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Child-Friendly Justice in China's Criminal Proceedings: Procedural Safeguards for Child Victims of Sexual Abuse

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Abstract
Criminal procedure in China, as in many jurisdictions, is largely modelled on adult competence. This poses particular difficulties for child victims of sexual abuse. This article examines the procedural safeguards available to such victims in Chinese criminal proceedings and identifies barriers to their implementation. The analysis is doctrinal and comparative, drawing on international human rights instruments, Chinese statutory law, judicial interpretations, and published empirical studies. The article finds that three procedural requirements—respect, participation, and protection—derive from the best-interests principle as the normative foundation of child-friendly justice. These are synthesised from the Convention on the Rights of the Child and the jurisprudence of the UN Committee. In Chinese practice, these requirements are obstructed by adult-centric judicial reasoning, evidentiary obstacles, and institutional coordination failures, as evidenced by white papers, judicial decisions, and field studies. The article concludes that procedural reform must redefine the child victim as an active rights-bearing subject, while balancing the defendant's right to confrontation and the child victim's protective interests. This redefinition is grounded in the two-stage best-interests assessment framework and comparative experience with pre-recorded cross-examination and Barnahus models.

Keywords
child sexual abuse cases; single-interview principle; child-friendly justice; China

1 Introduction

Sexual abuse against children is a global priority in child protection. UNICEF estimates released in 2024 show that globally, more than 370 million girls and women alive today experienced rape or sexual assault before the age of 18.[1] A study indicates that nearly half of all survivors experienced their first victimisation before age 16, with 8% of female and 14% of male survivors reporting first exposure before age 12, underscoring the particular vulnerability of early adolescence.[2] In China, the issue is equally alarming. According to the White Paper on Procuratorial Work for Minors (2025) released by the Supreme People's Procuratorate (SPP), a total of 42,873 people were prosecuted for sexual offenses against minors, including rape and child molestation, in 2025. This figure accounted for 58.9% of all prosecuted crimes against minors.[3]

Sexual abuse against children has attracted sustained attention in both scholarship and policy, mainly because these cases are often hidden, lack clear evidence, and involve victims who are particularly vulnerable physically and psychologically.[4] When children go through criminal legal processes, they face a system designed around adult cognitive abilities. This disparity hampers their ability to assert their rights and increases their risk of secondary trauma.

Article 3(1) of the Convention on the Rights of the Child provides that "the best interests of the child shall be a primary consideration" in all actions concerning children. Legally, this principle is supported by international human rights treaties and national laws. However, practically, there is a lack of clear guidance on implementing this principle through specific procedural steps, such as rules for investigative interviews, evidence standards or courtroom procedures, that address the unique needs of child victims. While the principle has been extensively examined in family law and in relation to children in conflict with the law, its procedural implications for child victims in Chinese criminal proceedings remain under-examined.

This article analyzes the procedural safeguards available to child victims of sexual offenses in criminal proceedings and explores the practical challenges to their implementation. It argues that enhancing procedural safeguards requires not only repositioning the child victim as an active rights-bearing subject, but also navigating the tension between the defendant's right to confrontation and the special protective interests of child victims.

2 The Normative Foundations of Child-Friendly Justice in Criminal Proceedings

Article 3(1) of the Convention on the Rights of the Child is rooted in international human rights law and reflected in domestic legal systems worldwide. This principle provides the normative foundation for adapting criminal proceedings to the special needs of child victims. This Part examines the normative basis of this principle. From it, three core procedural requirements can be derived: respect, participation, and protection.

2.1 The Best Interests Principle as the Normative Foundation

The rationale behind the best-interests principle is based on two related normative requirements.

The first requirement is child-specific considerations. Children's developing cognitive and memory abilities make it hard for them to understand legal language and may cause them to withdraw when under pressure. Trauma from sexual abuse worsens this issue: Major depression and dysthymia have been strongly associated with CSA in numerous studies. Lifetime prevalence of major depression in women with a history of CSA is typically three to five times more common than in woman without such a history.[5] Depression can impair concentration and memory, making it difficult for abused children to understand questions or recall details accurately during testimony. Applying procedures meant for adults to children is unlikely to produce reliable testimony and could further endanger them.

For example, Lamb et al. reviewing over 40,000 forensic interviews, found that use of the NICHD Protocol increased open-ended prompts threefold and reduced suggestive questions by half, with open-ended prompts eliciting significantly more accurate information.[6] By contrast, adult investigative interviews are conducted very differently. Snook and Keating found that in 90 Canadian police interviews with adult witnesses, closed-ended questions accounted for 34.5% and open-ended questions only 5.8%.[7] Given that child victims are even more susceptible to suggestive questioning, the mismatch between adult procedures and children's needs is evident.

The second requirement is fairness. Child victims of sexual abuse must have the same human rights protections and due process rights in criminal proceedings as adults. Judicial officers should carry out interviews, communication, and legal explanations in ways suitable for the child's age and cognitive level. Designing procedures from the child's perspective is essential for ensuring subjective procedural justice.

2.2 Defending the Best Interests Principle Against the Indeterminacy Objection

Despite its broad acceptance, the best interests principle has long been criticized for its indeterminacy. The standard provides no concrete decision rules and confers broad discretion on decision-makers, making outcomes difficult to predict;[8] it is unclear how a standard whose content cannot be determined with any certainty can function as a meaningful criterion for judicial decisions; [9] and more fundamentally, it is questionable whether an adversarial, rights-based adjudicative framework, the very structure underpinning criminal proceedings, can genuinely serve the best interests of children at all.[10]

These criticisms, however, do not render the principle useless. As Kopelman has argued, the best-interests standard operates in three distinct senses—as a threshold for intervention, as an ideal guiding policy, and as a standard of reasonableness for assessing individual decisions.[11] When used in the third sense, the principle provides meaningful guidance without requiring determinate answers to every question.

In addition, this article treats the best-interests principle as a procedural requirement rather than a substantive standard. The question is not what outcome is substantively "best" for each child—which indeed involves contested value judgments—but whether authorities actively assess and explain how their procedural choices affect the child's welfare. This reading is supported by General Comment No. 14 (2013), which identifies the best-interests principle as a "rule of procedure" requiring that any decision affecting a child be justified with reference to the child's best interests.

2.3 Procedural Requirements: Respect, Participation, and Protection

The principle of the child's best interests can be broken down into three procedural steps within criminal proceedings.

The first is respect. It is essential to acknowledge and uphold the child's dignity as a participant in the proceedings, ensuring the procedural environment is accessible and suitable for their age. Judicial officers should tailor their interviews, communications, and legal explanations to match the child's age and cognitive development.

The second aspect is participation. The most direct legal basis is Article 12(2) of the Convention on the Rights of the Child, which provides that the child "shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law." The

UN Committee on the Rights of the Child further clarified in General Comment No. 14 (CRC/C/GC/14, 2013), paragraph 43, that the assessment of a child's best interests must include respect for the child's right to express his or her views freely, and that "article 3, paragraph 1, cannot be correctly applied if the requirements of article 12 are not met." The General Comment thus establishes the right to be heard as a procedural prerequisite to the best-interests determination. The European Court of Human Rights has developed a framework balancing child victim protection with fair trial rights. In S.N. v Sweden (App no 34209/96, 2 July 2002),[12] the Court acknowledged that in child sexual abuse cases, respect for the victim's private life must be taken into account.

The third aspect is protection. Article 19 of the Convention on the Rights of the Child establishes the State's comprehensive obligation to protect children from all forms of violence, including sexual abuse; Article 34 further elaborates on protection from sexual exploitation and sexual abuse; and Article 39 requires States Parties to promote the physical and psychological recovery and social reintegration of child victims. The UN Committee on the Rights of the Child, in its General Comment No. 13 (2011), paragraphs 3 to 4, defines the scope of violence (including sexual abuse), and paragraphs 39 to 44 elaborate on the protective measures that States should take, including identification, reporting, investigation, and intervention. At the domestic level, Article 7 of China's Law on the Protection of Minors establishes the State's duty to supervise and safeguard guardianship over minors, while Articles 92 to 94 further specify the circumstances under which civil affairs authorities are required to assume temporary or permanent guardianship. In cases of sexual abuse against minors, victims—whose physical and psychological development is still ongoing, often cannot clearly articulate their claims or preserve evidence. In such circumstances, State intervention as the "ultimate protector" is not an infringement on family autonomy but a fulfillment of its inherent duty.

3 Barriers to Child-Friendly Justice in China's Current Practice

This Part examines barriers to child-friendly justice in Chinese criminal practice. It draws on official data and policy documents, judicial decisions and published empirical studies. All observations of practical problems are identified with their sources. References to "current practice" mean practice within the People's Republic of China.

3.1 Conceptual Biases

Emphasising the special protection of child victims does not mean that the procedural rights of the accused may be overlooked. There is an inherent tension between the defendant's right to cross-examination and the child victim's need for protective measures. In practice, two typical approaches have emerged: the traditional in-court testimony model safeguards the defendant's right to confrontation but may cause secondary trauma to the child, compromising the completeness and reliability of the child's account; the written statement model better protects the child but significantly restricts the defendant's right to confrontation, potentially undermining procedural fairness.[13]

What makes China's situation distinctive is that the longstanding reliance on written case files in criminal proceedings has rendered the right to confrontation largely nominal in practice.[14] This judicial reality has meant that the conflict described above has not been "resolved" through institutional choice, but rather "concealed." However, concealment does not amount to disappearance. To exclude the right to confrontation while unilaterally favouring testimonial protection actually diminishes the effectiveness of that protection: when the right to confrontation is absent, investigators cannot test or clarify evidentiary inconsistencies through cross-examination and are consequently compelled to repeatedly interview the child victim to verify facts. This not only defeats the protective purpose of "minimising the number of interviews" but also increases the risk of secondary trauma.

3.2 Evidentiary Barriers

3.2.1 "one-stop" case handling center

According to the White Paper on Juvenile Procuratorial Work (2025), by the end of 2025, over 2,600 "one-stop" case-handling facilities had been established nationwide. The Barnahus ("Children's House") model originated in Iceland in 1998. It is a child-friendly, interdisciplinary and multi-agency centre where police, prosecutors, social workers, child psychologists, and medical professionals work together under one roof to conduct forensic interviews, medical examinations, mental health assessments, and child protection interventions in suspected child sexual abuse cases. Despite their shared objectives, China's one-stop centres and the Nordic Barnahus model differ in several respects. First, institutional affiliation. The Barnahus is embedded in the public welfare and judicial systems, with a clear legal status and stable funding.[15] China's one-stop centres are primarily initiated by procuratorial authorities in cooperation with public security organs and women's federations. Their institutional status is not yet formally codified, and there are no nationally unified arrangements regarding staffing, funding, or day-to-day management. Their operation depends heavily on the priority given by local procuratorates. Second, professional composition. The Barnahus brings together a multidisciplinary team of police officers, prosecutors, child psychologists, forensic doctors, and social workers. Forensic interviews are conducted by specially trained police officers or mental health professionals. In China, although some centres have begun to involve psychologists and social workers, investigative interviews are still predominantly conducted by investigators whose professional training is confined to criminal investigation, with limited exposure to child development or psychological trauma intervention. This constrains both the quality of interviews and the effectiveness of victim protection. Third, service scope. The Barnahus provides integrated services including medical examinations, mental health assessments and therapeutic services, and support for non-offending caregivers. China's one-stop centres are largely confined to interviews and evidence collection; medical and psychological services are typically arranged through separate referrals, without institutionalised mechanisms to ensure continuity.

3.2.2 Evidentiary Standards

The corroboration-based evidentiary model faces structural obstacles in child sexual abuse cases. The corroboration model requires that evidence mutually support one another to form a closed chain of proof. However, the evidentiary structure of child sexual abuse cases rarely satisfies this requirement. In practice, physical evidence is often unavailable to provide corroboration, while testimonial evidence alone is insufficient to sustain the burden of proof. These two deficits reinforce each other, leaving such cases trapped in a "lack of sufficient evidence" predicament when measured against the applicable standard of proof. As a result, prosecution in these cases is frequently hindered by evidentiary insufficiency.

3.2.3 New Types of Offenses

The rise of online indecent assaults against children challenges traditional criminal law, which mainly focuses on physical contact. As sexual offenses move from physical acts to online inducements, the law faces hurdles in criminalization and sentencing. There is debate over the meaning of "inducement": whether offering money or benefits counts, or if it requires deception through misrepresentation. A strict interpretation might exclude manipulative acts exploiting minors' vulnerabilities, while a broader view leaves limits unclear. Additionally, no clear sentencing guidelines exist for online indecent assaults. Different conduct types—such as requests, exchanges, or coercion—vary widely in severity, but the law does not provide a basis for differentiated sentencing. This ambiguity leads to uncertainty in how offenses are defined and penalized, risking either impunity or unjustly harsh or lenient sentences, which can weaken victim protection.

3.3 Institutional Failures

3.3.1 Inter-Agency Coordination

Article 140 of the Constitution states that "the people's courts, the people's procuratorates and the public security organs shall, in handling criminal cases, divide their functions, each taking responsibility for its own work, and shall coordinate their efforts and check each other." The same principle is reiterated in Article 7 of the Criminal Procedure Law. Within this tripartite framework, division of functions is the foundation, coordination ensures procedural continuity, and checks are the core safeguard. Unlike Western jurisdictions, China has adopted an "assembly-line" structure of criminal proceedings, in which the three state authorities—the public security organs, the people's procuratorates, and the people's courts—successively handle the same case through repeated investigation and verification.[16] Each subsequent authority reviews and supervises the case-handling quality of its predecessor. Where the preceding authority has made an improper procedural decision, the subsequent authority may reverse the proceedings by remitting the case back to the preceding stage for corrective action.

Within this tripartite system, division of duties is essential, coordination ensures procedural flow, and checks are crucial. However, in child sexual abuse cases, an imbalance occurs: coordination is often prioritized, while checks are underdeveloped.[17] The initial authority, having collected evidence and conducted the investigation, holds a significant information advantage, limiting downstream authorities' ability to review factual findings and procedural decisions meaningfully. This asymmetry results in later authorities primarily relying on early-stage determinations, weakening the constitutional check mechanism. The lack of a clear lead agency and insufficient supervision further diminish inter-agency collaboration, ultimately impairing case handling quality.

3.3.2 Mandatory Reporting System

According to data released by the Supreme People's Procuratorate in the White Paper on Juvenile Procuratorial Work (2025) (June 2026), among all prosecutions for offences against minors in 2025, 3,852 cases were identified through the mandatory reporting system, accounting for 7.1% of the total. [18]In the United States, approximately 4 million referrals of suspected child maltreatment are made annually. According to the Child Maltreatment 2021 report, 67.0% of these reports are submitted by professionals—including teachers, police officers, lawyers, medical personnel, and social services staff. [19]This indicates a significant gap between the system's intended function and its real-world performance. In practice, two groups of reporting duty holders are often overlooked. The first includes those responsible for the child's care—such as parents, grandparents, and others involved in their upbringing—whose close contact makes their role crucial for early detection and prompt investigation. The second group involves online platforms, which are key intermediaries in information dissemination but lack clear guidelines on how to report suspicions of child abuse. The inadequate enforcement of the mandatory reporting system prevents many cases from being identified early enough for effective intervention.

4 Towards Child-Friendly Justice: Pathways to Reform

4.1 Balancing Confrontation Rights and Victim Protection

4.1.1 The Two-Stage Best-Interests Assessment Framework

The two sources of this framework differ in their analytical emphasis. Pobjoy focuses on how decision-makers should proceed, giving the framework a clear procedural orientation: the decision-maker first determines what is in the best interests of the child, and then assesses whether those interests should be outweighed by countervailing.[20] The Committee on the Rights of the Child, by contrast, focuses on conceptual clarification. General Comment No. 14 draws a clear distinction between a best-interests assessment—which involves the substantive balancing of the specific circumstances of the particular child—and a best-interests determination—which is the formal procedure through which a final decision is reached on the basis of that assessment (CRC/C/GC/14, paras 46–47). Despite this difference in emphasis, the two frameworks are analytically consistent: both treat the identification of a child's best interests as a structured exercise rather than a single-step operation—requiring, first, a substantive judgment as to what most benefits the child, and second, a considered judgment as to whether any countervailing factors are sufficiently weighty to override that conclusion.

4.1.2 Absent-Witness Testimony

On the one hand, a procedural standard for reviewing absent-witness testimony should be established. The European Court of Human Rights, in Al-Khawaja and Tahery [GC] (2011) and Schatschaschwili [GC] (2015), developed a three-element test: whether there was a good reason for the witness's absence; whether the absent statement was the sole or decisive evidence; and whether sufficient procedural safeguards ensured overall fairness. The third element is critical: difficulties for the defence must be offset by procedural safeguards, not by curtailing the right to confrontation. China could adopt a similar framework. Where a child victim does not appear at trial, the court would examine whether the absence is justified (e.g., age or psychological trauma), whether the statement is the sole or decisive evidence, and whether procedural safeguards—such as audio-visual recording—secure overall fairness.

On the other hand, the legal basis for special testimonial measures for child victims should be clarified. US law has faced the same tension. Maryland v Craig (1990) permitted a child victim to testify via closed-circuit television upon a case-specific finding of necessity, but Crawford v Washington (2004) set a constitutional floor: testimonial hearsay is admissible only if the witness is unavailable and the defendant had a prior opportunity to cross-examine. England and Wales adopted a statutory route under the Youth Justice and Criminal Evidence Act 1999, ss 16-33, introducing special measures—screens, live video links, video-recorded cross-examination—that modify the mode of examination while preserving the essence of the defendant's right to test the evidence. China could draw on these experiences by clarifying in its Criminal Procedure Law the evidentiary status of video-recorded or remote testimony by child victims, while ensuring that such measures do not effectively nullify the defendant's confrontation right.

4.1.3 Pre-Recording Cross-Examination During Investigative Interviewing

First, defence access to case files at the investigative stage. Effective cross-examination does not require full disclosure; it requires sufficient information to test the child's account while still fresh. The defence can be provided with the nature of the allegation and key issues in dispute, with full disclosure reserved for trial. The recording is used at trial, with limited supplementary questioning permitted in exceptional circumstances for unforeseeable issues.

Second, investigative secrecy and defence presence. The Barnahus model offers a solution: the child is interviewed by a trained professional while the defence observes via one-way screen or video link, and may propose questions to the interviewer. The recording is admitted as evidence, and the ECtHR has accepted this arrangement as compatible with fair trial guarantees.

Third, new issues at trial and the "single-interview" principle. The English s.28 experience shows that supplementary questioning at trial is rare in practice. Where genuinely unforeseeable issues arise, restricted supplementary questioning may be permitted on a showing of good cause and under judicial supervision, but exceptions should be narrowly construed.

Fourth, empirical evidence from comparable jurisdictions. Section 28 of the YJCEA 1999 was rolled out to all Crown Courts by November 2022. Ministry of Justice evaluations (2016, 2023, 2025) found that s.28 improved witness experience, with benefits including physical separation from the defendant and earlier access to therapy. In Iceland, the Barnahus model has operated since 1998, with recorded interviews accepted as admissible evidence; the Lanzarote Committee identified it as a promising practice in 2015.

4.2 Operational Solutions to Procedural Problems in Practice

4.2.1 Interviewing Procedures for Child Victims Should Be Standardized

Enhancing the interview process is key to ensuring the integrity of child victim testimony.

Child forensic interviews serve a dual purpose: on the one hand, they aim to obtain accurate and reliable statements from children through scientifically grounded and standardised interviewing procedures,[21] so as to meet the evidentiary requirements of trial proceedings;[22] on the other hand, they seek to avoid secondary trauma caused by repeated interviewing.

Enhancing the interview process is key to ensuring the integrity of child victim testimony. A standard procedure of prosecutor involvement should be integrated into the one-stop interview system, where prosecutors participate during the investigation phase, collaborate with investigators to create a structured and developmentally suitable interview plan, and oversee the interview at each stage. Article 277, paragraph 2, of the Criminal Procedure Law provides that in handling juvenile criminal cases, the people's courts, people's procuratorates, and public security organs "shall be staffed by judicial, prosecutorial, and investigative personnel who are familiar with the physical and psychological characteristics of minors." Article 112 of the Law on the Protection of Minors further provides that where the child victim or witness is female, the interview "shall be conducted by female staff." Accordingly, before the interview, investigators, prosecutors, and child psychologists should work together to develop an interview protocol customized to the child's age and mental capacity. Whenever feasible, a skilled female investigator should conduct the interview. The interview room should have cameras, and audio-visual recording should start at the beginning of the session.

Regarding the physical environment, one-stop case-handling centers currently piloting in different locations have set up dedicated interview rooms. These rooms are furnished in a welcoming, age-appropriate style and feature audio-visual recording equipment. Early experiences indicate that this design enhances the quality of the interview process.

4.2.2 Refining the Standards for Examining Child Victims' Testimony

Courts should use a combination of assessment techniques to evaluate the credibility of a child victim's testimony. First, they should look for specific, concealed details—like physical characteristics or trace evidence—that only someone who experienced the incident is likely to know. These details help verify the testimony's truthfulness. Next, courts should assess whether the account is reasonable by checking if it aligns with normal perceptual patterns, social experience, and whether the sequence of events seems natural, with plausible timing, manner, and motive for reporting. When reports come from relatives, it is important to consider their relationship and any conflicts or financial interests that might suggest false accusations. Third, corroboration with supplementary evidence is important, though special cases may require different evidential approaches. Overall, courts must consider whether the report was made promptly, whether the testimony remains consistent, whether the defendant's explanations are reasonable, and whether other evidence supports the claim. Care should be taken to exclude false allegations caused by fabrications or influence from others. Only then can the court determine if the proof standard is met—facts are clear, evidence is sufficient, and all reasonable doubts are eliminated. [23] In a rape case from the Reference to Criminal Trial (No. 142), the court, after examining the consistency of the victim's testimony, its alignment with physical and psychological traits, additional evidence, and the absence of false accusation risks, concluded the evidence proved beyond reasonable doubt that the first rape occurred in September 2017.[24]

4.2.3 Clarifying the Rules for Handling New Types of Offenses

The rules for managing new case types need refinement. Both Article 6 of EU Directive 2011/93/EU and Article 23 of the Council of Europe's Lanzarote Convention identify online grooming—using information and communication technologies to solicit children for sexual purposes—as a separate criminal offense. "Enticement" in criminal law should not be limited to scenarios involving misrepresentation or concealment; simply luring a minor with money or other benefits also constitutes enticement. This view is supported by three reasons. First, minors have limited ability to understand and resist such inducements, making the act a form of control. Second, minors often have few genuine choices due to economic or other pressures; their "consent" under these circumstances does not reflect true autonomy. Third, sexual abuse caused by inducements harms the minor's dignity and well-being, just as much as abuse through deception. Consequently, both should be criminal offenses. When determining enticement, case-specific factors—such as whether the offender has caregiving responsibilities—should also be considered.

A tiered penalty system should be created for online molestation offenses, and coordination mechanisms between administrative and criminal penalties need enhancement. To support this, amendments could be made to the Public Security Administration Punishment Law to extend special protections for children under fourteen. Additionally, online platforms should be required to implement a mandatory reporting system for acts that harm minors' rights and interests. Procuratorial authorities might also consider initiating civil public interest litigation against online platforms when appropriate, following legal procedures.

4.3 Institutional Coordination

4.3.1 Collaborative Protection Framework

Under a collaborative framework characterised by "investigative leadership and prosecutorial oversight," the division of functions and effective checks are balanced. Investigative personnel retain independent authority over both the decision to conduct and the conduct of interviews, and their leading role in the investigation remains unaffected. Prosecutorial power, by contrast, operates throughout the process in a supervisory capacity, safeguarding the legality of evidence collection and the protection of minors' rights. In this way, the constitutional principles of "mutual coordination and mutual checks" are given effect in the handling of this category of cases.

In addition, forensic social workers should be engaged to strengthen the protection of and assistance to child victims. Parents are often unable to provide adequate emotional support to child victims. Forensic social workers can therefore be called upon to deliver professional protection and assistance services to child victims, as well as to provide parenting guidance to their guardians.

4.3.2 Procedural Integration of the Mandatory Reporting System

First, the obligation of parents and guardians to report should be enforced. Clear legal consequences should be established through model case guidance or statutory interpretation for failure or delay in this duty. Second, regarding online child sexual abuse cases, internet service providers' reporting responsibilities should be explicitly outlined in the Law on the Protection of Minors. When a user is suspected of committing online sexual abuse against a minor, providers should be mandated to report immediately to public security authorities. If the user is only at the preparatory stage of such an offense, reporting should be permitted but not obligatory. Additionally, the Office of the Leading Group for the Protection of Minors under the civil affairs department should act as the main point for receiving and initially screening mandatory reports. A mechanism for prosecutorial pre-emptive intervention should also be established, allowing the procuratorate to check compliance and issue recommendations promptly if deficiencies are identified.

5 Conclusion and Outlook

This article analyzes, from a procedural justice viewpoint, the safeguards available to child victims of sexual abuse during criminal trials and the practical barriers that hinder their implementation. The core issue is that criminal procedures are designed around adult cognitive abilities, which do not align with the physical and psychological traits of child victims. Additionally, the system lacks a mechanism to transform the child from merely a source of evidence into a rights-bearing subject within the proceedings.

Several aspects of this analysis could benefit from additional investigation. Although the best interests principle is widely supported, it remains fundamentally indeterminate: determining what is best for a specific child involves value judgments that procedural methods alone cannot resolve. Children vary in age, trauma history, and circumstances, so uniform procedural standards cannot cover every case. Enhancing procedural safeguards should not be mistaken for achieving ever more precise procedural adjustments—aiming for an optimal outcome in each situation is neither practical nor desirable, as it could delay proceedings and increase the child's burden. Finding a workable balance among competing interests requires ongoing theoretical and practical exploration.

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