

**PROTECTION OF RIGHTS OF A CHILD IN CRIMINAL PROCEDURE: REPRESENTATION,
COUNSELLING AND INTERVIEWING**

Summary

The thorough evaluation of information from different sources implies that the most relevant problems of the protection of the rights of a child in criminal procedure appear in the field of legal counselling and representation, as well as interviewing of a child, including the participants of interviews and delimitation of their functions during the interview. It appears that the representatives of the children's rights protection institution are designated as a legal representation of a child too often instead of searching a person who would properly represent a child in criminal procedures. At the same time, it becomes clear that this institution lacks human resources for the implementation of this task. In the field of interviewing a child, it turns out that although child victims and witnesses should be sought to be interviewed not more than once and they should be summoned to court only in exceptional situations, in practice children are interviewed approximately 3,5 times, one third of child victims and witnesses are summoned to court, the interview of a child victim or witness involves approximately 6,8 persons, children are usually interviewed in premises not adapted to their needs, etc. As well, the rights of suspected children are limited only to the right to invite a psychologist or a representative of a children's rights protection institution upon certain conditions: in all the rest conditions the interviewing of a child does not differ from the interviewing of an adult suspect.

Taking into account practical problems, the research seeks to find out causes of practical problems and having evaluated the sufficiency of legal regulation, the requirements of international and regional binding and guiding provisions, as well as case law of the national courts, the European Court of Human Rights and best practices from other countries, suggests certain models of criminal procedure policy change as regards interviewing, representing and counselling a child.

The research consists of three main parts. The first deals with trends of national legal regulation regarding representation, counselling and interviewing a child. The second analyses representation and counselling of a child, separately discussing legal representation and counselling of suspects, on the one hand, and victims and witnesses, on the other hand in different stages of criminal procedure. Lastly, the work examines the involvement of professionals during the interview of a child, including the need of involvement, their functions and delimitation of functions of representatives from different institutions.