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Enhancing Children's Participation Through Direct Reporting to the Public Authorities

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Enhancing children's participation through direct reporting to the public authorities

by Joëlle Long

Abstract

Powerful tools for promoting children's rights include direct reporting, which refers to communicative acts performed by individuals below the age of eighteen to draw the attention of public authorities to rights violations experienced by themselves or their peers. However, for various reasons, children rarely reach out to public authorities to report offenses or abuse. Drawing on data collected from focus groups with children, field visits to children's ombudspersons, and two surveys conducted as part of the Children Digi-CORE project, we argue that while direct reporting can empower young people by giving them a voice, it can also result in secondary victimization if not properly managed. Therefore, it is crucial to establish clear guidelines and procedures to ensure the well-being and protection of children. In light of this, the article offers recommendations to public authorities, particularly local ombudspersons for children, on how to collect and handle children's reports.

Keywords

Children's participation, direct reporting, empowerment, secondary victimisation, children's ombudspersons

1. Introduction

Powerful but somewhat neglected tools for promoting children's rights are direct reporting, meaning communicative acts (including informal referrals or, according to national law, appeals against administrative orders, civil complaints, criminal complaints or criminal charges) made directly by persons below the age of eighteen to raise the attention of the public authorities to the violation of rights suffered by reporters or their peers. Indeed, direct reporting can give children the space, voice, audience and influence that, according to the Lundy model (Lundy, 2007), are necessary to guarantee children's right to participation under Art. 12 of the Convention on the Rights of the Child (CRC). As explained below, direct reporting provides children with the opportunity to express their point of view (voice) and forms a channel (space) through which children can gain access to public authorities holding the power to intervene in cases of violation (audience). Moreover, due to their statutory responsibility for safeguarding fundamental rights, these authorities should give careful consideration to the statements provided by alleged victims of violations, particularly when they belong to vulnerable groups (influence).

According to the Committee on the Rights of the Child, "the child's right to be heard imposes the obligation on States parties "to introduce (…) procedures for complaints, remedies or redress" (Committee on the Rights of the Child, 2009, para. 48). Therefore, "States parties should oblige all children's institutions to establish easy access to individuals or organizations to which they can report in confidence and safety" (Committee on the Rights of the Child, 2009, para. 120 and, similarly, UN Independent Expert for the United Nations Study on Violence against Children, 2006, p. 21).

The 2011 Optional Protocol to the Convention on the Rights of the Child on a communications procedure emphasises the importance of instruments through which children can directly report specific violations of their rights. In fact, these tools are particularly valuable for children who have been separated from their parents (e.g. those living in foster care or residential communities, unaccompanied foreign children or children housed within the youth justice system) and, more generally, for children who are marginalised and thus more at risk of having their rights violated, for instance, Roma children, or migrant and refugee children (Children's Commissioner for England, 2012).

With a view to mapping and analysing the tools that can be used by children to request support and to draw the attention of the public authorities to a violation of their rights or the rights of their peers, this article builds on the results of the activities carried out in the Children Digi-CORE project and demonstrates

that direct reporting can empower children but that it can, at the same time, lead to secondary victimisation of the reporter if it is not properly managed. Finally, some suggestions are provided for the handling of children's reporting by the public authorities, and particularly local ombudspersons for children.

The Children Digi-CORE project is co-funded by the Rights, Equality and Citizenship Programme of the European Union (2014-2020)[1]. It aims to raise awareness among children and young people about their rights, and to support them in reporting violations experienced by themselves or by their peers to public authorities and, in particular, to local ombudspersons for children. The project takes a participatory approach, actively involving groups of children and young adults (mostly care leavers) in its various stages: needs assessment evaluation; development and testing of the mobile app and shared methodology for handling children's reporting; training of professionals; and dissemination of project results. The main results of the project are the development, testing and promotion of an innovative digital tool (smartphone app) through which children can easily contact and report violations of their rights to the ombudsperson for children of the Piedmont Region (Italy), as well as the development and transfer of an interdisciplinary and integrated methodology for managing children's direct complaints through guidelines, dedicated training for professionals, and national and European policy recommendations aimed at stakeholders[2].

More specifically, in order to identify the needs of both children and public authorities, three distinct tools were used in the needs assessment evaluation. Firstly, 7 focus groups meetings involving forty children and young adults - the majority being care leavers - were organised in Italy and in Cyprus to explore direct reporting and, in particular, to gather input on critical issues and concerns about contacting public authorities directly and the risk of re-traumatisation[3]. Secondly, a European and an Italian survey were carried out targeting foreign and national public authorities likely to receive reports from children concerning the violation of their rights or those of their peers (e.g. ombudspersons, judicial authorities, social services, police forces, schools, etc.)[4]. The surveys aimed to collect quantitative data on the amount of reporting and complaints received by these authorities directly from children and to identify good practices and critical issues concerning the way in which these reporting are submitted and then handled. Lastly, two field visits were carried out, the first (October 2021) in Portugal to the *Provedoria de Justiça* (Portuguese Ombudsperson Office) and the second (March 2022) in Cyprus to both the Commissioner of Children's Rights Office and to the Ombudsperson of Human Rights Office, in order to investigate further some of the data collected by the survey and to network with independent institutions for children's rights.

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[2] The Children Digi-CORE app is now available for free on Google Play and the Apple Store. Reports, guidelines and recommendations are available in both Italian and English on the project's website https://digicore-project.eu.

[3] Focus groups were held on the 10th, 17th and 24th of July and 18th of September 2021 in Italy, and between 23rd and 25th of September 2021 in Cyprus. Each focus group meeting consisted of at least 3 hours and was organized in Italy by the Italian Care Leavers network sponsored by *Associazione Agevolando* and in Cyprus by the international humanitarian and independent institution Hope for Children.

[4] As for the Italian survey, 73 authorities completed the questionnaire: 40.54% of the responses came from social services, approximately 20% each came from children's territorial ombudspersons and schools. We received fewer responses from public Prosecutor's Offices of the Juvenile Courts, ordinary public prosecutors' offices, and police forces. Regarding the international survey, we obtained 28 responses from 10 different countries (Denmark, Cyprus, England, Albania, Portugal, Hungary, Estonia, Slovak Republic, Croatia, the Netherlands) and various authorities, (n decreasing order of frequency: ombudspersons, school authorities, social services, police forces, and judges).

2. Legal, bureaucratic, social and psychological barriers to direct reporting

International and national analyses reveal that children rarely report violations of their rights to public authorities. As early as in 1998, Utting commented on the "tiny proportion of complaints that emanate from children" and noted that children's confidence in the complaints process was low (Utting, 1998, para 18:13). According to the Independent Expert for the Secretary-General Study on Violence against Children, "the majority of child victims did not talk to anyone or approach child protection services during their childhood, even in States which have highly developed systems" (UN Independent Expert for the United Nations Study on Violence against Children, 2006, p. 21). With specific reference to independent authorities for children's rights, evidence demonstrates that "children and young people make up a very small proportion of complainants" (UNICEF, 2019, p. 7; similarly, Lux *et al*., 2022, p. 4). For instance, annual reports by Piedmont's Ombudsperson for Children reveal that no direct reports were made by children themselves from the time of the authority's establishment in 2016 until 2019 and that in both 2020 and 2021 only two children contacted the Ombudsperson (out of a total of 137 complaints in 2020 and 306 complaints in 2021).

This dearth of direct reporting by children is confirmed by the European and Italian surveys produced by the Children Digi-CORE project (Dante *et al.*, 2021). The surveys revealed that the public authorities that received, proportionally, the highest number of reports from children were - in descending order - police forces, schools, social services, courts, and national and local ombudspersons for children. With particular reference to Italy, regional and municipal ombudspersons came bottom in the ranking: the vast majority stated that they had never received direct reporting from individuals under the age of 18.

The reasons for the lack of direct reporting appear manifold. Actually, barriers of legal, cultural, bureaucratic, social, and psychological nature hinder children's access to complaints procedures (Committee on the Rights of the Child, 2003, para. 24).

Firstly, children may not even know that they are able to contact the public authorities directly (UN Independent Expert for the United Nations Study on Violence against Children, 2006, pp. 8, 9, 21). In one child's words, "I wouldn't think as a 14 year old that I could complain. I'd expect my parents to do it" (Children's Commissioner in England, 2012, p. 32). In fact, persons under adult age (18 in most European countries) enjoy limited legal capacity, i.e. they have human rights but cannot engage in legal activities (see, for instance, Art. 2 of the Italian Civil Code, Art. 414 of the French Civil Code, Art. 12 of the Spanish Constitution). The reason for this special legal status, as is known, lies in the presumption that children are incapable of looking after their own interests. Indeed, due to their biological immaturity, such independence may entail a risk of children harming themselves. Consequently, they are paternalistically deprived of full legal capacity and are replaced by adults acting on their behalf and in their best interests (so-called "representation mode" of participation: Schrama *et al.*, 2021, p.9).

Additionally, children may be confused about the role of the different public authorities and who exactly they should contact (making specific reference to children in care Cashmore, 2002, p.844). In fact, the surveys produced in the Children Digi-CORE project reveal that, at both Italian and European level, the most frequent reason for the complaint being closed was that the matter did not fall under the remit of the authority (Dante *et al.*, 2021, p. 40). Indeed, it is sometimes extremely problematic to identify the authority that actually has jurisdiction in the specific matter; even adults and some professionals (e.g. social workers, health professionals, schools, etc.) have been known to contact the incorrect authorities. In Italy, for instance, if there is a suspicion that a child is being harmed due to parental conduct (civil jurisdiction) or if there is knowledge of a crime committed by someone aged between 14 and 18 years old (criminal jurisdiction) then the reports should be sent to the Public Prosecutor's Office at the Juvenile Court. On the other hand, crimes committed by adults against children and, only in the case of a pending divorce between the parents, harmful parental conduct should be reported to the Public Prosecutor's Office at the Ordinary Court.

The lack of reporting to ombudspersons for children (sometimes known as Children's Rights Commissioners or Youth Commissioners) could be explained specifically by the fairly new establishment of these bodies, at least in some countries, and therefore the lack of awareness among both the general public and professionals of their powers and activities. In Italy, for instance, regional and municipal ombudspersons for children have existed since 1988, but with significant differences depending on the different geographical areas. Meanwhile, the National Ombudsperson for Children was only established in 2011. In spite of all this, children's ombudspersons can play a crucial role in receiving direct reporting from children: the Council of Europe's 'Child Participation Assessment Tool' specifies that all children, regardless of nationality, age, disability, migration-related conditions and economic situation, should be able to 'report their concerns and complaints to the Authority (in writing, with pictures, by phone call)'.

Another reason for the small amount of reporting may be the lack of child-friendly tools for contacting the public authorities. Usually, formal requirements must be met in order to bring a criminal charge or a civil action, for instance, written form with legal validity (and therefore not emails); the assistance of a lawyer; and knowledge of the procedure for obtaining legal aid, if - as occurs in almost all cases - the child does not have the financial means to fund the service directly. When making reports to the administrative authorities (known as quasi-judicial complaint mechanisms), the procedures are normally less formal: legal assistance is not required and the complaint may be sent by email or post. However, "Complaints procedures designed with adult complainants in mind are most unlikely to be used significantly by children" (European Network of Ombudspersons for Children, 2001). More generally, social, economic or cultural living conditions in their society could hinder the use of the complaints procedure especially by some groups of children. For instance, the Committee on the Rights of the Child demands that "children with disabilities are provided with the necessary assistance and equipment to enable them to freely express their views and for those views to be given due weight" (Committee on the Rights of the Child, 2009, par. 78).

In fact, the majority of public authorities which participated in the surveys produced in the Children Digi-CORE project, both at national and European level, declared that there was no specific tool for children to provide reporting/make complaints and that, therefore, children have to use post, email, general telephone line, or general front office services. One example of a good practice is the tool adopted by the Portuguese *Provedoria de Justiça*: a telephone line dedicated to children and managed by an interdisciplinary team, consisting of a lawyer, a psychologist and a social worker who work on a rotating basis but always in close contact with each other (Dante *et al.*, 2021, p. 42). Telephone calls to this service last for 20-30 minutes during which time the operator attempts to open a communication channel with the user, using language suited to the latter (*ibidem*).

From a psychological perspective, children may not be aware of their rights and may perceive certain abusive behaviours as accepted practices (Committee on the Rights of the Child, 2009, par. 120), particularly if the perpetrator is known to them. Indeed, children who experience violations in their daily life, face difficulties in differentiating violations of rights from normal life experiences (European Commission, 2011). Children themselves report that they struggle to recognise a situation or a behaviour as one causing distress as they are used to it as part of everyday life. In the words of D., 24 years old and a care leaver, "acknowledging that you are in a difficult situation is a fundamental step. Recognising that you are in this situation means accepting that you have a problem, that you are living in distress. At first, the realisation might hurt, so you need to be looked after and supported during this very delicate period" (Dante *et al.*, 2021, p. 10). Children who experience social exclusion, such as children in care or belonging to minorities, tend to have a low self-esteem and self-confidence and could therefore face additional difficulties in asking for support (Lansdown, 2004, p.8).

Moreover, children may be "afraid to report incidents of violence against them for fear of reprisals by perpetrators, or of interventions by authorities which may worsen their overall situation" (UN Independent Expert for the United Nations Study on Violence against Children, 2006, p. 10). "Particularly, children could fear that the reporting itself may lead to further violence due to the so-called secondary victimization, i.e. when the victim suffers further harm not as a direct result of the act of violence but due to the manner in which institutions and other individuals deal with the victim" (Council of Europe, 2006).

The most recurrent form of retraumatisation is multiple hearings. Indeed, , “a child should not be interviewed more often than necessary, in particular when harmful events are explored. The “hearing” of a child is a difficult process that can have a traumatic impact on the child” (Committee on the Rights of the Child, 2009, par. 24). Repeatedly reliving traumatic experiences can cause emotional distress and retraumatization for the child (Mendel WE, Sperlich M, Fava NM, 2021). Each hearing can retrigger the child's memories and emotions, making it difficult for them to heal and recover from their experiences. Besides, repeated hearings can disrupt the child's healing process by constantly reminding them of the traumatic events and impeding their progress towards recovery. It can prolong their exposure to the distressing aspects of their experiences, hindering their ability to move forward and rebuild their lives.

Also, as emerged in Children Digi-CORE focus groups with children, it is crucial for professionals to refrain from engaging in any behavior that blames either the reporter or their family and social connections (Gibson, 2020). In this regard, M., 18 years old, says: “In order to show fragility, there has to be a person you can trust. Perhaps you can show it to a stranger, but it is much more difficult than to a person you consider trustworthy. We trust people who we know won’t judge us or with whom we feel comfortable. It's a progressive thing that can't be established immediately, but it builds slowly” (Dante *et al.*, 2021, p.9). Indeed, engaging in judgmental behavior can contribute to the secondary victimization of children at risk by perpetuating stigmatization, blame, or disbelief towards the child. When professionals or authorities involved in child protection display judgmental attitudes or behaviors, it undermines the child's sense of trust and can discourage them from seeking help or reporting abuse. For instance, if a child discloses abuse and encounters skepticism or disbelief from professionals, they may feel invalidated and be discouraged from seeking further assistance. Likewise, if professionals demonstrate victim-blaming or judgmental attitudes, children can experience shame, guilt, or self-blame, intensifying their trauma and impeding their recovery.

Finally, the unnecessary collection of private and family information about a child and their family by public authorities and/or the disclosure of such information in violation of the reporter's confidentiality has the potential to lead to revictimization. This intrusion can violate the victim's personal boundaries and privacy by divulging sensitive details that are unrelated to the case or not essential for the investigation or support services. As a result, the victim may feel violated and retraumatized. In the word of young participant to the focus groups, “We have to think about privacy, in the sense that many boys and girls do not ask for information or help for fear of being discovered, so it is essential to maintain a certain discretion” (Dante et al., p.16). Respecting the privacy of the child may involve refraining from disclosing information about them to third parties, including their own parents. However, it is important to note that if the violations involve criminally relevant abuse, the public authority cannot comply with the child's request. Nevertheless, in some cases, the request for privacy preservation can and should be honoured. For instance, in a rare case of direct reporting to the Ombudsperson for Children of the Piedmont Region, a seventeen-year-old boy expressed his dissatisfaction with his parents' refusal to consent to his COVID-19 vaccination. However, the boy expressed his wish for the Office not to contact his parents for mediation. His request was honored, and the Ombudsperson informed him of the alternative options available, either for the boy to take action himself or for the Office to act on his behalf. Despite being aware of these possibilities, the boy decided to abstain from pursuing further action, taking into account his upcoming 18th birthday. It should also be emphasized that it is not always easy to decipher the requests for help made by young individuals. Demands from a child for "a hand" may not always be explicit, and professionals may need to engage in a process of "decoding" in order to understand the request and respond effectively. P., a girl from the Italian Care Leavers Network, reports that when she was at primary school she always tried to stay at school a lot, attending every extracurricular activity, because she was experiencing serious distress at home due to her mother's mental illnesses, including a severe hoarding disorder. She reports that once, when she was seven, her mother did not come to collect her from school. The school staff then accompanied her to the police who tracked down her mother and took the child home, after many hours and despite the fact that the little girl had insisted that it would not be a problem for her to sleep at the police station. Upon arriving at the house, the policemen accepted the mother's

request to allow the child to go upstairs alone: this meant they failed to ascertain the poor conditions in which the child was living; the child was only removed after seven (!) years of such distress. P. retains very vivid memories of that day, even now. In fact, she reports that she spent the day hoping someone around her would notice her extremely difficult situation and do something to help her. In this regard, she says: "I have thought and rethought about that day and there were at least three explicit situations where the people and professionals around me could have noticed that something was wrong. I was hoping that they would and I would have seen it as salvation" (E. Cappai *et al.,* 2022). Another former care leaver, G., recalls when he arrived at school with severe bruises on his face caused by his father's beatings and the headmaster asked him if he needed anything, "but naively, out of fear or so as not to cause further problems, I said no". Despite this response, after a few weeks social services came and the boy was placed into care (*ibidem*).

It is also known that some children typically prefer asking questions "for someone else" or "in general" instead of saying "I have a problem" directly. Very often these questions are actually cries for help. Professionals need to be able to identify them as complaints and to have adequate tools to ensure they are properly addressed (with specific reference to independent authorities for the protection of children, see UNICEF, 2019, p. 9).

3. Reporting as an instrument for empowering children

As already noted above, children's direct reporting can serve as an instrument for the empowerment of children under Article 12 of the CRC by giving them a platform to exercise their right to participate, express their views, and contribute to decision-making processes. In this light, the Committee on the Rights of the Child recognizes the significance of direct reporting mechanisms to ensure children's participation rights, promote transparency, and hold accountable those responsible for violations and harm caused to children (Committee on the Rights of the Child, 2009, pp. 26-27). Additionally, the Committee acknowledges that effective remedies must be available to redress violations in order for children's rights to have meaning (Committee on the Rights of the Child, 2003, para. 24). Therefore, the right of children to report violations can also be viewed as an expression of their right to access justice, which, although not explicitly stated in the CRC, has gained increasing recognition for children (Liefaard, 2019). The Third Optional Protocol to the CRC on individual communications serves as a prominent example, granting children the right to submit individual communications to the Committee.[5].

Concretely, direct reporting empowers children on two different levels: as individuals and in groups.

In fact, by taking the initiative to bring a personal complaint, children assert their agency and challenge the perception of being powerless victims (on the risk for young people in care to be seen as "powerless victims" Cashmore, 2002, p.838)). They become active agents in addressing the violation they have experienced, which can have a transformative effect on their sense of control and ownership over their own lives. Direct reporting also reinforces the child's sense of self-worth and dignity. It recognizes them as rights holders and affirms their entitlement to protection from harm and access to redress for the violations they have endured. This recognition of their rights can significantly contribute to their self-esteem and confidence. Additionally, the act of denouncing the violation directly can be instrumental in the child's healing process. By speaking up and sharing their experience, children can find validation, support, and a sense of catharsis. It can help them process their emotions, begin the journey of healing, and prevent further internalization of the trauma.

The experience of the Children Digi Core project further validates these findings. Unaccompanied foreign children participating in the focus groups in Cyprus highlighted that reporting makes them realise they have rights as human beings. They see it as an act of self-protection as it means they are "standing up" for themselves and stopping others taking advantage of them (Dante *et al.*, 2021, p. 30). Indeed, "Those who are passively obedient are more vulnerable to abusive behaviour. When children know they can challenge abuse they become better able to understand the risks facing them and are able to take more

responsibility for avoiding harm" (Representative for Children and Youth and the Ombudsperson of British Columbia, 2010, p. 16. Similarly, Lansdown, 2004, p.12).

A former care leaver who was removed from home at 13 years old, after writing an e-mail to social services asking for help, recalls "I was finally breathing; this was when I realised I could turn the page and start dreaming about my future" (E. Cappai et al., 2022). Other care leavers involved in Children Digi-CORE focus groups in Turin agreed that they saw the moment of separation from their family as a liberating experience, in which they felt protected and safeguarded by adults who were not part of their household. Indeed, reporting to the public authorities is a manifestation of awareness of one's own situation and of the will to take control over one's own condition and personal relationships: D., 24 years old and a care leaver, describes reporting as "having the courage to take control of your own life" (C Dante *et al.*, 2021, p. 10). Therefore, when children ask strangers for help, this should not be considered a starting point but an arrival point after a long and difficult path of acknowledgement.

Children underline that it would be better to use the term "ask for support" rather than "ask for help", as they have no desire to delegate others to make decisions about their lives. In their words, "The expression 'asking for help' puts us in a position of weakness and fragility that we are rarely able to fully accept. That's why we prefer the term 'giving a hand." (Dante *et al.*, 2021, p. 21). According to L., 21 years old, "It's not something imposed from above, but a path to be defined together. If I force a path on you, you will never feel it is yours, and you will never be able to solve your problem or bring about that change, like a dog chasing its own tail" (*ibidem*). In another boy's words, "For me, asking for help stands for lightness: the moment you ask for help, you feel like a weight has been lifted off your shoulders. Talking, asking for help or asking for a hand helps me feel lighter, and makes it easier for me to deal with situations in general" (Z. 19 years old, cit. by Dante *et al.*, 2021, 12).

At the second level, direct reporting empowers children as a group to become active citizens and to contribute to making a better world: "Acknowledging and ensuring that children have direct access to a remedy is also recognition that children are full citizens and actors in their own lives" (UNICEF, 2019, p. 7). Firstly, reporting a violation of rights experienced directly as a child can help to protect other children from suffering the same treatment. Besides, "Complaints submitted by children reveal the concrete difficulties they face in their lives; they help to identify problems and bottlenecks in the system that prevent children from enjoying their rights" (UNICEF, 2019, p. 8). From this perspective, the CRC Committee "encourages States parties to consult with children in the development and implementation of legislative, policy, educational and other measures to address all forms of violence" (Committee on the Rights of the Child, 2009, par. 118) and "Children should be consulted in the formulation of legislation and policy related to these and other problem areas and involved in the drafting, development and implementation of related plans and programmes" (*ivi*, par. 122). "When young people are engaged they learn to express themselves, gain a sense of control, learn social responsibility and socio-political awareness. Adolescent health and psychological well-being improve, planning and communication skills build, and problem behaviours reduce. Participation promotes a sense of belonging and the ability to have an impact. These outcomes all contribute to positive identity development" (Representative for Children and Youth and the Ombudsperson of British Columbia, 2010, p. 15).

Many good practices of children's participation exist. For instance, Save the Children has long been seeking to empower children to become agents of change through programmes and projects aiming to ensure that governments define policies for children through children's consultation, namely taking into account information originating directly from children and children's recommendations (Save the Children, 2018).

4. Handle with care!

The aforementioned potential offered by direct reporting by children and the critical issues in its concrete management by the public authorities call for the identification of guidelines and basic standards.

Since children are often unaware of their rights and of the areas of jurisdiction and differences between the public authorities to which reports should be made, a double level of *information* is crucial.

On one hand, authorities should promote and support awareness-raising activities aimed at young people with a view to informing them of their rights. To this end, good practices include establishing

opportunities to meet with pupils in schools at all levels, the preparation of *ad hoc* informative material shared in specific sections of the institutions' websites and on social media, and the development of protocols for the joint implementation of events with other public authorities involved in protecting children's rights. Learning materials should use language and layouts designed for and adapted to the age of the audience: generally speaking, they should include more pictures and different varieties of text, font and colours so as to make the text more child-friendly.

For instance, in Portugal, the Department of the *Provedoria de Justiça* (*N-CID, Núcleo da Criança, do Idoso and do Cidadão com Deficiência*), which manages the children's hotline and, more generally, acts as the "first reception" of reporting based on children's vulnerability, plans, organises and performs educational activities on children's rights within schools, through games prepared on the basis of the Council of Europe *Compasito* manual on human rights education for children, adapted to the Portuguese background (Dante *et al.*, 2021, p. 43).

On the other hand, in order to increase direct reports from children, it is crucial to explain to them when, where and how to file a report (Dante *et al.*, 2021, p. 42). "All children, including those in care and justice institutions, should be aware of the existence of mechanisms of complaint" (UN Independent Expert for the United Nations Study on Violence against Children, 2006, p. 21). Moreover, public authorities called upon to act in the event of a violation of children's rights should promote information on the reporting procedures, illustrating in detail what could and will happen after a report is made.

In order for independent children's institutions to gain trust and to become an "open door" where children can feel at ease and welcomed (Dante *et al.*, 2021, p. 20), the European Network of Ombudspersons for Children (ENOC) underlines the requirement that their "mandate and powers are well and appropriately publicized to children and their representative throughout the jurisdiction in a form and language they can understand, with special attention to very young children, disabled children, children in difficult circumstances and in all institutions" (European Network of Ombudspersons for Children 2001, p. 5). Similarly, UNICEF highlights that "The NHRI should publicize its complaint mechanism to children and explain what it does using a range of communication supports" (UNICEF, 2019, p. 13). Besides, children must be made aware that ombudspersons issue decisions or recommendations that are usually not mandatory for the recipient and that in the event of a breach, the ombudsperson cannot impose sanctions.

Furthermore, it is important for the reporter to receive regular feedback on the status of the report submitted and its outcome. Indeed, according to children "Knowing future steps is important and reassuring for us. Not knowing is not the best way to protect us, as this is almost always destabilising!" (Dante et al., 2021, p. 21). Complaints procedures and complaints handling processes should therefore be standardised. For instance, it is important to acknowledge receipt of the report and to provide information on how and within what timeframe it will be handled. The child should be kept informed at every stage of the complaint handling process. "Simply listening to the child is insufficient; the views of the child have to be seriously considered when the child is capable of forming her or his own views" (Committee on the Rights of the Child, 2009, par. 24). "The feedback is a guarantee that the views of the child are not only heard as a formality, but are taken seriously" (*ivi*, par. 45).

Another element to be considered with a view to building children's trust in public authorities and increasing the effectiveness of the latter's actions is *timing*. As is well-known, a child or young person's sense of time is not the same as that of adults. L., 21 years old, says: "It is crucial that if I decide to report something, there will be someone ready to receive it who will give me prompt feedback. The response needs to be relatively quick as this will make me feel that there is someone on the other side who is listening to my words, thoughts and difficulties" (Dante *et al.*, 2021, p. 17). Some young people have described how they felt their complaint had not been addressed as the response had been received very late. A former care leaver from the Italian Care Leavers Network recalls that six months after making a telephone call to *Telefono Azzurro* (the national call centre for children's emergencies) nothing had happened and only a subsequent direct email to social services broke the deadlock, seeing her welcomed into care (E. Cappai *et al.*, 2022).

Besides, a variety of *child-friendly tools* should be made available for communicating with public authorities. Whereas adults tend to prefer formal procedures, young people opt for informality both verbally (telephone) or in writing (email or apps). All tools should be adapted to suit children's needs, for

instance, through free-phone numbers[6], sealed complaints boxes in specific places, and online access (UNICEF, 2019, p. 17). In the words of Z., 19 years old, former care leaver: "For example, I am very shy so I would prefer to have a more filtered contact, maybe initially by using the Chat service" (Dante *et al.*, 2021, p. 17). Specifically, children would like the opportunity to decide whether to contact the office anonymously to obtain the necessary information in order to build a relationship of trust. During the Children Digi-CORE focus groups, children repeatedly highlighted the need for anonymous reporting to be handled, explaining that children sometimes prefer initially to make an anonymous report and only later, after establishing a personal relationship with the recipient of the report, do they disclose their identity as the victim of a violation (Dante *et al.*, 2021, p. 21). This applies "especially for children who are in care, in detention or in other closed settings" (UNICEF, 2019, pp. 16, 17) as it protects them from possible threats, retaliation, re-victimisation and/or stigmatisation and harassment.

The communication tools should be adapted to the child's age, stage of development and individual situation (language, gender, disability). For instance, children with disabilities should be able to use any communication method (including sign language) to facilitate the expression of their view (Committee on the Rights of the Child, 2009, p. 21). In addition, efforts should be made to recognise the right to the expression of views for minority, indigenous and migrant children and other children who do not speak the majority language: the child, however, is not able to exercise this right (*ibidem*). For instance, it is essential for the child or young person to be able to use their preferred language - especially younger children (Dante *et al.*, 2021, pp. 18, 32).

A final fundamental requirement for the efficient management of direct reporting by children is a solid *training* of the professionals involved. Indeed, "Training (…) is essential for a child-friendly complaint mechanism" (UNICEF, 2019, p. 18). Specifically, the CRC Committee highlights the need for training on Art. 12 of the CRC, which requires "skills in listening, working jointly with children and engaging children effectively in accordance with their evolving capacities" (Committee on the Rights of the Child, 2009, par. 34, 49, par. 134(g)).As children put it, "we have encountered adults who heard what we were saying but hardly ever listened" (Dante et al., 2021, p. 20). Accordingly, specific skills are needed to decide the ways in which "questioning" is conducted and psychological support mechanisms should be in place for the child when submitting a complaint it is necessary for institutional actors to be aware of the psychological dimensions of their actions as well, and thus avoid the re-victimisation of the reporter through multiple hearings and the undue collection and dissemination of personal information relating to him/her. As Mendel and colleagues (2021) emphasize in their discussion on the necessity of a trauma-informed care approach in cases of adverse childhood experiences, "much like putting on gloves before assisting someone who is injured (…) a trauma-informed approach serves as metaphorical gloves, allowing you to take necessary precautions based on the assumption that each individual with whom we come into contact may have a trauma history" .

5. A case study of how digital technologies can enhance direct reporting: Children Digi-CORE app

As it is widely recognized, the vast majority of children are highly immersed in new technologies and undergo an anthropological transformation in which relationships and communication are technologically mediated, leading to more uninhibited interactions (for an overview of the issues Messena, Everri, 2023). Thus, in order to effectively engage with young people, it is crucial for public authorities to embrace and fully comprehend these new models of communication and relational functioning.

As early as in 2006, the UN Secretary-General's Study on Violence against Children placed specific emphasis on the potential of new technologies for promoting children's direct reporting (UN Independent Expert for the United Nations Study on Violence against Children, 2006, p. 21). More recently, the European Network of Young Advisors observed that a mobile app would be a fun and accessible way of teaching younger generations about their rights (European Network of Young Advisors - ENYA, 2019).

[6] Dedicated free "telephone helplines" are expressly mentioned as a possible option by the UN Independent Expert for the United Nations Study on Violence against Children (2006, p. 21) and European Network of Ombudspersons for Children (2001, p. 5).

In fact, for some children (like children with physical disabilities, but also children who have very shy personality), technology could be the best way to access to their rights. According to Z., care leaver, "As a shy person, I would prefer to have a more filtered contact, initially communicating through a chat" (cit. in Dante et al., 2021, p.19.). However, there is still a risk that the digital world may replicate and amplify the barriers faced by children in exercising their rights, due, for instance, to the lack of access to technology for children living in poverty (European Network of Ombudspersons for Children - ENOC, 2019, p. 2) and/or in care. In fact, children involved in focus groups in Cyprus (all foreign unaccompanied children) reported concerns about the lack of access to technological tools an especially UpToDate smartphones and good internet connection.. Thus, the economic and social difficulty of particular groups, such as children, should be addressed when designing the mobile app and any standard procedures for managing children's reporting considering factors such as device compatibility, data usage, and internet connectivity to make the app usable for children who may have limited resources [7].

In light of all this, Children Digi-CORE attempts to bridge this gap by using new technologies to facilitate interaction by children with ombudspersons through the development of a specific app[8]. Specifically, the app is designed to enhance reporting of children's rights violations by children aged between 14 and 17 to the Ombudsperson for Children of the Piedmont Region[9]. This authority, which possesses a broad jurisdiction over children's rights and is geographically situated close to where children reside, has agreed to endorse the project and incorporate the Children Digi-CORE app as one of its tools for receiving reports from children.Actually, the choice to collaborate with an existing authority, instead of creating a new service, was motivated by the objective of ensuring the long-term sustainability of the tool beyond the project's completion..

An initial message displayed in the app clarifies that the app is intended for use by this specific target of children. However, this does not exclude the possibility of it being used by other individuals as well. Indeed, the target age range was chosen based on the so-called digital consent under the General Data Protection Regulation (GDPR). As is known, children over 16 can provide valid consent for the processing of their own personal data "in relation to the offer of information society services directly to a child, the processing of the personal data of a child shall be lawful" (Art. 8). Italy, along with other countries, chose to lower this age to 14, as permitted by the GDPR.

The reasons for focusing on reporting sent to local ombudspersons for children are manifold. First of all, ombudspersons hold general and cross-sectional jurisdiction over children's rights, being required by law to promote the CRC. Secondly, they are still relatively unknown and thus require support. Thirdly, they are usually closer to children and easily accessible as they do not require formal procedures, unlike the judicial authorities, and could therefore be open to including a smartphone application within the possible tools to be used by children for contacting them.

Since children's participation rights require them to be involved "in the design and review of complaints procedures and advice and advocacy systems" (ENOC's Standards for Independent Children's Rights Institutions, 2001, p. 5), we established an international co-design team that would design the Children Digi-CORE app, consisting of an ICT expert, a welfare professional, a junior researcher in children's rights and four representatives from the abovementioned children's focus groups, held in Turin and in Nicosia, so that the app would suit the children's needs and expectations (Basso, 2022).

In order to ascertain and ultimately meet the potential users' needs and expectations, the international co-design team adopted the design thinking process, a well-known and effective innovation method, which develops a solid understanding of the product's target user base.

[7] The requirement for States to focus specifically on the implementation of participation rights "for children experiencing difficulties in making their views heard" is underlined by the Committee on the Rights of the Child, 2009, p.9.

[8] The app can be downloaded free of charge from the App Store and Google Play Store.

[9] Piedmont is Italy's second largest region with an area of 25,402 km^2 (9,808 m^2) and a population of 4,240,791 (31-8-2022). The capital is Turin.

In line with the results of the focus groups, the primary objective was to promote children's awareness and knowledge of their rights. From this perspective, the Children Digi-CORE app features a guided path that helps children to understand whether a particular event amounts to a violation of a right and which right may be involved, by asking predetermined questions and displaying information on children's rights, including concrete examples of violations (e.g. psychological mistreatment, insufficient care in the family or in the residential facility, violation of privacy, discrimination) identified examining previous the recurrent topics of reporting to public authorities. Furthermore, the procedure assists in providing a detailed description of the violation by prompting respondents to answer various questions. These questions may inquire whether the violation is related to a specific event or pertains to broader issues that the reporter wishes to highlight to the authority. Additionally, the procedure seeks information on the timing of the event, the location where it occurred, and the individuals involved. Audio and video files or documents can be attached to the report. The app also explains what will happen after the report has been made and the action that may be taken by the Ombudsperson to put an end to the violation and to limit the damage caused by it. At the express request of the children, the report can be submitted anonymously and there is a short explanation of what will happen if an anonymous report is submitted, i.e. the Ombudsperson for Children of the Piedmont Region will not be able to contact the child to request further information and will only be able to intervene if sufficient information is provided to identify and ascertain the problem.

The contents of the app are multilingual, being provided in Italian, English and French. The latter two have been identified as vehicular languages that may allow migrant children who do not have sufficient knowledge of Italian to use the app as well. Both the language and the methods of expression (amount of text on a screen, size, colour, font) were chosen bearing in mind the age range of the potential users. In practice, the app allows the child to generate a report, including all relevant information (e.g. when, where, who) and to submit it to the Ombudsperson of the Piedmont Region.

In fact, during the discussions within the international co-design team, the main difficulty encountered was reconciling the children's expectations with the limitations due to the fact that reports received via the app are managed in practice by the office of the Ombudsperson, an administrative authority with limited staff and no night shifts. Indeed, the Ombudsperson's office that receives the reports carries out its work during office hours. For this reason, it was decided to include on the initial onboarding screen details of what the app can do (provide simple contact with the Ombudsperson and report violations of children's rights) and what it cannot do ("get immediate help"). Another screenshot emphasises that reports sent via the app will be handled as quickly as possible but there will be no real-time response and if the reporter requires emergency assistance (e.g. because he/she has been physically assaulted), he/she should not use the app but should telephone 112 wherever he/she is located in Europe. Another challenge was the need to avoid developing a technologically complex system for the Regional Children's Ombudsperson' office. It was important to consider that not only children but also stakeholders working with children might require training in digital literacy. As a result, the app simplifies the process by generating an email with attachments, which are then sent to the Ombudsman's Office. Additionally, the app is designed to be compatible with both Android and iOS smartphones, including older models.

The fact that the users' expectations had been met was confirmed during a workshop organised to test the app. The workshop, involving forty children and young adults - the majority of whom care leavers or former care leavers -, was positive overall in accordance with the survey results and highlighted a few improvements that could be made, which were included in the final version of the app.

Although it is still too early to evaluate the app, we firmly believe that its innovative nature, participatory methodology, and interdisciplinary approach, which were employed in its development, are valuable in demonstrating how teenagers' easy access to new technologies can be utilized to enhance their access to their rights

6. Conclusions

As highlighted in the preceding sections, although the primary focus of the Digi-CORE project revolved around enhancing children's direct reporting to a Regional Children's Ombudsperson through the development of a smartphone application, it has yielded valuable and applicable insights on children's

access to alternative forms of redress. This understanding was obtained through various means, including literature review, focus groups with children, engagements with stakeholders during field visits, and data gathered through surveys, user assessment workshops, and dissemination activities in schools and with care leavers.

By incorporating these diverse sources of information, the project has expanded its understanding of children's needs and preferences when it comes to reporting violations of their rights. It has also gained a broader perspective on the barriers and challenges they face in accessing appropriate avenues for seeking redress. This comprehensive approach allows for the identification of gaps in existing systems and the development of more inclusive and effective approaches. The acquired insights go beyond the specific context of the Digi-CORE project and can inform the design and implementation of other initiatives aimed at improving children's access to alternative forms of redress. In line with the principles of the Lundy model, they provide a foundation for promoting children's participation, addressing their concerns, and ensuring that their voices are heard in matters concerning their rights and well-being.

Based on our research findings, it is evident that ensuring access to effective, child-sensitive, and easily accessible complaint mechanisms is of utmost importance for children to engage with the justice system and exercise their right to participation, as outlined in Article 12 CRC.

However, our data collection has revealed several challenges that need to be addressed.

During the focus groups, children expressed concerns about the fear associated with reporting violations (Dante et al., 2021, p. 33). This fear can act as a significant barrier, preventing children from coming forward and seeking help. In Cyprus, where the participants were unaccompanied children, there was a particular emphasis on the lack of knowledge about legal frameworks and available tools for reporters and victims. In Italy, which included a mainly Italian care leavers, the emerging issues were related to the need for timely and high-quality responses from authorities. Our surveys and field visits further confirmed that children rarely contact public authorities to report offenses or abuse, primarily due to the lack of specific tools and dedicated procedures to effectively communicate with them.

Building on these findings, the Children Digi-CORE project has developed standardized interdisciplinary procedures, known as the "Standardized CORE Interdisciplinary guide," to effectively manage children's reporting (Ferrero and Long, 2022). Also, we have put forth policy recommendations for national stakeholders (Long and Tognatti, 2023) as well as international stakeholders (Ioannides and Ioannides, 2023) to address the identified challenges and improve various aspects related to children's rights reporting. In summary, these guidelines and recommendations are designed to improve the responsiveness of authorities in addressing reports of rights violations. This involves implementing transparent procedures and comprehensive guidelines for receiving, evaluating, and addressing children's reports in a timely and effective manner. Additionally, user-friendly reporting mechanisms like the Children Digi-CORE app are developed and utilized to ensure accessibility for children of different ages and technological proficiency levels. The overall goal is to enhance the ability of authorities to address children's reports promptly and efficiently.

Four are the keywords chose by Children Digi-CORE to summarise its approach to enhance children’s direct reporting.

INNOVATION In their interaction with children, public authorities should leverage the potential of new technologies, which young people are likely to be highly familiar with and skilled in using. By embracing innovative practices, they can create opportunities for children to express themselves, exercise agency, and participate in decision-making processes that impact their lives (providing them with a suitable SPACE, according to the Lundy model). However, it is crucial for officials within these institutions to possess the necessary technological proficiency to effectively engage with young individuals and maximize the benefits of these innovative approaches.

INTERDISCIPLINARITY: When a child reports a violation, it is crucial to involve a team of professionals from diverse disciplines to gain a comprehensive understanding of the issue, ensure active listening to children, and prevent their re-victimization (building a solid AUDIENCE, according to the Lundy model). This necessitates coordinated dialogue among professionals that goes beyond mere diversity of perspectives (multidisciplinarity) or common aspects (transdisciplinarity), but embraces interdisciplinarity, which values and leverages their mutual differences to generate new insights. Collaborative engagement enables the

construction of a network capable of addressing complex realities with a relational perspective, rather than asserting the cultural dominance of one profession over another. Moreover, institutional actors must recognize the psychological dimensions of their actions, enabling them to genuinely hear children's voices and minimize the need for multiple hearings.

INTEGRATION: Authorities and professionals have a responsibility to integrate their perspectives in order to conduct a comprehensive and thorough analysis of reports received directly from children. This integration involves collaboratively designing interventions that effectively address the issues raised, utilizing the diverse competencies and skills of the professionals involved (as emphasized by the Lundy model's concept of INFLUENCE). Avoiding duplication of interventions is crucial as it not only leads to inefficiency but also delays the timely response to children, potentially causing re-victimization through multiple hearings. Instead of introducing new roles that may require children to navigate unfamiliar processes and that may only be relevant for specific projects, it is important to leverage the existing child protection network. Establishing multidisciplinary teams working together, as demonstrated by the Icelandic Barnahus model for child survivors of sexual abuse (Lanzarote Committee, 2015, p.21), can enhance coordination and streamline services.

PARTICIPATION It is crucial to provide children with comprehensive knowledge and understanding of their rights and the available mechanisms to protect those rights (as emphasized by the Lundy model, enabling children's VOICE). Furthermore, it is important to create opportunities for children to actively participate in the development of tools and strategies for contacting public authorities when their rights, or the rights of their peers, are violated. Lastly, children should be involved in the periodic reporting of management procedures in order to promote their transparency and efficiency.

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