit of 16 years does not prevent a minor from exercising legally guaranteed rights, but only from doing so directly. Specifically, according to Article 56 of the Criminal Procedure Code, in case the injured party is a minor or a person completely lacking business capacity, his/her legal representative shall be authorised to make all statements and perform all actions to which the injured party is entitled under this Code. Having regard to all the above, the right of the juvenile victim to express his/her views and actively participate in the proceedings according to the criminal legislation of the Republic of Serbia is fully in accordance with the relevant international standards.

3. TECHNICAL EQUIPMENT, ENGAGED HUMAN RESOURCES, AND ORGANIZATION OF PROCEEDINGS WITH CHILD VICTIMS AND WITNESSES OF CRIMINAL OFFENSES IN THE REPUBLIC OF SERBIA

As we have already pointed out, the improvement of the position of victims and witnesses in criminal proceedings in the Republic of Serbia occurs through two closely related processes. One refers to the improvement of the application of all statutory process requirements that protect victims and witnesses in the criminal proceedings themselves, aiming to reduce the consequences of secondary victimization and create optimal conditions for obtaining valid testimony. The other process is related to improving the position of victims and witnesses of criminal offenses, aimed at addressing the broader needs of individuals who find themselves in this role, enabling their access to and exercising of all guaranteed rights, both during the criminal proceedings and after its conclusion. As demonstrated in the previous section, both of these processes are accompanied by intensive efforts to improve the existing primary and secondary legislation in accordance with the highest international and European standards, and when it comes to juvenile victims or witnesses of criminal offenses, to create conditions for the full implementation of Special provisions regarding the protection of minors as victims in criminal proceedings, in terms of technology, organization and personnel.

Juvenile victims/injured parties and witnesses of criminal offenses have had a special position, i.e. the status of particularly vulnerable witnesses, even in previous legislative solutions, but it was the Law on Juveniles that defined more precisely the procedural possibilities to protect the child/minor witness from secondary victimization during criminal proceedings and negative consequences for their development.

The beginning of the implementation of this law is characterized by the absence of resources that would enable the full application of Article 152 of the Law on Juveniles. The lack of technical means for image and sound transmission and the absence of experts who have undergone appropriate training on children's rights in contact with the law underscore the importance of applying the Law on Juveniles both in proceedings involving minors and in regular criminal proceedings resulted in the fact that the provisions on protection of juvenile victims have been applied sporadically and rarely, mostly within juvenile justice, i.e. proceedings involving minors.

Soon, massive, and intensive training sessions related to children's rights, the implementation of the Law on Juveniles, and training related to the protection of victims and witnesses began. These training sessions included members of the police, prosecution, judiciary, and guardianship authorities. A certificate of completed training became essential for handling cases where minors are perpetrators or where minors are witnesses or victims of criminal offences. Although all representatives were aware of the suffering that child victims endure during criminal proceedings, they assumed it was necessary to establish facts and render well-founded judgments against the perpetrators. The training sessions highlighted the negative consequences of inadequate treatment of minors in criminal proceedings and provided guidelines for preventing such issues with new solutions introduced by the Law on Juveniles at that time. However, provisions regarding the protection of juvenile victims (which apply to the most serious criminal offenses) have almost never been applied in regular criminal proceedings. Only a few judges have decided to take statements from children during the main trial using two networked computers and Skype.

In 2014, thanks to donations from the Kingdom of Norway, special rooms equipped with video conferencing connected to the courtrooms were installed in five higher courts in Serbia (with the highest number of cases involving child victims). The Higher Courts in Belgrade, Novi Sad, Niš, Valjevo, and Vranje now have the capability to hear testimony from juvenile victims and witnesses during the main hearing, when necessary, with measures in place to protect against secondary victimization.

In 2015, with the aim of improving the protection of child victims, within the project "Advancing child rights through strengthening the justice and social welfare systems," implemented by UNICEF, in collaboration with the Ministry of Justice and the Ministry of Labor, Employment, Veteran, and Social Affairs, Units for Assistance and Support to Children who are Victims and Witnesses in Criminal Proceedings were established. These units are formed at the headquarters of all four courts of appeal. They are mobile, equipped with a car and portable technical equipment for transmitting images and sound, with the capability of recording and connecting to the prosecutor's office or the court handling the case. This has created the possibility for a child to give testimony and answer questions while staying in a safe space outside the courtroom or prosecutor's office, covering the entire area of the court of appeal. The units consist of experts (psychologists, educators, social workers) who have prior experience working with abused and neglected children within the social welfare system and have undergone additional specialized training to support child victims and witnesses in criminal

proceedings. They have also received training in forensic interviews. Initially, they were primarily retained by the prosecutor's office (due to prosecutorial investigations), but they were also retained by courts and social welfare centers during the assessment process to determine whether a child had been exposed to violence within the family. The technical and highly professional personnel skills of these Units, coupled with the fact that their services were available throughout the territory of the Republic of Serbia, constituted one of the effective responses of the system to the needs of protecting children as particularly vulnerable witnesses in criminal proceedings. The units were involved in an exceptionally large number of criminal cases. In almost all cases where a child's statement was recorded during the prosecutorial investigation, it was accepted by the court as valid evidence. Police officers, prosecutors, judges, and representatives of guardianship authorities felt significant relief in their work because they were confident that children, as particularly vulnerable witnesses, would have the optimal conditions and not only would secondary victimization be prevented, but the likelihood of a child providing a credible and detailed statement in criminal proceedings would also be higher. However, by discontinuing the Units three years after their establishment (due to the project's termination and the authorities' unwillingness to make this service and the unit itself permanent and sustainable), the process of improving the position of child victims and witnesses took several steps backward.

It is essential to note that despite the dissolution of the Units and the lack of technical equipment for transmitting images and sound in most courts and prosecutor's offices, these two projects, along with the continued training, had an exceptionally positive impact on changing attitudes, increasing sensitivity, and readiness to treat children, as particularly vulnerable witnesses, adequately in criminal proceedings. All representatives of institutions involved in criminal proceedings emphasize the priority of improving their own knowledge, the technical equipment of their institutions, and the need to involve appropriate experts in the child's hearing process.

3.1. Technical Equipment – Current Status

Through a project and donation from the OSCE in partnership with the Ministry of Justice of the Republic of Serbia, four additional courts have been equipped with AV rooms during the period from 2021 to 2023: the Higher Court in Kragujevac, the Higher Court in Kruševac, the Higher Court in Novi Pazar, and the Higher Court in Šabac. In addition to these four higher courts, an AV room has been reinstalled at the Higher Court in Belgrade because the previously existing technical equipment was incompatible with the new electronic system after the renovation of the Court building, i.e., the Palace of Justice. The electronic system server used in these video conference connections at the courts has been installed at the Judicial Academy.

In communication with the OSCE representative, it was reported that the project plans to equip an additional five courts with special rooms for taking statements from children and particularly vulnerable witnesses during this year (equipped with video conference links for audio-visual transmission to courtrooms, commonly known as "AV rooms") and other courts will be equipped in the coming years as well. The Ministry of Justice determines the priority list based on the number of cases involving juvenile victims.

The following table presents data on the technical capabilities of higher courts to conduct hearings via video conferencing with children or minors as victims or witnesses outside the courtroom:

Table: Higher Courts in Serbia - Technical Equipment for Implementing Article 152 of the Law on Juveniles, April 2024

	Higher courts	A special room for taking statements from children and other particularly sensitive witnesses	Installed audio-visual equipment
1	Belgrade	yes	yes
2	Valjevo	yes	yes (But they point out that the equipment is outdated and without the possibility of connecting to premises outside the court)
3	Vranje	yes	yes
4	Zaječar	no	no
5	Zrenjanin	no	no
6	Jagodina	no	no
7	Kragujevac	yes	yes
8	Kraljevo	no	no
9	Kruševac	yes	yes
10	Leskovac	no	no
11	Negotin	no	no
12	Niš	yes	yes
13	Novi Pazar	yes	yes
14	Novi Sad	yes	yes
15	Pančevo	no	no
16	Pirot	no	no
17	Požarevac	no	no
18	Prokuplje	no	no
19	Smederevo	no	no
20	Sombor	no	no
21	Sremska Mitrovica	no	no
22	Subotica	no	no
23	Užice	no	no
24	Čačak	no	no
25	Šabac	yes	yes
	Total	9 have an AV room. 16 do not have an AV room.	9 have installed AV equipment. Of the 16 courts that do not have AV technology, the majority state that they use some form of assistive technology or the AV technology of the higher public prosecutor's office they share the building with.

As part of the preparation for this paper, all higher courts in Serbia were contacted. Interviews were conducted with secretaries, judges specializing in juvenile cases, and, in two instances, with court presidents. They reiterated the priorities emphasized by representatives of other institutions within the system police, prosecutor's offices, and social welfare centers: enhancing their own knowledge, improving the technical equipment of their institutions, and the need to involve appropriate experts in the child's hearing process.

Regarding some basic technical capabilities, all courts have ramps to facilitate entry for individuals with locomotor system issues.

When it comes to attending court and avoiding the possibility of victims and witnesses encountering the accused, in some courts, this is technically challenging due to space constraints and overcrowding in buildings shared with prosecutor's offices and other courts. To address this issue, particularly vulnerable witnesses are invited slightly earlier than the

scheduled hearing time. Until the hearing, they wait in an AV room or a designated office for representatives of the Service for Assistance and Support to Victims and Witnesses.

The problem of overcrowded court buildings exists in almost all courts. Most interviewees from courts without AV rooms highlighted the difficulty of finding suitable space for AV room installation within the court. Another challenge is finding suitable rooms for housing the Service for Assistance and Support to Victims and Witnesses. Representatives of this service often share office space with other judicial assistants.

In the communication with the representatives of the higher courts lacking the capability for hearing through the video conference connection installed in the AV room, it is clear that they recognize the need for special protection for minors as victims and witnesses. They state that they strive to find appropriate approaches in each individual case. Some utilize technical equipment for audio-visual transmission from the prosecutor's office if available within their building. Many use other (hand-held) technical devices for audio-visual transmission and/or recording, and install the connection *ad hoc*.

Courts that have AV rooms, at the request of other (primary) courts or prosecutor's offices, and in accordance with their schedule, approve the use of this room (and the corresponding courtroom). In cases where it was not possible for a minor to be heard via video-conference link, as some court representatives have stated, the hearing was conducted in such a way that the accused was relocated to the back of the courtroom, and the child was directed by security personnel or parents not to turn around and to communicate only with the judge.

Certainly, this model, if there are no technical means, is protective, but it still carries a high risk of secondary victimization. The child is positioned between the defendant and their defense attorney, unable to control the situation even with his/her glance; he/she can hear their comments and questions (including those that the judicial panel will reject because they do not serve to establish facts but rather to destabilize witnesses), resulting in a high level of negative distress for the child throughout the hearing. In addition to secondary victimization, the validity of the obtained statement is also questioned.

3.2. Human Resources – Expertise of Professionals Today

Regarding engaged human resources, it is important to reiterate that certification for completing training on the application of the Law on Juveniles and knowledge of children's rights, as well as training on handling victims and witnesses of criminal offenses, is mandatory for all police officers, prosecutors, and judges. The problem arises due to frequent and expected career fluctuations within the prosecutor's office and courts. These trainings are also necessary for lawyers. Attorneys for children as particularly vulnerable witnesses can be appointed *ex officio* only if they possess these certificates. If the chosen attorney for the child does not have the certificate, the authority conducting the proceedings must inform the parent or guardian about this.

However, the step that is most demanding in terms of organization and finances during the alignment process with the Directive, in our opinion, is the establishment of an efficient and qualified network of Services for Support to Victims and Witnesses, since, for years, efforts in this area have mostly been based on various project activities, which has also raised questions about sustainability in ensuring continuity in service quality and the establishment of specialized training systems (Kolaković-Bojović, 2017: 144-146). Currently, in practice, the Services for Assistance and Support to Victims and Witnesses are designed as primary protection for individuals appearing as victims or witnesses in criminal proceedings before the prosecution

and court. The role of these Services extends beyond mere assistance and support in criminal proceedings. This relatively new institution (introduced into the judiciary about a decade ago) has an exceptionally demanding role – to provide conditions that will not cause secondary victimization to the witness during their participation in the proceedings, but also to provide them with information crucial for their protection, rehabilitation, and realization of all their rights. Representatives of the Service collaborate directly with victims and witnesses, their families, competent judges, and prosecutors, as well as with all relevant contact points of the National Network for Assistance and Support to victims and witnesses.

Numerous strategic documents have been developed, several manuals for procedures have been created, and various training sessions have been conceptualized, implemented, and continue to be carried out, several of which focus on children as victims and witnesses, but the effects of the invested efforts are not yet proportional to the achievements. In positive examples, the personal qualities of engaged Service representatives and the commitment of relevant personnel within the court or prosecution play a dominant role.

This points to the problem of the lack of criteria for selecting judicial or prosecutorial associates for this Service. In 2015, the High Judicial Council determined in its Instructions on access, work system, and procedures of the Service for Assistance and Support to Victims and Witnesses that judicial and prosecutorial associates should be engaged in this activity. This raises some open questions in the domain of labor law relations, such as evaluating and promoting these associates as civil servants, as well as how they can meet the performance criteria for selecting judges and prosecutors. These are undoubtedly demotivating factors for the engagement and effectiveness of judicial associates within the Service. Often, these associates also handle other (regular) tasks. Simultaneously, the attrition of trained representatives of the Service negatively impacts the quality, stability, and continuity of this (judicial) service, directly affecting the users of their services.

This complex role becomes even more challenging when victims and witnesses are children, i.e., minors, whose needs are specific and require specialized knowledge not taught in legal studies. Let us remind ourselves that only three psychologists are employed in the public prosecutor's offices and courts in Serbia – at the Higher Public Prosecutor's Office in Belgrade, the Higher Court in Novi Pazar, and the Higher Court in Belgrade (where this position has existed in the Department for Juveniles since 1970). Certainly, all representatives of the Service must have knowledge about children's rights, international and domestic standards related to the special protection of child victims and witnesses in criminal proceedings, including provisions of the Criminal Procedure Code and the Law on Juveniles, as well as the position and rights of the child arising from the Family Law.

Established trainings and printed manuals, in addition to referring to the mentioned legal framework, aim to provide all representatives of the Service with basic knowledge about specific developmental and other characteristics and needs of the child, on the manner how to communicate with the child (and their parents), when to involve the guardianship authority, how to recognize the child's special needs, and how to engage relevant experts (e.g., in the Manual for Dealing with Child Victims and Witnesses in Criminal Proceedings (Cerović, Marković, 2023: 68-74), a proposal for a rapid assessment scale for children's needs is provided); the role of the Service in this context, as well as how to create a collaborative network, are also addressed, all while respecting the primary jurisdiction of the authority conducting the proceedings. All of this is intended to facilitate the easy and efficient development of an

initial individual action plan for child victims/witnesses in criminal proceedings, with regular revisions of this plan.

In this way, a significant number of prosecutorial and judicial associates have been trained. However, not all trained associates are actively engaged in the Service. The Services within courts and prosecutor's offices themselves operate quite diversely. This diversity may be due to varying needs, such as the number of cases involving child (juvenile) victims or witnesses. Most contacted representatives from higher courts have emphasized that they handle a small number of cases where children are victims or witnesses. They have also noted that there is still no well-established need/habit for citizens (as adult witnesses) to reach out to this service. In some courts, representatives of the Service are even involved as examiners, leading discussions about events defined as criminal offenses and asking questions to children on behalf of the authority conducting the proceedings.

The capacities and roles of the Service fall within the domain of support, protection, and assistance to children as they navigate the stressful process of participating in criminal proceedings. It is not founded for representatives of this Service to actively participate in questioning the child, i.e., to ask questions through them. Even when members of the Service are psychologists or other experts in related fields, assuming the role of "questioning" the child diminishes or at least undermines their protective function. Even in specialized services, such as our Units for Assistance and Support for Child Victims and Witnesses in Criminal Proceedings, the person conducting a forensic interview with a child does not participate in providing support or psychological treatment. This is "procedurally" determined in the sciences related to psychological treatment, as well as based on knowledge in the field of caring for victims of criminal offenses, and it remains questionable even when discussing the criminal proceedings themselves.

For services such as forensic interviews or indirect questioning determined by the criminal procedure authority, other experts must be engaged, specifically qualified to encourage i.e. elicit the child's memories in an appropriate manner, avoiding questions that might bias or contaminate their responses, and at the same time, they should closely monitor emotional reactions and respond appropriately as needed. These specialized experts are essential when dealing with particularly vulnerable children (those of younger age, with developmental or other disorders, mental illnesses, severe consequences resulting from exposure to criminal offences, children without adequate parental care, children from marginalized groups, and those living and working on the streets, etc.).

As we have already indicated, the units for assisting and supporting child victims and witnesses of criminal offenses had this profile of experts. With the dissolution of these units, the question arises: which experts can the court or prosecutor's office engage for the specific support of child victims/witnesses and for the criminal proceedings themselves? Article 300, paragraph 9 of the Criminal Procedure Code, as well as Article 152, paragraph 1 of the Law on Juveniles, serve as the basis for engaging these experts. However, the criteria for selection remain unclear, especially when there is no official list of such experts.

In order to better address these dilemmas, in 2023 (within the framework of the project "Improving the Rights of Child Victims and Witnesses of Criminal Offences in the Republic of Serbia," implemented by ASTRA in partnership with UNICEF), an Advocacy Document was drafted to enhance the treatment of child victims and witnesses in criminal proceedings.

Considering that effective performance in these roles requires not only knowledge and skills related to the primary activities of psychologists, child psychiatrists, and other related

professions but also familiarity with the basic procedural requirements for engagement in criminal proceedings, it is proposed that specialized training be organized and that this type of service be licensed. This approach would allow the Ministry of Justice to supplement the existing list of experts with these specialized professionals. This would significantly facilitate the selection of these experts by judges and prosecutors and, overall, improve the protection of child victims and witnesses in criminal proceedings.

3.3. Other aspects that aggravate the position of juvenile victims and witnesses in criminal proceedings

In criminal law practice, several other issues have been identified that hinder the improvement of protection for child victims and witnesses. One of these relates to the lack of records regarding victims or injured parties. Although the Court Rules of Procedure¹⁶ provide for a Register of Injured Parties and Witnesses, intended for the Service for Assistance and Support to Injured Parties and Witnesses, this register is not practically implemented (except in the Special Department for War Crimes and the Special Department for Organized Crime and Corruption at the Higher Court in Belgrade). This situation arises from a justified fear that within the system, data about victims could be compromised, as well as the fact that the Services are still not adequately structured. The register itself is meant to be internal, accessible only to representatives of the Service through a password.

Prosecutors' offices also lack a formally designated register of victims/witnesses who are injured parties. Consequently, it is nearly impossible to gain insight into the total number of victims, including juvenile victims, in criminal proceedings and to plan the organization of their protection at the level of the criminal justice system. While records based on the type of criminal offenses can reveal cases where the victim's youth is a qualifying factor or an aggravating circumstance, they do not provide information on the actual number of victims.

The lack of proper records is not only significant for analysis and planning. In some cases, the lack of records further complicates the position of juvenile victims. For instance, in cases involving the criminal offense of producing, acquiring, or possessing pornographic material and exploiting a minor for pornography, multiple suspects are prosecuted, which are sometimes not discovered and prosecuted at the same time, and the same juvenile victim may be interviewed in multiple cases. This situation also occurs in other types of cases, where proceedings are organized based on the defendants.

In the following example, in addition to other existing problems, the issues mentioned above are evident:

Minor A.B. (17 years old) simultaneously appears as an injured party in three separate cases before the juvenile court.

She also appears as an injured party in a prosecutor's investigation against a 64-year-old individual for the criminal offenses of human trafficking and procuring a minor.

In one juvenile case, proceedings are underway against two juvenile girls for human trafficking and procuring.

¹⁶ Although the Court Rules of Procedure "Official Gazette RS" no.110/2009, 70/2011, 19/2012, 89/2013, 96/2015, 104/2015, 113/2015, isp 39/2016, 56/2016, 56/2016, 77/2016, 16/2018, 78/2018, 43/2019, 93/2019 i 18/2022.

In two independent cases (handled by different judges), proceedings have been initiated against two minors for rape. These two juvenile girls have previously been involved in other criminal proceedings and have been assigned to judges who are already handling their cases.

The presiding judge in the case involving the two juvenile girls has already included a court psychologist in the preparatory process. By agreement, the court psychologist contacted the parents by phone and offered them the opportunity to come to court for a discussion prior to the hearing, at their convenience and if they wish, to prepare for giving their testimony. The parents readily accepted.

During the conversation, the parents provided information about other cases in which the juvenile girl had been called to testify.

The girl is undergoing treatment at the Counseling Center for Victims of Human Trafficking (CCVHT).

An interview was also held with CCVHT, which highlighted the girl's vulnerability and the high risk associated with testifying in all four criminal proceedings.

An examination of all three "juvenile" cases and communication with the competent Social Welfare Center revealed that there will be highly likely negative consequences if the girl is questioned in all these cases.

The girl is the first of two children. Her parents are very caring and concerned. Due to her reduced mental abilities, the parents have been overly protective. The family environment is favorable. The minor A.B., as a child with special needs, attended a special elementary school for developmentally challenged children. With the introduction of inclusive education, she enrolled in a vocational beauty school.

She was drawn into the chain of prostitution by two school friends (against whom proceedings are being conducted). For several months, her family did not recognize the problem because most of the problematic activities occurred during school hours (from which the minor was absent). Her going out and socializing even pleased her parents, who thought she had finally found friends.

The first signs of trouble emerged when the girl ran away from home for a few days and then had to undergo a gynecological examination and treatment due to a sexually transmitted disease. During that visit, she informed the doctor and her parents that she had been having sexual intercourse with various, mostly unknown men for several months, all of whom were acquainted with her (minor) friends. She often had intercourse with multiple men simultaneously (in an abandoned shack near the school). It hurt, and she didn't like it, but her friends convinced her that she was "grown up now and that's how it should be." They frightened her, saying that if she told her parents, she would no longer be allowed to attend regular school. These friends organized these "gatherings," and she didn't know if or how much money they took from these men.

During her escape from home, she stayed at the house of the 64-year-old man. She had visited him even before, as these "friends" of hers lived there.

Other juvenile judges and the senior public prosecutor leading the investigation against the 64-year-old man were contacted. He had already ordered the expert examination of the girl. Only after the experts' findings are obtained, he plans to appoint a legal representative and make statements.

The court psychologist prepared notes for all four cases and provided notice that it was essential for the girl, as a particularly vulnerable witness, to be interviewed with professional guidance, i.e. the interview should be conducted with the assistance of the Unit for Child Protection in criminal proceedings (which was active at that time)

Despite the written and oral notifications (and warnings), one of the juvenile judges, who was the first to call the minor victim, questioned the girl about all criminal offenses in four proceedings.

The girl was questioned in the presence of her father and a psychiatric expert, without legal representative. Her statement was confusing, lacking clear details, with no distinction among events; she didn't remember most of the incidents or described them in an identical manner.

Not only was the girl subjected to secondary victimization, but it is evident that the obtained statement is of questionable validity.

This statement, obtained in this way, did not carry the weight of substantiated evidence. The criminal proceedings against the accused man, juvenile girls and the juvenile boy were suspended due to lack of evidence.

Losing the status of a human trafficking victim, the girl was left without the possibility of treatment at the CCVHT counseling center.

The court psychologist attempted to contact the girl's parents, but they refused to respond.

The girl's father answered one call. He said that everyone felt very bad. The girl is almost under house arrest. She's afraid to go out. She has withdrawn into herself. Mostly, she sleeps and watches TV. She cries frequently. She doesn't attend school. She will take her grade exam to avoid meeting other students. They don't want to seek other protection, and the girl doesn't want to go through everything again. He added that their younger daughter, who is 15 years old, has also withdrawn into herself. She's ashamed and afraid to leave the house. She's struggling in school... He thanked her and requested that no one from the court or prosecutor's office call them anymore, as it greatly upsets them.

4. CONCLUSION

Improving the normative and institutional framework is of particular importance for the protection of victims and witnesses during criminal proceedings, especially the protection of juvenile victims and witnesses. In order to enhance the legal framework for victims' and witnesses' rights, and considering specific research and analyses aimed at assessing the current situation, we note that the Republic of Serbia has already taken important steps towards alignment with international legal standards, particularly the provisions of the Directive. However, certain amendments are still necessary, including, but not limited to: 1) improving the right to legal assistance, 2) rights to information (timely and accurate information about the victim's rights and the status of the criminal case in which they appear as the injured party), 3) the right to make property claims for juvenile victims, 4) establishing an "individual assessment" to determine specific needs in each specific case, etc. The authors of this paper emphasize and point out that, in addition to amending criminal procedure legislation, specific interventions are also necessary within the appropriate institutional framework.

However, we must reiterate that the most challenging aspects in organizational and financial terms will be the establishment of a network of support services for victims and witnesses throughout the territory of the Republic of Serbia. This system should be based on three key principles: accessibility, maximum utilization of existing resources, and sustainability. Maximum territorial coverage must be the rule, thereby avoiding the previous concentration of service providers exclusively in larger cities, especially Belgrade. To achieve this, a precise plan for gradually improving network accessibility is essential, both in terms of geography and the diversity of available services, with a clearly defined development timeline. Also, without

technically equipped special rooms with installed devices for audio and visual transmission (AV rooms), there are no conditions to prevent secondary victimization of children who are questioned in criminal proceedings.

Furthermore, it is necessary to continue with regular and continuous specialized training and education intended for all participants in the process. Training programs must be designed for several target groups: providers of primary and specialized support, representatives of the judiciary (judges and deputy public prosecutors), lawyers, police officers, and court guards. Additionally, organizing and holding scientific and expert conferences and making printed materials available enhance the sensitivity, capacity, knowledge, and skills of all involved experts and contribute to establishing good practices for handling child victims and witnesses in criminal proceedings.

BIBLIOGRAPHY

- Although the Court Rules of Procedure “Official Gazette RS” no.110/2009, 70/2011, 19/2012, 89/2013, 96/2015, 104/2015, 113/2015, isp 39/2016, 56/2016, 56/2016, 77/2016, 16/2018, 78/2018, 43/2019, 93/2019 and 18/2022.
- Cerović, I. & Marković, Lj. (2023) Prilog 2 – Smernice za procenu potreba deteta I izradu individualnog plana za svako dete žrtvu ili svedoka u krivičnom postupku – Skala brze procene: *Priručnik za postupanje sa decom žrtvama i svedocima u krivičnim postupcima*, Beograd: ASTRA – Akcija protiv trgovine ljudima.
- Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime and replacing Council Framework Decision 2001/220/JHA (OJ L 315 of 14 11. 2012).
- European Union Common Negotiation Position for Chapter 23, available on: <http://mpravde.gov.rs/files/Ch23%20EU%20Common%20Position.pdf>.
- European Union Common Negotiation Position for Chapter 23, available on: <http://mpravde.gov.rs/files/Ch23%20EU%20Common%20Position.pdf>.
- Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime, Annex, Section, V-XIV, ECOSOC Resolution 2005/20.
<http://www.un.org/en/ecosoc/docs/2005/resolution%202005-20.pdf>, 23.7.2017.
- Kolaković-Bojović, M. (2018) “Child Victims in Serbia - Normative Framework, Reform Steps and EU Standards”, ed: Stevanović, I. (ed.) *Child Friendly Justice*, Belgrade: Institute of Criminological and Sociological Research.
- Kolaković-Bojović, M. (2022) *Konačni izveštaj o praćenju sudske prakse o položaju maloletnih žrtava krivičnih dela pred sudovima u Republici Srbiji u 2020. godini*. Institut za kriminološka i sociološka istraživanja, Beograd.
- Kolaković-Bojović, M., Stevanović, I., Vukićević, V. (2022) *Analysis of the Normative and Institutional Framework of Child Friendly Justice in Serbia: summary report and recommendations*. Institute of Criminological and Sociological Research, Belgrade.
- Law on Ratification of the Council of Europe Convention on the Protection of Children from Sexual Exploitation and Sexual Abuse*, “Official Gazette of the FRY - International Agreements”, no. 1/2010 (*Zakon o potvrđivanju Konvencija Saveta Evrope o zaštiti dece od seksualnog iskorišćavanja i seksualnog zlostavljanja*, „Službeni glasnik RS - Međunarodni ugovori”, br. 1/2010).
- Law on Ratification of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography*, “Official Gazette of the FRY - International Agreements”, no. 22/02 (*Zakon o potvrđivanju Fakultativnog protokola uz Konvenciju o*

- pravima deteta o prodaji dece, dečjoj prostituciji i dečjoj pornografiji*, „Službeni list SRJ- Međunarodni ugovori”, br. 22/02).
- National Strategy on the Rights of Victims and Witnesses of Crime for the Period 2020-2025*, “Official Gazette RS”, no. 30/18 (*Nacionalna Strategija za ostvarivanje prava žrtava i svedoka krivičnih dela za period 2020-2025 godina*, “Službeni glasnik RS”, broj 30/18).
- Revised Action Plan for Chapter 23 & Report 3/2023 on the implementation of the revised Action Plan for Chapter 23, Belgrade: December 2023, available at: <http://www.mpravde.gov.rs/files/Akcionni%20plan%20PG%2023.pdf>.
- Škulić, M. (2011) “Postupak u kome se pojavljuje oštećeno maloletno lice” u: *Maloletničko krivično pravo*, Beograd: Pravni fakultet Univerziteta u Beogradu & “Službeni glasnik”.
- Škulić, M. (2016) “Položaj žrtve/oštećenog u krivično-pravnom sistemu Srbije uopšte i u odnosu na Direktivu EU 2012-29”, u: Ignjatović, Đ. (ur.) *Kaznena reakcija u Srbiji, VI deo*, edicija *Crimen*, Pravnofakultet Univerziteta u Beogradu.
- Škulić, M., (2014) “Zaštita dece/maloletnih lica kao oštećenih i svedoka u krivičnom postupku”, u: Vučković-Šahović, N. i dr., *Zaštita dece žrtava i svedoka krivičnih dela*, Beograd: International Management Group – IMG.
- Škulić, M., (2015) *Normativna analiza položaja žrtve krivičnog dela/oštećenog krivičnim delom u krivičnompravnom sistemu Srbije: aktuelno stanje, potrebe i moguće promene*, Misija OEBS-a u Srbiji (dostupno na sajtu: www.podrskazrtvama.rs).
- Stevanović, I. (2014) “Krivičnopravni sistem i zaštita maloletnih lica (nacionalni normativni aspekt)”, u: Vučković-Šahović, N. i dr., *Zaštita dece žrtava i svedoka krivičnih dela*, Beograd: International Management Group- IMG.
- Stevanović, I. Vujić, N. (2020), “Maloletno lice i druge posebno osetljive kategorije žrtava krivičnih dela (međunarodni pravni standardi i krivično-procesno zakonodavstvo Srbije)” u: Bejatović, S. (ur.), *Žrtva krivičnog dela i krivičnopravni instrumenti zaštite (Međunarodni pravni standardi, regionalna krivična zakonodavstva, primena i mere unapređenja*, Beograd: Misija OEBS-a u Srbiji.
- Zakon o maloletnim učinocima krivičnih dela i krivičnopravnoj zaštiti maloletnih lica*, „Službeni glasnik RS”, broj 85/05.
- Zakonik o krivičnompostupku*, „Službeni glasnik RS”, br. 72/11, 101/11, 121/12, 32/13, 45/13 i 55/14.