ACCESS TO JUSTICE FOR CHILDREN:
COUNTRY REPORT CARD[1]

[Country]

I. Legal Status of the Convention on the Rights of the Child (CRC)	
A. CRC takes precedence over conflicting legislation (/10) (no = 0; partial = 5; yes = 10)	
B. CRC has been incorporated into national law (/10) (no = 0; partial = 5; yes = 10)	
C. CRC is directly enforceable in domestic courts (/10) (no = 0; interpretive guidance = 3; some direct, some interpretive guidance = 6; yes = 10)	
D. CRC has been applied in legal proceedings (/10) (no = 0; not systematically = 5; systematically = 10)	
E. OP3 is ratified (/5) (no = 0; yes = 5)	
SCORE /45:	

II. Legal Status of the Child	
A. Full range of legal claims is available to challenge rights violations (/20)	
Specific standards: (2.5 each)	
● violations can be challenged even if they are not crimes	
● can bring private prosecutions where the State will not carry out a criminal prosecution itself	
● can challenge deprivation of liberty and/or lawfulness of detention	
● mechanisms exist to investigate allegations against officials	
Independent bodies capable of taking complaints before or on behalf of children: (2 each)	
● Independent institution exists with mandate that covers the protection and promotion of children's rights	
● There is a specific department or person within the relevant institution that specifically deals with children's rights	
● Institution is empowered to receive and address complaints in relation to violations of children's rights	
● Institution has a transparent appointment procedure	
● Institution is empowered to review State's progress in realising children's rights	
B. Children can bring cases alone or via a representative (/7.5)	
Case can be brought in child's name (no = 0; yes = 2.5)	
Is generally not required to bring proceedings through a guardian ad litem or litigation friend (no = 0; yes = 2.5)	
No conflict of interests in appointments of representatives (no = 0; yes = 2.5)	

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[1] This report card is based on CRIN's Access to Justice for Children: Model Report, available at www.crin.org/en/node/31972/.

C. Parents/guardians can bring cases on behalf of very young children (/10)	
Parents' ability to act on behalf of child is tempered by the principle of the best interests of the child (no = 0; partial = 5; yes = 10)	
D. Children/representatives are eligible for free legal assistance (/30)	
Settings: (2 each)	
● civil	
● criminal	
● administrative	
● family	
● all other judicial settings	
Right to a lawyer of own choosing (no = 0; yes = 5)	
Right to lawyer with experience commensurate with nature of claim / offence (no = 0; yes = 5)	
Right to legal aid throughout the criminal process from arrest to trial and appeal (no = 0; partial = 5; yes = 10)	
E. No further legal limitations/conditions on children/representatives bringing, running or settling cases (/5) (deduct 1 for each limitation/condition)	
SCORE /72.5:	

III. Challenging Children's Rights Violations	
A. Children have complete access to all courts, complaints mechanisms (/10)	
Settings: (2.5 each)	
● criminal	
● civil	
● administrative	
● informal, customary or alternative justice mechanisms available where appropriate	
B. Courts have broad powers to remedy rights violations (/16)	
Remedies: (2 each)	
● restitution	
● compensation	
● stop the enforcement of a law	
● stop the enforcement of subsidiary legislation	
● order government to take steps to prevent a violation	
● launch investigation OR bring proceedings at the court's initiative	
● guarantee non-repetition	
● repeal of law (partial = 1)	
C. Widespread violations can be challenged without naming individual victims (/10)	
Named victims are not required (no = 0; partial = 5; yes = 10)	
D. Children can file group litigation to challenge multiple violations (/10)	
Group and collective litigation available (no = 0; partial (selected types of actions only) = 2.5; yes = 7.5)	
Courts have the power to combine cases to offer clear, consistent	

pronouncements of the law (no = 0; yes = 2.5)	
E. Non-governmental organisations can file, intervene in cases (/10)	
Can file (no = 0; yes = 7.5)	
Can intervene (no = 0; yes = 2.5)	
SCORE /56:	

IV. Practical Considerations	
A. Venue (/5)	
Formal restrictions relaxed as necessary and appropriate (no = 0; partial = 2.5; yes = 5)	
B. Legal aid / costs (/5)	
Court fees and case related expenses are not payable (no = 0; yes = 5)	
C. Pro-bono / financing (/10)	
Active legal and bar associations that offer pro-bono representation (no = 0; yes = 5)	
Systematic procedures to promote pro-bono (no = 0; yes = 5)	
D. Timing (/10)	
Limitation periods do not begin to run until a child reaches the age of 18 (no = 0; yes =5)	
No time limitation period for "serious violations of international humanitarian law" (no = 0; yes = 5)	
E. Evidence (/7.5)	
Children may testify or give evidence in court proceedings (no = 0; yes = 2.5)	
Opportunity to give evidence not under oath where this is not understood (no = 0; yes = 2.5)	
Child friendly procedures to facilitate the giving of evidence (no = 0; yes = 2.5)	
F. Resolution (/10)	
Cases involving children are resolved without undue delay (no = 0; partial = 5; yes = 10)	
G. Appeal (/10)	
Children have right to appeal (no = 0; partial = 5; yes = 10)	
H. Impact and follow-up (/10)	
Judicial decisions are enforced and respected (no = 0; partial = 5; yes = 10)	
I. Privacy (/10)	
Privacy of children involved in legal proceedings guaranteed by law; public can be excluded; personal details unpublished (no = 0; yes = 10)	
J. Right to be heard (/10)	
Explicit provisions in place to guarantee children's right to be heard and for his or her views to be taken into account during legal proceedings (no = 0; partial = 5; yes = 10)	
SCORE /87.5:	

TOTAL WEIGHTED SCORE /261 =