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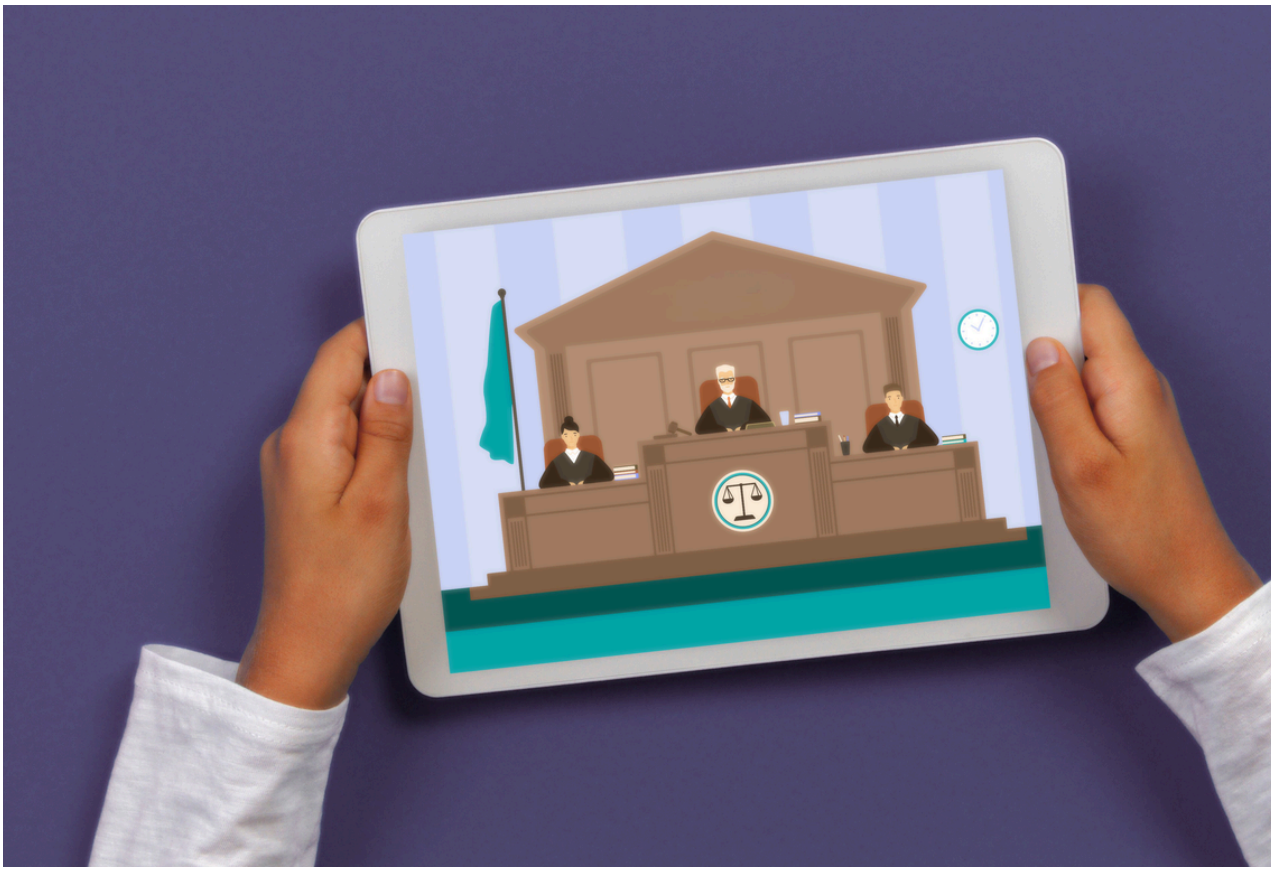
EXECUTIVE SUMMARY

A set of guidelines on remote hearings for children

Guideline 1: For the judiciary and justice practitioners

Guideline 2: For social workers and people working with children in conflict with the law

Guideline 3: For children in the criminal justice system



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These guidelines draw on the national-level research and groundwork conducted by consortium partners in Ireland, Romania, Spain, and Ukraine. Building upon this country-specific foundation, the material was synthesised into these practical guidelines through the insightful research and subject-matter expertise of lead author Dr. Oscar O'Mara.

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Introduction

This executive summary includes extracts from "***A set of guidelines on remote hearings for children***", published in English in October 2026 and provide practical guidance on protecting children's procedural rights, promoting meaningful participation and preventing discrimination in remote hearings.

The full guidelines examine how remote hearings affect children who are suspects or defendants in criminal proceedings, and set out what each actor in the justice system can do to protect their rights, and also address children themselves, providing useful advice and information about their rights. The guidelines also include a glossary of key terms and an analysis of the gaps in current law, policy and practice that they seek to address.

The full guidelines can be downloaded at: https://www.penalreform.org/resource/a-set-of-guidelines-on-remote-hearings-for-children/
Full references can be found in the full guidelines.

Overview

Digital justice is now routine in criminal proceedings across Europe, and children in conflict with the law are increasingly required to join hearings by video link or entirely online. Remote hearings can bring benefits, such as reducing travel, avoiding intimidating courtrooms and allowing trusted adults to be nearby. However, for children who are suspects or defendants, they can produce disproportionately harmful outcomes.

Research by Penal Reform International across Ireland, Romania, Spain and Ukraine (1) found that remote formats often undermine children's ability to understand proceedings, communicate confidentially with their lawyers and participate meaningfully. Most strikingly, children's behaviour on screen is frequently misread: silence, looking away or fidgeting are taken as disengagement or non-cooperation, distorting judgements about their credibility. These risks fall hardest on children with communication needs, neurodivergence or trauma histories, and on those in custody, in rural areas or from marginalised communities.

This resource provides practical, evidence-based guidance to help states meet their heightened obligation to these children, so that digitalisation strengthens, rather than weakens, due process in child justice. It draws on research with practitioners, social workers and children with lived experience of remote criminal hearings. It also reflects input from child psychologists, youth justice and neurodiversity specialists, and legal professionals. It is organised into three complementary guidelines:

- **Guideline 1**, for the judiciary and justice practitioners, on designing child-centred digital justice processes and putting principles into practice.
- **Guideline 2**, for social workers and others working with children in conflict with the law, on supporting children and using advocacy and accountability to secure fair treatment.
- **Guideline 3**, for children themselves, explaining in simple language what remote hearings are, what their rights are and what they can ask for.

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(1) PRI (2025) Upholding children's rights in remote hearings in child justice systems: Lessons from four jurisdictions (Ireland, Romania, Spain, Ukraine), https://www.penalreform.org/where-we-work/europe/procedural-rights-of-children-in-the-digital-age/

The guidelines can be used as a planning tool when deciding whether a child should appear remotely, as a reference before and during hearings, as a training resource, and as a framework for consistency across cases and jurisdictions. They do not replace legislation or binding procedural rules. They are intended to be applied flexibly, with attention to the individual child, and revisited as evidence, technology and feedback from children and practitioners develop.

The guidelines' starting point is that in-person hearings should be the default for children, with remote hearings used only where a structured, recorded and reviewable assessment shows they are in the child's best interests. Throughout, they share **one core message**: when a child cannot participate, the barrier lies in the system, not the child, and digital skills must never be a condition for accessing justice.

Guideline 1: For the judiciary and justice practitioners

Best practices for designing and implementing digital justice processes affecting children, including remote hearings

Research across four European jurisdictions shows that remote hearings can weaken children's procedural rights, affect their ability to participate meaningfully, and lead to misunderstandings about their behaviour, engagement or credibility. Guideline 1 helps practitioners make informed, defensible decisions about when and how remote hearings should be used with children.

Part I: Developing child-centred digital justice processes

When and whether to use remote hearings. In-person hearings should remain the default option wherever possible. Remote hearings should only be used when clearly in the child's best interests and when they do not compromise the fairness of proceedings. A child may accept a remote hearing because it feels easier in the moment, even where an in-person hearing would offer stronger safeguards. Two core principles guide this decision:

- **Fairness**: technology must never influence how a child's behaviour, credibility or engagement is interpreted.
- **Legality**: transparent criteria must guide judicial discretion and decisions must be reasoned and recorded.

Safeguarding children's rights. Remote hearings are continuous processes requiring attention before, during and after the hearing. Children must be able to understand, follow and meaningfully participate. They must have secure, confidential access to legal advice and proactive reasonable adjustments. Courts must protect children's privacy and safety, and ensure children are never left isolated.

Minimum standards and gender-sensitive approaches. Ten minimum standards for rooms, equipment and platforms are set out, from calm, private spaces and reliable technology to accessibility and plans for technical problems. Practitioners should address the gendered dimensions of digital justice, and prioritise in-person hearings for gender minorities.

Part II: Putting principles into practice

Trauma-informed and neurodivergent-inclusive practice. *Practitioners should:*

- prepare the child and reduce uncertainty
- create a safe and supportive environment
- recognise signs of distress or overload
- ensure meaningful participation.

Where adjustments prove insufficient, practitioners should advocate for or order in-person proceedings regardless of administrative inconvenience.

Skills, training, oversight and continuous improvement. Justice systems should ensure mandatory and continuous training for all practitioners. They should also collect disaggregated data, monitor participation quality, and establish clear accountability when standards are not met.

Guideline 2: For social workers and people working with children in conflict with the law

Understanding remote hearing developments, risks, opportunities, and advocacy levers

Remote hearings can reduce travel and allow trusted adults to be present, but it also introduce new risks, especially for children who struggle with technology, live in unsafe homes, are neurodivergent or have trauma histories. Social workers' ongoing relationships with children give them a professional authority that legal practitioners cannot replicate. The guideline also applies to youth justice workers, probation officers, child advocates and NGO practitioners.

Essential principles. Social workers should always assess whether a remote hearing is suitable for this child, in this situation. They should support the child's participation, understanding and emotional safety throughout, and protect the child's physical and digital environment through advocacy and collaboration. Being confident on social media is not the same as understanding a legal process on a video call.

Part I: Supporting children in digital justice processes

Assessing suitability. A structured assessment should cover eight areas:

- the nature of the hearing
- the child's ability to participate
- age and development
- neurodivergence
- trauma
- practical barriers
- digital literacy
- equality and language.

Substantive matters, such as pleas, sentencing, contested facts and detention, should normally take place in person.

Identifying red flags. Red flags include the child's views being ignored, lack of understanding, unsafe environments, technical barriers, communication difficulties and trauma-related risks. Social workers should document concerns, raise them with the court and legal representatives, recommend alternatives and escalate where necessary.

Supporting children before, during and after. Social workers prepare the child and explain their rights, stay present and intervene during the hearing, and debrief and support the child afterwards.

Physical and digital spaces. Social workers check that the child's location is safe, private and dignified, and that the technology is adequate. Where it is not, they advocate for alternatives, including in-person hearings.

Part II: Advocacy, learning and accountability

Social workers help families support children while respecting the child's right to independent legal advice. They challenge digital processes that undermine children's rights, and help families access complaints and review processes. Digital literacy must never be a condition for justice: systems should adapt to children, not the other way around. Social workers also create feedback loops so that children's experiences inform practice.

Guideline 3: For children in the criminal justice system
Guidance for children who are involved in remote hearings

Sometimes, court hearings happen on a screen instead of in a courtroom. This is called a remote hearing, videolink or online hearing. You might join from custody, home, a care home or another building. You should always talk about this guidance with an adult you trust, like a parent, carer, social worker or your lawyer. They can help you understand the words and support you before, during and after your hearing.

How remote hearings might affect you

You should always be told if your hearing will be online. You should never feel surprised or confused about what is happening.

Your rights (no matter what)

Whether your hearing is in person or online, you have the right to:

- understand what is happening and why
- be heard: adults must listen to you
- ask questions whenever you're confused
- speak privately with your lawyer, with no one else listening
- feel safe and respected, even on a screen
- say if something feels wrong.

Before, during and after the hearing

Before your hearing, someone should explain what will happen, who will be on the screen and how to use the technology. You can practise first if you want to. During the hearing, you can always say:

- "I don't understand"
- "Can you say that again?"
- "I need a break"
- "I want to talk to my lawyer".

Afterwards, someone should explain what happened, what happens next and how to complain if something felt wrong.

If online court is hard for you

It's completely okay to find online hearings confusing, stressful, tiring or scary. You can ask for more time, breaks, someone to sit with you, help with the technology, or a face-to-face hearing instead.

Your privacy and who can help you

No one should listen or watch without your permission, and what you tell your lawyer is private. Your lawyer, a social worker, a parent or carer you trust, a counsellor or a support worker can all help you.

What if adults don't listen?

This is not your fault. Tell your lawyer or another adult you trust. They can also help you find organisations near you that support children.

Remember: This process is about you. You have rights, even online. Your voice matters.

Conclusion

Taken together, the three guidelines offer a comprehensive, evidence-based framework for ensuring that the digitalisation of justice strengthens rather than undermines the procedural rights of children in conflict with the law. They bridge the gap between strong legal standards and weak practical guidance, treat children as a distinct group with distinct needs, and give each actor in the system, from judges to social workers to children themselves, clear and practical tools.

Their consistent message is that the justice process must work for the child, not the other way around. Even exemplary practice cannot fully compensate for the inherent limitations of remote formats for many children. Where adjustments cannot secure meaningful participation, practitioners should acknowledge that a remote hearing is inappropriate for that child and advocate for, or order, in-person proceedings regardless of administrative inconvenience. As digital justice continues to evolve, the guidelines are intended to be revisited in light of new research, technological developments and, above all, the experiences and feedback of children themselves.

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